



June 26, 2025

Flag Harbor LLC Attn: Daniel Donaldson, President P.O. Box 91 St. Leonard, Maryland 20685

Via email: fhca@flagharbor.com

Re: Agency Interest Number: 92228

Tracking Number: 202461475

Tidal Authorization Number: 25-WQC-0009

Dear Daniel Donaldson:

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 Tidal Wetlands Permit to be approved and issued by the Maryland Department of Environment (MDE). The Tidal Wetlands Permit will be sent to you by MDE's Wetlands and Waterways Program.

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 with any questions.

Sincerely,

Jonathan Stewart, Chief Tidal Wetlands Division



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



25-WQC-0009

EFFECTIVE DATE: June 25, 2025

CERTIFICATION HOLDER: Flag Harbor LLC

c/o Daniel Donaldson

ADDRESS: P.O. Box 91

St Leonard, MD 20685

PROJECT LOCATION: 1565 Flag Harbor Blvd,

St. Leonard, MD 20710

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 DREDGING PROJECT AND AS DESCRIBED IN THE ATTACHED PLAN SHEETS DATED January 22, 2025, 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 Administration satisfied statutory and regulatory public notice requirements by placing this WQC on Public Notice from May 1st, 2025 to June 1st, 2025 on the Maryland Department of the Environment's Public Notice webpage (and advertising in the Southern Maryland News on May 9th, 2025).

PROJECT DESCRIPTION

Mechanically maintenance dredge a new irregularly shaped 10,957 sq. ft. wide area to a depth of 7.0 feet at mean low water; and 2) Mechanically dredge an irregularly shaped 7,594 sq. ft. wide area, of which 6,750 sq. ft. is maintenance dredging and 844 sq. ft. is new dredging, to a depth of 5.0 feet at mean low water; and 3) Deposit approximately 808 cubic yards of dredged material on an approved upland disposal site located at Red's LLC, 3625 Adelina Rd., Prince Frederick, MD, 20678; and 4) 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 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-2024-60045 until such time that it expires or is not administratively extended.

SPECIAL CONDITIONS

1. 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.

- 2. 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.
- 3. 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.
- 4. The Certificate Holder shall dispose of dredged material only at the dredge disposal site approved by this Water Quality Certification. 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.
- 5. 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.
- 6. 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.
- 7. 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.
- 8. The Certificate Holder shall not perform any dredging from December 16th through March 14th and June 1st to September 30th of any year due to a shellfish area located within 500 yards of the area authorized to be dredged. However, mechanical dredging of the entrance channel could occur during the restricted periods if a turbidity curtain is deployed across the entrance channel between the entrance jetties prior to the start of dredging operations and maintained in place throughout the dredging of the entrance channel.
- 9. 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.
- 10. If the Licensee transports by trucks, the trucks need to be watertight and no dredged material shall be discharged onto the roadways of the State.

CITATIONS AND STATEMENTS OF NECESSITY

1. Statement of Necessity for General Conditions 1, 2, 3, 4, and Special Conditions 1, 3: 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 2: 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

7. Statement of Necessity for Special Conditions 4, 5, 9, and 10: 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.

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)

8. Statement of Necessity for Special Condition 6: 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.

Citations: COMAR 26.08.02.01B(2); COMAR 26.08.02.02B(1); 26.08.02.02B(3); COMAR 26.08.02.03B

9. Statement of Necessity for Special Condition 7: 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

Citations: COMAR 26.08.02.02B(1)(d); COMAR 26.08.02.02B(3); COMAR 26.08.02.03B

10. Statement of Necessity for Special Condition 8: A time of year restriction is necessary to maintain the designated use for support of estuarine and marine aquatic life and shellfish harvesting.

Citation: Federal and state laws which authorize this condition include but are not limited to:

COMAR: 26.08.02.02B(1)(d); 26.08.02.02B(3); COMAR 26.08.02.02-16.

CERTIFICATION APPROVED

Matthew C. Rowe
Matthew C. Rowe (Jul 8, 2025 14:38 EDT)

Jul 8, 2025

Date

D. Lee Currey, Director
Water and Science Administration

Tracking Number: 202461475

Agency Interest Number: 92228

Effective Date: June 25, 2025

Enclosure: Plan Sheets dated January 22, 2025

WSA Inspection & Compliance Program Army Corps of Engineers

Disclaimer:

The information shown hereon was taken from several sources including Google Earth aerial photos, Maryland Maps, photographs, tax maps, county web sites and a site sketch. These sources are are the best available information for marine permitting purposes. This is not a detailed on-site property survey. The owner is not responsible for any inaccuracies associated with the location of above referenced existing features and related latteral lines, setbacks, etc. this sketch is for permit purposes only and is not to be used as an accurate construction document.

> 24-WP-0979 202461475 92228 January 22, 2025 KB





REVISION: 1/22/25 CHANGED DREDGING **AREAS AND** SECTIONS **VOLUMES**

PROPOSED MECHANICAL DREDGING IN A MARINA BASIN

OWNER: FLAG HARBOR LLC

MAILING ADDRESS: PO BOX 250

ST. LEONARD, MD 20685

SITE ADDRESS: 1565 FLAG HARBOR BLVD. ST. LEONARD, MD 20685

MAP: 32 GRID: 21 PARCEL: 84 7.26 AC

SUBDIVISION: 1003

DEED REFERENCE: 06163 / 00326 DISTRICT - 01 ACCOUNT NUMBER - 040944

ZONING: C CRITICAL AREA -LDA

NOTES:

- 1. TIDAL WATERS, TIDE RANGE IS +1.33',
- 2. ELEVATIONS BASED ON 0 MLW BASED AND BASED ON THE DNR TIDEBOARD AND DEPTH SURVEY OF MAY 1, 2024
- 3. PROPOSED WORK: FOR A FULL DESCRIPTION SEE SHEET 3
- ALL ACCESS IS BY AND WATER.
- 5. THIS DRAWING IS FOR OUTLINE PURPOSES ONLY.

VICINITY MAPS

IN: FLAG HARBOR TOWN: ST. LEONARD COUNTY: CALVERT STATE: MARYLAND

APPL. BY: FLAG HARBOR LLC

PO BOX 250

ST. LEONARD, MD 20685

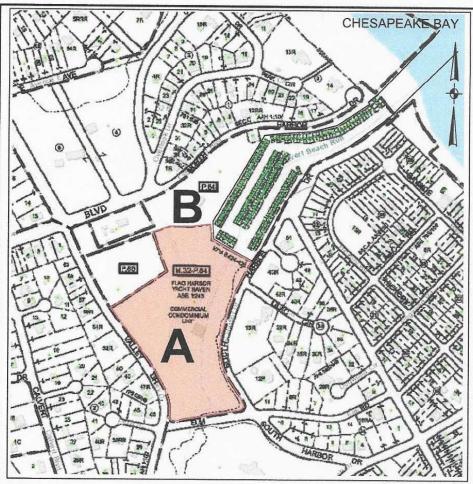
DATE: REV 1/22/25

page 1 of 13

Doldon W. Moore & Associates, LLC Cell: 443-771-2374

Tidal Wetlands Consultant and Facilitor P.O. Box 1 Owings, MD 20736

Email: dwmoorejr@verizon.net Consulting Services, Permit Facilitation, Proect Management, Aquaculture. Habitat Restoration, Expert Testimony



APPLICANT: PARCEL 84 FLAG HARBOR LLC PO BOX 250 ST. LEONARD, MD 20685

FLAG HARBOR YACHT HAVEN C/O ASSOC. PRESIDENT PO BOX 91 ST. LEONARD, MD 20685

24-WP-0979 202461475 92228 January 22, 2025 KB

OWNER: FLAG HARBOR LLC MAILING ADDRESS: PO BOX 250

ST. LEONARD, MD 20685

SITE ADDRESS: 1565 FLAG HARBOR BLVD. ST. LEONARD, MD 20685

MAP: 32 GRID: 21 PARCEL: 84 7.26 AC

SUBDIVISION: 1003

DEED REFERENCE: 06163 / 00326

DISTRICT - 01 ACCOUNT NUMBER - 040944

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TAX MAP

IN: FLAG HARBOR TOWN: ST. LEONARD COUNTY: CALVERT STATE: MARYLAND

APPL. BY: FLAG HARBOR LLC

PO BOX 250

ST. LEONARD, MD 20685

page 2 of 13

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Consulting Services, Permit Facilitation, Proect Management, Aquaculture. Habitat Restoration, Expert Testimony

DATE: REV 1/22/25

PROPOSED WORK DESCRIPTION

- 1. PROPOSED DREDGING OF 2 AREAS IN THE EXISTING MARINA (PRIVATE WETLANDS)
- 2. MECHANICALLY DREDGE 2 AREAS IN THE MARINA
- 3. AREA 1: DREDGE TO -7' MLW, 527 CY, 10,957 SF OR .25 ACRES
- 4. AREA 2: DREDGE TO -5 MLW, 281 CY, 7,594 SF OR .17 ACRES
- 5. TOTAL DREDGING 808 CY, 18,551 SF or .42 ACRES
- 6. 808 CY OF SAND, SILT, MUD, ETC. WILL BE TAKEN BY WATERTIGHT TRUCKS TO THE APPROVED SPOIL SITE AT REDS LLC, 3625 ADELINA RD., PRINCE FREDERICK, MD
- 7. INCLUDES A 6 YEAR MAINTENANCE PROVISION REQUEST.



OWNER: FLAG HARBOR LLC MAILING ADDRESS: PO BOX 250

ST. LEONARD, MD 20685

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WORK DESCRIPTION

IN. FLAG HARBOR TOWN: ST. LEONARD COUNTY: CALVERT STATE: MARYLAND

APPL. BY: FLAG HARBOR LLC

PO BOX 250

ST. LEONARD, MD 20685

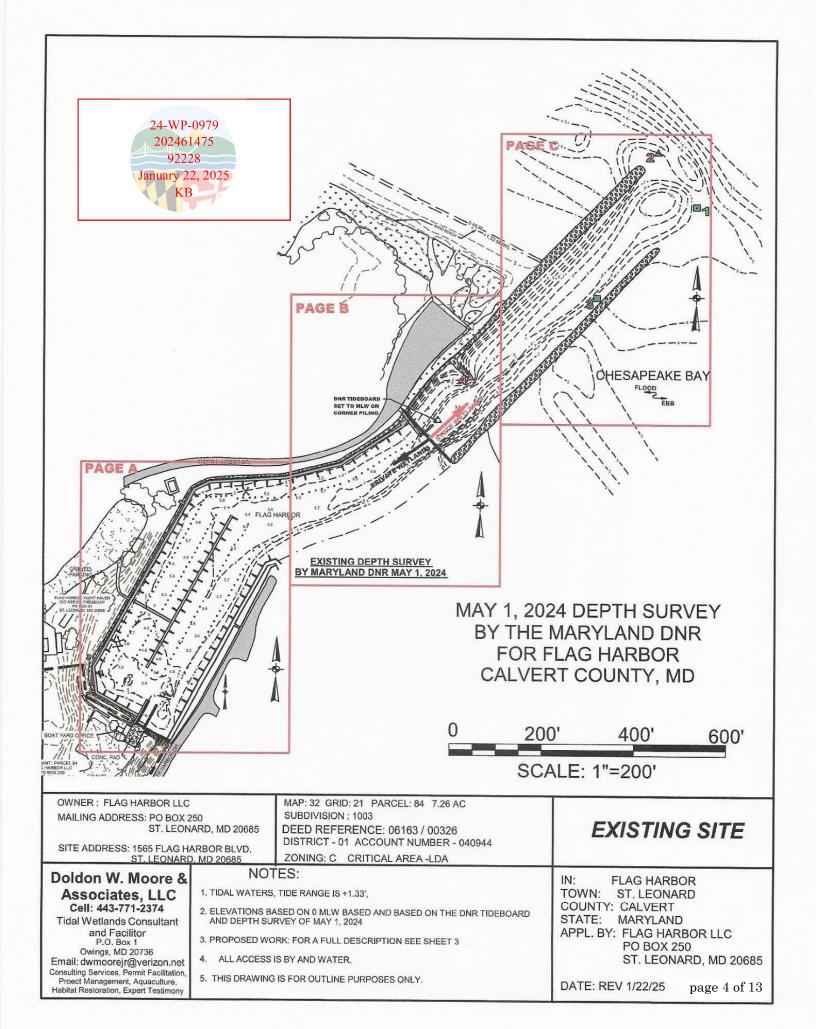
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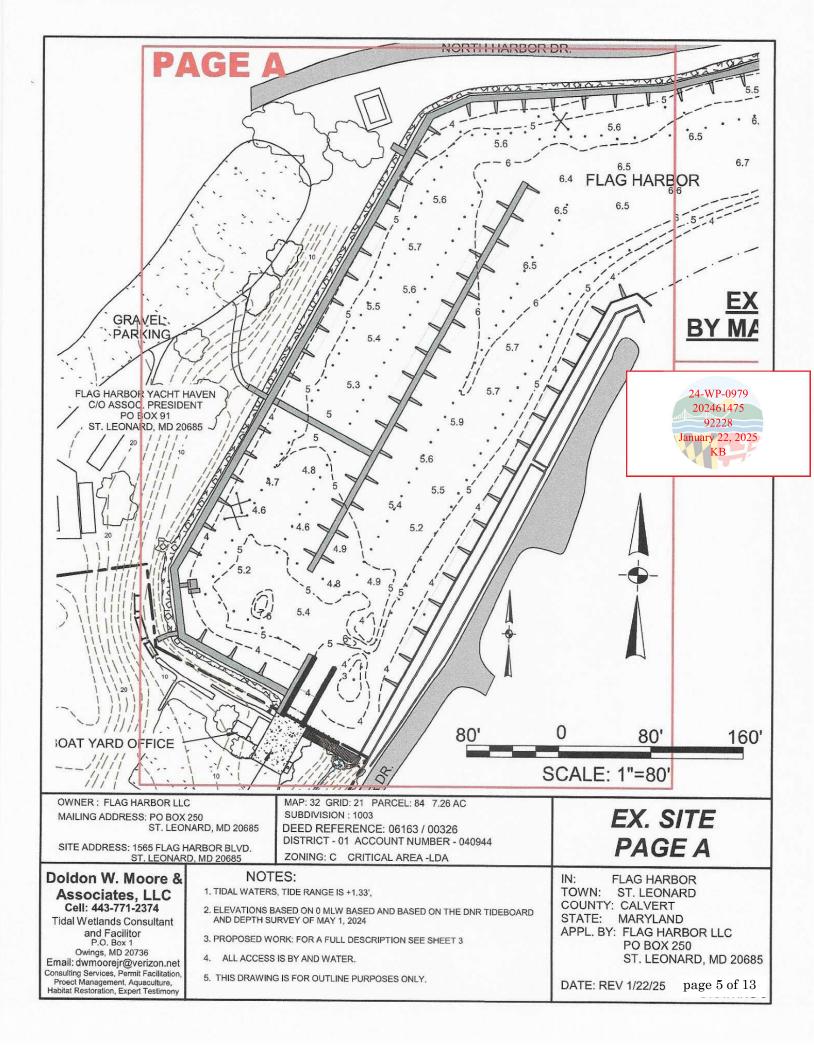
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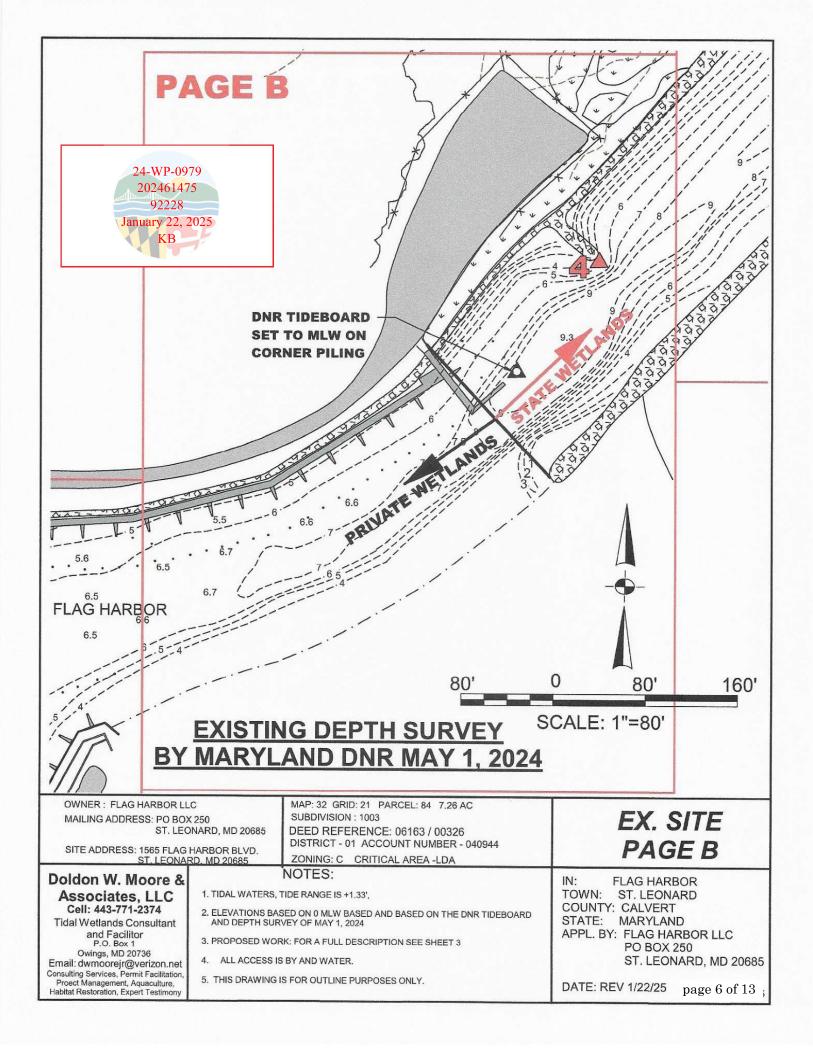
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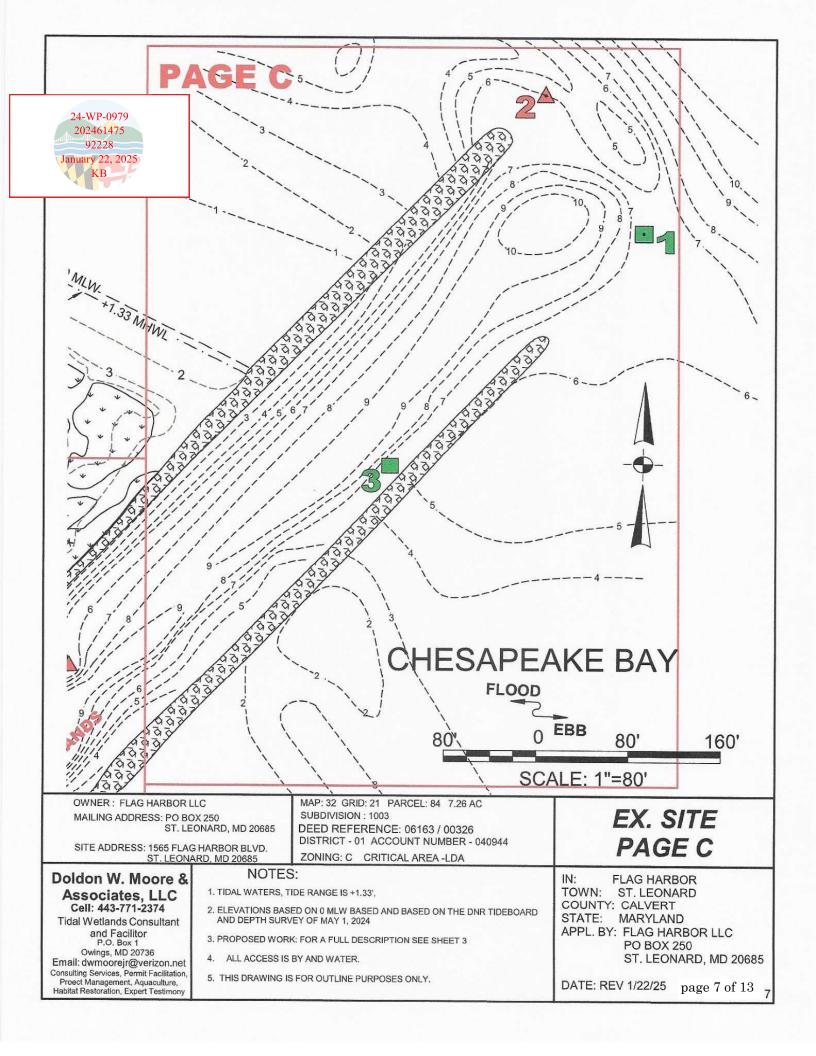
Tidal Wetlands Consultant and Facilitor P.O. Box 1 Owings, MD 20736

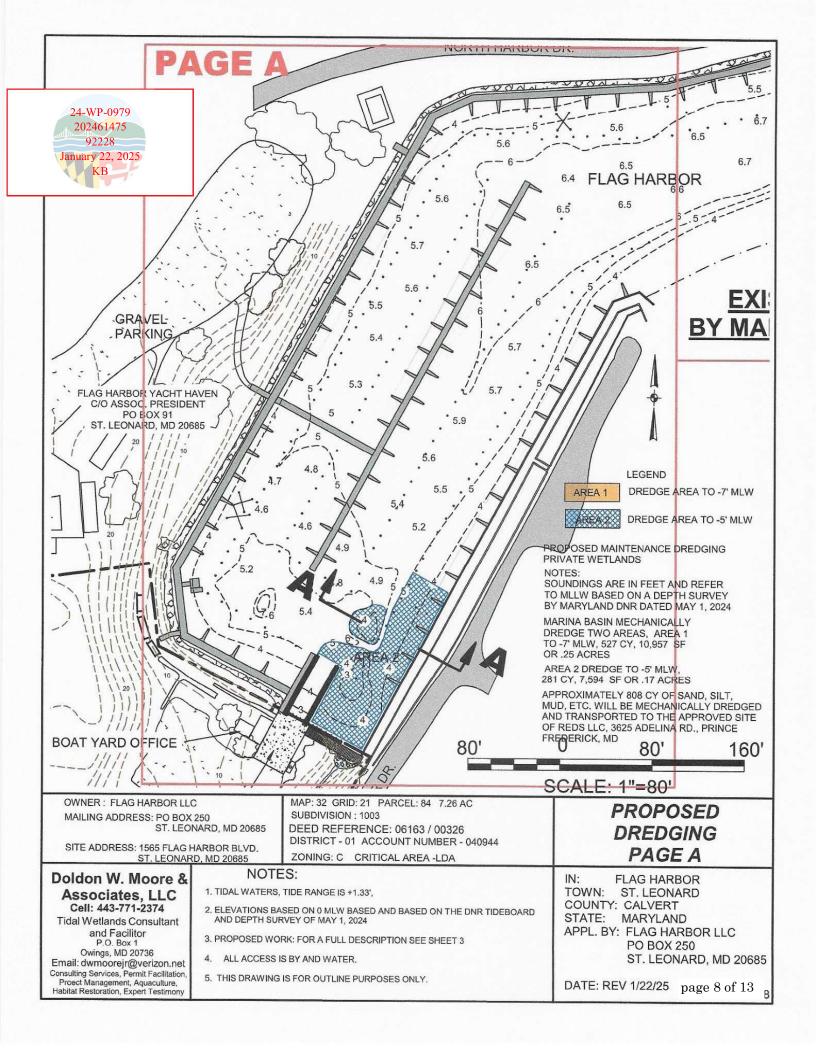
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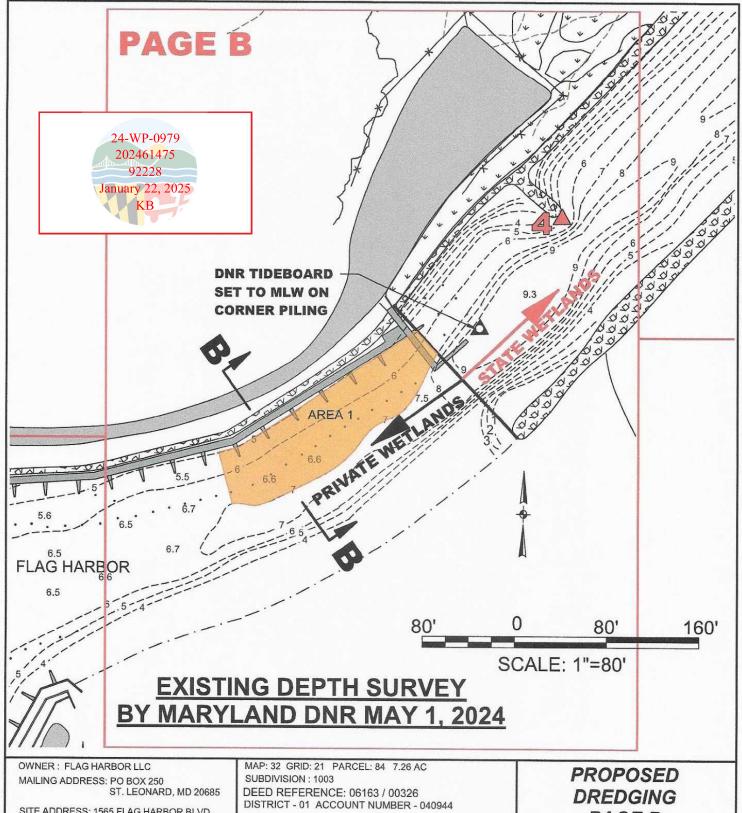












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PAGE B

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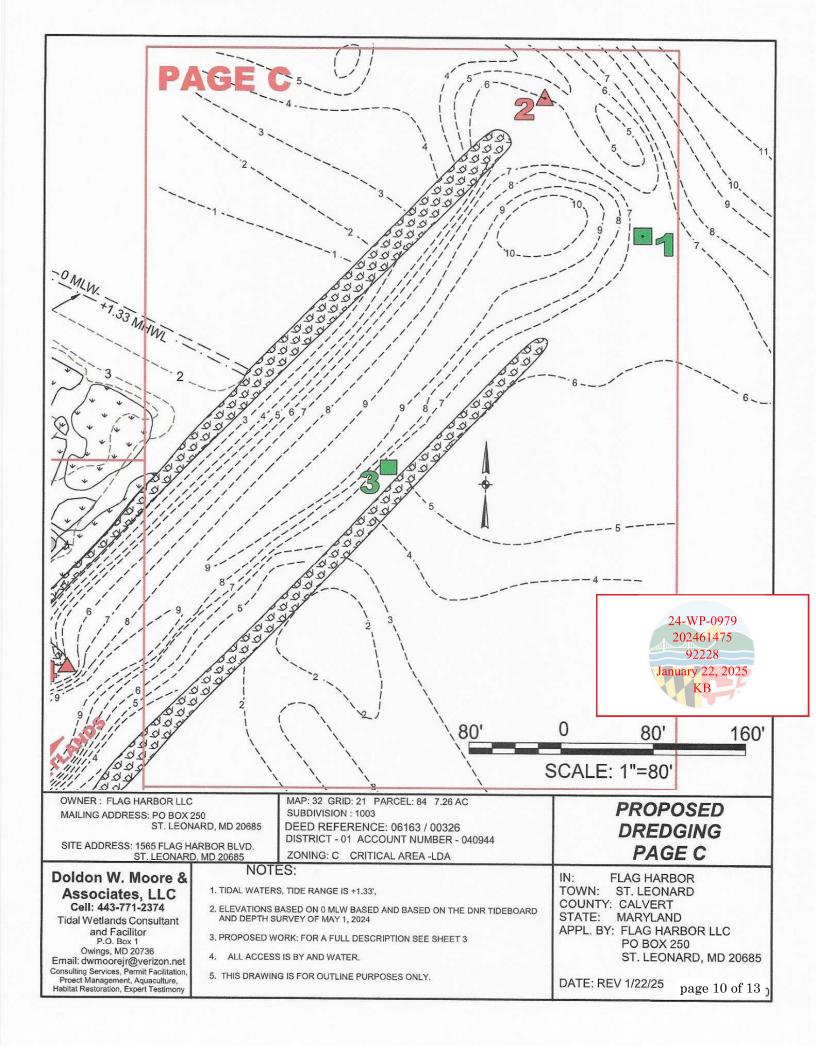
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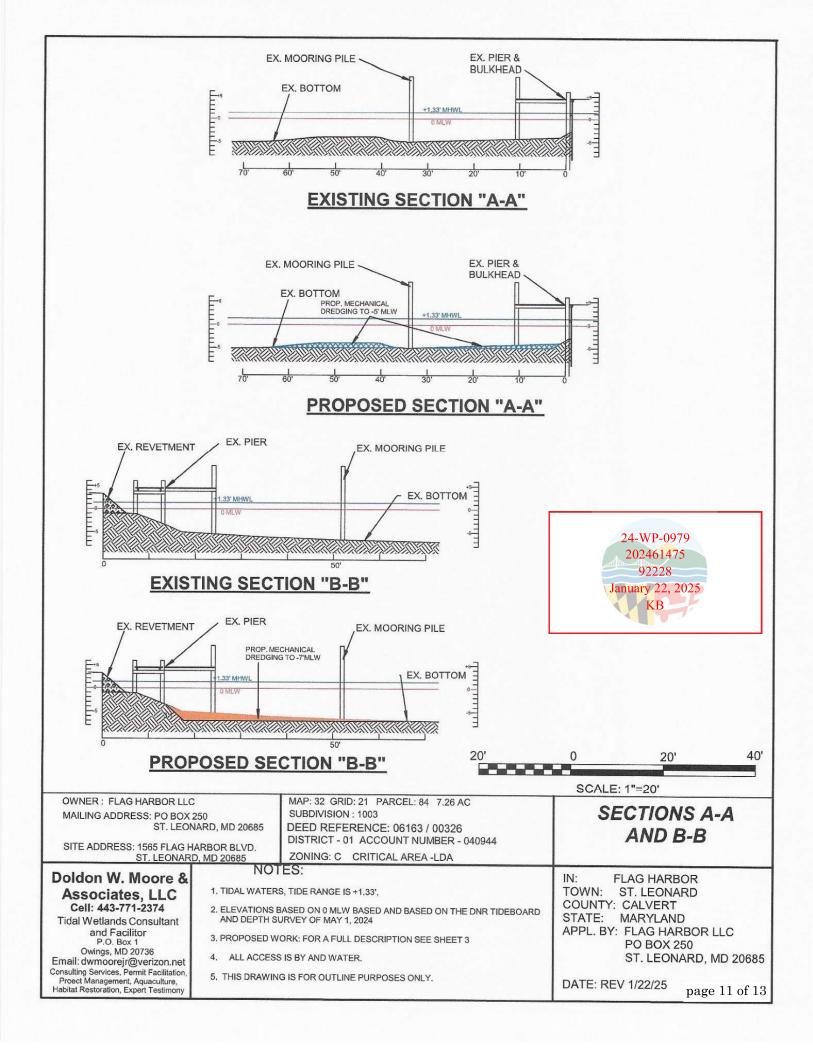
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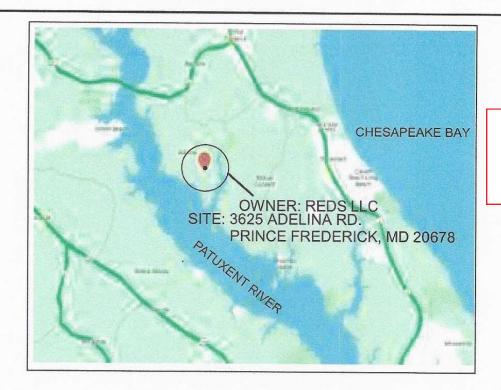
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DMP SITE

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APPL. BY: FLAG HARBOR LLC

PO BOX 250 ST. LEONARD, MD 20685

DATE: REV 1/22/25 page 12 of 13

FLAG HARBOR PROJECT

RED'S LLC. PO BOX 96 ST LEONARD, MD 20685

RE: FLAG HARBOR 1565 Flag Harbor Blvd. ST. LEONARD, MD 20685

To Whom it May Concern:

Red's LLC located at 3625 Adelina Rd., Prince Frederick, MD 20678 will be accepting spoils from dredging from the Flag Harbor Project, located in St. Leonard, MD. The DMP can accept 880 cyds of dredge material. Red's LLC Surface Mining License #SL-0625 and Surface Mine Permit #95-SP-0494. If you have any questions, please feel free to contact John Wood at 410-586-2721 or email: info@jcalvinwood.com

Thank you,

John C. Wood (John C. Wood, Jr.

President, Red's LLC.

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