

JOINT FEDERAL/STATE APPLICATION FOR THE ALTERATION OF ANY FLOODPLAIN, WATERWAY, TIDAL OR NONTIDAL WETLAND IN MARYLAND

FOR AGENCY USE ONLY

Application Number	_____	Date Determined Complete	_____
Date Received by State	_____	Date(s) Returned	_____
Date Received by Corps	_____		_____
Type of State permit needed	_____	Date of Field Review	_____
Type of Corps permit needed	_____	Agency Performed Field Review	_____

+++++

- Please submit 1 original and 6 copies of this form, required maps and plans to the Wetlands and Waterways Protection Program as noted on the last page of this form.
- Any application that is not completed in full or is accompanied by poor quality drawings may be considered incomplete and result in a time delay to the applicant.

Please check one of the following:

RESUBMITTAL: _____ APPLICATION AMENDMENT: _____ MODIFICATION TO AN EXISTING PERMIT: X
JURISDICTIONAL DETERMINATION ONLY: _____ APPLYING FOR AUTHORIZATION _____
PREVIOUSLY ASSIGNED NUMBER (RESUBMITTALS AND AMENDMENTS) AI# 4229

DATE 7/03/2025

1. APPLICANT INFORMATION:

APPLICANT NAME:

A. Name:	<u>Brian Wolfe</u>	B. Daytime Telephone:	<u>(410) 537-8200</u>
C. Company:	<u>Maryland Transportation Authority</u>	D. Email Address:	<u>bwolfe3@mdta.state.md.us</u>
E. Address:	<u>8019 Corporate Drive, Suite F</u>		
F. City:	<u>Nottingham</u>	State:	<u>MD</u>
		Zip:	<u>21236</u>

AGENT/ENGINEER INFORMATION:

A. Name:	<u>Justin Reel</u>	B. Daytime Telephone:	<u>(703) 338-4139</u>
C. Company:	<u>RK&K</u>	D. Email Address:	<u>jreel@rkk.com</u>
E. Address:	<u>700 E Pratt St. Suite 500</u>		
F. City:	<u>Baltimore</u>	State:	<u>MD</u>
		Zip:	<u>21202</u>

ENVIRONMENTAL CONSULTANT:

A. Name:	<u>Justin Reel</u>	B. Daytime Telephone:	<u>(703) 338-4139</u>
C. Company:	<u>RK&K</u>	D. Email Address:	<u>jreel@rkk.com</u>
E. Address:	<u>700 E Pratt St. Suite 500</u>		
F. City:	<u>Baltimore</u>	State:	<u>MD</u>
		Zip:	<u>21202</u>

CONTRACTOR (If known): _____

A. Name:	<u>Russell Freistat</u>	B. Daytime Telephone:	<u>(410) 474-7165</u>
C. Company:	<u>Kiewit Infrastructure Co.</u>	D. Email Address:	<u>russell.freistat@kiewit.com</u>
E. Address:	<u>7250 Parkway Dr., Suite 300</u>		
F. City:	<u>Hanover</u>	State:	<u>MD</u>
		Zip:	<u>21076</u>

PRINCIPAL CONTACT:

A. Name:	<u>Justin Reel</u>	B. Daytime Telephone:	<u>(703) 338-4139</u>
C. Company:	<u>RK&K</u>	D. Email Address:	<u>jreel@rkk.com</u>
E. Address:	<u>700 E Pratt St. Suite 500</u>		
F. City:	<u>Baltimore</u>	State:	<u>MD</u>
		Zip:	<u>21202</u>

2. PROJECT DESCRIPTION

a. GIVE WRITTEN DESCRIPTION OF PROJECT:

See Attachment A - Additional Information

Has any portion of the project been completed? _____ Yes ☒ No If Yes, explain:

Is this a residential subdivision or commercial development? _____ Yes ☒ No

If yes, total number of acres on property _____ acres

Will there be temporary or permanent tree clearing occurring on the overall project site (i.e., uplands and wetlands), including but not limited to, tree clearing for site development, road/highways, utilities, mining, stormwater management, restoration, energy production and transmission, etc.)? Yes ☒ No _____

If yes, total estimated acres of tree clearing for the overall project site: 7.5 acres

Does the application propose temporary fill impacting wetlands or waterways that will remain in place for more than one year? ☒ Yes ☒ No

b. ACTIVITY: Check all activities that are proposed in the wetland, waterway, floodplain, and nontidal wetland buffer as appropriate.

- | | | |
|---|---------------------------------|--|
| A. <input checked="" type="checkbox"/> filling | D. _____ flooding or impounding | F. <input checked="" type="checkbox"/> grading |
| B. <input checked="" type="checkbox"/> dredging | _____ water | G. <input checked="" type="checkbox"/> removing or destroying vegetation |
| C. <input checked="" type="checkbox"/> excavating | E. _____ draining | H. <input checked="" type="checkbox"/> building structures |
- ~~575,389~~ 170,274 ~~101,681~~

Area for item(s) checked: Wetland ~~565,491~~ (sq. ft.) Buffer (Nontidal Wetland Only) ~~46,601~~ (sq. ft.)

936 Expanded Buffer (Nontidal Wetland Only) 0 (sq. ft.)

Area of stream impact ~~845~~ (sq. ft.)

Length of stream affected ~~272~~ (linear feet) See Attachment C for more detailed summary of impacts

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c. TYPE OF PROJECTS: Project Dimensions

For each activity, give overall length and width (in feet), in columns 1 and 2. For multiple activities, give total area of disturbance in square feet in column 3. For activities in tidal waters, give maximum distance channelward (in feet) in column 4. For dam or small ponds, give average depth (in feet) for the completed project in column 5. Give the volume of fill or dredged material in column 6.

	Length (Ft.) 1	Width (Ft.) 2	Area (Sq. Ft.) 3	Maximum/Average Channelward Encroachment 4	Pond Depth 5	Volume of fill/dredge material (cubic yards) below MHW or OHW 6
A. _____ Bulkhead	_____	_____	_____	_____	_____	_____
B. _____ Revetment	_____	_____	_____	_____	_____	_____
C. _____ Vegetative Stabilization	_____	_____	_____	_____	_____	_____
D. _____ Gabions	_____	_____	_____	_____	_____	_____
E. _____ Groins	_____	_____	_____	_____	_____	_____
F. _____ Jetties	_____	_____	_____	_____	_____	_____
G. _____ Boat Ramp	_____	_____	_____	_____	_____	_____
H. _____ Pier	_____	_____	_____	_____	_____	_____
I. _____ Breakwater	_____	_____	_____	_____	_____	_____
J. _____ Repair & Maintenance	_____	_____	_____	_____	_____	_____
K. _____ Road Crossing	_____	_____	_____	_____	_____	_____
L. _____ Utility Line	_____	_____	_____	_____	_____	_____
M. _____ Outfall Construction	_____	_____	_____	_____	_____	_____
N. _____ Small Pond	_____	_____	_____	_____	_____	_____
O. _____ Dam	_____	_____	_____	_____	_____	_____
P. _____ Lot Fill	_____	_____	_____	_____	_____	_____
Q. _____ Building Structures	_____	_____	_____	_____	_____	_____
R. _____ Culvert	_____	_____	_____	_____	_____	_____
S. <input checked="" type="checkbox"/> Bridge	_____	_____	_____	_____	_____	_____
T. _____ Stream Channelization	_____	_____	_____	_____	_____	_____
U. _____ Parking Area	_____	_____	_____	_____	_____	_____
V. _____ Dredging	_____	_____	_____	_____	_____	_____

1. ☒ New 2. _____ Maintenance 3. _____ Hydraulic 4. _____ Mechanical
W. ☒ Other (explain) See Attachment A - Additional Information

d. PROJECT PURPOSE: Give brief written description of the project purpose:

See Attachment A - Additional Information

3. PROJECT LOCATION:

a. LOCATION INFORMATION:

- A. County: BA, BC, AA B. City: Baltimore C. Name of waterway or closest waterway Patapsco River
D. State stream use class designation: Use Class I
E. Site Address or Location: I-695 from southwest of Broening Hwy to northeast of B&O Railroad crossing
F. Directions from nearest intersection of two state roads:
I-695 from southwest of Broening Hwy to northeast of B&O Railroad crossing

Is your project located in the Chesapeake Bay Critical Area (generally within 1,000 feet of tidal waters or tidal wetlands)?:

X Yes No

- H. County Book Map Coordinates (Alexandria Drafting Co.); Excluding Garrett and Somerset Counties:
Map: 44 Letter: E Number: 13 (to the nearest tenth)
I. FEMA Floodplain Map Panel Number (if known): 2400870036G & 2400100535G
J. 1. 39.216833 latitude 2. -76.528667 longitude

b. ACTIVITY LOCATION: Check one or more of the following as appropriate for the type of wetland/waterway where you are proposing an activity:

- | | | |
|---------------------------------------|--|--------------------------------------|
| A. <u>X</u> Tidal Waters | F. <u> </u> 100-foot buffer (nontidal wetland | H. <u> </u> 100-year floodplain |
| B. <u> </u> Tidal Wetlands | of special State concern) | (outside stream channel) |
| C. <u> </u> Special Aquatic Site | G. <u>x</u> In stream channel | I. <u> </u> River, lake, pond |
| (e.g., mudflat, | 1. <u> </u> Tidal 2. <u>x</u> Nontidal | J. <u> </u> Other (Explain) |
| vegetated shallows) | | |
| D. <u>x</u> Nontidal Wetland | | |
| E. <u>x</u> 25-foot buffer (nontidal | | |
| wetlands only) | | |

c. LAND USE:

- A. Current Use of Parcel Is: 1. Agriculture: Has SCS designated project site as a prior converted cropland? Yes x No
2. x Wooded 3. Marsh/Swamp 4. x Developed
5. x Other: MDTA ROW
B. Present Zoning Is: 1. Residential 2. x Commercial/Industrial 3. Agriculture 4. Marina 5. Other
C. Project complies with current zoning X Yes No

THE FOLLOWING INFORMATION IS REQUIRED BY THE STATE (blocks 4-7):

4. REDUCTION OF IMPACTS: Explain measures taken or considered to avoid or minimize wetland losses in F. Also check Items A-E if any of these apply to your project.

- A. Reduced the area of disturbance B. Reduced size/scope of project C. x Relocated structures
D. x Redesigned project
E. x Other Reduced tidal waters impacts.

- F. Explanation Design has advanced to ~50%. Pile supported floating footings will be used as the base for bridge piers rather than the originally proposed submerged footings. Additionally, pier protection system has been redesigned and consists of pile supported fenders rather than the originally proposed rock islands. These changes in design have considerably reduced impacts to tidal waters. Nontidal wetland, wetland buffer, and stream impacts have been minimized to the extent practicable while still accomplishing project objectives on the final alignment.

Describe reasons why impacts were not avoided or reduced in Q. Also check Items G-P that apply to your project.

- | | | |
|---|--|--|
| G. <input type="checkbox"/> Cost | K. <input type="checkbox"/> Parcel size | N. <input checked="" type="checkbox"/> Safety/public welfare issue |
| H. <input checked="" type="checkbox"/> Extensive wetlands on site | L. <input type="checkbox"/> Other regulatory requirement | O. <input type="checkbox"/> Inadequate zoning |
| I. <input checked="" type="checkbox"/> Engineering/design constraints | M. <input checked="" type="checkbox"/> Failure to accomplish project purpose | P. <input type="checkbox"/> Other |
| J. <input type="checkbox"/> Other natural features | | |

Q. Description

Impacts to tidal waters could not be avoided. The bridge must be rebuilt to current standards **including pier protection to protect the new bridge. Bridge construction on the final alignment avoids obstructions buried beneath the mud line of the Patapsco River bottom but results in increased impacts to nontidal wetlands and open water.** See Attachment A for more information.

5. LETTER OF AUTHORIZATION: If you are applying for a letter of authorization for activities in nontidal wetlands and/or their buffers, explain why the project qualifies:

- | | |
|---|--|
| A. <input checked="" type="checkbox"/> No significant plant or wildlife value and wetland impact | B. <input type="checkbox"/> Repair existing structure/fill |
| 1. <input checked="" type="checkbox"/> Less than 5,000 square feet | C. <input type="checkbox"/> Mitigation Project |
| 2. <input type="checkbox"/> In an isolated nontidal wetland less than 1 acre in size | D. <input type="checkbox"/> Utility Line |
| E. Other (explain) | 1. <input type="checkbox"/> Overhead |
| | 2. <input type="checkbox"/> Underground |
| F. <input checked="" type="checkbox"/> Check here if you are not applying for a letter of authorization. | |

IF YOU ARE APPLYING FOR A LETTER OF AUTHORIZATION, PROCEED TO BLOCK 10

6. ALTERNATIVE SITE ANALYSIS: Explain why other sites that were considered for this project were rejected in M. Also check any items in D-L if they apply to your project. **(If you are applying for a letter of authorization, do not complete this block.)**

- | | | | |
|---|---|---|---|
| A. <input checked="" type="checkbox"/> 1 site | Emergency bridge replacement must be constructed on MDTA ROW | B. <input type="checkbox"/> 2 - 4 sites | C. <input type="checkbox"/> 5 or more sites |
|---|---|---|---|

Alternative sites were rejected/not considered for the following reason(s):

- | | | |
|---|--|---|
| D. <input type="checkbox"/> Cost | H. <input type="checkbox"/> Greater wetlands impact | L. <input checked="" type="checkbox"/> Other |
| E. <input type="checkbox"/> Lack of availability | I. <input type="checkbox"/> Water dependency | Emergency bridge replacement must be constructed on MDTA ROW |
| F. <input type="checkbox"/> Failure to meet project purpose | J. <input type="checkbox"/> Inadequate zoning | |
| G. <input type="checkbox"/> Located outside general/market area | K. <input type="checkbox"/> Engineering/design constraints | |
| M. Explanation: | | |

7. PUBLIC NEED: Describe the public need or benefits that the project will provide in F. Also check Items in A-E that apply to your project. **(If you are applying for a letter of exemption, do not complete this block.)**

- | | | |
|---|--|--|
| A. <input checked="" type="checkbox"/> Economic | C. <input type="checkbox"/> Health/welfare | E. <input checked="" type="checkbox"/> Other |
| B. <input checked="" type="checkbox"/> Safety | D. <input type="checkbox"/> Does not provide public benefits | |
| F. Description | | |

This emergency bridge replacement will restore a vital transportation link along I-695 reducing traffic delays and facilitating safe and efficient movement of people, goods, and hazardous materials.

8. **MITIGATION PLAN:** Please provide the following information. (If you are applying for a letter of authorization outside of the Critical Area, do not complete this block.)

9. Description of a monetary compensation proposal, if applicable (for state requirements only). Attach another sheet if necessary.

Nontidal wetland and stream impacts will be satisfied through the purchase of available credits from an IRT-approved Wetland Mitigation Bank. Mitigation for unavoidable impacts to tidal waters will be satisfied through a derelict crab pot removal. See Attachment G

b. Give a brief description of the proposed mitigation project.

See Attachment G

c. Describe why you selected your proposed mitigation site, including what other areas were considered and why they were rejected.

See Attachment G

d. Describe how the mitigation site will be protected in the future.

See Attachment G

9. **HAVE ADJACENT PROPERTY OWNERS BEEN NOTIFIED?** A. ☒ Yes B. ☐ No
Provide names and mailing addresses below (Use separate sheet, if necessary). (If you are applying for a letter of exemption, do not complete this block.)

a. b. c.

10. **OTHER APPROVALS NEEDED/GRANTED:**

A. a. Agency	b. Date Sought	c. Decision	d. Decision Date	e. Other Status
		1. Granted 2. Denied		
MDNR-WHS		X	6/3/2024	
MDNR-ERP		X	6/3/2024	
USFWS Review		X	5/9/2024	
NOAA NMFS	ongoing			
MDE SSPRD	pending			

B. **FEDERALLY AUTHORIZED CIVIL WORKS PROJECTS:** Does the project require permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers' federally authorized civil works project, structure, property, or easement (e.g., federal navigation channel, flood control levees, dams and reservoirs, lake property, etc.)?
☒ Yes ☐ No

If yes, have you submitted a written request for Section 408 permission from the Corps district having jurisdiction over that project (i.e., Baltimore district in Maryland or Philadelphia district in C & D canal)? ☒ Yes ☐ No

If yes, please provide the date your request was submitted to the Corps district: 7/17/2024

C. EXISTING CORPS, MDE, OR ENVIRONMENTAL PROTECTION AGENCY SITE PROTECTION INSTRUMENTS: Is the proposed work located in an area encumbered by an existing site protection instrument such as a conservation easement, deed restriction, or declaration of restrictive covenants required as a condition of a prior U.S. Army Corps of Engineers', Maryland Department of the Environment, or Environmental Protection Agency authorization? _____ Yes X No

11. HISTORIC PROPERTIES: Is your project located in the vicinity of historic properties? (For example: structures over 50 years old, archeological sites, shell mounds, Indian or Colonial artifacts). Provide any supplemental information in Section 12.

A. x Yes B. _____ No C. _____ Unknown

12. ADDITIONAL INFORMATION: Use this space for detailed responses to any of the previous items. Attach another sheet if necessary:

See Attachment D - Section 106 Consultation and Programmatic Agreement

Check box if data is enclosed for any one or more of the following (see checklist for required information):

- | | | |
|------------------------------|----------------------------------|------------------------|
| A. _____ Soil borings | D. _____ Field surveys | G. _____ Site plan |
| B. _____ Wetland data sheets | E. _____ Alternate site analysis | H. _____ Avoidance and |
| C. _____ Photographs | F. _____ Market analysis | minimization analysis |
| I. <u>x</u> Other (explain) | | |

Attachment A - Additional Information

Attachment B - Project Location Map

Attachment C - Impact Plates & Summary of Impacts Revised plates and impacts provided

Attachment D - Section 106 Consultation and Programmatic Agreement

Attachment E - Rare Threatened and Endangered Species Coordination

Attachment F - Public Notice Billing Approval Form

Attachment G - Compensatory Mitigation Plan Revised CMP provided

Attachment H - Natural Resources Inventory / Forest Stand Delineation (NRI/FSD) Revised NRI/FSD provided

CERTIFICATION:

Application is hereby made for a permit or permits to authorize the work described in this application. I hereby designate and authorize the agent named above to act on my behalf in the processing of this application and to furnish any information that is requested. I certify that the information on this application form and on the attached plans and specifications is true and accurate to the best of my knowledge and belief. I understand that any of the agencies involved in authorizing the proposed works may request information in addition to that set forth herein as may be deemed appropriate in considering this proposal. I certify that all wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and all streams have been identified and delineated on site, and that all jurisdictional wetlands have been delineated in accordance with the 1987 Corps of Engineers Wetlands Delineation Manual and appropriate regional supplement(s). I grant permission to the agencies responsible for authorization of this work, or their duly authorized representative, to enter the project site for inspection purposes during working hours. I will abide by the conditions of all permit(s) or license(s) if issued and will not begin work without the appropriate authorization. I also certify that the proposed works are consistent with Maryland's Coastal Zone Management Plan. All information, including permit applications and related materials, submitted to MDE may be subject to public disclosure consistent with the Maryland Public Information Act, §4-101 et seq., General Provisions Article of the Maryland Code and the Freedom of Information Act, 5 USC Section 552 et seq. Pursuant to Clean Water Act Section 404(o), 33 USC 1344 (o), permit applications and permits will be available to the public. I understand that I may request that additional required information be considered confidential under applicable laws. I further understand that failure of the landowner to sign the application will result in the application being deemed incomplete.

LANDOWNER MUST SIGN: _____

Brian Wolfe

DATE: 7/3/2025

PRINTED NAME OF LANDOWNER Brian Wolfe

Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers, 33 CFR 320-332. **Principal Purpose:** Information provided on this JPA will be used in evaluating the application for a permit. **Routine Uses:** This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice. Submission of requested information is voluntary, however, if information is not provided, the permit application cannot be evaluated nor can a permit be issued.

State Authorities: Nontidal Wetlands Protection Act, Md. Ann. Code, Envir., Title 5, Subtitle 9; Waterway Construction, Md. Ann. Code, Envir., Title 5, Subtitle 5; Tidal Wetlands Act, Md. Ann. Code, Envir., Title 16.

BEST MANAGEMENT PRACTICES VERIFICATION: I verify that my project will meet all Endangered Species Act Best Management Practices and Time of Year Restriction applicable to work in tidal waters and wetlands as required by the MDSPGP (see Section VII, General Conditions #14-15).

☐ Yes ☐ No ☒ Unknown

Refer to the application instructions and the MDSPGP for additional information regarding these Best Management Practices.

☐ I am the property owner/applicant and do not want to be contacted by MDE. All correspondence should occur with my authorized agent /principal contact designated in Section 3, located on the 1st page of this application. (By initializing the box, you are acknowledging that you will not receive any correspondence directly from MDE). I understand a copy of MDE's final decision regarding this application will be sent to me. This opt-out option does not apply to the U.S. Army Corps' correspondence, which will continue to be with the applicant/permittee.

WHERE TO MAIL APPLICATION

Maryland Department of the Environment
Water and Science Administration
Regulatory Services Coordination Office
1800 Washington Boulevard, Suite 430
Baltimore, Maryland 21230
Telephone: (410) 537-3752
1-800-633-6101

BEFORE YOU MAIL... DON'T FORGET...

- **SIGN AND DATE THE APPLICATION. THE LANDOWNER MUST SIGN.**
- **SEVEN (7) COPIES OF ALL DOCUMENTS (APPLICATION, PLANS, MAPS, REPORTS, ETC.) MUST BE RECEIVED TO BEGIN OUR REVIEW.**
- **INCLUDE SEVEN (7) COPIES OF A VICINITY MAP (LOCATION MAP) WITH THE PROJECT SITE PINPOINTED.**
- **PAYMENTS: SEND AN APPLICATION FEE OF \$750 ALONG WITH A COPY OF THE FIRST PAGE OF THE APPLICATION TO:**
MARYLAND DEPARTMENT OF THE ENVIRONMENT
P.O. BOX 2057, BALTIMORE, MD 21203-2057
PCA: 13910 OBJ: 4142
- **PLEASE REFER TO OUR WEBSITE <http://www.mde.maryland.gov> FOR FURTHER INSTRUCTIONS.**

SUPPLEMENTAL INFORMATION TO BE INCLUDED ON PLANS, DRAWINGS, OR VICINITY MAPS

In addition to the information indicated on the previous pages, you should include the following on the 8 1/2 x 11 site plans and any blueprints you have submitted:

1. Delineation of any wetland buffers or expanded buffers, clearly marked and differentiated.
2. Location of mitigation area, if proposed on the same site as the project.

Note: If you are proposing a complex project you may wish to submit engineering blueprints of your project with the application form to expedite review.

Mitigation Location Map: If you are proposing that nontidal wetland mitigation be done at a different location than the proposed project, you should submit a map showing the location of the mitigation site in relation to the proposed nontidal wetland losses.

DELINEATION OF WETLANDS, OTHER SPECIAL AQUATIC SITES, AND OTHER WATERS

Applications must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and streams on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and appropriate regional supplement published by the Corps. Wetlands must be shown on all plans submitted with the application. All wetlands on site must be delineated and shown on the overall site plan. 8½ x 11 inch plans with topography showing relation of the wetlands and project impacts must be submitted. Copies of the wetland reports and data sheets used in making the determination must be included with your application submittal.