

Chesapeake BAY CROSSING STUDY
TIER 2 NEPA

FINAL SECTION 106 PROGRAMMATIC AGREEMENT

FINAL ENVIRONMENTAL IMPACT STATEMENT

APPENDIX D

OCTOBER 2026

MDTA Maryland Transportation Authority

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

PROGRAMMATIC AGREEMENT
Among the
FEDERAL HIGHWAY ADMINISTRATION,
MARYLAND TRANSPORTATION AUTHORITY,
MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION,
MARYLAND DEPARTMENT OF NATURAL RESOURCES,
MARYLAND STATE HISTORIC PRESERVATION OFFICER,
AND
ADVISORY COUNCIL ON HISTORIC PRESERVATION

Implementing Section 106 of the National Historic Preservation Act for the Chesapeake Bay Crossing Study
Anne Arundel and Queen Anne's Counties, Maryland

WHEREAS, the Maryland Transportation Authority (MDTA) may be pursuing federal funding administered through the U.S. Department of Transportation Federal Highway Administration (FHWA) for the proposed action identified for the Chesapeake Bay Crossing Study (the Study), a study administered by MDTA; and

WHEREAS, FHWA has determined that the proposed action identified for the Study is an undertaking, as defined in 36 C.F.R. § 800.16(y), and thus is subject to review under Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, and its implementing regulations, 36 C.F.R. Part 800 as amended; and

WHEREAS, the Tier 2 Study Preferred Alternative, "Alternative C" (the Project) consists of removing the existing eastbound and westbound Bay Bridge spans and replacing them with two new spans between and to the south of the existing spans, as well as widening US 50/301 from six to eight lanes on the western and eastern shores from west of Oceanic Drive to east of Cox Creek; and

WHEREAS, pursuant to Section 9 of the Rivers and Harbors Act of 1899 (33 U.S.C. §§ 401 and 403) and the General Bridge Act of 1946, a Bridge Permit will be required from the U.S. Coast Guard (USCG) for this Project, and pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §§ 401 and 403) and Section 404 of the Clean Water Act of 1973 (33 U.S.C. § 1344), a Department of the Army permit will be required from the U.S. Army Corps of Engineers (USACE) for this Project; and

WHEREAS, USCG and the USACE have agreed that FHWA is the lead agency, per 36 C.F.R. § 800.2(a)(2), for purposes of ensuring that the Project complies with Section 106 of the NHPA, as amended, and codified in its implementing regulations, 36 C.F.R. Part 800, as amended (August 5, 2004); and

WHEREAS, FHWA, ACHP, the Maryland Department of Transportation State Highway Administration (SHA), MDTA, and the Maryland State Historic Preservation Office (MD SHPO), under the *Amended Programmatic Agreement Among the Federal Highway*

Administration, the Maryland Department of Transportation State Highway Administration, the Maryland Transportation Authority, the Maryland State Historic Preservation Officer, and the Advisory Council on Historic Preservation Implementing Section 106 of the National Historic Preservation Act for the Federal-aid Highway Program in Maryland ("Statewide PA", linked in Attachment 4), have agreed to delegate certain authorities relating to Section 106 of the NHPA to MDTA for Federal-aid Highway Projects in Maryland; and

WHEREAS, the Statewide PA establishes SHA involvement in implementation of Section 106 of the NHPA for FHWA undertakings in Maryland, and "MDTA" may refer to actions performed by SHA staff on MDTA's behalf pursuant to the Statewide PA; and

WHEREAS, the Statewide PA requires professionals meeting the Secretary of the Interior's Professional Qualifications Standards (48 Fed. Reg. 44738-39, September 29, 1983) with experience and background in the fields of archaeology, architectural history and/or history to oversee implementation of stipulations in this Programmatic Agreement (PA); and

WHEREAS, the MD SHPO agrees that fulfillment of the terms of this PA will satisfy the responsibilities of any Maryland state agency under the requirements of the Maryland Historical Trust Act of 1985, as amended, State Finance and Procurement Article §§ 5A-325 and 5A-326 of the Annotated Code of Maryland, for any components of the Project that require licensing, permitting, and/or funding actions from Maryland state agencies; and

WHEREAS, FHWA initiated Section 106 consultation during Tier 1 of the Study by letter to the MD SHPO and consulting parties on May 3, 2018, pursuant to 36 C.F.R. § 800.3; and

WHEREAS, FHWA, pursuant to 36 C.F.R. § 800.6(a)(1)(i)(C), on May 3, 2018, initiated Section 106 consultation with the Advisory Council on Historic Preservation (ACHP), and the ACHP has chosen to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii); and

WHEREAS, MDTA, on behalf of FHWA, has established and updated the Area of Potential Effects (APE) for the Project in consultation with the MD SHPO, including areas of direct limits of disturbance, inclusive of all Project elements known at this time with the potential to affect historic properties, and a sufficient buffer for audible and visual effects where they may be likely to occur; a link to the detailed map of the APE is provided in Attachment 5; and

WHEREAS, in accordance with 36 C.F.R. § 800.8, Tier 1 of the Study concluded by making Section 106 commitments in the Final Environmental Impact Statement (FEIS)/Record of Decision (ROD) (link in Attachment 4), including the deferral of historic properties identification and the continuation of the Section 106 process during Tier 2 of

the Study; the FEIS/ROD specified that historic properties identification would continue only within the Tier 1 Selected Corridor Alternative; and

WHEREAS, Section 106 consultation resumed during Tier 2 of the Study by letter to the MD SHPO and consulting parties dated August 9, 2023; and

WHEREAS, MDTA, on behalf of FHWA, has identified historic properties within the APE; and

WHEREAS, FHWA has elected to phase the identification, evaluation, and effects assessment of certain portions of the APE and historic properties where unavailability of access or design information precluded such identification, evaluation and assessment, as provided in 36 C.F.R. § 800.4(b)(2), and 36 C.F.R. § 800.5(a)(3); and

WHEREAS, FHWA has determined that the Project will have an adverse effect on NRHP-listed or eligible properties ("historic properties") including the Chesapeake Bay Bridge (AA-47/AA-48) and Skidmore (AA-2594) more fully discussed in the *Section 106 Effects Assessment Report* of January 2026 and subsequent documentation (linked in Attachment 4); that additional effects may not be completely known; and that FHWA intends to use this PA to comply with 54 U.S.C. § 306108 and 36 C.F.R. Part 800 to govern the implementation of the Project and the resolution of adverse effects; and

WHEREAS, this PA is based on review of conceptual elements, which will be refined during the design process, including elements such as identification of offsite natural resources mitigation and staging, and this PA establishes a review process for MDTA on behalf of FHWA to consider effects on historic properties during the design and construction phases; and

WHEREAS, federal agencies which, at FHWA's invitation, designate FHWA as the lead federal agency for the Project may use this PA to fulfill their obligations under Section 106 of the NHPA according to 36 C.F.R. § 800.2(a)(2), without the need for amendment of this PA, provided that FHWA follows the requirements of this PA; and

WHEREAS, FHWA will ensure that all additional feasible identification, evaluation, and assessment is completed in a timely manner prior to final design and construction, to allow for meaningful consultation and practical opportunities to avoid, minimize, or mitigate for any potential adverse effects to historic properties; and

WHEREAS, MDTA, on behalf of FHWA, will continue to consult with the MD SHPO and consulting parties under the terms of this PA to identify historic properties, assess the effects of the Project on historic properties, and, if necessary, resolve adverse effects to historic properties; and

WHEREAS, MDTA and FHWA, pursuant to 36 C.F.R § 800.2(d) have sought and considered the views of the public regarding the Project's effects on historic properties by

providing notice and information in following their public involvement procedures under the National Environmental Policy Act (NEPA); and

WHEREAS, MDTA, during the course of consultation during Tier 1 and Tier 2 of the Study, has invited the parties listed in Attachment 2 to participate in consultation on the Project; and

WHEREAS, the parties listed in Attachment 3, based on their relationship to specific actions as specified in this PA, or interest in historic properties affected by the project, have been invited to be consulting parties, as defined in 36 C.F.R. 800.2(c), and concur by signing this PA; and

WHEREAS, MDTA and FHWA have initiated consultation with Federally recognized Native American tribal nations who may ascribe religious and cultural significance to historic properties pursuant to 36 C.F.R. § 800.3(f)(2) (Tribal Nations) listed in Attachment 2 and provided the Tribal Nations with information about the Project. MDTA, on behalf of FHWA, has invited the same Tribal Nations to be consulting parties, as shown in Attachment 3, and concur by signing this PA; and

WHEREAS, FHWA has invited MDTA, SHA, and the Maryland Department of Natural Resources (DNR) to be invited Signatories to this PA, based on responsibilities for implementation of its terms, and all Signatories, required and invited, are referred to as "Signatories" to this document; and

NOW, THEREFORE, FHWA, ACHP, MDTA, SHA, DNR, and MD SHPO (hereinafter "Signatories") agree that the Project will be implemented in accordance with the following Stipulations in order to take into account the effect of the Project on historic properties and that these Stipulations will govern compliance of the Project with Section 106 of the NHPA until this PA expires or is terminated.

Stipulations

I. Roles and Responsibilities

A. **FHWA** is the lead federal agency and is responsible for ensuring the terms of this PA are carried out.

B. **MDTA** is delegated authority by FHWA under this PA and the Statewide PA in partnership with SHA to continue defined aspects of consultation, Project compliance review, and mitigation implementation. The Statewide PA defines shared responsibilities with the SHA regarding cultural resources staffing. Throughout this agreement, the term "MDTA cultural resources staff" refers to the shared staffing relationship defined in the

Statewide PA. MDTA will be primarily responsible for implementation of this PA excepting where otherwise specified.

MDTA, on behalf of FHWA, will consult with the MD SHPO for actions under this PA and 36 C.F.R. Part 800.

C. **SHA** will assist MDTA in implementing the terms of this agreement as defined in the Statewide PA.

D. **MD SHPO** will:

1. Respond to requests from MDTA for concurrence on eligibility determinations, effect determinations, and technical documents within a 30-day review period unless otherwise specified in this PA, or MDTA specifically provides for an extended review period at the time of submittal. MDTA and FHWA may assume concurrence or no objection to determinations and submittals if no response is received within 30 days, if no extended timeline is specifically established in the review request or if no timeline is specified in 36 C.F.R. Part 800. All durations referenced in this PA refer to calendar days.
2. Provide written comments, share general technical assistance/guidance, and make available to MDTA or its designates survey records or other documents necessary to fulfill the requirements of this PA.

E. **ACHP** will provide policy guidance, provide comment on issues that may arise as requested by parties to this PA, and participate in dispute resolution as specified in Stipulation XII (Dispute Resolution).

F. **DNR** will:

1. Review information and provide comments or decisions within a defined review period not less than 30 days for the following:
    a) Identification of an appropriate location for the playground/outdoor interpretive area at Sandy Point State Park, including locations for the interpretive panels.
    b) Review and comment on the content and appearance of the interpretive panels to be placed within Sandy Point State Park.
    c) Review and comment on the design of the playground and/or outdoor interpretive area.

2. Provide access to Sandy Point State Park during design and implementation of the mitigation included in this PA.

G. Consulting Parties and Public

1. MDTA has consulted with the parties listed in Attachment 2, or provided them the opportunity to consult, prior to finalizing this PA. Because the Selected Corridor Alternative identified at the end of Tier 1 did not affect certain historic properties identified earlier in the Tier 1 Study, several parties listed in Attachment 2 no longer have a demonstrable interest in historic properties affected by the Project. Parties listed in Attachment 3 continue to have a defined relationship to the Project and have been invited to concur in this PA.
2. MDTA will provide all consulting parties in Attachment 3, regardless of concurring status, with opportunities to consult on Project changes or new elements with the potential to affect historic properties. MDTA will offer other appropriate consulting parties the opportunity to rejoin or newly join consultation in the event of new or revised Project elements. Consulting parties may sign this PA as concurring parties at any time after execution of the PA with the invitation of MDTA or FHWA. Attachment 3 may be updated to include additional consulting parties without the need to amend this PA.
3. MDTA will notify the public of substantial changes to the Project that would result in an expanded APE or new effects to historic properties consistent with 36 CFR § 800.8(c)(1)(iv) and procedures under NEPA to ensure ongoing opportunities for public input and identification of additional consulting parties.
4. Concurrence with the PA by a party does not necessarily indicate that the party supports the Project, the Preferred Alternative, or endorses all stipulations of this PA, but rather indicates the desire of such parties to acknowledge consultation and/or remain involved in implementation of specific terms of this PA.

II. Professional Standards

Guidelines, standards and regulations relevant to this PA and its purposes are listed below, and links to these documents are found in Attachment 4. Additionally, it is the intention of the Signatories to interpret this PA to incorporate

any subsequent standards, revisions of standards, or applicable guidance issued by the Secretary, ACHP, or MD SHPO as then in force during this PA.

1. 36 C.F.R. Part 800: Protection of Historic Properties, as amended (2004);
2. Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (1983);
3. Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-39, September 29, 1983)
4. Standards and Guidelines for Archaeological Survey and Excavation in Maryland (McKnight et al., 2026), including Technical Update No. 1 of the Standards and Guidelines for Archaeological Investigations in Maryland: Collections and Conservation Standards (2022);
5. Standards and Guidelines for Architectural and Historical Investigations in Maryland (Maryland Historical Trust, Updated 2023);
6. Program Comment for Actions Affecting Post-1945 Concrete Steel Bridges (77 FR 68790);
7. Exemption Regarding Historic Preservation Review Process for Effects to the Interstate Highway System (ACHP Program Comment, 2005)
8. Section 106 Archaeology Guidance (ACHP, 2009)
9. Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects (ACHP, March 2023);
10. National Register of Historic Places Bulletin 15, *How to Apply the National Register Criteria for Evaluation* (National Park Service, revised 1997), National Register of Historic Places Bulletin 16A, *How to Complete the National Register Registration Form* (National Park Service, revised 1997), and other National Register Bulletins as applicable;
11. Secretary of the Interior's Standards for the Treatment of Historic Properties (1995, Revised 2017); and accompanying guidelines for Treatment of Historic Properties (1995, Revised 2017).

III. General Project Section 106 Commitments

A. MDTA will implement mitigation concurrent with construction phasing where impacts will occur; in the event that the Project is modified or

certain elements causing adverse effects are removed from design, MDTA will notify Signatories and consulting parties of the change at such time as a final decision is made to remove such elements and propose amendment of this PA as described in Stipulation XI (Amendment) as necessary.

B. MDTA cultural resources staff who meet Secretary of the Interior's Professional Qualifications Standards will oversee implementation of all mitigation commitments and other terms of this PA.

IV. Consultation Regarding Project Development

Further consultation requirements regarding specific historic properties affected by the Project are described in Stipulation V (Mitigation for Adverse Effects). As Project design advances or ancillary activities not currently known are identified, MDTA cultural resources staff will review proposed changes that affect Project location, design, methods of construction, materials, or limits of disturbance (LOD), for potential new effects to historic properties.

Preliminary engineering activities to support design of future phases, such as geotechnical studies or other similar, minimally invasive activities with limited potential to affect historic properties may proceed within the APE prior to construction authorization and will not require consultation.

A. Scope of Consultation

MDTA and FHWA, consistent with the principles described in 36 C.F.R. §§ 800.3 – 6, will initiate consultation with MD SHPO, Signatories, concurring parties to this PA, Tribal Nations, local public agencies with jurisdiction and other consulting parties as appropriate on:

1. Amendments to the APE, consistent with 36 C.F.R. § 800.16(d), including identification and evaluation of any new historic properties within the amended APE consistent with 36 C.F.R § 800.4(a) and (b).
2. Changes to the LOD within the existing APE where MDTA cultural resources staff identify potential for intact or significant archaeological deposits and recommend additional archaeological investigation.
3. New or revised determinations of eligibility for historic properties within the APE as described in Stipulation IV.B (this stipulation, Section B) below, consistent with 36 C.F.R § 800.4(c).

4. New or revised assessment of effects on historic properties within the APE as described in Stipulation IV.C (this stipulation, Section C) below, consistent with 36 C.F.R § 800.5.
5. Design or construction solutions that avoid or further minimize adverse effects to historic properties, to seek concurrence with any updated determinations of effect, and amendment of this PA in accordance with Stipulation XI (Amendment).

B. Identification and Evaluation of Historic Properties

MDTA cultural resources staff will review changes to determine whether they may affect known or potentially NRHP-eligible or listed properties. If MDTA determines that unevaluated resources will be affected, including areas with potential for intact or significant archaeological deposits, MDTA will complete architectural or archaeological survey, or other evaluation as appropriate to determine whether any such resources are eligible for the NRHP. MDTA will consult with the MD SHPO and relevant consulting parties and ensure that all work adheres to performance standards in Stipulation II (Professional Standards).

C. Assessment of Effects on Historic Properties

If MDTA determines there are any new adverse effects to historic properties resulting from design advancement, it will notify FHWA. MDTA and FHWA will consult with the SHPO and identified consulting parties to resolve the adverse effects consistent with 36 C.F.R § 800.6, including evaluation of any alternatives to avoid or minimize. If avoidance or minimization is not possible, MDTA and FHWA will amend this PA as necessary to document such resolution of any new adverse effects through mitigation. Procedures for resolution of inadvertent or unforeseen adverse effects are documented in Attachment 1.

D. Consultation Materials

MDTA will provide consultation materials in printed or electronic form, and follow timelines for comment opportunity as specified in Stipulation I.D (MD SHPO Responsibilities).

V. Mitigation for Adverse Effects

MDTA will be responsible for ensuring the mitigation actions and commitments are carried out for the following historic properties, under the oversight of FHWA.

A. Chesapeake Bay Bridge

1. Maryland Inventory of Historic Properties (MIHP) Addendum Form

Prior to the demolition of each of the spans, MDTA shall complete an MIHP Addendum for the Chesapeake Bay Bridge. The MIHP form and accompanying photographic documentation will record the condition of both existing bridge spans prior to demolition. Preparation of the form will follow applicable performance standards in Stipulation II (Professional Standards).

2. Digital Documentation
   a) Prior to the demolition of the first span, MDTA shall record both spans of the bridge through means such as 3D laser scanning, LiDAR, and/or high-definition photogrammetry. Documentation produced by the digital scan could include measured drawings and 3D models of the spans to be used in interpretive mitigation described below.
   b) MDTA shall maintain the digital scans in a non-proprietary, open-standard format. The documentation derived from the scans, such as measured drawings, will be provided to MD SHPO upon completion in archival quality printed and electronic forms.
3. Interpretive Panels
   a) Within one (1) year of the start of demolition of the first bridge span, MDTA shall fabricate approximately four (4) interpretive panels to be installed at publicly accessible locations near the bridge in Anne Arundel and/or Queen Anne's counties. Locations in Anne Arundel County would include the playground/interactive outdoor interpretive area at Sandy Point State Park described in Stipulation V.A.5. Queen Anne's County locations could include Terrapin Nature Park and the Matapeake Clubhouse and Beach. The panels will address the history and significance of the bridge, such as its engineering significance and its effects on the development of surrounding areas, based on information in the bridge's Determination of Eligibility form. The panels will include a link, such as a QR code, to the online interpretive content in Stipulation V.A.4.
   b) MDTA shall submit draft interpretive panels to MD SHPO and consulting parties for comment. This review is subject to a thirty (30) day period beginning on the date of receipt of

said submission by MD SHPO. MDTA shall revise the interpretive panels to address any comments, if applicable.

c) MDTA shall consult with the property owner(s) and MD SHPO to determine the location of each panel.

d) MDTA will maintain or provide funding to property owner(s) for maintenance of the interpretive panels for a minimum of 15 years from installation or a timeframe mutually agreeable to MDTA and the property owner(s).

4. Online Interpretive Content

a) Prior to the start of construction of the first new bridge span structural elements, MDTA shall complete online interpretive content about the history and significance of the bridge, such as its engineering significance, its effects on the development and suburbanization of Anne Arundel and Queen Anne's counties, and transportation in Maryland.

b) The online content will include digital copies of the interpretive panels in Stipulation V.A.3, as well as the updated MIHP form and accompanying photographic documentation (Stipulation V.A.1) and any digital documentation such as a 3D model of the bridge (Stipulation V.A.2), once they are completed.

c) MDTA will maintain the online interpretive content on its website for the duration of construction. Prior to the removal of this content, MDTA will provide a hard copy of any website-specific content to the MHT Library for archival purposes.

5. Playground/Interactive Outdoor Interpretive Area

a) MDTA shall design a playground and/or interactive outdoor interpretive space that conveys the design and engineering of the bridge in a publicly accessible area of Sandy Point State Park. The playground could include elements such as: play equipment like climbing structures, slides, swings, and spinners; sensory panels with activity boards like puzzles or gears; site amenities such as seating, shade structures, trash cans and fencing; and open play space. The site amenities will also include one of the interpretive panels described in Stipulation V.A.3. The equipment design will include engineering/architectural elements reflecting the

design of the Chesapeake Bay Bridge, such as the towers and cables of its suspension spans, and may also include elements of the new bridge design.

b) In consultation with Sandy Point State Park, MDTA shall develop at least two (2) design alternatives for the playground that meet DNR design requirements and identify the location for the playground at the park.

c) MDTA shall submit the design alternatives to MD SHPO and consulting parties for comment. This review is subject to a thirty (30) day period beginning on the date of receipt of said submission by MD SHPO. MDTA shall revise the designs to address any comments, if applicable.

d) MDTA shall make the designs available to the public to provide input.

e) MDTA, working with DNR, will ensure construction of the playground and/or interactive outdoor interpretive area will be completed no later than one (1) year of opening of the first new bridge span.

f) MDTA will maintain or provide funding to DNR for maintenance of the playground and/or interactive outdoor interpretive space for a minimum of 15 years from installation or a timeframe mutually agreeable to MDTA and DNR.

B. Skidmore

1. Multiple Property Documentation Form

a) Within one (1) year of the start of construction of the first new bridge span structural elements, MDTA shall complete a draft Multiple Property Documentation Form (MPDF) for Broadneck Peninsula Descendant Communities. The form will identify themes, trends, and patterns of history, along with registration requirements which may be used to evaluate the NRHP eligibility of communities in the future.

b) MDTA shall develop the MPDF in consultation with the MD SHPO's Project Review and Compliance Section and will follow applicable performance standards in Stipulation II (Professional Standards).

c) MDTA will seek information from applicable consulting parties during preparation of the draft.

d) MDTA shall submit the draft MPDF to the MD SHPO and applicable consulting parties for review and comment. Review is subject to a thirty (30) day period beginning on the date of receipt of said submission by MD SHPO. MDTA shall revise the MPDF to address any comments, if applicable.

e) MDTA shall submit one (1) hard copy of the final draft MPDF to the MD SHPO. MDTA will not submit the MPDF to the National Park Service for listing in the NRHP.

2. Interpretive Panels

a) Within one (1) year of completion of improvements within Skidmore, MDTA shall prepare three (3) interpretive panels to be installed as part of the design in locations within the Skidmore community. The panels will address the history of Skidmore (AA-2594) and Broadneck Peninsula Descendant Communities based on the information contained in the 2025 Determination of Eligibility form and the MPDF.

b) MDTA shall submit draft interpretive panels and proposed locations to MD SHPO and consulting parties for comment. This review is subject to a thirty (30) day period beginning on the date of receipt of said submission by MD SHPO. MDTA shall revise the interpretive panels to address any comments, if applicable.

3. Public Interpretation

a) Within one (1) year of the submittal of the final draft MPDF to MD SHPO, MDTA shall prepare a booklet aimed at the general public with information about the history of Skidmore and Broadneck Peninsula Descendant Communities using information from the Skidmore Determination of Eligibility Form and the Broadneck Peninsula Descendant Communities MPDF.

b) MDTA shall submit a draft of the booklet to MD SHPO and consulting parties for comment. This review is subject to a thirty (30) day period beginning on the date of receipt of said submission by MD SHPO. MDTA shall revise the booklet to address any comments, if applicable.

c) MDTA shall print 100 total copies of the final booklet and distribute to MD SHPO and Anne Arundel County organizations such as public libraries, schools, and/or historical societies. An electronic copy of the booklet will be made available online.

VI. Archaeological Survey

A. Underwater Archaeological Survey

1. Prior to final design, MDTA shall ensure that Phase I archaeological investigation of the Preferred Alternative LOD within the Chesapeake Bay is conducted in accordance with 36 CFR § 800.4(b). MDTA shall consult with the MD SHPO regarding the level of effort for the survey. Methods could include side-scan sonar, magnetometer, sector scan, and/or sub-bottom profiler. The survey will be conducted in accordance with Professional Standards (Stipulation II).
2. Should any resource be identified as the result of the underwater survey that may be eligible for the NRHP, MDTA will follow Stipulations IV.B. through C (Consultation Regarding Project Development) to evaluate the resource for eligibility to the NRHP, assess effects, and identify minimization, avoidance, or mitigation for any adverse effects to NRHP-eligible historic properties.

VII. Monitoring of Performance

A. Specific points for continued consultation are defined in Stipulations IV and V (Consultation Regarding Project Development and Mitigation for Adverse Effects).

B. MDTA will, for the duration of the Project, provide Signatories and consulting parties listed in Attachment 3 with a written progress report twice per calendar year describing status of implementation of this PA.

C. MDTA will provide for a meeting opportunity for Signatories and consulting parties listed in Attachment 3 following issuance of each progress report.

D. MDTA will convene additional consulting party meetings as necessary or when requested by any Signatory;

E. MDTA may cancel individual meetings if there are no significant issues for discussion and no Signatory objects to the cancellation.

F. MDTA will send a closeout letter to Signatories and Consulting Parties once all stipulations of this PA have been fulfilled.

VIII. Human Remains

MDTA will follow the Inadvertent Discovery Plan for this PA (Attachment 1) in the event of the unanticipated discovery of human remains.

IX. Other Post-Review Discoveries

MDTA will follow the procedures in Attachment 1 of this PA for any inadvertent archaeological discoveries or inadvertent effects to historic properties during construction. MDTA will provide training for the contractor(s) on the Inadvertent Discovery Plan requirements.

X. Confidentiality

The Signatories agree to provide by the provisions of Section 304 of the NHPA (54 U.S.C. § 307103), Maryland State Finance and Procurement Code (2024) § 5A-323(c), and other applicable requirements, to withhold information concerning the location, character, or ownership of resources where release of such information may endanger the integrity of the resource.

XI. Amendment

Any Signatory to this PA may request that it be amended, whereupon the Signatories will consult to consider such an amendment. Amendments will be effective upon the date of the last signature from the final Signatory.

XII. Dispute Resolution

A. Resolution of Objections by Signatories

Should any of the Signatories to this PA object in writing to the manner which the terms of this PA are implemented, within 30 days of information being provided relating to the issue forming the basis of the objection, or within 30 days where the objector can otherwise be reasonably assumed to be aware of the issue forming the basis of objection, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that such objection cannot be resolved, the FHWA will:

1. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the ACHP. The ACHP shall provide the FHWA with its advice on the resolution of the objection within 30 days of receiving adequate documentation. Prior to

reaching a final decision on the dispute, the FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, Signatories and concurring parties, and provide them with a copy of this written response. The FHWA will then proceed according to its final decision.

2. If the ACHP does not provide its advice regarding the dispute within the 30-day time period, the FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the Signatories to the PA and provide them and the ACHP with a copy of such written response.
3. The FHWA's responsibility to carry out all other actions subject to the terms of this PA that are not the subject of the dispute remains unchanged.

B. Resolution of Objections by the Consulting Parties or the Public

At any time during implementation of the measures stipulated in this PA, should an objection pertaining to this agreement or the effect of the undertaking on historic properties be raised in writing by another consulting party or a member of the public within 30 days of information being provided relating to the issue forming the basis of the objection, or within 30 days where the objector can otherwise be reasonably assumed to be aware of the issue forming the basis of objection, the FHWA shall notify the Signatories to this agreement and take the objection into account, consulting with the objector and, should the objector so request, with any of the parties to this PA to resolve the objection. The FHWA will document resolution of the objection in writing and provide to the Signatories to this agreement in a timely manner.

If after such consultation, the FHWA determines the issue warrants further dispute resolution procedures with the Signatories or amendments of the agreement, the FHWA will follow Stipulations XI (Amendment) or XII.A (Resolution of Objections by Signatories) as appropriate.

C. Alternate Procedures

1. Should circumstances or timelines warrant alternate procedures to resolve disputes, FHWA will present a written plan to all Signatories with identified steps and timeframes to achieve resolution of the

dispute, and meet with Signatories upon request to discuss the plan. If the plan is agreed to by all Signatories in writing, FHWA will follow the agreed-upon plan and notify consulting parties.

2. A plan prepared under this stipulation will not require amendment of this PA to implement such an alternate dispute resolution procedure.
3. Should the plan fail to achieve resolution, the Signatories will follow Stipulations XI (Amendment) or XIII (Termination).

XIII. Termination

A. Any Signatory to this PA may terminate it by providing 30 days' notice in writing to the other Signatories, provided that the Signatories will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination.

B. If any Signatory to this PA determines that a term will not or cannot be carried out, that party shall immediately consult with the other Signatories to attempt to develop an amendment per Stipulation XI (Amendment), above. If within 30 days (or another time period agreed to by all Signatories) an amendment cannot be reached, any signatory may terminate the PA upon written notification to the other Signatories.

C. In the event of termination, FHWA will comply with 36 C.F.R. Part 800 for all remaining actions, or until a new agreement is reached fulfilling such requirements.

XIV. Duration

This PA will continue in full force and effect until 20 years from the date of execution of the PA, or such time of final acceptance of the Project and when all terms of this PA have been met, should the terms be met prior to the 20-year expiration. The PA will be invalid if the Project is terminated. At any time in the six-month period prior to its expiration, the Signatories will consult to consider an extension or amendment of the PA. At such time, the Signatories may consider an amendment to extend the PA unmodified for an additional specified duration or consult to amend the PA in accordance with Stipulation XI (Amendment). No extension or amendment will be effective until all Signatories have signed the amendment or amendment to extend.

Execution of the PA by the FHWA, MDTA, SHA, DNR, and MD SHPO and implementation of its terms evidence that the FHWA has afforded the Signatories and

ACHP an opportunity to comment on the Project and its effects on historic properties, and that the FHWA has taken into account the potential effects of the undertaking on historic properties.

PROGRAMMATIC AGREEMENT AMONG THE FEDERAL HIGHWAY ADMINISTRATION, MARYLAND TRANSPORTATION AUTHORITY, MARYLAND STATE HISTORIC PRESERVATION OFFICER, AND ADVISORY COUNCIL ON HISTORIC PRESERVATION

IMPLEMENTING SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE CHESAPEAKE BAY CROSSING STUDY IN ANNE ARUNDEL AND QUEEN ANNE'S COUNTIES, MARYLAND

JULY 2026

Signatory:

FEDERAL HIGHWAY ADMINISTRATION

VALERIYA REMEZOVA

Digitally signed by VALERIYA REMEZOVA
Date: 2026.08.03 15:07:05 -04'00'

Date 8/3/2026

Valeriya Remezova
Division Administrator
FHWA Maryland Division

PROGRAMMATIC AGREEMENT AMONG THE FEDERAL HIGHWAY ADMINISTRATION, MARYLAND TRANSPORTATION AUTHORITY, MARYLAND STATE HISTORIC PRESERVATION OFFICER, AND ADVISORY COUNCIL ON HISTORIC PRESERVATION

IMPLEMENTING SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE CHESAPEAKE BAY CROSSING STUDY IN ANNE ARUNDEL AND QUEEN ANNE'S COUNTIES, MARYLAND

JULY 2026

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Date August 6, 2026

Reid J. Nelson
Executive Director

PROGRAMMATIC AGREEMENT AMONG THE FEDERAL HIGHWAY ADMINISTRATION, MARYLAND TRANSPORTATION AUTHORITY, MARYLAND STATE HISTORIC PRESERVATION OFFICER, AND ADVISORY COUNCIL ON HISTORIC PRESERVATION

IMPLEMENTING SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE CHESAPEAKE BAY CROSSING STUDY IN ANNE ARUNDEL AND QUEEN ANNE'S COUNTIES, MARYLAND

JULY 2026

Signatory:

MARYLAND STATE HISTORIC PRESERVATION OFFICER

Elizabeth Hughes

Date 7-28-2026

Elizabeth Hughes
Director/State Historic Preservation Officer
Maryland Historical Trust

PROGRAMMATIC AGREEMENT AMONG THE FEDERAL HIGHWAY ADMINISTRATION, MARYLAND TRANSPORTATION AUTHORITY, MARYLAND STATE HISTORIC PRESERVATION OFFICER, AND ADVISORY COUNCIL ON HISTORIC PRESERVATION

IMPLEMENTING SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE CHESAPEAKE BAY CROSSING STUDY IN ANNE ARUNDEL AND QUEEN ANNE'S COUNTIES, MARYLAND

JULY 2026

Signatory:

MARYLAND TRANSPORTATION AUTHORITY

Bruce Gartner
Executive Director

Date 8/3/2026

PROGRAMMATIC AGREEMENT AMONG THE FEDERAL HIGHWAY ADMINISTRATION, MARYLAND TRANSPORTATION AUTHORITY, MARYLAND STATE HISTORIC PRESERVATION OFFICER, AND ADVISORY COUNCIL ON HISTORIC PRESERVATION

IMPLEMENTING SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE CHESAPEAKE BAY CROSSING STUDY IN ANNE ARUNDEL AND QUEEN ANNE'S COUNTIES, MARYLAND

JULY 2026

Signatory:

MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

William Pines, P.E.
Administrator

Date 7/29/2026

Docusign Envelope ID: E4F94D66-5D4F-8D83-8314-58BC42B4C88F

PROGRAMMATIC AGREEMENT AMONG THE FEDERAL HIGHWAY ADMINISTRATION, MARYLAND TRANSPORTATION AUTHORITY, MARYLAND STATE HISTORIC PRESERVATION OFFICER, AND ADVISORY COUNCIL ON HISTORIC PRESERVATION

IMPLEMENTING SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE CHESAPEAKE BAY CROSSING STUDY IN ANNE ARUNDEL AND QUEEN ANNE'S COUNTIES, MARYLAND

JULY 2026

Signatory:

MARYLAND DEPARTMENT OF NATURAL RESOURCES

DocuSigned by:
9FB46A8C8A1A4F8...

Date 7/29/2026

Paul Peditto
Assistant Secretary Land Resources

Attachments

1. Inadvertent Discovery Plan
2. All Parties Invited to Consult on the Project
3. Consulting Parties invited to Concur
4. Links to Documentation Referenced
5. Area of Potential Effects Map
6. Contact Information for FHWA and MDTA staff responsible for PA implementation (to be updated as necessary)

Attachment 1
Inadvertent Discovery Plan

A. Unanticipated Impacts to Architectural Historic Properties: if the Project causes unanticipated impacts to any National Register of Historic Places (NRHP) eligible, listed, or contributing buildings, sites, structures, or objects of the built environment, the contractor must notify the engineer and immediately cease any activity causing ongoing damage until consultation occurs. MDTA shall, in consultation with the MD SHPO, determine if adverse effects have occurred to the property/properties and develop a plan for the protection of the historic property, and minimization or mitigation of impacts. If mitigation is identified, FHWA, MDTA, MD SHPO, and other Signatories as necessary will amend this PA to record the identified mitigation. MDTA may hold its contractor(s) liable for any or all costs resulting from this process following appropriate processes identified in its contract instruments.

B. Unanticipated Damage to Known Archaeological Resources: if unauthorized excavation occurs outside the approved limits of disturbance (LOD) or other approved boundaries designed to protect archaeological resources or cemeteries and thereby causes impacts to known, NRHP-eligible properties, MDTA will ensure any activity causing ongoing damage is stopped until consultation occurs. MDTA will conduct a damage assessment consistent with the model used for such assessments under the Archaeological Resources Protection Act (https://www.nps.gov/subjects/archeology/upload/tchBrf20_508.pdf). MDTA will use the results of the assessment in consultation with the MD SHPO to determine if the resource has been adversely affected and determine appropriate mitigation should an adverse effect be found. If the resource is of known or suspected Native American affiliation, FHWA, with assistance from MDTA, will consult with Tribal Nations as appropriate. If the resource is affiliated with other known descendant groups or consulting parties, MDTA will consult with such parties as well. If mitigation is identified, FHWA, MDTA, MD SHPO, and other Signatories as necessary will execute a Memorandum of Agreement or amend this PA to record the identified mitigation. MDTA may hold its contractor(s) liable for any or all costs resulting from this process following appropriate processes identified in its contract instruments.

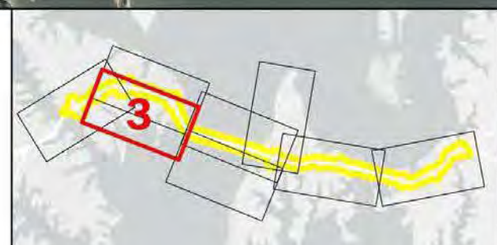


c:::::J Area of Potentic1I Effect (APE)

Historic Properties*

Parcels

* *Archaeological historic property locations are not shown on the map due lo protected status.*



I " = 1,500 Feet

0 250 500 1,000 1,500 2,000 US Fool

MDTA

ChesaReake BAY CROSSING STUDY
TIER 2 NEPA

Area of Potential Effects and Historic Properties

C. Unanticipated Discovery of Human Remains: Should any burials, interments, or human remains (hereafter, "remains") be encountered during construction, MDTA will ensure all applicable construction work in the vicinity of the remains is immediately stopped to prevent damage to the remains, or to any additional remains that might be present in the vicinity. A minimum 100-foot buffer around identified remains will be established by MDTA free of disturbance, to be adjusted as appropriate for the site conditions. Construction may occur outside the buffer unless evidence of additional remains is found. If remains are suspected to be human but not confirmed, MDTA will ensure that such confirmation is made by a qualified professional. Human remains will at all times be treated respectfully and access and visibility will be limited to the site of discovery to authorized personnel only. Pursuant to State of Maryland Criminal Code § 10-402, the State's Attorney must authorize movement or removal of any remains until determined to be archaeological. If the remains are determined to be archaeological, MDTA and the MD SHPO will consult to determine treatment of the remains and any other necessary treatment such as work needed to define extent of remains in the most expeditious manner feasible.

If the remains are determined archaeological and suspected to be of Native American origin, MDTA, in coordination with FHWA, shall provide notification to tribal governments in accordance with any expressed tribal consultation preferences within 24 hours or as soon as practicable. MDTA and/or FHWA will consult with affected Tribal Nations, the Maryland Commission on Indian Affairs and appropriate Maryland Indian groups regarding treatment of the remains. MDTA will accommodate expressed tribal cultural preferences to the extent practicable during such an event. If remains can be associated with other known descendant communities or organizations, including consulting or concurring parties to this PA, such parties shall also be consulted.

In consultation with the MD SHPO, Tribal Nations, and FHWA as appropriate, and other identified descendant/affiliated consulting parties, the MDTA shall develop a plan for the treatment or disposition of the remains or follow provisions of an existing treatment plan developed per this PA. MDTA shall implement the provisions of the agreed treatment plan.

Should the remains be associated with, or constitute an intact archaeological resource, provision **D** below is also applicable.

D. Unanticipated Discovery of Archaeological Resources: If previously unidentified archaeological features, artifacts, or other materials (hereafter, "resource") are discovered during construction, all ground-disturbing work in the vicinity of the resource shall be temporarily suspended or modified to prevent

further damage to the resource, and MDTA will provide a reasonable buffer where ground disturbance is prohibited to cover the extent of the resource that may not be exposed.

The MDTA archaeologist shall perform a preliminary inspection to identify the resource and evaluate its likelihood of NRHP eligibility. Following this inspection, construction may resume in the vicinity of but outside the boundary of the archaeological resource as defined by the MDTA archaeologist. If the resource is potentially eligible for the NRHP, MDTA will consult with the MD SHPO on an eligibility determination and, if determined eligible for the NRHP, every effort shall be made to minimize impacts through redesign or modification of construction methods. If the resource is of known or suspected Native American affiliation, FHWA, with assistance from MDTA shall consult with Tribal Nations. If the resource can be reasonably identified with other descendant or affiliated communities, MDTA shall also attempt to consult with such parties.

In consultation with the MD SHPO, MDTA shall develop a plan for the treatment of any resource determined eligible. MDTA shall describe actions proposed to avoid, minimize, or mitigate adverse effects, and request SHPO, tribal, and any other consulting party comments within 5 working days, unless there is a life or safety hazard requiring immediate interim action. MDTA will disclose any interim action affecting the eligible resource taken in the event of a life or safety hazard. MDTA, at its discretion, may establish a longer comment period if practicable in consideration of potential safety, cost, public travel disruption, and other factors.

MDTA shall then implement the provisions of the agreed-upon plan and amend this PA to document the resolution, should the resource be determined eligible and should the Project adversely affect the resource.

Attachment 2
All Parties Invited to Consult on the Project

Federally Recognized Tribal Nations

- **Absentee-Shawnee Tribe of Oklahoma**
- **Delaware Nation**
- **Delaware Tribe of Indians**
- **Eastern Shawnee Tribe of Oklahoma**
- **Oneida Indian Nation**
- **Onondaga Nation**
- **Pamunkey Indian Tribe**
- **Saint Regis Mohawk Tribe**
- **Seneca-Cayuga Nation**
- **Shawnee Tribe**
- **Tuscarora Nation**

State Recognized and Other Tribes

- **Accohannock Indian Tribe, Inc.**
- **Nause-Waiwash Band of Indians**
- **Piscataway Conoy Tribe of Maryland (PCT)**
- **PCT - Cedarville Band of Piscataway**
- **PCT - Choptico Band of Piscataway**
- **Piscataway Indian Nation**
- **Pocomoke Indian Nation**

Federal Agencies

- **Aberdeen Proving Ground**
- **NOAA Fisheries, Greater Atlantic Regional Fisheries Office**
- **National Park Service**
- **Naval Air Station Patuxent River**
- **U.S. Army Corps of Engineers**
- **U.S. Coast Guard**
- **United States Naval Academy**

State Agencies and Organizations

- **Department of Natural Resources**
- **Maryland Commission on African American History and Culture**

- **Maryland Commission on Indian Affairs**
- **Maryland Department of the Military**
- **Maryland Park Service**
- **Maryland Historical Trust**
- **Preservation Maryland**
- **Sandy Point State Park**

County Agencies and Organizations

- **Anne Arundel County Department of Recreation and Parks**
- **Anne Arundel County Historical Society**
- **Anne Arundel County Office of Planning & Zoning Cultural Resources Section**
- **Anne Arundel County Office of Transportation**
- **Calvert County Department of Community Planning and Building, Calvert County Historic District**
- **Calvert County Historical Society**
- **Cecil County Planning Commission**
- **Cecil Historical Trust**
- **Charles County Department of Planning and Growth Management**
- **Dorchester County Planning and Zoning**
- **Eastern Shore Land Conservancy**
- **Harford County Department of Planning and Zoning**
- **Harford Land Trust**
- **Kent Conservation and Preservation Alliance**
- **Kent County Department of Planning, Housing and Zoning**
- **Kent County Heritage Trust**
- **Lower Shore Land Trust**
- **North County Land Trust**
- **Patapsco Heritage Greenway**
- **Patuxent Tidewater Land Trust**
- **Preservation Alliance of Baltimore County**
- **Preservation Trust of Wicomico**
- **Queen Anne's Conservation Association**
- **Queen Anne's County Department of Public Works**
- **Queen Anne's County Economic Development**
- **Queen Anne's County Historical Society**
- **Queen Anne's County Parks and Recreation**
- **Queen Anne's County Planning & Zoning**
- **Queen Anne's County Roads Division**
- **Scenic Rivers Land Trust**
- **Somerset County Historical Trust**
- **Somerset County Planning and Zoning Commission**

- **St. Mary's County Department of Land Use and Growth Management;**
- **St. Mary's County Historic Preservation Commission**
- **Talbot County Historic Preservation Commission**
- **Talbot Historical Society**
- **Wicomico County Department of Planning and Zoning**

Municipal and Other Organizations

- **Aberdeen Heritage Trust**
- **American Chestnut Land Trust**
- **Annapolis Historic District Commission**
- **Arnold Preservation Council**
- **Asbury-Broadneck United Methodist Church**
- **Baltimore City Commission on Historical and Architectural Preservation**
- **Baltimore County Landmarks Preservation Commission**
- **Baltimore Heritage**
- **Baltimore National Heritage Area**
- **Bay Bridge Airport**
- **Beach to Bay Heritage Area**
- **Blacks of the Chesapeake Foundation**
- **Broadneck African American Heritage Project**
- **Bryan's United Methodist Church**
- **Cambridge Historic Preservation Commission**
- **Center for the Environment and Society**
- **Charlestown Historic District Commission**
- **Chesapeake Bay Foundation**
- **Chesapeake Bay Maritime Museum**
- **Chesapeake City Historic District Commission**
- **Chesapeake Crossroads Heritage Area**
- **Chesapeake Heritage Conservancy**
- **Chestertown Historic District Commission**
- **Deale Area Historical Society**
- **Eastern Shore Land Conservancy**
- **Easton Historic District Commission**
- **Friends of Historic Christ Church**
- **Havre de Grace Historic District Commission**
- **Heart of Chesapeake Country Heritage Area**
- **Historic Annapolis Foundation**
- **Historic London Town and Gardens**
- **Historic Owensville Civic Association**
- **Historic Stevensville Arts & Entertainment District**
- **Kennard African American Cultural Heritage Center**
- **Kent Island Heritage Society**

- **Lower Susquehanna Heritage Greenway**
- **New United Methodist Church**
- **North Beach Historic Preservation Commission**
- **Oxford Historic District Commission**
- **Princess Anne Historic District Commission**
- **Rockaway Beach Improvement Association, Inc.**
- **Skidmore Community**
- **Southern Maryland Heritage Area**
- **Stevensville Cemetery Inc**
- **St. Michaels Historic District Commission**
- **Stories of the Chesapeake Heritage Area**
- **Tilghman Watermen's Museum**
- **Town of Queenstown Planning Commission**
- **Waterkeepers Chesapeake**

Attachment 3
Consulting Parties Invited to Concur

Federally Recognized Tribal Nations

- **Absentee-Shawnee Tribe of Oklahoma**
- **Delaware Nation**
- **Delaware Tribe of Indians**
- **Eastern Shawnee Tribe of Oklahoma**
- **Oneida Indian Nation**
- **Onondaga Nation**
- **Pamunkey Indian Tribe**
- **Saint Regis Mohawk Tribe**
- **Seneca-Cayuga Nation**
- **Shawnee Tribe**
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State Recognized and Other Tribes

- **Accohannock Indian Tribe, Inc.**
- **Piscataway Conoy Tribe of Maryland (PCT)**
- **PCT - Cedarville Band of Piscataway**
- **PCT - Choptico Band of Piscataway**
- **Piscataway Indian Nation**

Federal Agencies

- **NOAA Fisheries, Greater Atlantic Regional Fisheries Office**
- **National Park Service**
- **U.S. Army Corps of Engineers**
- **U.S. Coast Guard**

State Agencies and Organizations

- **Department of Natural Resources**
- **Maryland Commission on African American History and Culture**
- **Maryland Commission on Indian Affairs**
- **Maryland Park Service**
- **Maryland Historical Trust**
- **Preservation Maryland**
- **Sandy Point State Park**

County Agencies and Organizations

- **Anne Arundel County Department of Recreation and Parks**
- **Anne Arundel County Historical Society**
- **Anne Arundel County Office of Planning & Zoning Cultural Resources Section**
- **Anne Arundel County Office of Transportation**
- **Queen Anne's Conservation Association**
- **Queen Anne's County Department of Public Works**
- **Queen Anne's County Economic Development**
- **Queen Anne's County Historical Society**
- **Queen Anne's County Parks and Recreation**
- **Queen Anne's County Planning & Zoning**
- **Queen Anne's County Roads Division**

Municipal and Other Organizations

- **Arnold Preservation Council**
- **Asbury-Broadneck United Methodist Church**
- **Bay Bridge Airport**
- **Blacks of the Chesapeake Foundation**
- **Broadneck African American Heritage Project**
- **Bryan's United Methodist Church**
- **Chesapeake Bay Foundation**
- **Chesapeake Crossroads Heritage Area**
- **Eastern Shore Land Conservancy**
- **Friends of Historic Christ Church**
- **Historic Annapolis Foundation**
- **Historic Stevensville Arts & Entertainment District**
- **Kennard African American Cultural Heritage Center**
- **Kent Island Heritage Society**
- **New United Methodist Church**
- **Skidmore Community**
- **Stevensville Cemetery Inc**
- **Stories of the Chesapeake Heritage Area**
- **Town of Queenstown Planning Commission**

Attachment 4
Links to Documentation Referenced in the BCS PA

Federal Codes and Regulations

16 U.S.C. 470aa-470mm
Archaeological Resources Protection Act (ARPA)
https://uscode.house.gov/view.xhtml?path=/prelim@title16/chapter1B&edition=prelim

36 C.F.R. Part 63
Dispute Resolution of Determinations of Eligibility for Inclusion in the NRHP
https://www.ecfr.gov/current/title-36/chapter-I/part-63

36 C.F.R. Part 800
Implementing Regulations of Section 106 of the National Historic Preservation Act
https://www.ecfr.gov/current/title-36/chapter-VIII/part-800?toc=1

54 U.S.C.

- National Historic Preservation Act
  - § 306108 Effect of Undertaking on Historic Property
    - https://uscode.house.gov/view.xhtml?req=(title:54%20section:306108%20edition:prelim)
  - § 307103 Access to Information (Section 304)
    - https://www.achp.gov/digital-library-section-106-landing/frequently-asked-questions-protecting-sensitive-information

State Codes and Regulations

Maryland Criminal Code § 0-402
Courts and Judicial Proceedings
https://law.justia.com/codes/maryland/2013/article-gcr/section-10-402

Maryland Natural Resources Code § 5-103
Reforestation
https://roads.maryland.gov/mdotsha/pages/index.aspx?PageId=158

Guidelines and Standards

Advisory Council on Historic Preservation

- *Exemption Regarding Historic Preservation Review Process for Effects to the Interstate Highway System* (ACHP Program Comment, 2005) https://www.achp.gov/sites/default/files/exemptions/2017-01/final_interstate_exemption_notice.pdf

- *Policy Statement on Burial Sites, Human Remains, and Funerary Objects* (ACHP March 2023) https://www.achp.gov/sites/default/files/policies/2023-07/PolicyStatementonBurialSitesHumanRemainsandFuneraryObjects30June2023.pdf

- *Program Comment Issued for Streamlining Section 106 Review for Actions Affecting Post-1945 Concrete and Steel Bridges* (77 FR 68790) https://www.federalregister.gov/documents/2012/11/16/2012-27866/program-comment-issued-for-streamlining-section-106-review-for-actions-affecting-post-1945-concrete

- *Section 106 Archaeology Guidance* (ACHP, 2009) https://www.achp.gov/sites/default/files/guidance/2017-02/ACHP%20ARCHAEOLOGY%20GUIDANCE.pdf

The Maryland Historical Trust

- Standards and Guidelines for Archaeological Survey and Excavation in Maryland (McKnight et al., 2026) https://mht.maryland.gov/Documents/archaeology/Archeology_standards_investigations.pdf

- *Technical Update No. 1 of the Standards and Guidelines for Archaeological Investigations in Maryland: Collections and Conservation Standards* (2022) https://mht.maryland.gov/Documents/archaeology/2022-Technical-Update-No-1-Archaeological-Collections-and-Conservation-Standards.pdf

- Standards and Guidelines for Architectural and Historical Investigations in Maryland (Maryland Historical Trust, Updated 2023) https://mht.maryland.gov/Documents/research/Survey_standards_architecture_web.pdf

The National Park Service

- NRHP Bulletin 15 – How to Apply the National Register Criteria for Evaluation (National Park Service, revised 1997)
  https://www.nps.gov/subjects/nationalregister/upload/NRB-15_web508.pdf

- Other NRHP Bulletins
  https://www.nps.gov/subjects/nationalregister/publications.htm#:~:text=national%20register%20of%20historic%20places%20bulletins

- The Secretary of the Interior's Guidelines for the Treatment of Historic Properties (1995, Revised 2017)
  https://www.nps.gov/orgs/1739/upload/treatment-guidelines-2017-part1-preservation-rehabilitation.pdf

- The Secretary of the Interior's Professional Qualifications Standards
  https://www.nps.gov/articles/sec-standards-prof-quals.htm
  OR see 48 FR 44738
  https://www.nps.gov/subjects/historicpreservation/upload/standards-guidelines-archeology-historic-preservation.pdf

- The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (1983)
  https://www.nps.gov/subjects/historicpreservation/upload/standards-guidelines-archeology-historic-preservation.pdf

- The Secretary of the Interior's Standards for the Treatment of Historic Properties (1995, Revised 2017)
  https://www.nps.gov/orgs/1739/secretary-standards-treatment-historic-properties.htm
  OR https://www.ecfr.gov/current/title-36/chapter-I/part-68

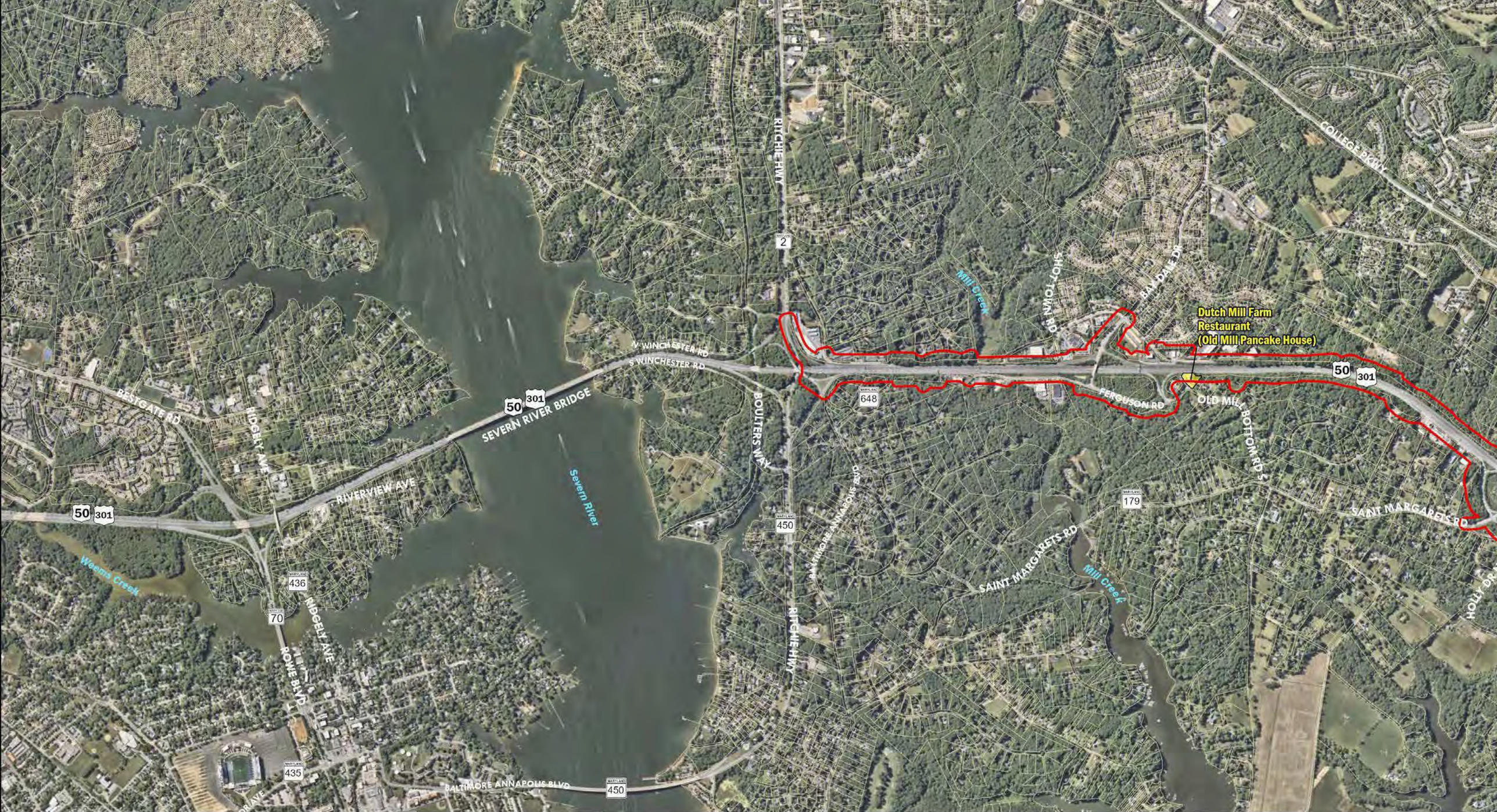
Other Referenced Information

- Chesapeake Bay Crossing Study Tier 1 FEIS/ROD
  https://www.baycrossingstudy.com/archives/tier-1-study/tier-1-feis-rod/

- Tier 2 Section 106 Effects Assessment Report (January 2026)
  https://www.baycrossingstudy.com/wp-content/uploads/BCST2_EffectsReport_Jan2026_ADA_redacted.pdf

- MDOT SHA Statewide PA:
  https://www.roads.maryland.gov/OPPEN/2026_PA_Amendment.pdf

Attachment 5
Area of Potential Effects Map



c::::::J Area of Potentic1I Effect **(APE)**

Historic Properties•

Parcels

* Archoeologico/hi•Slon•c *pr•op erty locations* ore *not shown* on *the map due* lo pro ec *status.*



1" = 1,500 Feet

O 250 500 1,000 1,500 2,000

MDTA

ChesaReake BAY CROSSING

Area of Potential Eff•cts and Historic Properties

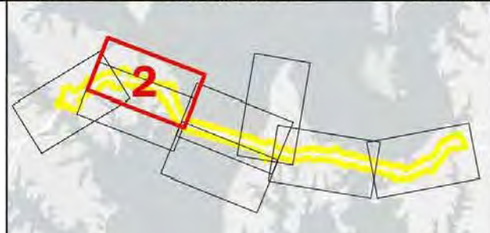
Deep Creek
Little Magothy River
Podickory Creek
Sandy Point Shoal Light Station
COLLEGE PKWY
CAPE SAINT CLAIRE RD
BAY HEAD RD
YORKTOWN RD
OCEANIC DR
S BEACH RD
Sandy Point State Park
Sandy Point Farm House
Asbury Broadneck Methodist Church and Cemetery
E COLLEGE PKWY
WHITEHALL RD
SKIDMORE DR
Skidmore
Woodlyn Farm
Mezick Pond
OLD HARRISTOWN RD
Westinghouse Bay
SAINT MARGARETS RD
HOLLY DR N
Whitehall Creek
RIDOUT LN
MARYLAND 179
50
301
Meredith Creek
HOLLY BEACH FARM RD
Dutch Mill Farm Restaurant (Old Mill Pancake House)
OLD MILL BOTTOM RD S
FERGUSON RD
Rideout Creek
Holly Beach Farm
Weedon Farmhouse
Westinghouse Ocean Research and Engineering Center (Westinghouse Oceanic Division) (Northrop Grumman)

,----, Area of Potentic1I E,f,fect **(APE)**

Historic Properties

Parcels

* Archaeological historic properties are not shown on the map to protect sensitive locations.



1" = 1,500 Feet

US Feet

MDTA

Chesapeake Study

BAY CROSSING TIER 2 NEPA

Area of Potential Effects and Historic Properties

Sandy
Point Shoal Light
Station

Chesapeake Bay

Chesapeake Bay Bridge
(William Preston Lane
Jr. Memorial Bridge)

50 301

50 301

Bay

Chesapeake Bay

Clayland
Price Farm

Stevensville
Country Store

Lowery's
Hotel

18

J.H. Tolson
Store

Cray
House

BATEAU DR

LOVE POINT RD

BUSINESS PKWY

Charles Stevens
Store

8

Stevensville
Historic
District

Gillis
House

50 301

THOMPSON CREEK RD

John Benton
House

PIER ONE RD

Eareckson
House (Nathan Morris
House)

ROMANCOKE RD

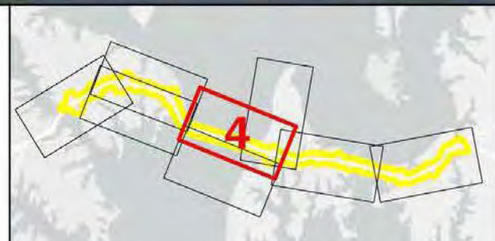
Broad Creek

c:::::J Area of Potentic1l Effect (APE)

◆ Historic Properties ;,

Pc1rcels

* *Archaeological historic property locations are not* shown on *the* map *due* lo *profecled* status.



I " = 1,500 Feet

:c:c::===::===:]====USFee,

0 250 500 1,000 1,500 2,000

MDTA

ChesaReake ◆ •
BAY CROSSING STUDY
TIER 2 NEPA

Area of Potential Effects and Historic Properties

Chesapeake Bay

Broad Creek

ROMANCOKE RD

Matapeake Ferry Terminal, Club House, Shop

50

301

8

Area of Potential Effect (APE)

Historic Properties *

Parcels

* *Archaeological historic property locations are* not shown on *the* mop *due* lo *protected status.*

5

1 " = 1,500 Feet

0 250 500 1,000 1,500 2,000 US Feet

MDTA

ChesaRea e a
BAY CROSSING STUDY
TIER 2 NEPA

Area of Potential Effects and Historic Properties

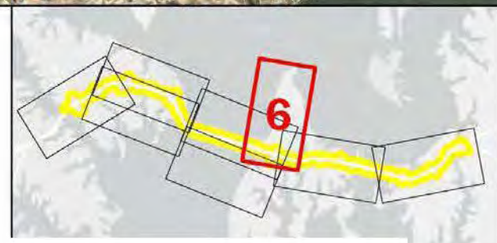
John Benton House
Cray House
Stevensville Country Store
Stevensville Bank
J.H. Tolson Store
Lowery's Hotel
Charles Stevens Store
Gillis House
Stevensville Historic District
Christ Church
Stevensville Post Office (Dr. J.E.H. Lewis Office)
Ford House and Garage
Turner House (DR. J.E.H. Lewis House)
Clayland Price Farm
Belle Vue (Blue Bay Farm)
William E. Denny Farm
LOVE POINT RD
MAIN ST
THOMPSON CREEK
COKER RD
50
301
18
8

c::::J Area of Potentic1I Effect (APE)

◆ Historic Properties *

Pc1rcels

* *Archaeological* historic *property locations are* not shown *on the* map *due to profecled status.*



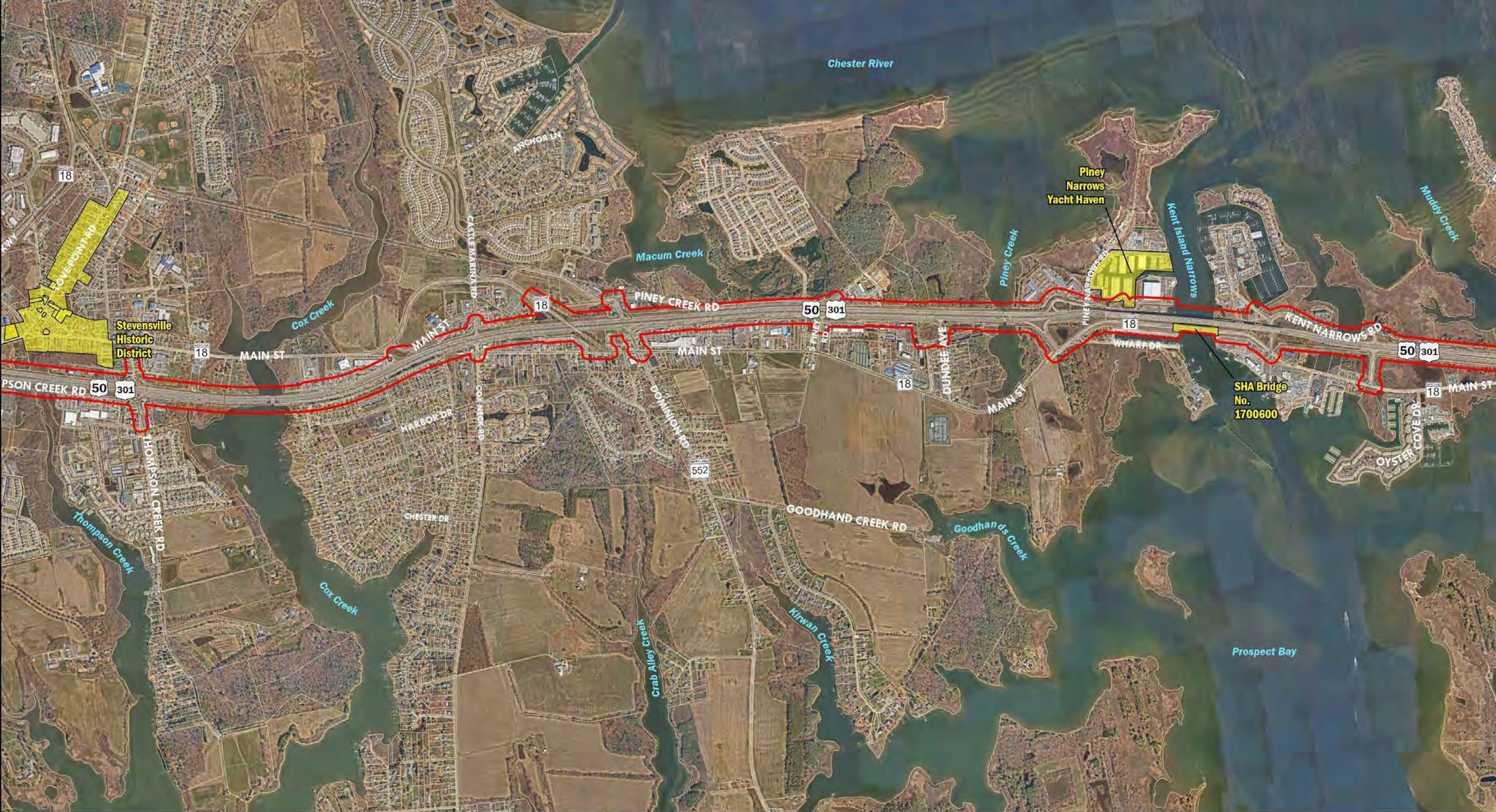
I " = 1,500 Feet

0 250 500 1,000 1,500 2,000 US Fee,

MDTA

ChesaReake Bay Crossing Study
TIER 2 NEPA

Area of Potential Effects and Historic Properties



c::::J Area of Potentic1I Effect (APE)

◆ Historic Properties *

Pc1rcels

* *Archaeological lii Sfor,c pr op erty boca_ion s a_re not shown* on *the map due to pro ec*



1" = 1,500 Feet

0 250 500 1,000 1,500 2,000 USFeel

MDTA

Chesapeake BAY CROSSING STUDY TIER 2 NEPA

Area of Potential Effects and Historic Properties

Chester River
Queenstown Creek
Muddy Creek
Jackson Creek
Winchester Creek
Marshy Creek
Wye River
LONG POINT RD
BLACK BEARD RD
NESBIT RD
BENNETT POINT RD
CHESTER RIVER BEACH RD
WINCHESTER CREEK RD
VFW AVE
STATION LN
EVA MAE AVE
HESS RD
MAIN ST
OCEAN GTWY
18
50
301

c::::J Area of Potentic1I Effect (APE)

◆ Historic Properties *

Pc1rcels

* *Archaeological* historic *property locations are* not shown *on the map due to profecled status.*



N

1 " = 1,500 Feet

0 250 500 1,000 1,500 2,000 USFeel

MDTA

ChesaRea e BAY CROSSING STUDY
TIER 2 NEPA

Area of Potential Effects and Historic Properties

Attachment 6
FHWA and MDTA Staff Contact Information

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