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MARYLAND DEPARTMENT OF THE ENVIRONMENT

PUBLIC HEARING

APRIL 20, 2026

Anne Arundel Community College, Arnold Campus

101 College Parkway

Arnold, MD 21012

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Transcription Service By: CRC Salomon

Proceedings recorded by electronic sound recording;
transcript produced by transcription service.

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APPEARANCES

On behalf of the Department:

Heather Hepburn, Western Region Chief of the
Tidal Wetlands Division

Ed Tinney, Tidal Wetlands Project Planner
1800 Washington Boulevard
Baltimore, MD 21230

P R O C E E D I N G S

- - - - -

MR. BING: Okay. Good evening. I am Andrew Bing, and I will be the facilitator for tonight's public hearing. A few quick announcements.

This hearing is for the Joint Federal-State application for the alteration of any floodplain, waterway, or tunnel wetland in Maryland for the Maryland Transportation Authority's Bay Bridge Protection Design-Build Project. I'd like to thank Anne Arundel Community College for letting us use their facility tonight.

Restrooms are located out the door that are on the second floor, and there is elevator access to the restrooms.

Please make sure you have signed in tonight. This will ensure that everyone is provided with updates as this process moves forward. If you would like to provide public testimony, please visit the staff at the sign-up table and add your name to the list if you have not already done so.

If you are here for informational purposes and do not wish to provide testimony or you are unable to

1 stay for the entire hearing, MDE will post a copy of the
2 hearing transcript online following the hearing. We will
3 start with a welcome and introductory comment from
4 Maryland Department of the Environment, followed by a
5 brief presentation from the applicant, the Maryland
6 Transportation Authority. After the presentation, I will
7 review the ground rules for this hearing, then we will
8 start taking public comments.

9 Please note that MDE maintains an official
10 interested party list. To be placed on this list, you
11 must do at least one of the following. Provide your
12 contact information tonight. Explicitly request to be
13 added or submit written comments during the open public
14 comment period. Joining this list ensures you will
15 receive MDE's final decision. It also allows us to send
16 you a copy of the hearing report upon request.

17 I would now like to introduce Mr. Jonathan
18 Stewart, Chief of the Tidal Wetlands Division with the
19 Water and Science Administration of the Maryland
20 Department of the Environment, and the Hearing Office of
21 tonight's Public Hearing.

1 MR. STEWART: All right. Thank you, Andrew.
2 My name is Jonathan Stewart. I am the Chief of the Tidal
3 Wetlands Division within the Water and Science
4 Administration at the Maryland Department of the
5 Environment. I will be the hearing officer for tonight's
6 public informational hearing.

7 Also in attendance from the Department is
8 Heather Hepburn, Western Region Chief of the Tidal
9 Wetlands Division, and Ed Tinney, Tidal Wetlands Project
10 Planner.

11 At this time, I would like to acknowledge any
12 elected officials or their representatives who may be
13 present here this evening. If you are an elected
14 official or representing an elected official, please
15 raise your hand now and be recognized. All right. Thank
16 you.

17 Thank you for attending this hearing. We will
18 be hearing your testimony shortly if you have signed up
19 to speak. Please ensure your attendance is officially
20 recorded before the hearing concludes this evening by
21 using the sign-in sheets at the sign-up tables to the

1 right as you came in. Your registration allows us to
2 identify tonight's speakers and ensures, as attendees,
3 you receive the final decision documents, including the
4 Tidal Division's report and recommendation.

5 The attendance record will also be forwarded to
6 the Board of Public Works for use in its review process
7 related to the Tidal Wetlands application. Statements
8 from the public will be heard at the conclusion of the
9 applicant's presentation.

10 Lastly, please place all communication devices
11 on silent mode for the duration of this hearing.

12 We are conducting a public informational
13 hearing pursuant to Subsection 5-204 of the Environment
14 Article, Code of Maryland Regulations 26.24.01.05 and
15 26.08.02.10f, Subsection 2. The purpose of this public
16 informational hearing is for the applicant to present
17 their proposed project regarding Tidal Wetlands impacts.
18 In addition, the hearing provides the Department with an
19 opportunity to solicit additional information from
20 interested persons. This hearing is not a contested case
21 hearing under Maryland's Administrative Procedure Act.

1 While we are here to share information, we will
2 establish a structure for the hearing regarding the order
3 and length of the presentations and statements. Please
4 be advised that it is not necessary to read a statement
5 to make it part of the official record. Written
6 statements will also be accepted and will receive the
7 same consideration as any oral statement. In fact, for
8 accuracy, if you have written statements to read into the
9 record, please provide a copy of those statements before
10 you leave this evening's hearing. This evening's hearing
11 is being transcribed.

12 The statutory authority for issuance of a Tidal
13 Wetlands license is Title 16 of the Environment Article,
14 Annotated Code of Maryland, as implemented under COMAR
15 Section 23.02.04 and 26.24. A State Tidal Wetlands
16 license is issued by the Board of Public Works,
17 consisting of the Governor, State Treasurer, and
18 Comptroller of the State of Maryland, based upon a report
19 and recommendation submitted to the Board by the
20 Department.

21 In accordance with the Maryland Constitution,

1 the Board is the sole body with authority over State
2 property, including State Tidal Wetlands. In its
3 proprietary authority, the Board has the right to grant a
4 third party a license to construct or conduct an activity
5 in State Tidal Wetlands.

6 According to Section 16-202 of the Environment
7 Article, the Secretary of the Department shall assist the
8 Board in determining whether to issue a license to dredge
9 or fill state wetlands. The Secretary shall submit a
10 report indicating whether the license should be granted,
11 including any recommended terms, conditions, and
12 consideration after consultation with applicable Federal,
13 State, and local entities.

14 Issuance of sufficient public notice and
15 conducting any requested hearing, consideration of any
16 public comments received, and consideration of any other
17 information the Secretary thinks is advisable. In making
18 this decision, the Board is guided by the public policy
19 of the State, considering applicable ecological,
20 economic, developmental, and recreational and aesthetic
21 values to preserve Tidal Wetlands and prevent their

1 destruction.

2 Next, I'll briefly read the regulations that
3 govern these hearings so we all know exactly how the
4 nights will proceed.

5 An applicant and any interested person shall be
6 given an opportunity at the informational hearing to
7 present facts and make statements supporting or opposing
8 the license. Questions may be asked of and directed to
9 the hearing officers. Answers may not be provided
10 tonight, and cross-examinations shall not be conducted.
11 The hearing is not a contested case hearing under
12 Maryland's Administrative Procedure Act. The order of
13 the presentation is determined by the hearing officer and
14 may be conducted as follows.

15 Introduction of the activity and participants
16 by the hearing officer, presentation of the proposed
17 project by the applicant, questions about the activity,
18 statements by public officials, statements in opposition,
19 statements in support, and closing of the public
20 informational hearing by the hearing officer.

21 The hearing officer has the authority and duty

1 to 1. Conduct a full and fair public informational
2 hearing, act to avoid unnecessary delay in the maintained
3 order, regulate the course of the hearing and the conduct
4 of the participants, extend the time period for providing
5 supplemental written comments or information for
6 inclusion in the hearing record, and rule upon request
7 for a continuance of the hearing. At the close of the
8 public comment period, the hearing officer shall prepare
9 an official record of the public informational hearing,
10 including comments.

11 It is also the responsibility of my office to
12 evaluate requests for water quality certifications, or
13 otherwise known as WQC, under section 401 of the Clean
14 Water Act, which requires Maryland as the certifying
15 authority to determine whether the discharge associated
16 with the U.S. Army Corps of Engineers, permit
17 application, NAB-2025-61639-M43 complies with the state's
18 water quality standards.

19 The Department's authority is found in Subtitle
20 9 of the environment article. Each certification request
21 received through our regulatory program has specific and

1 unique issues and impacts that must be considered with
2 regard to Maryland's water quality standards. The
3 Department is neither a proponent nor an opponent of any
4 project.

5 In summary, the Maryland Department of the
6 Environment is conducting a public informational hearing
7 for state title wetlands application number 25-WL-1047
8 submitted November 19, 2025, and in the Clean Water Act
9 section 401 water quality certification request 26-WQC-
10 0001, which was requested January 16, 2026.

11 The applicant has applied for an authorization
12 for construction of pier protection structures at the
13 Chesapeake Bay Bridge. The project will include
14 construction of a protection system to the piers closest
15 to the main navigation spans and accommodate inbound and
16 outbound vessel traffic in the federal navigation
17 channel.

18 The protection structure is designed to protect
19 the Chesapeake Bay Bridge against vessel impacts, mainly
20 the four towers supporting the main spans of the
21 eastbound and westbound bay bridges adjacent to the

1 federal navigation channel. The proposed permanent
2 impacts are approximately 147,280 square feet of fill, or
3 3.38 acres, within state title waters. Mitigations for
4 impacts to the Chesapeake Bay resulting in loss of open
5 water may be assessed.

6 There may be additional concerns related to
7 issues that are beyond the scope of this particular
8 hearing. I ask that this hearing remain focused on the
9 Wetlands and Waterways Protection Program's license
10 application and request for the water quality
11 certification pending in the Department.

12 Back to you, Andrew. Thank you.

13 MR. BING: Thank you, Jonathan.

14 Next, we'll hear from Tekeste Amare, Deputy
15 Director of Engineering at the Maryland Transportation
16 Authority. Tekeste will provide a short presentation of
17 the proposed project. After this, we will begin with
18 your public comments.

19 MR. AMARE: Thank you, Andrew. Good evening.
20 My name is Tekeste Amare, Deputy Director of Engineering
21 with the Maryland Transportation Authority. The Maryland

1 Transportation Authority submitted a joint permit
2 application and water quality certification request to
3 the Maryland Department of the Environment to authorize
4 impacts associated with the proposed Bay Bridge
5 Protection Design and Build project.

6 The proposed project is located at all spans of
7 the existing Chesapeake Bay Bridge that connects the
8 eastern and western shores in Queen Anne's County and
9 Anne Arundel County, Maryland. The figures on this slide
10 show the approximate limits of the proposed work. Work
11 is not proposed within the federal navigation channel.
12 The proposed project includes construction of a
13 protection system for the piers closest to the main
14 navigation spans that accommodate inbound and outbound
15 vessel traffic in the federal navigation channel. The
16 protection structures are designed to protect the
17 Chesapeake Bay Bridge against vessel impacts, mainly the
18 four towers supporting the main spans of the eastbound
19 and westbound bay bridges adjacent to the federal
20 navigation channel.

21 The purpose of this project is to protect the

1 infrastructure of the Bay Bridge and ensure the safety of
2 the traveling public by installing pier protection
3 systems. Construction is proposed on the barge that will
4 be securely placed by Spine. A request for proposals RFP
5 was issued in February 2026, seeking the services of a
6 qualified design builder for the contract to provide
7 complete design and construction of the marine-based
8 installation of protection systems. Once a design
9 builder is procured, construction is expected to begin in
10 spring of 2027.

11 This concludes the NBTS presentation, and I
12 will turn it back to Andrew. Thank you.

13 MR. BING: Okay, thank you, Tekeste.

14 The purpose of this public hearing is to allow
15 interested parties to provide public testimony related to
16 the state tidal water impacts associated with the Bay
17 Bridge Protection Design Build project. My role as the
18 hearing facilitator is to run professional and orderly
19 public hearing. I understand how important these issues
20 are, and I take my role as hearing facilitator seriously.
21 I'm committed to providing members of the public an

1 opportunity to provide testimony in an organized, fair,
2 professional and orderly manner. We look forward to
3 hearing your perspectives, but please be courteous to all
4 speakers and understand that offensive or profane
5 language will not be allowed.

6 We are interested in hearing public testimony
7 related to the joint federal-state application for the
8 alteration of any floodplain waterway or tidal wetland in
9 Maryland for the Maryland Transportation Authority's Bay
10 Bridge Protection Design Build project from all
11 interested individuals. Please keep in mind this hearing
12 is for the state tidal water impacts. Neither the
13 panelists nor I will respond to any questions or
14 comments. We are here to listen. Speak directly and
15 clearly into the microphone and provide your full name,
16 address and any organization you may represent.

17 To ensure all will be heard, there will be a
18 three-minute time limit for public testimony and a five-
19 minute time limit for elected officials. This time will
20 start after you introduce yourself. I will remind you
21 when you have 30 seconds remaining so you can begin to

1 wrap up your testimony. As the hearing facilitator, if
2 you are unable to conclude your comments at the end of
3 your time period, I will let you know that your time is
4 up, and we will move on to the next person.

5 As we remind you, this hearing will conclude at
6 8:00 p.m. Everyone who signs up prior to 7:00 p.m. will
7 be allowed to speak, even if we run past 8:00 p.m.

8 However, you must sign up prior to 7:00 p.m. If you sign
9 up after 7:00 p.m., you will only be allowed to provide
10 testimony if time permits. You always have the
11 opportunity to provide your comments in writing. Please
12 speak with someone at the sign-up table and they can
13 assist you.

14 So first, we would do elected officials, but
15 right now we do not have any elected officials that have
16 signed up to provide testimony. And we do have a few
17 members of the public here, but we do not have anyone
18 from the public who has indicated they want to provide
19 testimony. I will look around the room and see if anyone
20 has changed their mind and they can raise their hand and
21 let me know, but I don't see that.

1 So what we're going to do right now is this
2 hearing will stay open until 8:00 p.m. tonight. We won't
3 be here until 8:00 in case anyone shows up and wants to
4 provide testimony or in case anyone changes their mind
5 who is here. But what we're going to do right now is go
6 into recess. It's 6.46 p.m. I will come back
7 periodically just to let everyone know that we are still
8 in recess or I will come back if we get someone who wants
9 to provide testimony. But right now it is 6.46 p.m. and
10 we are in recess.

11 (Whereupon there was a recess).

12 MR. BING: Okay, it is 7:00 o'clock p.m. We
13 are coming back from recess. We do not have anyone else
14 who has indicated an interest in providing testimony at
15 tonight's public hearing. This hearing will remain open
16 until 8:00 o'clock p.m., but right now we are going to go
17 back into recess. It's 7:00, and we will come back at
18 7:20 to provide an update or sooner if we have someone
19 who comes who would like to provide testimony. It's
20 7:00, and we are in recess.

21 (Whereupon there was a recess.)

1 MR. BING: Okay. It's 7:20. We are going to
2 remain in recess as we have not had anyone indicate they
3 would like to provide testimony. I will come back at
4 7:40 with an additional update. Right now it is 7:20,
5 and we will remain in recess.

6 (Whereupon there was a recess.)

7 MR. BING: Okay. It is now 7:40 p.m., and we
8 are in recess. We have not had anyone indicate they
9 would like to provide testimony, so we are going to
10 remain in recess. This hearing is open until 8:00 p.m.,
11 20 minutes remain. So we will be here in case anyone
12 else shows up and wants to provide testimony, but if not,
13 we will come back at 8:00 to close out the hearing.
14 Thank you.

15 (Whereupon there was a recess.)

16 MR. BING: Okay, it's 7:57. We are going to
17 come back from recess. We have not had anyone else show
18 up who wants to provide testimony. So what we are going
19 to do now is turn it over to Jonathan, who is the hearing
20 officer who is going to close out this hearing.
21 Jonathan?

1 MR. STEWART: Okay. Thank you, Andrew.

2 All right. Thank you for attending tonight's
3 hearing. There will be a second hearing on Thursday,
4 April 23rd at the Kent Island Volunteer Fire Department.
5 The formal hearing record will remain open until
6 Thursday, April 30, 2026. All correspondence must be
7 postmarked or emailed by that date.

8 There are a limited number of sheets explaining
9 how to submit additional comments. You can find these
10 sheets at the table out in the lobby as you came in.
11 Please send any additional comments that you would like
12 to make for the record to MDE to the following staff. By
13 email -- heatherhepburn1@maryland.gov, and her email is
14 H-E-A-T-H-E-R-H-E-P-B-U-R-N-1, @ maryland.gov. Or by
15 mail to the Maryland Department of the Environment, care
16 of Heather Hepburn/2025-61639, Wetlands and Waterways
17 Protection Program, 1800 Washington Boulevard, Suite 430,
18 Baltimore, Maryland, 21230.

19 After the hearing record closes, the Department
20 will review and consider all the comments it received
21 during the comment period. If necessary, the Department

1 may request additional information from the applicant to
2 address certain comments. After all relevant issues have
3 been resolved, the Total Wetlands Division will make its
4 final decision and final report and recommendations to
5 the Wetlands Administrator for the Board, who shall then
6 present the proposed project for decision at a public
7 meeting of the Board in accordance with COMAR Chapter
8 23.02.04.

9 The Board's decision will be final and there
10 will be no further opportunity for administrative review.
11 Any person, withstanding, may petition for judicial
12 review of the Board's decision in the circuit court of
13 the respective jurisdiction they reside in, either Anne
14 Arundel County or Queen Anne's County. The petition for
15 judicial review must be filed within 30 days of the
16 Board's decision.

17 The public comments received will also be
18 considered by the Department when rendering a decision on
19 the Water Quality Certification Request 26-WQC-0001. The
20 Department is obligated to issue, deny, or waive
21 certification of the project by August 28, 2026. The

1 Department's decision and accompanying information will
2 be sent to the Institute of Persons List, the applicant,
3 and the Army Corps of Engineers.

4 Any person who is agreed by the department's
5 decision may appeal the decision by filing a request
6 within 30 days of the publication of the WQC decision, in
7 accordance with COMAR 26.08.02.10f, subsection 4. If you
8 are unsure if you are on the Institute of Persons List,
9 for example, if you are on the Army Corps of Engineers
10 website, please ensure your name is added to the
11 signature sheets at the registration desk, and your name
12 will be added to that list.

13 We appreciate your interest in this project,
14 and thank you for attending tonight's hearing. The time
15 is now 8:00 p.m., and this hearing is now adjourned.

16 Thank you.

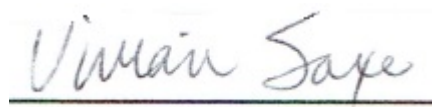
17 (At 8:00 p.m., hearing adjourned.)
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TRANSCRIBER CERTIFICATE

I, Vivian Saxe, hereby certify that I transcribed from audio file the proceedings to the best of my ability in the foregoing-entitled matter; and I further certify that the foregoing is a full, true and correct transcript of the audio files produced.

IN WITNESS THEREOF, I have subscribed my name on the 29th day of April 2026.



Vivian Saxe, CET
Transcriber

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