



Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

October 3, 2019

Jack Meyerhoff
c/o Lane Engineering
117 Bay St.
PO Box 1767
Easton, MD 21601

Re: Agency Interest Number: 160803
Tracking Number: 201860852/19-WQC-0003

Dear Mr. Meyerhoff:

The U.S. Army Corps of Engineers (USACE) determined that a separate review and issuance of the federal permit will be required from the USACE for the project. Since your project did not qualify for approval under the Maryland State Programmatic General Permit (MDSPGP) issued by the USACE for qualifying projects, it requires an individual Water Quality Certification (WQC) to be issued by the Maryland Department of the Environment (the "Department" or "MDE").

Attached please find a copy of the Individual Water Quality Certification, 19-WQC-0003. 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. As noted, the USACE is conducting an individual review of your application and any correspondence or approvals will come under separate cover from USACE. The federal permit is not attached.

This Water Quality Certification is a final agency decision. Any person aggrieved by the Department's decision to issue this WQC may appeal such decision in accordance with COMAR 26.08.02.10F(4). A request for appeal shall be filed with the Department within 30 days of publication of the final decision, and specify in writing the reason why the final decision should be reconsidered. A request for appeal shall be submitted to: Secretary of the Environment, Maryland Department of the Environment, 1800 Washington Boulevard, Baltimore, MD 21230. Any request for an appeal does not stay the effectiveness of this WQC.

You should not begin any work until you have obtained all necessary State, local, and federal authorizations. Please contact Megan Spindler at megan.spindler@maryland.gov or 410-537-3622 with any questions.

Sincerely,

Jonathan Stewart, Chief
Eastern Region
Tidal Wetlands Division

Attachments: 19-WQC-0003 & Attachments

cc: Robert Fewster, USACE
Compliance Program, WSA, MDE



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



for
19-WQC-0003

WATER QUALITY CERTIFICATION NUMBER: **19-WQC-0003**

EFFECTIVE DATE: **October 3, 2019**

EXPIRATION DATE: **August 9, 2021**

CERTIFICATION HOLDER: **Jack Meyerhoff**

ADDRESS: **8788 Marengo Farm Road**

Easton, Maryland 21601

PROJECT LOCATION: **8796 Marengo Road TM 23, P 107, Lot 1**

Easton, Maryland 21601

Miles River in Talbot

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 ATTACHED PLAN SHEETS DATED APRIL 29, 2019 WILL NOT VIOLATE MARYLAND’S WATER QUALITY STANDARDS, IF CONDUCTED IN ACCORDANCE WITH THE CONDITIONS OF THIS CERTIFICATION. A COPY OF THE PROJECT DRAWINGS DATED APRIL 29, 2019 AND OTHER ATTACHMENTS, IS ATTACHED HERETO AND IS HEREBY INCORPORATED BY REFERENCE.

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

The Baltimore District of the United States Army Corps of Engineers (USACE) received an application for a Department of Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act (33 U.S.C. 1344) to construct the following:

The purpose of the project is to provide shoreline stabilization and to create and enhance aquatic habitat and contribute to improvements in water quality.

1. Construct a 278-linear foot low-profile stone, sand containment sill; and fill and grade with 391 cubic yards of sand along 278 feet of eroding shoreline and plant with marsh vegetation, all extending a maximum of 35 feet channelward of the mean high water line on Miles River.

In a Public Notice issued on January 14, 2019, the USACE requested a Maryland Water Quality Certification for the project and that a decision is issued within one year from the date of the public notice.

APPLICABLE MARYLAND WATER QUALITY STANDARDS AND REQUIREMENTS

In order to protect surface water quality in Maryland, the State has enacted water quality standards pursuant to §§ 9-313 through 9-323, Environment Article, Annotated Code of Maryland, and COMAR 26.08.02. These standards help to assure that the waterways of Maryland are useable for drinking water, swimming, fishing, industry, and agriculture. Water quality standards in Maryland include designated uses. The designated use helps to define the intended goals, objectives, and uses of each waterway. The Miles River and Chesapeake Bay have been designated as Class II waterways. The designated uses for Class II waterways include fishing, water contact sports, agricultural and industrial water supply, growth and propagation of fish, other aquatic life and wildlife, shellfish harvesting, and open-water fish and shellfish use. In the Chesapeake Bay, there are additional uses including seasonal uses for migratory fish spawning and nurseries, shallow water submerged aquatic vegetation, deep-water fish and shellfish, and deep-channel refuge.

Shoreline erosion control measures in State tidal waters, including the Miles River, are subject to the Living Shoreline Protection Act of 2008. This law mandates the use of non-structural stabilization measures (e.g. living shoreline) for erosion control wherever such measures are technically feasible (§16-201(c)), because of their co-benefits with regard to water quality and enhancement of near shore habitat. The Maryland General Assembly in enacting the Living Shoreline Protection Act of 2008 determined that living shorelines are required wherever feasible because of their resilience to climate change, their benefits in creation of shoreline marsh habitat, and their contribution to sediment and nutrient pollution reduction in waters of the State.

When non-structural stabilization is not feasible, a person may apply for a waiver to construct structural stabilization measures (e.g., revetment). COMAR 26.24.04.01-2 establishes specific site characteristics that must be evaluated to determine whether a site is suitable to support a non-structural shoreline stabilization measure, including: the width of the waterway, the bottom elevation and slope at mean low water, the bottom substrate, the bank elevation and orientation, the degree of erosion, the height and regularity of tides, other physical constraints or potential impacts to relevant environmental resources. The Department considers the cumulative weight of these characteristics rather than making a determination based on one site characteristic alone. During the course of a project review, a determination will be made as to whether a site qualifies for a waiver from compliance with the statute.

SUMMARY OF FINDINGS

- A. The existing shoreline along the project area is eroding.
- B. The project area contains little to no existing emergent tidal wetlands and 3,754 s.f. of SAV as mapped in 2016. The applicant seeks to stabilize the existing shoreline by filling the marsh establishment area with clean fill sand and planting with approximately 5,282 square feet of native marsh vegetation which, once mature, is anticipated to compensate for aquatic resource losses on-site and within the watershed. Alternative structural shoreline erosion control structures, such as revetments, are known to have deleterious near-shore and watershed-level effects on water quality.
- C. MDE finds that the project, as authorized under State General Tidal Wetlands License number 18-GL-0511, meets the project purpose and need with regard to protection of the shoreline, ecological uplift, and water quality-related benefits.
- D. MDE finds that the various components of the project design as recommended by MDE for licensing by the BPW are necessary to meet the project goals. Additionally, alternative designs may not meet the project purpose and need with regard to ecological uplift and water quality-related benefits.

- E. Based on available information and specific site conditions, the Department has determined that construction of a living shoreline is feasible at this site. The proposed site has shallow water depths, suitable sunlight, a wide waterway, adequate separation from the navigable main portion of the waterway, and access to the shoreline from uplands, all of which are factors that support the use of nonstructural stabilization measures.

CERTIFICATION STATEMENTS AND SPECIAL CONDITIONS

MDE certifies that the project as proposed by MDE for licensing by the Board of Public Works (BPW) complies with applicable water quality standards and requirements (COMAR 26.08.02), including the Living Shoreline Protection Act of 2008, provided that the Licensee complies with all of the provisions, requirements, and conditions of the Maryland Wetlands License when issued and as follows:

- A. The project shall consist of the construction of a 278-linear foot low-profile stone, sand containment sill with a maximum height of 1 foot above the MHWL, and 3 vent windows at least 10-feet wide at MLW to allow for tidal flushing. The low-profile sill shall be backfilled with 391 cubic yards of sand fill and planted with marsh vegetation to create 5,282 square feet of tidal marsh. A minimum of one-half of the created marsh shall be constructed at elevations appropriate for the survival and growth of a low marsh species such as *Spartina alterniflora*, in accordance with State General Wetlands License number 18-GL-0511.
- B. The Certification does not relieve the Certificate Holder from the responsibility of obtaining all necessary federal, State, and local government authorizations.
- C. The Certificate Holder shall construct the marsh establishment area in accordance with the following conditions:
- 1) The Certificate Holder shall use clean substrate fill material, no more than 10% of which shall pass through a standard number 100 sieve.
 - 2) The marsh establishment area shall be planted within one year following completion of the filling operation.
 - 3) 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.
 - 4) If the fill is graded hydraulically, the Certificate Holder shall use a turbidity curtain around the perimeter of the in stream work.
 - 5) If the existing bank is to be cleared or graded:
 - a) 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
 - b) 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.
- G. The Certificate Holder shall accept the terms of the marsh maintenance plan and Phragmites Control Plan attached to 18-GL-0511 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 Water Quality Certification. If the Certificate Holder wishes to propose an alternative marsh maintenance plan and Phragmites Control 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 Water Quality 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.

- H. The Certificate Holder shall not stockpile any material in State or private tidal wetlands.
- I. The Certificate Holder shall deploy and maintain a turbidity curtain tightly around and channelward of the project area prior to any excavation and backfilling along the shoreline through completion of any excavation and backfilling along the shoreline.

GENERAL CONDITIONS

- A. The proposed project shall be constructed in a manner which will not violate Maryland's water quality standards as set forth in COMAR 26.08.02. The applicant is to notify this Department ten (10) days prior to commencing work. Verbal notification is to be followed by written notice within ten (10) days.
- B. MDE has determined that the proposed activities comply with, and will be conducted in a manner consistent with the State's Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.
- C. If the authorized work is not performed by the property owner, all work performed under this Water Quality Certification 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. 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.
- D. The Certificate Holder shall ensure the proposed project is constructed in accordance with the authorized plan and any authorized revisions.
- E. The Certificate Holder shall ensure that 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 the State.
- F. The Certificate Holder shall notify the Tidal Wetlands Division, Water and Science Administration in writing, upon transferring property ownership or responsibility for compliance with these conditions to another person. The new owner/operator shall request, in writing, transfer of this Water Quality Certification to his/her name.
- G. The Certificate Holder shall allow representatives of MDE to inspect the authorized activities at reasonable times and cooperate with those inspections.
- H. The Certificate Holder shall ensure that a copy of this Certification, including all approved plans, is available at the site until the authorized work is complete.
- I. The Certification does not relieve the Certificate Holder from the responsibility of obtaining all necessary federal, State, and local government authorizations.
- J. The Certificate Holder shall conduct the authorized work in accordance with the plans and drawings dated August 8, 2018 which are hereby incorporated into this Water Quality Certification. Until this authorized work is complete, the Certificate Holder shall have available at this site a copy of this Water Quality Certification including the plans and drawings.

- K. This Certificate Holder constitutes Maryland's authorization to conduct the authorized work under the State Water Quality Certification Law. This Water Quality Certification does not bestow any other federal, State, or local government authorization.
- L. The Certificate Holder shall have all proposed work above Mean High Water reviewed and authorized by the local county Department of Planning and Zoning or applicable agency.
- M. The Certificate Holder shall notify MDE's Inspection and Compliance Program by phone (410-537-3510) AND in writing (MDE, Inspection and Compliance Program, 1800 Washington Boulevard, Baltimore, MD 21230) of the following:
- 1) Start date at least five business days before beginning work; and
 - 2) Completion data no more than five business days after project completion.
- N. The Certificate Holder shall conduct the authorized work in accordance with Critical Area Commission requirements. This Water Quality Certification does not authorize disturbance in the Buffer. If authorized work will disturb the Buffer, the Certificate Holder shall have a Commission-approved or locally-approved Buffer Management Plan before beginning the authorized work. "Buffer" means the 100-foot Critical Area Buffer and any expanded area that is immediately landward of the mean high water line of the tidal waters or is immediately landward of tidal wetlands. The Buffer includes expanded contiguous area if the contiguous area includes steep slopes, hydric soil, or highly erodible soil, or otherwise meets the criteria of COMAR 27.01.09.01E (7). "Disturbance" means any alteration or change to the land including any amount of clearing. Clearing includes vegetation removal, grading, and construction activity.
- O. The Certificate Holder may not fill, dredge, or otherwise alter or destroy tidal marsh or its vegetation unless this Water Quality Certification specifically authorizes the activity.
- P. The Certificate Holder shall allow unfettered public use of State wetlands and State tidal waters of the U.S.
- Q. This Water Quality Certification does not transfer a property interest of the State.
- R. The Certificate Holder shall file a Miss Utility ticket for the proposed work at least 10 days before beginning work. Miss Utility: 800-257-7777
- S. The Certificate Holder shall ensure that structures (for example, piers and piles) removed from the site are taken to an approved upland disposal facility. If the authorized work impacts more than 5,000 square feet or includes 100 or more cubic yards of fill, the Certificate Holder shall conduct the authorized work in accordance with a locally-approved Soil Erosion and Sediment Control Plan.
- T. This Water Quality Certification is granted only to the Certificate Holder. The Certificate Holder may transfer the Water Quality Certification only with written approval from MDE. If MDE approves the transfer, the transferee is subject to all Certification terms and conditions.
- U. The Water Quality Certification shall indemnify, defend, and save harmless the State of Maryland, its officials, officers, and employees from and against any and all liability, suits, claims, and actions of whatever kind, caused by or arising from, the work this Water Quality Certification authorizes.
- V. The Maryland Department of the Environment may modify, suspend, or revoke this Water Quality Certification in its reasonable discretion.
- W. This Water Quality Certification expires August 9, 2021. If the authorized work is not completed by the expiration date, all activity must stop.

- X. A Water Quality Certification may be extended prior to the expiration of the term. The Certificate Holder must request an extension in writing from MDE 14 days prior to the expiration of the term.
- Y. Failure to comply with these conditions shall constitute reason for suspension or revocation of the Water Quality Certification, and legal proceedings may be instituted against the Certificate Holder in accordance with the Annotated Code of Maryland.

CERTIFICATION APPROVED



Lee Currey, Director
Water and Science Administration

10/4/2019
Date

Tracking Number: 201860852
Agency Interest Number: 160803
Water Quality Certification Number: 19-WQC-0003

Effective Date: October 3, 2019

Enclosure:
State General Wetlands License Number 18-GL-0511 and attachments

cc: WMA Inspection & Compliance Program
Robert Fewster, USACE



Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

August 10, 2018

Jack Meyerhoff
c/o Lane Engineering, Inc
117 Bay St
PO Box 1767
Easton, MD 21601

Re: Agency Interest Number: 160803
Tracking Number: 201860852
Tidal Authorization Number: 18-GL-0511

Dear Jack Meyerhoff:

Your application to alter tidal wetlands has been evaluated by the Tidal Wetlands Division. Your State wetlands license or permit authorizing work in tidal wetlands is attached. Please take a moment to read and review your authorization to ensure that you understand the limits of the authorized work and all of the general and special conditions.

Your project qualifies for federal approval under the Maryland State Programmatic General Permit (MDSPGP); however your project requires a separate review by the U.S. Army Corps of Engineers and issuance of the required federal permit. The federal permit is not attached. You should not begin any work until you have obtained all necessary State, local, and federal authorizations.

This State authorization is a final agency decision; there is no further opportunity for administrative review. Any person with standing, who is either the applicant or who participated in the public participation process through the submission of written or oral comments, may petition for judicial review in the circuit court in the county where the authorized activity will occur. The petition for judicial review must be filed with the court within 30 days of receipt of this decision. Please contact Megan Spindler at megan.spindler@maryland.gov or 410-537-3622 with any questions.

Sincerely,

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

Jonathan Stewart, Chief
Eastern Region
Tidal Wetlands Division



STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
GENERAL TIDAL WETLANDS LICENSE



LICENSE NUMBER: **18-GL-0511**

EFFECTIVE DATE: **August 10, 2018**

EXPIRATION DATE: **August 9, 2021**

LICENSEE: **Jack Meyerhoff**

ADDRESS: **8788 Marengo Farm Rd
Easton, Maryland 21601**

PROJECT LOCATION: **8796 Marengo Rd TM 23, P 107, Lot 1
Easton, MD 21601
Miles River in Talbot**

PURSUANT TO THE AUTHORITY OF THE BOARD OF PUBLIC WORKS, TITLE 16 OF THE ENVIRONMENT ARTICLE, ANNOTATED CODE OF MARYLAND, AND CODE OF MARYLAND REGULATIONS 26.24 AND 23.02.04, **Jack Meyerhoff** ("LICENSEE") IS AUTHORIZED BY THE WATER AND SCIENCE ADMINISTRATION ("ADMINISTRATION") TO CONDUCT THE FOLLOWING REGULATED ACTIVITY IN STATE TIDAL WETLANDS, IN ACCORDANCE WITH THE CONDITIONS OF THIS LICENSE AND THE ATTACHED PLANS DATED **AUGUST 8, 2018**, PREPARED BY **LANE ENGINEERING, LLC.**, AND APPROVED BY THE ADMINISTRATION'S TIDAL WETLANDS DIVISION ON **August 10, 2018**, AND INCORPORATED HEREIN:

1. Construct an 278-linear foot low profile stone, sand containment sill; and fill and grade with 391 cubic yards of sand along 278 feet of eroding shoreline and plant with marsh vegetation, all extending a maximum of 35 feet channelward of the mean high water line.

SPECIAL CONDITIONS

- A. The Licensee shall construct the marsh establishment area in accordance with the following conditions:
 1. The Licensee shall use clean substrate fill material, no more than 10% of which shall pass through a standard number 100 sieve.
 2. The marsh establishment area shall be planted within one year following completion of the filling operation.
 3. 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.
 4. If the fill is graded hydraulically, the licensee shall use a turbidity curtain around the perimeter of the instream work.
 5. If the existing bank is to be cleared or graded:
 - a. 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

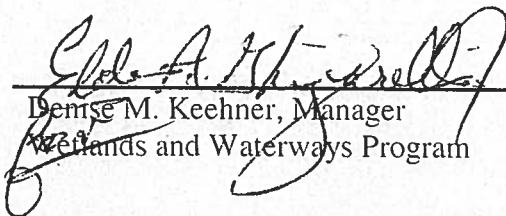
- b. The Licensee shall perform all work under and in accordance with the Critical Area requirements of the local jurisdiction in the form of an approved Buffer Management Plan.
- B. The Licensee shall accept the terms of the attached marsh maintenance plan by signing and returning the standard plan to the Water and Science Administration, Tidal Wetlands Division prior to commencement of any work authorized under this License. If the Licensee 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 License. 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.

GENERAL CONDITIONS

- A. The Maryland Department of the Environment has determined that the proposed activities comply with, and will be conducted in a manner consistent with the State's Coastal Zone Management Program, as required by Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.
- B. The Licensee shall comply with all Critical Area requirements and obtain all necessary authorizations from local jurisdiction. This License 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.
- C. If the authorized work is not performed by the property owner, 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. 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.
- D. The Licensee certifies real property interest in the contiguous upland.
- E. This License does not relieve the Licensee from the responsibility of obtaining all necessary federal, State and local government authorizations.
- F. The Licensee shall obtain an approved sediment and erosion control plan from the local soil conservation district when the area disturbed is greater than 5000 square feet or 100 cubic yards of fill.
- G. The Licensee shall ensure that a copy of this License, including the approved plans, is available at the site until the authorized work is complete.
- H. The Licensee shall make every reasonable effort to design and construct the structure or perform the activity authorized in this License in a manner which minimizes adverse impacts on natural resource values, including water quality, plants, wildlife, plant and wildlife habitat, and on historic property values.


- I. The Secretary of the Environment may suspend or revoke a License if the Secretary finds that the Licensee has not complied with any condition or limitation in the License or has exceeded the scope of the authorized activities.
- J. The Licensee shall indemnify, defend and hold harmless the State of Maryland, its officials, officers, and employees from and against any and all liability, suits, claims and actions of whatever kind, caused by or arising from the work authorized by the License.
- K. The Licensee acknowledges that this License does not transfer any property interest in State tidal wetlands. This License allows the Licensee to use State tidal wetlands only for the structure or activity authorized herein and in no way limits the use of waters of the State by the public.
- L. This License is valid only for use by the Licensee. Permission for transfer of the License shall be obtained from the Water and Science Administration, Tidal Wetland Division. The terms and conditions of this License shall be binding on any assignee or successor in interest of the License.
- M. The Licensee shall allow representatives of the Maryland Department of the Environment to inspect the authorized activities.
- N. The Licensee shall notify the Maryland Department of the Environment, Water and Science Administration, Compliance Program at least 10 day before starting the authorized activities at (410) 901-4020.
- O. The Licensee shall complete construction of the activity authorized under this License by the expiration date, otherwise a new General License shall be obtained.
- P. Upon completion of the authorized activities, the Licensee shall notify the Maryland Department of the Environment, Water and Science Administration, Compliance Program at (410) 901-4020.


By authority of the Secretary of the Environment:



Denise M. Keehner, Manager
Wetlands and Waterways Program

Date: 8/10/18

Tidal Wetland Reviewer: Megan Spindler 

Supervisor Concurrence: 

Tracking Number: 201860852
Agency Interest Number: 160803

Enclosure: Plans dated August 8, 2018
cc: WSA Inspection & Compliance Program



Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

MARSH MAINTENANCE PLAN

Agency Interest Number: 160803
Tidal Wetlands License Number: 18-GL-0511
Licensee Name: Jack and Jill Meyerhoff
8796 Marengo Rd.
Easton, MD 21601

Please sign and date this Marsh Maintenance Plan and return to the address below no later than October 6, 2018.

Preparation: All areas that are to be planted shall be cleaned of rough grass, weeds, and debris and the ground surface filled and graded to the elevations specified on the plans.

Planting: The living shoreline will be planted during the planting season for wetland sprigging which is between April 1 and June 30 or between September 1 and October 30. The mean high water (MHW) lines will be marked on the ground and the plantings shall be made in rows parallel to the MHW line extending to the limits on the construction plans. Rows shall be 18 inches apart and plants 18 inches apart. Plantings shall be made by hand with dibble, spade or shovel by opening a hole at the planting site, placing the fertilizer and then the plant in the hole, closing the hole and firming the soil around the plant so that the surface soil level is .5 to 1 inch above the top of the planting pot root mass. If the soil at the planting site is not wet or damp, the plants shall be sufficiently watered within 4 hours after planting.

Protection: Immediately upon completion of the planting operation, the planting area shall be protected against wildlife and human traffic by erecting goose exclusion fencing and Blaze Orange Fence (BOF) at the top of the slope and along the sides of the planted area.

Plant Establishment: A healthy stand of wetland vegetation is defined as 85% aerial coverage of the original planted area by native wetland vegetation (e.g., planted species and volunteer native species). A healthy stand of wetland vegetation shall be established within 1 year of planting and shall be maintained for at least 3 consecutive years thereafter. The licensee is responsible for making sure the planted area is maintained by eradicating non-native nuisance species (e.g., Phragmites), and protecting areas from human traffic and wildlife predators. If a healthy stand of wetland vegetation is not established within one year after planting, the limiting factors will be identified and addressed and the area will be replanted as necessary.

Marsh Monitoring Reports: Brief, annual Marsh Monitoring Reports will be submitted to the address below for 5 years by the dates below, *regardless of the whether or not the project is completed or a healthy stand of wetland vegetation is obtained.* The Marsh Monitoring Report may be brief and should include the following information, at a minimum:

- State Agency Interest number, Tidal Wetlands License number, and site address (listed above)
- Date of inspections
- Project completion date. If the project has not yet been completed, please indicate the current status of the project and disregard the remaining requirements.
- Estimation of percent plant coverage by the dominant species.
This should show the percent coverage of native and non-native wetland plant species. If 85% coverage by native species is not obtained, please indicate the limiting factors to plant growth, and what steps will be taken to meet the 85% coverage requirement.
- Identification of factors limiting establishment or maintenance of a healthy stand of wetland vegetation and identify the maintenance activities necessary to mitigate the resulting stress. *For example, if non-native, invasive species (such as Phragmites) have emerged and begun to crowd out the planted or volunteer native species, the invasive species should be physically removed or chemically controlled. If geese are predating the plants, goose exclusion fence should be erected.*
- Photographs showing the current condition of the project

This 5-year monitoring period may be extended at MDE's discretion in the event replacement plantings are required.

The annual Marsh Monitoring Report should be submitted to the address below on or before the following dates:

- 1-Year Report: August 6, 2019
- 2-Year Report: August 6, 2020
- 3-Year Report: August 6, 2021
- 4-Year Report: August 6, 2022
- 5-Year Report: August 6, 2023

ACCEPTANCE OF MARSH MAINTENANCE PLAN

The applicant acknowledges that he/she has read and understands this Marsh Maintenance Plan and agrees to submit annual Marsh Monitoring Reports on or before the above due dates.

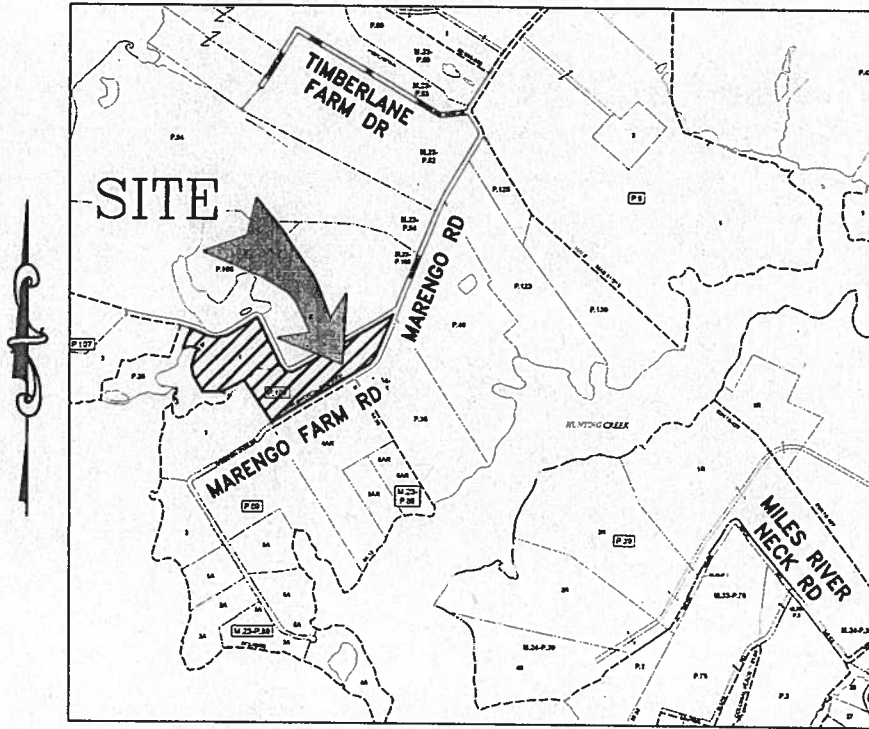
Signature of Licensee

Date

PLEASE SIGN, DATE AND RETURN THIS COPY OF THE MARSH MAINTENANCE PLAN TO:

MARYLAND DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
WETLANDS AND WATERWAYS PROGRAM
TIDAL WETLANDS DIVISION
(Signed Marsh Maintenance Plan) C/O Megan Spindler
(Annual Marsh Monitoring Reports) C/O Megan Spindler
1800 WASHINGTON BLVD.

TIDAL WETLAND PERMIT DRAWINGS
 PREPARED FOR
 JACK MEYERHOFF
 IN THE FIRST ELECTION DISTRICT
 TALBOT COUNTY, MARYLAND



VICINITY MAP
 SCALE: 1" = 2,000'

ENGINEER

OWNER/DEVELOPER

PROJECT LOCATION

Lane Engineering, LLC

117 BAY STREET
 EASTON, MARYLAND 21601
 (410) 822-8003

18 CIL-6511
 2018082
 100203

JACK MEYERHOFF
 JILL MEYERHOFF
 8788 MARENGO FARM ROAD
 EASTON, MD 21601-5101

8796 MARENGO FARM ROAD
 EASTON, MD 21601

ISSUE FOR:	DATE:	BY:	No.	DATE:	REVISION:	BY:
MDE SUBMITTAL	05/16/18	DSW				
MDE SUBMITTAL	06/27/18	DSW				
MDE SUBMITTAL	08/06/18	DSW				

SHEET No. 1 OF 7
 DATE: AS NOTED
 SCALE: AS NOTED
 JOB No. 180113
 FILE No. 3783

TITLE SHEET
 ON THE LANDS OF
JACK MEYERHOFF & JILL MEYERHOFF
 EASTON, MARYLAND

IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 23 GRID 24 PARCEL 107 LOT 1

Lane Engineering, LLC

Established 1986
 Civil Engineers • Land Planning • Land Surveyor



E-mail: general@leinc.com
 117 Bay St. Easton, MD 21601 (410) 822-8003
 15 Washington St. Cambridge, MD 21613 (410) 221-0818

LEGEND & ABBREVIATIONS

MLW MEAN LOW WATER
 MHW MEAN HIGH WATER
 TYP TYPICAL
 EX EXISTING
 APPROX APPROXIMATE

PROPERTY LINE 

LIMITS OF MAPPED SAV 

APPROX TREE LINE 

SPOT ELEVATION 

SPARTINA ALTERNIFLORA 

SPARTINA PATENS 

PROJECT NOTES:


1. TIDAL DATUM, I.E. MEAN LOW WATER ELEVATION, IS ESTIMATED FROM ENVIRONMENTAL INDICATORS SUCH AS RACK LINES, WATER MARKS, PLANT COMMUNITY COMPOSITIONS.
2. UNLESS OTHERWISE NOTED, ELEVATIONS SHOWN HEREIN ARE REFERENCED TO MEAN LOW WATER (MLW) = 0.0'.
3. MEAN TIDAL RANGE = 1.80'
4. LOT SIZE = 22.77 AC±
5. LOT DEPTH = 1,700'±
6. ROAD FRONTAGE = PRIVATE: 2,676'±
PUBLIC: 1,711'±
7. LOT WIDTH AT SHORELINE = 1,398'±
8. DISTANCE TO CHANNEL CENTERLINE = 138'±
9. MAXIMUM CHANNELWARD ENCROACHMENT = 35'±
10. ZONING CLASSIFICATION = RC (RURAL CONSERVATION DISTRICT)
11. 911 ADDRESS = 8796 MARENGO FARM ROAD EASTON, MD 21601

AT THE APPLICANT'S REQUEST, THE PROPERTY LINE INFORMATION SHOWN ON THIS PLAN, WITH LATERAL LINES, SETBACKS AND SHORELINE ARE TAKEN FROM DEED, PLAT AND AERIAL PHOTO INTERPRETATION. A PROPERTY LINE SURVEY WAS NOT PERFORMED. SOUNDINGS SHOWN HEREON WERE PROVIDED BY ENVIRONMENTAL LAND IMPROVEMENTS, INC. THE INFORMATION SHOWN HEREON WAS ALSO TAKEN FROM 1972 1"=200' STATE OF MARYLAND WETLANDS MAPS, AERIAL PHOTOGRAPHS, TAX MAPS AND A SITE SKETCH. THESE MAPS ARE BELIEVED TO BE THE BEST, READILY AVAILABLE SOURCE OF INFORMATION FOR MARINE PERMITTING PURPOSES. A DETAILED ONSITE SURVEY FOR THE PURPOSE OF ACCURATELY DETERMINING EXISTING FEATURES INCLUDING PROPERTY LINES, SHORELINES, EXISTING PIERS, OTHER STRUCTURES, AND SOUNDINGS HAS NOT BEEN COMPLETED. LANE ENGINEERING IS NOT RESPONSIBLE FOR ANY INACCURACIES ASSOCIATED WITH THE LOCATION OF ABOVE REFERENCED EXISTING FEATURES AND RELATED LATERAL LINES, SETBACKS, ETC. THIS SKETCH IS FOR PERMIT PURPOSES ONLY AND IS NOT TO BE USED AS AN ACCURATE CONSTRUCTION DOCUMENT.

18-GL-0511
 201860252
 160803 8/06/2018

FILE No. 3783
 JOB No. 180113
 SCALE: AS NOTED
 DATE: AS NOTED
 SHEET No. 2 OF 7

SITE & PROJECT NOTES
ON THE LANDS OF
JACK MEYERHOFF & JILL MEYERHOFF
EASTON, MARYLAND
 IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 23 GRID 24 PARCEL 107 LOT 1

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TAX MAP 23, PARCEL 26
EARL A. POWELL
NANCY L. POWELL
8914 MARENGO ROAD
EASTON, MD 21601-5109

TAX MAP 23 PARCEL 107 LOT 1
JACK MEYERHOFF
JILL MEYERHOFF
8788 MARENGO FARM ROAD
EASTON, MD 21601-5105
(APPLICANT)

TAX MAP 23 PARCEL 89 LOT 1
JACK MEYERHOFF
JILL MEYERHOFF
8788 MARENGO FARM ROAD
EASTON, MD 21601-5105

HAWKSWORTH ROAD

MARENGO ROAD

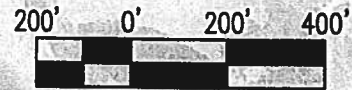
MARENGO FARM ROAD

DARMANDS CREEK

EBB FLOW

MILES RIVER

18 GL-0511
201860852
160803
8/6/2018




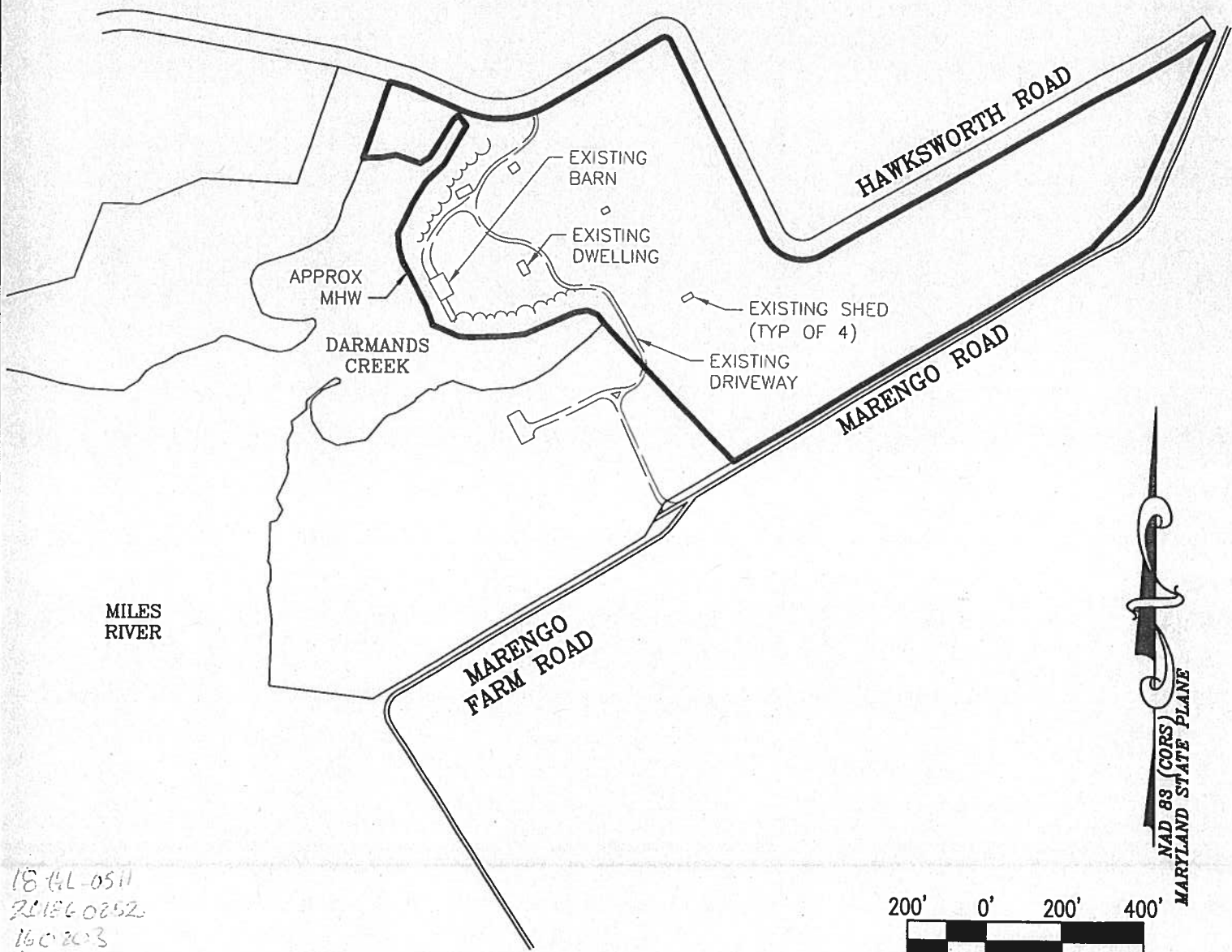
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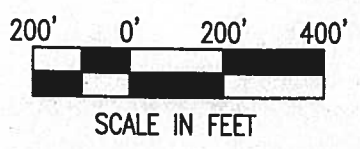
FILE No. 3783
JOB No. 180117
SCALE: AS NOTED
DATE: AS NOTED
SHEET No. 3 OF 7

SITE OVERVIEW
ON THE LANDS OF
JACK MEYERHOFF & JILL MEYERHOFF
EASTON, MARYLAND
IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY

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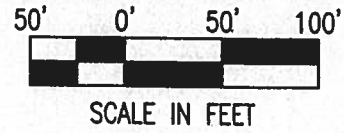
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 160203
 8/6/2018



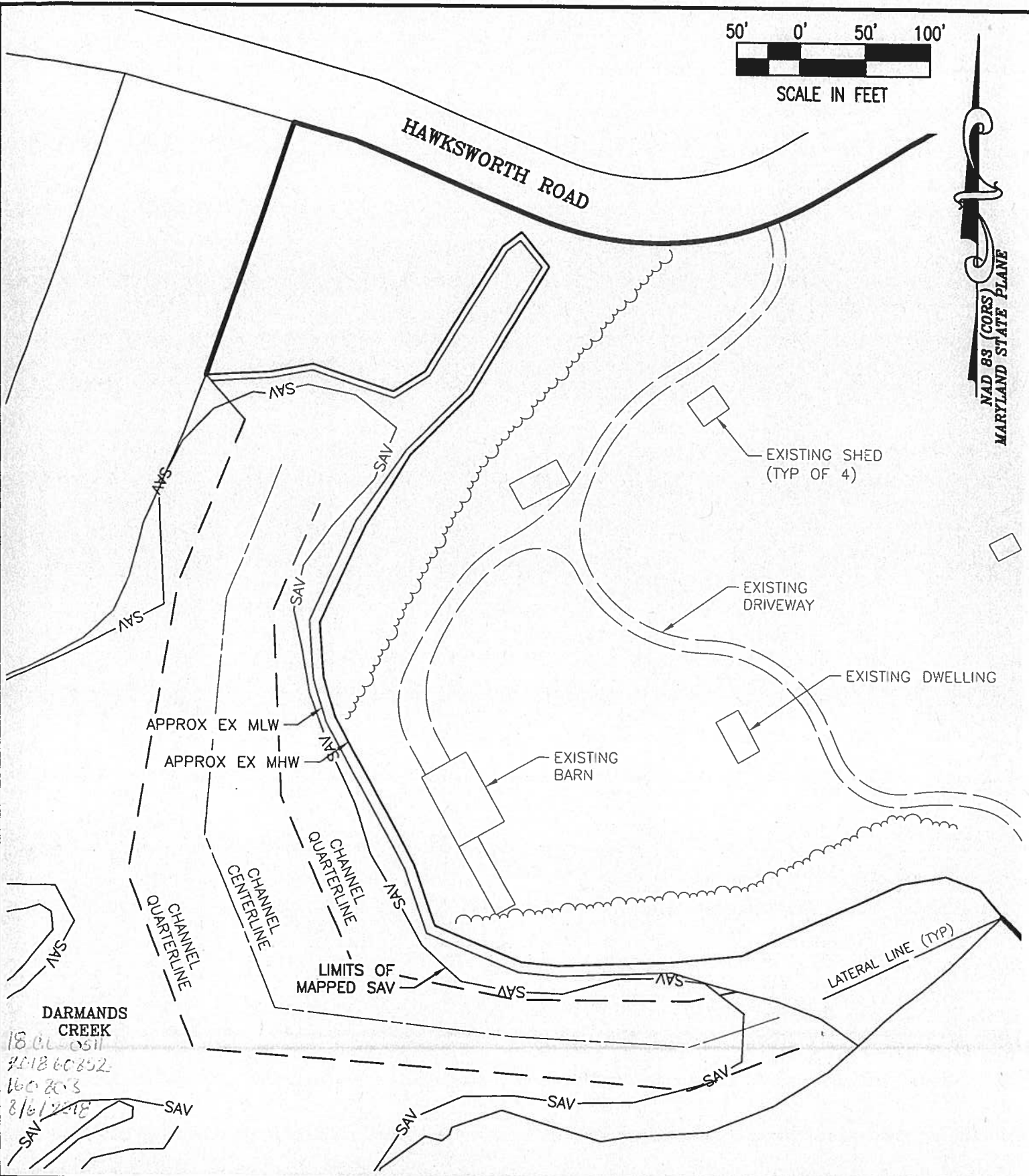
FILE No. 3783
 JOB No. 180113
 SCALE: AS NOTED
 DATE: AS NOTED
 SHEET No. 4 OF 7

EXISTING CONDITIONS OVERVIEW
ON THE LANDS OF
JACK MEYERHOFF & JILL MEYERHOFF
EASTON, MARYLAND
 IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 23 GRID 24 PARCEL 107 LOT 1

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NAD 83 (CORS)
 MARYLAND STATE PLANE




DARMANDS
 CREEK
 18 CL 0511
 301860852
 160803
 8/6/2018

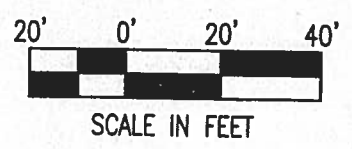
SHEET No.
5 OF 7
 DATE: AS NOTED
 SCALE: AS NOTED
 JOB No. 180113
 FILE No. 3783

EXISTING CONDITIONS
ON THE LANDS OF
JACK MEYERHOFF & JILL MEYERHOFF
EASTON, MARYLAND
 IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 23 GRID 24 PARCELS 107 LOT 1

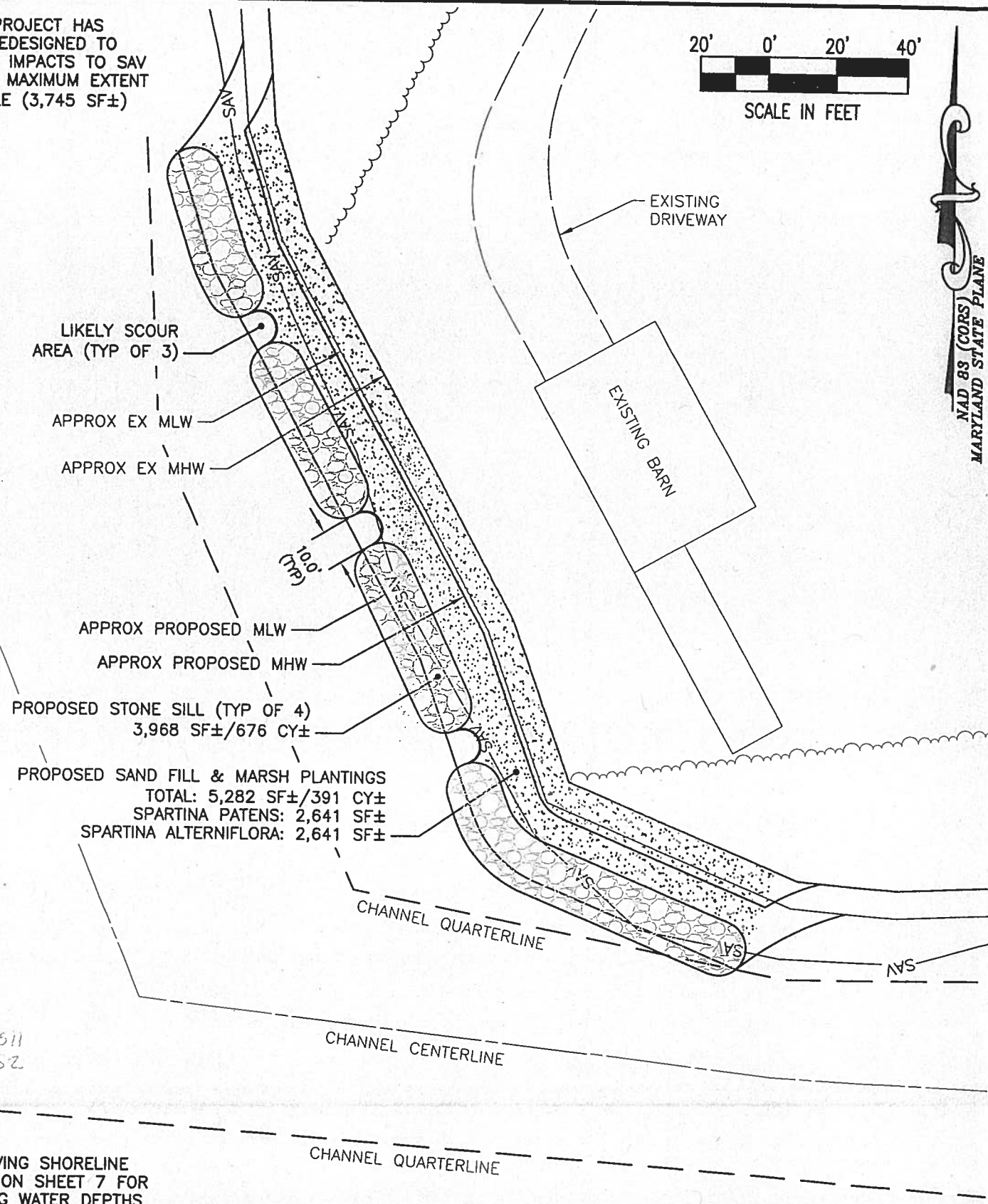
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NOTE: PROJECT HAS BEEN REDESIGNED TO REDUCE IMPACTS TO SAV TO THE MAXIMUM EXTENT POSSIBLE (3,745 SF±)



MARYLAND STATE PLANE
 NAD 83 (CORS)




18-GL-0511
 201860252
 160803
 8/6/2018

SEE LIVING SHORELINE
 DETAIL ON SHEET 7 FOR
 EXISTING WATER DEPTHS

SHEET No. **6 OF 7**
 DATE: AS NOTED
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 JOB No. 180113
 FILE No. 3783

PROPOSED IMPROVEMENTS
ON THE LANDS OF
JACK MEYERHOFF & JILL MEYERHOFF
EASTON, MARYLAND
 IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY
 TAX MAP 23 GRID 24 PARCELS 107, 108

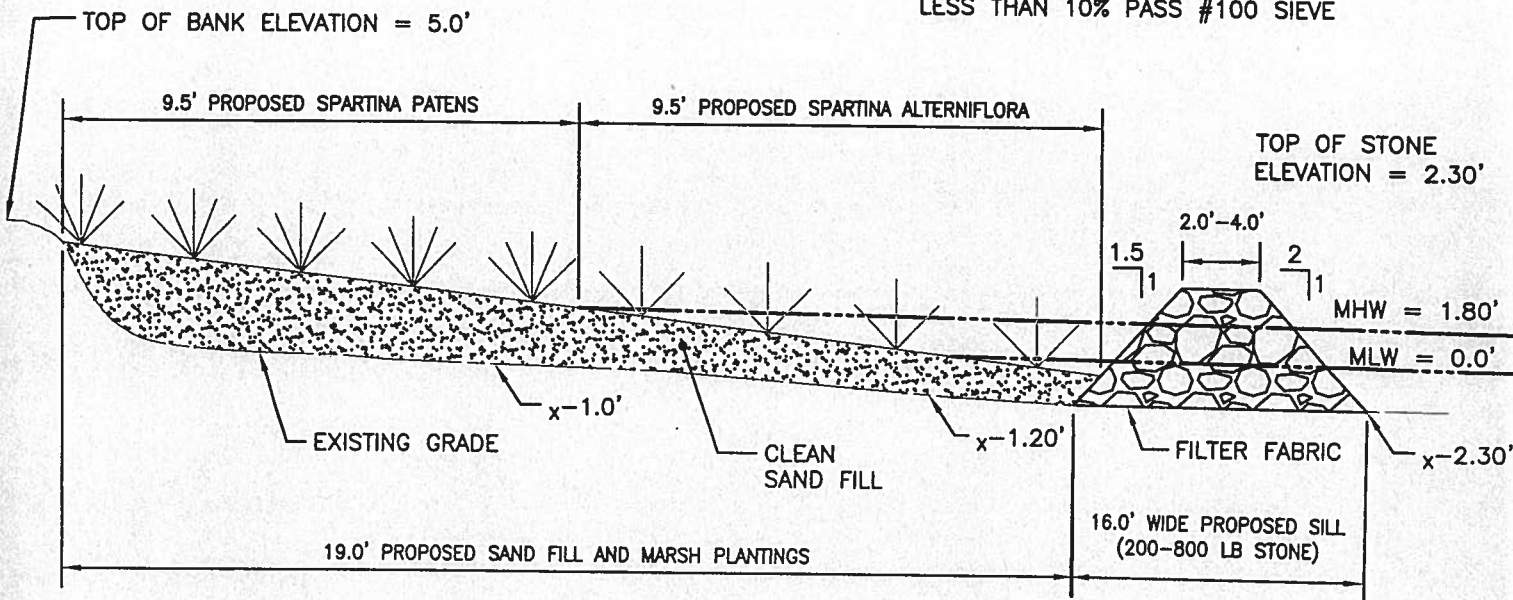
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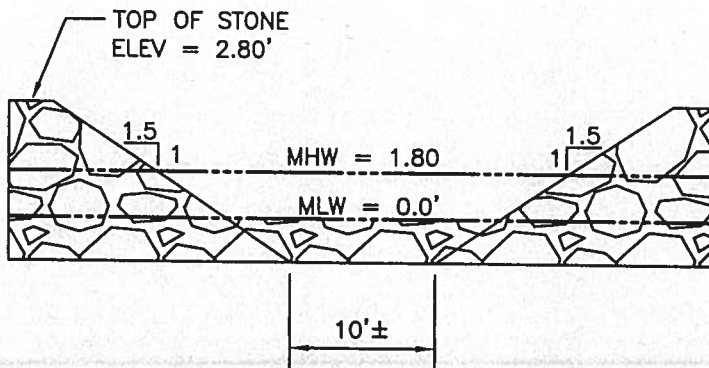
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SOUNDINGS SHOWN HEREON PROVIDED BY ENVIRONMENTAL LAND IMPROVEMENTS, INC. FOR PERMITTING PURPOSES ONLY

MINIMUM 2' PROPOSED SAND FILL
 $D_{50} = 0.6\text{MM} \pm 0.25\text{MM}$
 LESS THAN 10% PASS #100 SIEVE



LIVING SHORELINE DETAIL
 NOT TO SCALE



STONE SILL WINDOW DETAIL
 NOT TO SCALE

18-01-0511
 201860852
 16-0-303
 8/14/18

FILE No. 3783
 JOB No. 180113
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 SHEET No. 7 OF 7

DETAILS
 ON THE LANDS OF
JACK MEYERHOFF & JILL MEYERHOFF
 EASTON, MARYLAND

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 TAX MAP 23 GRID 24 PARCEL 107 LOT 1

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