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INTRODUCTION

The Maryland Transportation Authority (MDTA), in coordination with the Federal Highway Administration (FHWA), is conducting the Chesapeake Bay Crossing Study: Tier 1 National Environmental Policy Act (NEPA), referred to as the “Bay Crossing Study” (BCS). As announced by Governor Larry Hogan, the Bay Crossing Study is the critical first step to begin addressing existing and future congestion at the William Preston Lane Jr. Memorial Bridge (Bay Bridge) and its approaches along US 50/US 301. The study encompasses a broad geographic area, spanning nearly 100 miles of the Chesapeake Bay (the Bay) from the northern-most portion in Harford and Cecil counties to the southern border with Virginia between St. Mary’s and Somerset counties.

The Tier 1 Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) has been prepared pursuant to Council on Environmental Quality (CEQ) regulations¹ at 40 CFR 1502 and 40 CFR 1505.2 and FHWA regulations at 23 CFR 771.124 – 127. The FEIS provides supplementary information; revisions to the February 2021 Draft Environmental Impact Statement (DEIS) in consideration of agency and public comments received on the DEIS and responses to comments received.

A combined FEIS and ROD document (per 23 USC §139(n), 23 CFR 771.124) does not have a comment period or a 30-day waiting period because these documents are published as a single document. The US Environmental Protection Agency (USEPA) publishes a Notice of Availability (NOA) in the Federal Register for combined FEIS/ROD documents.

The full text of the DEIS is not reproduced in this document. Rather, the FEIS focuses on changes and updates to the DEIS, summaries and responses to public and agency comments, and identification of Corridor 7 as the Preferred Corridor Alternative (PCA). The ROD documents Corridor 7 as the Selected Alternative. The content of the DEIS remains valid except where changes are noted in this FEIS. The following sections are included in this FEIS/ROD:

- **Chapter 1 - Introduction** – Provides background information on the Bay Crossing Study, Purpose and Need, DEIS Activities, and the PCA.
- **Chapter 2 - Errata Table of Changes** – Lists specific edits and corrections to the DEIS.
- **Chapter 3 – Supplementary Analysis and Discussion** – Provides supplementary information on topics including Traffic, Climate Change and Sea Level Rise, Environmental Justice, and Section 106 of the U.S. Department of Transportation Act of 1966.

¹ The EIS was prepared under the CEQ regulations in place prior to the 2020 CEQ update.

- **Chapter 4 – Summary of Public Involvement and Public Comments** – Summarizes the public outreach activities and comments received on the DEIS.
- **Chapter 5 - Summary of Agency Coordination and Comments** – Provides an overview of the agency coordination activities since the release of the DEIS and comments received from federal, state, and local agencies on the DEIS.
- **Chapter 6 – Preferred Corridor Alternative (PCA)** – Provides discussion of the rationale for identifying Corridor 7 as the PCA, including consideration of agency and public comments on the DEIS.
- **Chapter 7 – Record of Decision** – Finalizes the selection of Corridor 7 as the Selected Alternative, with discussion of commitments and next steps.

Additionally, **Appendix A** includes all comments received during the DEIS comment period, with summaries and responses categorized by topics. **Appendix B** includes agency DEIS comments and responses. **Appendix C** includes a response to a report prepared by AKRF commissioned by the Queen Anne’s Conservation Association. **Appendix D** includes agency correspondence since the DEIS.

1.1 BACKGROUND

The Tier 1 NEPA Study represents the MDTA’s first step within a two-tiered NEPA approach and includes a high-level, qualitative review of cost, engineering, and environmental data. Consistent with 40 CFR 1508.28, a tiered environmental review process is an appropriate strategy for NEPA review because of the regional needs to be addressed by the proposed action, the broad influence of the Bay Crossing from both an environmental and socio-economic perspective, and expansive size of the study’s geographical area.

This Tier 1 NEPA Study has defined existing and future transportation conditions and needs at the existing Bay Bridge, identified broad corridor alternatives (including a “No-Build” alternative), documented the corridor alternative screening process, identified the most reasonable Corridor Alternatives Retained for Analysis (CARA), and evaluated potential environmental impacts of the CARA. The DEIS identified one PCA, Corridor 7, as the MDTA-PCA.

The Tier 1 NEPA Study will conclude following issuance of the ROD. Approval of the ROD does not presume initiation of a Tier 2 NEPA Study since no funding has been identified. In comparison to the more general Tier 1 analyses, a Tier 2 NEPA Study would result in project-level (site-specific) decisions made through evaluation of specific alignments within the PCA selected in the Tier 1 NEPA Study. Tier 2 analysis would include detailed engineering design of alternative alignments and the assessment of potential environmental impacts associated with those alignments. Consistent with NEPA’s requirements, agency and public involvement would be an essential part of an eventual Tier 2 NEPA Study.

1.2 SUMMARY OF PURPOSE AND NEED

The Chesapeake Bay Crossing Study: Tier 1 NEPA considered corridors for providing additional capacity and access across the Chesapeake Bay in order to improve mobility, travel reliability and safety at the existing Bay Bridge. This Tier 1 NEPA Study evaluated potential new corridor alternatives through the

assessment of existing and potentially expanded transportation infrastructure needed to support additional capacity, improve travel times, and accommodate maintenance activities, while considering financial viability and environmental responsibility.

The following three primary needs were identified for the Tier 1 NEPA Study and are the basis for evaluating corridor alternatives:

- Adequate Capacity;
- Dependable and Reliable Travel Times; and
- Flexibility to Support Maintenance and Incident Management in a Safe Manner.

Congestion currently experienced at the Bay Bridge during weekdays and summer weekends is due to increasing travel demands and the inadequate capacity of the existing Bridge and its approach roadways. Adding to the congestion problem is a need for increased rehabilitation and maintenance efforts in future years, which will require lane closures and result in further back-ups and delays. The region needs a dependable Bay crossing that provides reliable operating speeds and travel times; facilitates emergency services and evacuation events; allows access to employment and recreation areas; and offers flexible options for safe travel during rehabilitation, maintenance, and incident management on the existing Bay Bridge. Therefore, the purpose of the Bay Crossing Tier 1 NEPA Study is to consider corridors for providing additional capacity and access across the Bay in order to improve mobility, travel reliability and safety at the existing Bay Bridge. After extensive vetting, including public input, the MDTA, FHWA, and the Bay Crossing Study cooperating agencies concurred on this Purpose and Need for the Bay Crossing Study.

The evaluation of potential new corridor alternatives for the Bay Crossing Study included an assessment of the transportation infrastructure needed, while also taking into account financial viability and environmental responsibility, accounting for potential adverse effects to the Bay and the important natural, recreational, socioeconomic and cultural resources it supports.

For more detailed information on the Bay Crossing Study Purpose and Need, refer to Chapter 2 of the DEIS and the Purpose and Need Statement.

The COVID-19 pandemic has had an impact on both weekday and weekend travel patterns throughout the nation, including at the Bay Bridge. The short-term impacts of the pandemic continue to evolve, and it is too soon to define the long-term impacts at this time. However, available data (presented in **Section 3.1**) indicates that Bay Bridge traffic levels have largely returned to pre-pandemic levels.

In April 2020, MDTA completed a \$27 million deck rehabilitation project, which replaced the westbound outside lane deck surface. To expedite project completion, MDTA removed one travel lane from service during peak periods, which resulted in significant queuing during peak travel periods. MDTA has initiated design for similar improvements to the eastbound span, construction of which is anticipated to begin in 2022. This further underscores the need for new capacity to account for future maintenance activities at the Bay Bridge.

1.3 SUMMARY OF DEIS ACTIVITIES

Beginning on February 23, 2021, the DEIS, including the MDTA-Recommended Preferred Corridor Alternative (MDTA-RPCA), was made available for public review and comment through the BCS website (www.baycrossingstudy.com).

The Tier 1 DEIS was posted to the BCS website on February 23, 2021, with notices sent to the BCS mailing list. The Notice of Availability was published in the Federal Register on March 5, 2021. Overall, the public was afforded the opportunity to comment on the document for a period of 84 days, from February 23 through May 17, 2021. MDTA provided the public numerous options to comment on the document, which included submitting an email to info@baycrossingstudy.com, visiting the Bay Crossing Study website and leaving a comment through the online comment form; sending a letter to the MDTA; through private testimony which was available via voicemail during all testimony sessions; and through live public testimony at one of the six testimony sessions. Additionally, comments sent to Governor Hogan or Secretary of Transportation Gregory Slater were forwarded to MDTA.

Hard copies of the DEIS were also made available for public review. Due to the COVID-19 pandemic, the facilities that would normally host the document for public viewing were initially closed. After the DEIS was released and facilities gradually opened, the document was made available for public viewing at 13 locations throughout five counties in the study area. A phone line was made available for members of the public to request an alternative way to view the document.

For more information on public and agency comments received, refer to **Chapter 4** and **Chapter 5**. For a full list of comments received and responses, refer to **Appendix A** and **Appendix B**.

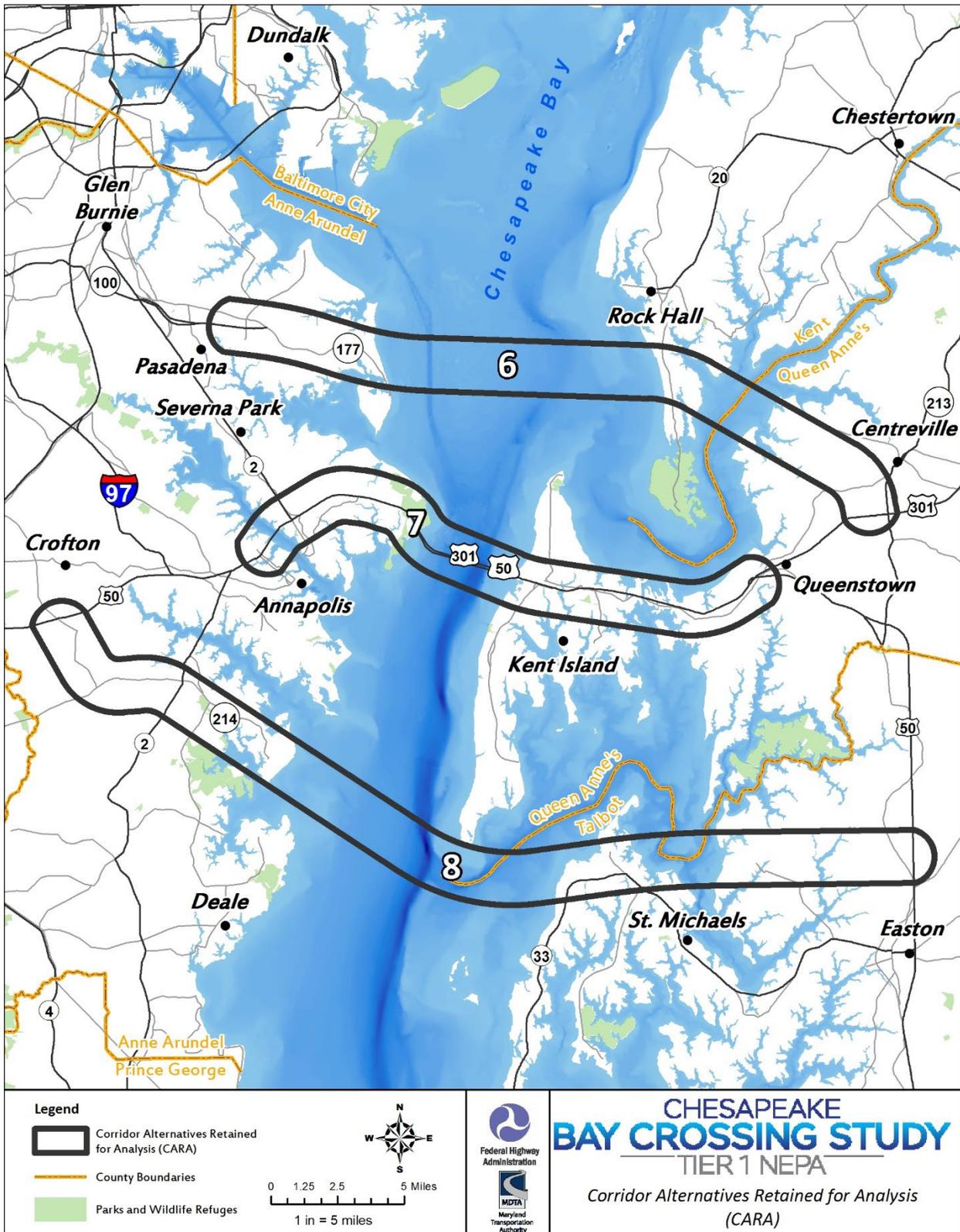
1.4 PREFERRED CORRIDOR ALTERNATIVE (PCA)

The February 2021 DEIS identified Corridor 7 as the MDTA-RPCA. Based on the information presented in the DEIS along with agency and public input received on the DEIS, and supplementary information included in this FEIS, MDTA has identified Corridor 7 as the PCA. See **Figure 1-1** for the limits of Corridor 7.)

Analysis of traffic considerations indicate that Corridor 7 would have substantial advantages over the other CARA, Corridors 6 and 8. (See **Chapter 6** for more detail.) Additional transportation capacity in Corridor 7 would:

- Provide the greatest traffic relief at the Bay Bridge and thus have a greater ability to meet the Tier 1 DEIS Purpose and Need.
- Divert substantially more traffic away from the Bay Bridge lanes in terms of total vehicles per day on both summer weekends and non-summer weekdays.
- Result in greater peak-hour congestion relief on the Bay Bridge lanes compared to an equivalent number of lanes in Corridors 6 or 8.

Figure 1-1: Corridor Alternatives Retained for Analysis (CARA)



Evaluation of engineering, cost, and environmental concerns also demonstrated substantial benefits of Corridor 7 compared to the other CARA. Specifically:

- Corridor 7 would likely be the least costly of the three CARA because of the ability to utilize existing roadway infrastructure on US 50/301 and the shorter length of crossing over the Chesapeake Bay.
- Corridor 7 would potentially have lower overall environmental impacts due to the shorter Chesapeake Bay crossing length and ability to utilize existing on-land roadway infrastructure along US 50/301. Corridors 6 and 8 would require longer crossings and more roadway infrastructure along a new alignment, likely resulting in greater impacts to sensitive environmental resources in and around the Chesapeake Bay.
- Corridors 6 and 8 would likely cause substantial indirect effects from new connectivity between rural lands on the Eastern Shore and employment centers such as Baltimore and Washington, DC. Corridors 6 and 8 could lead to substantial pressure for new residential development, especially on the Eastern Shore, with corresponding impacts to farmland and natural resources. Corridor 7 would have some indirect effects, but they would be more consistent with existing land use patterns and plans.

MDTA received a total of 861 comments during the DEIS comment period, including public testimony, written comments, and electronic submissions. Federal, state, and local agencies also provided comments on the DEIS. All comments have been reviewed and where warranted, changes to the DEIS have been addressed. **Chapters 4 and 5, Attachment A, and Attachment B** include more detailed discussion of public and agency comments.