

STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
WATER AND SCIENCE ADMINISTRATION
WETLANDS AND WATERWAYS PROTECTION PROGRAM

NOTICE OF DECISION

In the Matter of: Maryland Department of Transportation
Maryland Transportation Authority (MDTA)
Nontidal Wetlands and Waterways Permit
Application Number 24-NT-0163/202461017

Hearing Date and Location: August 20, 2025
North Point Edgemere Volunteer Fire Department
7500 North Point Rd, Baltimore, MD 21219

Decision: Approval

Date: October 15, 2025



The review of the Nontidal Wetlands and Waterways Permit Application in the above-referenced matter has been governed by criteria set forth under Title 5, Subtitle 5, Environment Article, Annotated Code of Maryland, entitled Appropriation or Use of Waters, Reservoirs, and Dams; Subtitle 9, Environment Article, Annotated Code of Maryland, entitled Nontidal Wetlands; and Code of Maryland Regulations (COMAR) Title 26, Subtitle 17, Chapter 04, Construction on Nontidal Waters and Floodplains and Subtitle 23 Nontidal Wetlands. The Nontidal Wetlands and Waterways Permit Application has been reviewed for compliance with Maryland water quality standards under COMAR Title 26, Subtitle 08, Chapter 02 Water Quality.

After examination of all documents and evidence in the above-referenced matter, I have determined that:

1. The applicant has demonstrated a need for impacts to nontidal wetlands and waterways;
2. The applicant has and will continue to minimize impacts to nontidal wetlands and waterways to the extent practicable;
3. Rare, threatened or endangered (RTE) species have been identified in the area of impact for the proposed project and the applicant has and will continue to minimize impacts to RTEs to the extent practicable;
4. Historical or archeological sites have been identified in the area of impact for the proposed project and the applicant has and will continue to minimize impacts to historic resources to the extent practicable;
5. The project is consistent with State water quality requirements when special conditions are adhered to;
6. Public notice and public informational hearing requirements have been satisfied; and,
7. The applicant has demonstrated that the project has independent utility from any potential future projects.

Nontidal Wetlands and Waterways Permit Application 24-NT-0163/202461017 meets the criteria set forth in statute and regulation governing impacts to wetlands and waterways. Nontidal Wetlands and Waterways Permit Number 24-NT-0163/202461017 may be issued by the Water and Science Administration to authorize Maryland Department of Transportation, Maryland Transportation Authority to replace the Francis Scott Key Bridge over the Patapsco River, which is located on I-695 from southwest of Broening Highway to northeast of the B&O Railroad crossing in Baltimore City, and Baltimore and Anne Arundel Counties. Activities associated with impacts to regulated resources include bridge construction, pier installation, maintenance access road construction, roadway grading, drainage improvements, construction access and use of erosion and sediment control measures. This approval authorizes permanent impacts to 135,789 square feet (3.12 acres) of emergent nontidal wetland, 101,681 square feet (2.34 acres) of the 25-foot nontidal wetland buffer, 112 linear feet (337 square feet) of a perennial tributary to the Patapsco River and 187 linear feet (599 square feet) of an intermittent tributary to the Patapsco River.

An explanation of the rationale for this decision is contained in the attached Summary of Basis for Decision.

A handwritten signature in cursive script, reading "Heather L. Nelson".

Heather L. Nelson
Program Manager
Wetlands and Waterways Protection Program