

**U.S. Army Corps
of Engineers**

Baltimore District
PN-25-04

Public Notice

**In Reply to Application Number
NAB-2019-60846-M49 (MDTA I-95 ETL NB Extension
Phase II/Corridor Improvements)**

Comment Period: January 2, 2025 to February 1, 2025

THE PURPOSE OF THIS PUBLIC NOTICE IS TO INFORM INTERESTED PARTIES OF THE PROPOSED ACTIVITY AND TO SOLICIT COMMENTS. NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED AT THIS TIME.

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344), as described below:

APPLICANT:

Maryland Transportation Authority
Attention: Mr. Brian Wolfe
Division of Engineering and Construction
8019 Corporate Drive, Suite F
Baltimore, Maryland 21236

WATERWAY AND LOCATION OF THE PROPOSED WORK:

The project is located in unnamed tributaries to the Little Gunpowder Falls adjacent nontidal wetlands along I-95 from north of Old Joppa Road to Bynum Run, just south of MD 543 in Harford County, Maryland (39.44087, -76.35176).

OVERALL PROJECT PURPOSE:

The purpose of the project is to address capacity, operational, and safety concerns that exist along northbound I-95 from south of the MD 152 interchange to south of the MD 543 interchange, in Harford County, Maryland. The purpose of this permit modification is to revise the design of a previously authorized park-and-ride facility at the I-95 and MD 152 interchange and to address safety concerns identified by the MDTA associated with accommodating bus service.

PROJECT DESCRIPTION:

The Maryland Transportation Authority is requesting a modification to the Corps permit issued for Phase II of the staged implementation of the I-95 Section 200 Express Toll Lanes. The Corps issued the original authorization for the project on April 24, 2020. This

modification request is proposed primarily for impacts associated with the replacement of the existing park and ride on I-95 northbound at MD 152 and relocation of the facility to a location adjacent to Old Mountain Road (Contract KH-3043). The revised park and ride location includes 214 parking spaces, a bus turn around area, and attendant infrastructure including stormwater management facilities and outfall structures.

EFFECTS ON AQUATIC RESOURCES:

Activity	Permanent Stream Impact (Linear Feet)	Permanent Wetland Impact (Linear Feet)	Authority
Impacts associated with park and ride facility relocation (KH-3043)	391 (Intermittent)	20,037 (Emergent) 77,494 (Forested)	Section 404

This modification will result in an increase in permanent impacts to 20,037 square feet of emergent nontidal wetlands, 77,494 square feet of forested nontidal wetlands, 391 linear feet of intermittent stream. The modification results in a decrease in permanent impacts to 2 linear feet of perennial stream, and a decrease in temporary impacts to 995 square feet of emergent nontidal wetlands and 4,593 square feet of forested nontidal wetlands at other project locations.

LEAD FEDERAL AGENCY:

The United States Army Corps of Engineers, as the lead federal agency, is responsible for all coordination pursuant to applicable federal authorities.

APPLICANT'S PROPOSED AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION:

As part of the planning process for the proposed project, measures were incorporated into the design to avoid and minimize impacts to waters of the United States where practicable.

The applicant determined that it was necessary to redesign the originally proposed park and ride location to accommodate the I-95 & MD-152 interchange design. The relocated park and ride facility is proposed directly adjacent to the I-95 exit and MD 152 roundabout and was positioned as far north as possible on the site to maximize the use of available open space. Grading for the facility was minimized to match existing

topographic conditions to the maximum extent practicable and incorporates 2:1 slopes wherever feasible to limit the overall extent of earthwork. The design incorporates micro-bioretenment stormwater management at green spaces within the parking area to minimize the footprint of stormwater management facilities. Stormwater facilities were relocated to reduce impacts to adjacent waterways. Further, to minimize potential thermal effects on receiving waters, all proposed stormwater facilities were designed as filter practices with no permanent pools or extended storage.

Compensatory mitigation for unavoidable stream and wetland impacts associated with this modification are proposed to be satisfied through excess credits generated at the three Corps-approved constructed off-site permittee-responsible mitigation sites identified in the Phase II compensatory mitigation plan: the Eccleston Mitigation Site, located along adjacent to Greenspring Valley Road and Park Heights Avenue in Baltimore County, the Carsins Run Mitigation Site located along I-95 southbound in Harford County, and the HT-3012 Stream Restoration Site located along an unnamed tributary to the Patapsco River in Baltimore County. To mitigate for the loss of 20,037 square feet of emergent wetland, 77,494 square feet of forested wetland, and 389 linear feet of stream resulting from the modified park and ride, the permittee has created the equivalent of 20,037 square feet of emergent wetlands, 154,988 square feet of forested wetlands, and restored the equivalent of 389 linear feet of intermittent stream.

CORPS EVALUATION REQUIREMENTS:

This project will be evaluated pursuant to Corps Regulatory Program Regulations (33 CFR Parts 320-332). The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonable may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economic, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, and consideration of property ownership and in general, the needs and welfare of the people. The evaluation of the impact of this project will also include application of the Clean Water Act Section 404(b)(1) Guidelines promulgated by the Administrator, United States Environmental Protection Agency.

ENDANGERED SPECIES:

A preliminary review of this application indicates that the proposed work will have no effect federally listed threatened or endangered species or their critical habitat, pursuant to Section 7 of the Endangered Species Act, as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

ESSENTIAL FISH HABITAT:

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH), including species of concern, life cycle habitat, or Habitat Areas of Particular Concern. The project site lies in or adjacent to EFH as described under MSFCMA for managed species under the MSFCMA. The Baltimore District has made a preliminary determination that the project will have no adverse effect on EFH. The Baltimore District has made a preliminary determination that mitigative measures are not required to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise.

HISTORIC RESOURCES:

Pursuant to Section 106 of the National Historic Preservation Act of 1966 and applicable guidance, the Corps has reviewed the latest published version of the National Register of Historic Places and initially determined that no registered properties listed as eligible for inclusion, therein, are located at the site of the proposed work. The Corps has made the preliminary determination that the proposed project would have no effect on historic properties. The Corps final eligibility and effect determination will be based on coordination with the State Historic Preservation Office as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps' identified permit area.

TRIBAL RESOURCES:

Section 106 of the National Historic Preservation Act also requires federal agencies to consult with federally recognized American Indian tribes that attach religious and cultural significance to historic properties that may be affected by the agency's undertaking. Corps Tribal Consultation Policy mandates an open, timely, meaningful,

collaborative, and effective deliberative communication process that emphasizes trust, respect, and shared responsibility. The policy further emphasizes that, to the extent practicable and permitted by law, consultation works toward mutual consensus and begins at the earliest planning stages before decisions are made and actions taken. The Corps final eligibility and effect determination will be based on coordination with interested tribes, in accordance with the Corps current tribal standard operating procedures as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on tribal resources.

MODIFICATION OF CIVIL WORKS PROJECTS: 33 USC 408 (SECTION 408):

All Section 408 proposals will be coordinated internally at the United States Army Corps of Engineers. The Section 408 decision will be issued along with the Section 404 and/or Section 10 decision. Please see the following link for more information regarding Section 408:

<https://www.nab.usace.army.mil/Missions/Regulatory/Section-408-Requests/>.

WATER QUALITY CERTIFICATION:

The applicant is required to comply with all conditions of the water quality certification issued for the project (20-WQC-0009) in accordance with Section 401 of the Clean Water Act.

COASTAL ZONE MANAGEMENT PROGRAMS:

Where applicable, the applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the approved Coastal Zone Management Program. By this public notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

The applicant must obtain any state or local government permits which may be required.

SUBMISSION OF COMMENTS:

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are

used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments provided will become part of the public record for this action and are subject to release to the public through the Freedom of Information Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the United States Army Corps of Engineers, Baltimore District within the comment period specified above through postal mail at the address below or electronic submission to the project manager email address below. Written comments should reference the Application Number NAB-2019-60846-M48.

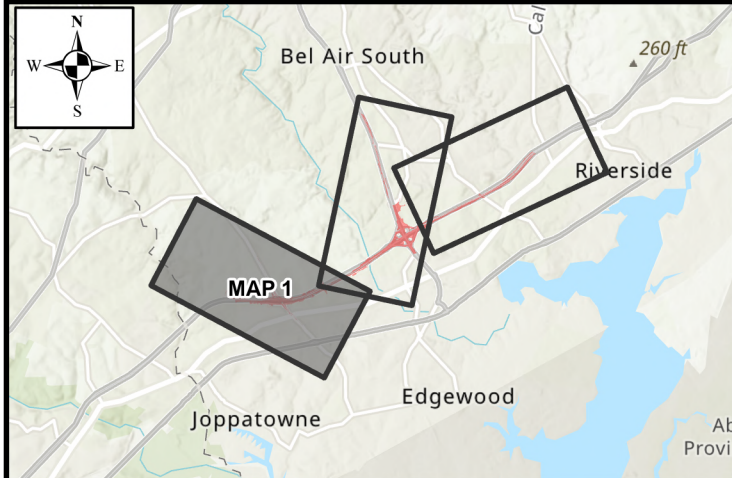
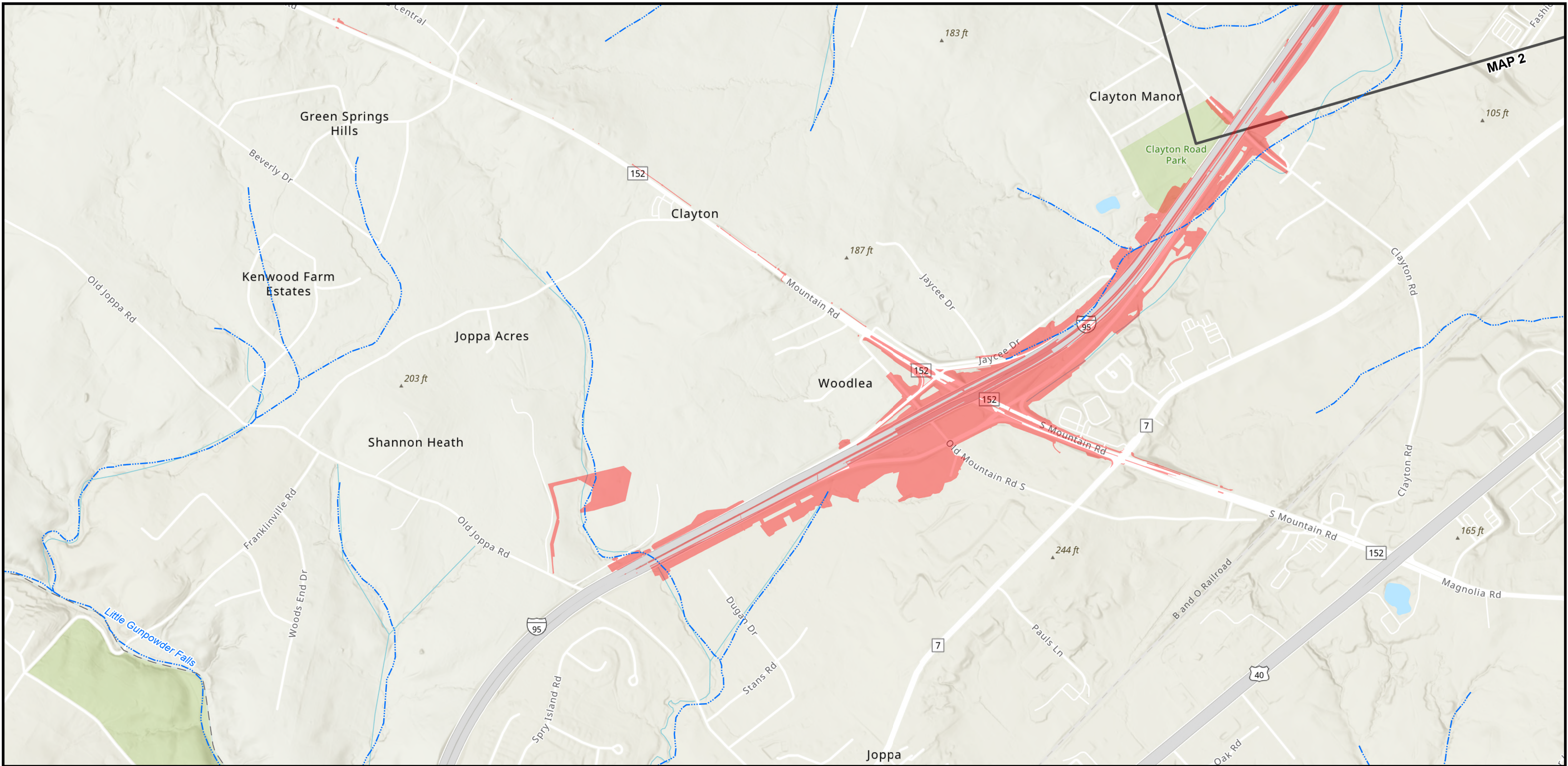
PUBLIC HEARING REQUESTS:

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received within the comment period as specified above to receive consideration. Also, it must clearly set forth the interest which may be adversely affected by this activity and the manner in which the interest may be adversely affected. The public hearing request may be submitted by electronic mail or mailed to the following address:

Mr. Matthew Hynson
matthew.hynson@usace.army.mil
U.S. Army Corps of Engineers, Baltimore District
Regulatory Branch
2 Hopkins Plaza
Baltimore, Maryland 21201

It is requested that you communicate this information concerning the proposed work to any persons known by you to be interested, who did not receive a copy of this notice.

General information regarding the Corps' permitting process can be found on our website at <https://www.nab.usace.army.mil/Missions/Regulatory.aspx>. This public notice has been prepared in accordance with Corps implementing regulations at 33 CFR 325.3. If you have any questions concerning this specific project or would like to request a paper copy of this public notice, please contact Mr. Matthew Hynson, of this office, at (410) 962-4503 or by email at matthew.hynson@usace.army.mil with NAB-2019-60846-M48 in the subject line. This public notice is issued by the Chief, Regulatory Branch.

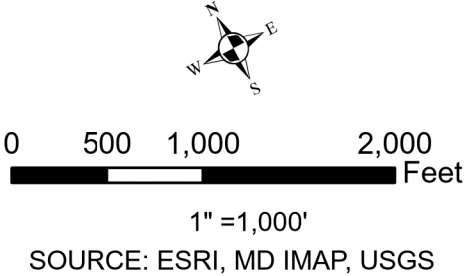


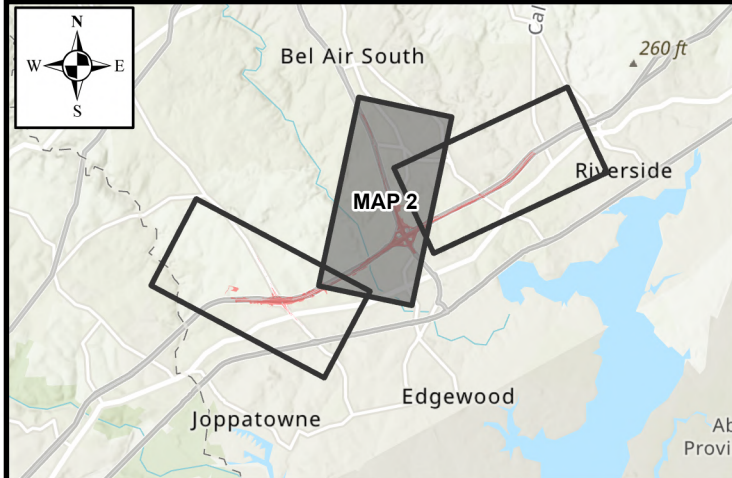
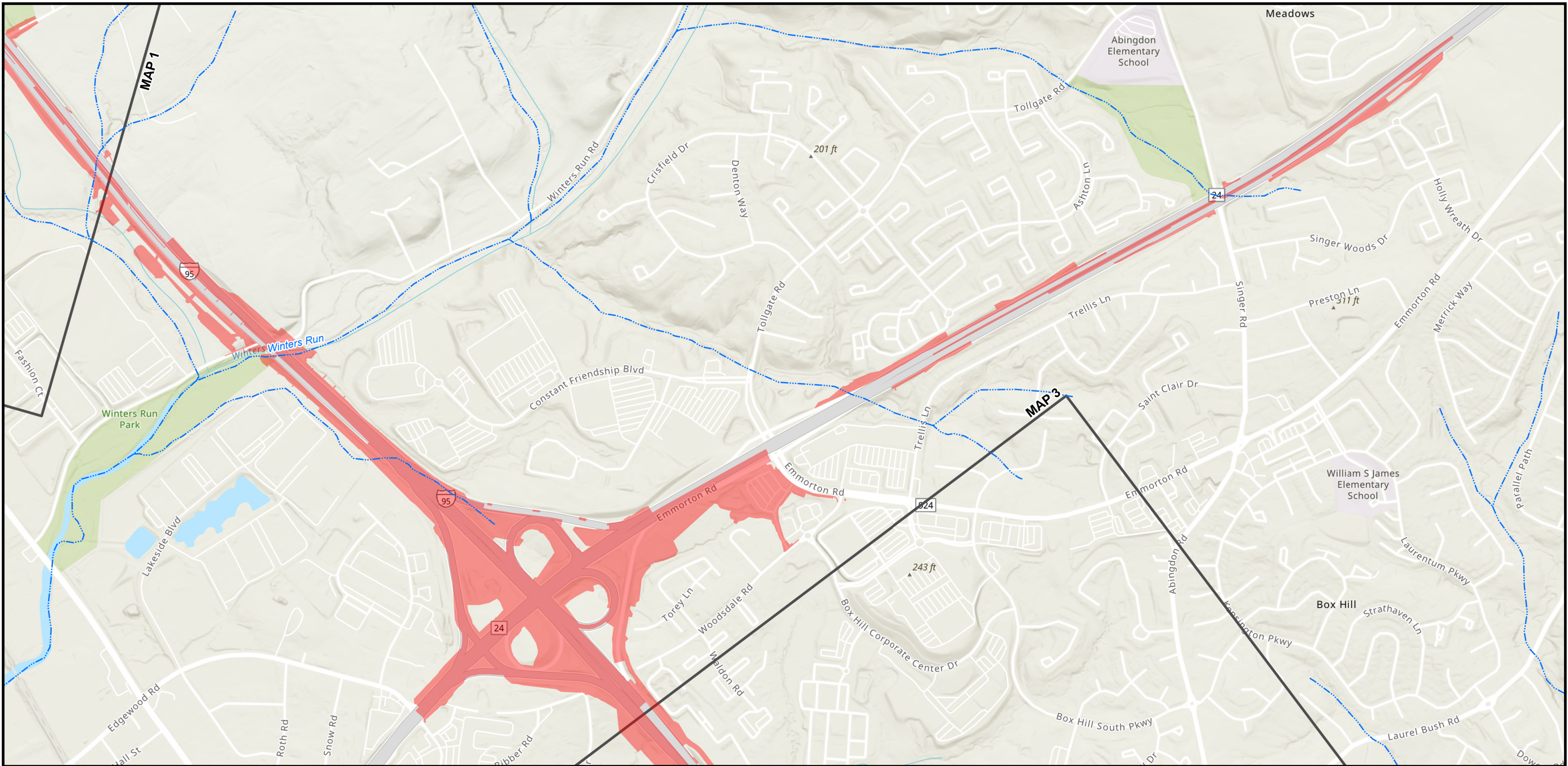
I-95 ETL NORTHBOUND EXTENSION PHASE II ROADWAY IMPROVEMENTS VICINITY MAP 1

- Legend**
- USGS Mapped Streams
 - Limits of Disturbance



DATE: MARCH 2024

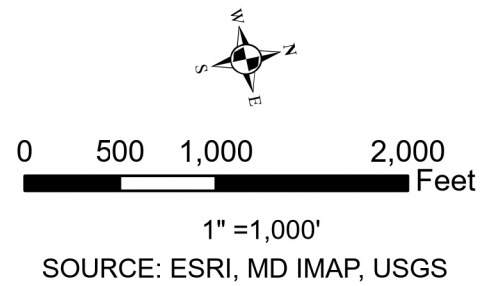


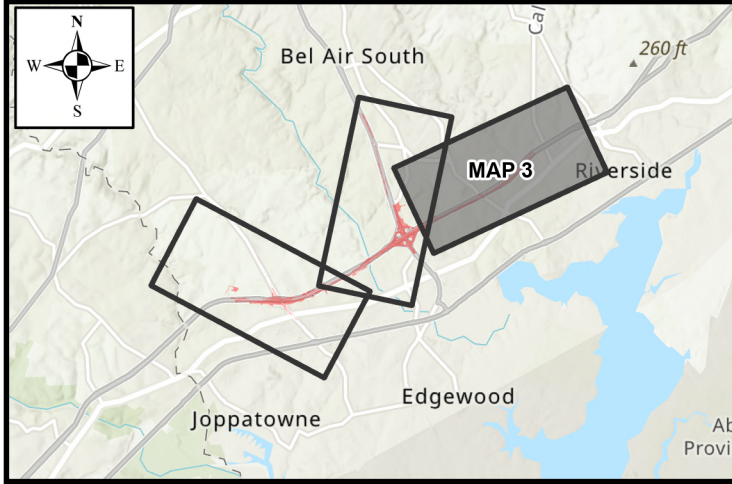
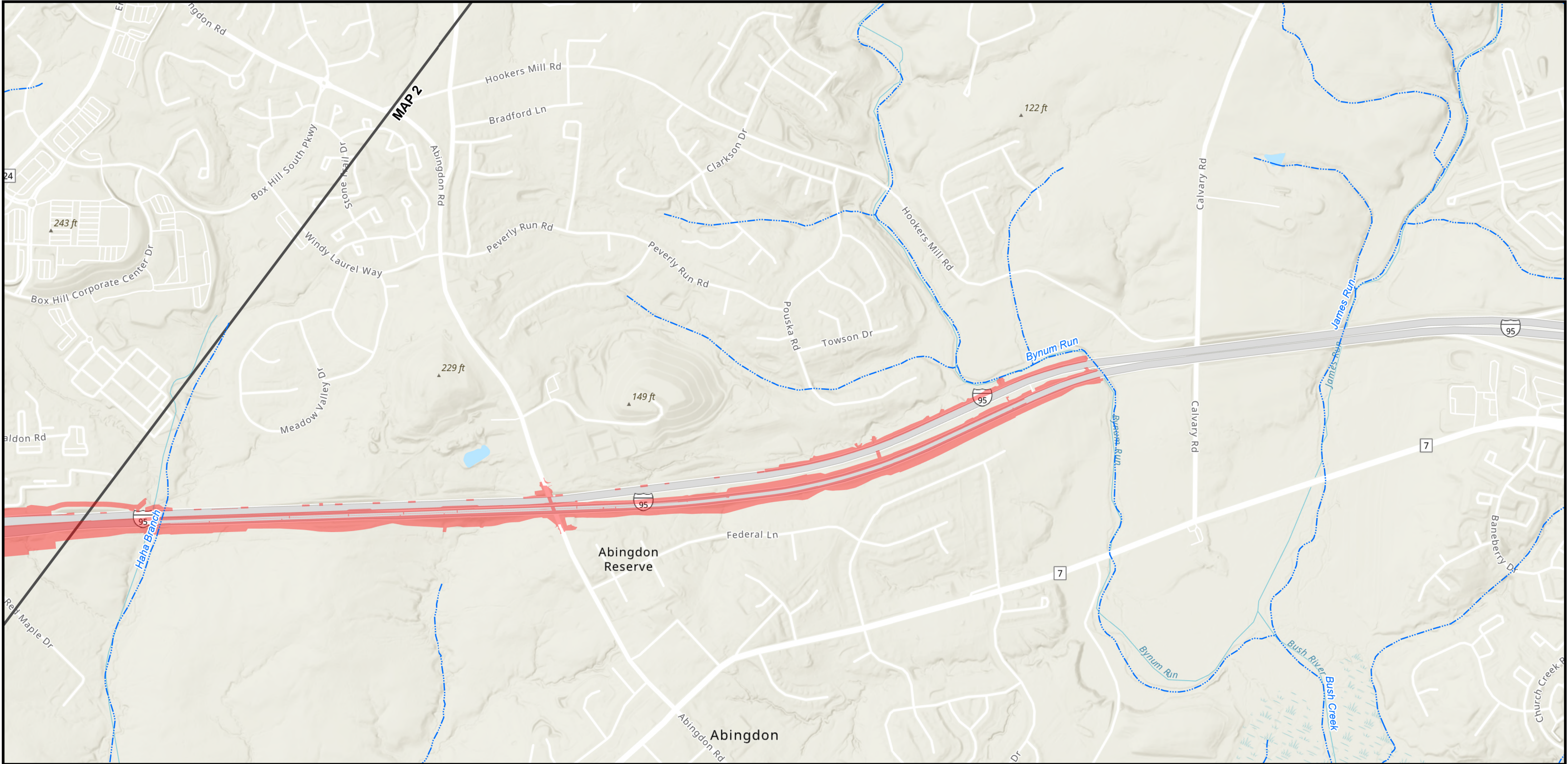


- Legend**
- USGS Mapped Streams
 - Limits of Disturbance



DATE: MARCH 2024



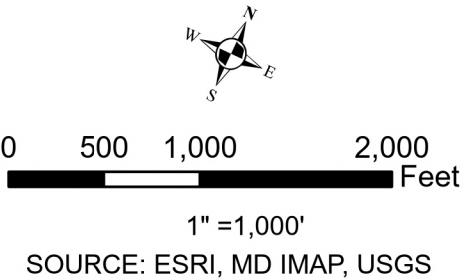


I-95 ETL NORTHBOUND EXTENSION PHASE II ROADWAY IMPROVEMENTS VICINITY MAP 3

- Legend**
- USGS Mapped Streams
 - Limits of Disturbance



DATE: MARCH 2024



LEGEND

LIMIT OF DISTURBANCE	— LOD —
DITCH	—>
PROPOSED CULVERT	
RIGHT-OF-WAY	----
100-YEAR FLOODPLAIN	— T —
WUS BOUNDARY	— WUS —
CULVERTED WUS	----
WETLAND BOUNDARY	•••••
WETLAND BUFFER BOUNDARY	— B —
WUS IMPACT TEMPORARY	
WUS IMPACT PERMANENT	
WETLAND IMPACT TEMPORARY	
WETLAND IMPACT PERMANENT	
WETLAND BUFFER IMPACT TEMPORARY	
WETLAND BUFFER IMPACT PERMANENT	
2' CONTOURS	----
PROPOSED RIPRAP	
TIER 2 WATERSHED	— TIIW —
SUPER SILT FENCE	— SSF —
CUT	— C —
FILL	— F —

LEGEND

I-95 ETL NORTHBOUND EXTENSION PHASE II

MD 152 PARK AND RIDE RELOCATION
HARFORD COUNTY, MARYLAND

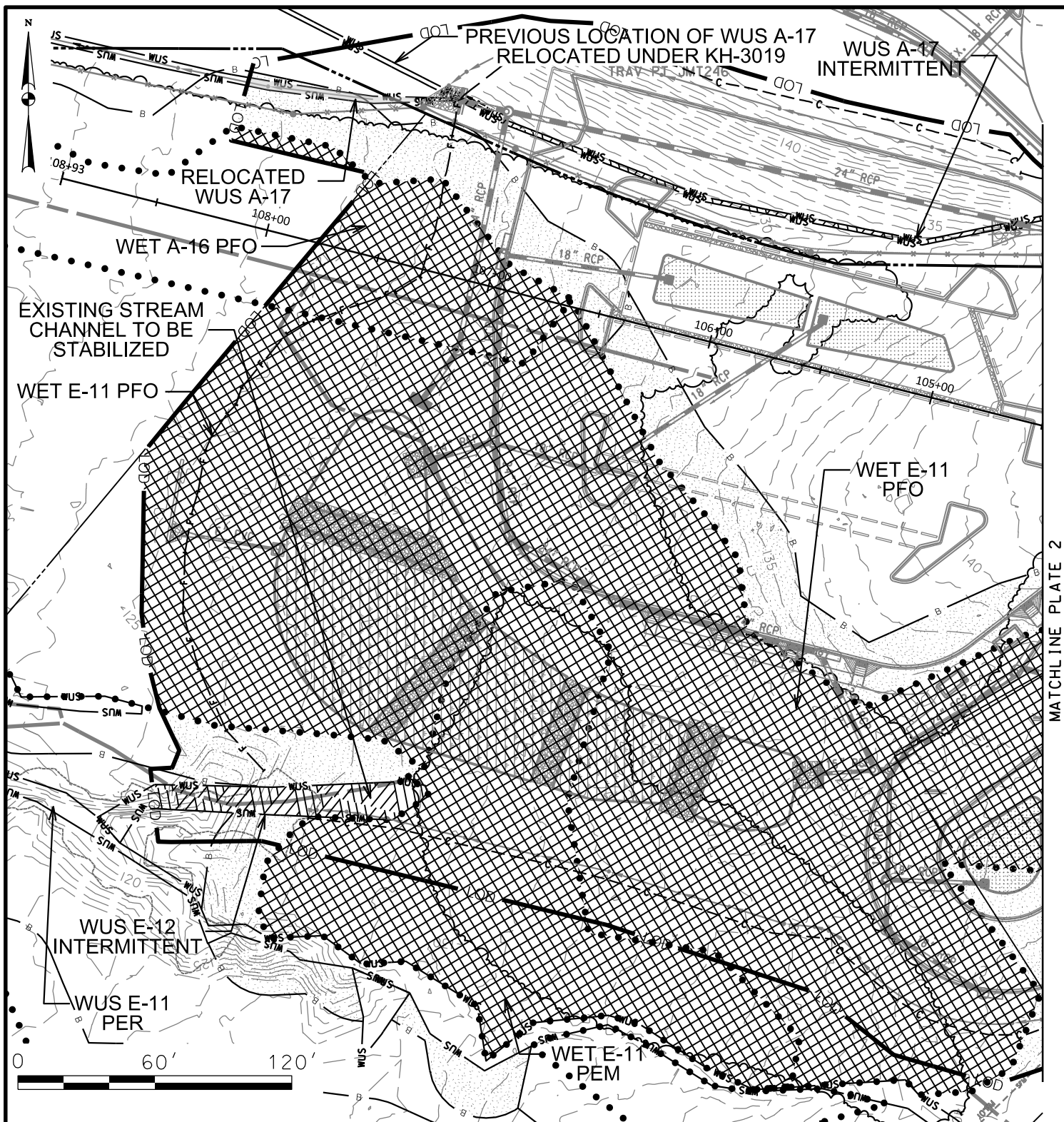
**MARYLAND
TRANSPORTATION AUTHORITY**

DATE: JUNE 2024

Contract KH-3043: MD 152 Park and Ride Relocation						
Wetland	Plate #	Classification	Wetland Impacts (SF)		Buffer Impacts (SF)	
			Permanent	Temporary	Permanent	Temporary
WET A-16	PLATE 1	PFO	6,363	0	5,429	0
WET E-11	PLATE 1	PFO	65,717	0	10,805	0
WET E-11	PLATE 1	PEM	20,037	0	3,762	0
WET E-11	PLATE 2	PFO	5,413	0	9,683	0
Total			97,530	0	29,679	0

Contract KH-3043: MD 152 Park and Ride Relocation								
Waterway	Plate #	Classification	Permanent Stream Impacts		Temporary Stream Impacts		Permanent Floodplain Impacts	Temporary Floodplain Impacts
			LF	SF	LF	SF	SF	SF
WUS A-17	PLATE 1	INTERMITTENT	266	532	0	0	0	0
WUS E-12	PLATE 1	INTERMITTENT	120	1,518	0	0	0	0
RELOCATED WUS A-17	PLATE 1	INTERMITTENT	17	27	74	240	0	0
WUS A-17	PLATE 2	INTERMITTENT	25	50	0	0	0	0
Total			428	2,127	74	240	0	0

Corps Note: Some permanent impacts to WUS A-17 were previously authorized under contract KH-3019



IMPACTS ON THIS PLATE

PFO WETLAND
PSS WETLAND
PEM WETLAND
PERENNIAL WUS
INTERMITTENT WUS
EPHEMERAL WUS
WETLAND BUFFER
100-YEAR FLOODPLAIN

TEMPORARY	PERMANENT
0 SF	72,080 SF
0 SF	0 SF
0 SF	20,037 SF
0 LF / SF	0 LF / SF
74 LF / 240 SF	403 LF / 2,077 SF
0 LF / SF	0 LF / SF
0 SF	19,996 SF
0 SF	0 SF

WETLAND IMPACT PLATE

I-95 ETL NORTHBOUND EXTENSION
PHASE II

MD152 PARK AND RIDE RELOCATION

HARFORD COUNTY, MARYLAND



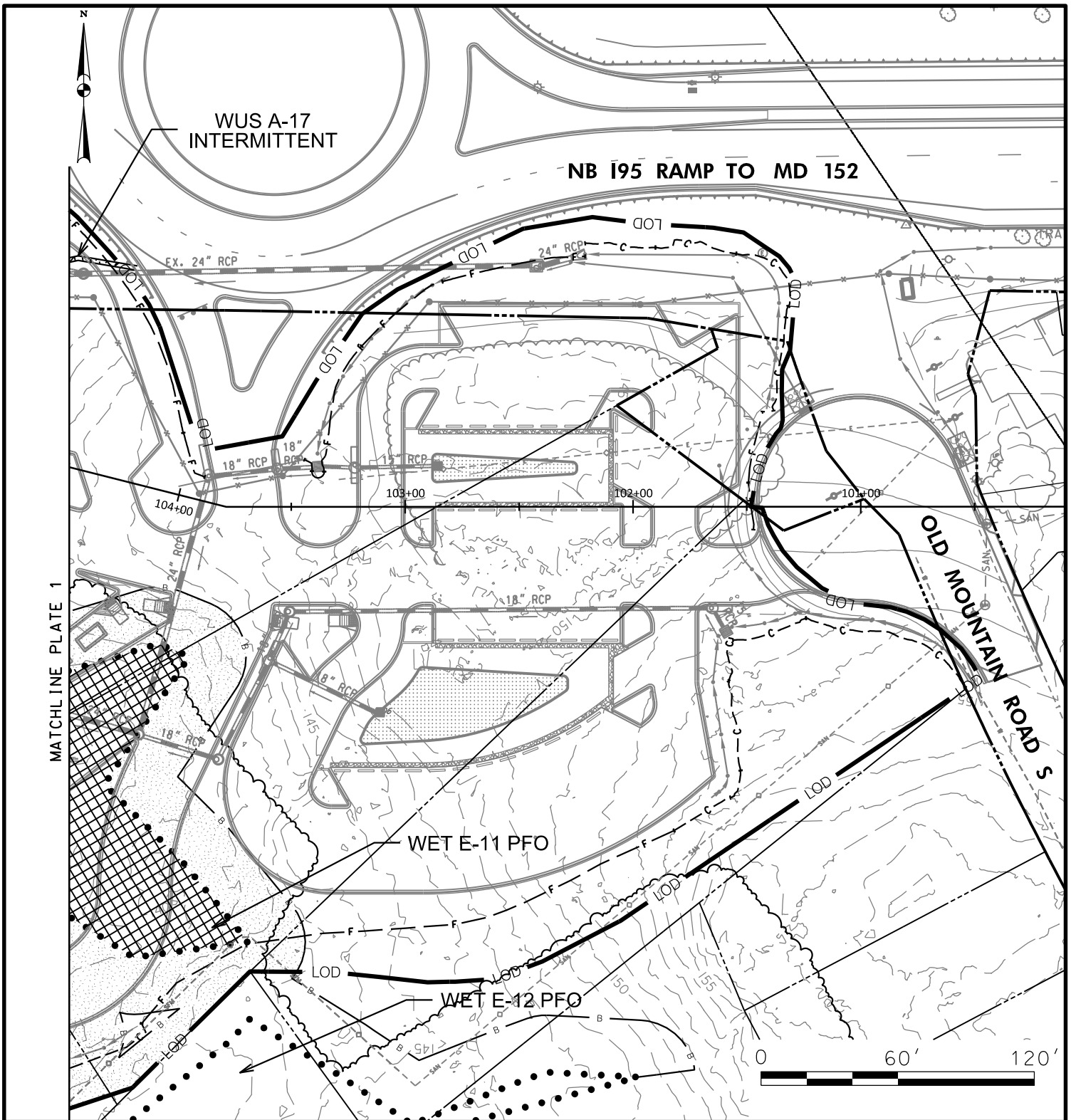
**MARYLAND
TRANSPORTATION AUTHORITY**

SCALE: 1" = 60'

CONTRACT NO.: KH-3043

DATE: JUNE 2024

PLATE 01 OF 02



IMPACTS ON THIS PLATE

	TEMPORARY	PERMANENT
PFO WETLAND	0 SF	5,413 SF
PSS WETLAND	0 SF	0 SF
PEM WETLAND	0 SF	0 SF
PERENNIAL WUS	0 LF / SF	0 LF / SF
INTERMITTENT WUS	0 LF / SF	25 LF / 50 SF
EPHEMERAL WUS	0 LF / SF	0 LF / 0 SF
WETLAND BUFFER	0 SF	9,683 SF
100-YEAR FLOODPLAIN	0 SF	0 SF

WETLAND IMPACT PLATE

I-95 ETL NORTHBOUND EXTENSION
PHASE II

MD152 PARK AND RIDE RELOCATION

HARFORD COUNTY, MARYLAND



**MARYLAND
TRANSPORTATION AUTHORITY**

SCALE: 1" = 60'

CONTRACT NO.: KH-3043

DATE: JUNE 2024

PLATE 02 OF 02