



Maryland
Department of
the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary

October 31, 2024

Maryland Dept of Natural Resources
c/o Benjamin Degenhard
Maryland Dept of Natural Resources--Engineering and Construction
580 Taylor Ave, D3 - Tawes State Office Bldg
Annapolis, MD 21401

Via email: benjamin.degenhard@maryland.gov

Re: Agency Interest Number: 92808
Tracking Number: 202261602
Tidal Authorization Number: 24-WQC-0039

Dear Maryland Dept of Natural Resources:

Your project did not qualify for approval under the Maryland State Programmatic General Permit (MDSPGP); therefore a separate review and issuance of the federal permit will be required by the U.S. Army Corps of Engineers. The federal permit is not attached.

Additionally, your project required a Wetlands License to be approved and issued by the Maryland Board of Public Works (BPW). The Wetlands License will be sent to you by BPW's Wetlands Administrator.

A project that does not qualify for approval under the MDSPGP requires an individual Water Quality Certification (WQC) to be issued by the Maryland Department of the Environment, which is attached. Please take a moment to read and review your WQC to ensure that you understand the limits of the authorized work and all of the general and special conditions.

You should not begin any work until you have obtained all necessary State, local, and federal authorizations. Please contact Kathryn Burcham at kathryn.burcham@maryland.gov or 410-537-3647 with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Stewart".

Jonathan Stewart, Acting Chief
Tidal Wetlands Division



STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
WATER QUALITY CERTIFICATION



24-WQC-0039

EFFECTIVE DATE: **October 31, 2024**
CERTIFICATION HOLDER: **Maryland Dept of Natural Resources**
ADDRESS: **580 Taylor Ave, D-3**
Annapolis, MD 21401
PROJECT LOCATION: **6904 Hallowing La**
Prince Frederick, MD 20678

UNDER AUTHORITY OF SECTION 401 OF THE FEDERAL WATER POLLUTION CONTROL ACT AND ITS AMENDMENTS AND IN ACCORDANCE WITH § 9-313 THROUGH § 9-323, INCLUSIVE, OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND, THE MARYLAND DEPARTMENT OF THE ENVIRONMENT, WATER AND SCIENCE ADMINISTRATION HAS DETERMINED THAT THE REGULATED ACTIVITIES DESCRIBED IN THE REQUEST FOR CERTIFICATION FOR THE PROPOSED DNR HALLOWING POINT DREDGING AND BEACH NOURISHMENT PROJECT AND AS DESCRIBED IN THE ATTACHED PLAN SHEETS DATED JUNE 10, 2024, AND ANY SUBSEQUENT MODIFICATIONS APPROVED BY THE DEPARTMENT WILL NOT VIOLATE MARYLAND'S WATER QUALITY STANDARDS, IF CONDUCTED IN ACCORDANCE WITH THE CONDITIONS OF THIS CERTIFICATION.

THIS CERTIFICATION DOES NOT RELIEVE THE APPLICANT OF RESPONSIBILITY FOR OBTAINING ANY OTHER APPROVALS, LICENSES, OR PERMITS IN ACCORDANCE WITH FEDERAL, STATE, OR LOCAL REQUIREMENTS AND DOES NOT AUTHORIZE COMMENCEMENT OF THE PROPOSED PROJECT. A COPY OF THIS REQUIRED CERTIFICATION HAS BEEN SENT TO THE CORPS OF ENGINEERS. THE CERTIFICATION HOLDER SHALL COMPLY WITH THE CONDITIONS LISTED BELOW.

PROJECT DESCRIPTION

- 1) To mechanically or hydraulically maintenance dredge an irregular shaped area measuring approximately 9,9000 square feet to maximum depth of -4.0 feet mean low water (MLW).
- 2) To mechanically or hydraulically dredge an irregular shaped area measuring approximately 9,360 square feet to maximum depth of -4.0 feet mean low water (MLW).
- 3) The resulting 1,065 cubic yards of dredged material will be deposited a maximum of 94.7 feet channelward of the mean high water line associated with nourishment of an existing beach; and 4) to provide for periodic maintenance dredging for six years.

GENERAL CONDITIONS

1. All water quality-related performance standards and conditions required by the Department in any state issued authorization for activities in tidal wetlands, nontidal wetlands, their 100-year floodplains, nontidal wetlands buffers, or nontidal wetland expanded buffers to ensure that any discharges will not result in a failure to comply with water quality standards in COMAR 26.08.02 or any other water quality requirements of state law or regulation shall be met.
2. This Certification does not obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
3. All additional authorizations or approvals, including self-certifying General Permits issued by the Department, shall be obtained and all conditions shall be completed in compliance with such authorizations.
4. The proposed project shall be constructed in accordance with the approved final plan by the Department, or, if Department approval is not required, the plan approved by the U.S. Army Corps of Engineers, and its approved revisions.
5. All fill and construction materials not used in the project shall be removed and disposed of in a manner which will prevent their entry into waters of this State.
6. This Certification does not authorize any injury to private property, any invasion of rights, or any infringement of federal, state, or local laws or regulations.
7. Authorized representatives of the Department shall be provided access to the site of authorized activities during normal business hours to conduct inspections and evaluations of the operations and records necessary to assure compliance with this Certification.
8. No stockpiles of any material shall be placed in Waters of the U.S. or state or private tidal wetlands.
9. Temporary construction trailers or structures, staging areas and stockpiles shall not be located within tidal wetlands, nontidal wetlands, nontidal wetlands buffers, or the 100-year floodplain unless specifically included on the Approved Plan.
10. This Certification is valid for the project identified herein and the associated U.S. Army Corps of Engineers authorization 2022-61602 until such time that it expires or is not administratively extended.

SPECIAL CONDITIONS

1. The Certificate Holder shall not perform any mechanical dredging from December 16 through September 30 of any year due to a shellfish area located within 500 yards of the area authorized to be dredged.

2. All Critical Area requirements shall be followed and all necessary authorizations from the Critical Area Commission (“Commission”) shall be obtained. This Certificate does not constitute authorization for disturbance in the 100-foot Critical Area Buffer. “Disturbance” in the Buffer means clearing, grading, construction activities, or removal of any size of tree or vegetation. Any anticipated Buffer disturbance requires prior written approval, before commencement of land disturbing activity, from local jurisdiction in the form of a Buffer Management Plan.
3. If the authorized work is not performed by the property owner or is not otherwise exempt from the licensing requirement, all work performed under this Tidal Wetlands License shall be conducted by a marine contractor licensed by the Marine Contractors Licensing Board (MCLB) in accordance with Title 17 of the Environment Article of Annotated Code of Maryland and COMAR 26.30. The licensed marine contractor shall be authorized for the appropriate license category to perform or solicit to perform the activities within this authorization, if applicable. A list of licensed marine contractors and their license category may be obtained by contacting the MCLB at 410-537- 3249, by e-mail at MDE.MCLB@maryland.gov, or by accessing the Maryland Department of the Environment, Environmental Boards webpage at <https://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/LicensedMarineContractors.aspx>.
4. The issuance of this Certificate is not a validation or authorization by the Department for any of the existing structures depicted on the plan sheets on the subject property that is not part of the authorized work description, nor does it relieve the Certificate Holder of the obligation to resolve any existing noncompliant structures and activities within tidal wetlands.
5. The Certificate Holder shall transport all dredged material in watertight trucks. No dredged material shall be discharged onto the roadways of the State.
6. The Certificate Holder shall dispose of dredged material only at the dredge disposal site approved by this Certificate. The Certificate Holder shall submit an application for modification of the Certificate to MDE for approval of any dredge disposal site not authorized within the Certificate.
7. The Certificate Holder shall conduct subsequent maintenance dredging within the scope of this certificate in terms of authorized dredge area and authorized depths. The Certificate Holder shall:
 - a) Dredge no more than 500 cubic yards of material at each maintenance dredging.
 - b) Comply with all applicable conditions of this certificate.
 - c) Submit a detailed dredged material disposal plan to be approved by the Water and Science Administration, Tidal Wetlands Division prior to the start of dredging.
 - d) Notify and receive approval from the Water and Science Administration, Compliance Program a minimum of 10 days prior to the start of each maintenance dredging operation.
 - e) The Certificate Holder shall stake the dredge area and receive approval from the Water and Science Administration’s, Compliance Division prior to the start of dredging.
8. The Certificate Holder shall conduct a post dredge bathymetric survey and forward to the Water and Science Administration, Tidal Wetlands Division within 45 days after the termination of any phase of dredging.
9. The Certificate Holder shall conduct maintenance dredging within the scope of this Certification in terms of authorized dredged area, volume of material and authorized depths.
10. The Licensee shall install and maintain a turbidity curtain around the beach nourishment perimeter until completion of the sand placement.

11. The Licensee shall construct the beach nourishment area in accordance with the following conditions:
 - a. The Licensee shall use clean substrate fill material, no more than 10% of which shall pass through a standard number 100 sieve.
 - b. If the fill is graded hydraulically, the licensee shall use a turbidity curtain around the perimeter of the instream work.
 - c. If the existing bank is to be cleared or graded:
 - i. The Licensee shall perform all work under and in accordance with an approved Soil Erosion and Sediment Control Plan from the applicable sediment and erosion control agency; and
 - ii. The Licensee shall perform all work under and in accordance with the Critical Area requirements of the local jurisdiction in the form of an approved Buffer Management Plan.

CITATIONS AND STATEMENTS OF NECESSITY

1. Statement of Necessity for General Conditions 1, 2, 3, 4, and Special Conditions 2, 4: These conditions are necessary to ensure that water quality standards are met, and designated uses are maintained.
 - a. Citations: Federal and state laws which authorize this condition include but are not limited to: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 5, Subtitles 5 and 9; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.10G(3); COMAR 26.23.02.06; COMAR 26.17.01; COMAR 26.23; COMAR 26.24
2. Statement of Necessity for General Conditions 5, 8, 9 and Special Condition 11: Fill or construction material within or adjacent to regulated resources may cause discharges resulting in turbidity in excess of water quality standards and interfere with designated uses of growth and propagation of fish, other aquatic life, wildlife; and other designated uses; and fail to meet general water quality criteria that waters not be polluted by substances in amounts sufficient to be unsightly or create a nuisance.
 - a. Citation: 26.08.02.03B(1)-B(2); COMAR 26.23; COMAR 26.24; COMAR 26.17.04
3. Statement of Necessity for General Condition 6: This condition is necessary to clarify the scope of this certification to ensure compliance with water quality regulations, without limiting restrictions through other requirements.
 - a. Citation: Federal and state laws which authorize this condition include but are not limited to: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 5, Subtitles 5 and 9; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08, COMAR 26.08.02.10E; COMAR 26.23.02.06; COMAR 26.17.04; COMAR 26.23; COMAR 26.24

4. Statement of Necessity for General Condition 7: Conditions of certification involve precise actions to comply with water quality standards. Site inspection may be necessary to ensure that limits, methods, and other requirements are met to ensure that water quality standards are met and designated uses are maintained. These conditions are necessary to ensure that the activity was conducted, and project completed according to terms of the authorization/certification, while allowing for review of in-field modifications which may have resulted in discharges to ensure that water quality standards were met. Designated uses include support of estuarine and marine aquatic life and shellfish harvesting and for growth and propagation of fish, other aquatic life, and wildlife
 - a. Citation: Federal and state laws that authorize this condition include but are not limited to: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 5, Subtitles 5 and 9; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.03B(1)(b); COMAR 26.08.02.03B(2); COMAR 26.23.02.06; COMAR 26.23; COMAR 26.24; COMAR 26.17.04
5. Statement of Necessity for General Condition 10: This condition is necessary to qualify the period of applicability of the terms and conditions of this Certification to be protective of Maryland water quality standards.
 - a. Citations: Federal and state laws which authorize this condition include but are not limited to: 33 U.S.C. § 1341(a), (b), & (d); 33 U.S.C. § 1251(b); 33 U.S.C. § 1370; 40 C.F.R. 121, 15 C.F.R. 930, Md. Ann. Code, Env. Article, Title 1, Subtitles 3 and 4; Md. Ann. Code, Env. Article, Title 5, Subtitles 5 and 9; Md. Ann. Code, Env. Article, Title 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.17.04; COMAR 26.23; COMAR 26.24
6. Statement of Necessity for Special Condition 1: The area within NOBs is specifically established, reserved, and protected from activities and impacts considered detrimental to oyster populations or destruction of the bottom. Oysters spawn and subsequently set their spat during the period June through September in estuarine sections of rivers and the Bay. During this period, dredge units can entrain and destroy oyster eggs and larvae. In addition, sediments resuspended by dredging activities may affect oysters. Potentially, larval oysters could be starved by ingesting sediment particles which are the same size as prey organisms. Larval oysters could also delay metamorphosis to spat because the substrate is covered with loose sediments and is therefore unsuitable. Oysters also become inactive during the colder months of the year and are more liable to burial (inability to clear themselves of deposited sediment) during this period of reduced activity.
 - a. Citation: Federal and state laws that authorize this condition include but are not limited to: COMAR 26.08.02.02-1; 26.08.02.02;
7. Statement of Necessity for Special Condition 3: Expertise for conducting certain activities is required to ensure that there is no violation of water quality standards nor interference with designated uses. This condition is necessary to ensure that discharges will be conducted in a manner which does not violate water quality criteria nor interfere with designated uses.
 - a. Citation: COMAR 26.08.02.02B(2)- B(4); COMAR 26.08 02.03B(2)(d) – (e); COMAR COMAR 26.08.02.02B(2)- B(4); COMAR 26.08 02.03B(2)(d) – (e); COMAR

8. Statement of Necessity for Special Conditions 5, 6, 7 Unauthorized discharges may enter regulated waters as result of activity or structural failure. A plan to address inadvertent discharges will prevent or address further violations of water quality standards and failure of water to meet designated uses, including uses of growth and propagation of fish, other aquatic life, wildlife; and other designated uses; and fail to meet general water quality criteria that waters not be polluted by substances in amounts sufficient to be unsightly or create a nuisance.
 - a. Citation COMAR 26.08.02.02B(1)d; COMAR 26.08.02.02B(3); COMAR 26.08.02.03B(1) and B(2); 26.08.02.01B(2); 26.08.02.02B(1)

9. Statement of Necessity for Special Condition 8: The condition is necessary to ensure that the dredging results in water depths which are appropriate to support designated uses of fishing and water contact recreation and propagation of fish, other aquatic life and wildlife; and ensure that no discharges are unsightly, create a nuisance, change to an objectionable color or interferes with designated uses.
 - a. Citations: COMAR 26.08.02.01B(2); COMAR 26.08.02.02B(1); 26.08.02.02B(3); COMAR 26.08.02.03B

10. Statement of Necessity for Special Condition 9: The limits on the scope of maintenance dredging are necessary to ensure that no discharges would violate water quality standards and designated uses for water clarify, turbidity, growth and propagation of fish, other aquatic life, and wildlife; and water contact recreation.
 - a. Citations: COMAR 26.08.02.02B(1)(d); COMAR 26.08.02.02B(3); COMAR 26.08.02.03B

11. Statement of Necessity for Special Condition 10: The discharge and deposition of material within or adjacent to regulated resources may result in discharges that result in impacts to water quality and designated uses.
 - a. Citations: COMAR 26.08.02.02.B.(3); COMAR 26.08.02.03-3.C.(2)d.(5)

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

Nov 4, 2024

Date

Tracking Number: 202261602
Agency Interest Number: 92808

Effective Date: **October 31, 2024**

Enclosure: Plan Sheets dated June 10, 2024

cc: WSA Inspection & Compliance Program
Army Corps of Engineers



24-WQC-0039
 202261602
 92808
 June 10, 2024
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VICINITY MAP

SCALE: 1" = 1 MILE

**PROPOSED DREDGING
 OF BOAT RAMPS**
 IN: PATUXENT RIVER
 AT: HALLOWING POINT BOATING FACILITY
 CALVERT COUNTY, MARYLAND
 APPLICANT: MARYLAND DEPARTMENT OF
 NATURAL RESOURCES



DREDGE SITE

BEACH NOURISHMENT AREA

PROPERTY OWNER:
WITHERS, DOUGLAS M.
WITHERS, DAPHEN M.

PROPERTY OWNER:
MARYLAND DEPT. OF
NATURAL RESOURCES

PROPERTY OWNER:
MARYLAND DEPT. OF
NATURAL RESOURCES

PROPERTY OWNER:
MARYLAND DEPT. OF
NATURAL RESOURCES

Sources: Esri, HERE, DeLorme, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community, DoIT, MD IMAF, MDP, MD IMAF, ESRI

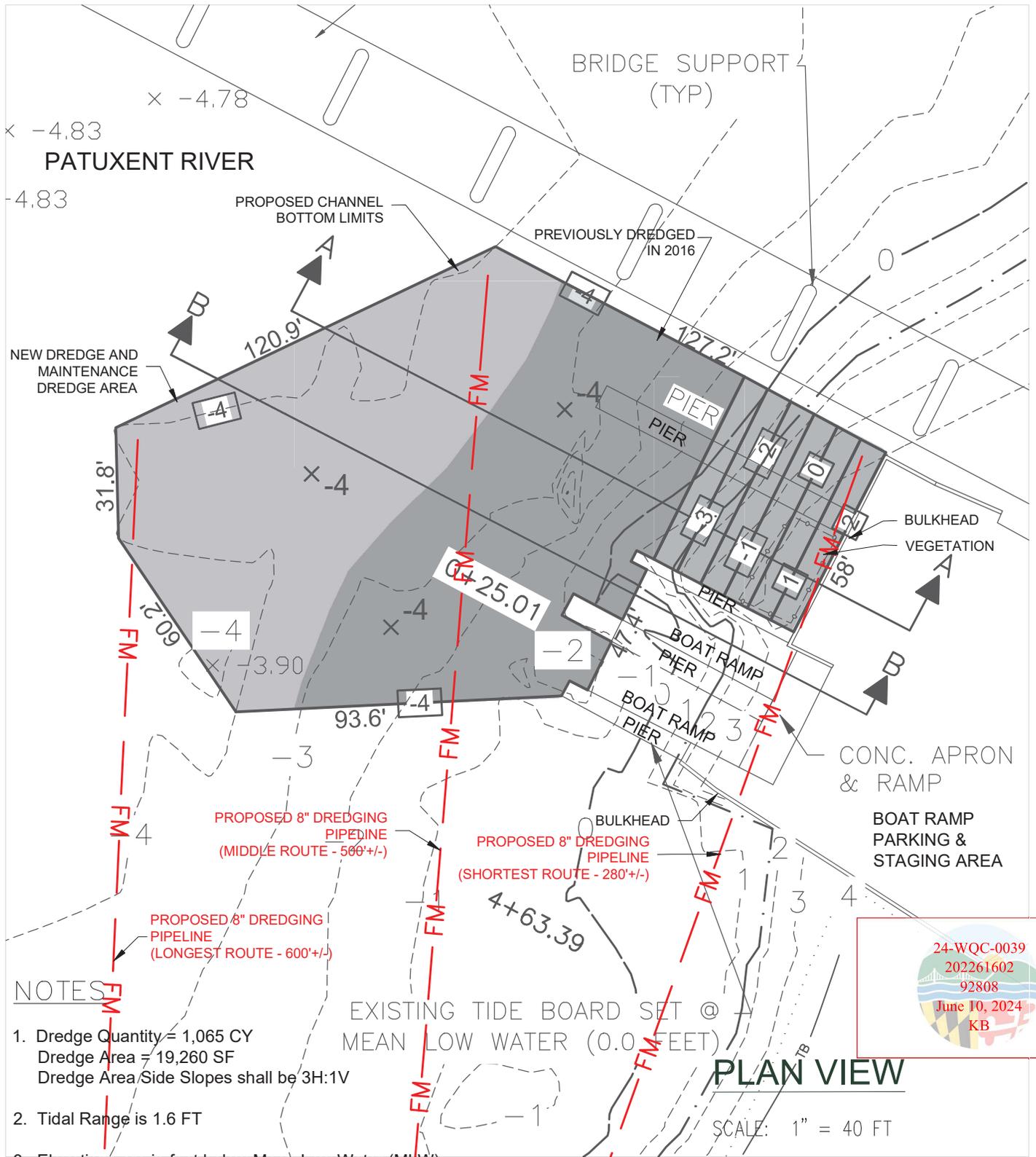
24-WQC-0039
202261602
92808
June 10, 2024
KB



AERIAL PHOTO

SCALE: 1" = 125'

PROPOSED DREDGING OF BOAT RAMPS
 IN: PATUXENT RIVER
 AT: HALLOWING POINT BOATING FACILITY
 CALVERT COUNTY, MARYLAND
 APPLICANT: MARYLAND DEPARTMENT OF NATURAL RESOURCES
 PAGE 2 OF 10



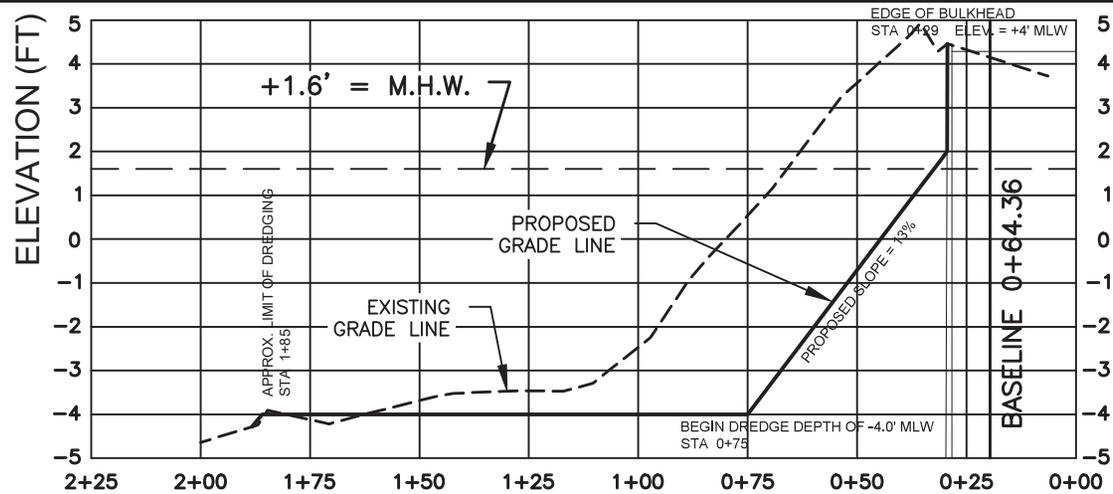
NOTES

1. Dredge Quantity = 1,065 CY
 Dredge Area = 19,260 SF
 Dredge Area Side Slopes shall be 3H:1V
2. Tidal Range is 1.6 FT
3. Elevations are in feet below Mean Low Water (MLW).
4. Dredge material is clean white sand. Sand will be hydraulically dredged and placed along the adjacent shoreline at a max pumping distance of 680 linear feet (see attached beach nourishment plans and profiles).
5. Existing elevations----- -3
 Proposed elevations——— 4

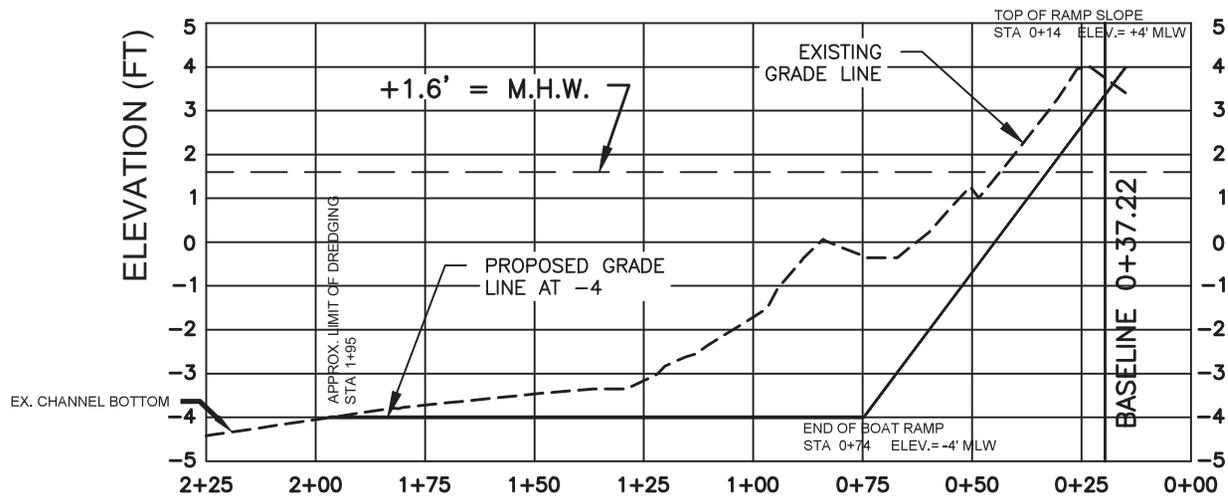
PLAN VIEW

SCALE: 1" = 40 FT

**PROPOSED DREDGING
 OF BOAT RAMPS**
 IN: PATUXENT RIVER
 AT: HALLOWING POINT BOATING FACILITY
 CALVERT COUNTY, MARYLAND
 APPLICANT: MARYLAND DEPARTMENT OF
 NATURAL RESOURCES



SECTION A-A



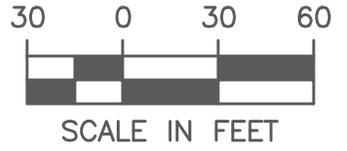
SECTION B-B



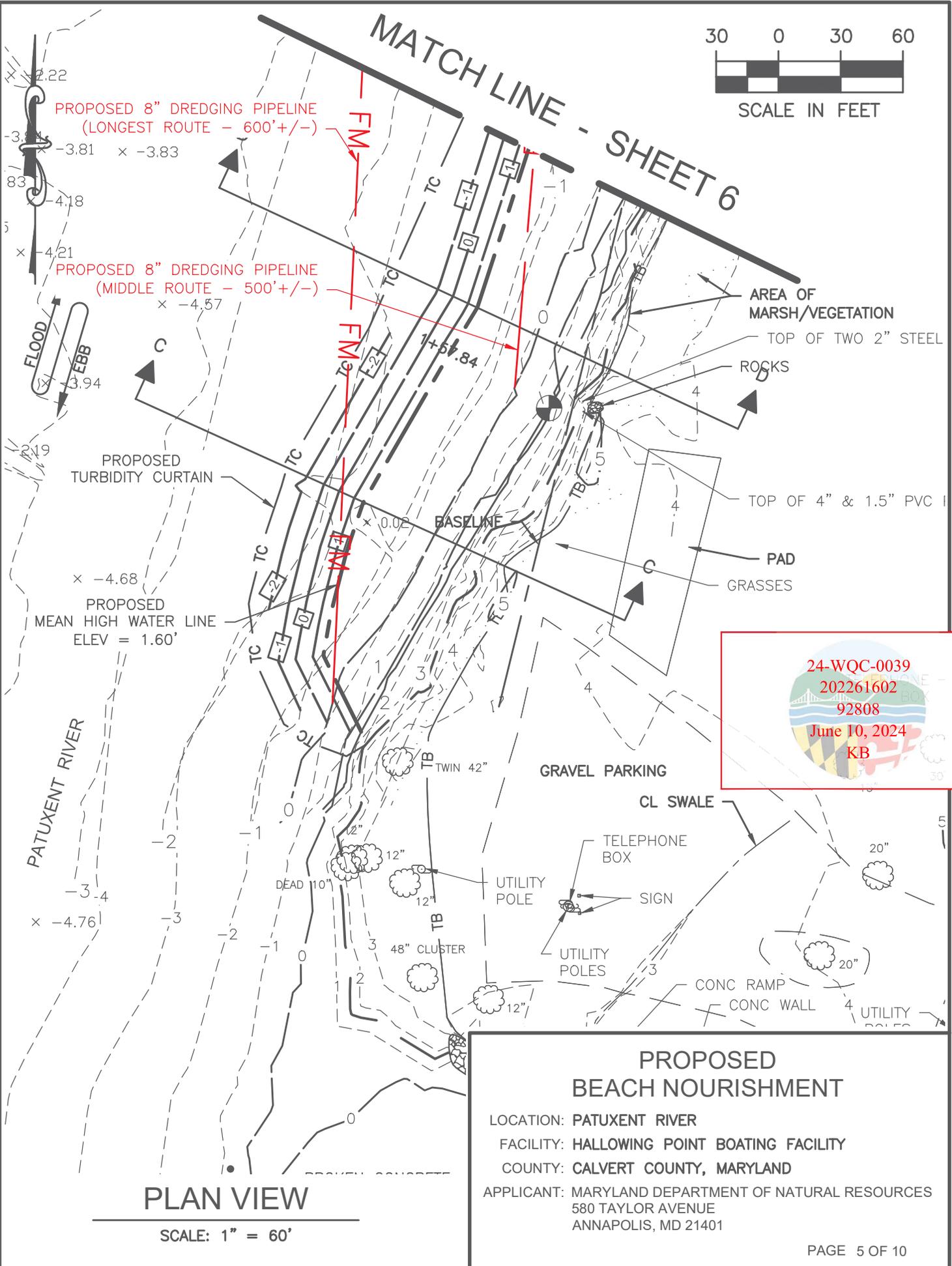
PROFILE VIEWS
SCALE: N.T.S

**PROPOSED DREDGING
 OF BOAT RAMPS**

IN: PATUXENT RIVER
AT: HALLOWING POINT BOATING FACILITY
 CALVERT COUNTY, MARYLAND
APPLICANT: MARYLAND DEPARTMENT OF
 NATURAL RESOURCES



MATCH LINE - SHEET 6



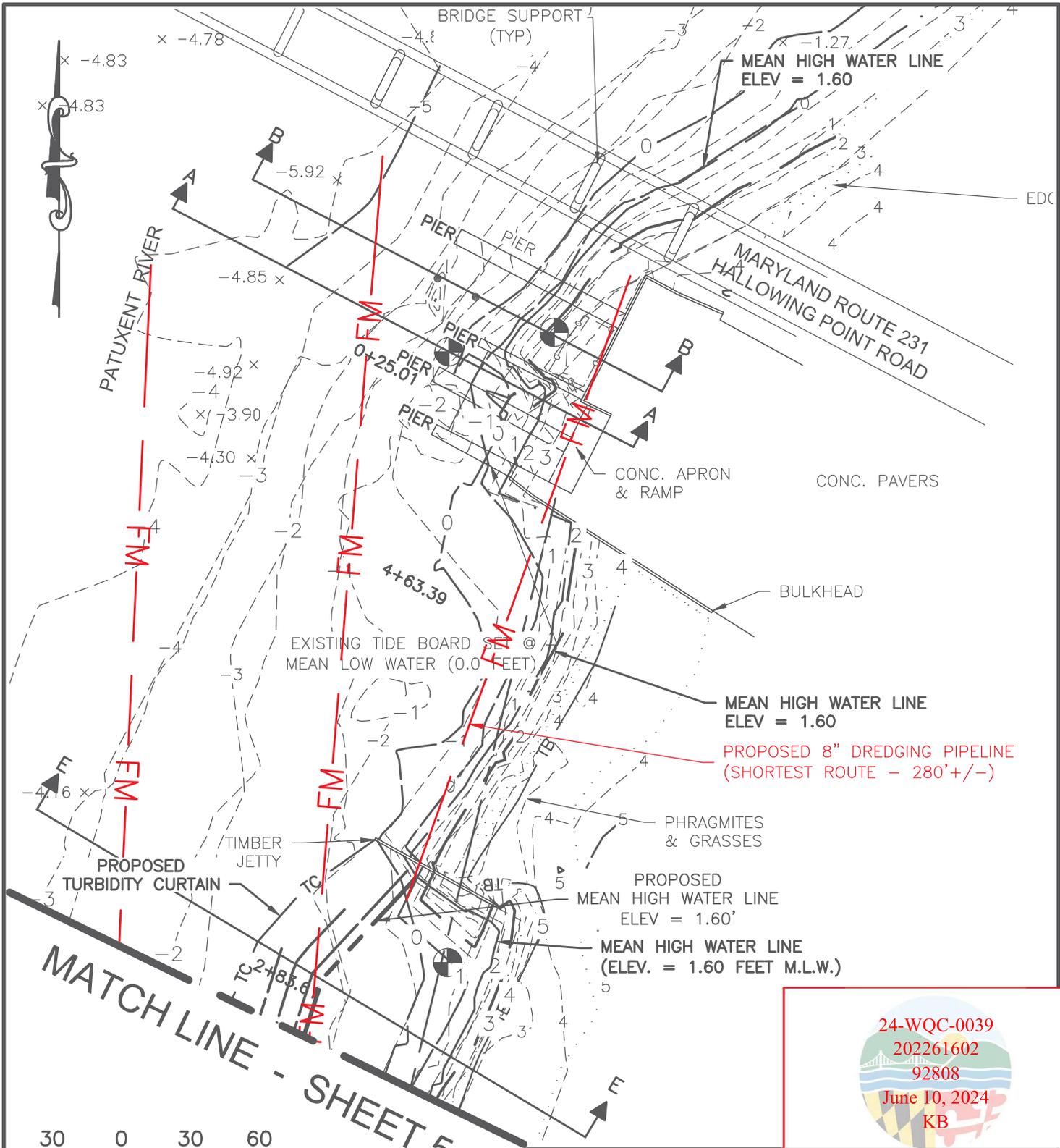
24-WQC-0039
 202261602
 92808
 June 10, 2024
 KB

PLAN VIEW

SCALE: 1" = 60'

**PROPOSED
 BEACH NOURISHMENT**

LOCATION: PATUXENT RIVER
 FACILITY: HALLOWING POINT BOATING FACILITY
 COUNTY: CALVERT COUNTY, MARYLAND
 APPLICANT: MARYLAND DEPARTMENT OF NATURAL RESOURCES
 580 TAYLOR AVENUE
 ANNAPOLIS, MD 21401



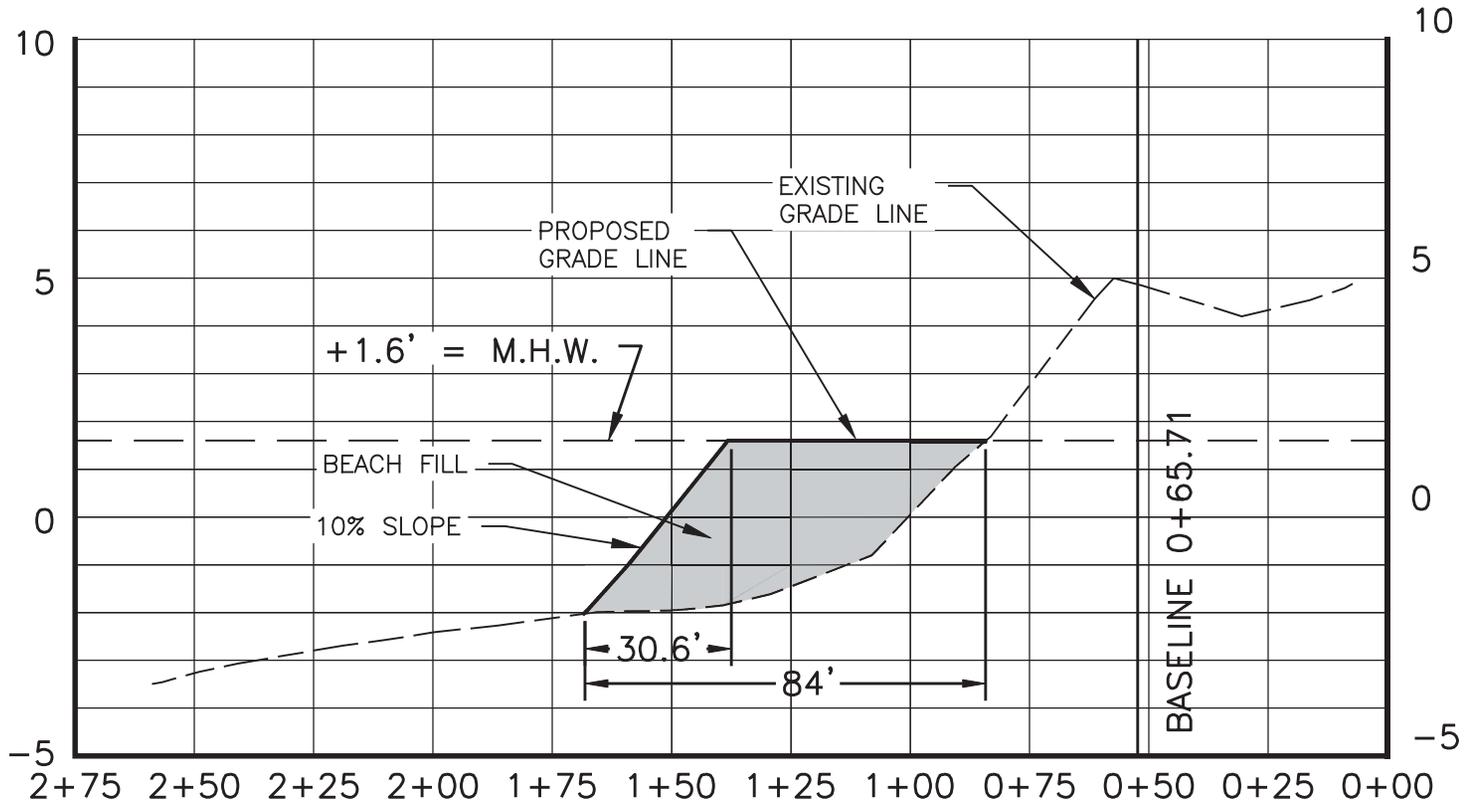
24-WQC-0039
 202261602
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PROPOSED BEACH NOURISHMENT

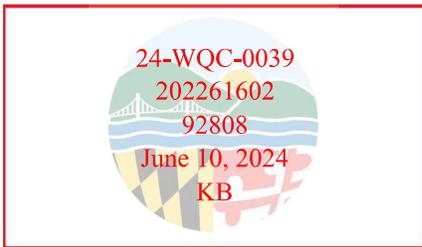
LOCATION: PATUXENT RIVER
 FACILITY: HALLOWING POINT BOATING FACILITY
 COUNTY: CALVERT COUNTY, MARYLAND
 APPLICANT: MARYLAND DEPARTMENT OF NATURAL RESOURCES
 580 TAYLOR AVENUE
 ANNAPOLIS, MD 21401

PLAN VIEW

SCALE: 1" = 60'



SECTION C-C



PROFILE VIEW

SCALE: 1" = 40'

**PROPOSED
BEACH NOURISHMENT**

LOCATION: PATUXENT RIVER

FACILITY: HALLOWING POINT BOATING FACILITY

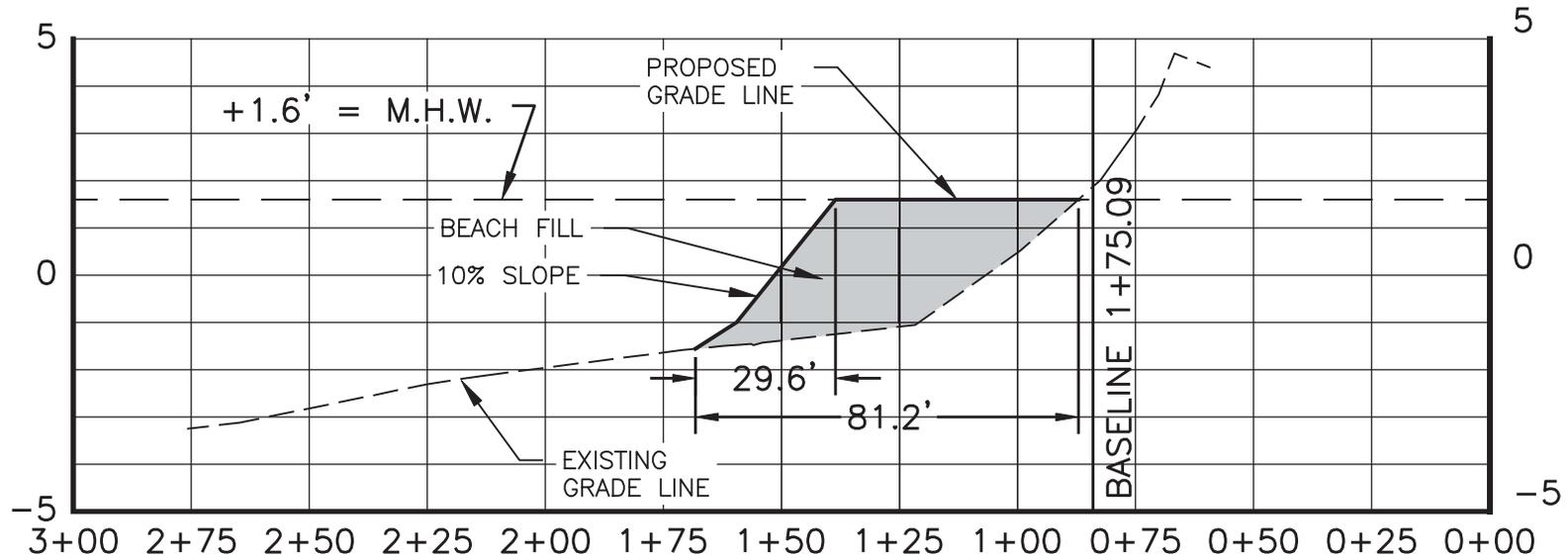
COUNTY: CALVERT COUNTY, MARYLAND

APPLICANT: MARYLAND DEPARTMENT OF NATURAL RESOURCES
580 TAYLOR AVENUE
ANNAPOLIS, MD 21401

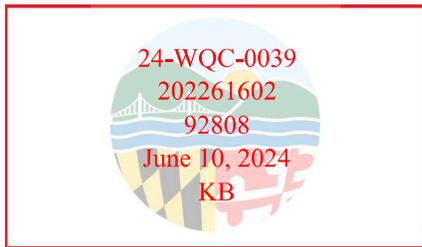
DATE: MAY 2024

PAGE 7 OF 10

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SECTION D-D



PROFILE VIEW

SCALE: 1" = 40'

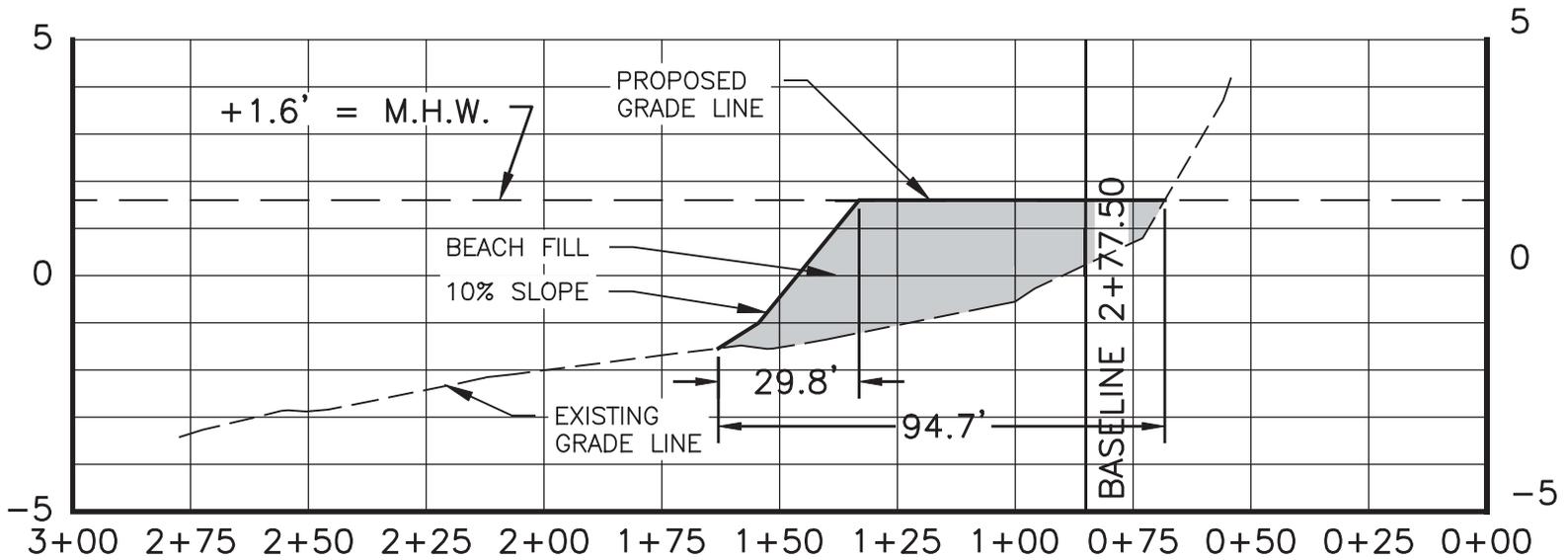
PROPOSED BEACH NOURISHMENT

LOCATION: PATUXENT RIVER

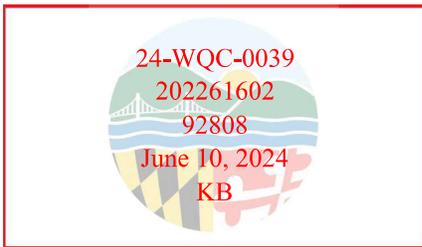
FACILITY: HALLOWING POINT BOATING FACILITY

COUNTY: CALVERT COUNTY, MARYLAND

APPLICANT: MARYLAND DEPARTMENT OF NATURAL RESOURCES
580 TAYLOR AVENUE
ANNAPOLIS, MD 21401



SECTION E-E

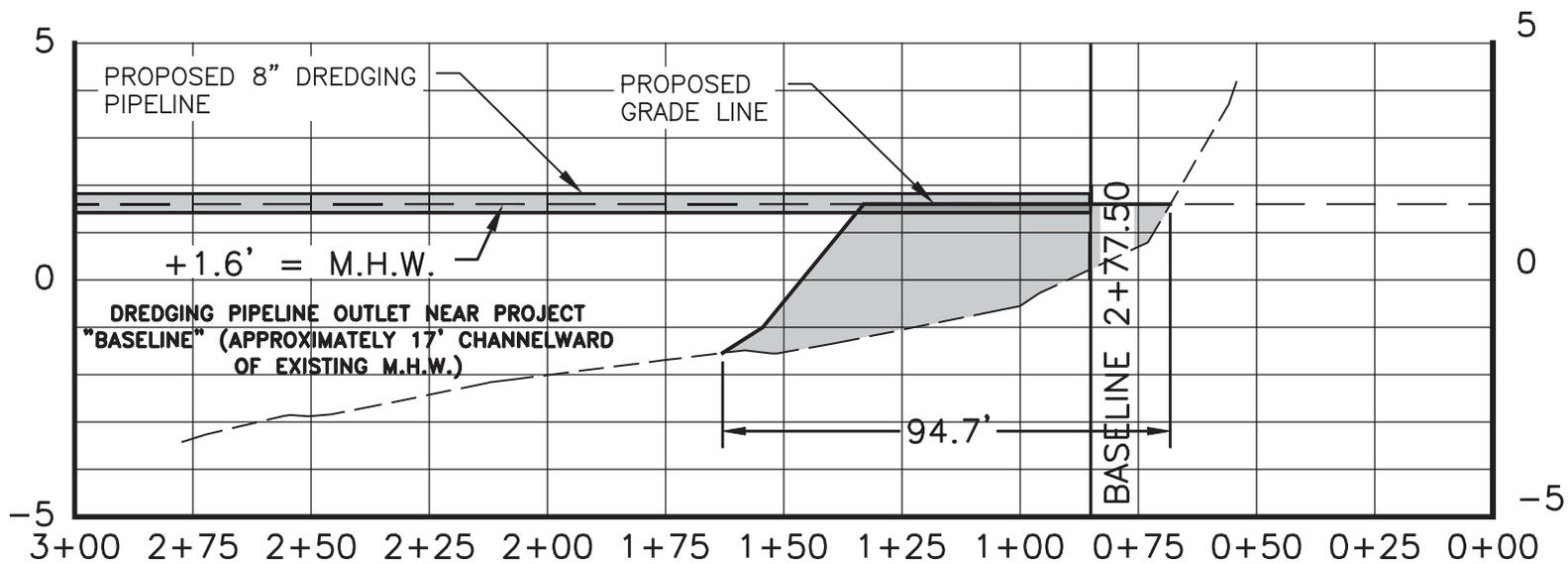


PROFILE VIEW

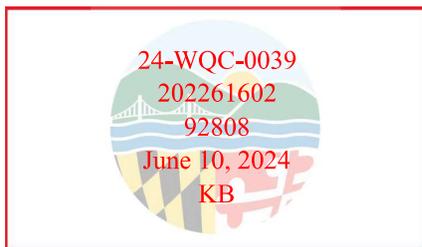
SCALE: 1" = 40'

**PROPOSED
BEACH NOURISHMENT**

LOCATION: PATUXENT RIVER
FACILITY: HALLOWING POINT BOATING FACILITY
COUNTY: CALVERT COUNTY, MARYLAND
APPLICANT: MARYLAND DEPARTMENT OF NATURAL RESOURCES
580 TAYLOR AVENUE
ANNAPOLIS, MD 21401



PROPOSED 8" DREDGING PIPELINE AT SECTION E-E



PROFILE VIEW

SCALE: 1" = 40'

PROPOSED
BEACH NOURISHMENT

LOCATION: PATUXENT RIVER
FACILITY: HALLOWING POINT BOATING FACILITY
COUNTY: CALVERT COUNTY, MARYLAND
APPLICANT: MARYLAND DEPARTMENT OF NATURAL RESOURCES
580 TAYLOR AVENUE
ANNAPOLIS, MD 21401