

## ***Critical Area Commission***

### **STAFF REPORT**

**June 4, 2025**

<b>APPLICANT:</b>	Maryland Transportation Authority
<b>PROPOSAL:</b>	Fort McHenry Tunnel Police Vehicle Storage Building
<b>JURISDICTION:</b>	City of Baltimore
<b>COMMISSION ACTION:</b>	Vote
<b>STAFF RECOMMENDATION:</b>	Approval with Conditions
<b>STAFF:</b>	Kate Durant
<b>APPLICABLE LAW/ REGULATIONS:</b>	COMAR 27.02.05 State Agency Actions Resulting in Development on State-Owned Land

### **DISCUSSION**

The Maryland Transportation Authority (MDTA) is seeking approval to construct a police vehicle storage building near the Fort McHenry Tunnel in Baltimore City. The proposed building will be constructed entirely within the MDTA right-of-way, near the intersection of Keith Avenue and Leland Avenue, and approximately two-thirds of the proposed building will be located in the Critical Area. The proposed building will include six maintenance bays, as well as permanent storage for various types of police vehicles, mechanical rooms, storage rooms, break rooms, locker rooms with showers, and offices.

The project requires Commission approval because it does not qualify for approval under MDTA's existing General Project Memorandum of Understanding (MOU) with the Critical Area Commission. A copy of the site plan is attached (Attachment 1).

### **Project Description**

The total limit of disturbance (LOD) for the project is 3.57 acres, where 0.9 acres are within the Critical Area and are designated as Intensely Developed Area (IDA). The site is located entirely outside of the 100-foot Critical Area Buffer. The proposed building will be a total of 17,651 square feet, with 11,252 square feet located within the Critical Area.

Additionally, eight trees will be cleared from the Critical Area, including four evergreen trees and four Chinese elm trees. They are all located along the northern and northwestern border of the site.

### **Proposed Impacts to the Critical Area and Required Mitigation**

#### 100-foot Buffer and Habitat Protection Areas

There are no impacts to any Habitat Protection Areas, including the Buffer.

#### Tidal and Nontidal Wetlands

There are no impacts to tidal or nontidal wetlands; however, there are minor impacts to the wetland buffer.

#### 10% Stormwater Management Compliance

The 10% pollutant removal requirement of 1.52 lbs/ year will be exceeded through the construction of a submerged gravel wetland that will remove 2.72 lbs of phosphorus/year.

#### Proposed Mitigation

MDTA will provide mitigation for the eight cleared trees at a 1:1 ratio. They are proposing to plant understory trees due to site constraints, including sight restrictions and the proposed stormwater management practices. The landscape plan also proposes 11 shrubs in the Critical Area. The proposed tree and shrub plantings in the Critical Area meet the Critical Area mitigation (see Attachment 2: Mitigation Plan).

### **Permits and Review by Other Agencies**

#### Maryland Department of the Environment

Stormwater Management Plan and Sediment & Erosion Control Approval

- Maryland Department of the Environment (MDE) provided concept approval for the Stormwater Management Plan and Sediment and Erosion Control plan on October 23, 2023.

#### Tidal and Nontidal Wetlands

- The project is authorized under the MDTA Statewide Letter of Authorization (SLOA) issued by MDE because there are no impacts to wetlands or streams, only to the wetland buffer.

#### Department of Natural Resources

The Department of Natural Resources Wildlife and Heritage Service determined there are no State or Federal records for rare, threatened, or endangered species on the site.

#### Maryland Historical Trust

MHT determined there are no historic properties affected by the project on March 25, 2025.

#### Public Notification

In accordance with the provisions of COMAR 27.03.01.03, signage was posted at the project site on May 7, 2025; and notice of this project was posted in the Baltimore Sun newspaper on May 7, 2025. At this time, no comments have been received.

#### **Coastal Resiliency**

As required per COMAR 27.02.05.03, State agencies who are proposing development activities on State-owned lands shall demonstrate that the agency has considered the likelihood of inundation by sea level rise over the course of the design life of the project, and shall demonstrate that the development identifies and incorporates climate resilient practices in order to avoid or minimize environmental or structural damage associated with a coastal hazard, extreme weather event, sea level rise, and other coastal impacts. The following factors were considered in this assessment:

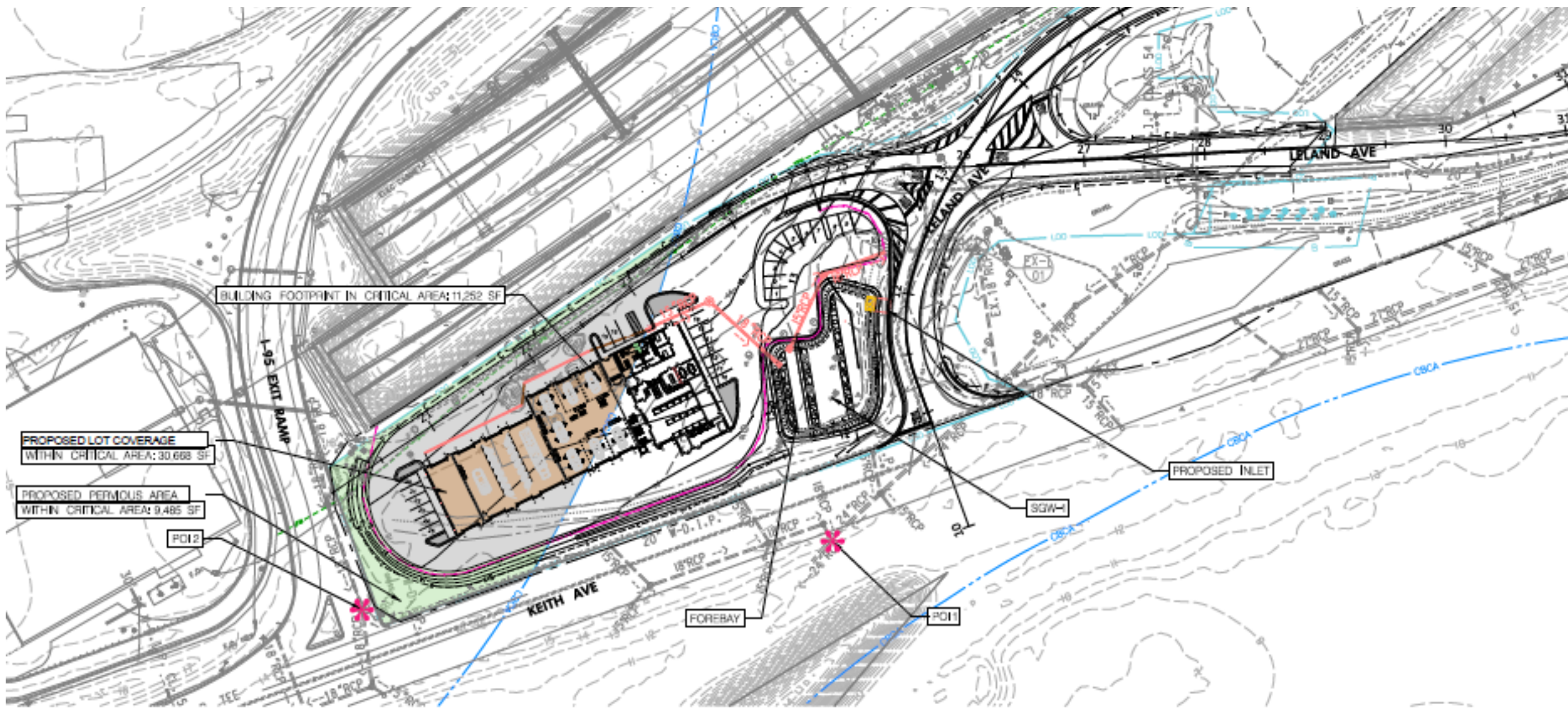
- The current elevation of the property is approximately 15 feet above sea level, so it will be well above the projected sea level rise elevation for 2100 and provides ample amount of freeboard for the site;
- Storm surge for Category 1 through 3 storms will not impact the project site due to the elevation of the existing property;
- The project is located approximately 950 feet inland;
- There are no wetlands or wetland adaptation areas on the site.

#### **RECOMMENDATION**

Commission Staff recommends approval of this project with the following condition:

Prior to the start of construction, the Maryland Transportation Authority shall submit to Commission staff:

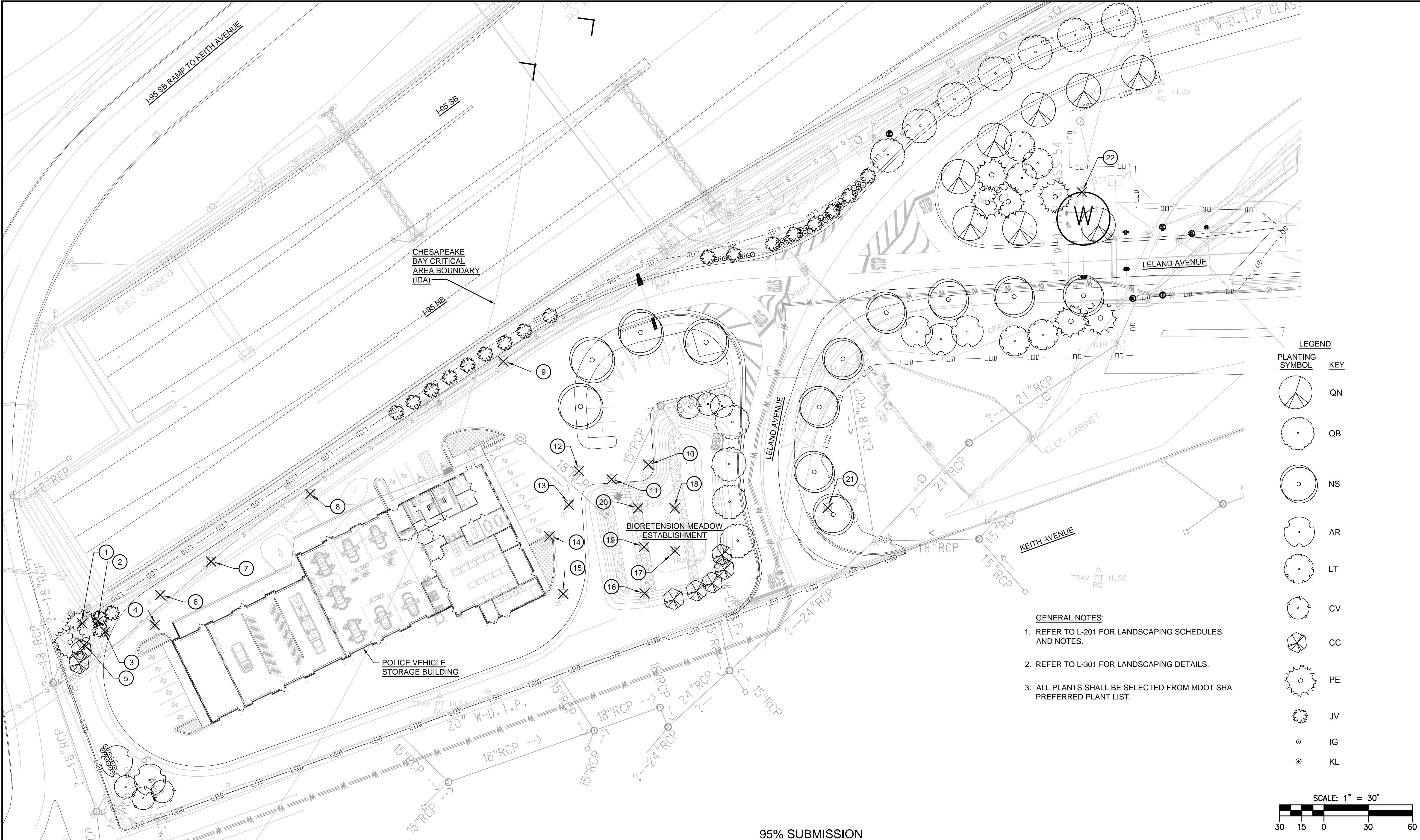
1. Copies of authorizations issued by the Maryland Department of the Environment for erosion and sediment control and stormwater management;
2. Final planning plan; and
3. A signed planting agreement.



LEGEND			
	POI DRAINAGE SUB-AREA BOUNDARY		EXISTING SURVEY CONTOURS MAJOR
	POI DRAINAGE OVERALL AREA BOUNDARY		EXISTING SURVEY CONTOURS MINOR
	CBCA		EXISTING GIS COUNTOURS MAJOR
	BUILDING FOOTPRINT IN CRITICAL AREA		EXISTING GIS COUNTOURS MINOR
			GIS/SURVEY CONTOUR BOUNDARY
			IMPERVIOUS
			OPEN
			POINT OF INVESTIGATION (POI)
			PROPOSED CONTOUR
			EXISTING PIPE
			PROPOSED PIPE

NOTE: HSG IS TYPE-D FOR ENTIRE PROJECT LOCATION





<div>"I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND."</div> <div>LICENSE NUM:</div> <div>EXP DATE:</div>			<div><div>AECOM</div><div>4 North Park Drive, Suite 300 Hunt Valley, Md. 21030 (410) 785-7220</div></div>	<div>MARYLAND TRANSPORTATION AUTHORITY</div> <div>303 AUTHORITY DRIVE BALTIMORE MD, 21222</div> <div><div><div></div><div>MDTA</div></div></div>	DESIGNED: MT			FMT POLICE VEHICLE STORAGE BUILDING		CONTRACT NO.: FT-3012-0000	
					DRAWN: LF					DRAWING TITLE: LANDSCAPING PLAN SHEET	DRAWING NO.: L-101
					CHECKED: JH			SCALE: AS SHOWN		DATE: MARCH 2025	SHEET NO.
					APPROVED: MT						
								REVISION	DATE	DESCRIPTION	