

# 2

# ERRATA TABLE OF DEIS CHANGES

**Table 2-1** below provides an overview of edits to the text of the DEIS. These edits reflect relatively minor updates and corrections that were identified based on agency and public comments. Each row of the table includes the section and page number of the DEIS where the original text is located, the revised text with edits shown in red, and notes to explain the revision made. More substantial additions to the DEIS text are included in **Chapter 3**, Supplementary Analysis.

**Table 2-1: Errata Table of DEIS Changes**

DEIS LOCATION	REVISED TEXT	REVISION NOTES
Section 4.1.4 (Page 4-10)	<p><del>The FHWA Title VI Program requires consideration of</del> Executive Order (EO) 12898 – Federal Actions to Address Environmental Justice (EJ) in Minority and Low-Income Populations (1994) <b>directs federal agencies</b> to ensure federal programs do not result in disproportionately high and adverse environmental or health impacts to these populations by requiring federal agencies to:</p> <p><i>“...promote nondiscrimination in federal programs substantially affecting human health and the environment and provide minority and low-income communities’ access to public information on, and an opportunity for public participation in, matters relating to human health or the environment.”</i></p>	Revised to remove reference to Title VI.
Section 4.2.3.2 (Page 4-28)	<p>There are <b>14</b> recorded historic properties in Corridor 7 (<b>Table 4-13</b>), including <b>two National Historic Landmarks (NHLs)</b>: the U.S. Naval Academy (AA-359) <b>and Whitehall (MIHP AA-325)</b>. The U.S. Naval Academy was designated an NHL on July 4, 1961. Properties determined eligible for the NRHP include the Stevensville Historic District. <b>Whitehall, located at the edge of Corridor 7, was designated as a NHL on October 9, 1960 and listed in the NRHP on October 15, 1966.</b></p>	Revised to add Whitehall, located at the edge of Corridor 7.

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Section 4.2.3.2 (Page 4-28)	<p>A new crossing within Corridor 7 could impact 14 recorded historic properties, including two NHLs: the U.S. Naval Academy (MIHP AA-359) and Whitehall (MIHP AA-325). Particular attention must be paid to the U.S. Naval Academy and Whitehall per Section 110(f) of the NHPA and 36 CFR 800.10 which requires the agency official to undertake such planning and actions as may be necessary, to the maximum extent possible, to minimize harm to any NHL that may be directly and adversely affected by an undertaking. A Tier 2 alignment within Corridor 7 that is adjacent to the existing US 50/301 corridor on its southern side would have the potential to avoid impacts to the U.S. Naval Academy as well as the Stevensville Historic District and White’s Heritage. Approximately 2.5 acres of the 115-acre Whitehall property are located within the edge of Corridor 7; avoidance of this resource would be possible. Of the three CARA, selecting Corridor 7 as the preferred corridor alternative would require the most architectural surveying during Tier 2.</p>	Revised to add Whitehall, located at the edge of Corridor 7.																				
Table 4-13 (Page 4-29)	<p><b>Table 4-13: Historic Properties within Corridor 7</b></p> <table border="1"> <thead> <tr> <th>ID</th> <th>COUNTY</th> <th>MIHP NO.</th> <th>NAME</th> <th>STATUS AND DATE</th> <th>SIGNIFICANCE CRITERION</th> </tr> </thead> <tbody> <tr> <td>14</td> <td>Anne Arundel</td> <td>AA-325</td> <td>Whitehall</td> <td>Listed 10/15/1966; NHL designated 10/9/1960</td> <td>C-Architecture</td> </tr> </tbody> </table>	ID	COUNTY	MIHP NO.	NAME	STATUS AND DATE	SIGNIFICANCE CRITERION	14	Anne Arundel	AA-325	Whitehall	Listed 10/15/1966; NHL designated 10/9/1960	C-Architecture	Added new row to Table 4-13 to include Whitehall.								
ID	COUNTY	MIHP NO.	NAME	STATUS AND DATE	SIGNIFICANCE CRITERION																	
14	Anne Arundel	AA-325	Whitehall	Listed 10/15/1966; NHL designated 10/9/1960	C-Architecture																	
Table 4-16 (Page 4-32)	<p><b>Table 4-16: Summary of Historic Properties and Architectural Resources within the CARA</b></p> <table border="1"> <thead> <tr> <th>CORRIDOR</th> <th>RECORDED HISTORIC PROPERTIES</th> <th>UNEVALUATED MIHP RESOURCES</th> <th>NOT ELIGIBLE RESOURCES</th> <th>RESOURCES BUILT PRE-1980</th> </tr> </thead> <tbody> <tr> <td>6</td> <td>2</td> <td>37</td> <td>20</td> <td>1,070</td> </tr> <tr> <td>7</td> <td>14 (including 2 NHLs)</td> <td>94</td> <td>44</td> <td>2,130</td> </tr> <tr> <td>8</td> <td>15</td> <td>102</td> <td>10</td> <td>1,254</td> </tr> </tbody> </table>	CORRIDOR	RECORDED HISTORIC PROPERTIES	UNEVALUATED MIHP RESOURCES	NOT ELIGIBLE RESOURCES	RESOURCES BUILT PRE-1980	6	2	37	20	1,070	7	14 (including 2 NHLs)	94	44	2,130	8	15	102	10	1,254	Revised Table 4-16 to include Whitehall.
CORRIDOR	RECORDED HISTORIC PROPERTIES	UNEVALUATED MIHP RESOURCES	NOT ELIGIBLE RESOURCES	RESOURCES BUILT PRE-1980																		
6	2	37	20	1,070																		
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Section 4.3.5 (Page 4-39)	<p>MDTA has inventoried <b>30</b> recorded historic sites within the CARA. There are two in Corridor 6, <b>14</b> in Corridor 7, and 14 in Corridor 8. In addition to the recorded historic sites, MDTA has identified nine additional archaeological sites that are listed in the NRHP or eligible for listing in the NRHP. There are four in Corridor 8 and 5 in Corridor 9. Archaeological sites are only subject to Section 4(f) if they possess value for preservation in place. No determination on whether these sites possess value for preservation in place will be made during Tier 1. Coordination with the official with jurisdiction, MHT, is required to obtain a lack of objection that archaeological sites possess minimal value for preservation in place. This coordination would take place during Tier 2. <b>Table 4-18</b> summarizes the known historic sites that could potentially be affected if Tier 1 concludes with the identification of a corridor as the Selected Alternative. If Tier 1 identifies the No-Build as the Selected Alternative, no Section 4(f) Historic Sites would be affected. The official with jurisdiction over historic sites in Maryland is the MHT. The ACHP is also participating in Section 106 Consultation for the Bay Crossing Study and is also an OWJ over Historic Sites. The greatest number of historic sites is within Corridor 8. <b>MDTA has also identified two NHLs: the United States Naval Academy and Whitehall in Corridor 7.</b> The National Park Service is an additional OWJ over NHLs. Impacts to NHLs warrant more stringent consultation under Section 106 as outlined in 36 CFR 800.10, up to and including involvement of the Secretary of the Interior (36 CFR 800.10(c)). <b>Relatively small portions of the U.S. Naval Academy and Whitehall are within Corridor 7 and impacts are likely to be avoided.</b></p>	<p>Revised to add Whitehall, located at the edge of Corridor 7.</p>																				
Table 4-18 (Page 4-40)	<p><b>Table 4-18: Inventory of Section 4(f) Historic Sites</b></p> <table border="1" data-bbox="388 1019 1654 1235"> <thead> <tr> <th data-bbox="388 1019 548 1101">ID</th> <th data-bbox="548 1019 1039 1101">SECTION 4(f) PROPERTY</th> <th data-bbox="1039 1019 1184 1101">SIZE (ACRES)</th> <th data-bbox="1184 1019 1394 1101">AREA WITHIN CORRIDOR</th> <th data-bbox="1394 1019 1654 1101">COUNTY</th> </tr> </thead> <tbody> <tr> <td colspan="5" data-bbox="388 1101 1654 1149"><b>Corridor 7</b></td> </tr> <tr> <td data-bbox="388 1149 548 1198"><b>14</b></td> <td data-bbox="548 1149 1039 1198"><b>Whitehall (NHL)</b></td> <td data-bbox="1039 1149 1184 1198"><b>115</b></td> <td data-bbox="1184 1149 1394 1198"><b>2.5</b></td> <td data-bbox="1394 1149 1654 1198"><b>Anne Arundel</b></td> </tr> <tr> <td colspan="2" data-bbox="388 1198 1039 1235"><b>Area of Historic Sites in Corridor 7</b></td> <td colspan="3" data-bbox="1039 1198 1654 1235"><b>463</b></td> </tr> </tbody> </table>	ID	SECTION 4(f) PROPERTY	SIZE (ACRES)	AREA WITHIN CORRIDOR	COUNTY	<b>Corridor 7</b>					<b>14</b>	<b>Whitehall (NHL)</b>	<b>115</b>	<b>2.5</b>	<b>Anne Arundel</b>	<b>Area of Historic Sites in Corridor 7</b>		<b>463</b>			<p>Revised Table 4-18 to include Whitehall.</p>
ID	SECTION 4(f) PROPERTY	SIZE (ACRES)	AREA WITHIN CORRIDOR	COUNTY																		
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Section 4.4.2 (Page 4-45)	<p>The Maryland Tidal Wetlands Act restricts construction and development actions in tidal wetlands. The Board of Public Works (BPW) authorizes Tidal Wetlands Licenses. In some cases, BPW allows MDE to directly issue a license via <a href="#">COMAR Title 26.24</a>. In other cases, MDE reviews the application and makes a recommendation to BPW as to whether a license should be issued. In those latter cases, the Board's Wetlands Administrator receives MDE's recommendation, conducts an independent review, and then submits a recommendation to BPW. BPW votes to grant or deny the license application at one of its regularly scheduled open meetings. The Maryland Tidal Wetlands Act provides protection against unregulated activities that would affect adversely the value of the tidal wetland as a source of nutrients to finfish, crustacea, and shellfish of significant economic value.</p>	Revised to clarify the Maryland Tidal Wetlands Act administration.
Section 4.4.2 (Page 4-45)	<p>Section 404 regulations at 40 CFR Part 230.3(t) defines a jurisdictional wetland as follows:</p> <p>"Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas."</p> <p>A Section 404 authorization triggers the requirement to satisfy the conditions identified under Section 401 of the Clean Water Act (CWA). Section 401 requires any applicant seeking a federal permit or license for an activity that "may result in any discharge into the navigable waters" to obtain a water quality certification from the State. This requirement ensures that the proposed activity will not violate State water quality requirements in addition to other requirements under the CWA. Section 401 recognizes that water quality standards are set at state and tribal levels; it provides a process for federal agencies to check in with states and have them certify that the project will not violate these standards and other requirements.</p>	Added a new paragraph to note the Water Quality Certification (WQC) requirements.

DEIS LOCATION	REVISED TEXT	REVISION NOTES
Section 4.4.2.1 (Page 4-54)	<p>Corridor 7 contains approximately 394,020 linear feet of mapped surface waters associated with tributary rivers and streams, (Figure 4-8). The western portion of the corridor intersects with the Severn River and multiple tributaries to the Severn River within the extreme western portion of the study area. The Severn River is classified as a <b>State designated Scenic and Wild River</b>. Because of this classification, potential impacts to the Severn River and its viewshed would need to be coordinated with MDNR at a later phase. Continuing east, Corridor 7 intersects with Mill Creek, Whitehall Creek, and Meredith Creek before spanning the Bay. As it continues east across the Bay, Corridor 7 intersects with Thompson Creek and Cox Creek on Kent Island, and the Wye River and Wye River East within the eastern portion of the corridor. The Wye River is classified as a Tier II High Quality Water. The larger, tidal waters associated with Corridor 7 are classified as Use Class II waters, while the smaller, non-tidal tributaries are classified as Use Class I.</p>	<p>Revised to note the correct term “State designated Scenic and Wild River”. (Corrected from “Wild and Scenic”).</p>
Section 4.4.4 (Page 4-59)	<p>The Chesapeake Bay Critical Area encompasses land that is within 1,000 feet of the mean high tide line of the bay and adjacent streams and rivers. Within the Critical Area, three land classifications have been designated: Intensely Developed Areas (IDAs), Limited Development Areas (LDAs), and Resource Conservation Areas (RCAs). Each of these areas has specific regulations that dictate future development while accounting for the current surrounding land use and land cover. The Critical Area also has two additional areas identified as Corporate Land (CL) and Federal Land (FED). These designations are for lands that are corporately owned or owned by the federal government and are not classified as RCA, LDA, or IDA because activities on these lands are not directly regulated through the state's Critical Area Program but are regulated through the Coastal Zone Management Act. The Critical Area Commission (CAC) also regulates a 100-foot buffer which consists of the first 100-feet landward of tidal waters, tidal wetlands, or tributary streams. For further protection, the 100-foot buffer is expanded to include steep slopes, adjacent non-tidal wetlands, and hydric or highly erodible soils. <b>Through partnerships with local and state agencies, the Chesapeake Bay Critical Area program also provides protection for habitat protection areas, including: non-tidal wetlands, threatened and endangered species habitat, species in need of conservation, anadromous spawning waters, and designated and regulated state and local plant and wildlife habitats.</b></p>	<p>Added text to explain the Critical Area program habitat protection areas.</p>

DEIS LOCATION	REVISED TEXT	REVISION NOTES
Section 4.4.4.2 (Page 4-61)	<p>Corridor 7 contains approximately 9,810 acres of land that falls within the limits of the Critical Area. The majority is classified as RCA but the corridor also contains relatively high levels of both LDA and IDA (<b>Figure 4-10</b>). Within the western extent, the Critical Area is primarily associated with the Severn River and the western shoreline of the Bay. A large portion of the western extent of Corridor 7, primarily along the northern corridor border, is located outside the limits of the Critical Area. A large <b>area</b> of CL is mapped within the western portion of Corridor 7, just north of Annapolis, MD. Impacts to CL are administered under the Coastal Zone Management Act, not the Critical Area Program.</p>	<p>Revised misspelling of “area.”</p>
Section 4.4.4.4 (Page 4-62)	<p>Coordination with the CAC Staff and local jurisdictions would be required to evaluate potential impacts and associated mitigation should a corridor alternative be carried forward for further evaluation. During the planning process, special attention must be paid to areas with steep slopes and highly erodible soils, <b>adjacent non-tidal wetlands, and areas containing hydric soils</b> as these areas will be subject to Critical Area buffer expansion.</p>	<p>Revised to add additional areas subject to Critical Area buffer expansion.</p>
Section 4.4.7 (Page 4-73)	<p>The EFH data were obtained from the NOAA EFH Data Inventory that categorizes EFH by fish species. The categories include habitat for Atlantic butterfish (<i>Peprilus tricanthus</i>), black sea bass (<i>Centropristis striata</i>), bluefish (<i>Pomatomus saltatrix</i>), scup (<i>Stenotomus chrysops</i>), and summer flounder (<i>Paralichthys dentatus</i>). For the purposes of this comparative analysis, these fish species have been combined into a single EFH category. <b>While not listed in the data inventory, it should also be noted that the project area contains designated EFH for juvenile and adult windowpane flounder (<i>Scophthalmus aquosus</i>).</b> <b>Appendix A</b> includes detailed maps of SAV within each corridor.</p>	<p>Revised to include information about windowpane flounder.</p>

DEIS LOCATION	REVISED TEXT	REVISION NOTES
Section 4.4.7.4 (Page 4-77)	<p>The corridor study areas intersect with larger tributaries that serve as critical spawning, <b>migrating, resting, feeding, and rearing</b> habitat for anadromous fish including American Shad. Corridor 6 spans the Chester River along the Eastern Shore and provides the largest area of critical spawning habitat of the three corridor study areas. Corridor 6 also spans a small section of Magothy River spawning habitat, located along the Western Shore. Corridor 8 spans a relatively large area of critical spawning habitat associated with the Eastern Bay and Miles River, also along the Eastern Shore. Corridor 7 contains the least amount of critical spawning area and is associated with the Severn River, along the Western Shore near Annapolis, MD.</p>	Revised to include additional life stages for anadromous fish.
Section 4.4.7.4 (Page 4-78)	<p>“Special Aquatic Sites” are regulated under Section 404 of the CWA as a subset of WOTUS and are classified as areas which possess special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values. NOB’s, oyster sanctuaries, and SAV are all considered Special Aquatic Sites under Section 404. <b>Other Special Aquatic Sites include vegetated tidal wetlands, mudflats, and subaqueous gravel substrates.</b> These sites are generally recognized as significantly influencing or positively contributing to the overall environmental health of the entire ecosystem and receive special attention under EPA’s Section 404 (b) (1) guidelines. Because degradation or destruction of these areas may result in an irreversible loss of valuable aquatic habitat, emphasis must be placed on avoidance and minimization should a corridor alternative be carried forward for further evaluation in a more detailed Tier 2 analysis.</p>	Revised to add additional Special Aquatic Sites categories.
Section 4.4.8 (Page 4-78)	<p>To provide a comparative analysis of potential impacts associated with soils, this study focuses on soils that are classified as hydric, partially hydric, or highly erodible. Hydric and partially hydric soils are typically those associated with jurisdictional wetlands. Highly erodible soils are defined as soils with an erodibility K factor greater than 0.35 on slopes greater than 5 percent <b>or any soil with a slope greater than 15 percent, regardless of the K factor.</b> K factor is the soil erodibility factor which represents both susceptibility of soil to erosion and the rate of runoff.</p>	Revised to include a more complete definition of highly erodible soils.

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4.8.2.3 (Page 4-108)	<p>The ICE Analysis also considered the recorded historic properties identified within the CARA, as described in <b>Section 4.2</b>. The FHWA and MDTA have initiated the Section 106 consultation process and will implement the phased identification of historic properties. This Tier 1 EIS involves the identification of recorded historic properties within the CARA, as defined in <b>Section 4.2.1</b>. There are two recorded historic properties in Corridor 6. <b>There are 14 historic properties in Corridor 7</b>, including three historic districts: Stevensville Historic District, White’s Heritage, and U.S. Naval Academy. <b>The U.S. Naval Academy and Whitehall are also NHLs</b>. There are 20 historic properties in Corridor 8, including two historic districts: Davidsonville Historic District and Unionville. One of the historic properties in Corridor 8 is the skipjack Claud W. Somers, a ship that has not been docked within its historic boundary since relocating to Virginia in 2000 for restoration. Nonetheless, it is included in the initial inventory of historic properties.</p>	<p>Revised to include Whitehall and number of historic sites corrected.</p>															
Table 4-46 (Page 4-115)	<p><b>Table 4-46: Major Present and Reasonably Foreseeable Future Transportation Projects within the ICE Analysis Boundary</b></p> <table border="1" data-bbox="394 776 1654 941"> <thead> <tr> <th data-bbox="394 776 667 813">PROJECT</th> <th data-bbox="667 776 842 813">SOURCE</th> <th data-bbox="842 776 1052 813">LOCATION</th> <th data-bbox="1052 776 1413 813">DESCRIPTION</th> <th data-bbox="1413 776 1654 813">STATUS</th> </tr> </thead> <tbody> <tr> <td colspan="5" data-bbox="394 813 1654 846"><b>Eastern Shore</b></td> </tr> <tr> <td data-bbox="394 846 667 941"><b>US 301 over Chester River Bridge Replacement Project</b></td> <td data-bbox="667 846 842 941">MDOT SHA</td> <td data-bbox="842 846 1052 941">Queen Anne’s and Kent</td> <td data-bbox="1052 846 1413 941">Replacement of US 301 Bridge over Chester River</td> <td data-bbox="1413 846 1654 941">Design</td> </tr> </tbody> </table>	PROJECT	SOURCE	LOCATION	DESCRIPTION	STATUS	<b>Eastern Shore</b>					<b>US 301 over Chester River Bridge Replacement Project</b>	MDOT SHA	Queen Anne’s and Kent	Replacement of US 301 Bridge over Chester River	Design	<p>Revised to add the US 301 over Chester River Bridge Replacement project.</p>
PROJECT	SOURCE	LOCATION	DESCRIPTION	STATUS													
<b>Eastern Shore</b>																	
<b>US 301 over Chester River Bridge Replacement Project</b>	MDOT SHA	Queen Anne’s and Kent	Replacement of US 301 Bridge over Chester River	Design													

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Table 4-48 (Pages 4-123 to 4-125)	<b>Table 4-48: Environmental Resources Inventory Summary</b>					Revised to include Whitehall. (Note that the columns for Area of Historic Sites and Total Area of Section 4(f) Resources are rounded to the closest 10 acres, so the total did not change with the addition of Whitehall).																																								
	<table border="1"> <thead> <tr> <th data-bbox="380 412 842 448">RESOURCE</th> <th data-bbox="848 412 1020 448">UNIT</th> <th data-bbox="1026 412 1226 448">CORRIDOR 6</th> <th data-bbox="1232 412 1425 448">CORRIDOR 7</th> <th data-bbox="1432 412 1667 448">CORRIDOR 8</th> </tr> </thead> <tbody> <tr> <td colspan="5" data-bbox="380 453 1667 485"><b>Section 4(f) Resources</b></td> </tr> <tr> <td data-bbox="380 490 842 522">Historic Sites</td> <td data-bbox="848 490 1020 522">Count</td> <td data-bbox="1026 490 1226 522">2</td> <td data-bbox="1232 490 1425 522">14</td> <td data-bbox="1432 490 1667 522">14</td> </tr> <tr> <td data-bbox="380 527 842 560">Area of Historic Sites</td> <td data-bbox="848 527 1020 560">Acres</td> <td data-bbox="1026 527 1226 560">160</td> <td data-bbox="1232 527 1425 560">460</td> <td data-bbox="1432 527 1667 560">510</td> </tr> <tr> <td data-bbox="380 565 842 597">Total Section 4(f) Resources</td> <td data-bbox="848 565 1020 597">Count</td> <td data-bbox="1026 565 1226 597">10</td> <td data-bbox="1232 565 1425 597">26</td> <td data-bbox="1432 565 1667 597">25</td> </tr> <tr> <td data-bbox="380 602 842 634">Total Area of Section 4(f) Resources</td> <td data-bbox="848 602 1020 634">Acres</td> <td data-bbox="1026 602 1226 634">1,190</td> <td data-bbox="1232 602 1425 634">1,680</td> <td data-bbox="1432 602 1667 634">1,650</td> </tr> <tr> <td colspan="5" data-bbox="380 639 1667 672"><b>Cultural Resources</b></td> </tr> <tr> <td data-bbox="380 677 842 742">Recorded NRHP Eligible or Listed Properties</td> <td data-bbox="848 677 1020 742">Count</td> <td data-bbox="1026 677 1226 742">2</td> <td data-bbox="1232 677 1425 742">14</td> <td data-bbox="1432 677 1667 742">14</td> </tr> </tbody> </table>						RESOURCE	UNIT	CORRIDOR 6	CORRIDOR 7	CORRIDOR 8	<b>Section 4(f) Resources</b>					Historic Sites	Count	2	14	14	Area of Historic Sites	Acres	160	460	510	Total Section 4(f) Resources	Count	10	26	25	Total Area of Section 4(f) Resources	Acres	1,190	1,680	1,650	<b>Cultural Resources</b>					Recorded NRHP Eligible or Listed Properties	Count	2	14	14
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