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September 13, 2024

Ms. Jennifer Bird
Maryland Department of the Environment
Water Management Division
1800 Washington Boulevard
Baltimore, MD 21230

RE: I-95 Express Toll Lanes (ETL) Northbound Extension Section 200 Phase II
Harford County, MD
Joint Permit Application to Modify Permit No. 19-NT-0150/201960846 and CENAB-OPR-MN
2019-60846-M48

Dear Ms. Bird:

The Maryland Transportation Authority (MDTA) is pleased to submit this amendment to the previously submitted Joint Permit Application (JPA) to modify the permit for the above-referenced project. This amendment addresses comments received from the Maryland Department of the Environment (MDE) on August 16, 2024. Please find below a point-by-point response.

1. Please note the project proposes greater than 5,000 square feet of new permanent impact to nontidal wetlands within a Use III watershed; therefore, this modification request requires public notice. Please provide the following:
 - a. Signed Public Notice Billing Approval Form
 - b. Certification of Notification

Please see attached signed forms.

2. As discussed, this project will go straight to a public hearing. The public hearing will likely be virtual. Additional coordination for the public hearing may be required.

Noted.

3. Please note, if the project's limits of disturbance expands and permanent impacts increase after the project has been placed on public notice, an additional public notice will be required.

Noted.

4. Please provide a wetland delineation map for the area surrounding the KH-3043 Park n Ride. Please provide a discussion as to whether the wetland to remain will still be viable post construction.

Please see the attached delineated resource map, previously provided as part of the KH-3043 Wetland Delineation Report. Portions of the wetland to the south are shown as a total take outside

of the limits of disturbance, with the exception of the portion of WET E-11 located south of WUS E-11. As this portion of the wetland is fed by WUS E-14, it is anticipated to remain viable. The portions of WET E-11/WET A-16 located to the west are a large forested wetland that is anticipated to remain viable despite the proposed impacts.

5. Is the size of the submerged gravel wetland in KH-3043 proposed due to quantity requirements? Can SWM options with a smaller footprint provide the same functions (ie modular wetland)? Is underground SWM a possibility? Can the footprint be reduced due to wetland impacts in a Use III watershed? While MDE acknowledges the A&M measures provided, please continue to find ways to minimize impacts to wetlands in this location.
 - a. *The submerged gravel wetland (SGW) size is controlled by the quality and quantity management requirements. The SGW satisfies the project requirements by treating the remaining quality requirements after the inner-lot micro-bioretentions' treatment are accounted. The footprint of the SGW was established to limit the ESDv depth to 1 ft of ponding depth, per requirements. Additionally, the footprint utilized provides the required forebay storage and quantity storage while keeping the impacts as close to the parking lot as possible. The footprint selected was coordinated with landscaping to ensure the quantity depths would not negatively impact the wetland landscaping growth inside the SGW. The footprint cannot be further reduced and still meet these requirements.*
 - b. *A smaller footprint facility (ie modular wetland) would not provide enough quality management to meet the overall project's quality requirements while satisfying the quantity requirements.*
 - c. *Although underground SWM may be a possibility, extensive underground facilities would be required to meet the overall quality and quantity requirements. The proposed SGW was proposed in-lieu of underground storage as the SGW provides both quantity and quality treatment while also mimicking the properties of the existing wetland features.*
6. Will the park n ride be larger than the previous MD 152 park n ride? Is the current size appropriate to current traffic conditions?

The previous park-n-ride in the southwest corner of the I-95 and MD 152 interchange had 308 parking spaces. The proposed park-n-ride includes 215 spaces with bus accommodations.

7. New SWM facilities have been located in Use III forested wetlands. Please continue to coordinate with MDNR regarding SWM in Use III watersheds and provide correspondence to MDE.

MDTA has continued to include MDNR in design plan distributions and has copied them on the Joint Permit Application submittal. No comments have been received from MDNR.

8. DNR comments regarding this modification package are pending. Please CC MDE on responses to DNR comments when they are received.

Noted.

9. Please provide an update regarding Tier 2 coordination with Angel Valdez of the Water and Science Administration's Environmental Assessment and Standards Program.

Ms. Valdez confirmed approval of the SEJ Form on February 29, 2024; see attached email. Additionally, MDE conducted a field walk of the Tier II Willoughby Beach mitigation planting location in May 2024 and were satisfied with the results of the planting.

If you have any questions regarding this submittal, please contact me directly at bwolfe3@mdta.state.md.us or 410-537-8200.

Sincerely,



Brian Wolfe, P.E.
Director of Project Development

Enclosures

cc: Joseph DaVia, USACE
Martha Stauss, MDNR
Erin Markel, JMT
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