

STATE OF MARYLAND  
DEPARTMENT OF THE ENVIRONMENT  
WATER AND SCIENCE ADMINISTRATION  
LETTER OF AUTHORIZATION

AUTHORIZATION NUMBER: 19-NT-2159/201962034

EFFECTIVE DATE: April 20, 2020

EXPIRATION DATE: April 20, 2025

AUTHORIZED PERSON: Queen Anne's County Commissioners  
The Gardens of Queen Anne's  
107 N. Liberty Street  
Centreville, Maryland 21617  
Attention: Linda Steiner



IN ACCORDANCE WITH ENVIRONMENT ARTICLE §5-503(a) AND §5-906(b), ANNOTATED CODE OF MARYLAND (2007 REPLACEMENT VOLUME), COMAR 26.17.04 AND 26.23.01, AND 26.08.02 AND THE ATTACHED CONDITIONS OF AUTHORIZATIONS, Queen Anne's County Commissioners ("AUTHORIZED PERSON"), IS HEREBY AUTHORIZED BY THE WATER AND SCIENCE ADMINISTRATION ("ADMINISTRATION") TO CONDUCT A REGULATED ACTIVITY IN A NONTIDAL WETLAND, BUFFER, OR EXPANDED BUFFER, AND/OR TO CHANGE THE COURSE, CURRENT OR CROSS-SECTION OF WATERS OF THE STATE, IN ACCORDANCE WITH THE ATTACHED PLANS APPROVED BY THE ADMINISTRATION ON April 20, 2020 ("APPROVED PLAN") AND PREPARED BY AECOM AND INCORPORATED HEREIN, AS DESCRIBED BELOW:

To construct a commercial development, located at Parcel 280, Lot 2, Pier One Road, Stevensville, Queen Anne's County, Maryland. This authorized activity, requiring the removal of vegetation, filling, grading, and building structures, shall permanently impact approximately 9,313 square feet of isolated emergent nontidal wetlands and 18,346 square feet of 25-foot nontidal wetlands buffer. To compensate for the loss of these nontidal wetlands (cumulative nontidal wetland impacts by Queen Anne's County at Bay Bridge Airport Property), the Authorized Person has invested into the Maryland Department of the Environment, Nontidal Wetland Compensation Fund at a 1:1 ratio.

Denise M. Keehner  
Program Manager  
Wetlands and Waterways Program

COMMISSIONER'S OFFICE  
MAY 6 '20 PM 1:43

Attachments: Conditions of Authorization

cc: Paul Ferreri - MDE Compliance Program w/file  
Jennifer Lutz, AECOM, Inc.  
Vivian Swinson - Queen Anne's County Planning and Zoning

1. **Validity:** Authorization is valid only for use by Authorized Person. Authorization may be transferred only with prior written approval of the Administration. In the event of transfer, transferee agrees to comply with all terms and conditions of Authorization.
2. **Initiation of Work, Modifications and Extension of Term:** Authorized Person shall initiate authorized activities in waterways, including streams and the 100-year floodplain, within two (2) years of the Effective Date of this Authorization or the Authorization shall expire. [Annotated Code of Maryland, Environment Article 5-510(a)-(b) and Code of Maryland Regulations 26.17.04.12]. Authorized Person may submit written requests to the Administration for (a) extension of the period for initiation of work, (b) modification of Authorization, including the Approved Plan, or, (c) not later than 45 days prior to Expiration Date, an extension of term. Requests for modification shall be in accordance with applicable regulations and shall state reasons for changes, and shall indicate the impacts on nontidal wetlands, streams, and the floodplain, as applicable. The Administration may grant a request at its sole discretion. (Annotated Code of Maryland, Environment Article 5-510(c), and Code of Maryland Regulations 26.17.04.12, and Annotated Code of Maryland, Environment Article 5-907 and Code of Maryland Regulations 26.23.02.07).
3. **Responsibility and Compliance:** Authorized Person is fully responsible for all work performed and activities authorized by this Authorization shall be performed in compliance with this Authorization and Approved Plan. Authorized Person agrees that a copy of the Authorization and Approved Plan shall be kept at the construction site and provided to its employees, agents and contractors. A person (including Authorized Person, its employees, agents or contractors) who violates or fails to comply with the terms and conditions of this Authorization, Approved Plan or an administrative order may be subject to penalties in accordance with §5-514 and §5-911, Department of the Environment Article, Annotated Code of Maryland (2007 Replacement Volume).
4. **Failure to Comply:** If Authorized Person, its employees, agents or contractors fail to comply with this Authorization or Approved Plan, the Administration may, in its discretion, issue an administrative order requiring Authorized Person, its employees, agents and contractors to cease and desist any activities which violate this Authorization, or the Administration may take any other enforcement action available to it by law, including filing civil or criminal charges.
5. **Suspension or Revocation:** Authorization may be suspended or revoked by the Administration, after notice of opportunity for a hearing, if Authorized Person: (a) submits false or inaccurate information in Permit application or subsequently required submittals; (b) deviates from the Approved Plan, specifications, terms and conditions; (c) violates, or is about to violate terms and conditions of this Authorization; (d) violates, or is about to violate, any regulation promulgated pursuant to Title 5, Department of the Environment Article, Annotated Code of Maryland as amended; (e) fails to allow authorized representatives of the Administration to enter the site of authorized activities at any reasonable time to conduct inspections and evaluations; (f) fails to comply with the requirements of an administrative action or order issued by the Administration; or (g) does not have vested rights under this Authorization and new information, changes in site conditions, or amended regulatory requirements necessitate revocation or suspension.
6. **Other Approvals:** Authorization does not authorize any injury to private property, any invasion of rights, or any infringement of federal, State or local laws or regulations, nor does it obviate the need to obtain required authorizations or approvals from other State, federal or local agencies as required by law.
7. **Site Access:** Authorized Person shall allow authorized representatives of the Administration access to the site of authorized activities during normal business hours to conduct inspections and evaluations necessary to assure compliance with this Authorization. Authorized Person shall provide necessary assistance to effectively and safely conduct such inspections and evaluations.
8. **Inspection Notification:** Authorized Person shall notify the Administration's Compliance Program at least five (5) days before starting authorized activities and five (5) days after completion. For Allegany, Garrett, and Washington Counties, Authorized Person shall call 301-689-1480. For Carroll, Frederick, Howard, Montgomery and Prince George's Counties, Authorized Person shall call 301-665-2850. For Baltimore City, Anne Arundel, Baltimore, Calvert, Charles, and St. Mary's Counties, Authorized Person shall call 410-537-3510. For Caroline, Cecil, Dorchester, Harford, Kent, Queen Anne's, Somerset, Talbot, Wicomico and Worcester Counties, Authorized Person shall call 410-901-4020. If Authorization is for a project that is part of a mining site, please contact the Land and Materials Administration's Mining Program at 410-537-3557 at least five (5) days before starting authorized activities and five (5) days after completion.
9. **Sediment Control:** Authorized Person shall obtain approval from the Queen Anne's County Soil Conservation District for a grading and sediment control plan specifying soil erosion control measures. The approved grading and sediment control plan shall be included in the Approved Plan, and shall be available at the construction site.
10. **Best Management Practices During Construction:** Authorized Person, its employees, agents and contractors shall conduct authorized activities in a manner consistent with the Best Management Practices specified by the Administration.
11. **Disposal of Excess:** Unless otherwise shown on the Approved Plan, all excess fill, spoil material, debris, and construction material shall be disposed of outside of nontidal wetlands, nontidal wetlands buffers, and the 100-year floodplain, and in a location and manner which does not adversely impact surface or subsurface water flow into or out of nontidal wetlands.
12. **Temporary Staging Areas:** Temporary construction trailers or structures, staging areas and stockpiles shall not be located within nontidal wetlands, nontidal wetlands buffers, or the 100-year floodplain unless specifically included on the Approved Plan.

3. **Temporary Stream Access Crossings:** Temporary stream access crossings shall not be constructed or utilized unless shown on the Approved Plan. If temporary stream access crossings are determined necessary prior to initiation of work or at any time during construction, Authorized Person, its employees, agents or contractors shall submit a written request to the Administration and secure the necessary permits or approvals for such crossings before installation of the crossings. Temporary stream access crossings shall be removed and the disturbance stabilized prior to completion of authorized activity or within one (1) year of installation.
14. **Discharge:** Runoff or accumulated water containing sediment or other suspended materials shall not be discharged into waters of the State unless treated by an approved sediment control device or structure.
15. **Instream Construction Prohibition:** To protect important aquatic species, motor driven construction equipment shall not be allowed within stream channels unless on authorized ford crossings. Activities within stream channels are prohibited as determined by the classification of the stream (COMAR 26.08.02.08): N/A is a Use N/A waterway; in-stream work may not be conducted from N/A through N/A, inclusive, of any year.
16. **Instream Blasting:** Authorized Person shall obtain prior written approval from the Administration before blasting or using explosives in the stream channel.
17. **Minimum Disturbance:** Any disturbance of stream banks, channel bottom, wetlands, and wetlands buffer authorized by this Authorization or Approved Plan shall be the minimum necessary to conduct permitted activities. All disturbed areas shall be stabilized vegetatively no later than seven (7) days after construction is completed or in accordance with the approved grading or sediment and erosion control plan.
18. **Restoration of Construction Site:** Authorized Person shall restore the construction site upon completion of authorized activities. Undercutting, meandering or degradation of the stream banks or channel bottom, any deposition of sediment or other materials, and any alteration of wetland vegetation, soils, or hydrology, resulting directly or indirectly from construction or authorized activities, shall be corrected by Authorized Person as directed by the Administration.
19. **Mitigation:** Due to cumulative impacts for the project, Authorized Person shall mitigate for the loss of 9,313 square feet of emergent nontidal wetlands by creating the equivalent of at least 9,313 square feet of emergent nontidal wetlands. This mitigation requirement shall be satisfied through a payment of \$3,025.00 into the Maryland Nontidal Wetland Compensation Fund.

#### **FEDERALLY MANDATED STATE AUTHORIZATIONS**

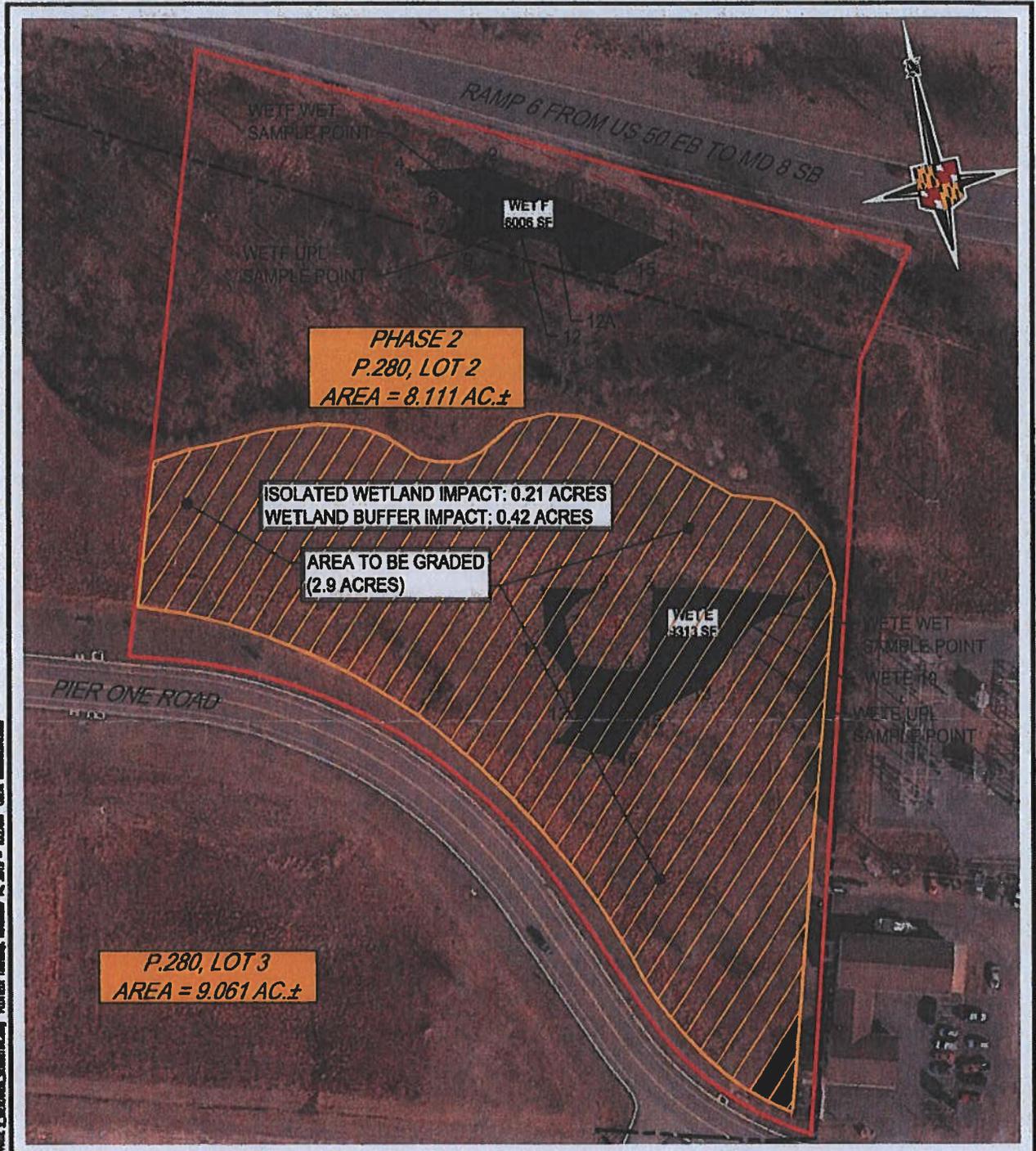
The State of Maryland issued a Water Quality Certification to the U.S. Army Corps of Engineers for projects receiving federal authorization under the Maryland State Programmatic General Permit, Regional General Permit for Chesapeake Bay Total Maximum Daily Load (TMDL) Activities and non-suspended Nationwide Permits. In addition, as applicable, this Authorization constitutes the State's concurrence with the Applicant's certification that the activities authorized herein are consistent with the Maryland Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act of 1972, as amended. Activities in the following counties are not subject to the Maryland Coastal Zone Management requirement: Allegany, Carroll, Frederick, Garrett, Howard, Montgomery, and Washington.

#### **U.S. ARMY CORPS OF ENGINEERS AUTHORIZATION**

The U.S. Army Corps of Engineers has reviewed this activity and has determined that there is no federal jurisdiction.

**BEST MANAGEMENT PRACTICES FOR WORKING IN  
NONTIDAL WETLANDS, WETLAND BUFFERS,  
WATERWAYS AND 100-YEAR FLOODPLAINS**

- 1) No excess fill, construction material, or debris shall be stockpiled or stored in nontidal wetlands, nontidal wetland buffers, waterways, or the 100-year floodplain.
- 2) Place materials in a location and manner which does not adversely impact surface or subsurface water flow into or out of nontidal wetlands, nontidal wetland buffers, waterways, or the 100-year floodplain.
- 3) Do not use the excavated material as backfill if it contains waste metal products, unsightly debris, toxic material, or any other deleterious substance. If additional backfill is required, use clean material free of waste metal products, unsightly debris, toxic material, or any other deleterious substance.
- 4) Place heavy equipment on mats or suitably operate the equipment to prevent damage to nontidal wetlands, nontidal wetland buffers, waterways, or the 100-year floodplain.
- 5) Repair and maintain any serviceable structure or fill so there is no permanent loss of nontidal wetlands, nontidal wetland buffers, or waterways, or permanent modification of the 100-year floodplain in excess of that lost under the originally authorized structure or fill.
- 6) Rectify any nontidal wetlands, wetland buffers, waterways, or 100-year floodplain temporarily impacted by any construction.
- 7) All stabilization in the nontidal wetland and nontidal wetland buffer shall consist of the following species: Annual Ryegrass (Lolium multiflorum), Millet (Setaria italica), Barley (Hordeum sp.), Oats (Uniola sp.), and/or Rye (Secale cereale). These species will allow for the stabilization of the site while also allowing for the voluntary revegetation of natural wetland species. Other non-persistent vegetation may be acceptable, but must be approved by the Nontidal Wetlands and Waterways Division. **Kentucky 31 fescue shall not be utilized in wetland or buffer areas.** The area should be seeded and mulched to reduce erosion after construction activities have been completed.
- 8) After installation has been completed, make post-construction grades and elevations the same as the original grades and elevations in temporarily impacted areas.
- 9) To protect aquatic species, in-stream work is prohibited as determined by the classification of the stream:
  - Use I waters: In-stream work shall not be conducted during the period March 1 through June 15, inclusive, during any year.
  - Use III waters: In-stream work shall not be conducted during the period October 1 through April 30, inclusive, during any year.
  - Use IV waters: In-stream work shall not be conducted during the period March 1 through May 31, inclusive, during any year.
- 10) Stormwater runoff from impervious surfaces shall be controlled to prevent the washing of debris into the waterway.
- 11) Culverts shall be constructed and any riprap placed so as not to obstruct the movement of aquatic species, unless the purpose of the activity is to impound water.



FILE: \\MSD-USA\proj\2019\19-000000-Phase 2\_19012019\19012019.dwg PLOTED: Thursday, December 14, 2019 - 10:27am User: msmith

- LEGEND:**
- AIRPORT PROPERTY BOUNDARY
  - WETLAND DATA POINTS
  - STUDY AREA BOUNDARY
  - WETLAND W/ 25' BUFFER



|                      |                                              |                   |
|----------------------|----------------------------------------------|-------------------|
|                      | BAY BRIDGE AIRPORT<br>STEVENSVILLE, MARYLAND |                   |
|                      | WETLAND DELINEATION                          |                   |
|                      | THE GARDENS                                  |                   |
| SCALE:<br>AS SHOWN   |                                              | EXHIBIT No.:<br>1 |
| DATE:<br>AUGUST 2019 |                                              |                   |



# Maryland

Department of  
the Environment

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

April 23, 2020

Ms. Jeanne Haddaway-Riccio, Secretary  
Maryland Department of Natural Resources  
Tawes State Office Building  
580 Taylor Avenue  
Annapolis, MD 21401

COMMISSIONER'S OFFICE  
MAY 6 '20 PM1:12

Dear Secretary Haddaway-Riccio:

The Maryland Department of the Environment has determined by sampling of the water in the area described below that these waters are polluted so that shellfish produced or stored in this area are a hazard to public health. Therefore, pursuant to the Annotated Code of Maryland, Natural Resources Article § 4-742 (2014 Replacement Volume), the Maryland Department of the Environment hereby closes the area described below for the harvesting or storing of shellfish effective May 18, 2020. Please note that this reclassification does not change the Department of Natural Resources designation of the area described as an oyster sanctuary.

**Harris Creek, Talbot County (57B)**

All of the waters of Harris Creek upstream of a line extending in a southeasterly direction from a point on shore (38° 47' 14.1" North Latitude 76° 16' 20.2" West Longitude) on the western shore to a point (38° 47' 5.2" North Latitude 76° 16' 4.9" West Longitude) on the opposite shore, and all of the waters downstream of a line extending in a southeasterly direction from a point of land (38°47'40.2" North Latitude, 76°16'15.7" West Longitude) at the mouth of the Northeast Branch of Harris Creek to a point of land (38°47'32.7" North Latitude, 76°16'05.1" West Longitude) on the opposite shore, and all of the waters of the Northwest Branch of Harris Creek downstream of a line extending in a northerly direction from a point of land (38°48'02.1" North Latitude, 76°16'53.9" West Longitude) on the south side of the Northwest Branch of Harris Creek to a point of land (38°48'10.0" North Latitude, 76°16'52.5" West Longitude) on the opposite shore.

**Northeast Branch, Cummings Creek, Harris Creek, Talbot County (57C)**

All of the waters of Cummings Creek upstream of a line extending in a north westerly direction from a point on shore (38° 46' 50.6" North Latitude, 76° 17' 5.3" West Longitude) on the eastern shore to a point of land (38° 46' 59.3" North Latitude 76° 17' 20.1" West Longitude) on the opposite shore.

The following areas will remain restricted to shellfish harvesting:

**Northeast Branch, Harris Creek, Talbot County (57B)**

All of the waters upstream of a line extending in a southeasterly direction from a point of land (38°47'40.2" North Latitude, 76°16'15.7" West Longitude) at the mouth of the Northeast Branch of

Ms. Jeanne Haddaway-Riccio, Secretary  
Page 2

Harris Creek to a point of land (38°47'32.7" North Latitude, 76°16'05.1" West Longitude) on the opposite shore.

Effective Date: September 9, 1996  
Continued Date: November 7, 2011, May 18, 2020

**Northwest Branch, Harris Creek, Talbot County (57C)**

All of the waters of the Northwest Branch of Harris Creek upstream of a line extending in a northerly direction from a point of land (38°48'02.1" North Latitude, 76°16'53.9" West Longitude) on the south side of the Northwest Branch of Harris Creek, to a point of land (38°48'10.0" North Latitude, 76°16'52.5" West Longitude) on the opposite shore.

Effective Date: June 20, 2016  
Continued Date: May 18, 2020

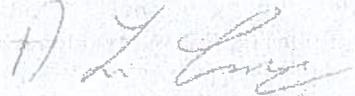
**Cummings Creek, Harris Creek, Talbot County (57D)**

All of the waters of Cummings Creek upstream of a line extending in a southwesterly direction from a point of land (38°47'04.7" North Latitude, 76°17'43.6" West Longitude) on the north side of Cummings Creek to a point of land (38°47'02.0" North Latitude, 76°17'54.8" West Longitude) on the opposite shore.

Effective Date: June 20, 2016  
Continued Date: May 18, 2020

A map of the area is attached.

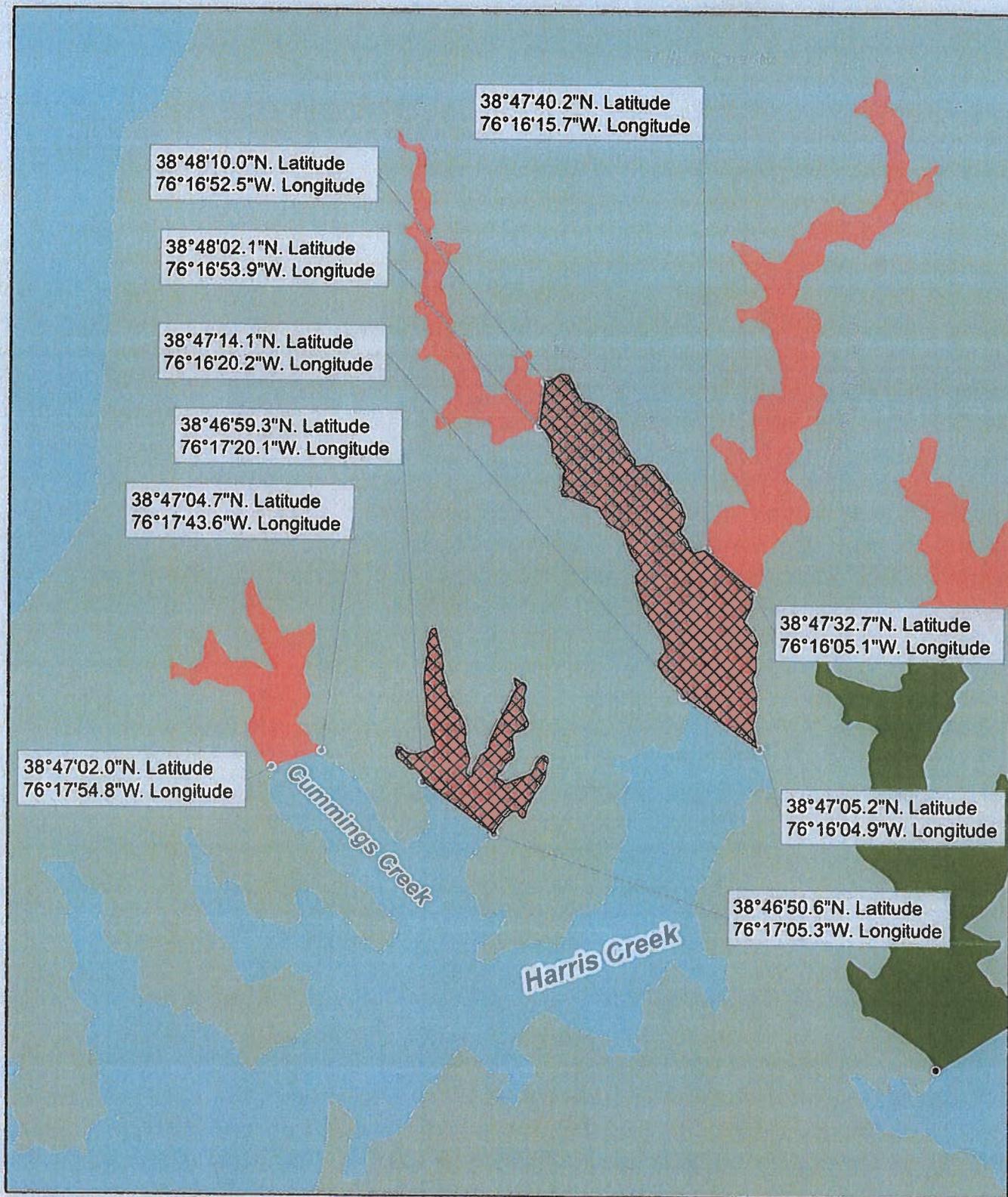
Sincerely,



D. Lee Currey, Director  
Water and Science Administration

Attachment  
cc: (see attached list)

# Notice of Changes to Shellfish Waters



Northwest Branch of Cummings Creek and Harris Creek, Talbot County  
Prohibited Shellfish Area Map 57B & 57C

May 2020

0 0.25 0.5 Miles

-  Restricted By This Letter
-  Remains Approved By This Letter
-  Remains Conditionally Approved By This Letter
-  Remains Restricted By This Letter



Lawrence J. Hogan, Jr., Governor  
Boyd K. Rutherford, Lieutenant Governor  
Ben Grumbles, Secretary

**MARYLAND DEPARTMENT OF THE ENVIRONMENT  
WATER AND SCIENCE ADMINISTRATION  
1800 WASHINGTON BOULEVARD  
BALTIMORE, MARYLAND 21230**

**Notice of Application for State Wetland Licenses, Private Wetland Permits, Nontidal Wetlands and Waterways Permits and/or Water Quality Certification and the Opportunity to Provide Written Comment or Request an Informational Hearing**

The Maryland Department of the Environment is following the directives of the Governor of Maryland in response to the COVID-19 pandemic and issued Executive Orders. Please be advised that public notice and public hearing procedures and meetings may be impacted, including possible rescheduling of hearings.

**May 1, 2020**

The Water and Science Administration has received the applications listed below. A preliminary review has indicated that the listed projects may be subject to the opportunity for a public hearing once the application is substantially complete. Projects may be significantly altered during the review process. The applications and related information are available for inspection and copying. You may also request written notice of any hearing opportunity by having your name placed on the interested persons list for each project in which you are interested. To inspect the file or to have your name placed on the interested persons list, contact the assigned division at the telephone number indicated below no later than June 1, 2020, unless otherwise noted in the Public Notice.

**Nontidal Wetlands Division - (410) 537-3456**

**Queen Anne's County**

202060029/20-NT-2001: JAMES D. SCHILLINGER, 1391 Damsontown Road, Queen Anne, Queen Anne's County, Maryland 21657 has applied to improve water quality and habitat by converting an agricultural drainage swale into 137,271 square feet of forested and scrub-shrub nontidal wetlands. The project will permanently impact approximately 23,532 square feet of emergent nontidal wetlands and 65,267 square feet of 25-foot nontidal wetlands buffer and is located at 130 Porter Farm Lane, Centreville, Queen Anne's County, Maryland. Written comments, requests for a public informational hearing, and requests to be included on the interested persons list may be sent by June 1, 2020 to the Maryland Department of the Environment, Attn: Chris Pajak, 201 Baptist Street, Salisbury, Maryland 21801-4947 or at [Chris.Pajak@maryland.gov](mailto:Chris.Pajak@maryland.gov) or 410-713-3685 extension 4225. Any further notices concerning actions on the application will be provided only by mail to those persons on the interested persons list. Please refer to Subsection 5-907 of the Annotated Code of Maryland or the Code of Maryland Regulations 26.23.02 for information regarding the application process.



April 23, 2020

Queen Anne's County Commissioners  
 c/o Todd R. Mohn, County Administrator  
 107 North Liberty Street  
 Centreville, Maryland 21617

Dear Queen Anne's County Commissioners:

Marian F. Geohegan and David B. Geohegan, Queen Anne's County landowners propose to donate a perpetual conservation easement on their 162.5 acre property in at 910 Millington Road to the Maryland Environmental Trust.

Pursuant to Section 3-203.1 of the Natural Resources Article of the Annotated Code of Maryland, when any person offers a perpetual conservation easement to the Maryland Environmental Trust, notification shall be mailed by the Maryland Environmental Trust to the appropriate governing body in which the land is located.

Please contact me at [ann.carlson@maryland.gov](mailto:ann.carlson@maryland.gov) or at 301-502-1873 if you have any questions about the easement (form, content, purpose, etc.).

Thank you for your consideration.

Sincerely,

Ann Gutierrez Carlson  
 Acting Conservation Easement Program Manager

Enclosed: Map of tax map 12, parcel 25, lot 1

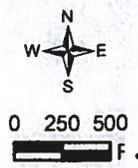
Maryland Environmental Trust  
 Queen Anne's County  
 Geohegan Easement Donation



Larry Hogan  
*Governor*  
 Boyd K. Rutherford  
*Lt. Governor*  
 Jeannie Haddaway-Riccio  
*Secretary*  
 Dr. Charles Glass  
*Deputy Secretary*

- MET Proposed Properties
- DNR Wildlands
- MALPF Easements
- DNR Lands & Easements
- Local Protected
- Forest Legacy Easements
- CELCP Properties

- Forest Conservation Easements
- CREP Easements
- MET Easements
- Rural Legacy Easements
- Private Conservation Properties
- Federal Lands - Non-Military
- ▲ Streams



Maryland Department of Natural Resources  
 Center for Geospatial Products and Services  
 580 Taylor Ave E-2 Annapolis, MD 21401  
 410-260-8985 or 1-877-620-8DNR x8985  
 dnr.maryland.gov  
 DNR March 2020

April 18, 2020

County Commissioners  
Attn. Steve Wilson  
107 N. Liberty Street  
Centreville, MD 21617

Dear Property Owner or Local Official:

Chesterville Bridge Farm, LLC has applied for a Permit to Appropriate and Use Waters of the State, which has been assigned permit application number **QA2019G006/01**. The applicant seeks to appropriate and use an annual average of 99,300 gallons of groundwater per day (gpd) and an average of 604,200 gpd in the month of maximum use for crop irrigation. Water will be withdrawn from up to three wells in the Aquia aquifer. The project is located at **120 Hiortdahl Farm Lane, Chestertown, Maryland, 21620**, approximately 4 miles north of Church Hill, Queen Anne's County, Maryland.

Since you are a contiguous property owner or an appropriate local official, you are being notified of this application, as required by the Maryland Annotated Code Environment Article §5-506. The Water and Science Administration (Administration) has placed your name on the "List of Interested Persons" for the above referenced project. At a later date, you will be notified when the proposed project is being published, any projected impacts, and be offered an opportunity to comment and request a public informational hearing on the matter before a decision is rendered by the State to issue or deny the permit.

The Administration has created a file for this proposed project. If you wish to review the Administration's application file or make comments on the application at this time, you may contact the Administration by mail at Water Supply Program, Source Protection and Appropriation Division, 1800 Washington Boulevard, Baltimore, Maryland, 21230 or by phone at 410-537-3590. If you have any questions concerning the application, please contact me by phone at 410-490-7262 or by mail at the address listed below.

Sincerely,



Marshal C. Cahall  
Chesterville Bridge Farm, LLC  
10639 Chesterville Road  
Millington, MD 21651