

Ben Grumbles, Secretary Horacio Tablada, Deputy Secretary

February 22, 2021

Baltimore Annual Conference United Methodist Church c/o Joshua Hansen Underwood and Associates 1787 Severn Chapel Rd Millersville, Maryland 21108

> Re: Agency Interest Number: 79859 Tracking Number: 202060120 Tidal Authorization Number: 20-WQC-0046

Via email: Joshua@ecosystemrestoration.com Nicole.M.Voelker@usace.army.mil

Dear Baltimore Annual Conference United Methodist Church:

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. <u>The federal permit is not attached.</u>

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

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 Melissa McCanna at melissa.mccanna@maryland.gov or 410-537-4053 with any questions.

Sincerely,

Danielle Spendiff, Chief Western Region Tidal Wetlands Division

www.mde.maryland.gov



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



#### 20-WQC-0046

EFFECTIVE DATE: February 22, 2021 CERTIFICATION HOLDER: PROJECT LOCATION: 5100 Chalk Point 1 Wort Piwer MD 2

Baltimore Annual Conference United Methodist Church 5100 Chalk Point Road West River, MD 20778 West River in Anne Arundel County

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 WATER AND SCIENCE ADMINISTRATION ("ADMINISTRATION") HAS DETERMINED THAT THE REGULATED ACTIVITY DESCRIBED IN THE REQUEST FOR CERTIFICATION FOR BALTIMORE ANNUAL CONFERENCE UNITED METHODIST CHURCH, WILL NOT VIOLATE MARYLAND'S WATER QUALITY STANDARDS, IF CONDUCTED IN ACCORDANCE WITH THE CONDITIONS OF THIS CERTIFICATION AND WITH ALL TERMS AND 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**

To construct approximately 878 linear feet of shoreline by constructing approximately 1145 linear feet of sinuous gravel and cobble substrate to anchor the toe of the marsh enhancement areas, and filling and grading with approximately 1356 cubic yards of sand, cobble and gravel, and 100 cubic yards of boulder material, within a maximum of 35 feet channelward of the existing mean high water line. Plantings for marsh enhancement to consist of approximately 6988 square feet of high marsh and 6998 square feet of low marsh. Anchored or embedded logs or other large woody debris are incorporated into the design for habitat enhancement.

### **GENERAL CONDITIONS**

A. This Certification does not obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.

<u>Statement of Necessity for Condition</u>: The condition is necessary to ensure that water quality standards are met under unique circumstances for discharges which may otherwise qualify under the certified Nationwide Permits.

<u>Citation:</u> 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 26.17.04; COMAR 26.23; COMAR 26.24; COMAR 26.23.02.06

B. 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.

<u>Statement of Necessity for Condition</u>: The condition is necessary to clarify the scope of this certification to ensure compliance with water quality regulations, without limiting restrictions through other requirements.

<u>Citation:</u> 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 26.08.02.10E; COMAR 26.23.02.06; COMAR 26.17.04; COMAR 26.23; COMAR 26.24

C. The Certification Holder shall allow authorized representatives of the Department 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.

<u>Statement of Necessity for Condition</u>: 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.

<u>Citation:</u> 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 26.23.02.06; COMAR 26.23; COMAR 26.24; COMAR 26.17.04

D. This Certification is valid for the project identified herein and the associated U.S. Army Corps of Engineers authorization until such time that it expires or is not administratively extended.

<u>Statement of Necessity for Condition</u>: 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.

<u>Citations:</u> 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; 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 26.23.02.06; COMAR 26.23; COMAR 26.24

#### **SPECIAL CONDITIONS**

A. The Licensee shall not perform any construction from November 15<sup>th</sup> through March 1<sup>st</sup> of any year to protect wintering waterfowl. The proposed project site is located in a Historic Waterfowl Concentration Area.

<u>Statement of Necessity:</u> A time of year restriction is necessary to allow for wintering waterfowl to move from breeding areas to seasonally use suitable winter habitat. Breeding and wintering habitat are both essential to support waterfowl populations. Breeding habitat would not sustain waterfowl during winter. Disturbance during the closure period would interfere directly or indirectly with designated uses.

<u>Citations:</u> 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 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.02.B.(3); 26.08.02.02.B.(1)(d); COMAR 26.08.02.03.B.(1)(b); COMAR 26.08.02.03.B.(2)(e); COMAR 26.24

- B. The Certificate Holder shall construct the marsh establishment area in accordance with the following conditions:
  - a. The Certificate Holder shall use clean substrate fill material, no more than 10% of which shall pass through a standard number 100 sieve.
  - b. The marsh establishment area shall be planted within one year following completion of the filling operation.
  - c. The marsh establishment project shall be maintained as a wetland, with non-nuisance species' aerial coverage of at least 85% for three consecutive years. If 85% coverage is not attained, the reasons for failure shall be determined, corrective measures shall be taken, and the area shall be replanted.
  - d. If the fill is graded hydraulically, the Certificate Holder shall use a turbidity curtain around the perimeter of the instream work.
  - e. If the existing bank is to be cleared or graded:
    - i. The Certificate Holder 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 Certificate Holder 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.

<u>Statement of Necessity for Condition</u>: The above conditions are required to ensure that waters continue to meet designated uses. Use of fill material exceeding limits or losses exceeding limits may result in discharges which interfere with designated uses, including the support of estuarine and marine aquatic life, and the protection of shellfish harvesting, shallow water submerged aquatic vegetation, and migratory fish spawning and nurseries in tidal wetlands. Limits to fill material and loss limits will maintain the designated use. The discharge or deposition of material within or adjacent to regulated resources may result in discharges that result in impacts to water quality and designated uses. Issuance of water quality certification does not relieve the applicant of their responsibility to comply at all times with federal and State law.

Stabilization of the site with vegetation is required to ensure that waters continue to meet designated uses. Loss of substrate fill material may result in discharges which reduce water quality and interfere with designated uses, including the support of estuarine and marine aquatic life, and the protection of shellfish harvesting, shallow water submerged aquatic vegetation, and migratory fish spawning and nurseries in tidal wetlands.

<u>Citations:</u> 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 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.02.B.(3); COMAR 26.08.02.03-3.C.(2)d.(5); COMAR 26.08.02.03.A.(1)(b); COMAR 26.08.02.03.B.(1)-(5); COMAR 26.08.02.10.E.(2); COMAR 26.24

C. The Certificate Holder shall accept the terms of the attached marsh maintenance plan by signing and returning the standard plan to the Water and Science Administration, Tidal Wetlands Division prior to commencement of any work authorized under this Certification. If the Certificate Holder wishes to propose an alternative marsh maintenance plan, the alternative plan must be submitted to and approved by the Tidal Wetlands Division, Water and Science Administration, prior to commencement of any work authorized under this Certification. Any alternative plan must provide assurances of success that are at least equivalent to those of the standard plan, in terms of the extent of native marsh plant coverage, elimination of invasive species and timeframe for plant establishment.

<u>Statement of Necessity for Condition:</u> Stabilization of the site with vegetation is required to ensure that waters continue to meet designated uses. Loss of substrate fill material may result in discharges which reduce water quality and interfere with designated uses, including the support of estuarine and marine aquatic life, and the protection of shellfish harvesting, shallow water submerged aquatic vegetation, and migratory fish spawning and nurseries in tidal wetlands. Loss limits will maintain the designated use.

<u>Citations:</u> 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 9, Subtitle 3; Md. Ann. Code, Env. Article, Title 16; COMAR 26.08; COMAR 26.08.02.02.B.(3); COMAR 26.08.02.03-3.C.(2)d.(5); COMAR 26.24

D. The Licensee shall submit photographs on an annual basis for the first five growing seasons to the Tidal Wetlands Division, Water and Science Administration in order to document the success of the project in terms of the extent of native marsh plant coverage. Photographs shall be taken from at least two directions, as necessary to fully depict the living shoreline.

<u>Statement of Necessity for Condition:</u> Stabilization of the site with vegetation is required to ensure that waters continue to meet designated uses. Loss of substrate fill material may result in discharges which reduce water quality and interfere with designated uses, including the support of estuarine and marine aquatic life, and the protection of shellfish harvesting, shallow water submerged aquatic vegetation, and migratory fish spawning and nurseries in tidal wetlands. Loss limits will maintain the designated use.

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#### **CERTIFICATION APPROVED**

D. Lee Currey, Director

Water and Science Administration

2/25/2021

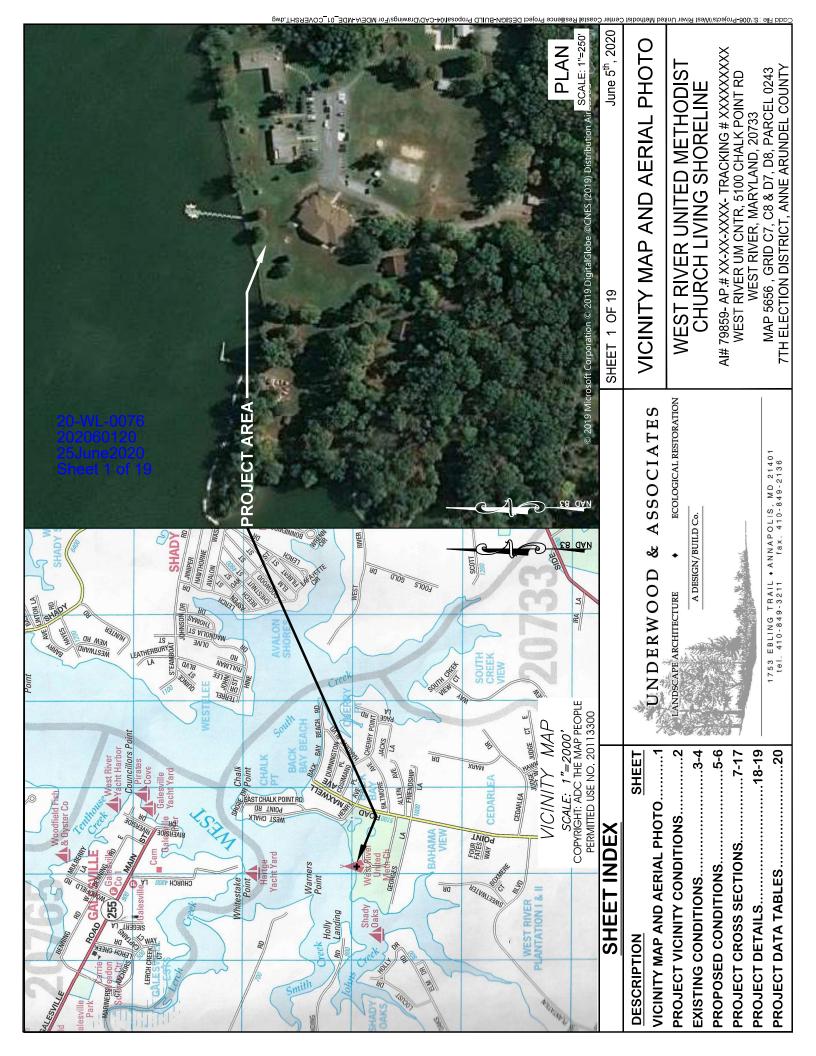
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Tracking Number: 202060120 Agency Interest Number: 79859

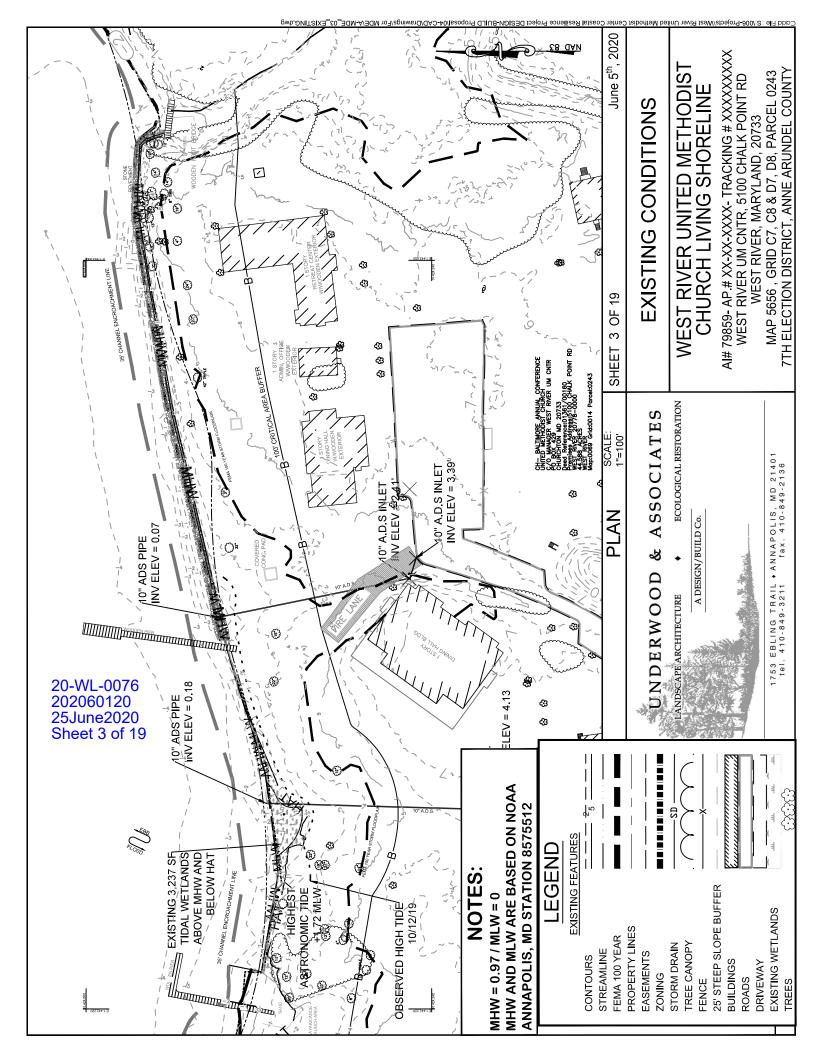
Effective Date: February 22, 2021

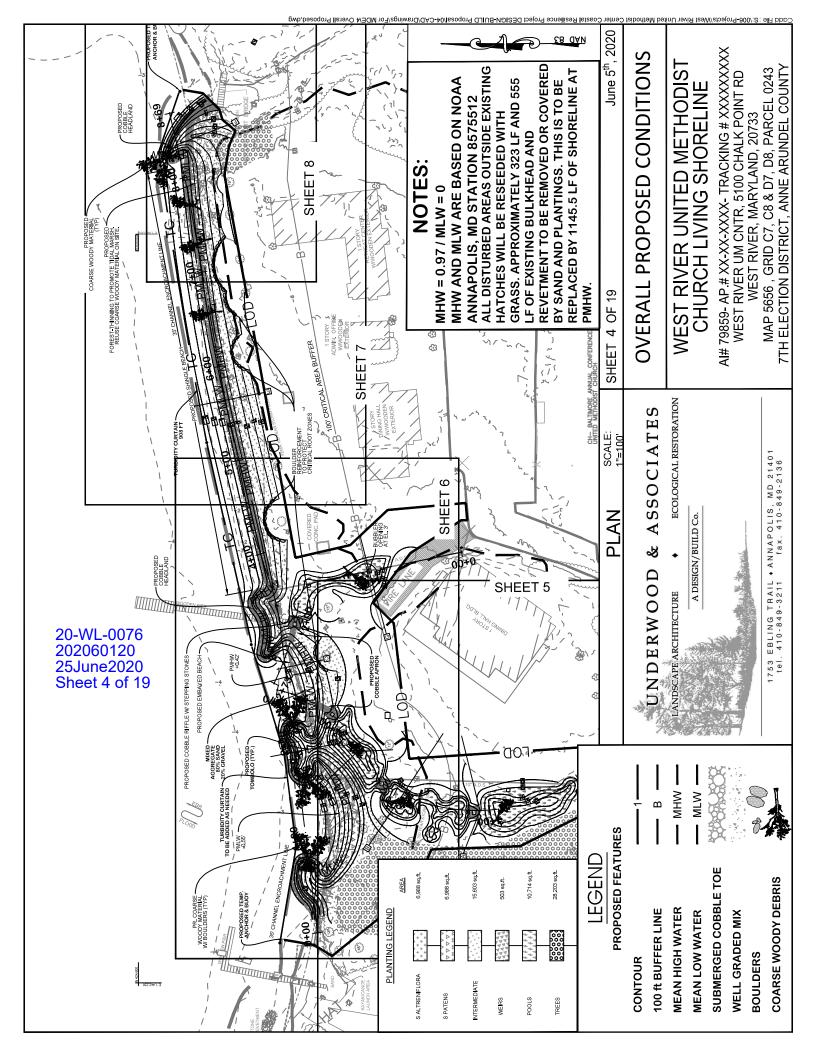
Enclosure: Executed Tidal Wetlands License No.20-0076 plans

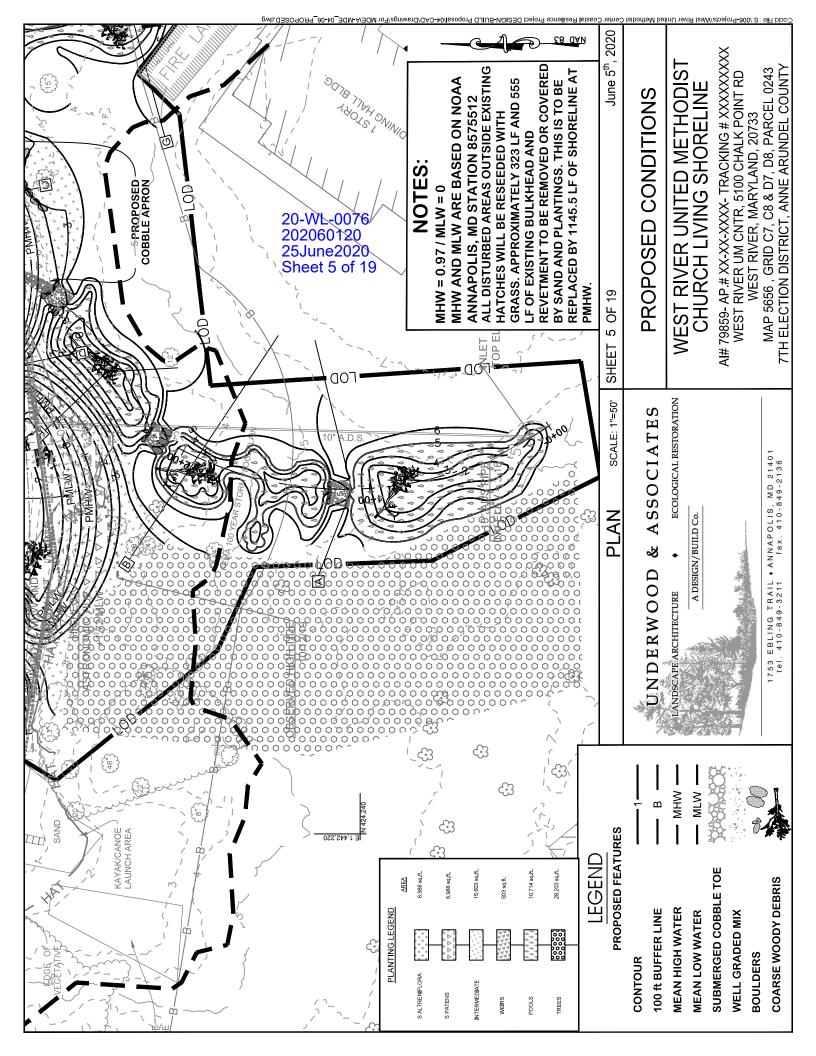
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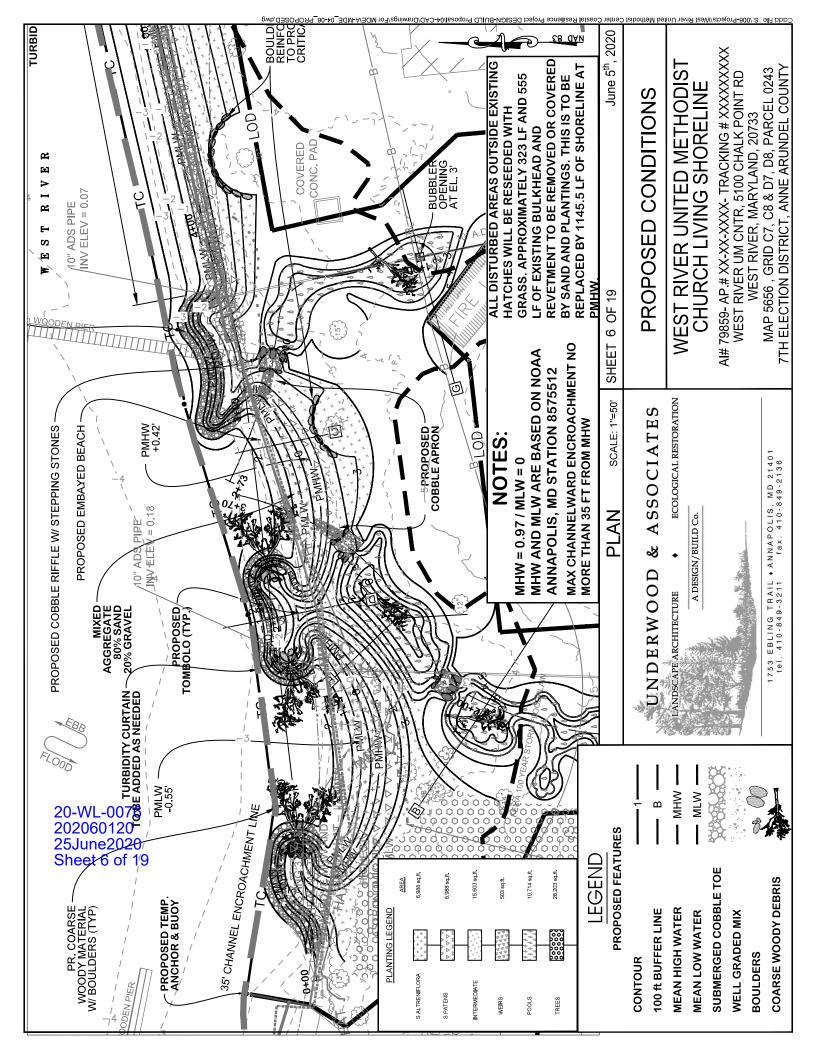


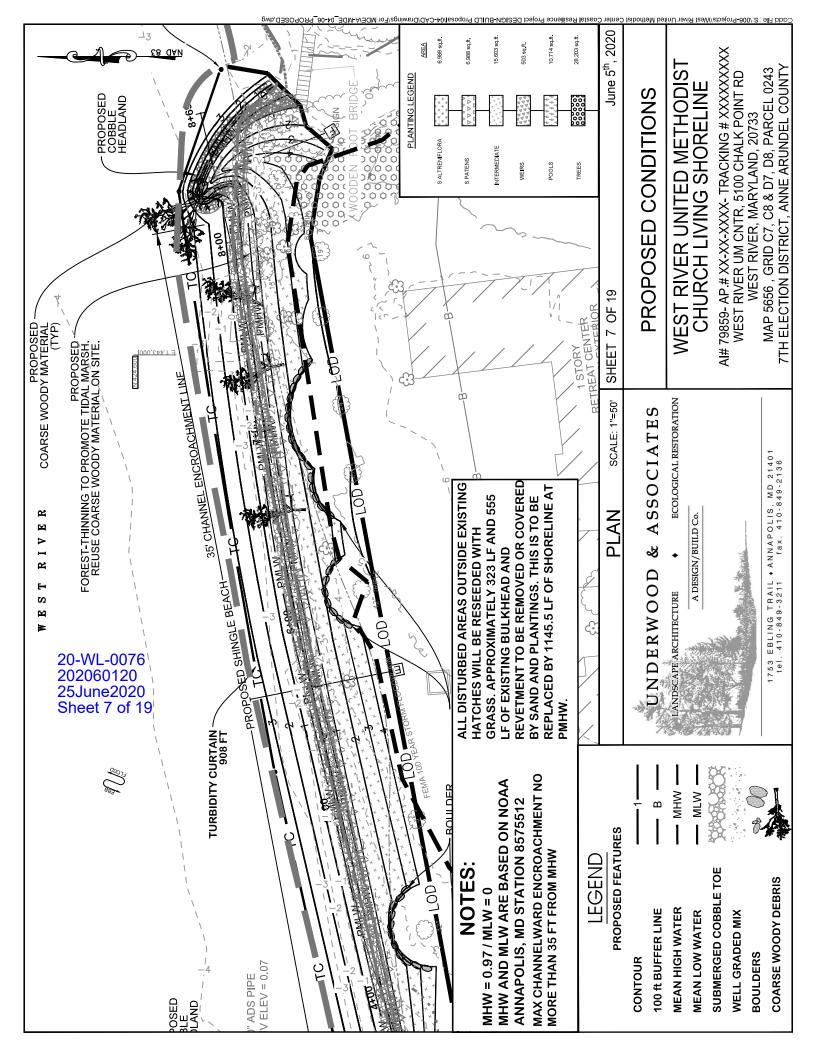
20-WL-0076 202060120 25June2020 Sheet 2 of 19	SHEET 2 OF 19 June 5 <sup>th</sup> , 2020	PROJECT VICINITY CONDITIONS	WEST RIVER UNITED METHODIST CHURCH LIVING SHORELINE	AI# 79859- AP.# XX-XX-XXX- TRACKING # XXXXXXX WEST RIVER UM CNTR, 5100 CHALK POINT RD WEST RIVFR MARYI AND 20733	
The second se	PLAN SCALE: 1"=3000'	UNDERWOOD & ASSOCIATES	LANDSCAPE ARCHITECTURE   ECOLOGICAL RESTORATION  A DESIGN/BUILD Co.		1753 EBLING TRAIL + ANNAPOLIS, MD 21401 tel. 410-849-3211 fax. 410-849-2136
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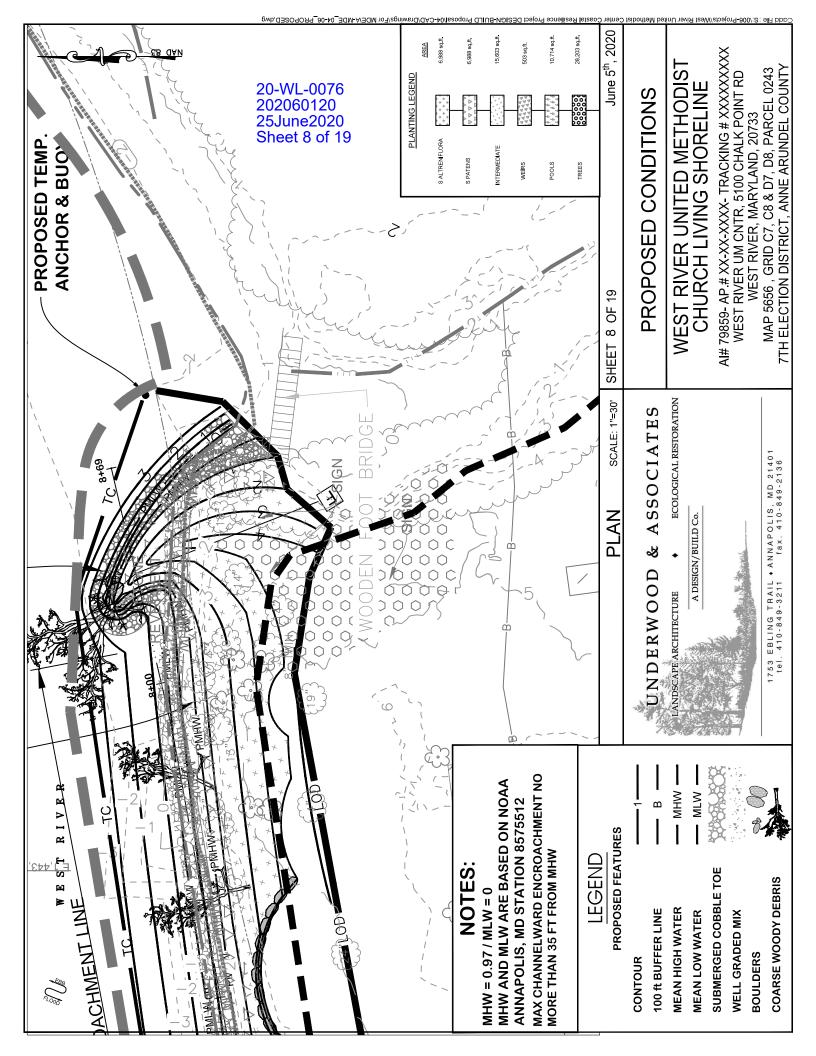


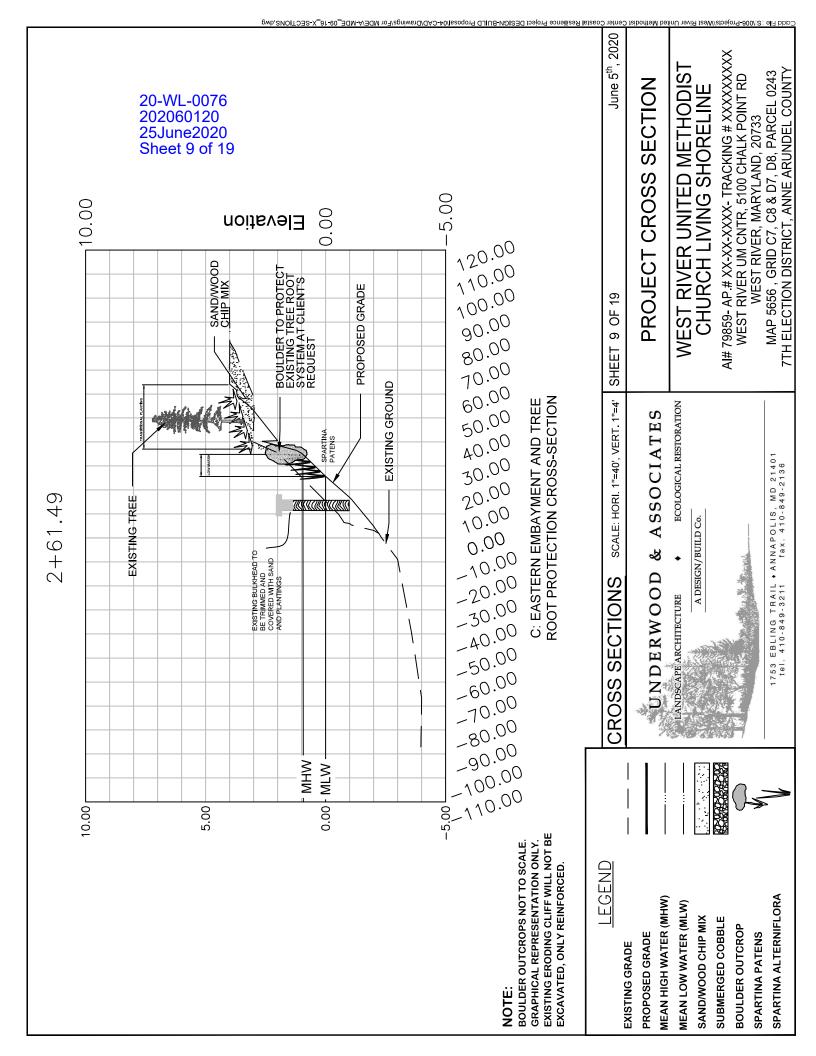


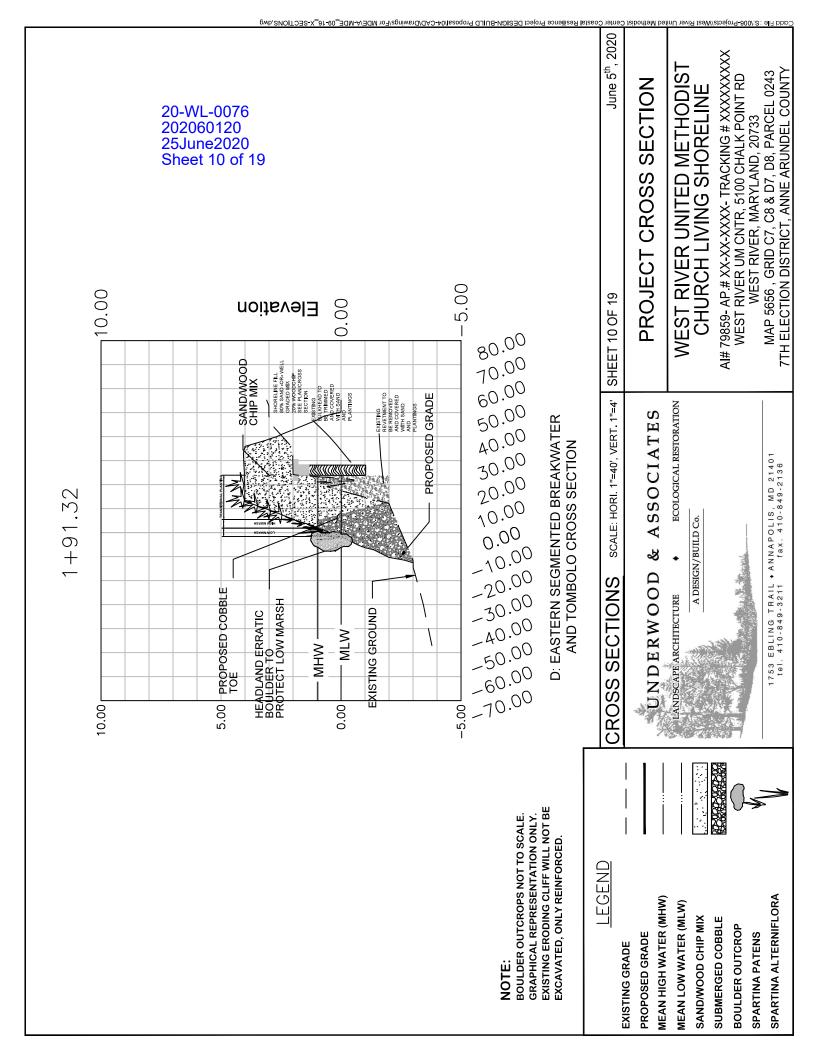


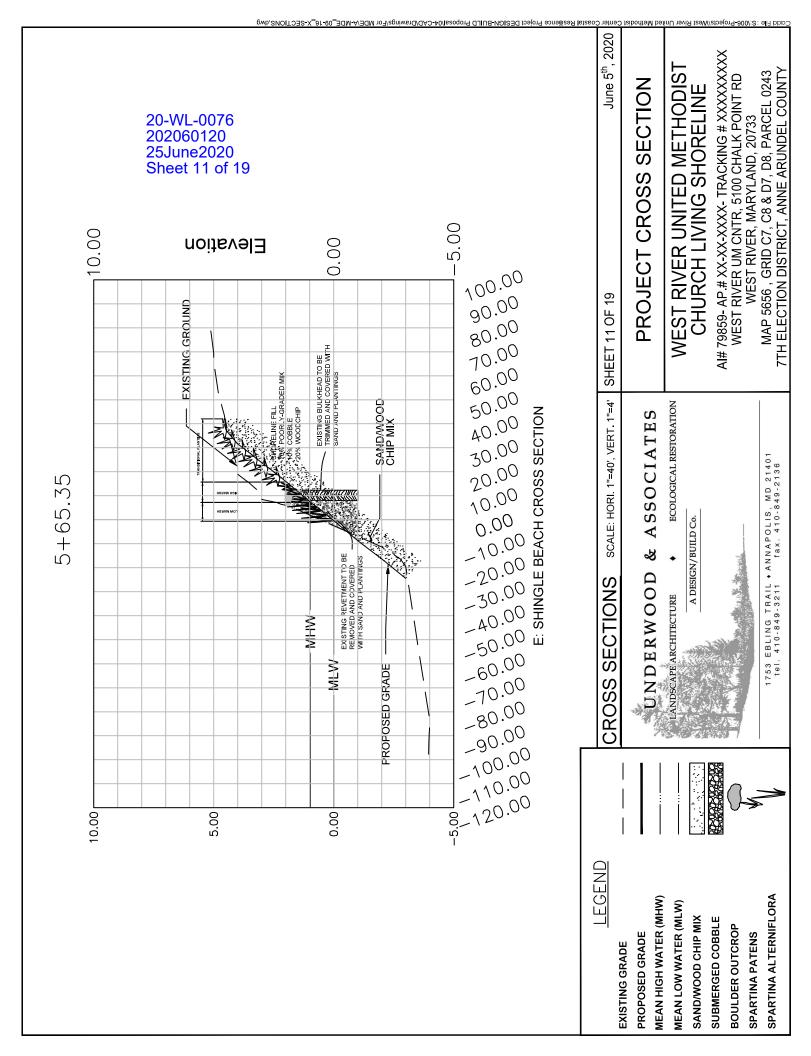


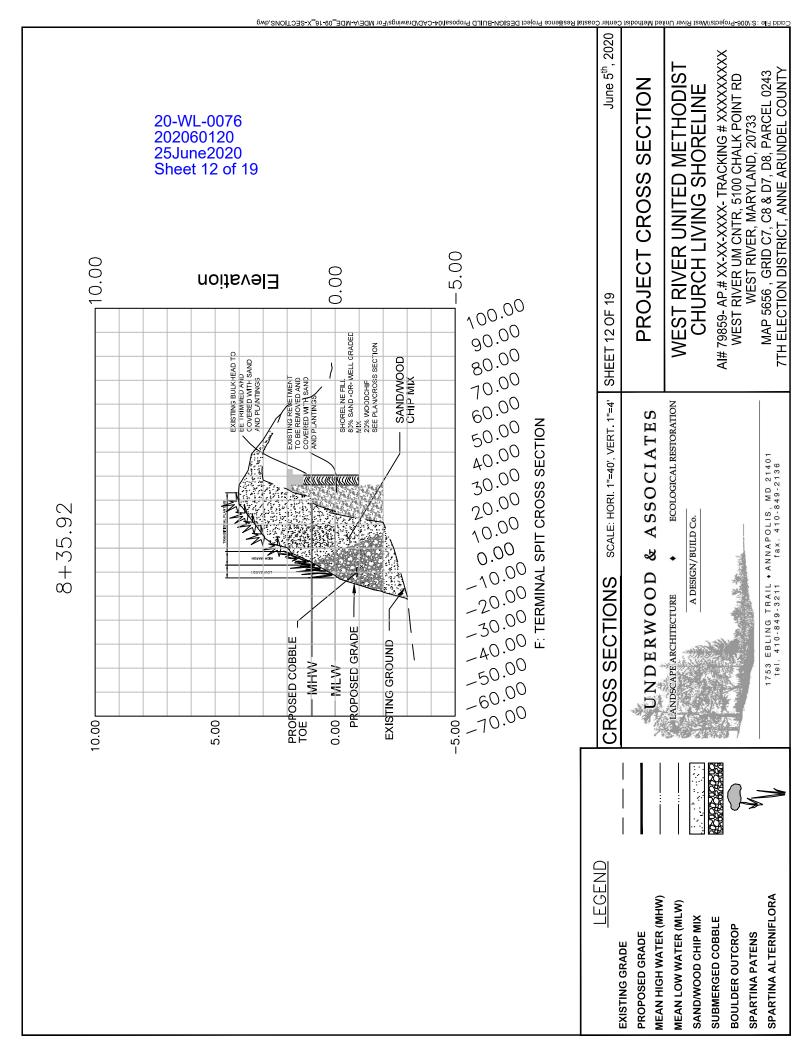


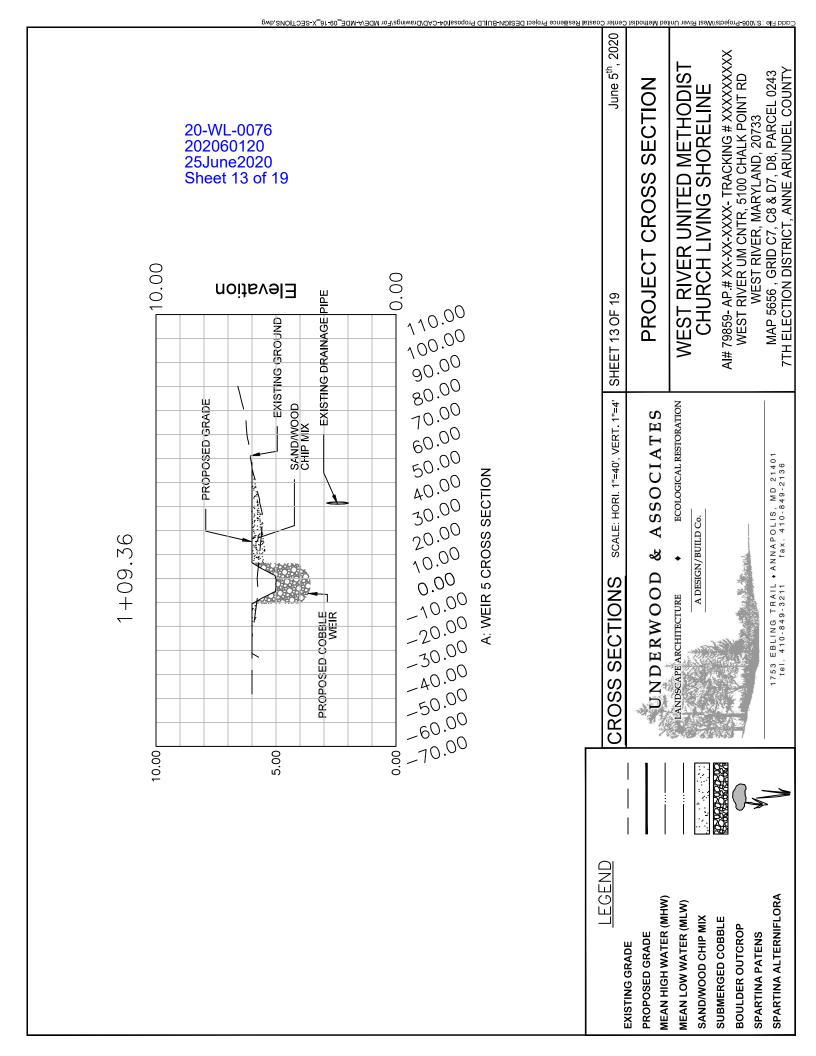


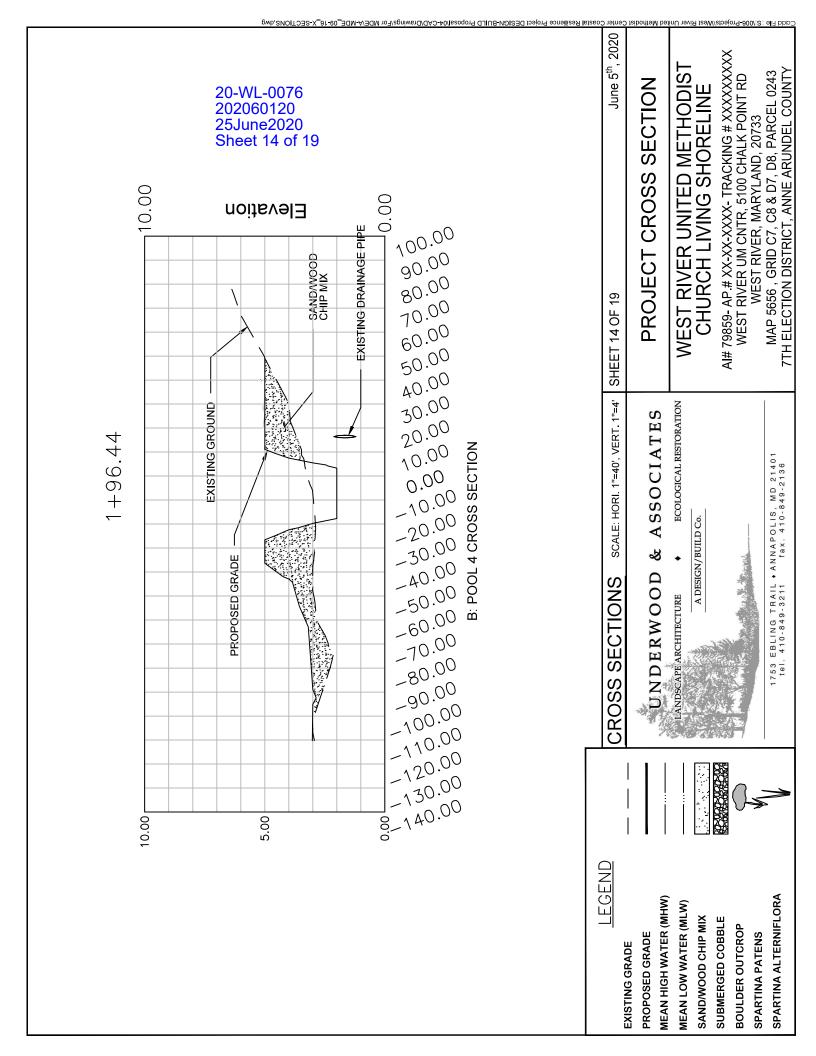


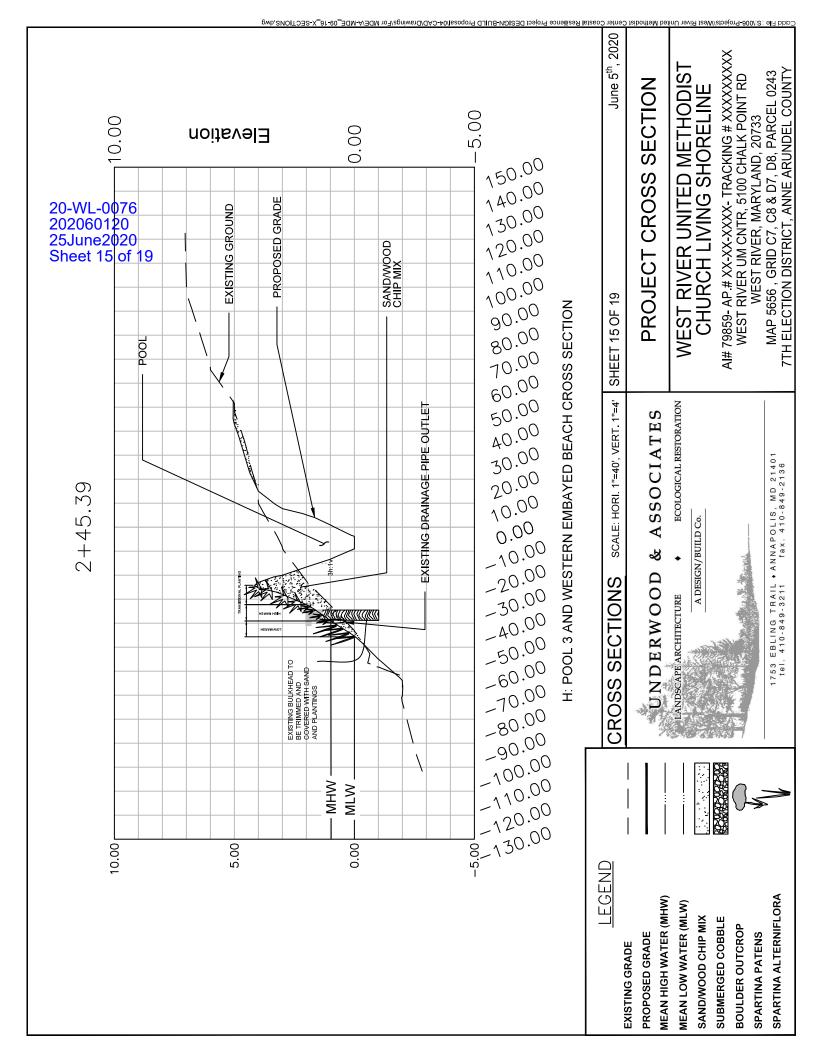


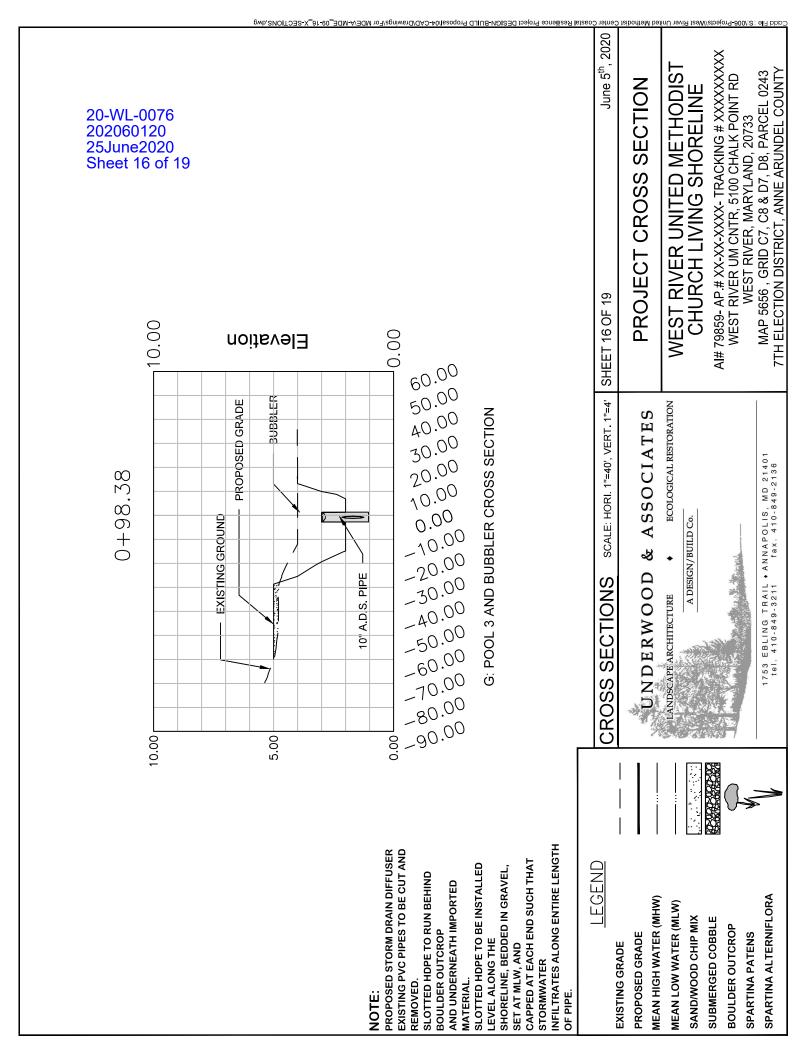


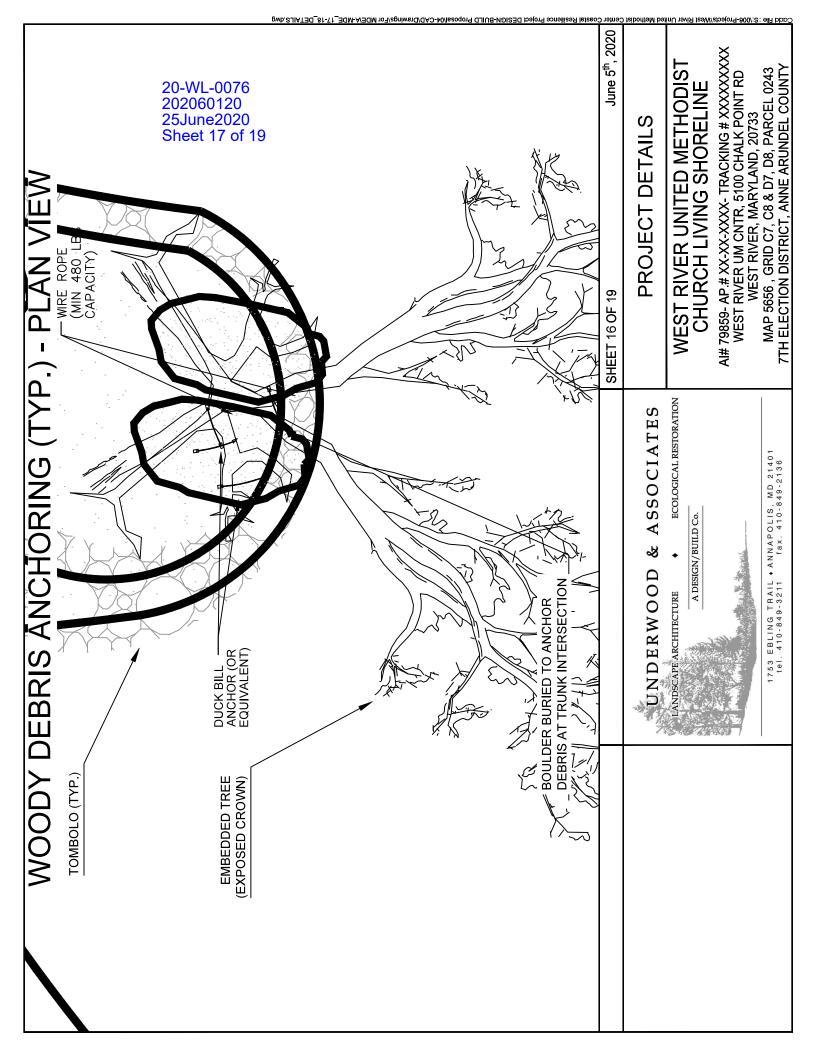


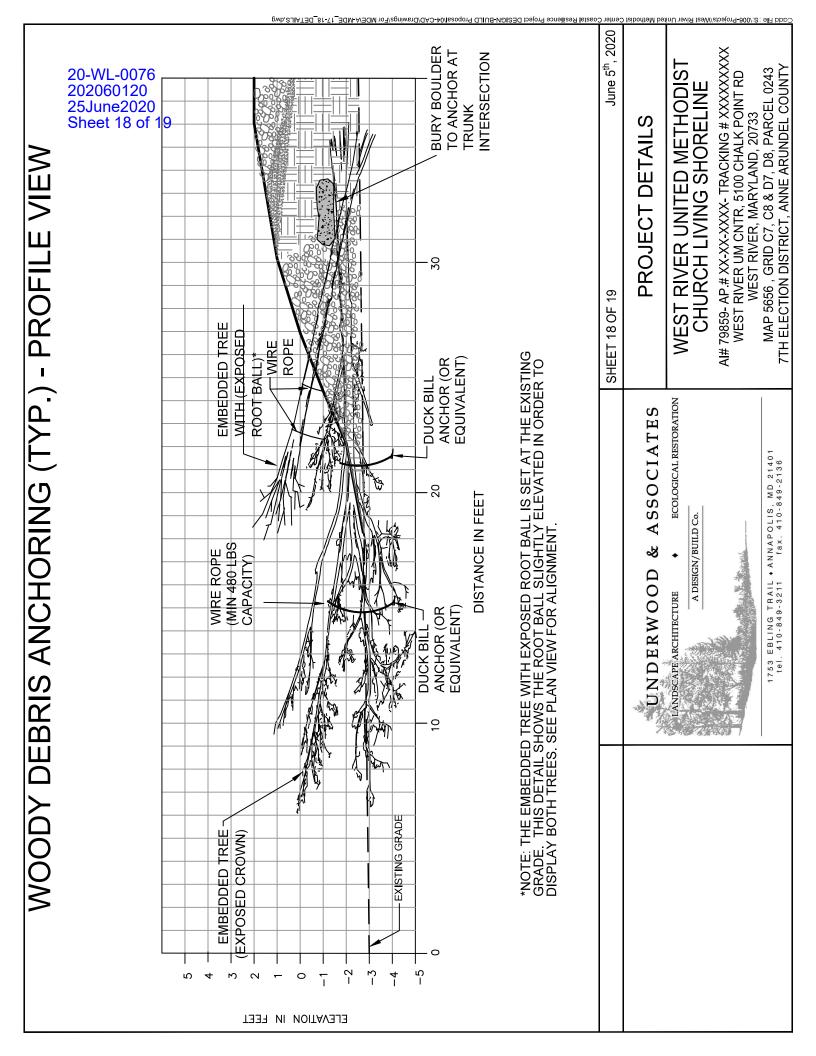












WEST RIVER UNITED METHODIST CH	TED MET	HODIST C	HURCH	LIVING SHOREI	URCH LIVING SHORELINE - PROJECT DATA TABLES
West River United Methodist Church Living Shoreline	list Church l	iving Shoreli	ne and		
SPSC - F	SPSC - Project Data				2 2 2 5
Feature	Existing	Proposed	Difference		20-\ 202 25J 3he
Spartina Patens - High Marsh (SF)	0	6988	+6988		WL 06 un et
Spartina Alterniflora - Low Marsh (SF)	0 (;	6988	+6988		00 01: e20 19
Total Tidal Wetlands (SF)	3,237	13976	+10739		076 20 020 0 of
Transitional Planting (SF)	0	15,603	+15603		6 D 19
Bulkhead (LF)	323	0	-323		)
Revetment (LF)	555	0	-555		
Shoreline at MHW (LF)	0	1145.5	+1146		
Channelward Area of Impact (SF)	t (SF)	29,853	53		Notes on SAV imnacts:
Channelward Area Cut (CY)	63.1	Channelward Area Fill (CY)	803.6		No SAV was documented within the impacted
WQv Required WQv Provided	ided	Differenc	ence		area from 2013 to 2019 according to the
0.16 acre-feet 0.68 acre-feet	feet	+0.52	2		VIrginia insutute of Marine Science SAV interactive man viewer
Tidal Disturbance	0				
Total Limit of Disturbance (LOD)	108, 753 SF				
LOD above existing MHW	78,900 SF				
LOD below existing MHW	29,853 SF				
Material Volumes	S				
Total Fill	1456 CY				
Sand	396 CY				
Gravel	552 CY				
Cobble	408 CY				
Boulders	100 CY				
Coarse Woody Material	15 Trees	S			
					SHEET 19 OF 19 June 5 <sup>th</sup> , 2020
	7	UNDERWO	OD &	ASSOCIATES	PROJECT DATA TABLES
		ANDSCAPE ARCHITECTURE	TURE • E	ECOLOGICAL RESTORATION	WEST RIVER UNITED METHODIST CHURCH LIVING SHORELINE
			and the second	I	Al# 79859- AP.# XX-XX-XXX- TRACKING # XXXXXXXX WEST RIVER UM CNTR, 5100 CHALK POINT RD
		1753 EBLING TR tel. 410-849-3	AIL + 211	ANNAPOLIS, MD 21401 fax. 410-849-2136	MAP 5656 , GRID C7, C8 & D7, D8, PARCEL 0243 7TH ELECTION DISTRICT, ANNE ARUNDEL COUNTY