

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

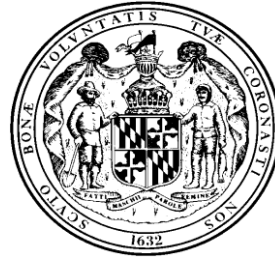
In the Matter of: Maryland Transportation Authority
Modification Nontidal Wetlands and Waterways
Permit Application Number 19-NT-0150/201960846

Hearing Date: January 29, 2025

Hearing Location: Virtual

Decision: Approval

Date: June 5, 2025



The review of the Modification to 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 Modification to 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 wetland and waterways;
2. The applicant has and will continue to minimize impacts to nontidal wetlands and waterways;
3. No rare, threatened or endangered species have been identified in the area of impact for the proposed project;
4. No historical or archeological sites have been identified in the area of impact for the proposed project;
5. The project is consistent with State water quality requirements;
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.

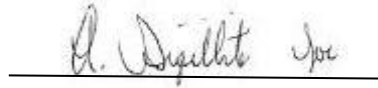
The Modification to Nontidal Wetlands and Waterways Permit Application 19-NT-0150/201960846 meets the criteria set forth in statute and regulation governing impacts to wetlands and waterways. The Modification to Nontidal Wetlands and Waterways Permit Number 19-NT-0150/201960846 may be issued by the Water and Science Administration to authorize Maryland Transportation Authority to allow final design of a park and ride along northbound I-95 south of MD 152, addition of a deer fence at the Eccleston Mitigation Site, and correcting discrepancies in GIS impact calculations.

This Modification authorizes an overall increase of permanent impacts to 97,531 square feet of wetland, 28,331 square feet of 25-foot nontidal wetland buffer, and 389 linear feet of waterway.

This Modification authorizes a decrease in 16 square feet of permanent impacts to the 100-year nontidal floodplain, and a decrease in temporary impacts to 5,587 square feet of nontidal wetlands, 655 square feet of 25-foot nontidal wetland buffer, 178 linear feet of waterway, and 6,936 square feet of the 100-year nontidal floodplain.

In total, the entire project will permanently impact 177,180 square feet of forested nontidal wetland, 7,733 square feet of scrub-shrub nontidal wetland, 51,189 square feet of emergent nontidal wetland, 3,187 square feet of forested/emergent nontidal wetland, 416,602 square feet of 25-foot nontidal wetland buffer, 14,334 linear feet of perennial streams, 10,349 linear feet of intermittent streams, and 110,657 square feet of 100-year floodplain, and temporarily impact 56,143 square feet of forested nontidal wetland, 6,259 square feet of scrub-shrub nontidal wetland, 82,749 square feet of emergent nontidal wetland, 192,270 square feet of 25-foot nontidal wetland buffer, 1,699 linear feet of perennial streams, 832 linear feet of intermittent streams, and 766,567 square feet of 100-year nontidal floodplain. The project is located on I-95 from north of Old Joppa Road to Bynum Run, just south of MD 543 in Harford County, Maryland, with proposed mitigation sites in Baltimore and Harford Counties.

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

A handwritten signature in dark ink, appearing to read "H. Nelson", is positioned above a horizontal line.

Heather L. Nelson
Program Manager
Wetlands and Waterways Protection Program