



Maryland

Department of the Environment

Wes Moore, Governor
Aruna Miller, Lt. Governor

Serena McIlwain, Secretary
Suzanne E. Dorsey, Deputy Secretary
Adam Ortiz, Deputy Secretary

June 04, 2025

Commissioners of Somerset County
c/o George Young
1504 Market Street
Pocomoke City, MD 21851

Via email: info@gey2pc.com

Re: Agency Interest Number: 184322
Tracking Number: 202461573
Tidal Authorization Number: 25-WQC-0004

Dear Commissioners of Somerset County:

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 Mary Phipps-Dickerson at mary.phipps-dickerson@maryland.gov or (443) 509-0797 with any questions.

Sincerely,

Jonathan Stewart
Acting Division Chief
Tidal Wetlands Division



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



25-WQC-0004

EFFECTIVE DATE: **June 4, 2025**
CERTIFICATION HOLDER: **Somerset Board of County Commissioners**
ADDRESS: **11916 Somerset Avenue, Room 111**
Princess Anne, Maryland 21853
PROJECT LOCATION: **Near Tylerton Marina**
Tylerton, MD 21866

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 BREAKWATER AND AS DESCRIBED IN THE ATTACHED PLAN SHEETS DATED DECEMBER 30, 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.

The Maryland Department of the Environment satisfied the statutory and regulatory public notice requirements by placing the Water Quality Certification on Public Notice from March 15th, 2025 to April 15th, 2025 on Maryland Department of the Environment's Public Notice webpage and advertising in the Somerset Herald on March 21, 2025.

PROJECT DESCRIPTION

Construct a 160-foot long by 30-foot wide breakwater approximately 375 feet channelward of the mean high water line as depicted on plans dated December 30, 2024.

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 NAB-2024-61573 Somerset County - Tylerton Marina/Breakwater (Boat Basin at USNA) until such time that it expires or is not administratively extended.

SPECIAL CONDITIONS

1. The Certificate Holder shall not perform any in water work from April 15th through October 15th of any year due to submerged aquatic vegetation restrictions.
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. All work performed under this Water Quality Certificate 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. Licensing by MCLB shall occur prior to the beginning of construction activities. A list of licensed marine contractors 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.
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 have all work associated with staging for this project proposed above the mean high water line reviewed and authorized by Somerset County Department of Planning & Zoning.

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.

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: 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.

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.

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.

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.

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: A time of year restriction is necessary to maintain the designated use for support of estuarine and marine aquatic life and shellfish harvesting. Restrictions on instream construction are necessary to protect designated uses for propagation and growth of fish, other aquatic life, and wildlife.

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 26.08.02.03.03B(1)(b); 26.08.02.03.03B(2); COMAR 26.23.02.06

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.

Citation: COMAR 26.08.02.02B(2)- B(4); COMAR 26.08 02.03B(2)(d) – (e); COMAR 26.08.02.03B(1)(b); 26.08.02.03B(2); COMAR 23.02.04.04

8. Statement of Necessity for Special Condition 5: The condition is necessary to ensure that water quality standards are met under unique circumstances for discharges which may otherwise qualify under the county jurisdiction.

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 26.08.02.10G(3); COMAR 26.08.02.06; COMAR 26.24; COMAR 26.23.02.06

CERTIFICATION APPROVED



D. Lee Currey, Director
Water and Science Administration

Jun 6, 2025

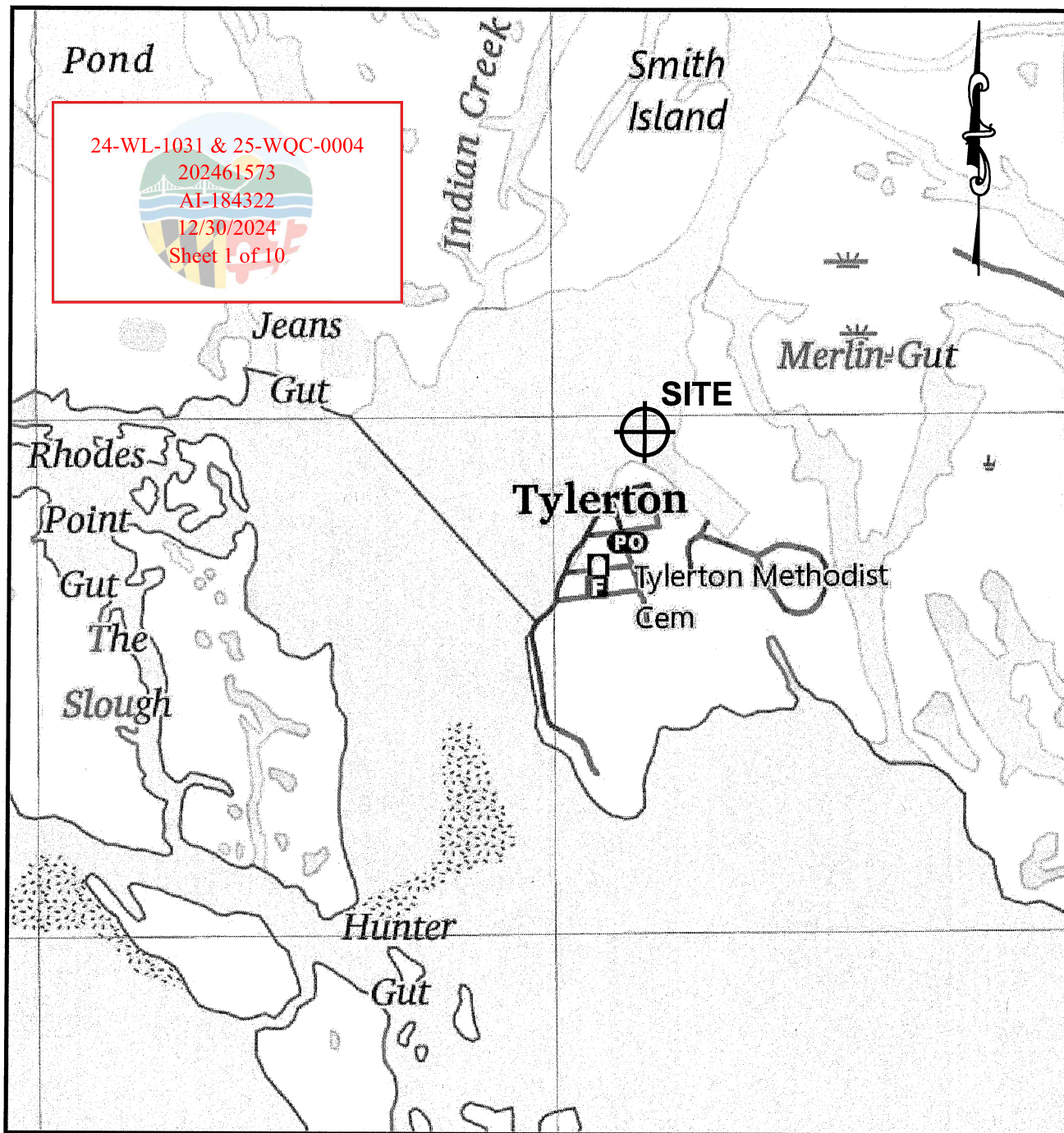
Date

Tracking Number: 202461573
Agency Interest Number: 184322

Effective Date: **June 4, 2025**

Enclosure: Plan Sheets dated December 30, 2024

cc: WSA Inspection & Compliance Program
Army Corps of Engineers



From: USGS Ewell Quadrangle (7.5 minute series)
 Site Location: 76° 01' 23.1" W Long.
 37° 58' 13.0" N Lat.

OWNER/DEVELOPER:
 Board of County Commissioners
 11916 Somerset Avenue, Room 111
 Princess Anne, MD 21853-1300
 XXX-XXX-XXXX

VICINITY MAP

Scale: 1" = 2000'

PROPOSED STONE BREAKWATER

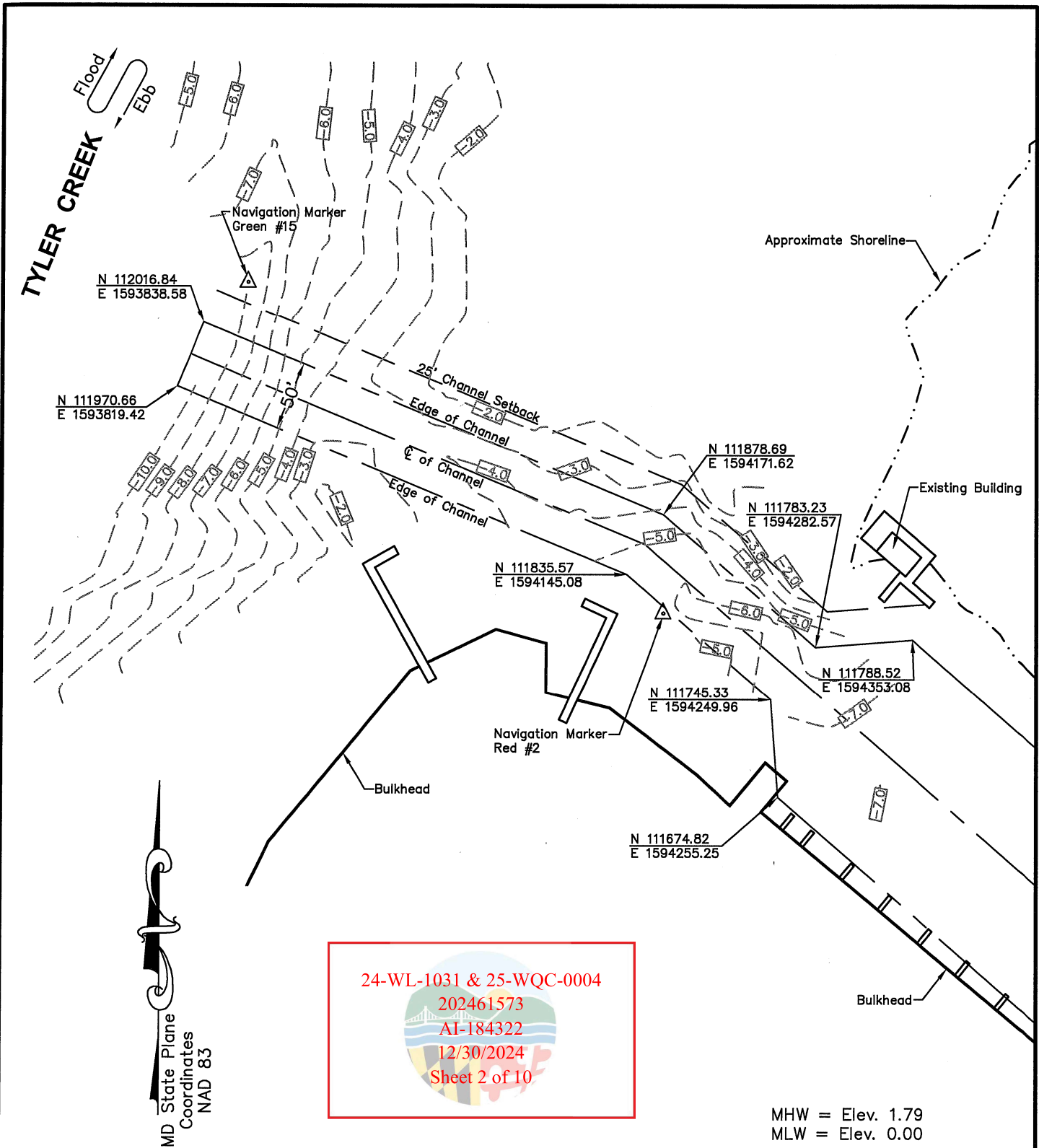
ON: TYLER CREEK
 NEAR: TYLERTON HARBOR
 WHARF ROAD, TYLERTON
 SOMERSET COUNTY, MARYLAND

GEY
 GEORGE E. YOUNG, III, P.C.
 ENGINEERS & SURVEYORS



1603 MARKET STREET
 POCOMOKE MARYLAND 21851
 PHONE: (410)-957-2149
 FAX: (410)-957-2928

DATE DRAWN:	9/17/2024
CADD NAME:	M23195 Tylerton permit
JOB # :	M23195
SHEET	1 OF 8



OWNER/DEVELOPER:
Board of County Commissioners
11916 Somerset Avenue, Room 111
Princess Annes, MD 21853-1300
XXX-XXX-XXXX

EXISTING CONDITIONS

Scale: 1" = 100'

PROPOSED STONE BREAKWATER

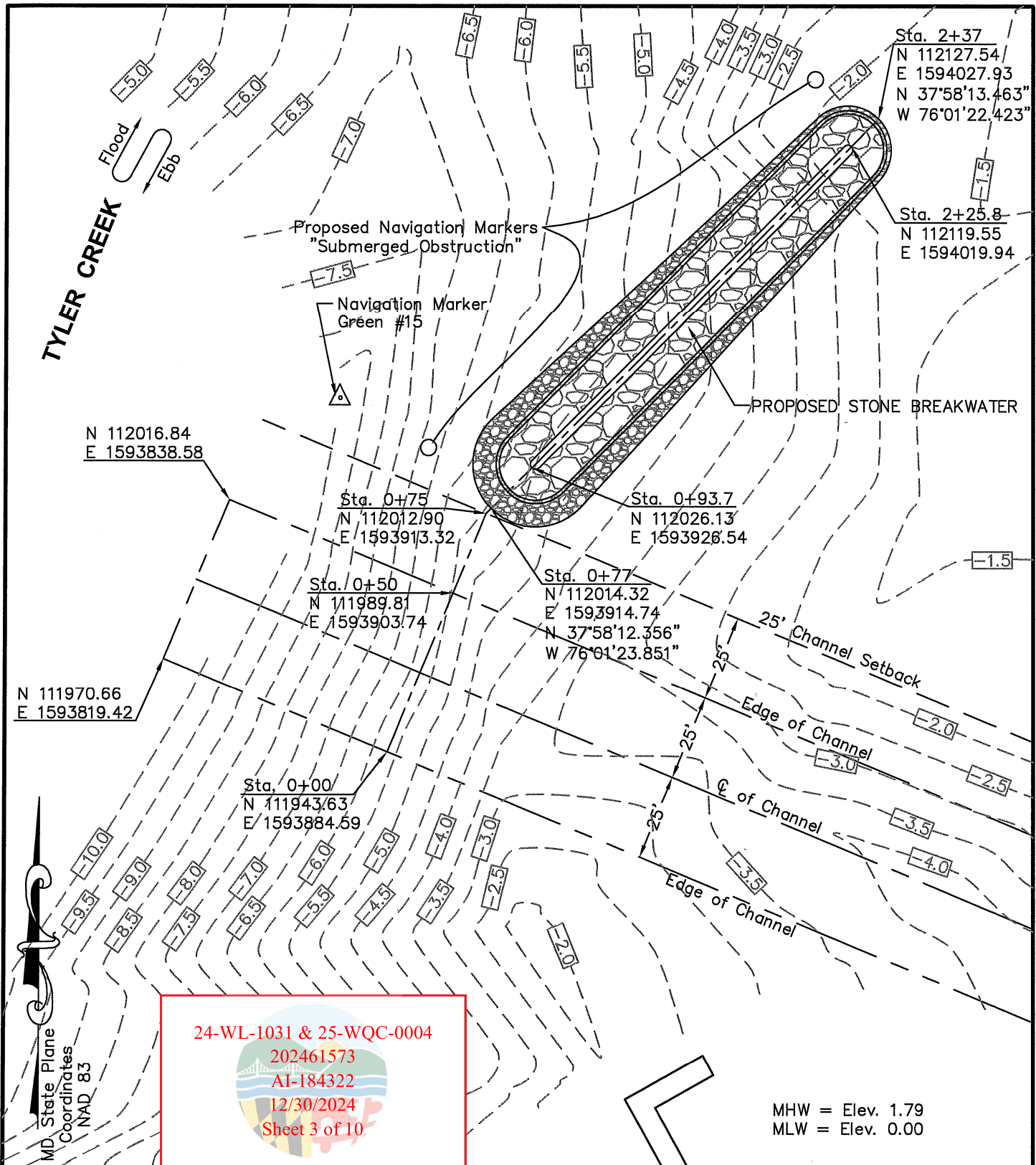
ON: TYLER CREEK
NEAR: TYLERTON HARBOR
WHARF ROAD, TYLERTON
SOMERSET COUNTY, MARYLAND

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SHEET 2 OF 8



OWNER/DEVELOPER:
Board of County Commissioners
11916 Somerset Avenue, Room 111
Princess Annes, MD 21853-1300
XXX-XXX-XXXX

PROPOSED BREAKWATER

Scale: 1" = 40'

PROPOSED STONE BREAKWATER

ON: TYLER CREEK
NEAR: TYLERTON HARBOR
WHARF ROAD, TYLERTON
SOMERSET COUNTY, MARYLAND

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POCOMOKE MARYLAND 21851
PHONE: (410)-957-2149
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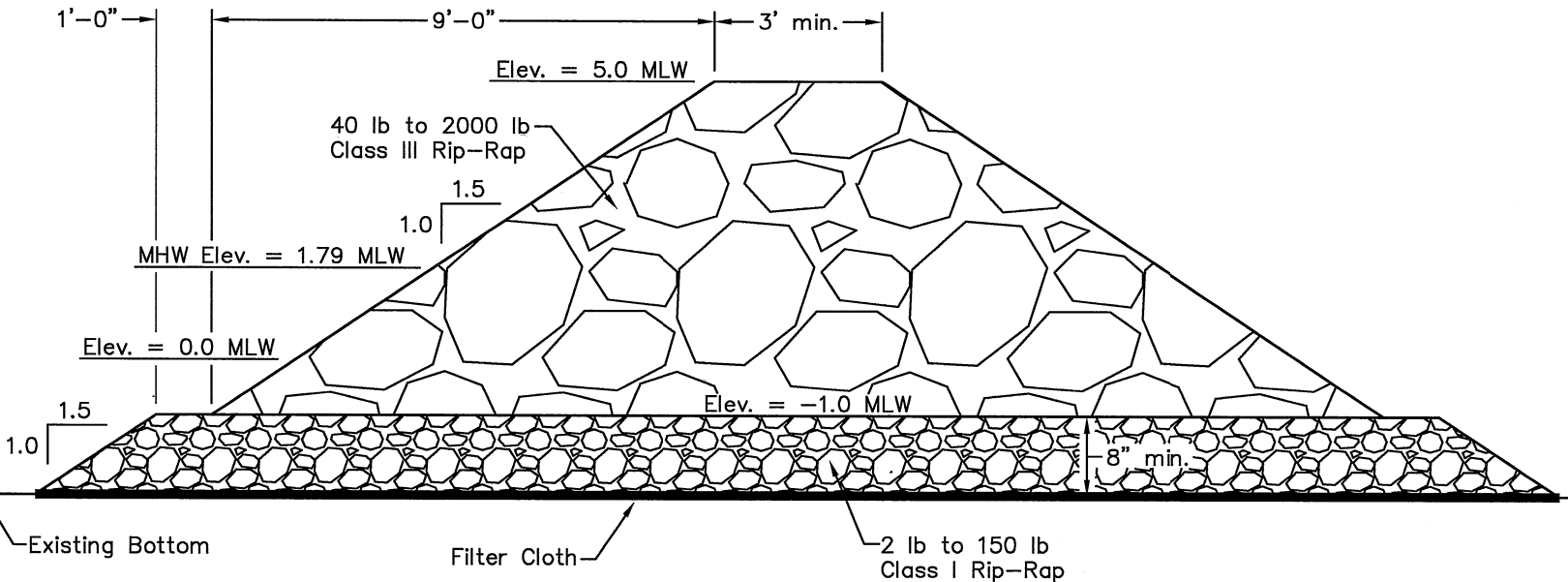
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CADD NAME:	M23195 Tylerton permit
JOB # :	M23195
SHEET	3 OF 8



OWNER/DEVELOPER:
Board of County Commissioners
11916 Somerset Avenue, Room 111
Princess Anne, MD 21853-1300
XXX-XXX-XXXX

PROPOSED BREAKWATER

PROPOSED STONE BREAKWATER
ON: TYLER CREEK
NEAR: TYLERTON HARBOR
WHARF ROAD, TYLERTON
SOMERSET COUNTY, MARYLAND



Notes:

1. Rip-Rap shall not contain more than 10% by weight of the smallest stone size.
2. Filter Cloth shall be Poly Filter-X or an equivalent woven plastic.
3. Total Volume of Class III Rip-Rap required = ± 372.6 cu.yd.
4. Volume of Class III Rip-Rap below MHW = ± 245.1 cu.yd.
5. Total Volume of Class I Rip-Rap required = ± 434.8 cu.yd.

TYPICAL BREAKWATER SECTION

Not to Scale





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CADD NAME: M23195 Tylerton permit
JOB #: M23195
SHEET 5 OF 8

OWNER/DEVELOPER:
Board of County Commissioners
11916 Somerset Avenue, Room 111
Princess Anne, MD 21853-1300
XXX-XXX-XXXX

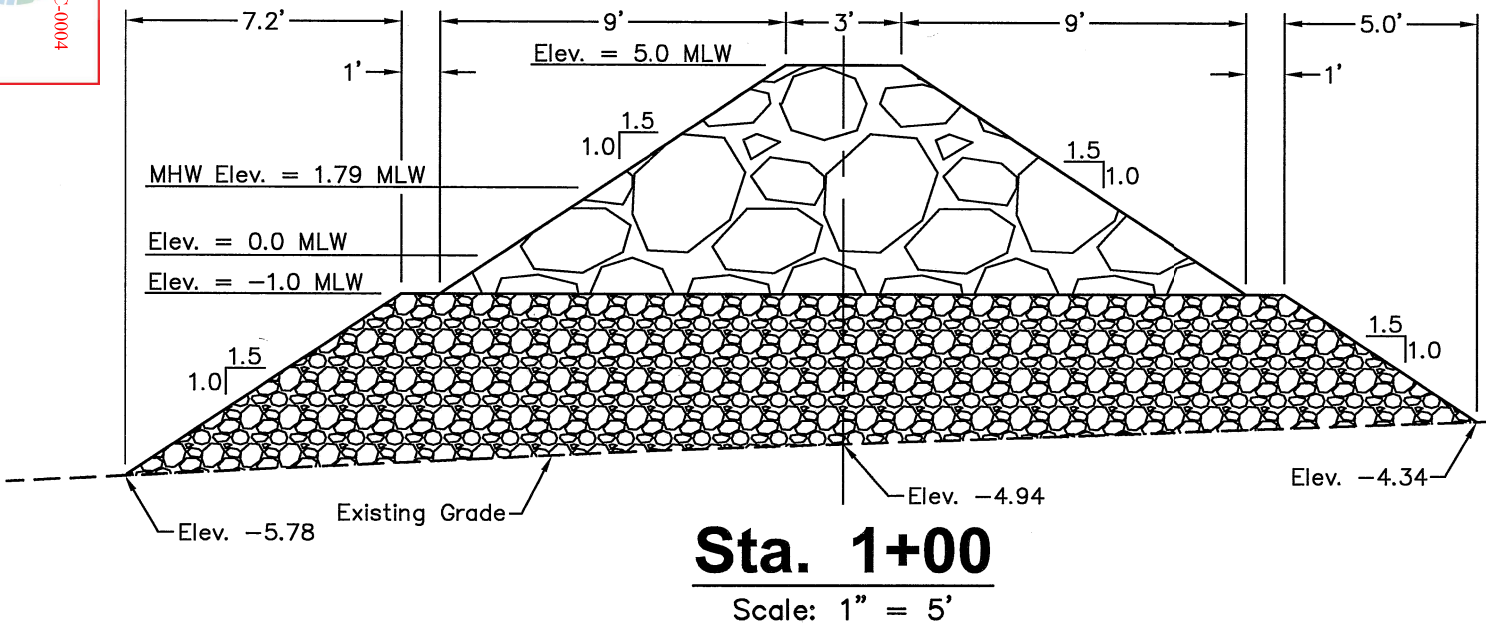
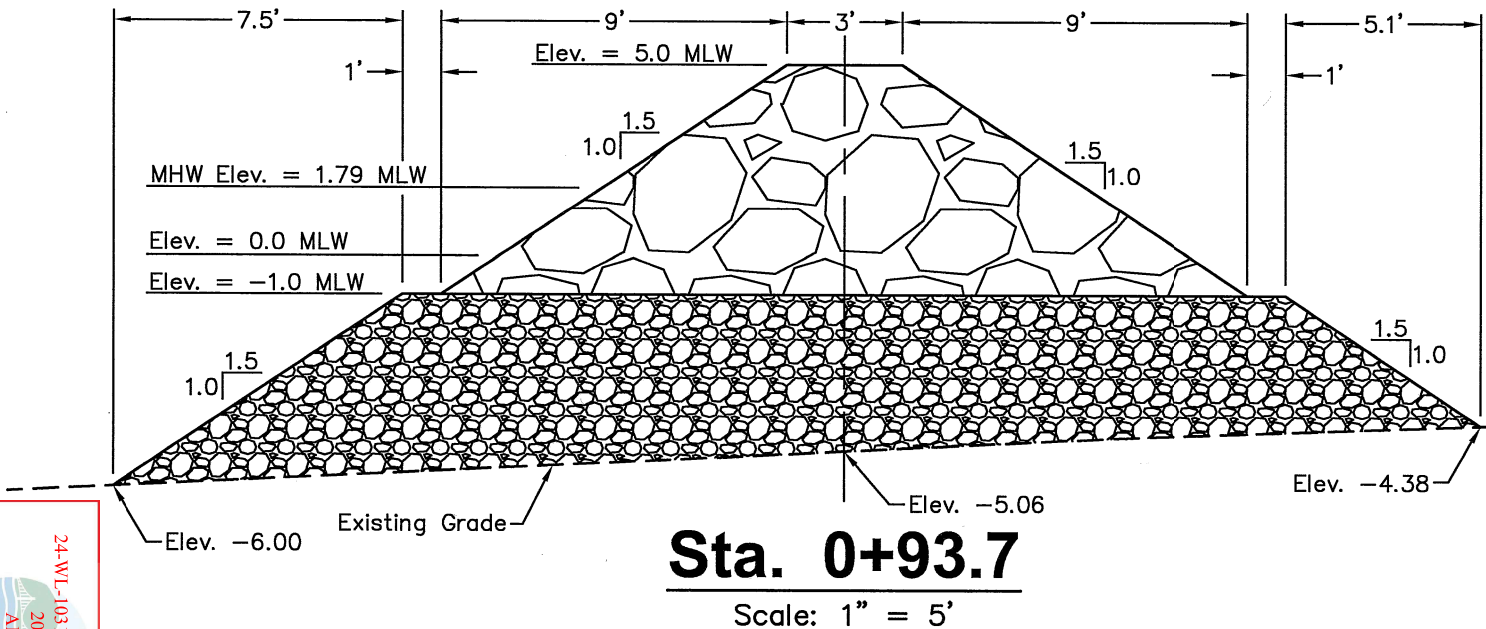
PROPOSED BREAKWATER

Scale: 1" = 5'



PROPOSED STONE BREAKWATER

ON: TYLER CREEK
NEAR: TYLERTON HARBOR
WHARF ROAD, TYLERTON
SOMERSET COUNTY, MARYLAND





1603 MARKET STREET
POCOMOKE MARYLAND 21851
PHONE: (410)-957-2149
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DATE DRAWN: 9/17/2024
CADD NAME: M23195 Tyerton permit
JOB #: M23195
SHEET 6 OF 8

OWNER/DEVELOPER:
Board of County Commissioners
11916 Somerset Avenue, Room 111
Princess Annes, MD 21853-1300
XXX-XXX-XXXX

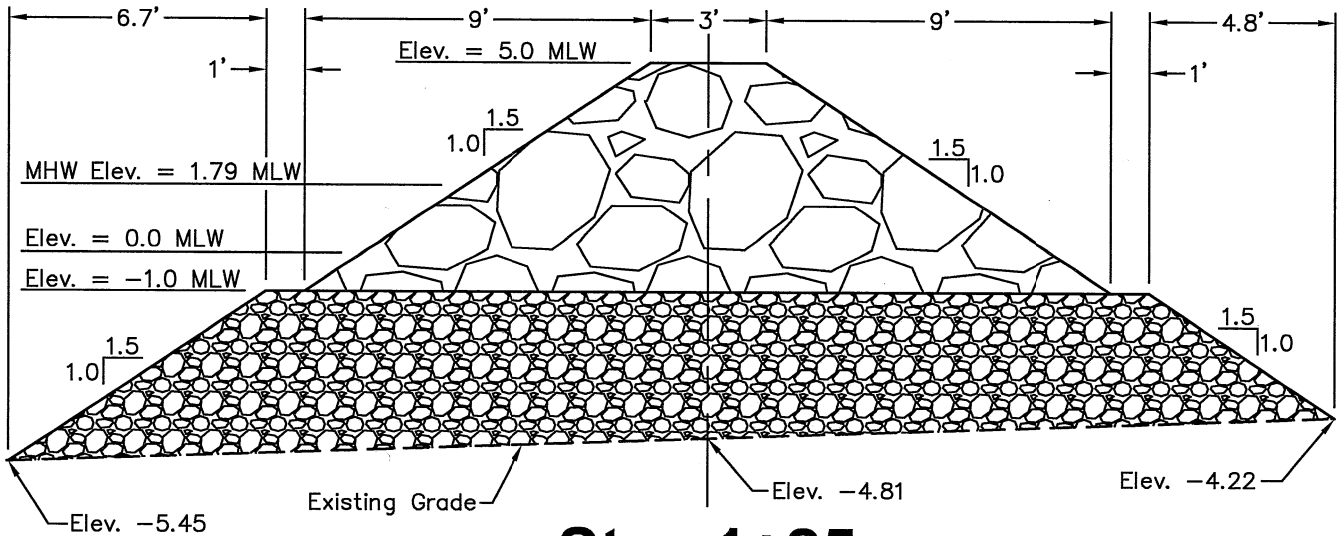
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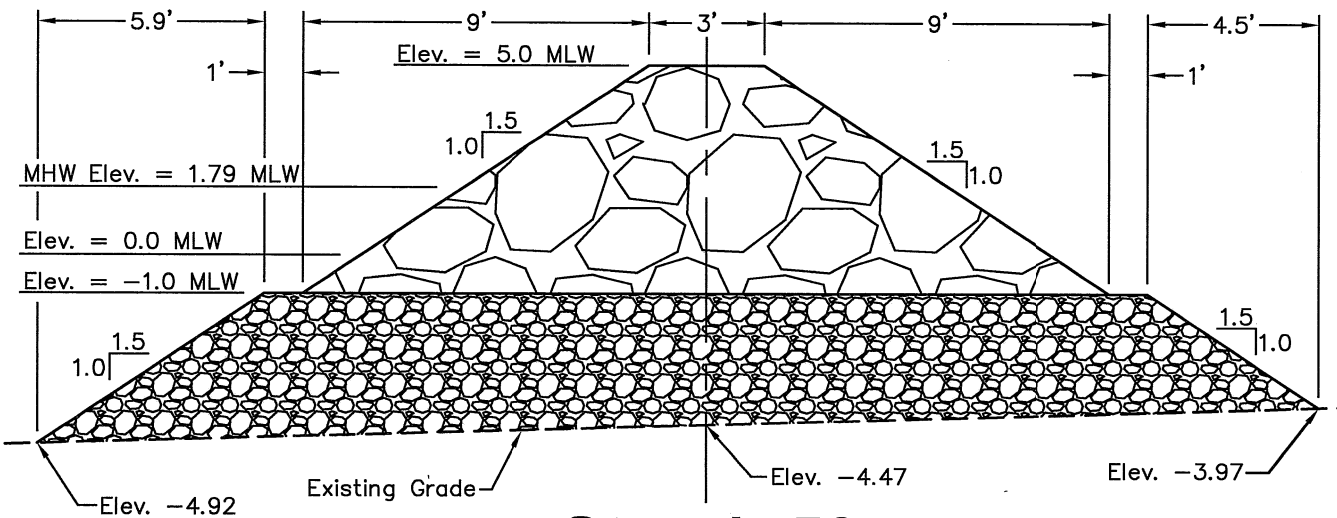
PROPOSED STONE BREAKWATER

ON: TYLER CREEK
NEAR: TYLERTON HARBOR
WHARF ROAD, TYLERTON
SOMERSET COUNTY, MARYLAND



Sta. 1+25

Scale: 1" = 5'



Sta. 1+50

Scale: 1" = 5'

OWNER/DEVELOPER:
Board of County Commissioners
11916 Somerset Avenue, Room 111
Princess Anne's, MD 21853-1300
XXX-XXX-XXXX

PROPOSED BREAKWATER

Scale: 1" = 5'

PROPOSED STONE BREAKWATER

ON: TYLER CREEK
NEAR: TYLERTON HARBOR
WHARF ROAD, TYLERTON
SOMERSET COUNTY, MARYLAND

DATE DRAWN: 9/17/2024

CADD NAME: M23195 Tylerton permit

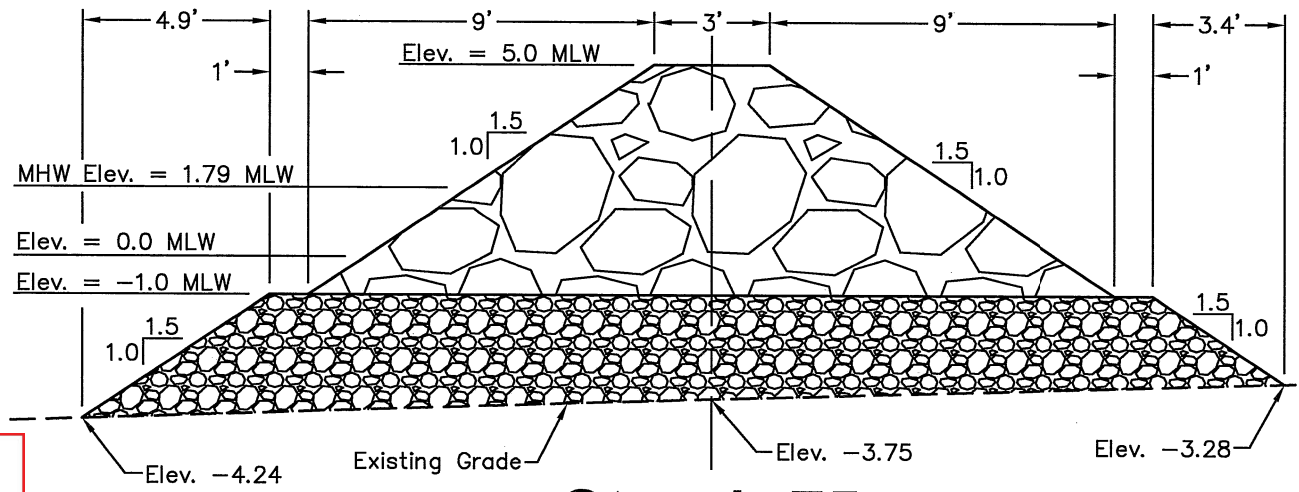
JOB #: M23195

SHEET 7 OF 8

GEORGE E. YOUNG, III, P.C.
ENGINEERS & SURVEYORS

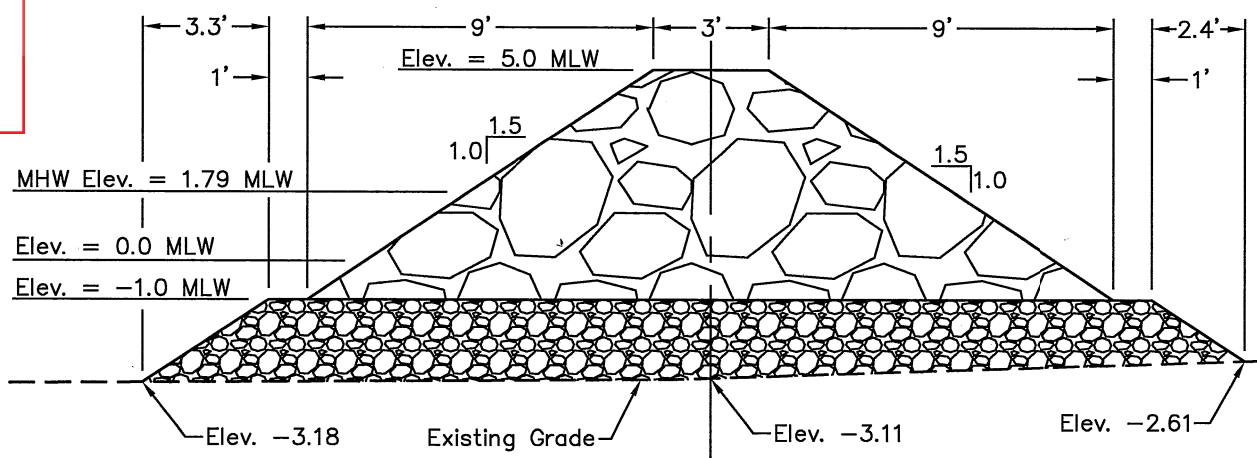


1603 MARKET STREET
POCOMOKE MARYLAND 21851
PHONE: (410)-957-2149
FAX: (410)-957-2928



Sta. 1+75

Scale: 1" = 5'



Sta. 2+00

Scale: 1" = 5'

OWNER/DEVELOPER:
Board of County Commissioners
11916 Somerset Avenue, Room 111
Princess Anne, MD 21853-1300
XXX-XXX-XXXX

PROPOSED BREAKWATER

Scale: 1" = 5'

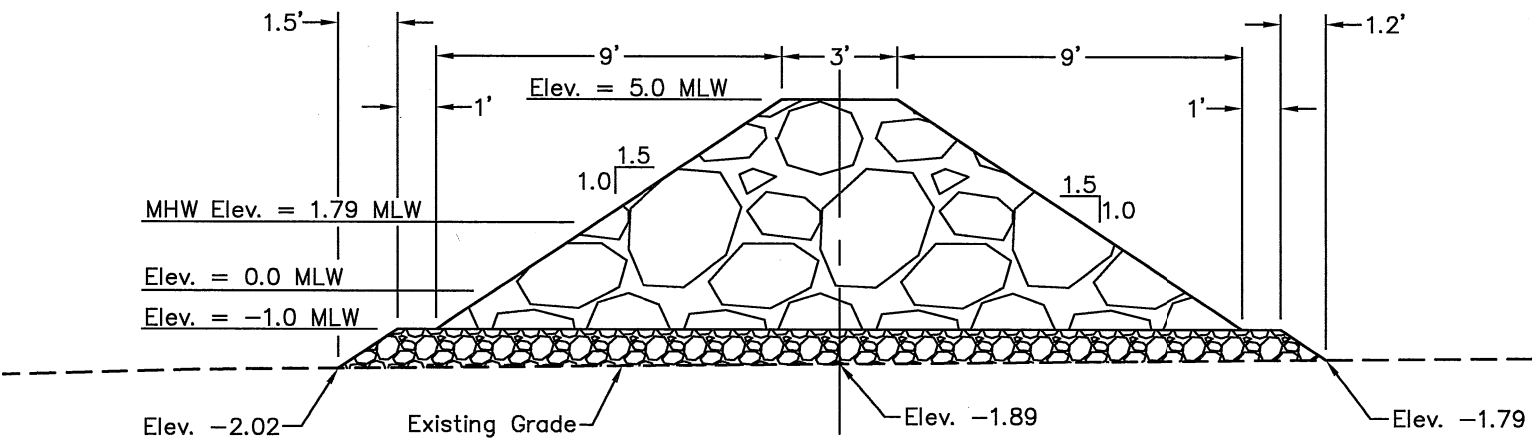
PROPOSED STONE BREAKWATER
ON: TYLER CREEK
NEAR: TYLERTON HARBOR
WHARF ROAD, TYLERTON
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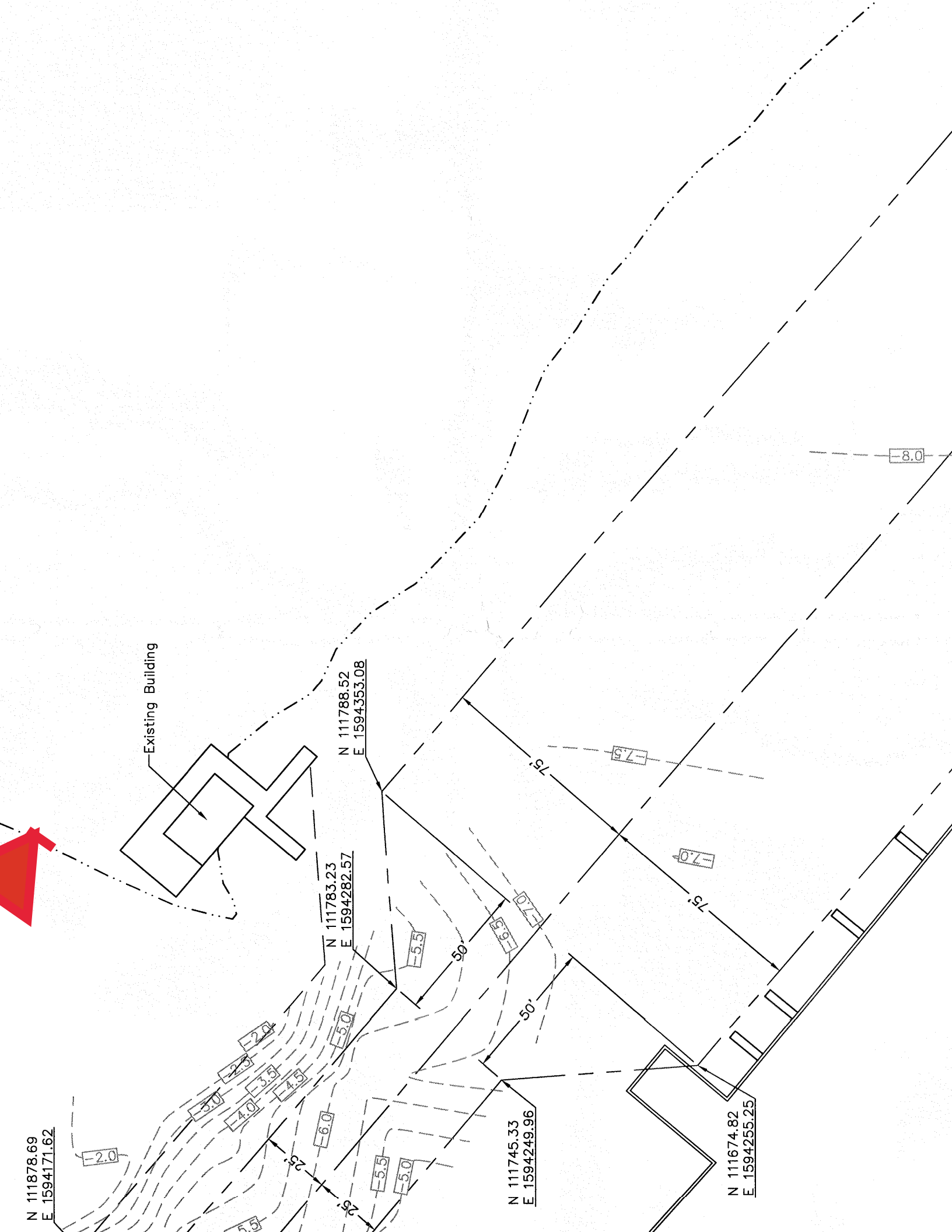
DATE DRAWN:	9/17/2024
CADD NAME:	M23195 Tylerton permit
JOB # :	M23195
SHEET	8 OF 8



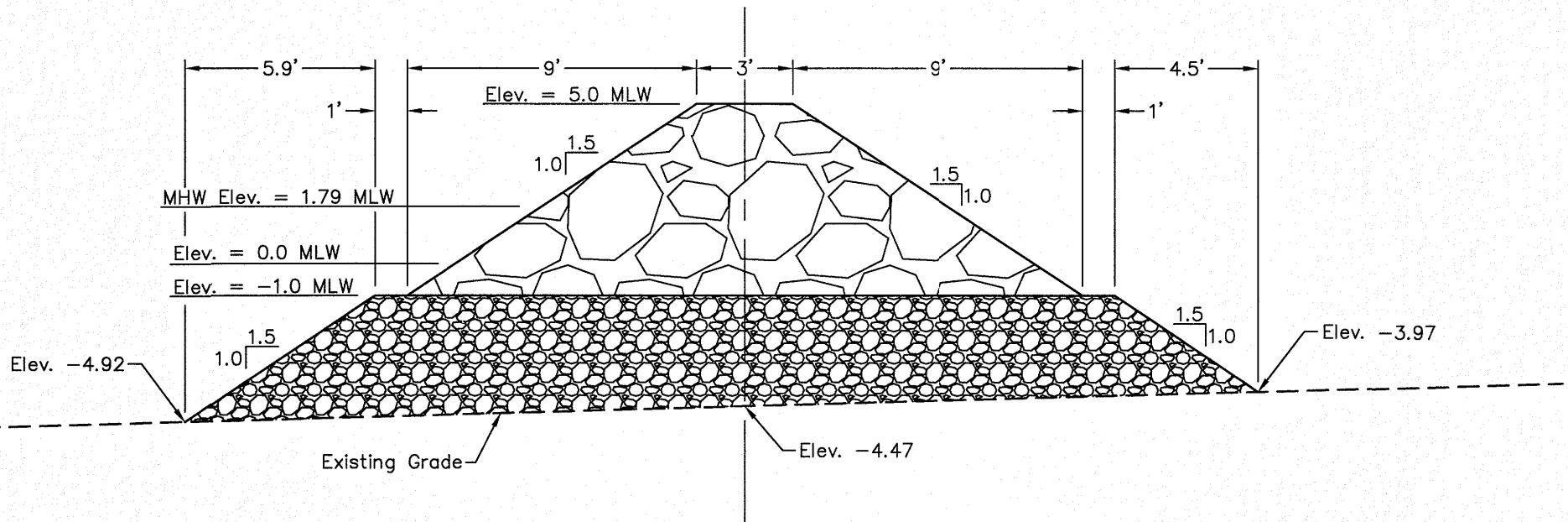
Sta. 2+25.8

Scale: 1" = 5'

24-WL-1031 & 25-WQC-0004
202461573
AI-184322
12/30/2024
Sheet 8 of 10



Horizontal Scale: 1" = 10'
Vertical Scale 1" = 10'



Sta. 1+50

Scale: 1" = 5'

