



Project ¹	DNR ²		MHT		USFWS	
	Date Sought	Date Granted	Date Sought	Date Granted	Date Sought	Date Granted
Phase II I-95 Mainline	2/20/2019	5/6/2019	4/15/2019	5/22/2019	4/8/2019	6/10/2019
I-95 ITS and Sign Installation	4/16/2019	5/14/2019	4/15/2019	5/22/2019	4/11/2019	6/10/2019
MD 152 Park and Ride	1/30/2019	3/15/2019	4/15/2019	5/22/2019	4/8/2019	6/10/2019
MD 24/924 Park and Ride	1/30/2019	3/15/2019	4/15/2019	5/22/2019	4/8/2019	6/10/2019
Eccleston Mitigation Site	9/19/2017	ERP-10/6/2017 WHS-10/10/2017	9/19/2017	10/10/2017	4/23/2019	4/23/2019
Lilly Run Mitigation Site	3/13/2019	5/6/2019	4/15/2019	5/22/2019	3/20/2019	6/10/2019

¹ See the Project Summary portion of the enclosed USFWS Official Species Lists for detailed description of each project.

² MDTA utilized the online SHA/DNR Trilogy Letter Application which submits the project to the DNR Environmental Review Program (ERP) and the DNR Wildlife and Heritage Service (WHS) for joint review. The Eccleston Mitigation Site was not submitted through the application.



Coordination Sheet for MD DNR Environmental Review Related to Project Locations

Date of Request: February 20, 2019

Project Name and Location: I-95 Express Toll Lanes NB Extension- Phase II

The Maryland Transportation Authority (MDTA) is proposing the second implementation phase of the I-95 Section 200 Express Toll Lanes (ETL) Improvements in Baltimore and Harford Counties. Phase II will extend the two lane ETL facility in the northbound direction from the Phase I limits south of MD 152 to the Bynum Run Bridge north of MD 24. Associated work items will include reconstruction of two overpass structures at Clayton Road and Abingdon Road, reconstruction of the I-95 bridge over Winters Run, construction of four noise barriers, installation of Intelligent Transportation Systems (ITS) technology, and construction of stormwater management facilities. On-site mitigation activities such as tree planting and stream restoration may be included along the corridor.

The existing I-95/MD 152 interchange would be reconstructed as a diamond interchange, including ramps to the ETLs and General Purpose Lanes (GPL). Cul-de-sacs will be constructed to eliminate direct access from Old Mountain Road to I-95 and the existing Old Mountain Road Bridge over I-95 will be removed. New access from the Joppa-Magnolia Volunteer Fire Company to MD 152 would be constructed as part of the interchange reconstruction.

The I-95/MD 24 Interchange will be reconstructed as a combination partial cloverleaf/directional interchange, with a single loop in the southwest quadrant, and a two-lane loop ramp in the northeast quadrant. A braided ramp system along northbound MD 24 between I-95 and MD 924 will provide access to both MD 24 and MD 924 north of the interchange. Access ramps to the northbound and southbound ETLs would be constructed as part of this interim project; however, these ramps would remain closed until future phases of the project are constructed.

NAME OF STREAM(S) (and MDE Use Classification) WITHIN THE STUDY AREA:

Unnamed Tributaries to Little Gunpowder Falls (Use III)

Winters Run and Unnamed Tributaries (UTs) to Winters Run (Use I)

Haha Branch and UT to Haha Branch (Use I)

Bynum Run (Use III)

DNR RESPONSE:

√ Where presence of yellow perch has been documented in the vicinity of an instream project area, generally no instream work is permitted in Use I waters during the period of February 15 through June 15, inclusive, during any year. Due to existing conditions, DNR recommends that this time of year restriction be applied to the mapped project corridor in the Little Gunpowder Falls (Use III) and Bynum Run (Use III) watersheds for this project.

ADDITIONAL RESOURCES NOTES:

In perennial stream reaches in this general vicinity, communities of several warmwater fish species can typically be found. Maryland Biological Stream Survey (MBSS) stations on Winters Run document the following summary of findings for fish: American Eel, Blacknose Dace, Blue Ridge Sculpin, Bluegill, Bluntnose Minnow, Common Shiner, Creek Chubsucker, Creek Chub, Cutlip Minnow, Fallfish, Largemouth Bass, Margined Madtom, Northern Hogsucker, Pumpkinseed, Redbreast Sunfish, River Chub, Rosyface Shiner, Rosyside Dace, Satinfin Shiner, Smallmouth Bass, Swallowtail Shiner, Tessellated Darter, and White Sucker. A downstream MBSS station on Little Gunpowder Falls documents the following fish species: American Eel, Bluegill, Brown Bullhead, Creek Chubsucker, Creek Chub, Largemouth Bass, Longnose Dace, Northern Hogsucker, Pumpkinseed, Redbreast Sunfish, Redfin Pickerel, Tessellated Darter, and White Sucker. MBSS stations on Haha Branch document the following fish species: American Eel, Blacknose Dace, Bluegill, Brown Bullhead, Creek Chub, Fallfish, Green Sunfish, Largemouth Bass, Least Brook Lamprey, Mummichog, Pumpkinseed, Redbreast Sunfish, Rosyside Dace, and White Sucker. MBSS stations on Bynum Run document the following species: American Eel, Blacknose Dace, Blue Ridge Sculpin, Bluegill, Brown Bullhead, Common Shiner, Creek Chub, Cutlip Minnow, Eastern Silverside, Gizzard Shad, Largemouth Bass, Longnose Dace, Northern Hogsucker, Pumpkinseed, Redbreast Sunfish, River Chub, Satinfin Shiner, Sea Lamprey, Smallmouth Bass, Spottfin Shiner, Swallowtail Shiner, Tessellated Darter, White Perch, and White Sucker.

Anadromous fish species, including yellow perch, herring species and white perch have also been documented in the streams near this project corridor.

The Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time. Please let us know however if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation.

Otter Point Creek is designated as Tier II High Quality Waters downstream of this project area along Winters Run, demonstrating that both benthic and fish data for this stream segment is significantly higher than the standard. The project area is within the Tier II catchment. Any impacts to Otter Point Creek requiring a permit may trigger an antidegradation review.

In addition, our analysis of the information provided also suggests that the forested area on or adjacent to the project site contains Forest Interior Dwelling Bird habitat. Populations of many Forest Interior Dwelling Bird Species (FIDS) are declining in Maryland and throughout the eastern United States. The conservation of FIDS habitat is strongly encouraged by the Department of Natural Resources.

Important fisheries resources in this area include American Eel presence. American Eels migrate upstream through this region to smaller streams where they grow to adult stages. Some eels may reside within the project study area long term. Their spawning runs then take them back through this area as they migrate downstream as adults to a specific region of the Atlantic Ocean to spawn. Special attention has been given to American Eel management in recent years, due to their ecological and economic importance, and their declining numbers.

ADDITIONAL COMMENTS ON BMPS:

Stream crossings, including culvert pipes and instream riprap, should not result in the blockage of passage for aquatic life. At least one culvert should be depressed at least one foot below stream invert, and a low flow channel should be provided through riprap structures.

To minimize solar heating of surface waters, the Department of Natural Resources encourages that infiltration, vegetation, or other design elements that encourage temperature regulation be incorporated into stormwater facility designs located in Use III and Use IV watersheds.

To minimize impact to water quality, DNR requests that runoff from bridge scuppers be diverted and possibly treated to not directly enter the waterway

Existing riparian vegetation in the area of the stream channel should be preserved as much as possible to maintain aquatic habitat and provide shading to the stream. Areas designated for the access of equipment and for the removal or disposal of material should avoid impacts to the stream and associated riparian vegetation. Any temporarily disturbed areas should be restored and re-vegetated. The use of concrete or grouting required to conduct repairs should be managed to assure curing processes do not impact the stream or modify stream PH.

The project area may be within or adjacent to mapped wetland areas, impacts from the use of heavy equipment, disposal of excavated material, or other construction activities should be avoided to the extent possible. When there is no reasonable alternative to the adverse effects on wetlands or other aquatic or terrestrial habitat, the applicant shall be required to provide measures to mitigate, replace, or minimize the loss of habitat.

The fisheries resources in the above area should be adequately protected by the instream work restrictions referenced above, stringent sediment and erosion control methods, and other Best Management Practices typically used for protection of stream resources.

MD DNR, Environmental Review Program signature



Gwen Gibson

DATE: May 6, 2019



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

Coordination Sheet for MD DNR Environmental Review Related to Project Locations

Date of Request:
April 16, 2019

Project Name and Location:
MDTA Phase II I-95 Improvements ITS

The Maryland Transportation Authority (MDTA) is proposing the second implementation phase of the I-95 Section 200 Express Toll Lanes Improvements in Baltimore and Harford Counties. As part of phase II of this project, the MDTA is proposing to install Intelligent Transportation Systems (ITS) equipment. Work items may include trenching for installation of fiberoptic lines and construction of foundations of dynamic message signs. Multiple locations as shown in attached shapefile.

NAME OF STREAM(S) (and MDE Use Classification) WITHIN THE STUDY AREA:

Little Gunpowder Falls (Use IV)
Unnamed Tributaries to Little Gunpowder Falls (Use I & III)
Winters Run and Unnamed Tributaries (UTs) to Winters Run (Use I)
Bynum Run (Use III)
James Run (Use I)

DNR RESPONSE:

√ Where presence of yellow perch has been documented in the vicinity of an instream project area, generally no instream work is permitted in Use I waters during the period of February 15 through June 15, inclusive, during any year. Due to existing conditions, DNR recommends that this time of year restriction be applied to the mapped project corridor in the Little Gunpowder Falls watershed (Use III & IV) and Bynum Run (Use III) watersheds for this project.

ADDITIONAL RESOURCES NOTES:

In perennial stream reaches in this general vicinity, communities of several warmwater fish species can typically be found. Maryland Biological Stream Survey (MBSS) stations on Winters Run document the following summary of findings for fish: American Eel, Blacknose Dace, Blue Ridge Sculpin, Bluegill, Bluntnose Minnow, Common Shiner, Creek Chubsucker, Creek Chub, Cutlip Minnow, Fallfish, Largemouth Bass, Margined Madtom, Northern Hogsucker, Pumpkinseed, Redbreast Sunfish, River Chub, Rosyface Shiner, Rosyside Dace, Satinfish Shiner, Smallmouth Bass, Swallowtail Shiner, Tessellated Darter, and White Sucker. A downstream MBSS station on Little Gunpowder Falls documents the following fish species: American Eel, Bluegill, Brown Bullhead, Creek Chubsucker, Creek Chub, Largemouth Bass, Longnose Dace, Northern Hogsucker, Pumpkinseed, Redbreast Sunfish, Redfin Pickerel, Tessellated Darter, and White Sucker. MBSS stations on

Bynum Run document the following species: American Eel, Blacknose Dace, Blue Ridge Sculpin, Bluegill, Brown Bullhead, Common Shiner, Creek Chub, Cutlip Minnow, Eastern Silverside, Gizzard Shad, Largemouth Bass, Longnose Dace, Northern Hogsucker, Pumpkinseed, Redbreast Sunfish, River Chub, Satinfin Shiner, Sea Lamprey, Smallmouth Bass, Spotfin Shiner, Swallowtail Shiner, Tessellated Darter, White Perch, and White Sucker. MBSS stations on James Run document the following fish species: American Eel, Banded Killifish, Blacknose Dace, Blue Ridge Sculpin, Bluegill, Brown Bullhead, Common Shiner, Creek Chubsucker, Creek Chub, Cutlip Minnow, Eastern Mosquitofish, Eastern Silverside, Green Sunfish, Largemouth Bass, Longnose Dace, Margined Madtom, Northern Hogsucker, Pumpkinseed, Redbreast Sunfish, Redfin Pickerel, River Chub, Rosyside Dace, Satinfin Shiner, Sea Lamprey, Smallmouth Bass, Spotfin Shiner, Swallowtail Shiner, Tessellated Darter, White Sucker, and Yellow Bullhead.

Anadromous fish species, including yellow perch, herring species and white perch have also been documented in the streams near this project corridor.

The Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time. Please let us know however if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation.

Otter Point Creek is designated as Tier II High Quality Waters downstream of this project area along Winters Run, demonstrating that both benthic and fish data for this stream segment is significantly higher than the standard. The project area is within the Tier II catchment. Any impacts to Otter Point Creek requiring a permit may trigger an antidegradation review.

In addition, our analysis of the information provided also suggests that the forested area on or adjacent to the project site contains Forest Interior Dwelling Bird habitat. Populations of many Forest Interior Dwelling Bird Species (FIDS) are declining in Maryland and throughout the eastern United States. The conservation of FIDS habitat is strongly encouraged by the Department of Natural Resources.

Important fisheries resources in this area include American Eel presence. American Eels migrate upstream through this region to smaller streams where they grow to adult stages. Some eels may reside within the project study area long term. Their spawning runs then take them back through this area as they migrate downstream as adults to a specific region of the Atlantic Ocean to spawn. Special attention has been given to American Eel management in recent years, due to their ecological and economic importance, and their declining numbers.

ADDITIONAL COMMENTS ON BMPS:

The project should be designed to maintain or enhance fish passage through the project area, particularly during low flow periods.

Existing riparian vegetation in the area of the stream channel should be preserved as much as possible to maintain aquatic habitat and provide shading to the stream. Areas designated for the access of equipment and for the removal or disposal of material should avoid impacts to the stream and associated riparian vegetation. Any temporarily disturbed areas should be restored and re-vegetated. The use of concrete or grouting required to conduct repairs should be managed to assure curing processes do not impact the stream or modify stream PH.

The project area may be within or adjacent to mapped wetland areas, impacts from the use of heavy equipment, disposal of excavated material, or other construction activities should be avoided to the extent possible. When

there is no reasonable alternative to the adverse effects on wetlands or other aquatic or terrestrial habitat, the applicant shall be required to provide measures to mitigate, replace, or minimize the loss of habitat.

The fisheries resources in the above area should be adequately protected by the instream work restrictions referenced above, stringent sediment and erosion control methods, and other Best Management Practices typically used for protection of stream resources.

MD DNR, Environmental Review Program signature



Gwen Gibson

DATE: May 14, 2019



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Joanne Throwe, Deputy Secretary

Coordination Sheet for MD DNR Environmental Review Related to Project Locations

Date of Request:
January 30, 2019

Project Name and Location:
MDTA I-95 ETL NB Extension- Phase II- Franklinville P&R

The Maryland Transportation Authority (MDTA) is proposing the second implementation phase of the I-95 Section 200 Express Toll Lanes (ETL) Northbound Extension project. Phase II includes the reconstruction of the I-95/ MD 152 Interchange. To accommodate the new design of the MD 152 interchange, the existing Park and Ride within the interchange must be relocated. MDTA is proposing to construct a new 250-300 space Park and Ride on the northeast corner of a large parcel along Franklinville Road. The approximate Park and Ride limits are shown in white on the attached picture. The entrance of the Park and Ride would be located across from the Royal Farms. Work would consist of clearing and grubbing the site, construction of the park and ride, and construction of associated stormwater management facilities. The remainder of the site may be acquired by MDTA for mitigation/restoration purposes, although no clear plans have been made at this time.

NAME OF STREAM(S) (and MDE Use Classification) WITHIN THE STUDY AREA:
Unnamed Tributary to Little Gunpowder Falls (Use III)

DNR RESPONSE:

√ Generally, no instream work is permitted in Use III streams during the period of October 1 through April 30, inclusive, during any year.

ADDITIONAL RESOURCES NOTES:

Depending on their flow regime, some larger flowing ditches which transition into headwater streams may support one or several species of small warmwater fish at times. In perennial stream reaches in this general vicinity, communities of several warmwater fish species can typically be found. A nearby Maryland Biological Stream Survey (MBSS) station documents the following summary of findings for warmwater fish: American Eel, Bluegill, Brown Bullhead, Creek Chubsucker, Creek Chub, Largemouth Bass, Longnose Dace, Northern Hogfish, Pumpkinseed, Redbreast Sunfish, Redfin Pickerel, Tessellated Darter, and White Sucker.

Brook Trout and Brown Trout have been documented in the Little Gunpowder watershed. Brook Trout are a high priority species for protection and restoration because of widespread declines (e.g. water temp, habitat degradation, competition from exotics) throughout its native range. Brown Trout have also been documented in the vicinity of the study area. So while not federal or state listed, DNR recommends conservation measures to avoid and minimize trout impacts, and may be unlikely to grant waivers to stream closures.

Important fisheries resources in this area include American Eel presence. American Eels migrate upstream through this region to smaller streams where they grow to adult stages. Some eels may reside within the project study area long term. Their spawning runs then take them back through this area as they migrate downstream as adults to a specific region of the Atlantic Ocean to spawn. Special attention has been given to American Eel management in recent years, due to their ecological and economic importance, and their declining numbers.

The Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time. Please let us know however if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation.

In addition, our analysis of the information provided also suggests that the forested area on or adjacent to the project site contains Forest Interior Dwelling Bird habitat. Populations of many Forest Interior Dwelling Bird Species (FIDS) are declining in Maryland and throughout the eastern United States. The conservation of FIDS habitat is strongly encouraged by the Department of Natural Resources.

ADDITIONAL COMMENTS ON BMPS:

To minimize solar heating of surface waters, the Department of Natural Resources encourages that infiltration, vegetation, or other design elements that encourage temperature regulation be incorporated into stormwater facility designs located in Use III and Use IV watersheds.

Existing riparian vegetation in the area of the stream channel should be preserved as much as possible to maintain aquatic habitat and provide shading to the stream. Areas designated for the access of equipment and for the removal or disposal of material should avoid impacts to the stream and associated riparian vegetation. Any temporarily disturbed areas should be restored and re-vegetated. The use of concrete or grouting required to conduct repairs should be managed to assure curing processes do not impact the stream or modify stream PH.

The project should be designed to maintain or enhance fish passage through the project area, particularly during low flow periods.

For projects when there is no reasonable alternative to the adverse effects on nontidal wetlands or other aquatic or terrestrial habitat, the applicant shall be required to provide measures to mitigate, replace, or minimize the loss of habitat.

The fisheries resources in the above area should be adequately protected by the instream work restrictions referenced above, stringent sediment and erosion control methods, and other Best Management Practices typically used for protection of stream resources.

MD DNR, Environmental Review Program signature



Gwen Gibson

DATE: March 15, 2019



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Acting Secretary
Joanne Throwe, Deputy Secretary

Coordination Sheet for MD DNR Environmental Review Related to Project Locations

Date of Request:
January 30, 2019

Project Name and Location:
I-95 ETL NB Extension- Phase II- MD 24 P&R

The Maryland Transportation Authority (MDTA) is proposing the second implementation phase of the I-95 Section 200 Express Toll Lanes Improvements in Baltimore and Harford Counties. As part of phase II of this project, the MDTA is proposing to construct a new park and ride at the intersection of MD 24/MD 924. Work will consist of construction of a new park and ride lot and construction of associated stormwater management facilities.

NAME OF STREAM(S) (and MDE Use Classification) WITHIN THE STUDY AREA:
Unnamed Tributary to Winters Run (Use I)

DNR RESPONSE:

√ Generally, no instream work is permitted in Use I streams during the period of March 1 through June 15, inclusive, during any year.

ADDITIONAL RESOURCES NOTES:

In perennial stream reaches in this general vicinity, communities of several warmwater fish species can typically be found. A nearby Maryland Biological Stream Survey (MBSS) station documents the following summary of findings for fish: American Eel, Blue Ridge Sculpin, Bluegill, Bluntnose Minnow, Common Shiner, Creek Chubsucker, Creek Chub, Cutlip Minnow, Fallfish, Largemouth Bass, Margined Madtom, Northern Hogsucker, Pumpkinseed, Redbreast Sunfish, River chub, Satinfish Shiner, Swallowtail Shiner, Tessellated Darter, and White Sucker. The mussel, Eastern Elliptio (*Elliptio complanata*), has also been documented near the project site.

Otter Point Creek is designated as Tier II High Quality Waters downstream of this project area, demonstrating that both benthic and fish data for this stream segment is significantly higher than the standard. The project area is within the Tier II catchment. Any impacts to Otter Point Creek requiring a permit may trigger an antidegradation review.

Important fisheries resources in this area include American Eel presence. American Eels migrate upstream through this region to smaller streams where they grow to adult stages. Some eels may reside within the project study area long term. Their spawning runs then take them back through this area as they migrate downstream as adults to a specific region of the Atlantic Ocean to spawn. Special attention has been given to American Eel management in recent years, due to their ecological and economic importance, and their declining numbers.

The Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time. Please let us know however if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation.

ADDITIONAL COMMENTS ON BMPS:

Existing riparian vegetation in the area of the stream channel should be preserved as much as possible to maintain aquatic habitat and provide shading to the stream. Areas designated for the access of equipment and for the removal or disposal of material should avoid impacts to the stream and associated riparian vegetation. Any temporarily disturbed areas should be restored and re-vegetated. The use of concrete or grouting required to conduct repairs should be managed to assure curing processes do not impact the stream or modify stream PH.

The project should be designed to maintain or enhance fish passage through the project area, particularly during low flow periods.

For projects when there is no reasonable alternative to the adverse effects on nontidal wetlands or other aquatic or terrestrial habitat, the applicant shall be required to provide measures to mitigate, replace, or minimize the loss of habitat.

The fisheries resources in the above area should be adequately protected by the instream work restrictions referenced above, stringent sediment and erosion control methods, and other Best Management Practices typically used for protection of stream resources.

MD DNR, Environmental Review Program signature



Gwen Gibson

DATE: March 15, 2019



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Mark Belton, Secretary
Joanne Throwe, Deputy Secretary

18-MIS-054

October 6th, 2017

Erin Markel
JMT
40 Wright Avenue
Hunt Valley, MD 21030

Subject: Fisheries Information for the Eccleston Stream and Wetland Restoration Site, Baltimore County, JMT Job No. 17-10977

Dear Ms. Markel;

The above referenced project has been reviewed to determine fisheries species near the proposed project. The proposed activities include stream and wetland restoration efforts along parts of Jones Falls and its tributaries in Baltimore County, MD.

The project will take place within Jones Falls which is classified as a Use III stream (supports growth and propagation of trout). In general, no work is allowed within Use III stream between October 1st and April 30th to protect spawning trout. The applicant is encouraged to strictly adhere to the approved sediment and erosion control plan to prevent sediment laden runoff from entering the stream during construction.

DNR has documented resident fish species from Jones Falls and its nearby tributaries by our Maryland Biological Stream Survey. MBSS data can be accessed via the MDDNR web page at <http://streamhealth.maryland.gov>, allowing access to resource surveys.

If you have any further questions, please feel free to contact me at 410 260-8736.

Sincerely;

A handwritten signature in cursive script that reads "Christopher Aadland".

Christopher Aadland
Environmental Review Program



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Mark Belton, Secretary
Joanne Throwe, Deputy Secretary

October 10, 2017

Ms. Erin Markel
Johnson, Mirmiran & Thompson, Inc.
40 Wight Avenue
Hunt Valley, MD 21030

**RE: Environmental Review for Eccleston Stream and Wetland Restoration Site, JMT Job No. 17-10977,
Jones Falls and tributaries, Baltimore County, Maryland.**

Dear Ms. Markel:

The Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time. Please let us know however if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER# 2017.1492.ba



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

Coordination Sheet for MD DNR Environmental Review Related to Project Locations

Date of Request:
March 13, 2019

Project Name and Location: MDTA Phase II I-95 Improvements Lilly Run Site

The Maryland Transportation Authority (MDTA) is proposing the second implementation phase of the I-95 Section 200 Express Toll Lanes Improvements in Baltimore and Harford Counties. MDTA will be implementing stream restoration practices to enhance overall water quality and stream stability. Practices to be implemented include, but are not limited to, reconfiguration of horizontal and vertical profiles of existing stream channels using natural channel design techniques, bank stabilization, as well as conversion of concrete lined channels to more naturalized systems. Wetland creation may be implemented in addition. Implementation of these practices will require disturbance to active stream channels, however, the end result will be improvements to water quality.

This letter addresses the Lilly Run Mitigation Site.

NAME OF STREAM(S) (and MDE Use Classification) WITHIN THE STUDY AREA:
Unnamed Tributary to Chesapeake Bay

DNR RESPONSE:

√ Generally, no instream work is permitted in Use I streams during the period of March 1 through June 15, inclusive, during any year.

ADDITIONAL RESOURCES NOTES:

Anadromous fish species, including yellow perch, herring species and white perch have been documented near this project site. No MBSS sites are located near the project and therefore no anadromous fish species have been documented near the project site. However, these streams do support many resident fish species documented in other locations.

The Wildlife and Heritage Service has determined that there are no official State or Federal records for listed plant or animal species within the delineated area shown on the map provided. As a result, we have no specific concerns regarding potential impacts or recommendations for protection measures at this time. Please let us know however if the limits of proposed disturbance or overall site boundaries change and we will provide you with an updated evaluation.

In addition, our analysis of the information provided also suggests that the forested area on or adjacent to the project site contains Forest Interior Dwelling Bird habitat. Populations of many Forest Interior Dwelling Bird Species (FIDS) are declining in Maryland and throughout the eastern United States. The conservation of FIDS habitat is strongly encouraged by the Department of Natural Resources.

ADDITIONAL COMMENTS ON BMPS:

Existing riparian vegetation in the area of the stream channel should be preserved as much as possible to maintain aquatic habitat and provide shading to the stream. Areas designated for the access of equipment and for the removal or disposal of material should avoid impacts to the stream and associated riparian vegetation. Any temporarily disturbed areas should be restored and re-vegetated. The use of concrete or grouting required to conduct repairs should be managed to assure curing processes do not impact the stream or modify stream PH.

The project should be designed to maintain or enhance fish passage through the project area, particularly during low flow periods.

For projects when there is no reasonable alternative to the adverse effects on nontidal wetlands or other aquatic or terrestrial habitat, the applicant shall be required to provide measures to mitigate, replace, or minimize the loss of habitat.

The fisheries resources in the above area should be adequately protected by the instream work restrictions referenced above, stringent sediment and erosion control methods, and other Best Management Practices typically used for protection of stream resources.

MD DNR, Environmental Review Program signature



Gwen Gibson

DATE: May 6, 2019



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor

Robert S. McCord, Secretary
Sandy Schrader, Deputy Secretary

May 22, 2019

Carl Chamberlin, Project Manager
Division of Planning and Program Management
Maryland Transportation Authority
2310 Broening Highway
Baltimore, MD 21224

Re: I-95: Express Toll Lanes (ETLs) Northbound Extension – Phase II
Harford County, MD
Historic Preservation Review

Dear Mr. Chamberlin:

Thank you for your recent letter, dated April 12, 2019 and received by the Maryland Historical Trust (Trust) on April 15, 2019, concerning the above-referenced undertaking.

The letter provided the Trust with an update on project status, design modifications, and associated off-site environmental mitigation actions being undertaken by the Maryland Transportation Authority (MDTA) as part of phased implementation of the Selected Alternative in the *Section 200: I-95 from North of MD 43 to North of MD 22* planning study. The Trust reviewed the submitted information pursuant to Section 106 of the National Historic Preservation Act and the Maryland Historical Trust Act of 1985. We offer the following comments and await further consultation with MDTA to complete the historic preservation review of the off-site environmental mitigation areas.

I-95 Mainline Improvements for Phase II: The Phase II undertaking encompasses mainline improvements along northbound I-95 from south of the MD 152 interchange to the Bynum Run Bridge. The work includes overpass reconstruction at Clayton Road and Abingdon Road, interchange improvements at I-95/MD 152 and I-95/MD 24, installation of noise walls, construction of an auxiliary lane south of MD 24 (Winters Run Bridge), and installation of Intelligent Transportation Systems. Based on the information provided in the submittal, the Trust concurs with MDTA's assessment that the determination of *no adverse effect* on historic properties made during the planning study remains valid for the current Phase II mainline improvements undertaking.

MD 24/MD 924 Park and Ride Facility: The original planning study included a proposed park and ride facility at MD 24/MD 924. The MDTA recently completed the evaluation of the structure located at 3518 Woodsdale Road, Abingdon, which had crossed the 50-year age threshold since the planning study's original Section 106 consultation. The Trust concurs that this resource is not eligible for inclusion in the National Register of Historic Places. Further cultural resources investigations are not warranted for this proposed facility.

Relocated I-95/MD 152 Park and Ride at Franklinton Road: The Selected Alternative also included construction of a replacement park and ride facility at the I-95/MD 152 interchange and MDTA is currently considering an alternative location for that facility. The MDTA conducted Phase I archeological survey and architectural Determinations of Eligibility (DOEs) for seven structures located within the revised area of potential effect for the relocated park and ride facility. Trust staff reviewed the submitted DOEs and the following report, prepared by Dovetail Cultural Resource Group: *Phase I Archeological Survey and Architectural Determinations of Eligibility for*

the Franklinville Park and Ride Project, Harford County, Maryland (McCloskey et al. 2019). The survey did not identify any archeological resources within the project area. The Trust concurs with MDTA's evaluation that the seven architectural resources do not meet the criteria for eligibility in the National Register of Historic Places.

Off-Site Environmental Mitigation: The MDTA is currently considering three off-site mitigation areas to fulfill various environmental requirements. These areas are located outside of the original area of potential effect addressed during the planning study. Two of the three areas may have the potential to affect archeological resources and will require further consultation to make an informed assessment of possible impacts, as discussed below.

- **Raphel Farm/Former Rutkowski Property/Raphel Road Planting Site:** The MDTA proposes a reforestation project at its MDTA-owned property located at 11211 Raphel Road in Baltimore County. The MDTA has completed various studies of this property's cultural resources. The Raphel Farm (BA-3245) as an architectural resource was determined ineligible for the National Register of Historic Places in 2011. Phase I archeological survey identified the property's archeological resources and MDTA is currently completing Phase II evaluation of archeological site 18BA612 to assess its National Register eligibility. The Trust awaits the results of that effort for review and comment and further consultation to complete the historic preservation review of this proposed reforestation site.
- **Lilly Run Wetland and Stream Mitigation:** The MDTA is considering a wetland creation/enhancement and stream restoration along 2,500 linear feet of Lilly Run on the west side of Havre de Grace, Maryland. The Trust agrees with MDTA that there are no historic properties located within the area of potential effects and we believe the area has a low potential for containing National Register-eligible archeological resources. Further cultural resources investigations are not warranted for this proposed action as currently planned.
- **Piney Run/Sykesville Wetland and Stream Mitigation:** The third off-site mitigation area entails wetland creation/enhancement and stream restoration along Piney Run on state-owned property extending from Buttercup Road to the eastern property line. Although there are numerous inventoried architectural resources located in the project vicinity, the proposed work is not likely to impact those resources. Further architectural identification and evaluation efforts are not necessary for this action.

The project area has the potential to contain prehistoric and historic archeological resources that have not yet been identified. The Maryland State Highway Administration recently completed Phase I archeological survey of segments of Piney Run during planning for its own stream restoration project, documented in the following report *Piney Run Stream Restoration Phase I Archaeological Survey, Carroll County, MD* (Koziarski 2018). The 2018 survey included the section of Piney Run situated on the east side of Slack Road but did not examine the segment of Piney Run extending from Slack Road to Buttercup Road. Portions of this segment of Piney Run were encompassed in a 1996 archeological study (Ballweber 1996) in advance of construction of the driver training facility, but that survey did not include any field investigations along Piney Run.

The Trust recommends that MDTA complete a Phase I archeological survey of the section of the project area located between Slack Road and Buttercup Road, in order to identify and evaluate any archeological resources that may be impacted by the project. The survey should be performed by a qualified professional archeologist and conducted in accordance with the *Standards and Guidelines for Archeological Investigations in Maryland*

(Shaffer and Cole 1994). Based upon the survey results, we will be able to determine whether the project will affect significant archeological resources and make appropriate recommendations regarding measures to avoid, reduce, or mitigate any effects. Since the project area is located on state-owned property, MDTA will need to obtain a terrestrial archeology permit from the Trust. For further assistance with the permit process, please contact Charles Hall at 410-967-9552 / charles.hall@maryland.gov.

We look forward to ongoing coordination with MdTA to complete the historic preservation review of the project's off-site environmental mitigation activities, as planning proceeds. If you have questions or need further assistance, please contact Tim Tamburrino at tim.tamburrino@maryland.gov or me at beth.cole@maryland.gov or 410-697-9541. Thank you for providing us this opportunity to comment.

Sincerely,



Beth Cole
Administrator, Project Review and Compliance

BC/201901872

cc: Jennifer Rohrer (via email / jrohrer1@mdta.state.md.us)
Jeanette Marr (FHWA)
Charles Hall (MHT)

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COE
DLH



September 19, 2017

Maryland Historical Trust
Division of Historical and Cultural Programs
100 Community Place
Crownsville, MD 21032-2023

RECEIVED
SEP 23 2017

BY: _____

Attn: Ms. Beth Cole
Administrator, Review and Compliance

RE: Eccleston Stream and Wetland Restoration Site
Baltimore County, Maryland
JMT Job No. 17-10977

Dear Ms. Cole,

JMT is proposing stream and wetland restoration efforts along parts of Jones Falls and its tributaries in Baltimore County, MD.

Please accept this correspondence as a request for an evaluation of the study area for the presence of any historical sites, archeological sites or unique features. Following your review, we would appreciate an opinion as to whether an archeological investigation is warranted. We look forward to the receipt of your findings and appreciate your assistance with this matter. If additional information is required, please do not hesitate to contact me at (443) 212-7143 or emarkel@jmt.com.

Very truly yours,

JOHNSON, MIRMIRAN & THOMPSON, INC.

Erin R. Markel

Erin Markel
Environmental Scientist

Cc: Chandler Denison, Associate, JMT

Enclosures

The Maryland Historical Trust has determined that this undertaking will have no adverse effect on historic properties.
Doris Henry Date 10/10/17



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, Maryland 21401
<http://www.fws.gov/chesapeakebay>

June 10, 2019

Erica Adamski
Environmental Specialist
The Wilson T. Ballard Company
17 Gwynns Mill Court
Owings Mills, Maryland 21117

Re: Maryland Transportation Authority (MDTA) I-95 Express Toll Lane Northbound Extension Phase II Project with Associated Park and Ride Sites, Stream Mitigation Sites and Planting Sites in Harford, Baltimore and Carroll Counties in Maryland

Dear Ms. Adamski:

The U.S. Fish and Wildlife Service (Service) has reviewed all of the project information that you sent to us via email on April 17, 2019 regarding the I-95 Express Toll Lane Northbound Extension Phase II. The comments provided below are in accordance with Section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

For this proposed project, the Service concurs with the Determination Key to the Northern Long-eared Bat (NLEB) 4(d) Rule for federal actions that may affect NLEB that MDTA completed. We also concur with the MDTA's determination that Phase II I-95 Improvements Mainline, Phase II I-95 Intelligent Transportation Systems, Phase II I-95 Improvements MD 152 Park and Ride, Phase II I-95 Improvements MD 24 Park and Ride, Phase II I-95 Improvements Izaak Walton Stream Mitigation Site, Phase II I-95 Improvements Lilly Run Mitigation Site, Phase II I-95 Improvements Sykesville Stream Mitigation Site, Phase II I-95 Improvements Winters Run Stream Mitigation Site and Phase II I-95 Improvements Planting Sites are all excepted from NLEB incidental take prohibitions.

According to the final 4(d) rule for the northern long-eared bat, in areas of the country impacted by white-nose syndrome (these areas include Maryland), incidental take is prohibited if tree removal activities occur within a quarter-mile of a hibernaculum or from activities that cut down or destroy known, occupied maternity roost trees, or any other trees within 150 feet of that maternity roost tree, during the pup-rearing season which is June 1 through July 31 (Federal Register Vol. 81, 2016). This project as proposed is exempt under the 4(d) rule because no NLEB hibernaculum or maternity roost trees are located within the proposed project areas. This project as proposed is "not likely to adversely affect" the northern long-eared bat because these proposed projects have forest clearing activities that are exempted under the 4(d) rule.

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IN AMERICA** 

In the Determination Key there is reference to Section 7(a)(1) of the Endangered Species Act (Act) which directs Federal agencies, in consultation with the Service to make use of their authorities to further the purposes of the Act by carrying out conservation programs for the benefit of endangered and threatened species.

Conservation recommendations are discretionary federal agency activities intended to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, to help implement recovery plans, or to develop information. The Service developed the following conservation measures for all Federal agencies to consider if their actions may affect the NLEB:

1. Perform NLEB surveys according to the most recent Range-wide Indiana Bat/NLEB Summer Survey Guidelines. Benefits from agencies voluntarily performing NLEB surveys include:

a. Surveys will help federal agencies meet their responsibilities under section 7(a)(1) of the Act. The Service and partners will use the survey data to better understand habitat use and distribution of NLEB's, track the status of the species, evaluate threats and impacts, and develop effective conservation and recovery actions. Active participation of federal agencies in survey efforts will lead to a more effective conservation strategy for the NLEB.

b. Should the Service reclassify the species as endangered in the future, an agency with a good understanding of how the species uses habitat based on surveys within its action areas could inform greater flexibility under section 7(a)(2) of the Act. Such information could facilitate an expedited consultation and incidental take statement that may, for example, exempt taking associated with tree removal during the active season, but outside of the pup season, in known occupied habitat.

If MDTA is interested in conducting surveys to help carry out conservation of the NLEB under Section 7(a)(1) of the Endangered species Act, our office would be happy to discuss this further.

We appreciate the opportunity to provide information relevant to threatened and endangered fish and wildlife resources. If you have any questions or concerns regarding this letter, please contact Trevor Clark of my Endangered Species staff at (410) 573-4527 or by email at Trevor_Clark@fws.gov.

Sincerely,



Genevieve LaRouche
Field Supervisor



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127

<http://www.fws.gov/chesapeakebay/>
<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

In Reply Refer To:

April 08, 2019

Consultation Code: 05E2CB00-2019-SLI-0816

Event Code: 05E2CB00-2019-E-02772

Project Name: MDTA Phase II I-95 Improvements Mainline

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2019-SLI-0816

Event Code: 05E2CB00-2019-E-02772

Project Name: MDTA Phase II I-95 Improvements Mainline

Project Type: TRANSPORTATION

Project Description: The Maryland Transportation Authority (MDTA) is proposing the second implementation phase of the I-95 Section 200 Express Toll Lanes Improvements in Baltimore and Harford Counties. As part of phase II of this project, the MDTA is proposing to extend the two Express Toll Lanes (ETL) in the northbound direction, construct four noise walls, park and ride facilities, improve two interchanges (MD 152 and MD 24), reconstruct two overpass structures (Clayton Road and Abingdon Road), and one mainline structure (Winters Run Bridge). Work items will also include installation of Intelligent Transportation Systems (ITS) technology, roadway resurfacing and restriping, and construction of associated stormwater management facilities.

The I-95/MD 152 Interchange will be reconstructed as a diamond interchange, including ramps to the ETL and GPL. Two through lanes in each direction will generally be provided on MD 152, with additional turn lanes and the interchange ramps. Cul-de-sacs will be constructed on Old Mountain Road to eliminate direct access from Old Mountain Road and Old Mountain Road Bridge over I-95 will be removed. The Joppa-Magnolia Volunteer Fire Company is located on Old Mountain Road adjacent to the interchange, to mitigate the elimination of this direct connection another connection from the Fire Company to MD 152 is proposed.

The I-95/MD 24 Interchange will be reconstructed as a combination partial cloverleaf/directional interchange, with a single loop in the southwest quadrant, and a two-lane loop ramp in the northeast quadrant. A braided ramp system along northbound MD 24 between I-95 and MD 924 will provide access to both MD 24 and MD 924 north of the interchange. The interchange includes median ETL ramp access to northbound and southbound. Three through lanes in each direction would generally be provided on MD 24, with additional turn lanes at the interchange ramps.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.45956987669667N76.30407460918828W>



Counties: Harford, MD

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Federal agencies may finish consultation with the NLEB 4(d) Rule Consultation Form at https://www.fws.gov/chesapeakebay/pdf/StreamlinedConsultationForm29Feb2016.pdf for projects with tree clearing = to or > 15 acres; send to Trevor_Clark@fws.gov Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- [PEM5A](#)

FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1A](#)
- [PFO1/EM5A](#)

FRESHWATER POND

- [PUBHx](#)

RIVERINE

- [R4SBC](#)
 - [R5UBH](#)
 - [R2UBH](#)
-



United States Department of the Interior



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Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127

<http://www.fws.gov/chesapeakebay/>
<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

In Reply Refer To:

April 11, 2019

Consultation Code: 05E2CB00-2019-SLI-1195

Event Code: 05E2CB00-2019-E-02888

Project Name: MDTA Phase II I-95 Improvements Intelligent Transportation Systems

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2019-SLI-1195

Event Code: 05E2CB00-2019-E-02888

Project Name: MDTA Phase II I-95 Improvements Intelligent Transportation Systems

Project Type: TRANSPORTATION

Project Description: The Maryland Transportation Authority (MDTA) is proposing the second implementation phase of the I-95 Section 200 Express Toll Lanes Improvements in Baltimore and Harford Counties. As part of phase II of this project, the MDTA is proposing to install Intelligent Transportation Systems (ITS) equipment. Work items may include trenching for installation of fiberoptic lines and construction of foundations of dynamic message signs.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.462866884750355N76.31349505082929W>



Counties: Baltimore, MD | Harford, MD

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> Projects with a federal nexus that have tree clearing = to or > 15 acres: 1. REQUEST A SPECIES LIST 2. NEXT STEP: EVALUATE DETERMINATION KEYS 3. SELECT EVALUATE under the Northern Long-Eared Bat (NLEB) Consultation and 4(d) Rule Consistency key Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- [R2UBH](#)
 - [R1UBV](#)
-



United States Department of the Interior



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Annapolis, MD 21401-7307
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<http://www.fws.gov/chesapeakebay/>
<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

In Reply Refer To:

April 08, 2019

Consultation Code: 05E2CB00-2019-SLI-0809

Event Code: 05E2CB00-2019-E-02766

Project Name: MDTA Phase II I-95 Improvements MD 152 Park and Ride

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Wetlands
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2019-SLI-0809

Event Code: 05E2CB00-2019-E-02766

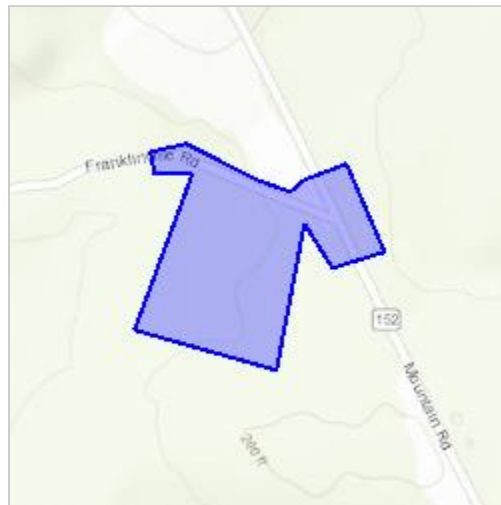
Project Name: MDTA Phase II I-95 Improvements MD 152 Park and Ride

Project Type: TRANSPORTATION

Project Description: The Maryland Transportation Authority (MDTA) is proposing the second implementation phase of the I-95 Section 200 Express Toll Lanes Improvements in Baltimore and Harford Counties. As part of phase II of this project, the MDTA is proposing to construct a new park and ride in the southeast quadrant of the intersection of Franklinville Road and MD 152, north of I-95. Work will consist of construction of a new park and ride lot and construction of associated stormwater management facilities. The proposed lot will consist of approximately 250-300 spaces.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.44991363042132N76.35593444391347W>



Counties: Harford, MD

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Federal agencies may finish consultation with the NLEB 4(d) Rule Consultation Form at https://www.fws.gov/chesapeakebay/pdf/StreamlinedConsultationForm29Feb2016.pdf for projects with tree clearing = to or > 15 acres; send to Trevor_Clark@fws.gov Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1E](#)
-



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
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<http://www.fws.gov/chesapeakebay/>
<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

In Reply Refer To:

April 08, 2019

Consultation Code: 05E2CB00-2019-SLI-0810

Event Code: 05E2CB00-2019-E-02769

Project Name: MDTA Phase II I-95 Improvements MD 24 Park and Ride

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

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Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
 - USFWS National Wildlife Refuges and Fish Hatcheries
 - Wetlands
-

Official Species List

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This species list is provided by:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2019-SLI-0810

Event Code: 05E2CB00-2019-E-02769

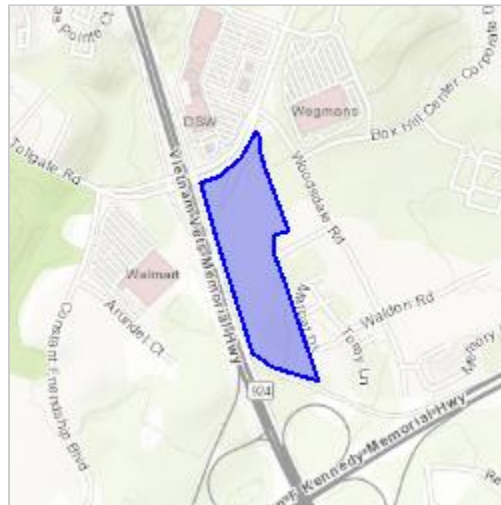
Project Name: MDTA Phase II I-95 Improvements MD 24 Park and Ride

Project Type: TRANSPORTATION

Project Description: The Maryland Transportation Authority (MDTA) is proposing the second implementation phase of the I-95 Section 200 Express Toll Lanes Improvements in Baltimore and Harford Counties. As part of phase II of this project, the MDTA is proposing to construct a new park and ride in the southeast quadrant of the MD 24 and MD 924 intersection. Work will consist of construction of a new park and ride lot, construction of associated stormwater management facilities, and site improvements. Site improvements would include a right-in right-out only access from MD 924, and an access drive on Woodsdale Road south of the existing roundabout at Box Hill Corporate Center Drive. The proposed lot will consist of approximately 250-300 spaces.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.46268725180697N76.3117155797255W>



Counties: Harford, MD

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

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Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Federal agencies may finish consultation with the NLEB 4(d) Rule Consultation Form at https://www.fws.gov/chesapeakebay/pdf/StreamlinedConsultationForm29Feb2016.pdf for projects with tree clearing = to or > 15 acres; send to Trevor_Clark@fws.gov Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

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THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

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For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER EMERGENT WETLAND

- [PEM1Ch](#)
- [PEM1Fx](#)

FRESHWATER POND

- [PUBHx](#)
-



United States Department of the Interior

U.S. Fish & Wildlife Service
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401
410/573 4575



Online Certification Letter

Today's date:

Project:

Dear Applicant for online certification:

Thank you for using the U.S. Fish and Wildlife Service (Service) Chesapeake Bay Field Office online project review process. By printing this letter in conjunction with your project review package, you are certifying that you have completed the online project review process for the referenced project in accordance with all instructions provided, using the best available information to reach your conclusions. This letter, and the enclosed project review package, completes the review of your project in accordance with the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C. 4321-4347, 83 Stat. 852), as amended. A copy of this letter and the project review package must be submitted to this office for this certification to be valid. This letter and the project review package will be maintained in our records.

Based on this information and in accordance with section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), we certify that except for occasional transient individuals, no federally proposed or listed endangered or threatened species are known to exist within the project area. Therefore, no Biological Assessment or further section 7 consultation with the U.S. Fish and Wildlife Service is required. Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

This response relates only to federally protected threatened or endangered species under our jurisdiction. For additional information on threatened or endangered species in Maryland, you should contact the Maryland Wildlife and Heritage Division at (410) 260-8573. For information in Delaware you should contact the Delaware Division of Fish and Wildlife, Wildlife Species Conservation and Research Program at (302) 735-8658. For information in the District of Columbia, you should contact the National Park Service at (202) 339-8309.

The U.S. Fish and Wildlife Service also works with other Federal agencies and states to minimize loss of wetlands, reduce impacts to fish and migratory birds, including bald eagles, and restore habitat for wildlife. Information on these conservation issues and how development projects can avoid affecting these resources can be found on our website (www.fws.gov/chesapeakebay)

We appreciate the opportunity to provide information relative to fish and wildlife issues, and thank you for your interest in these resources. If you have any questions or need further assistance, please contact Chesapeake Bay Field Office Threatened and Endangered Species program at (410) 573-4527.

Sincerely,

Genevieve LaRouche
Field Supervisor



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127

<http://www.fws.gov/chesapeakebay/>
<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

In Reply Refer To:

April 23, 2019

Consultation Code: 05E2CB00-2019-SLI-1262

Event Code: 05E2CB00-2019-E-03099

Project Name: MDTA Phase II I-95 Improvements Eccleston Mitigation Site

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

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A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

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We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

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Official Species List

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This species list is provided by:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2019-SLI-1262

Event Code: 05E2CB00-2019-E-03099

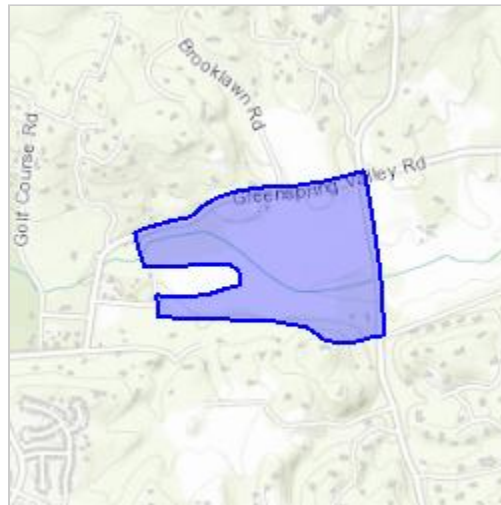
Project Name: MDTA Phase II I-95 Improvements Eccleston Mitigation Site

Project Type: TRANSPORTATION

Project Description: The Maryland Transportation Authority (MDTA) is proposing the second implementation phase of the I-95 Section 200 Express Toll Lanes Improvements in Baltimore and Harford Counties. MDTA will be implementing stream restoration practices to enhance overall water quality and stream stability. Practices to be implemented include, but are not limited to, reconfiguration of horizontal and vertical profiles of existing stream channels using natural channel design techniques, bank stabilization, as well as conversion of concrete lined channels to more naturalized systems. Implementation of these practices will require disturbance to active stream channels, however, the end result will be improvements to water quality.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.408154967994975N76.73515751086774W>



Counties: Baltimore, MD

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

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IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
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Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> Projects with a federal nexus that have tree clearing = to or > 15 acres: 1. REQUEST A SPECIES LIST 2. NEXT STEP: EVALUATE DETERMINATION KEYS 3. SELECT EVALUATE under the Northern Long-Eared Bat (NLEB) Consultation and 4(d) Rule Consistency key Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

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Wetlands

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FRESHWATER EMERGENT WETLAND

- [PEM5A](#)

FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1A](#)
 - [PFO/SS1A](#)
-



United States Department of the Interior



FISH AND WILDLIFE SERVICE
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<http://www.fws.gov/chesapeakebay/>
<http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html>

In Reply Refer To:

March 20, 2019

Consultation Code: 05E2CB00-2019-SLI-0980

Event Code: 05E2CB00-2019-E-02427

Project Name: MDTA Phase II I-95 Improvements Lilly Run Mitigation Site

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

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Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2019-SLI-0980

Event Code: 05E2CB00-2019-E-02427

Project Name: MDTA Phase II I-95 Improvements Lilly Run Mitigation Site

Project Type: TRANSPORTATION

Project Description: The Maryland Transportation Authority (MDTA) is proposing the second implementation phase of the I-95 Section 200 Express Toll Lanes Improvements in Baltimore and Harford Counties. MDTA will be implementing stream restoration practices to enhance overall water quality and stream stability. Practices to be implemented include, but are not limited to, reconfiguration of horizontal and vertical profiles of existing stream channels using natural channel design techniques, bank stabilization, as well as conversion of concrete lined channels to more naturalized systems. Wetland creation may be implemented in addition. Implementation of these practices will require disturbance to active stream channels, however, the end result will be improvements to water quality.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.54692887235203N76.09940464040105W>



Counties: Harford, MD

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Federal agencies may finish consultation with the NLEB 4(d) Rule Consultation Form at https://www.fws.gov/chesapeakebay/pdf/StreamlinedConsultationForm29Feb2016.pdf for projects with tree clearing = to or > 15 acres; send to Trevor_Clark@fws.gov Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

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