

**WATER AND SCIENCE ADMINISTRATION
TIDAL WETLANDS DIVISION**

Wetland Report and Recommendation

State Wetlands Case No:

21-WL-0655

Applicant: Jefferson Patterson Park and Museum
C/o Rod Cofield
10515 Mackall Road
Saint Leonard, Maryland 20685
rod.cofield@maryland.gov

Agent: Calvert County Soil Conservation District
C/o Jason Leavitt
PO Box 657 489 Main Street, Ste 101
Prince Frederick, Maryland 20678
410-535-1521 x3
Jason.Leavitt@calvertcountymd.gov

Date Application Received: May 13, 2021 Public Notice Required? Yes

Comment Period Closing Date: August 15, 2025

Maryland Coordinates: 80758 x 443427

Location of Proposed Work: 10515 Mackall Road, St. Leonard, MD 20685

Purpose of Proposed Work: To control shore erosion.

Description of Authorized Work: To fill, grade, and plant marsh vegetation by emplacing 860 cubic yards of sand, 11,406 square feet of spartina alterniflora, 2,803 square feet of spartina patens, and a series of six breakwaters that will consist of the following; a 120-foot long by 19-foot wide stone spur, a 110-foot long by 18-foot wide stone breakwater; a 98-foot long by 18-foot wide stone breakwater; a 96-foot long by 18-foot wide stone breakwater; a 103-foot long by 18-foot wide stone breakwater; a 145-foot long by 18-foot wide stone spur, all extending a maximum of 36 feet channelward of the mean high water line.

Waterbody: Saint Leonard Creek

Requires Water Quality Certification?: Yes, 25-WQC-0032 will be issued by MDE

Qualifies for Maryland State Programmatic General Permit?: No. The United States Army Corps of Engineers determined it required an alternate review and issuance of an Individual Permit.

Area of Vegetated Wetland Impacts Requiring Mitigation: 0 s.f.

Area of Open Water Tidal Wetlands Requiring Mitigation: 0 s.f.

Area of Wetlands Created: 14,209 s.f. (11,406 square feet of spartina alterniflora & 2,803 square feet of spartina patens)

Was the Applicant's Original Project Modified?: Yes, in order for the project to be dominated by marsh the tidal wetland planting area was increased.

Department Comment: The project is located on St. Leonard Creek and consists of a natural shoreline with varying bank heights. The project aims to restore tidal marsh riparian habitat that has been impacted by the shoreline's retreat. The project as proposed should not have detrimental impacts on the environment or surrounding properties.

As required by § 5-204 (b) of the Environment Article, the Department drafted and issued a public notice by posting the public notice on its WEB site from July 15, 2025 to August 15, 2015 and publishing the public notice for the proposed project in the Calvert Recorder on July 21, 2025. In addition, the public notice was provided to adjacent property owners listed below:

George Stewart & Anne Brown
10375 Mackall Rd.
St. Leonard, MD, 20685

TYNEWYDD Farms Ltd. Partnership
175 Admiral Cochrane Dr., Suite 201
Annapolis, MD 21401

The Department did not receive a request for a public informational hearing. However, comments were received from one individual, Kent Mountford, during the public notice comment period.

Interested person:

Kent Mountford, 10200 Breeden Rd., Lusby MD 20657 / Email: kentmountford@gmail.com

Kent Mountford provided comments on the plans regarding the existing fossil deposits and the overall need for the project. MDE contacted the Maryland Geological Survey regarding fossil deposits, and they concluded that it seems unlikely that fossil oyster deposits in the area would have the potential for detrimental impacts. Additionally, if they did, these would need to be within the subtidal to intertidal zone where oysters thrive. Fossil oysters of this nature and in these locations do not seem to be impacted by the proposed living shoreline construction

The Maryland Department of Natural Resources (DNR) reviewed the proposed project and determined to protect overwintering of waterfowl, no in-water construction activity should occur from November 15 through March 1, inclusive of any given year, which is addressed by Special Condition E.

The Maryland Historical Trust reviewed that proposed project and determined that there are no historic properties affected by this undertaking.

The evaluation of this project has taken into account ecological, economic, recreational, developmental, and aesthetic considerations appropriate for this proposal as well as other requirements set forth in the Code of Maryland Regulations. To ensure that impacts to resources are avoided and minimized to the maximum extent possible and to ensure that all work is performed in accordance with critical area and local regulations, the Department has recommended a number of special conditions. Provided all general and special conditions are adhered to, the work proposed will not cause significant deleterious impacts to marsh vegetation, submerged aquatic vegetation, finfish, shellfish, or navigation.

Project Justification: In consideration of the site characteristics and the nature of the proposed work, the Department concludes that the application represents a reasonable exercise of riparian rights.

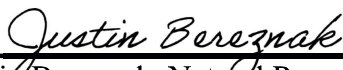
SPECIAL CONDITIONS:

- 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 or is not otherwise exempt from the licensing requirement, all work performed under this Tidal Wetlands Permit 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 and COMAR 26.30. The licensed marine contractor shall be authorized for the appropriate license category to perform or solicit to perform the activities within this authorization, if applicable. A list of licensed marine contractors and their license category 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 at <https://mde.maryland.gov/programs/water/WetlandsandWaterways/Pages/LicensedMarineContractors.aspx>.
- D. The issuance of this license 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 Licensee of the obligation to resolve any existing noncompliant structures and activities within tidal wetlands.
- E. The Licensee shall not perform any construction from November 15th through March 1st of any year to protect wintering waterfowl. The proposed project site is located in a Historic Waterfowl Concentration Area.
- F. 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.

- G. 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.

DEPARTMENT OF THE ENVIRONMENT APPROVAL:


Justin Bereznak, Natural Resource Planner
Tidal Wetlands Division

10/8/25
DATE


Jonathan Stewart, Division Chief
Tidal Wetlands Division

October 9, 2025
DATE


Heather Nelson, Program Manager
Wetland and Waterways Protection Program

Oct 9, 2025
DATE

WETLANDS ADMINISTRATION CONCURRENCE:

William Morgante, Wetlands Administrator
Board of Public Works

DATE