Bay Bridge Reconstruction Advisory Group (BBRAG)

January 7, 2026

The Honorable Wes Moore, Governor,
100 State Circle,
Annapolis, Maryland 21401-1925

Dear Governor Moore,

The Bay Bridge Reconstruction Advisory Board BBRAG) wishes to go on record in support of Alternative C as the Recommended Preferred Alternative for the Chesapeake Bay Crossing Study: Tier 2 NEPA. The BBRAG is an advisory group of citizens and elected and appointed officials who advise the MDTA on reconstruction, maintenance and traffic issues surrounding the Bay Bridge from a community perspective from both sides of the Bay. As Maryland's only crossing of the Chesapeake Bay, the Bay Bridge is a critical infrastructure link in the State's regional transportation system. It is vital in supporting the diverse regional economy and the social and cultural life of Maryland's Eastern Shore and the extended Delmarva Peninsula.

Recent years have shown that as the populations of Anne Arundel and Queen Anne's County have grown, along with the entire Eastern Shore, the current Bay Bridge capacity simply does not accommodate the increasing traffic volumes. The growing popularity of recreation on Delmarva has led to summer weekend queues that can extend greater than five miles with delays lasting as long as eight hours. Congestion also increases during routine or emergency maintenance work, adverse weather conditions, and emergency incidents. The increasingly negative impact of Bay Bridge related traffic issues has led to serious reductions in mobility, reliable access to employment, recreation, and general human activity. This has resulted in an overall degradation in the quality of life for local residents and visitors from near and far, with negative impacts on the environment and the economy. And these are the "good old days". As growth continues in our general area, the situation will only continue to get worse.

MDTA has implemented numerous creative measures to try to alleviate traffic congestion and improve safety. These have included use of "contraflow", two-way operations to borrow a lane from the Westbound Bridge to accommodate eastbound traffic demand – not available during adverse weather conditions. They have also included scheduled ramp closures by SHA on both sides of the Bay to help alleviate back road gridlock and eliminate bottleneck impacts close to the Bridge. These measures are appreciated but are limited as long term solutions. New bridges, with greater capacity, appear to be the only answer. To address this longterm challenge MDTA and the Federal Highway administration have performed extensive studies and analyses of various solutions. Included in this effort, there have been extensive public, stakeholder, agency and BBRAG engagements to review considerable input that has helped determine the recommendation. This effort has led to the Recommended Preferred Alternative (RPA) - Alternative C.

Essentially, Alternative C includes two new spans, each with four lanes, three more lanes than the current bridge. It would meet the need for the necessary current and projected capacity, removing the bottlenecks of restricted capacity. It would also significantly enhance public safety by reducing the need for two-way operations and providing full shoulders for maintenance activities and emergencies. The detailed plan includes building a new eastbound span directly south of the existing eastbound span, then removing the old eastbound span. Then the new westbound span would be built between the existing spans. The old westbound span would then be removed after the new span opens.

The reported benefits make sense. The ultimate cost is lower than the other alternatives considered. There would be lower negative environmental impacts than the other alternatives. Most notably, focusing on the south side of the current span will avoid considerable natural parkland impact on the north side on both sides of the Bay. Although it will be a tight squeeze on Kent Island between the existing Rt. 50 corridor and the Bay Bridge / Pier One Marina commercial and residential complex. The major challenge of Alternative C may be the Rt. 50 corridor on both sides of the Bay remaining at 3 lanes in each direction to within about a half a mile from the new bridge. There will likely be necessary infrastructure upgrades in both Anne Arundel and Queen Anne's County to help facilitate the increased traffic.

In addition to improved traffic capacity, a compelling reason to move forward with the new bridge is the nightmare of the Key Bridge disaster, with a similar set of vulnerabilities as the Bay Bridge. The new spans will not only provide the significant economic benefit of enhanced access to the port of Baltimore by greater height requirements to meet future worldwide shipping needs. They will be designed to afford greater strength and pier protection. "Higher, wider, stronger" make good sense to us.

The BBRAG therefore stands in support of Alternative C and urges FHWA to move forward with approval.

Sincerely,

[redacted]

BBRAG Chair

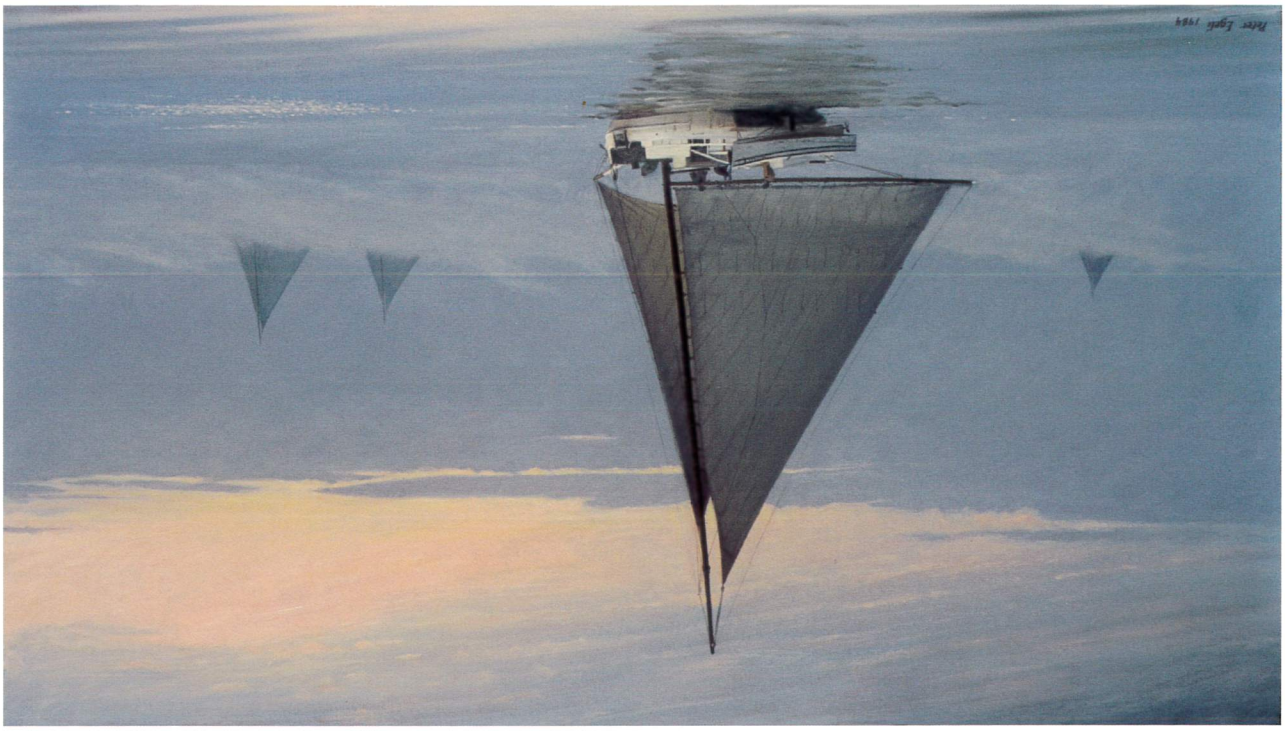
Dear MDTA,

Please include a separated bicycle and pedestrian path on one of the new spans of the Chesapeake.

All the great bridges of the world have this and our next bridge should be nothing less!

Thank you,

[redacted]



Sea Smoke
The skipjack *Susan May* working on Chesapeake Bay.
Oil on linen, 24 by 42 inches

www.peteregeli.com

MARYLAND
Eastern Shore Trail Network

Maryland Transportation Authority
Attn: Chesapeake Bay Crossing Study / Office of Planning and Programming
2310 Broening Highway
Baltimore, MD 21224

February 20, 2026

Re: Support for an included bicycle and pedestrian shared-use path on the new Chesapeake Bay Bridge (Bay Crossing Study – Recommended Preferred Alternative "Alternative C")

Dear Chair and Members of the Maryland Transportation Authority Board, and Bay Crossing Study Project Team:

On behalf of the **Maryland Eastern Shore Trail Network (MESTN.org)**, we write to express strong support for including (not merely "optionally evaluating") a safe, separated bicycle and pedestrian shared-use path as part of the planned replacement crossing now advancing as the MDTA's Recommended Preferred Alternative (Alternative C). The Study materials describe the current recommendation as including "financial commitments for transit-related improvements and an optional bicycle and pedestrian shared-use path." We urge MDTA to make the shared-use path a core project element, advanced through design and environmental review with the same seriousness as the roadway and shoulder components.

Additionally, MDOT's adopted Complete Streets policy applies and requires meaningful accommodation for people walking and bicycling.

Maryland's clear direction through **MDOT 750 – Complete Streets** states that Complete Streets principles must be implemented on MDOT projects in right-of-way, including capital improvement projects such as construction or reconstruction of a roadway, intersection, or bridge. The policy further provides that it is applicable to all capital improvement projects within MDOT right-of-way, including structures.

MDOT 750 also explicitly addresses MDTA: it states that "MDTA projects constructed in any section of MDOT right-of-way" are within the policy's applicability framework and that where MDTA ramps, roads, and structures in MDOT right-of-way abut planned or existing multimodal connections, MDTA shall refer to the Policy. In addition, the policy's overarching statement commits MDOT to planning, design, construction, and reconstruction that considers the safety of all lawful users on facilities within MDOT right-of-way.

In regards to cost, the MDOT 750's Implementation Plan allows a cost-based waiver only if MDOT/MDTA documents that the accommodation would be "excessively disproportionate,"

including a cost analysis showing the added accommodation cost is more than 20% of total project cost (plus alternatives and impacts) in a formal memo submitted for approval.

For the Bay Crossing Study's Tier 2 NEPA materials, MDTA's published planning-level estimate for Alternative C is $14.8–$16.4B without the optional shared-use path versus $16.1–$17.6B with it—an increase of about $1.2–$1.3B (~7–9%), which is well below the 20% cost-threshold MDOT sets for a waiver request.

In short: Maryland has created its own rules for building "Complete Streets," and this bridge replacement is exactly the type of project those rules were written to govern. Treating the bicycle/pedestrian facility as merely "optional" is inconsistent with the intent of a statewide **Complete Streets** policy meant to produce safe, connected networks.

A Bay Bridge shared-use path is a once-in-a-generation network connection!

The Chesapeake Bay is the single largest barrier to walking and bicycling connectivity in Maryland. A shared-use path on the new Bay Bridge would:

- Close a critical statewide gap in the bicycle and pedestrian network and unlock new regional connections for residents and visitors;
- Provide a safe, non-motorized option for trips that include micromobility and transit connections on both shores; and
- Advance Maryland's safety goals by providing a separated facility designed for people outside motor vehicles, rather than forcing those trips onto unsafe or unavailable alternatives.

MDOT 750 emphasizes that transportation options for people walking and bicycling should not be negatively impacted by new projects, including impacts to complete bicycle and pedestrian networks from limited-access highway projects. A bridge replacement that does not include a safe, separated shared-use path would perpetuate (and effectively lock in) the existing network barrier for decades.

Requested Action

We respectfully request that MDTA:

1. Commit now to including a physically separated bicycle and pedestrian shared-use path as part of the new crossing, rather than treating it as an optional add-on; and
2. Ensure the shared-use path is advanced through the Tier 2 NEPA process and design development as a defined project component, consistent with MDOT 750's Complete Streets requirements for bridge capital projects in MDOT right-of-way.

Thank you for your consideration and for your work to improve safety and mobility across the Chesapeake Bay. We would welcome the opportunity to discuss design expectations for a safe shared-use path (width, physical separation, approaches, connections, operations, and maintenance) to ensure it functions as a true transportation facility for Marylanders.

Sincerely,

[redacted], Chair, Maryland's Eastern Shore Trail Network
Caroline County

[redacted] Vice Chair, Maryland's Eastern Shore Trail Network
Kent County

[redacted], Maryland's Eastern Shore Trail Network
Queen Anne's County

[redacted], Maryland's Eastern Shore Trail Network
Wicomico County

[redacted], Maryland's Eastern Shore Trail Network
Talbot County

cc: MDOT Office of the Secretary

Date: March 3, 2026

To: Kathryn Thomson, Acting Secretary, Maryland Department of Transportation
Bruce Gartner, Executive Director, Maryland Transportation Authority (MDTA)
Josh Kurtz, Secretary, Maryland Department of Natural Resources

From: [redacted], Chief Executive Officer, Visit Annapolis & Anne Arundel County

Subject: Support for MDTA Recommended Preferred Alternative C for the Chesapeake Bay Crossing Study and Recommendation to include the Separated Shared-Use Path for pedestrians and bicyclists

Around the world, iconic bridges draw millions of visitors each year—from walking the Golden Gate Bridge in San Francisco to climbing Sydney Harbour Bridge. These structures are more than connections and transportation; they are destinations, experiences, and economic engines. The Chesapeake Bay Bridge has the potential to become more than a crossing with a separated, shared-use bicycle and pedestrian path on one span—turning travel across the Bay into a scenic adventure, a daily commute into an experience, and a short visit into an unforgettable memory.

Visit Annapolis & Anne Arundel County, the destination marketing and management organization for Anne Arundel County, strongly supports the Maryland Transportation Authority's Recommended Preferred Alternative C for the Chesapeake Bay Crossing Study. We respectfully urge the mandatory inclusion of this shared-use path, which should be evaluated as long-term economic investment, not solely as a construction cost.

This investment will generate significant economic, community, and environmental benefits for Maryland, including:

- **Outdoor recreation revenue:** Maryland's outdoor recreation economy generated $9.4 billion in GDP in 2023—a 12 percent increase over the previous year—supporting 81,000 jobs and $4.5 billion in wages. A bicycle and pedestrian crossing would make the Bay Bridge not just a connection, but a destination itself—drawing visitors, extending stays, and offering breathtaking views of Maryland's waterways.

- **Visitor spending:** In 2024, more than 7 million visitors to Anne Arundel County generated $4.3 billion in economic impact, including $460 million in state and local taxes. And our neighboring county across the bridge, Queen Anne's County, welcomed 420,000 visitors who generated $20 million. A connected, non-motorized crossing would encourage longer stays, multi-day cycling tourism, and spending, while creating

moments that linger in memory—a pedal across the Bay, a stroll at sunrise, the gentle sway of the water below.

- **Mobility, quality of life, and stewardship**: The path would provide a non-vehicular transportation option across the Bay, expanding mobility for residents without a car and creating safe access for commuters, students, and recreational users. It's more than infrastructure—it's an invitation to experience Maryland on foot or wheel, and see Maryland from a new perspective.

The infrastructure to support a shared-use path already exists on both sides of the Bay. On the Eastern Shore, the Cross Island Trail at Terrapin Nature Park provides a scenic, well-used path. On the Western Shore, the Broadneck Trail at Sandy Point State Park connects to the Baltimore & Annapolis Trail and the BWI Trail. A bridge crossing would link these networks and connect to national systems such as the Great American Rail-Trail, the American Discovery Trail, and the East Coast Greenway, turning the Bay Bridge into a spine of adventure, exploration, and connection to the Bay itself.

Since its opening in 1952, the Chesapeake Bay Bridge has been an iconic, transformative project connecting the Eastern and Western Shores and shaping Maryland's economy and culture. Today, we have an opportunity to make another historic investment—one that generates economic returns, enhances quality of life, and fosters a meaningful connection to the Bay for generations of Maryland residents and visitors.

We respectfully urge the Maryland Transportation Authority and state leaders to include the separated shared-use path in the final design of Alternative C. The Chesapeake Bay deserves a bridge as iconic as the waters it spans—a path that inspires wonder, adventure, and connection for all who cross it.

Visit Annapolis & Anne Arundel County is on the side of making a smart investment that will benefit residents and visitors for generations to come—we encourage you to be, too.

Sincerely,

[redacted]

[redacted]
Chief Executive Officer, Visit Annapolis & Anne Arundel County

M A R Y L A N D

BICYCLE & PEDESTRIAN ADVISORY COMMITTEE

March 6, 2026

Heather Lowe
Project Manager, Bay Crossing Study
Maryland Transportation Authority
Division of Planning & Program Development
2310 Broening Highway
Baltimore, MD 21224

Alexander Bienko
Federal Highway Administration
George H. Fallon Building
31 Hopkins Plaza, Suite 1520
Baltimore, MD 21291

Dear Ms. Lowe and Mr. Bienko:

On behalf of the Maryland Bicycle and Pedestrian Advisory Committee (MBPAC), I am writing to provide comments on the *Chesapeake Bay Crossing Study Tier 2 NEPA Draft Environmental Impact Statement* (DEIS). The advisory committee was established in 1991 by §2-606 of the Transportation Article of the Maryland Code, with the purpose of advising state agencies on bicycle and pedestrian issues. At its quarterly meeting on January 16, 2026, the committee endorsed construction of a shared-use path on the Bay Bridge, as explained in Attachment A. We also decided to review the DEIS when it became available and provide comments in accordance with MBPAC's charter. Today, we voted to send this letter.

The optional shared use path (SUP) described in the DEIS would be a fundamental improvement in our transportation system by connecting--for the first time--the Eastern and Western shores of Chesapeake Bay for those traveling by bicycle or on foot. We commend the Maryland Transportation Authority (MDTA) for listening to the many stakeholders who have pointed out the need for this connection, and your vision for recognizing that the proposed bridges are a once-in-a-lifetime opportunity. Nevertheless, to further strengthen the public support for the proposed Bay crossings and ensure that the DEIS meets the requirements of the National Environmental Policy Act (NEPA), a supplemental analysis of the shared use path is needed, for three reasons:

- The DEIS provides too little information for an informed decision because it quantifies the cost and environmental impacts--but not the benefits--of this path.

- The DEIS says that the decision whether to build the SUP will be based on "financial considerations," but it does not explain what those considerations are, nor does it provide the basis for the estimated cost of the SUP, making it impossible to provide meaningful comments on the key factor that MDTA will consider in its decision making.
- NEPA requires a comprehensive assessment of major federal actions including reasonable alternatives; but the DEIS does not evaluate reasonable alternatives to the single approach it took in the proposed design of a shared-use path.

1. <u>The DEIS should quantify the benefits of the shared use path.</u>

The DEIS estimates that the shared use path would add more than $1 billion to the cost of the new bridge spans, and it quantifies in detail the environmental impacts from construction. Yet there is no similarly detailed analysis of the economic and environmental benefits of the path itself. For the public to have confidence in the decision process, the DEIS should show as much thought about the benefits as the costs.

a. R<u>ecreational and Tourism benefits of the path.</u> How many tourists will visit the path? How many of them will be out-of-state tourists? How much will nearby residents use the path? How many people traveling by bicycle or other personal mobility devices will use the bridge? To what extent will this bridge increase bicycle travel on the Eastern Shore? What will be the resulting increase in economic activity, employment, and tax revenues from increased tourism? What is the likely impact of the path on economic activity, employment, and tax revenues? What will be the recreational consumer surplus? See also Attachment B.

b. <u>Transportation benefits of the path.</u> What is the range of plausible estimates of bicycle commuters using the path by decade? (The DEIS simply asserts that the path will have no impact on the number of motor vehicles crossing the bridge, without providing the detailed analysis of how that conclusion is reached.) How will economic development and land use changes on Kent Island and Broad Neck peninsula increase use of the path for commuting over the decades? How will increased market penetration of e-bikes and other personal mobility devices increase use of the bridge for bicycle commuting and other purposeful trips? What will be the consumer surplus of increased bicycle commuting?

c. <u>Health benefits of the path.</u> Given the known benefits of exercise on health and longevity, please quantify the health benefits (including reduced health expenditures) from use of the path by tourists and commuters. What is the net economic benefit of the impact on health (including adverse health impacts from driving, in the case of commuters)? What is the mental health benefit from use of the path (e.g. increased attention span or reduced depression from exposure to nature)?

d. <u>Impact on property values.</u> How might the shared use path increase demand for housing, services, amenities and other activities near the bridge?

e. <u>Environmental benefits of the shared use path.</u> What will be the reduction in greenhouse gas emissions and other pollution from increased mode share for bicycles and personal

mobility devices facilitated by the shared use path? How will the increased personal contact with Chesapeake Bay enhance environmental stewardship?

f. Existence and option values. What is the non-market value associated with closing a key gap in our transportation system? What is the value of this option existing to people who do not use it, but feel better off knowing that it is there?

g. Anciliary benefits from shared-use path for other users of bridge. What is the value of the path for use of emergency and maintenance vehicles, and traffic carrying capacity (e.g., small motor vehicles during emergencies, or intermittent traffic for some designs)?

h. What are the incremental net benefits of the shared-use path compared to alternatives? Whether or not the shared-use path is built, the state's complete streets policy and Transportation Article §2-602 requires some form of accommodation for bicyclists and pedestrians on major projects. Although the DEIS is not clear about what that alternative accommodation will be, the benefits of that accommodation must also be considered in calculating the net benefits of the shared use path. Different shoulder widths, for example, provide different levels of benefits.

Predicting future usage of a new public works project is inherently uncertain. But dozens of interstate bridges over large bodies of water have shared use paths, with a wide variety of designs, built by agencies with the same practical constraints as MDTA. The DEIS can and should benefit from the accumulated knowledge about optimal design, usage, economic impacts, and best practices.

2. The DEIS should explain the shared use path's cost estimate and the financial considerations upon which the decision to build the path will be based

The DEIS says that "financial responsibility" is part of the purposes and needs for the new Bay crossing, and that the decision whether to include the shared use path will depend on "financial considerations". But the DEIS does not explain what financial responsibility means in the context of the path. Nor does it say what the financial considerations are for the SUP—let alone how they will be evaluated. Because most of the benefits of the path are not captured by toll revenues, it is especially important for the public to understand how MDTA's view of financial responsibility treats economic benefits such as revenues to business, consumer surplus for both market and non-market activities, and economic concepts such as existence value often associated with environmental and cultural resources, scenic views, and monuments.

Moreover, the DEIS does not provide the basis for the estimate that the SUP would add $1.2 to $1.3 billion to the cost of the crossings. Our January 16 letter indicated that we are skeptical about that estimate; but the failure of the DEIS to provide the basis of that estimate prevents us from offering substantive comments on its accuracy or how to develop a more accurate estimate. The DEIS is clear that for the highway, cost is only one of many factors in the choice between alignment alternatives, but cost is the single most important factor in the decision whether to choose an alternative with the SUP or an alternative without the SUP.

NEPA requires that an EIS must provide the public with sufficient information to understand the basis for an agency's decision and to comment meaningfully on how that decision will be reached. (EDF v Corps of Engineers, 492 F.2d. 1123, 1136; Izaak Walton League v. Marsh, 655 F. 2d 346, 365). For that to be possible, the EIS will have to explain how financial considerations apply to the shared use path and provide the basis for the cost estimate.

Finally, NEPA requires that the EIS provide the basis for estimates of the environmental impacts. The impact of the shared use path on the bottom of Chesapeake Bay depends on whether it would be created following the old approach of simply widening the bridge as if the path will carry truck traffic at highway speeds, or the newer less expensive approach of designing the shared use path to carry bicycles, pedestrians, and an occasional small motor vehicle. The footprint of the new approach is a fraction of the old approach, so evaluating the reported environmental impact requires the DEIS to state the assumed design approach, and the requirement to define the environmentally preferable alternative, 40 CFR § 1502.14(f), would require the DEIS to identify an accommodation with a smaller footprint.

3. NEPA requires a comprehensive alternatives analysis of the shared use path

The National Environmental Policy Act (NEPA) requires an Environmental Impact Statement to prepare a detailed evaluation and analyses of alternatives in any major federal action. 42 U.S.C. §4332(2)(C)(iii) and 40 CFR §1502.14. Because it would cost more than $500 million, the shared use path by itself would be a major federal action for purposes of NEPA. 23 USC §106. The SUP as proposed is a good way to provide a bicycle and pedestrian crossing, but it is not the only way. The key requirement of NEPA is to "objectively evaluate reasonable alternatives to the proposed action, and, for alternatives that the agency eliminated from detailed study, briefly discuss the reasons for their elimination." 40 CFR §1502.14. Complying with that mandate requires a careful analysis of a small set of alternatives based on a brief screening analysis of a larger number of possible alternatives, which might include:

a. Add a standalone shared-use path to one bridge as defined in the DEIS, widening bridge 14 feet.

b. On one of the bridges, redefine the right most travel lane as a shoulder, and add the shared-use path where the right shoulder is in the current design. The bridge with the shared-use path would have 5 total lanes instead of 6 (including shoulders), that is, 3 travel lanes and 2 shoulders. When necessary, during peak periods, send some traffic to the other bridge with ample capacity or obtain permission to use a shoulder as a travel lane.

c. Same as (b) except (either in initial construction or at some point in the future) replace the fixed barrier between the shoulder and shared use path with a moveable Jersey barrier, following the approach used by the Richmond San Rafael bridge over San Francisco Bay, so that during peak periods the path becomes a shoulder and what is normally the shoulder becomes a travel lane, but otherwise the shared use path remains available. (A video by the construction contractor shows that path in operation: https://www.youtube.com/watch?v=4SjnJylAS0w). Possibly narrow the left shoulder one foot so that the intermittent right lane can still carry buses.

d. Narrow one of the bridges by 7 feet and widen the other by 7 feet. Narrow the left side shoulders to 6 feet on each bridge, and the right shoulders to 13 feet, thereby gaining 14 feet of

available space on the wider bridge, enough space to add a shared-use path without increasing the total footprint (or approximate cost) of the path.

e. Same as (d), except use a moveable Jersey barrier instead of a fixed barrier separating the SUP from traffic, so when necessary, an additional travel lane can be provided, i.e., there can be five travel lanes on that bridge during emergencies such as the other bridge being closed.

f. Same as (a) except on one bridge, left shoulder is only 4 feet, right shoulder 10 feet, leaving 12 feet for a 10-foot path with 2-ft barrier on a 74-foot bridge.

g. Same as (f) but widen the span 2 ft, allowing right shoulder and path each to be 11 feet. (Narrow left and right shoulders on other bridge to 11 and 13 feet, respectively, if offsetting the costs and impact of greater footprint is necessary.)

h. Same as (f) but widen span 4 ft, and use a moveable Jersey barrier, so that under normal conditions there will be a 12-foot shoulder and 12-foot path, but when additional throughput is needed, during emergencies, there will be an extra 12-foot travel lane with 8-foot shoulder. (Narrow left and right shoulders on other bridge to 10 and 12 feet, respectively if offsetting the cost and impact of the greater footprint is necessary.)

i. Same as (a), except reduce structural clear width of the trail to 10 feet and the entrances to slightly less, thus reducing the deck's required dynamic load to that of an H5 truck, partly cantilever the SUP with outriggers, significantly reducing cost and environmental footprint of the shared use path in a manner similar to the Governor Cuomo Bridge, possibly being the "environmentally preferred alternative" design. 40 CFR § 1502.14(f).

j. When the eastbound bridge is opened, place a Jersey barrier separating the design shoulder from the roadway, to make an interim path. Only open three lanes for automobile traffic under normal conditions so that the right-most lane operates as a shoulder. Remove the Jersey barrier and shift bicycle-pedestrian traffic to the westbound bridge when it opens, regardless of the final permanent accommodation for bicycles and pedestrians.

k. Shuttle buses only.

l. Passenger ferry.

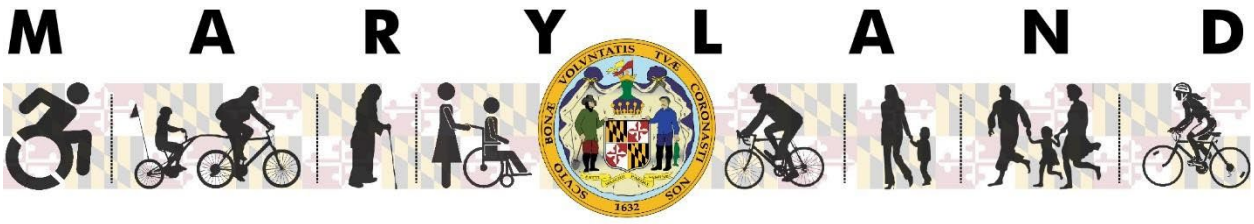
m. No action/no accommodation.

The supplemental analysis necessary to ensure that this environmental impact statement complies with NEPA will take time, but it need not impede the progress of the Bay Crossing Project. The final environmental impact statement can retain the shared use path as an option. Such an approach would enhance NEPA compliance because the more refined engineering may find additional ways to greatly reduce both the cost and the environmental impact of the shared use path, compared to the approach assumed in the DEIS.

We appreciate the opportunity to provide our comments on the draft DEIS for the Bay Crossing Study, and we look forward to seeing the next version of this important analysis.

The Committee would welcome any questions and be happy to discuss any or all of the above further with you or the project team.

[redacted], Chairperson



Date: January 16, 2026

To: Kathryn Thomson, Acting Secretary, Maryland Department of Transportation
Bruce Gartner, Executive Director, Maryland Transportation Authority (MDTA)
Josh Kurtz, Secretary, Maryland Department of Natural Resources

From: Maryland Bicycle and Pedestrian Advisory Committee

Subject: Support for MDTA Recommended Preferred Alternative C for the Chesapeake Bay Crossing Study and Recommendation to include the Separated Shared-Use Path for pedestrians and bicyclists

In accordance with the requirement stating the Maryland Bicycle and Pedestrian Advisory Committee (MBPAC) advises the Administration on issues directly related to bicycling and pedestrian activity, the Committee offers the following support of MDTA Recommended Preferred Alternative C for the Chesapeake Bay Crossing Study.

MBPAC offers the following Shared Use Path (SUP) recommendations with respect to Alternative C:

1. The barrier-separated shared-use lane should be a mandatory feature of the new crossing, not a separately priced optional feature. This is no different from other features such as shoulders, lane widths, safety barriers, etc. which can also serve as an emergency or maintenance lane when appropriate.

2. The planning level cost estimate for the SUP seems exceptionally high and should be revisited. The project has upfront costs such as design, right of way, mobilization and such that are shared for the two spans. The SUP would then only be an incremental addition to one of the spans. An estimate of approximately 10% of the total project seems exceptionally high.

3. As presented to the MDTA Board, there are existing trail networks on both the eastern and western shores which will be connected by the SUP. This strengthens the local, regional, and national trail networks including the American Discovery Trail (Atlantic to Pacific) and an alternate East Coast Greenway route (Maine to Key West). These trail networks should be shown on briefings and documents related to the study.

Generally, MBPAC recommends that any bridge, overpass, underpass, interchange or similar road improvement construction by a State Department or Agency including MDTA or funded in full or in part by the State require accommodation for pedestrians and bicyclists. In addition, MBPAC's recommendations align with the 2024 Complete Streets policy applicable to all capital improvement projects within Maryland Department of Transportation's (MDOT) right-of-way.

Similar to the proposed 4.3-mile bay crossings, other bridges such as the Governor Mario M. Cuomo Bridge, a 3.6-mile span over the Hudson, twenty miles north of New York City, carrying I-87, includes barrier separated pedestrian and bicycle accommodations. Here in Maryland, both the Woodrow Wilson

and the Frederick Douglass Memorial Bridge (Washington, DC, opened in 2021) accommodate both pedestrians and bicyclists over the Potomac and Anacostia Rivers.

Crossings of natural geographical barriers are built or renovated perhaps once in every other generation. Failure to include bicycle and pedestrian accommodations adversely impacts not only the current citizens of Maryland, but those for the next 50 to 100 years.

Such accommodations can be tourism destinations in and of themselves, as well as links to facilities on either end with longer and multi-state trail networks. The separated bike/ped facility would provide safe access to and from scenic and historic byways on the Eastern Shore, facilitating micromobility transportation to and from communities on both sides of the Chesapeake Bay.

We would be glad to discuss this matter directly with the Study team or members of the Administration at your convenience.

Sincerely,

The Maryland Bicycle and Pedestrian Advisory Committee

[redacted], Chair

References

- MBPAC Recommendations for Chesapeake Bay Crossing Study - Tier 2 NEPA
- Maryland Complete Streets Policy (MDOT 750)
- Maryland Transportation Article §8-901
- MDOT 701 Practical Design Policy
- Governor Mario M. Cuomo Bridge (ny.gov) – Run, Walk, Bike and Explore
- The New Federal Douglas Memorial Bridge, DDOT (Sept 2018)

Attachment B:

Contribution of
Maryland Office of Tourism
Maryland Department of Commerce

Out of State Visitors to the Eastern Shore

	Year Trip Started					
	Total	2020	2021	2022	2023	2024
Origin State						
Maryland	42.6%	52.2%	27.6%	42.0%	37.2%	46.4%
Pennsylvania	25.6%	20.9%	36.5%	19.8%	26.5%	26.6%
Delaware	11.6%	15.5%	12.5%	11.1%	6.3%	9.6%
Virginia	5.5%	2.7%	4.2%	7.8%	9.1%	6.2%
New Jersey	3.2%	1.8%	4.9%	2.1%	4.5%	3.8%
New York	2.9%	0.7%	7.2%	2.7%	3.5%	2.3%
South Carolina	0.9%	0.0%	2.0%	0.2%	2.7%	0.3%
North Carolina	0.9%	1.5%	0.7%	0.2%	0.7%	0.7%
District of Columbia	0.9%	0.7%	0.0%	4.2%	0.2%	0.1%
Georgia	0.8%	0.0%	0.1%	5.5%	0.0%	0.0%
Florida	0.7%	0.3%	0.3%	1.7%	1.7%	0.2%
Connecticut	0.7%	1.8%	0.3%	0.0%	0.1%	0.4%
Tennessee	0.6%	0.9%	0.6%	1.1%	0.1%	0.1%
Ohio	0.5%	0.0%	1.2%	0.1%	0.2%	1.3%
Massachusetts	0.5%	0.0%	0.2%	0.0%	2.4%	0.0%
California	0.4%	0.0%	0.0%	0.5%	1.9%	0.0%
West Virginia	0.4%	0.0%	0.1%	0.1%	1.7%	0.3%

MarketSight® Crosstab

Weight Variable = Person-Stays Weight, Confidence Level = 95%

Respondents Included = 0%, Filter Applied, "Maryland" excludes Caroline, Cecil, Dorchester, Kent Queen Annes, Somerset, Talbot, Wicomico, Worcester.

Points of Interest

File created on: 3/4/2026 5:41:10 PM

POI Analysis

Chesapeake Beach

Start Date	End Date	Point of Interest	Dwell Filter
January 01, 2025	December 31, 2025	Chesapeake Beach	0

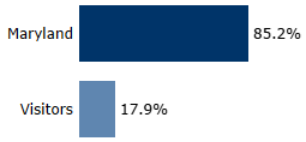
Sample Size: 637

75.0%
Overnight

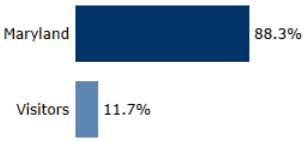
37.5%
New Visitors

**Overnight and New Visitors info based on visitors staying 4+ hours, non-commuters, live at 50+ mile distance and visited the POI.*

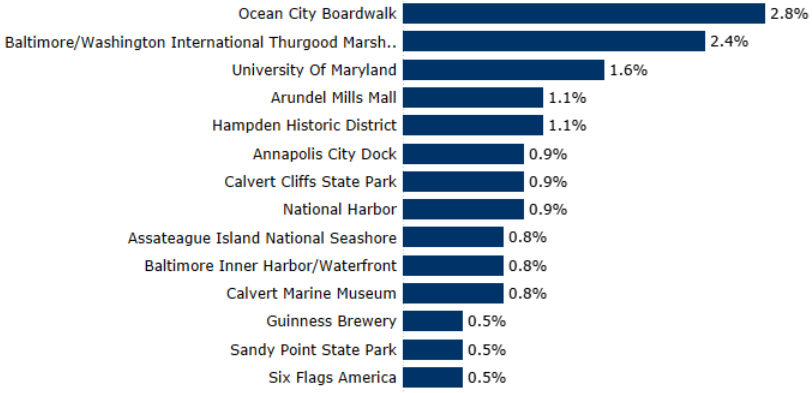
Visitor Breakdown
Unique Visitors



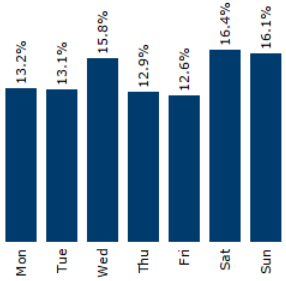
Visits Breakdown
Total Visits



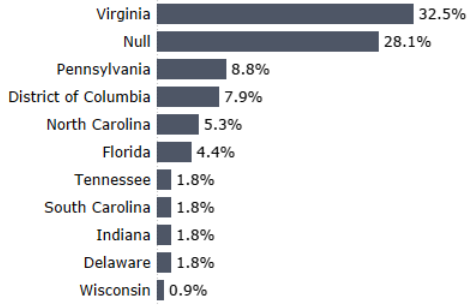
Top Cross-Visited Points of Interest
who visited Chesapeake Beach



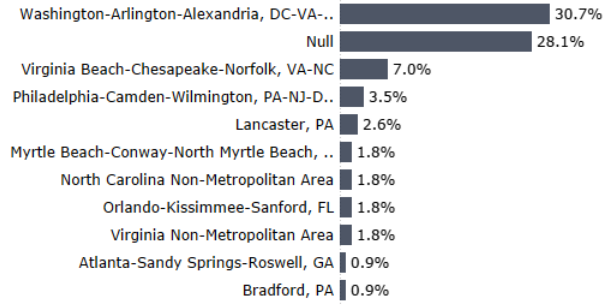
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

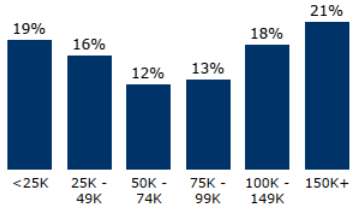


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only

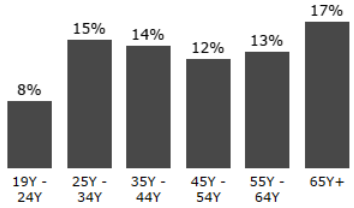


Demographics
Domestic Only

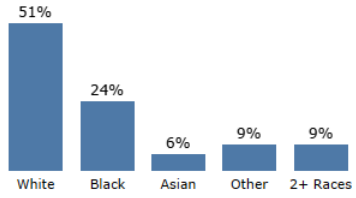
Household Income (in USD)
Median: $88.2K



Age



Race



Source: Azira and US Census Bureau

POI Analysis

Annapolis City Dock

Start Date	End Date	Point of Interest	Dwell Filter
January 01, 2025	December 31, 2025	Annapolis City Dock	0

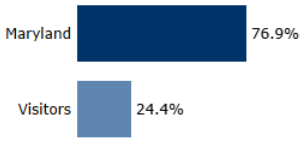
Sample Size: 28,344

79.4%
Overnight

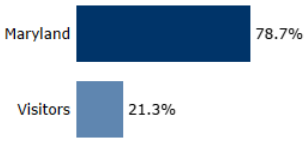
51.3%
New Visitors

**Overnight and New Visitors info based on visitors staying 4+ hours, non-commuters, live at 50+ mile distance and visited the POI.*

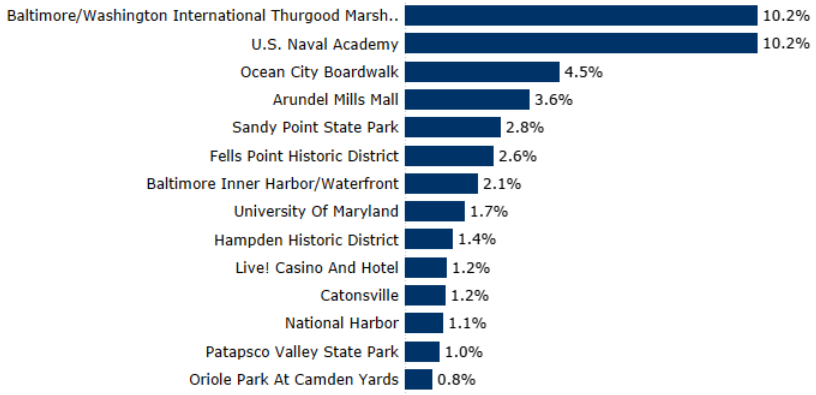
Visitor Breakdown
Unique Visitors



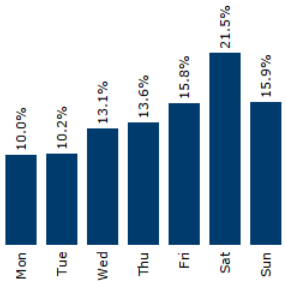
Visits Breakdown
Total Visits



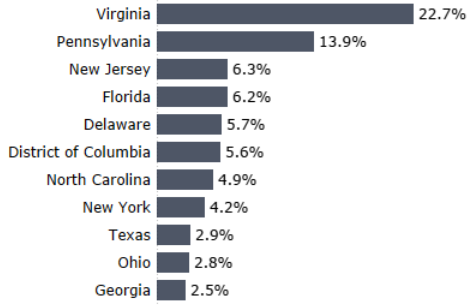
Top Cross-Visited Points of Interest
who visited Annapolis City Dock



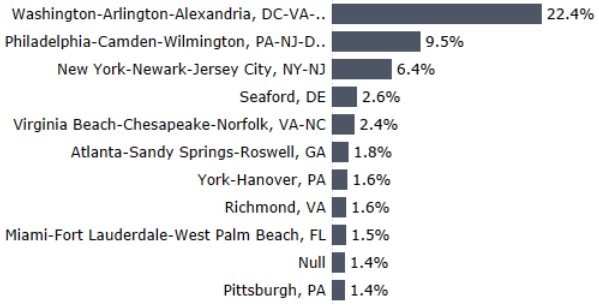
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

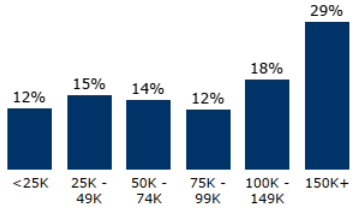


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only

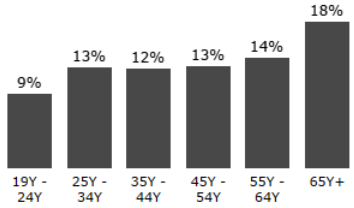


Demographics
Domestic Only

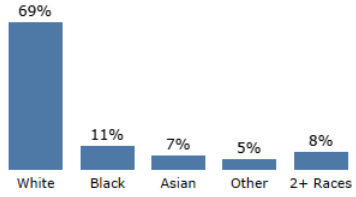
Household Income (in USD)
Median: $107.4K



Age



Race



Source: Azira and US Census Bureau

POI Analysis

Annapolis Maritime Museum & Park

Start Date	End Date	Point of Interest	Dwell Filter
January 01, 2025	December 31, 2025	Annapolis Maritime Museum & Park	0

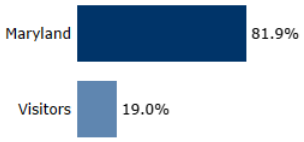
Sample Size: 364

96.1%
Overnight

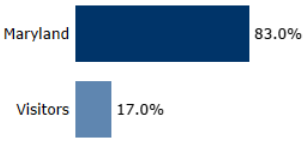
35.3%
New Visitors

**Overnight and New Visitors info based on visitors staying 4+ hours, non-commuters, live at 50+ mile distance and visited the POI.*

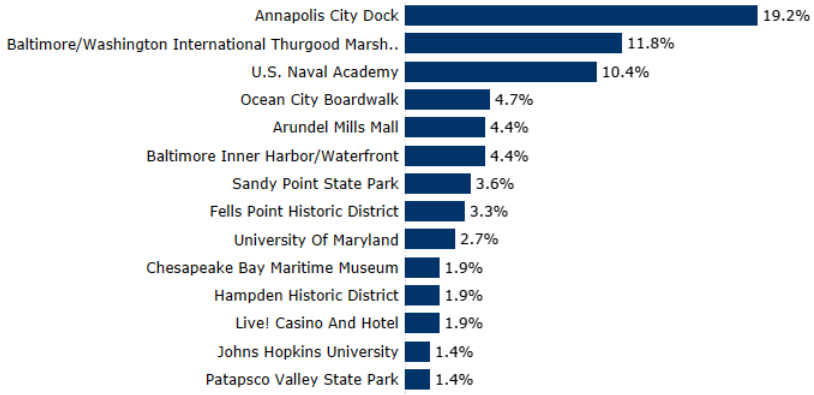
Visitor Breakdown
Unique Visitors



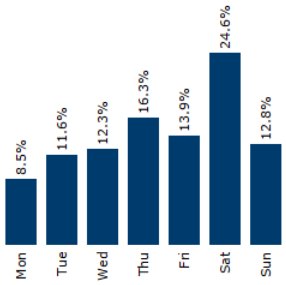
Visits Breakdown
Total Visits



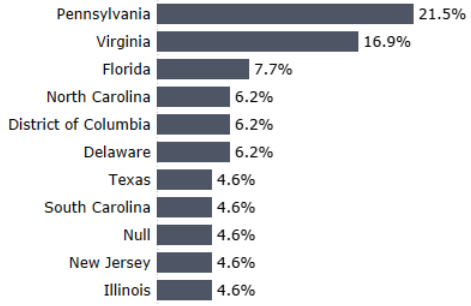
Top Cross-Visited Points of Interest
who visited Annapolis Maritime Museum & Park



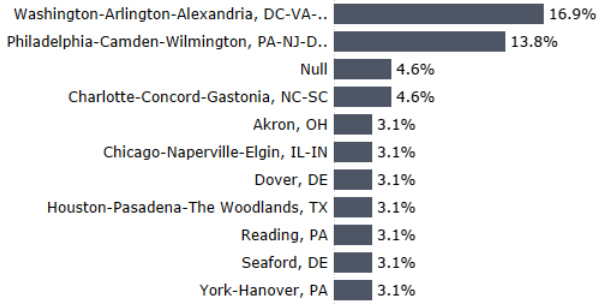
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

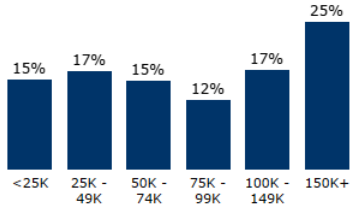


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only

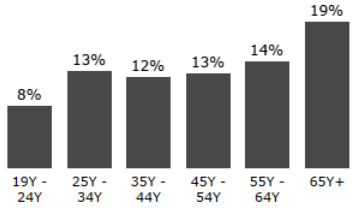


Demographics
Domestic Only

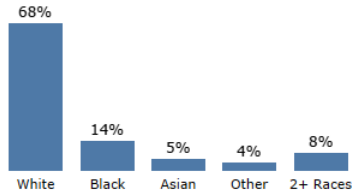
Household Income (in USD)
Median: $97.8K



Age



Race



Source: Azira and US Census Bureau

POI Analysis

Sandy Point State Park

Start Date	End Date	Point of Interest	Dwell Filter
January 01, 2025	December 31, 2025	Sandy Point State Park	0

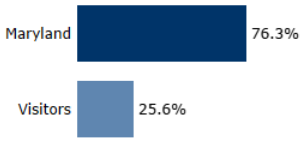
Sample Size: 29,968

63.5%
Overnight

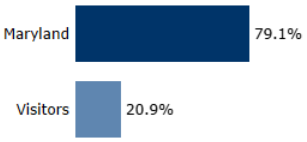
36.3%
New Visitors

**Overnight and New Visitors info based on visitors staying 4+ hours, non-commuters, live at 50+ mile distance and visited the POI.*

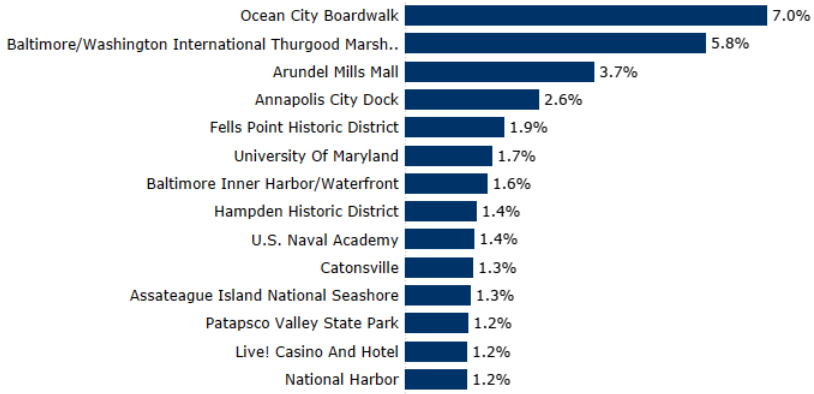
Visitor Breakdown
Unique Visitors



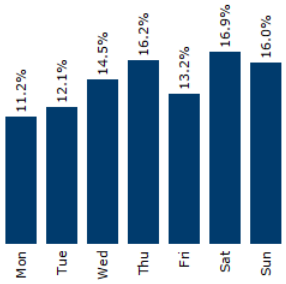
Visits Breakdown
Total Visits



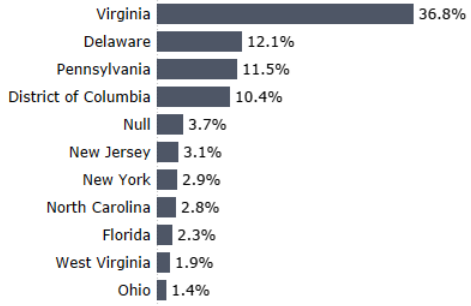
Top Cross-Visited Points of Interest
who visited Sandy Point State Park



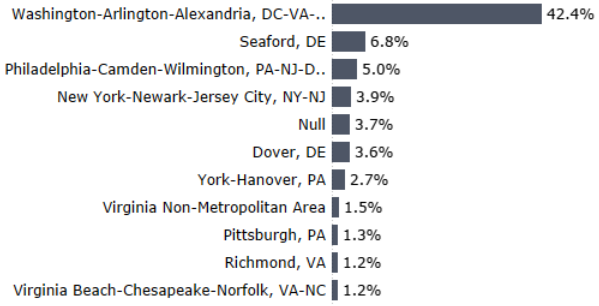
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

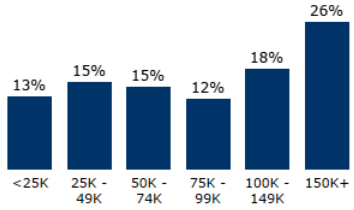


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only

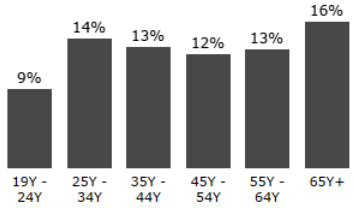


Demographics
Domestic Only

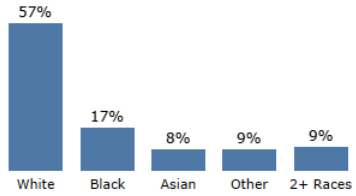
Household Income (in USD)
Median: $100.1K



Age



Race



Source: Azira and US Census Bureau

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POI Analysis

Baltimore Inner Harbor/Waterfront

Start Date	End Date	Point of Interest	Dwell Filter
January 01, 2025	December 31, 2025	Baltimore Inner Harbor/Waterfront	0

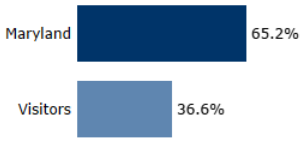
Sample Size: 134,288

76.2%
Overnight

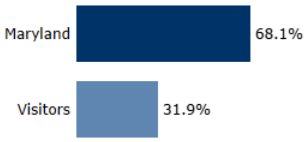
52.2%
New Visitors

**Overnight and New Visitors info based on visitors staying 4+ hours, non-commuters, live at 50+ mile distance and visited the POI.*

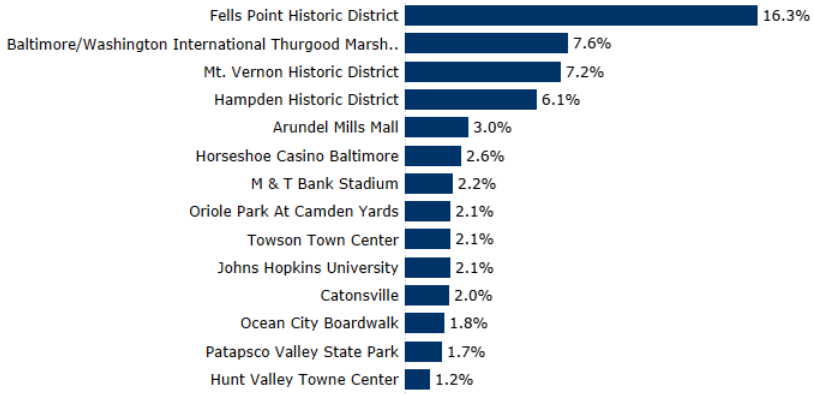
Visitor Breakdown
Unique Visitors



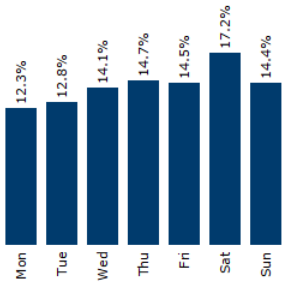
Visits Breakdown
Total Visits



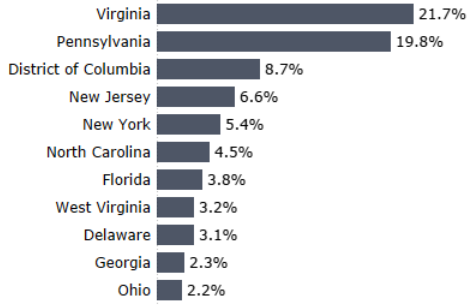
Top Cross-Visited Points of Interest
who visited Baltimore Inner Harbor/Waterfront



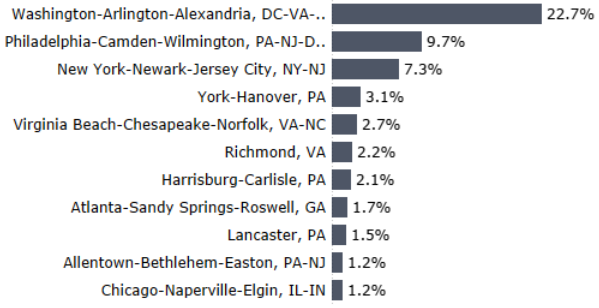
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

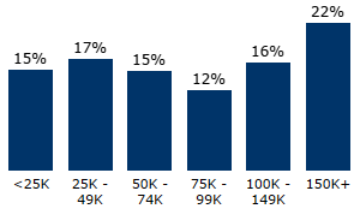


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only

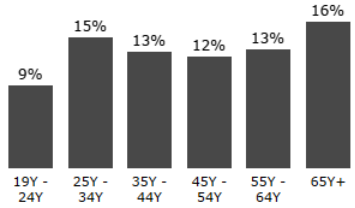


Demographics
Domestic Only

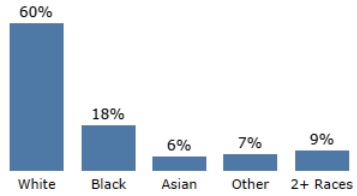
Household Income (in USD)
Median: $89.5K



Age



Race



Source: Azira and US Census Bureau

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POI Analysis by Category

Downtown Baltimore

Maryland OFFICE OF TOURISM

Start Date	End Date	POI Category	Dwell Filter
January 01, 2025	December 31, 2025	Downtown Baltimore	0

Sample Size: 134,288

0.5%
of visitors visited Downtown Baltimore at least once

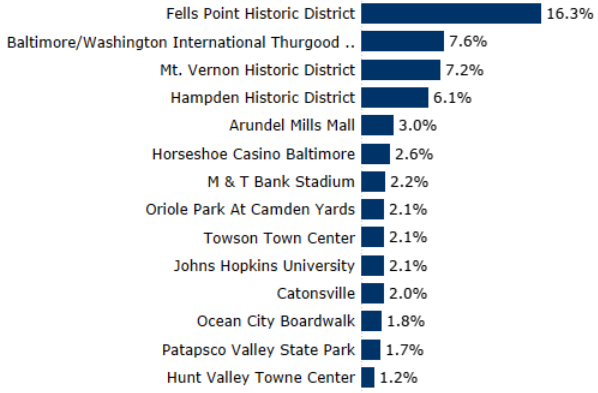
**Based on visitors staying 4+ hours, non-commuters and live at 50+ mile distance*

POI Split

Unique Visitors

Top Cross-Visited Points of Interest

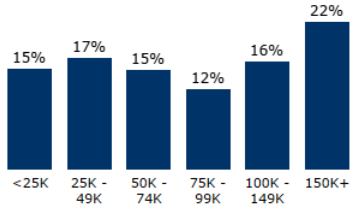
who visited any Downtown Baltimore POI



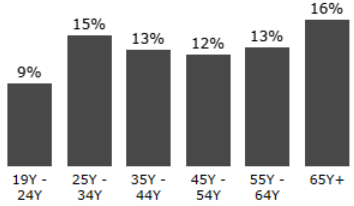
Demographics

Domestic Only

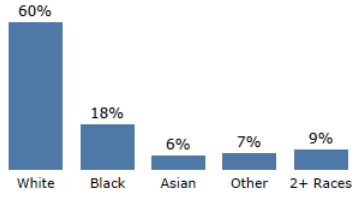
Household Income (in USD)
Median: $89.5K



Age

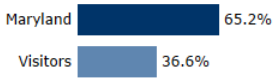


Race



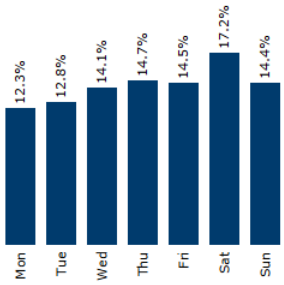
Origin Breakdown

Unique Visitors



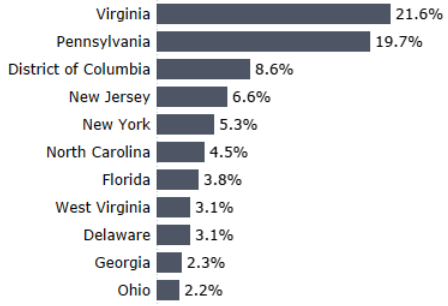
Visits Breakdown

Total Visits



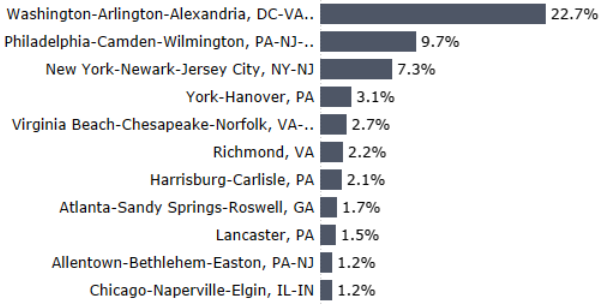
Top Origin Market by State

Unique Visitors, Domestic Visitors Only



Top Origin Market by MSA

Unique Visitors, Domestic Visitors Only



Source: Azira and US Census Bureau

Powered by Symphony | Tourism Economics

POI Analysis by Category

Beach

Maryland OFFICE OF TOURISM

Start Date	End Date	POI Category	Dwell Filter
January 01, 2025	December 31, 2025	Beach	0

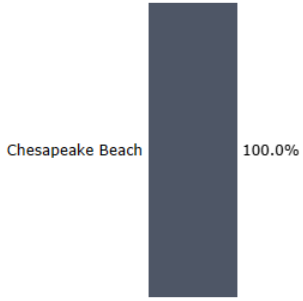
Sample Size: 637

0.0%
of visitors visited Beach at least once

**Based on visitors staying 4+ hours, non-commuters and live at 50+ mile distance*

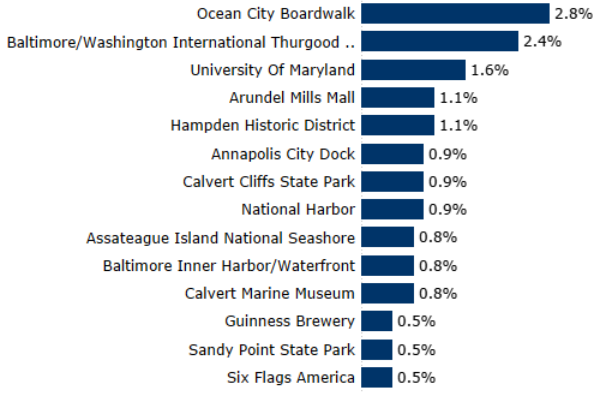
POI Split

Unique Visitors



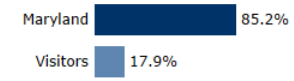
Top Cross-Visited Points of Interest

who visited any Beach POI



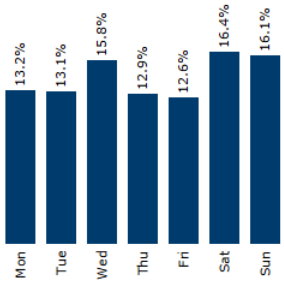
Origin Breakdown

Unique Visitors



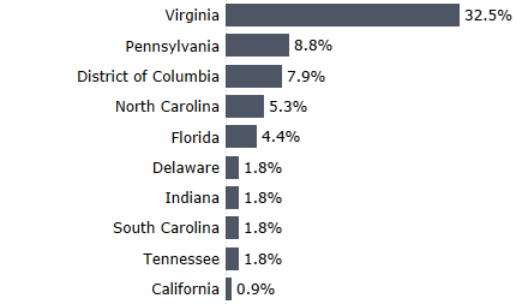
Visits Breakdown

Total Visits



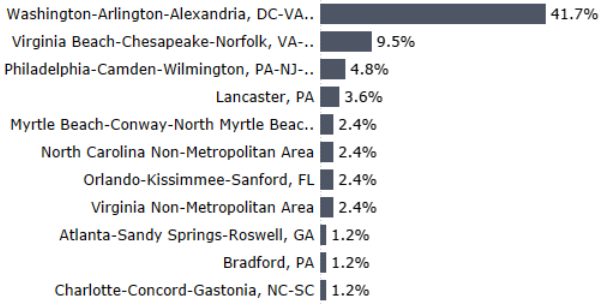
Top Origin Market by State

Unique Visitors, Domestic Visitors Only



Top Origin Market by MSA

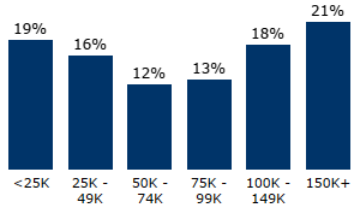
Unique Visitors, Domestic Visitors Only



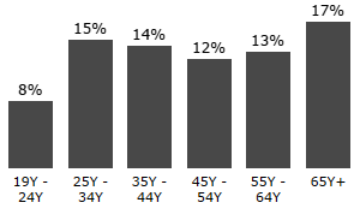
Demographics

Domestic Only

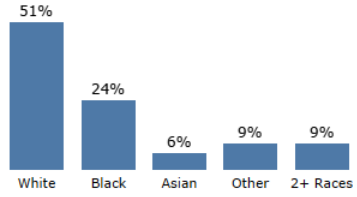
Household Income (in USD)
Median: $88.2K



Age



Race



Source: Azira and US Census Bureau

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POI Analysis by Category

Hiking Trail

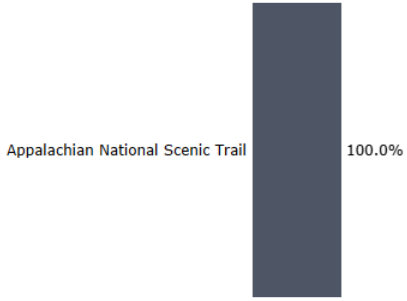
Start Date: January 01, 2025
End Date: December 31, 2025
POI Category: Hiking Trail
Dwell Filter: 0

Sample Size: 6,269

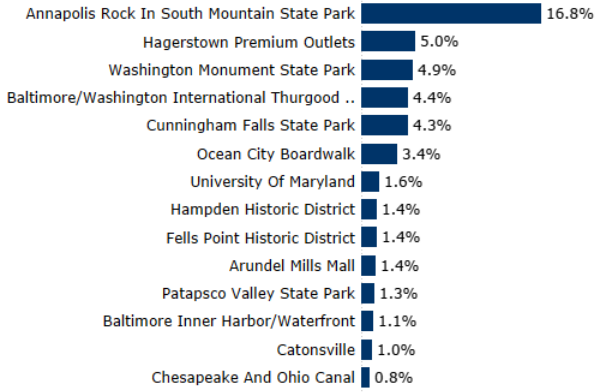
0.0%
of visitors visited Hiking Trail at least once

**Based on visitors staying 4+ hours, non-commuters and live at 50+ mile distance*

POI Split
Unique Visitors

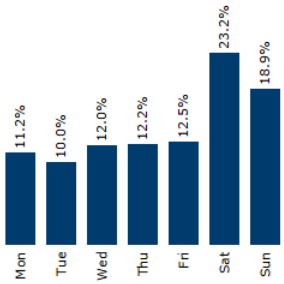


Top Cross-Visited Points of Interest
who visited any Hiking Trail POI

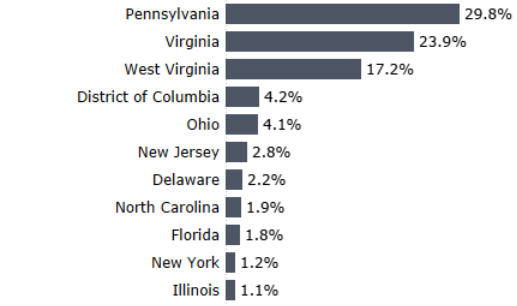


Origin Breakdown
Unique Visitors

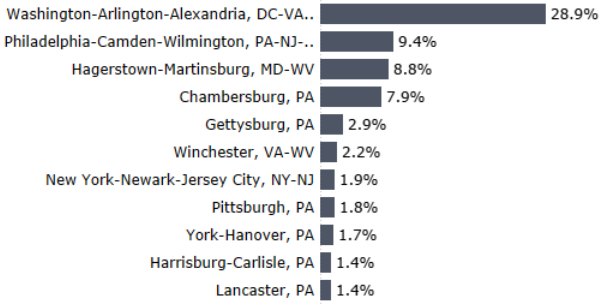
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

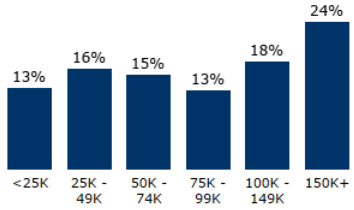


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only

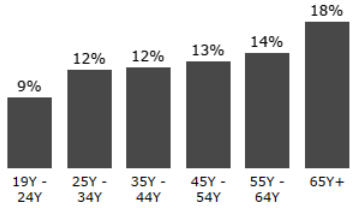


Demographics
Domestic Only

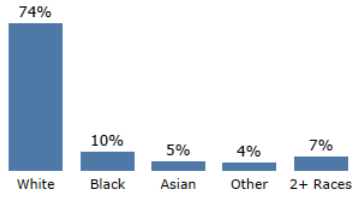
Household Income (in USD)
Median: $96.9K



Age



Race



Source: Azira and US Census Bureau

POI Analysis by Category

NHP - Hiking & biking trails

Start Date: January 01, 2025
End Date: December 31, 2025
POI Category: NHP - Hiking & biking trails
Dwell Filter: 0

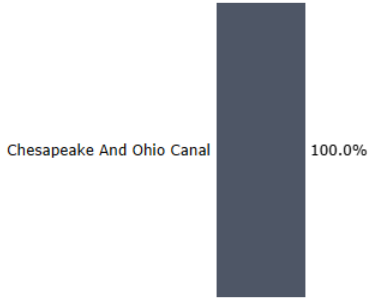
Sample Size: 4,026

0.0%
of visitors visited NHP - Hiking & biking trails at least once

**Based on visitors staying 4+ hours, non-commuters and live at 50+ mile distance*

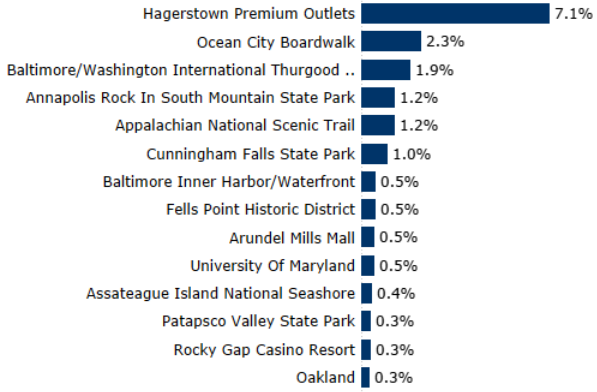
POI Split

Unique Visitors



Top Cross-Visited Points of Interest

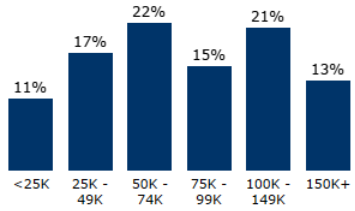
who visited any NHP - Hiking & biking trails POI



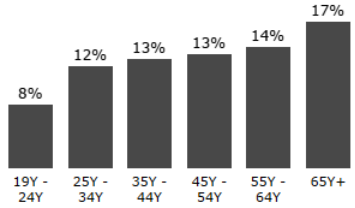
Demographics

Domestic Only

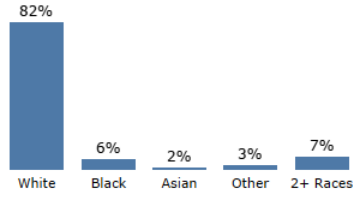
Household Income (in USD)
Median: $80.6K



Age



Race

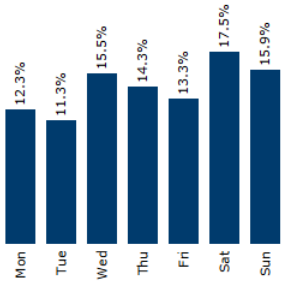


Origin Breakdown

Unique Visitors

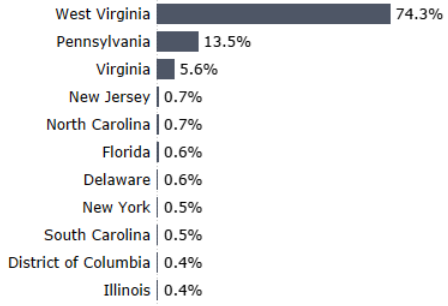
Visits Breakdown

Total Visits



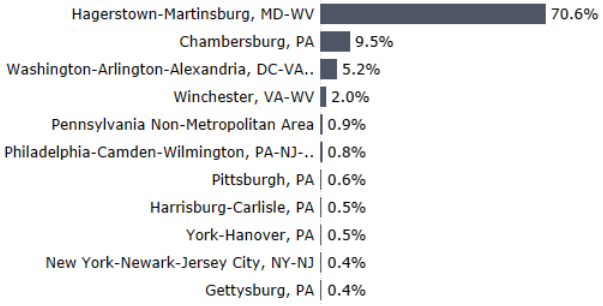
Top Origin Market by State

Unique Visitors, Domestic Visitors Only



Top Origin Market by MSA

Unique Visitors, Domestic Visitors Only



Source: Azira and US Census Bureau

POI Analysis by Category

Airport

Maryland OFFICE OF TOURISM

Start Date	End Date	POI Category	Dwell Filter
January 01, 2025	December 31, 2025	Airport	0

Sample Size: 502,995

1.8%
of visitors visited Airport at least once

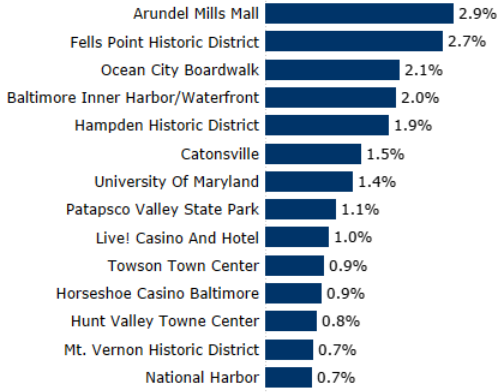
**Based on visitors staying 4+ hours, non-commuters and live at 50+ mile distance*

POI Split

Unique Visitors

Top Cross-Visited Points of Interest

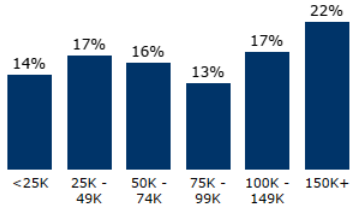
who visited any Airport POI



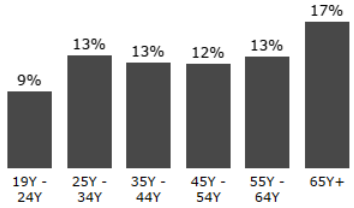
Demographics

Domestic Only

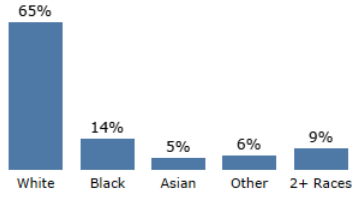
Household Income (in USD)
Median: $90.7K



Age



Race

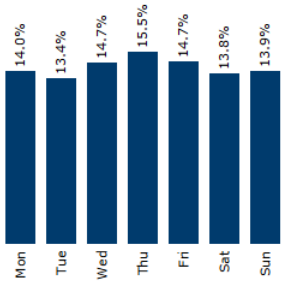


Origin Breakdown

Unique Visitors

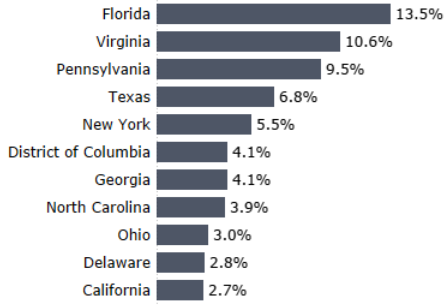
Visits Breakdown

Total Visits



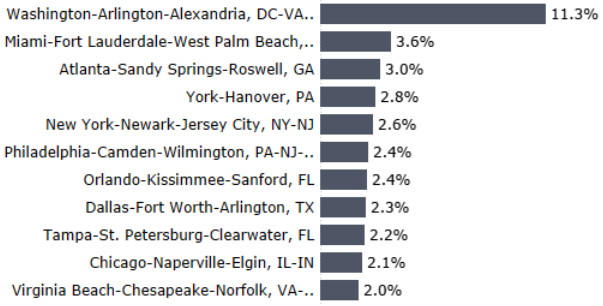
Top Origin Market by State

Unique Visitors, Domestic Visitors Only



Top Origin Market by MSA

Unique Visitors, Domestic Visitors Only



Source: Azira and US Census Bureau

M A R Y L A N D

BICYCLE & PEDESTRIAN ADVISORY COMMITTEE

March 6, 2026

Heather Lowe
Project Manager, Bay Crossing Study
Maryland Transportation Authority
Division of Planning & Program Development
2310 Broening Highway
Baltimore, MD 21224

Alexander Bienko
Federal Highway Administration
George H. Fallon Building
31 Hopkins Plaza, Suite 1520
Baltimore, MD 21291

Dear Ms. Lowe and Mr. Bienko:

On behalf of the Maryland Bicycle and Pedestrian Advisory Committee (MBPAC), I am writing to provide comments on the *Chesapeake Bay Crossing Study Tier 2 NEPA Draft Environmental Impact Statement* (DEIS). The advisory committee was established in 1991 by §2-606 of the Transportation Article of the Maryland Code, with the purpose of advising state agencies on bicycle and pedestrian issues. At its quarterly meeting on January 16, 2026, the committee endorsed construction of a shared-use path on the Bay Bridge, as explained in Attachment A. We also decided to review the DEIS when it became available and provide comments in accordance with MBPAC's charter. Today, we voted to send this letter.

The optional shared use path (SUP) described in the DEIS would be a fundamental improvement in our transportation system by connecting--for the first time--the Eastern and Western shores of Chesapeake Bay for those traveling by bicycle or on foot. We commend the Maryland Transportation Authority (MDTA) for listening to the many stakeholders who have pointed out the need for this connection, and your vision for recognizing that the proposed bridges are a once-in-a-lifetime opportunity. Nevertheless, to further strengthen the public support for the proposed Bay crossings and ensure that the DEIS meets the requirements of the National Environmental Policy Act (NEPA), a supplemental analysis of the shared use path is needed, for three reasons:

- The DEIS provides too little information for an informed decision because it quantifies the cost and environmental impacts--but not the benefits--of this path.

- The DEIS says that the decision whether to build the SUP will be based on "financial considerations," but it does not explain what those considerations are, nor does it provide the basis for the estimated cost of the SUP, making it impossible to provide meaningful comments on the key factor that MDTA will consider in its decision making.
- NEPA requires a comprehensive assessment of major federal actions including reasonable alternatives; but the DEIS does not evaluate reasonable alternatives to the single approach it took in the proposed design of a shared-use path.

1. <u>The DEIS should quantify the benefits of the shared use path.</u>

The DEIS estimates that the shared use path would add more than $1 billion to the cost of the new bridge spans, and it quantifies in detail the environmental impacts from construction. Yet there is no similarly detailed analysis of the economic and environmental benefits of the path itself. For the public to have confidence in the decision process, the DEIS should show as much thought about the benefits as the costs.

a. R<u>ecreational and Tourism benefits of the path.</u> How many tourists will visit the path? How many of them will be out-of-state tourists? How much will nearby residents use the path? How many people traveling by bicycle or other personal mobility devices will use the bridge? To what extent will this bridge increase bicycle travel on the Eastern Shore? What will be the resulting increase in economic activity, employment, and tax revenues from increased tourism? What is the likely impact of the path on economic activity, employment, and tax revenues? What will be the recreational consumer surplus? See also Attachment B.

b. <u>Transportation benefits of the path.</u> What is the range of plausible estimates of bicycle commuters using the path by decade? (The DEIS simply asserts that the path will have no impact on the number of motor vehicles crossing the bridge, without providing the detailed analysis of how that conclusion is reached.) How will economic development and land use changes on Kent Island and Broad Neck peninsula increase use of the path for commuting over the decades? How will increased market penetration of e-bikes and other personal mobility devices increase use of the bridge for bicycle commuting and other purposeful trips? What will be the consumer surplus of increased bicycle commuting?

c. <u>Health benefits of the path.</u> Given the known benefits of exercise on health and longevity, please quantify the health benefits (including reduced health expenditures) from use of the path by tourists and commuters. What is the net economic benefit of the impact on health (including adverse health impacts from driving, in the case of commuters)? What is the mental health benefit from use of the path (e.g. increased attention span or reduced depression from exposure to nature)?

d. <u>Impact on property values.</u> How might the shared use path increase demand for housing, services, amenities and other activities near the bridge?

e. <u>Environmental benefits of the shared use path.</u> What will be the reduction in greenhouse gas emissions and other pollution from increased mode share for bicycles and personal

mobility devices facilitated by the shared use path? How will the increased personal contact with Chesapeake Bay enhance environmental stewardship?

f. Existence and option values. What is the non-market value associated with closing a key gap in our transportation system? What is the value of this option existing to people who do not use it, but feel better off knowing that it is there?

g. Anciliary benefits from shared-use path for other users of bridge. What is the value of the path for use of emergency and maintenance vehicles, and traffic carrying capacity (e.g., small motor vehicles during emergencies, or intermittent traffic for some designs)?

h. What are the incremental net benefits of the shared-use path compared to alternatives? Whether or not the shared-use path is built, the state's complete streets policy and Transportation Article §2-602 requires some form of accommodation for bicyclists and pedestrians on major projects. Although the DEIS is not clear about what that alternative accommodation will be, the benefits of that accommodation must also be considered in calculating the net benefits of the shared use path. Different shoulder widths, for example, provide different levels of benefits.

Predicting future usage of a new public works project is inherently uncertain. But dozens of interstate bridges over large bodies of water have shared use paths, with a wide variety of designs, built by agencies with the same practical constraints as MDTA. The DEIS can and should benefit from the accumulated knowledge about optimal design, usage, economic impacts, and best practices.

2. The DEIS should explain the shared use path's cost estimate and the financial considerations upon which the decision to build the path will be based

The DEIS says that "financial responsibility" is part of the purposes and needs for the new Bay crossing, and that the decision whether to include the shared use path will depend on "financial considerations". But the DEIS does not explain what financial responsibility means in the context of the path. Nor does it say what the financial considerations are for the SUP—let alone how they will be evaluated. Because most of the benefits of the path are not captured by toll revenues, it is especially important for the public to understand how MDTA's view of financial responsibility treats economic benefits such as revenues to business, consumer surplus for both market and non-market activities, and economic concepts such as existence value often associated with environmental and cultural resources, scenic views, and monuments.

Moreover, the DEIS does not provide the basis for the estimate that the SUP would add $1.2 to $1.3 billion to the cost of the crossings. Our January 16 letter indicated that we are skeptical about that estimate; but the failure of the DEIS to provide the basis of that estimate prevents us from offering substantive comments on its accuracy or how to develop a more accurate estimate. The DEIS is clear that for the highway, cost is only one of many factors in the choice between alignment alternatives, but cost is the single most important factor in the decision whether to choose an alternative with the SUP or an alternative without the SUP.

NEPA requires that an EIS must provide the public with sufficient information to understand the basis for an agency's decision and to comment meaningfully on how that decision will be reached. (EDF v Corps of Engineers, 492 F.2d. 1123, 1136; Izaak Walton League v. Marsh, 655 F. 2d 346, 365). For that to be possible, the EIS will have to explain how financial considerations apply to the shared use path and provide the basis for the cost estimate.

Finally, NEPA requires that the EIS provide the basis for estimates of the environmental impacts. The impact of the shared use path on the bottom of Chesapeake Bay depends on whether it would be created following the old approach of simply widening the bridge as if the path will carry truck traffic at highway speeds, or the newer less expensive approach of designing the shared use path to carry bicycles, pedestrians, and an occasional small motor vehicle. The footprint of the new approach is a fraction of the old approach, so evaluating the reported environmental impact requires the DEIS to state the assumed design approach, and the requirement to define the environmentally preferable alternative, 40 CFR § 1502.14(f), would require the DEIS to identify an accommodation with a smaller footprint.

3. NEPA requires a comprehensive alternatives analysis of the shared use path

The National Environmental Policy Act (NEPA) requires an Environmental Impact Statement to prepare a detailed evaluation and analyses of alternatives in any major federal action. 42 U.S.C. §4332(2)(C)(iii) and 40 CFR §1502.14. Because it would cost more than $500 million, the shared use path by itself would be a major federal action for purposes of NEPA. 23 USC §106. The SUP as proposed is a good way to provide a bicycle and pedestrian crossing, but it is not the only way. The key requirement of NEPA is to "objectively evaluate reasonable alternatives to the proposed action, and, for alternatives that the agency eliminated from detailed study, briefly discuss the reasons for their elimination." 40 CFR §1502.14. Complying with that mandate requires a careful analysis of a small set of alternatives based on a brief screening analysis of a larger number of possible alternatives, which might include:

a. Add a standalone shared-use path to one bridge as defined in the DEIS, widening bridge 14 feet.

b. On one of the bridges, redefine the right most travel lane as a shoulder, and add the shared-use path where the right shoulder is in the current design. The bridge with the shared-use path would have 5 total lanes instead of 6 (including shoulders), that is, 3 travel lanes and 2 shoulders. When necessary, during peak periods, send some traffic to the other bridge with ample capacity or obtain permission to use a shoulder as a travel lane.

c. Same as (b) except (either in initial construction or at some point in the future) replace the fixed barrier between the shoulder and shared use path with a moveable Jersey barrier, following the approach used by the Richmond San Rafael bridge over San Francisco Bay, so that during peak periods the path becomes a shoulder and what is normally the shoulder becomes a travel lane, but otherwise the shared use path remains available. (A video by the construction contractor shows that path in operation: https://www.youtube.com/watch?v=4SjnJylAS0w). Possibly narrow the left shoulder one foot so that the intermittent right lane can still carry buses.

d. Narrow one of the bridges by 7 feet and widen the other by 7 feet. Narrow the left side shoulders to 6 feet on each bridge, and the right shoulders to 13 feet, thereby gaining 14 feet of

available space on the wider bridge, enough space to add a shared-use path without increasing the total footprint (or approximate cost) of the path.

e. Same as (d), except use a moveable Jersey barrier instead of a fixed barrier separating the SUP from traffic, so when necessary, an additional travel lane can be provided, i.e., there can be five travel lanes on that bridge during emergencies such as the other bridge being closed.

f. Same as (a) except on one bridge, left shoulder is only 4 feet, right shoulder 10 feet, leaving 12 feet for a 10-foot path with 2-ft barrier on a 74-foot bridge.

g. Same as (f) but widen the span 2 ft, allowing right shoulder and path each to be 11 feet. (Narrow left and right shoulders on other bridge to 11 and 13 feet, respectively, if offsetting the costs and impact of greater footprint is necessary.)

h. Same as (f) but widen span 4 ft, and use a moveable Jersey barrier, so that under normal conditions there will be a 12-foot shoulder and 12-foot path, but when additional throughput is needed, during emergencies, there will be an extra 12-foot travel lane with 8-foot shoulder. (Narrow left and right shoulders on other bridge to 10 and 12 feet, respectively if offsetting the cost and impact of the greater footprint is necessary.)

i. Same as (a), except reduce structural clear width of the trail to 10 feet and the entrances to slightly less, thus reducing the deck's required dynamic load to that of an H5 truck, partly cantilever the SUP with outriggers, significantly reducing cost and environmental footprint of the shared use path in a manner similar to the Governor Cuomo Bridge, possibly being the "environmentally preferred alternative" design. 40 CFR § 1502.14(f).

j. When the eastbound bridge is opened, place a Jersey barrier separating the design shoulder from the roadway, to make an interim path. Only open three lanes for automobile traffic under normal conditions so that the right-most lane operates as a shoulder. Remove the Jersey barrier and shift bicycle-pedestrian traffic to the westbound bridge when it opens, regardless of the final permanent accommodation for bicycles and pedestrians.

k. Shuttle buses only.

l. Passenger ferry.

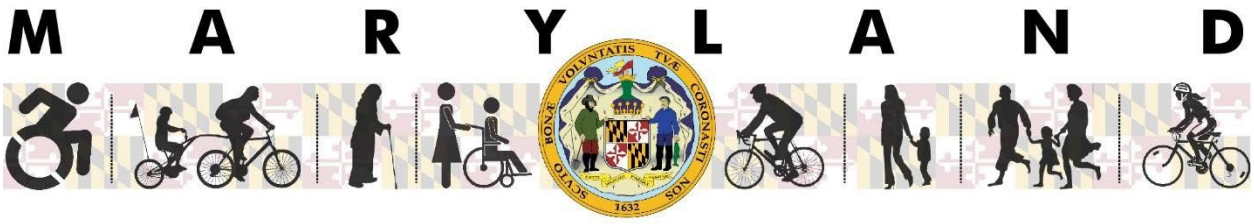
m. No action/no accommodation.

The supplemental analysis necessary to ensure that this environmental impact statement complies with NEPA will take time, but it need not impede the progress of the Bay Crossing Project. The final environmental impact statement can retain the shared use path as an option. Such an approach would enhance NEPA compliance because the more refined engineering may find additional ways to greatly reduce both the cost and the environmental impact of the shared use path, compared to the approach assumed in the DEIS.

We appreciate the opportunity to provide our comments on the draft DEIS for the Bay Crossing Study, and we look forward to seeing the next version of this important analysis.

The Committee would welcome any questions and be happy to discuss any or all of the above further with you or the project team.

[redacted], Chairperson



Date: January 16, 2026

To: Kathryn Thomson, Acting Secretary, Maryland Department of Transportation
Bruce Gartner, Executive Director, Maryland Transportation Authority (MDTA)
Josh Kurtz, Secretary, Maryland Department of Natural Resources

From: Maryland Bicycle and Pedestrian Advisory Committee

Subject: Support for MDTA Recommended Preferred Alternative C for the Chesapeake Bay Crossing Study and Recommendation to include the Separated Shared-Use Path for pedestrians and bicyclists

In accordance with the requirement stating the Maryland Bicycle and Pedestrian Advisory Committee (MBPAC) advises the Administration on issues directly related to bicycling and pedestrian activity, the Committee offers the following support of MDTA Recommended Preferred Alternative C for the Chesapeake Bay Crossing Study.

MBPAC offers the following Shared Use Path (SUP) recommendations with respect to Alternative C:

1. The barrier-separated shared-use lane should be a mandatory feature of the new crossing, not a separately priced optional feature. This is no different from other features such as shoulders, lane widths, safety barriers, etc. which can also serve as an emergency or maintenance lane when appropriate.

2. The planning level cost estimate for the SUP seems exceptionally high and should be revisited. The project has upfront costs such as design, right of way, mobilization and such that are shared for the two spans. The SUP would then only be an incremental addition to one of the spans. An estimate of approximately 10% of the total project seems exceptionally high.

3. As presented to the MDTA Board, there are existing trail networks on both the eastern and western shores which will be connected by the SUP. This strengthens the local, regional, and national trail networks including the American Discovery Trail (Atlantic to Pacific) and an alternate East Coast Greenway route (Maine to Key West). These trail networks should be shown on briefings and documents related to the study.

Generally, MBPAC recommends that any bridge, overpass, underpass, interchange or similar road improvement construction by a State Department or Agency including MDTA or funded in full or in part by the State require accommodation for pedestrians and bicyclists. In addition, MBPAC's recommendations align with the 2024 Complete Streets policy applicable to all capital improvement projects within Maryland Department of Transportation's (MDOT) right-of-way.

Similar to the proposed 4.3-mile bay crossings, other bridges such as the Governor Mario M. Cuomo Bridge, a 3.6-mile span over the Hudson, twenty miles north of New York City, carrying I-87, includes barrier separated pedestrian and bicycle accommodations. Here in Maryland, both the Woodrow Wilson

and the Frederick Douglass Memorial Bridge (Washington, DC, opened in 2021) accommodate both pedestrians and bicyclists over the Potomac and Anacostia Rivers.

Crossings of natural geographical barriers are built or renovated perhaps once in every other generation. Failure to include bicycle and pedestrian accommodations adversely impacts not only the current citizens of Maryland, but those for the next 50 to 100 years.

Such accommodations can be tourism destinations in and of themselves, as well as links to facilities on either end with longer and multi-state trail networks. The separated bike/ped facility would provide safe access to and from scenic and historic byways on the Eastern Shore, facilitating micromobility transportation to and from communities on both sides of the Chesapeake Bay.

We would be glad to discuss this matter directly with the Study team or members of the Administration at your convenience.

Sincerely,

The Maryland Bicycle and Pedestrian Advisory Committee

[redacted], Chair

References

- MBPAC Recommendations for Chesapeake Bay Crossing Study - Tier 2 NEPA
- Maryland Complete Streets Policy (MDOT 750)
- Maryland Transportation Article §8-901
- MDOT 701 Practical Design Policy
- Governor Mario M. Cuomo Bridge (ny.gov) – Run, Walk, Bike and Explore
- The New Federal Douglas Memorial Bridge, DDOT (Sept 2018)

Attachment B:

Contribution of
Maryland Office of Tourism
Maryland Department of Commerce

Out of State Visitors to the Eastern Shore

	Year Trip Started					
	Total	2020	2021	2022	2023	2024
Origin State						
Maryland	42.6%	52.2%	27.6%	42.0%	37.2%	46.4%
Pennsylvania	25.6%	20.9%	36.5%	19.8%	26.5%	26.6%
Delaware	11.6%	15.5%	12.5%	11.1%	6.3%	9.6%
Virginia	5.5%	2.7%	4.2%	7.8%	9.1%	6.2%
New Jersey	3.2%	1.8%	4.9%	2.1%	4.5%	3.8%
New York	2.9%	0.7%	7.2%	2.7%	3.5%	2.3%
South Carolina	0.9%	0.0%	2.0%	0.2%	2.7%	0.3%
North Carolina	0.9%	1.5%	0.7%	0.2%	0.7%	0.7%
District of Columbia	0.9%	0.7%	0.0%	4.2%	0.2%	0.1%
Georgia	0.8%	0.0%	0.1%	5.5%	0.0%	0.0%
Florida	0.7%	0.3%	0.3%	1.7%	1.7%	0.2%
Connecticut	0.7%	1.8%	0.3%	0.0%	0.1%	0.4%
Tennessee	0.6%	0.9%	0.6%	1.1%	0.1%	0.1%
Ohio	0.5%	0.0%	1.2%	0.1%	0.2%	1.3%
Massachusetts	0.5%	0.0%	0.2%	0.0%	2.4%	0.0%
California	0.4%	0.0%	0.0%	0.5%	1.9%	0.0%
West Virginia	0.4%	0.0%	0.1%	0.1%	1.7%	0.3%

MarketSight® Crosstab

Weight Variable = Person-Stays Weight, Confidence Level = 95%

Respondents Included = 0%, Filter Applied, "Maryland" excludes Caroline, Cecil, Dorchester, Kent Queen Annes, Somerset, Talbot, Wicomico, Worcester.

Points of Interest

File created on: 3/4/2026 5:41:10 PM

POI Analysis

Chesapeake Beach

Start Date	End Date	Point of Interest	Dwell Filter
January 01, 2025	December 31, 2025	Chesapeake Beach	0

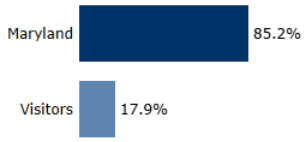
Sample Size: 637

75.0%
Overnight

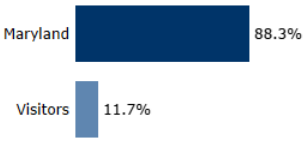
37.5%
New Visitors

**Overnight and New Visitors info based on visitors staying 4+ hours, non-commuters, live at 50+ mile distance and visited the POI.*

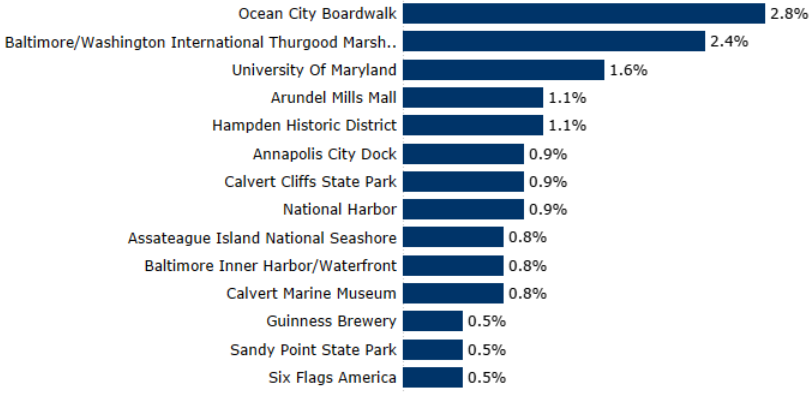
Visitor Breakdown
Unique Visitors



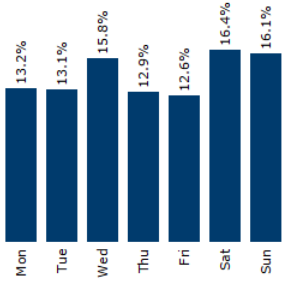
Visits Breakdown
Total Visits



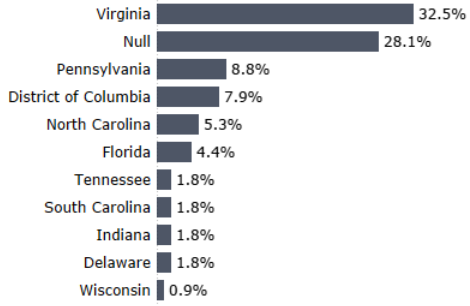
Top Cross-Visited Points of Interest
who visited Chesapeake Beach



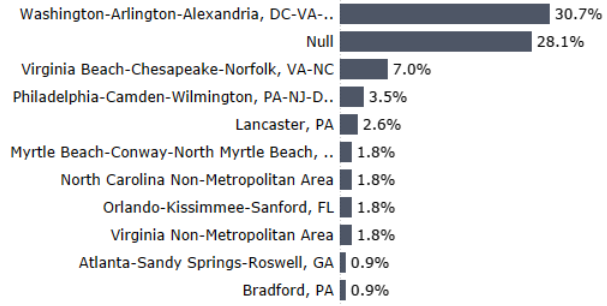
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

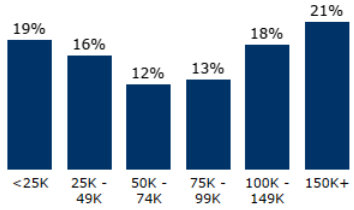


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only

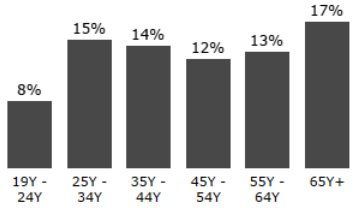


Demographics
Domestic Only

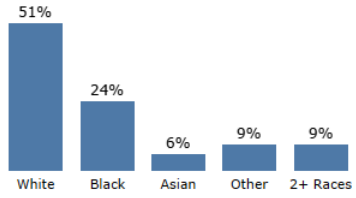
Household Income (in USD)
Median: $88.2K



Age



Race



Source: Azira and US Census Bureau

POI Analysis

Annapolis City Dock

Start Date	End Date	Point of Interest	Dwell Filter
January 01, 2025	December 31, 2025	Annapolis City Dock	0

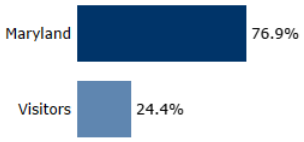
Sample Size: 28,344

79.4%
Overnight

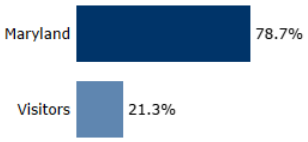
51.3%
New Visitors

**Overnight and New Visitors info based on visitors staying 4+ hours, non-commuters, live at 50+ mile distance and visited the POI.*

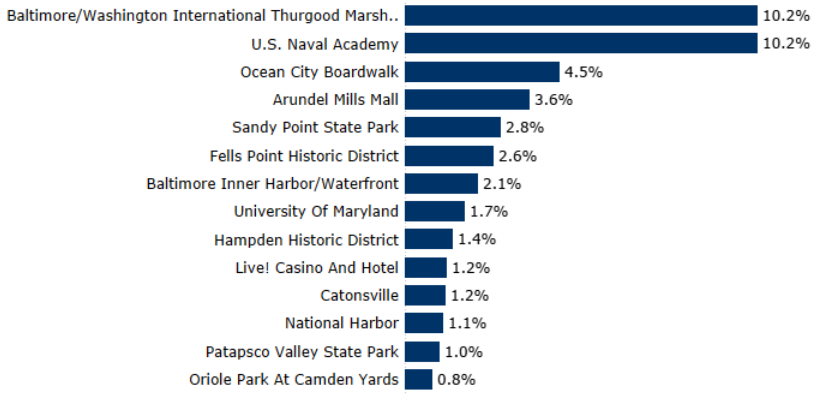
Visitor Breakdown
Unique Visitors



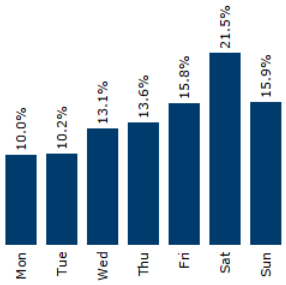
Visits Breakdown
Total Visits



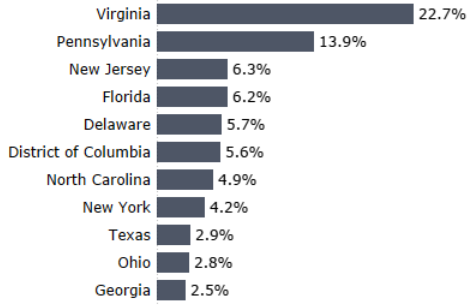
Top Cross-Visited Points of Interest
who visited Annapolis City Dock



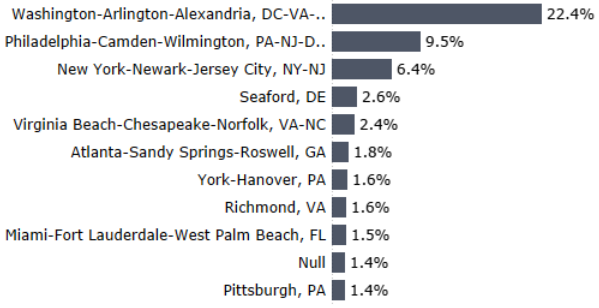
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

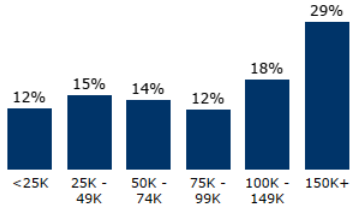


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only



Demographics
Domestic Only

Household Income (in USD)
Median: $107.4K



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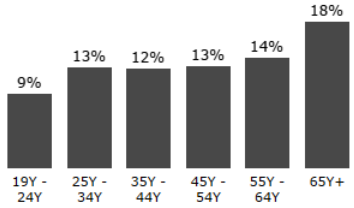
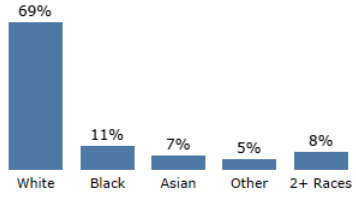


Race



Source: Azira and US Census Bureau

POI Analysis

Annapolis Maritime Museum & Park

Start Date	End Date	Point of Interest	Dwell Filter
January 01, 2025	December 31, 2025	Annapolis Maritime Museum & Park	0

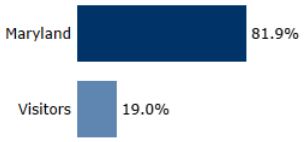
Sample Size: 364

96.1%
Overnight

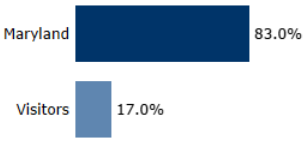
35.3%
New Visitors

**Overnight and New Visitors info based on visitors staying 4+ hours, non-commuters, live at 50+ mile distance and visited the POI.*

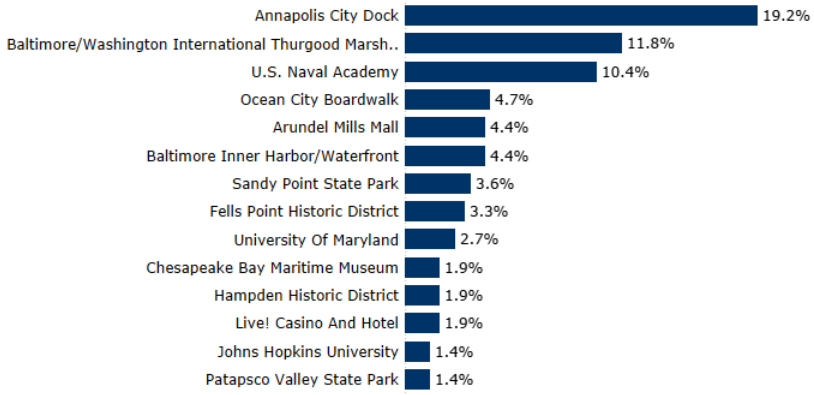
Visitor Breakdown
Unique Visitors



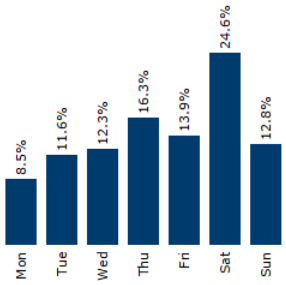
Visits Breakdown
Total Visits



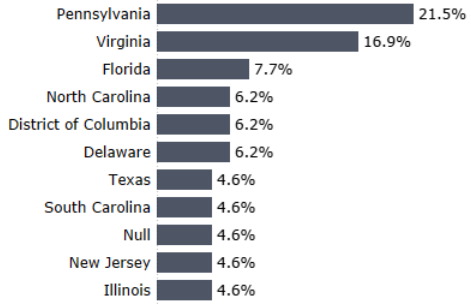
Top Cross-Visited Points of Interest
who visited Annapolis Maritime Museum & Park



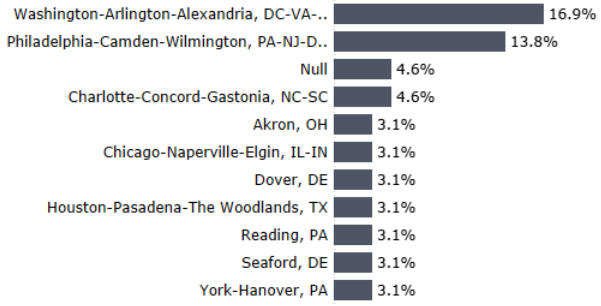
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

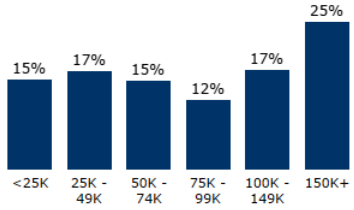


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only



Demographics
Domestic Only

Household Income (in USD)
Median: $97.8K



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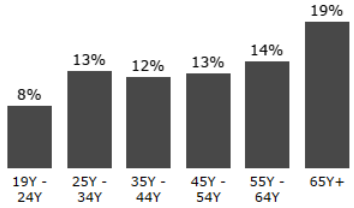
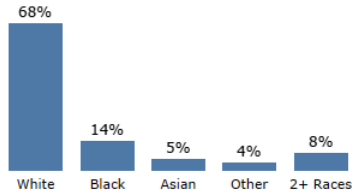


Race



Source: Azira and US Census Bureau

POI Analysis

Sandy Point State Park

Start Date	End Date	Point of Interest	Dwell Filter
January 01, 2025	December 31, 2025	Sandy Point State Park	0

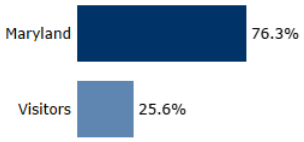
Sample Size: 29,968

63.5%
Overnight

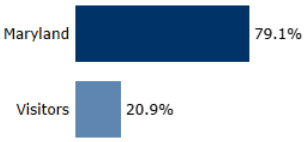
36.3%
New Visitors

**Overnight and New Visitors info based on visitors staying 4+ hours, non-commuters, live at 50+ mile distance and visited the POI.*

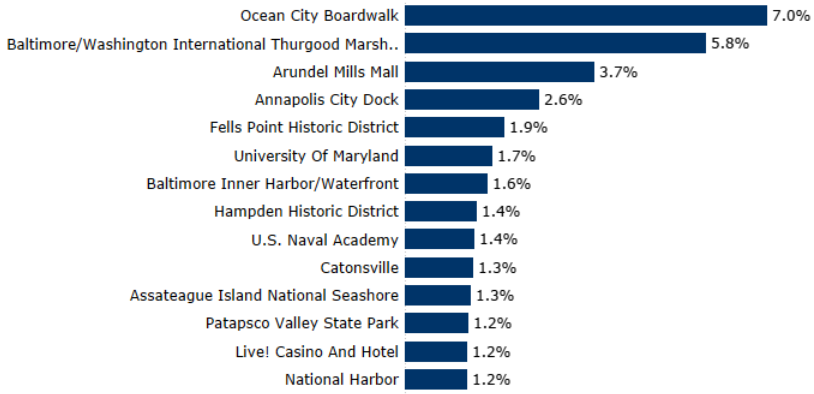
Visitor Breakdown
Unique Visitors



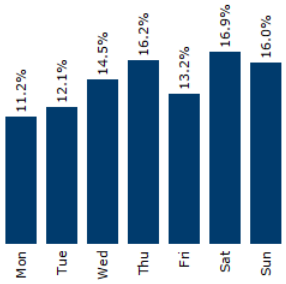
Visits Breakdown
Total Visits



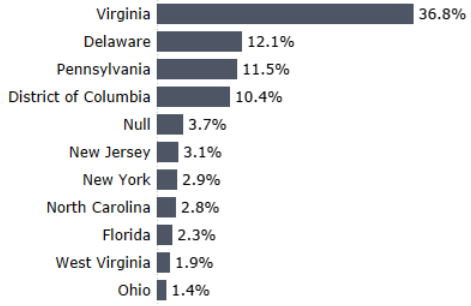
Top Cross-Visited Points of Interest
who visited Sandy Point State Park



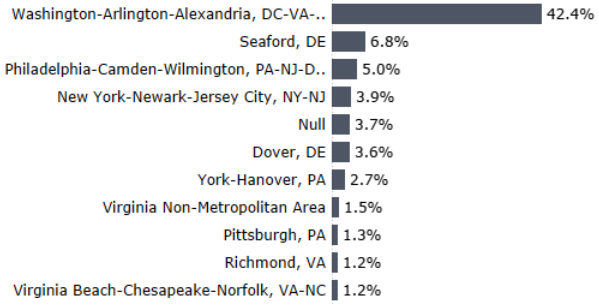
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

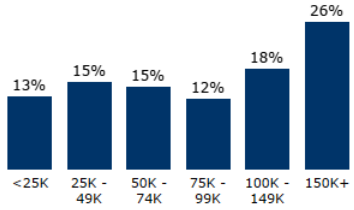


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only

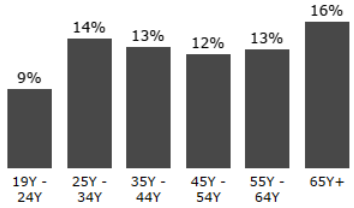


Demographics
Domestic Only

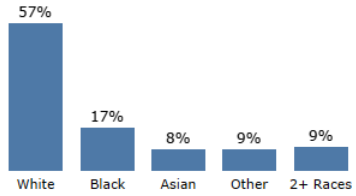
Household Income (in USD)
Median: $100.1K



Age



Race



Source: Azira and US Census Bureau

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POI Analysis

Baltimore Inner Harbor/Waterfront

Start Date	End Date	Point of Interest	Dwell Filter
January 01, 2025	December 31, 2025	Baltimore Inner Harbor/Waterfront	0

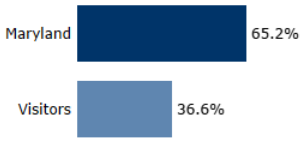
Sample Size: 134,288

76.2%
Overnight

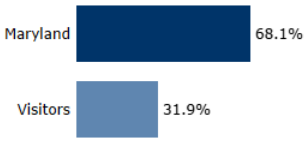
52.2%
New Visitors

**Overnight and New Visitors info based on visitors staying 4+ hours, non-commuters, live at 50+ mile distance and visited the POI.*

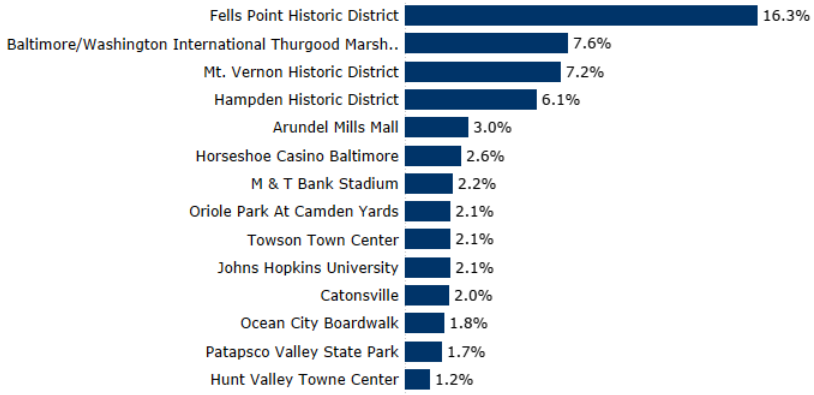
Visitor Breakdown
Unique Visitors



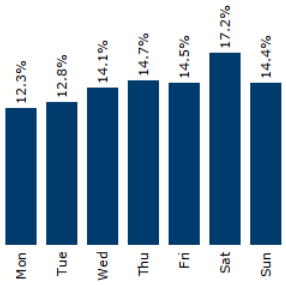
Visits Breakdown
Total Visits



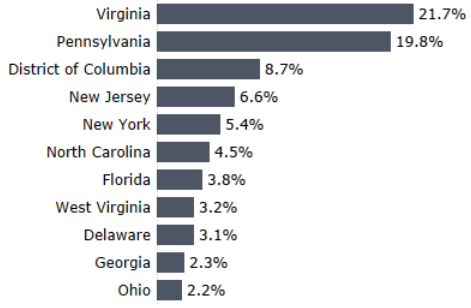
Top Cross-Visited Points of Interest
who visited Baltimore Inner Harbor/Waterfront



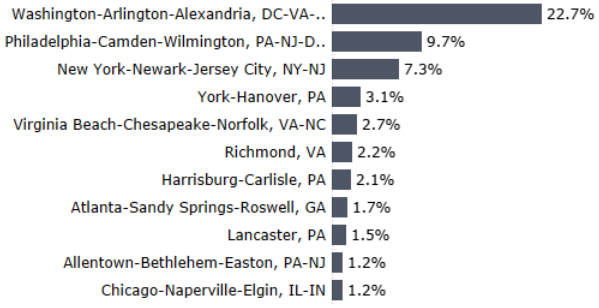
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

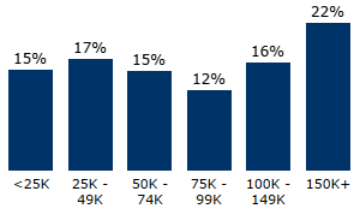


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only

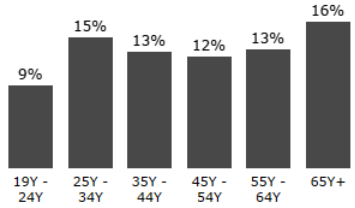


Demographics
Domestic Only

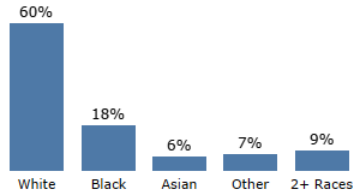
Household Income (in USD)
Median: $89.5K



Age



Race



Source: Azira and US Census Bureau

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POI Analysis by Category

Downtown Baltimore

Maryland OFFICE OF TOURISM

Start Date	End Date	POI Category	Dwell Filter
January 01, 2025	December 31, 2025	Downtown Baltimore	0

Sample Size: 134,288

0.5%
of visitors visited Downtown Baltimore at least once

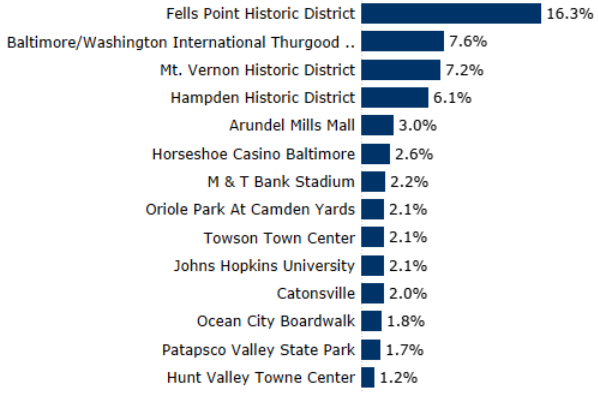
**Based on visitors staying 4+ hours, non-commuters and live at 50+ mile distance*

POI Split

Unique Visitors

Top Cross-Visited Points of Interest

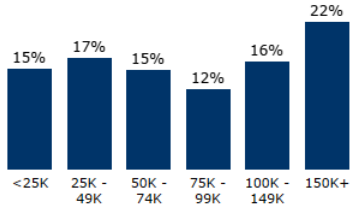
who visited any Downtown Baltimore POI



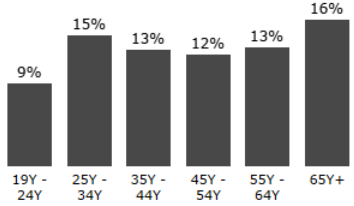
Demographics

Domestic Only

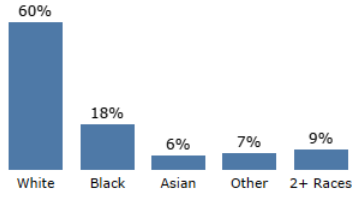
Household Income (in USD)
Median: $89.5K



Age

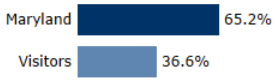


Race



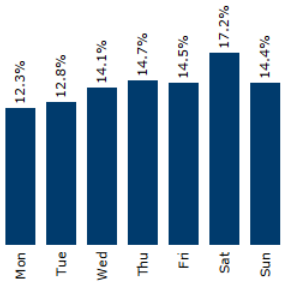
Origin Breakdown

Unique Visitors



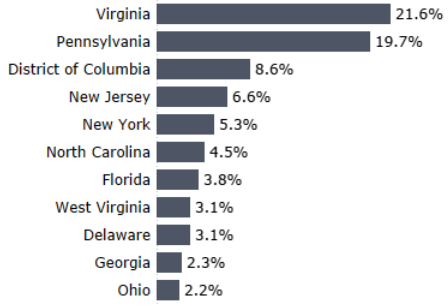
Visits Breakdown

Total Visits



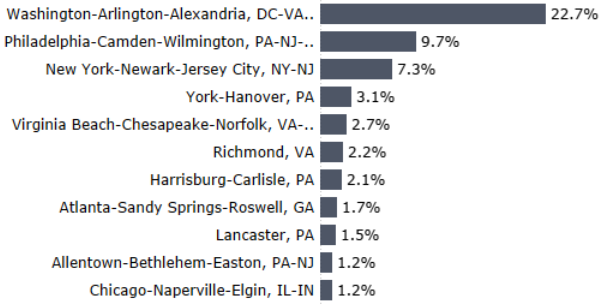
Top Origin Market by State

Unique Visitors, Domestic Visitors Only



Top Origin Market by MSA

Unique Visitors, Domestic Visitors Only



Source: Azira and US Census Bureau

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POI Analysis by Category

Beach

Maryland OFFICE OF TOURISM

Start Date	End Date	POI Category	Dwell Filter
January 01, 2025	December 31, 2025	Beach	0

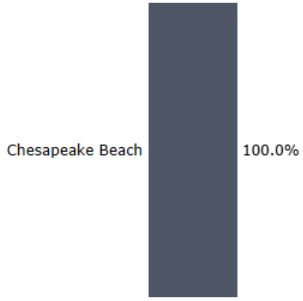
Sample Size: 637

0.0%
of visitors visited Beach at least once

**Based on visitors staying 4+ hours, non-commuters and live at 50+ mile distance*

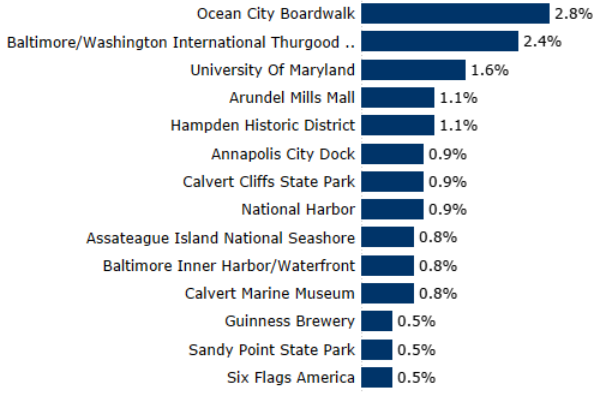
POI Split

Unique Visitors



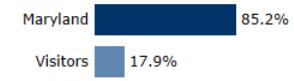
Top Cross-Visited Points of Interest

who visited any Beach POI



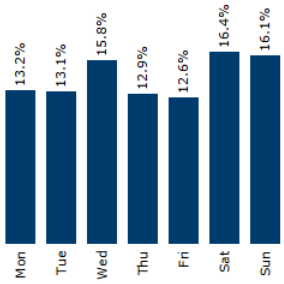
Origin Breakdown

Unique Visitors



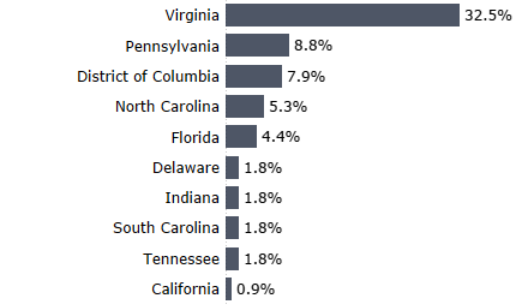
Visits Breakdown

Total Visits



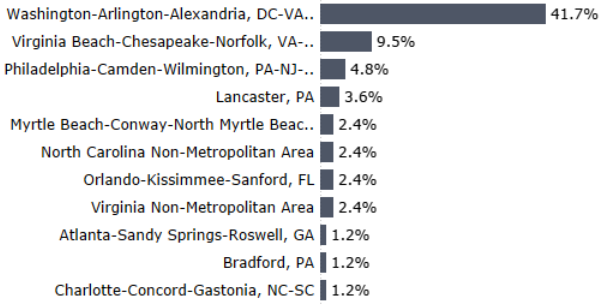
Top Origin Market by State

Unique Visitors, Domestic Visitors Only



Top Origin Market by MSA

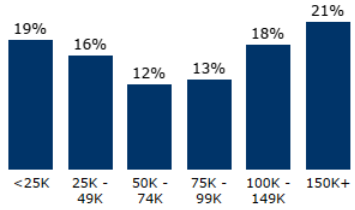
Unique Visitors, Domestic Visitors Only



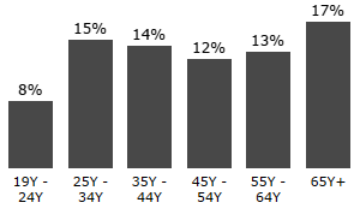
Demographics

Domestic Only

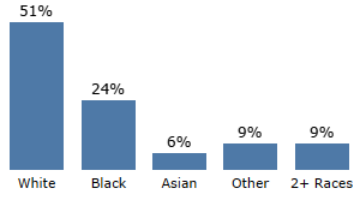
Household Income (in USD)
Median: $88.2K



Age



Race



Source: Azira and US Census Bureau

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POI Analysis by Category

Hiking Trail

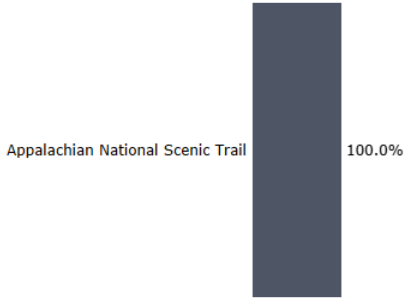
Start Date: January 01, 2025
End Date: December 31, 2025
POI Category: Hiking Trail
Dwell Filter: 0

Sample Size: 6,269

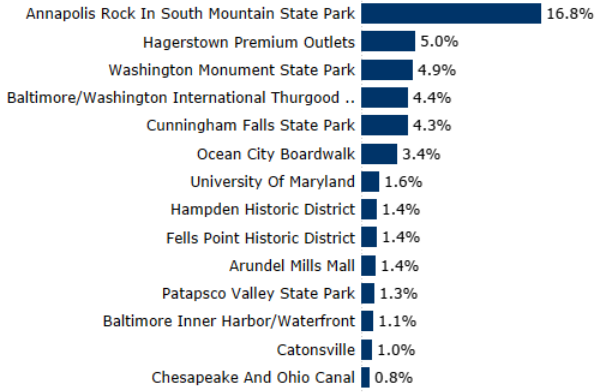
0.0%
of visitors visited Hiking Trail at least once

**Based on visitors staying 4+ hours, non-commuters and live at 50+ mile distance*

POI Split
Unique Visitors

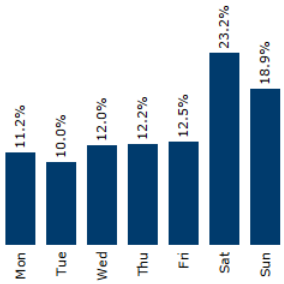


Top Cross-Visited Points of Interest
who visited any Hiking Trail POI

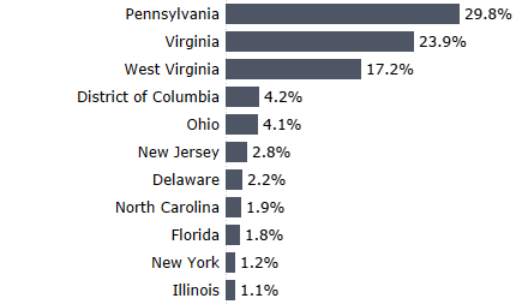


Origin Breakdown
Unique Visitors

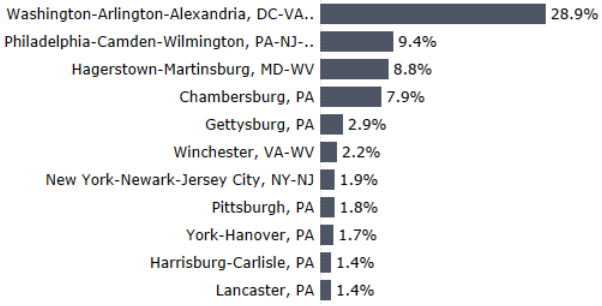
Visits Breakdown
Total Visits



Top Origin Market by State
Unique Visitors, Domestic Visitors Only

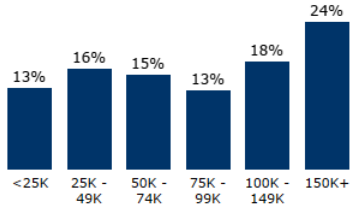


Top Origin Market by MSA
Unique Visitors, Domestic Visitors Only



Demographics
Domestic Only

Household Income (in USD)
Median: $96.9K



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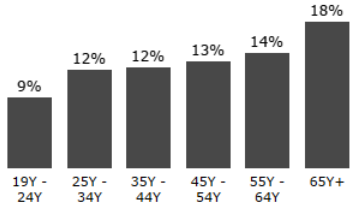
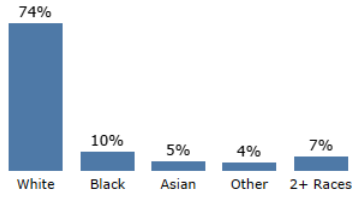


Race



Source: Azira and US Census Bureau

POI Analysis by Category

NHP - Hiking & biking trails

Start Date: January 01, 2025
End Date: December 31, 2025
POI Category: NHP - Hiking & biking trails
Dwell Filter: 0

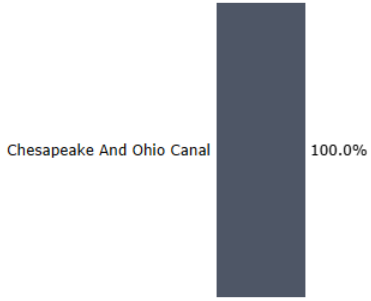
Sample Size: 4,026

0.0%
of visitors visited NHP - Hiking & biking trails at least once

**Based on visitors staying 4+ hours, non-commuters and live at 50+ mile distance*

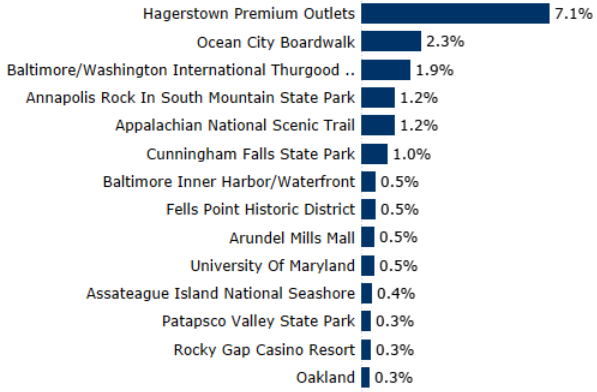
POI Split

Unique Visitors



Top Cross-Visited Points of Interest

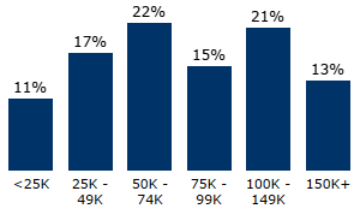
who visited any NHP - Hiking & biking trails POI



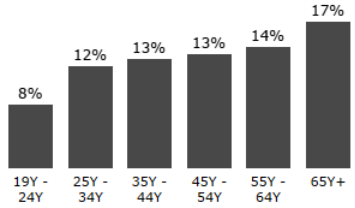
Demographics

Domestic Only

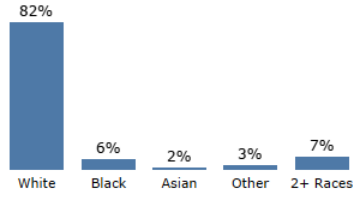
Household Income (in USD)
Median: $80.6K



Age



Race

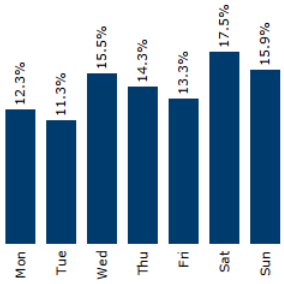


Origin Breakdown

Unique Visitors

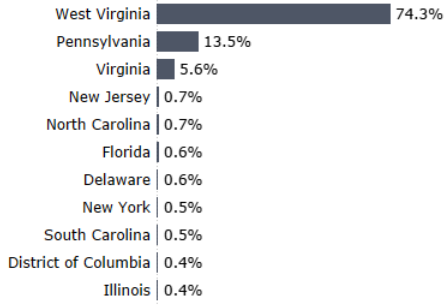
Visits Breakdown

Total Visits



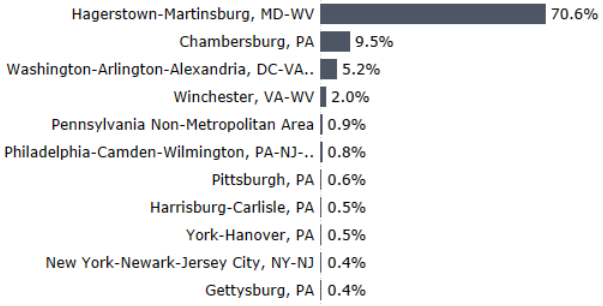
Top Origin Market by State

Unique Visitors, Domestic Visitors Only



Top Origin Market by MSA

Unique Visitors, Domestic Visitors Only



Source: Azira and US Census Bureau

POI Analysis by Category

Airport

Maryland OFFICE OF TOURISM

Start Date	End Date	POI Category	Dwell Filter
January 01, 2025	December 31, 2025	Airport	0

Sample Size: 502,995

1.8%
of visitors visited Airport at least once

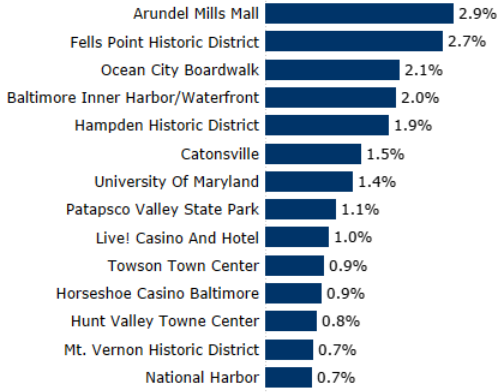
**Based on visitors staying 4+ hours, non-commuters and live at 50+ mile distance*

POI Split

Unique Visitors

Top Cross-Visited Points of Interest

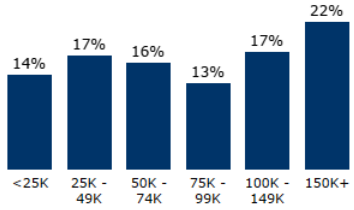
who visited any Airport POI



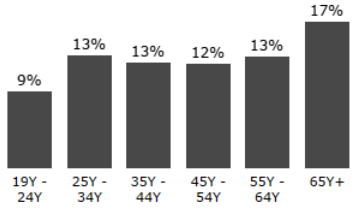
Demographics

Domestic Only

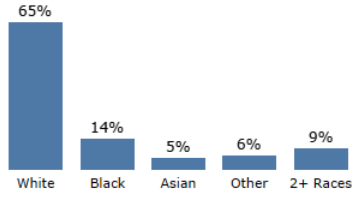
Household Income (in USD)
Median: $90.7K



Age



Race

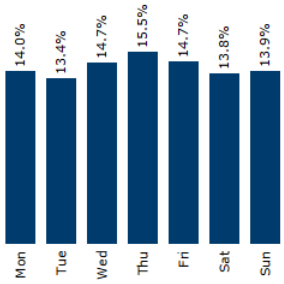


Origin Breakdown

Unique Visitors

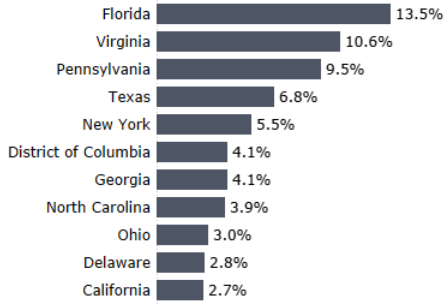
Visits Breakdown

Total Visits



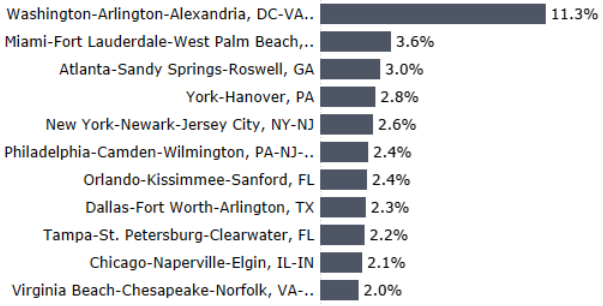
Top Origin Market by State

Unique Visitors, Domestic Visitors Only



Top Origin Market by MSA

Unique Visitors, Domestic Visitors Only



Source: Azira and US Census Bureau

Date: January 16, 2026

To: Kathryn Thomson, Acting Secretary, Maryland Department of Transportation
Bruce Gartner, Executive Director, Maryland Transportation Authority (MDTA)
Josh Kurtz, Secretary, Maryland Department of Natural Resources

From: Maryland Bicycle and Pedestrian Advisory Committee

Subject: Support for MDTA Recommended Preferred Alternative C for the Chesapeake Bay Crossing Study and Recommendation to include the Separated Shared-Use Path for pedestrians and bicyclists

In accordance with the requirement stating the Maryland Bicycle and Pedestrian Advisory Committee (MBPAC) advises the Administration on issues directly related to bicycling and pedestrian activity, the Committee offers the following support of MDTA Recommended Preferred Alternative C for the Chesapeake Bay Crossing Study.

MBPAC offers the following Shared Use Path (SUP) recommendations with respect to Alternative C:

1. The barrier-separated shared-use lane should be a mandatory feature of the new crossing, not a separately priced optional feature. This is no different from other features such as shoulders, lane widths, safety barriers, etc. which can also serve as an emergency or maintenance lane when appropriate.

2. The planning level cost estimate for the SUP seems exceptionally high and should be revisited. The project has upfront costs such as design, right of way, mobilization and such that are shared for the two spans. The SUP would then only be an incremental addition to one of the spans. An estimate of approximately 10% of the total project seems exceptionally high.

3. As presented to the MDTA Board, there are existing trail networks on both the eastern and western shores which will be connected by the SUP. This strengthens the local, regional, and national trail networks including the American Discovery Trail (Atlantic to Pacific) and an alternate East Coast Greenway route (Maine to Key West). These trail networks should be shown on briefings and documents related to the study.

Generally, MBPAC recommends that any bridge, overpass, underpass, interchange or similar road improvement construction by a State Department or Agency including MDTA or funded in full or in part by the State require accommodation for pedestrians and bicyclists. In addition, MBPAC's recommendations align with the 2024 Complete Streets policy applicable to all capital improvement projects within Maryland Department of Transportation's (MDOT) right-of-way.

Similar to the proposed 4.3-mile bay crossings, other bridges such as the Governor Mario M. Cuomo Bridge, a 3.6-mile span over the Hudson, twenty miles north of New York City, carrying I-87, includes barrier separated pedestrian and bicycle accommodations. Here in Maryland, both the Woodrow Wilson

and the Frederick Douglass Memorial Bridge (Washington, DC, opened in 2021) accommodate both pedestrians and bicyclists over the Potomac and Anacostia Rivers.

Crossings of natural geographical barriers are built or renovated perhaps once in every other generation. Failure to include bicycle and pedestrian accommodations adversely impacts not only the current citizens of Maryland, but those for the next 50 to 100 years.

Such accommodations can be tourism destinations in and of themselves, as well as links to facilities on either end with longer and multi-state trail networks. The separated bike/ped facility would provide safe access to and from scenic and historic byways on the Eastern Shore, facilitating micromobility transportation to and from communities on both sides of the Chesapeake Bay.

We would be glad to discuss this matter directly with the Study team or members of the Administration at your convenience.

Sincerely,

The Maryland Bicycle and Pedestrian Advisory Committee

[redacted], Chair

References

- MBPAC Recommendations for Chesapeake Bay Crossing Study - Tier 2 NEPA
- Maryland Complete Streets Policy (MDOT 750)
- Maryland Transportation Article §8-901
- MDOT 701 Practical Design Policy
- Governor Mario M. Cuomo Bridge (ny.gov) – Run, Walk, Bike and Explore
- The New Federal Douglas Memorial Bridge, DDOT (Sept 2018)

DEIS – Bay Crossing Comments

The DEIS evaluates Alternative C but leaves a separated shared use path (SUP) for pedestrians, cyclists and other potential users as an optional feature. The project should make the SUP a mandatory feature for multiple reasons.

Further, the DEIS only refers to the potential incremental cost of the SUP but neglects to evaluate the economic and other benefits associated with including the SUP.

Additionally, MDTA is required to address and comply with Maryland policy regarding Complete Streets. In no cases has Maryland provided a separated pedestrian, bicycle or micromobility crossing of the Bay (or the Susquehanna River) severely impeding safe travel down the northeast corridor and eastern shore.

Existing hiker/biker trails already exist on both sides of the Bay; the Bay Crossing SUP will provide the missing connection and direct links to several national and regional trail networks.

This is another once-in-a-lifetime opportunity to do something that will benefit generations of Marylanders. If not built now, it will not be built later and that is a decision that will live for the lifetime of the new crossing.

The Moore/Miller administration has this opportunity to leave its mark for generations. Let your memory be one that includes a grand vision for all of Maryland and create a world class attraction and not just a bigger bridge.

Specific Comments:

Tourism and economic benefits

A SUP crossing the Chesapeake Bay is a potential destination in and of itself.
The SUP would be a landmark feature drawing Marylanders to both sides of the crossing. Additionally, it would be an iconic drawing card for Maryland tourism for those from other states and countries.

Maryland has a (inter)nationally recognized SUP that is a massive tourism draw and annually generates tens of millions of dollars for the towns along the Chesapeake and Ohio Canal. Adding a crossing over the Chesapeake Bay would encourage those using the C&O towpath/trail to further their journey to Annapolis, over to Kent Island and possibly beyond. The Great American Rail-Trail: A Trail That Connects the Country currently ends at the terminus of the C&O

canal in Georgetown, Washington, DC. An extension to that trail could extend over the Bay and end at Ocean City, Maryland. Those completing the trail would stop on both sides of the Bay and along the Eastern Shore, driving tourism dollars into those communities.

For 15 consecutive years the Race Across America (RAAM) finished in Annapolis. 2 years ago, it was moved to finish at the Atlantic Ocean – in Atlantic Beach, NJ. Allowing the Race to traverse the Bay Crossing would allow a true transcontinental race again to come to Annapolis and then finish at the Atlantic – but this time in Ocean City, Maryland.

The East Coast Greenway (ECG) routes from Philadelphia toward Baltimore then toward Annapolis and then to DC. Allowing for a safer alternate route along the Eastern Shore and over the Bay Crossing into Annapolis would provide the ECG and the 9-11 Memorial trails with additional opportunities and options.

Added associated tourism benefits would include those who day trip to cross and back as well as through travelers.

Comparable facilities have substantial tourism impacts:

Cuomo Bridge (crossing the Hudson River north of New York City)
Walkway over the Hudson (allows bicycling and rollerblading in Poughkeepsie, New York)
Big River Crossing (Memphis, TN crossing the Mississippi River)

The Cuomo Trail would be closest in comparable length to the Bay Crossing SUP. In addition to the SUP itself, it has six scenic overlook areas where trail users can rest, admire the view and educate themselves about the bridge, trail, river and surrounding area and history. Features like these would further encourage people to come to the areas near the Bay Crossing and spend time and their directional dollars nearby. Similar features should be included as part of the SUP for the Bay Crossing.

Health and wellness benefits

A statement of the obvious: providing alternatives for walking, running, bicycling and other activities promotes and enhances wellness. Driving over the Bay is a cause of stress, anxiety, sedentary non-activity, harmful emissions – none of which are beneficial. These health and wellness benefits need to be factored into the overall evaluation of the net return on the investment in the SUP.

Connectivity

Maryland has failed to provide a safe crossing for pedestrians and mobility devices other than bicycles anywhere in the state over the Susquehanna River or the Chesapeake Bay. Crossings for bicycles at the Conowingo Dam are substandard and severely curtailed on the Hatem Bridge as well as being hazardous for most riders. In no cases are there accommodations for anyone who would not categorize themselves as 'fearless'. I personally knew 3 riders struck and killed on roadways in Maryland. I know of dozens of others that have been struck by motorized vehicles. Many cyclists are rightly afraid of using shared travel lanes. Maryland only provides limited crossings in shared travel lanes over the Susquehanna and no means over the Bay. The only way to cross this river or the bay on a bicycle safely - is in Pennsylvania. It is beyond time for Maryland to provide for all alternatives in crossings spanning major natural barriers.

<u>The SUP will connect existing trail infrastructure on both sides of the Bay.</u>
One excuse MDTA provided for not including a SUP at the rebuilt Nice-Middleton Bridge was the lack of existing trail networks at the ends of the bridge. A completely circular argument that no trail came to the foot of a bridge that didn't then and doesn't now provide for pedestrians or bicycle trail users. This argument does not apply to the Bay Crossing as there are existing trails on both sides of the Bay which are heavily used and would thus be interconnected as soon as the Bay SUP was opened.

A well-constructed SUP could be used for an extra emergency lane if necessary to access a collision scene or allow bridge evacuation for drivers stranded on the span.

Complete Streets
MDTA has not fulfilled Complete Streets for its last two major projects – The InterCounty Connector and the replacement Nice-Middleton Bridge. Both failed to include complete end to end pedestrian and bicycle accommodations. And for the ICC in the decade since it has been built none of the gap sections have been completed despite promises that the gaps would be closed. Will MDOT, MDTA and this Administration stand behind its promise to its citizens to include everyone in the scope of its projects? Or will once again these become empty words and promises that go unfulfilled.

It's time to demonstrate that the talking points, promises made, vision expressed and policies written are truly meaningful. Include the Shared Use Path. Build the Shared Use path.

[redacted]
[redacted]
March 8, 2026

Bay Crossing Study – Tier II NEPA

Heather Lowe
Maryland Transportation Authority, Division of Planning and Program Development
2310 Broening Highway
Baltimore, Maryland 21224

Dear Heather Lowe,

The Eastern Shore Land Conservancy (ESLC) is Maryland's largest accredited land trust, with an operating area covering Cecil, Kent, Caroline, Queen Anne's, Talbot, and Dorchester counties. Our mission is to conserve, steward, and advocate for the unique rural landscape of Maryland's Eastern Shore. Our vision is that Maryland's Eastern Shore is forever a special place of diverse and abundant natural resources and thriving rural communities.

Few infrastructure decisions carry the potential to reshape Maryland's Eastern Shore as profoundly as the Bay Bridge expansion proposed in the Tier II study. The construction of the original spans in 1952 and 1973 fundamentally altered land-use patterns and accelerated development across the region in ways that continue to shape the Eastern Shore today. As the state considers a new crossing, the project should incorporate lessons learned from those earlier investments and ensure that planning, environmental, and financial analyses, and robust mitigation strategies fully account for the long-term regional impacts this project will generate.

Fundamentally, ESLC recognizes that the current state of the Bay Crossing infrastructure requires upgrades to ensure the long-term safety of the Bay Bridge as the state plans for its future. In that spirit, ESLC submits the following comments and requests an expanded study area and mitigation funds for the rural communities of the Eastern Shore of Maryland.

The Bay Bridge is the singular gateway to the entire Delmarva (Exhibit I), and as such, the Tier II process must reckon with that full geography. The design of Alternative C carries major implications and demands an environmental and fiscal analysis that looks beyond the immediate approaches to account for the full scale of change likely across the routes 50, 301, 404, and 213 corridors. It is our view, the current scope of formal NEPA analysis, limited as it is to the 12-mile corridor from the Severn River to the 301/50 split, is woefully inadequate to the direct and indirect impacts of what the MDTA has described as "the largest infrastructure project in Maryland history."

Travel on the Eastern Shore has changed dramatically over the past decades, with more volume on almost every state road in the region. While plans may exist for the piecemeal improvement of individual roadways, corridors, or bridges, there is no planning for transportation needs at a broader, region-wide scale. In the absence of a regional transportation entity, individual projects proceed in isolation, often addressing short-term congestion or safety issues without coordinating across corridors, accounting for cumulative impacts, or considering how changes in one area ripple through the broader network.

Agriculture is the defining land use on the Eastern Shore, and major infrastructure projects that influence land use and development patterns must include deliberate safeguards to protect the long-

term viability of working farms and associated industries. Increased congestion along rural routes, safety conflicts between passenger traffic and farm equipment, and development patterns that fragment farmland can all impose real costs on agricultural operations. Protecting the long-term viability of the Eastern Shore's agricultural economy, therefore requires transportation planning that recognizes agriculture as a major user of the regional transportation system and incorporates meaningful safeguards that support working landscapes.

Traffic on the Bay Bridge is seasonal, directional, and volatile in ways that push queueing and network effects far from the bridge itself, from Middletown, DE to Ocean City, MD. This is why the focus on Kent Island as the sole lens is inadequate. Average daily traffic can swing by more than twenty thousand vehicles between winter and summer, a reminder that any capacity expansion will radiate across the Shore, and that mitigation cannot be confined to the land and communities adjacent to the bridge.

The Shore has already become more tightly linked to the northeast corridor through the US 301 First Responders Memorial Highway in Delaware, a tolled expressway, which opened in 2019, that connects the Eastern Shore more directly to I-95. In the wake of the collapse of the Key Bridge, traffic has further increased along US 301, and it is unknown if traffic patterns will return when the bridge is rebuilt.

According to 2020 census data (Exhibit II), 21% of the population in the commute shed live within a mile of major highway routes, and 28.5% live within three miles. Auto-oriented growth patterns have forced communities to invest in the peripheries of their communities and have pulled investments away from town centers, for both incorporated municipalities and unincorporated communities. This has been devastating to local economies. Auto-oriented growth patterns are fiscally underproductive for local governments, and the legacy land use codes that enable them remain in force today (Exhibit III). An updated Bay Crossing, with increased capacity, will induce additional driving and disperse development pressure along route corridors, repeating the pattern that consumed vast amounts of productive farmland and habitat, and hollowed out local government finances.

ESLC's 2024 regional analysis with Urban3 shows what many local governments already know in their budgets. The value per acre produced by compact, mixed-use downtown blocks far outpaces auto-dependent developments at the edge of our communities. Yet our ordinances, drafted generations ago after the current Bay Bridges were constructed, still separate uses and spread buildings and people across low-density districts. This has created a system of local revenues unable to maintain local infrastructure. This burden on local governments stems from auto-oriented development patterns, which are exacerbated by the induced demand that comes from the current Bay Bridges. These burdens all eventually fall at the feet of the state government, as local governments cannot maintain the infrastructure and seek state financial assistance. The Urban3 report, presentations, and associated data hosted by ESLC are part of the public record, and we ask that MDTA incorporate them by reference and include a fiscal impacts chapter that quantifies how different land use responses to a new crossing would affect local budgets.

The Draft EIS should be strengthened in four places before the Final EIS and ROD:

Cumulative and Secondary Impacts Across the Eastern Shore

The study area should be expanded to model land conversion and traffic growth along Routes 50, 301, 404, and 213, recognizing that the selected study area does not fence in the effects. The Tier I documents and Tier II materials both explain the tiered approach; Tier II is the moment to examine specific alignments and consequences with a longer regional lens.

Induced Demand and Downstream Congestion

The Final EIS should include an induced demand analysis grounded in the peer-reviewed literature, then test how added capacity will shift congestion into existing bottlenecks, rather than treating those queues as exogenous.

The Final EIS should include an induced demand analysis grounded in peer-reviewed literature and model multiple scenarios allowing the project to evaluate the range of potential outcomes and adjust mitigation strategies accordingly rather than treating downstream queues as fixed or exogenous.

Agricultural Viability and Landscape Fragmentation

The natural resource–based economy—including agriculture, outdoor recreation, and related industries—forms a critical foundation of the Eastern Shore's rural economy. The Final EIS should analyze the potential economic impacts of farmland loss and landscape fragmentation associated with expanded crossing capacity and corridor development pressures and develop mitigation strategies. The transportation needs of agricultural operations should be incorporated into the project's design and implementation.

Fiscal Impacts and Development Patterns

The Final EIS should pair traffic modeling with fiscal modeling, using value per acre analysis and real property assessments to determine potential fiscal impacts to local jurisdictions. ESLC's Urban3 report offers a starting structure, and the agency should invite towns and counties to contribute their own data.

A mitigation program must be developed and scaled to the transformation that added bridge capacity will trigger, and it must be regionwide, enforceable, and funded. It must follow the familiar sequence of avoid, minimize, and compensate, and when commitments are made, they must be tracked, funded, and delivered. The Federal Highway Administration's guidance is straightforward on eligibility and sequencing. We request that the Final EIS and ROD include a binding mitigation package with the following elements:

A. Corridor Conservation Fund for the Eastern Shore
A dedicated, multi-decade fund for conservation easements and strategic fee acquisitions to protect productive farmland, forests, wetlands, and habitat along the principal corridors and growth fronts of Routes 50, 301, 404, and 213 should be established. This fund should be capitalized at a level

commensurate with modeled secondary and cumulative impacts and managed in partnership with existing state programs and land trusts. The program design should allow for co-investment and should prioritize large, contiguous blocks and water quality buffers. These funds should be made available before construction of the bridge to allow for early implementation to ensure sensitive lands are protected ahead of development pressures.

B. Planning and Zoning Modernization Grant Program
Small governments across the Shore need technical assistance and funding to replace antiquated codes that favor dispersed, auto-dependent patterns with form-based, mixed-use, walkable standards that allow more homes and workplaces within town limits and focus public investment where infrastructure already exists. The MDTA should establish a multi-year grant program, with direct technical assistance, to modernize comprehensive plans, zoning, subdivision, and street standards. This measure will improve the productivity of development and reduce land conversion that would otherwise follow the crossing. The agency should also coordinate with local governments and related state agencies.

In addition, the state should undertake a formal study of establishing a Regional Transportation Planning Organization for the Eastern Shore in a collaborative forum capable of coordinating transportation investment and needs across local jurisdictions. Such an organization can coordinate with local governments and help implement the Sustainable Growth Principles that Maryland has already embraced.

C. Demand Management and Operating Strategies Pilot Programs
Short-term operational pilots at the approaches, including ramp and access management, can reduce spillover into local streets, but they are not substitutes for the mitigation measures above. The Final EIS should situate such tools within a broader program that supports the towns they are meant to protect.

D. Main Street and Infill Investments
A set of competitive grants for town center infill and infrastructure renewal that increase the value per acre of existing blocks, including water and sewer rehabilitation, complete street retrofits, and code updates that enable missing middle housing above shops and on small lots, aligned with the Urban3 findings. This is a mitigation that directly addresses the fiscal harms that past patterns produced.

E. Monitoring, Adaptive Management, and Enforceable Commitments
The ROD should include clear performance measures, public reporting, and a commitment tracking system consistent with federal guidance, so that conservation acreage, easement priorities, plan and code adoptions, and infill projects are not aspirational but delivered and verified over time.

Conclusion
The Eastern Shore is already burdened with the consequences of past decisions. We cannot absorb a new crossing with expanded capacity without a corresponding investment in conservation, in town-centered, people-centered codes, and in the practical tools our local governments need to manage change. The Tier II Final EIS and the Record of Decision should therefore adopt an expanded cumulative impact analysis, a full induced demand assessment, a fiscal impacts chapter informed by

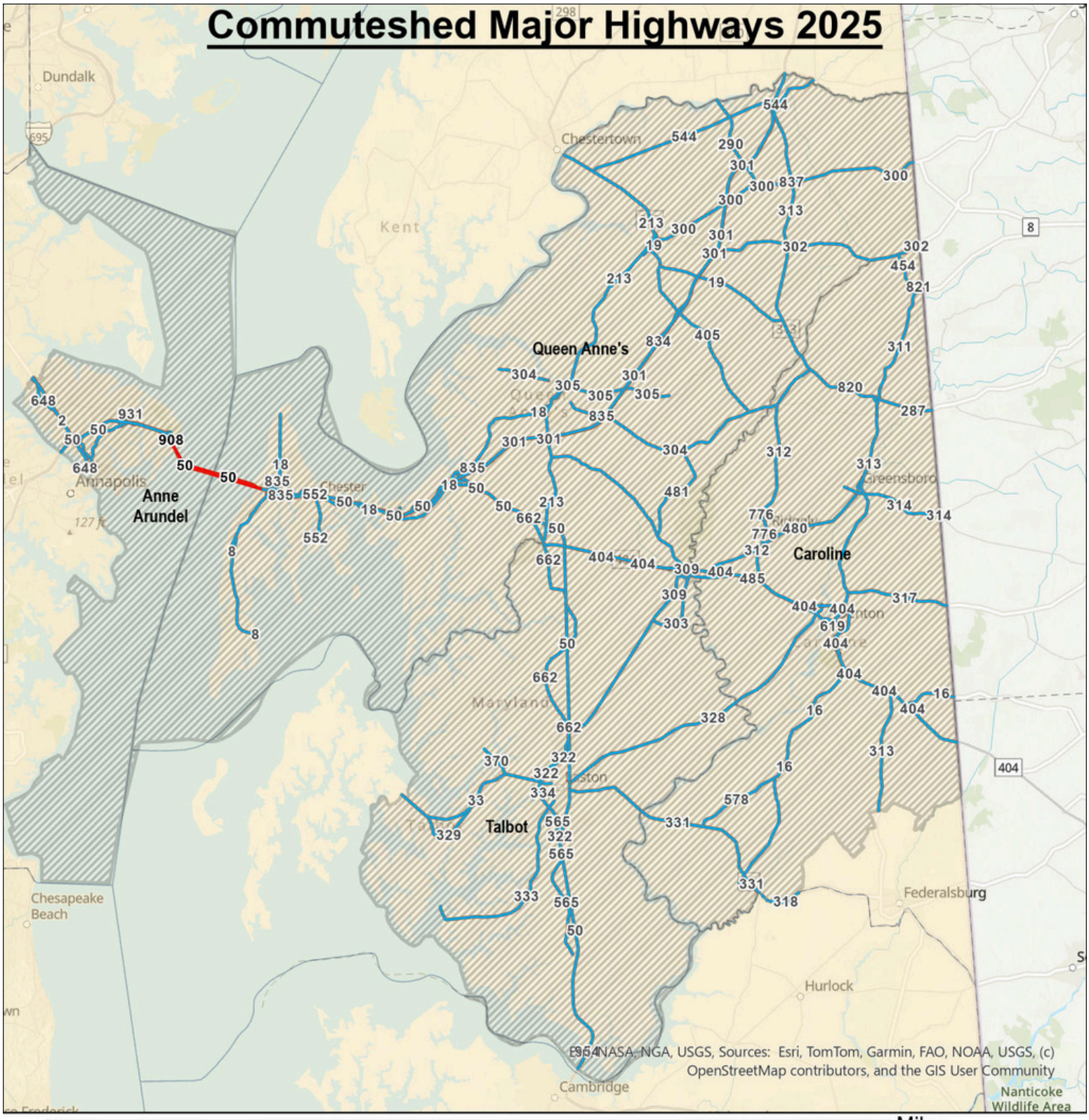
value per acre work, and a binding, funded mitigation package built around corridor conservation and code modernization, delivered in partnership with state conservation programs and local governments.

Thank you for considering these comments and for your attention to the breadth of effects this project will bring. We will gladly provide our Urban3 datasets, maps, and staff time to support your fiscal and land use analysis.

Respectfully,

Eastern Shore Land Conservancy

Commuteshed Major Highways 2025



0 5 10 20 30 40 Miles

Legend

Commuteshed_MDTA_Roads

Commuteshed_MDOT_SHA_Roads

Commuteshed

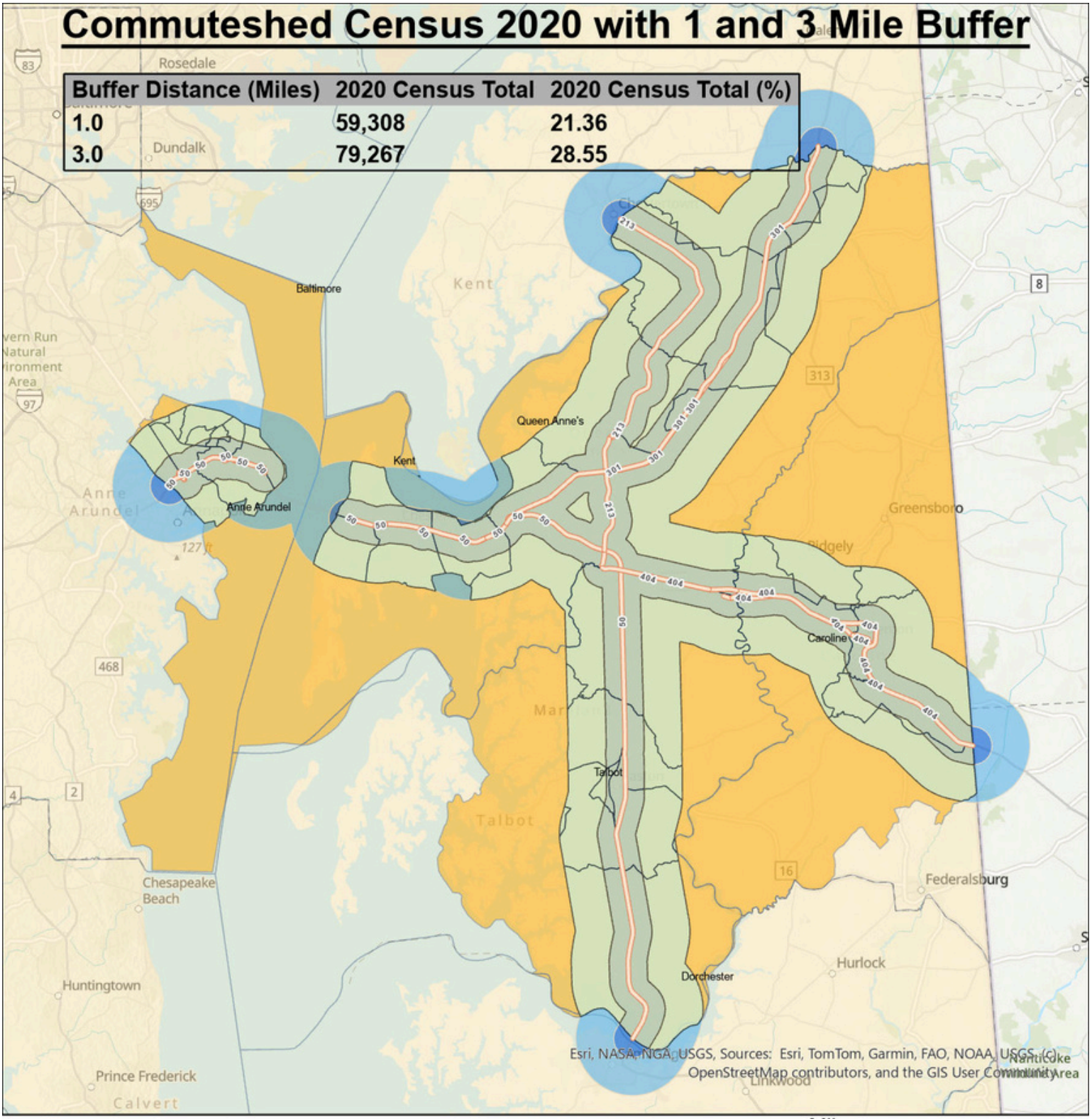
EASTERN SHORE LAND CONSERVANCY

N

Date: Sunday March 8, 2026

Commuteshed Census 2020 with 1 and 3 Mile Buffer

Buffer Distance (Miles)	2020 Census Total	2020 Census Total (%)
1.0	59,308	21.36
3.0	79,267	28.55



Miles

0 5 10 20 30 40

Legend

Commuteshed_MDOT_SHA_Buffer_Analysis

Commuteshed_Intersect_CensusData_CensusTracts_2020

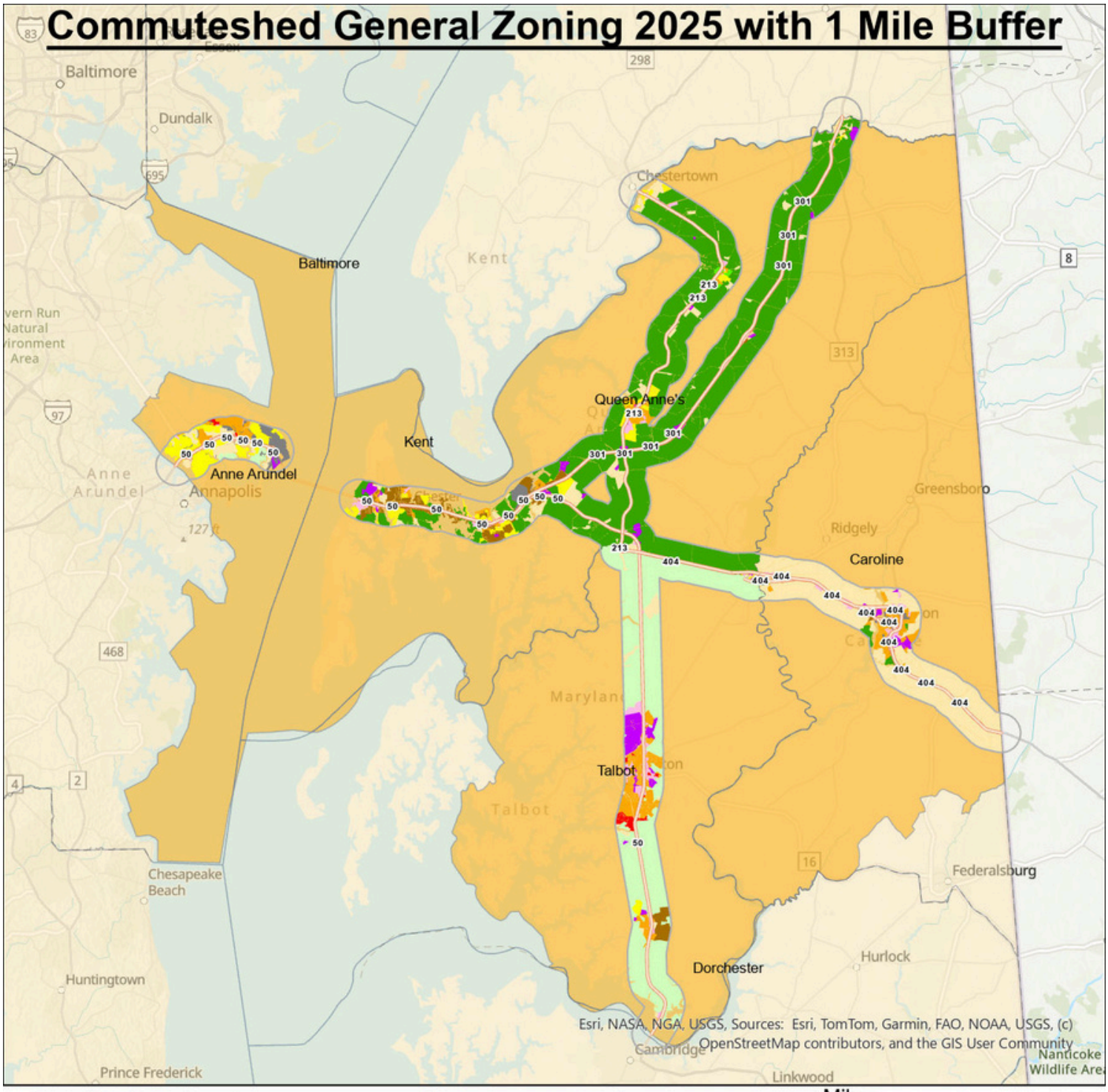
Commuteshed_MR_Buffer_1_3_Mile

N

EASTERN SHORE LAND CONSERVANCY

Date: Tuesday March 3, 2026

Commuteshed General Zoning 2025 with 1 Mile Buffer



Miles

0 5 10 20 30 40

Legend

- Rural Low Density Residential (<=0.05 du/a)
- Rural Medium Density Residential (>0.05 and <=0.1 du/a)
- Rural High Density Residential (>0.1 and <0.2 du/a)
- Very Low Density Residential (>= 0.2 and <= 1 du/a)
- Low Density Residential (>=1 and <3.5 du/a)
- Medium Density Residential (>=3.5 and <10 du/a)
- High Density Residential (>=10 du/a)
- Commercial
- Industrial
- Mixed Use
- Other

Date: Thursday February 26, 2026

N

EASTERN SHORE LAND CONSERVANCY

CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

March 9, 2026

Maryland Transportation Authority
Division of Planning & Program Development
2310 Broening Highway
Baltimore, MD 21224

Transmitted electronically to: info@baycrossingstudy.com

RE: Bay Crossing Tier 2 Study Draft EIS and MDTA's Recommended Preferred Alternative

To Whom It May Concern:

The Chesapeake Bay Foundation (CBF) on behalf of our 71,000 members in Maryland welcomes this opportunity to comment on the Tier 2 Study Draft Environmental Impact Statement (DEIS) for the Chesapeake Bay Crossing and the Maryland Transportation Authority (MDTA) Recommended Preferred Alternative. MDTA reports that the new Bay Crossing, if constructed, will be the largest infrastructure project in Maryland history. A project of such magnitude must be informed by a DEIS that includes a detailed statement of the environmental impacts caused by the proposed action, reasonable alternatives, and recommendations to avoid, minimize and mitigate such impacts. As drafted, several anticipated environmental impacts are either unidentified or inadequately described. Some systems or communities lack baseline data necessary to appropriately quantify and mitigate impacts from the Recommended Preferred Alternative. These deficiencies must be corrected during the DEIS development process so that construction and operation of the new crossing can be best positioned to protect communities and the environment from harm.

We appreciate MDTA's approach to estimate potential environmental consequences based on the limit of disturbance of each build alternative. We agree that due to its proposed location and smaller construction footprint, MDTA's Preferred Alternative C is expected to result in substantially less environmental impacts than Alternatives D through G. However, even with the reduced footprint, the DEIS remains deficient in disclosing significant threats to natural resources. The draft must be revised to better assess the environmental effects of the proposed action and supply a complete detailed statement of environmental impacts as the National Environmental Policy Act requires.

The DEIS must show that the proposed action will not violate water quality standards. The DEIS appropriately reports that each of the MD 8-digit watersheds crossed by the resource review area is on the federal Clean Water Act Section 303(d) impaired waters list, and that Total Maximum Daily Load (TMDL) limits have either been completed or will be completed for many of the pollutants contributing to each segment's impairment. The DEIS correctly states that "the addition of contaminants to surface waters would potentially increase water impairment and affect the TMDLs of these waterways" (DEIS 4-58). Because Maryland law requires new or modified discharges to not cause or contribute to exceedances of TMDL allocations or violations of water quality standards, the draft must specify with certainty how such potential exceedances or violations will be prevented. MDTA's planned actions in the DEIS do not sufficiently show how this legal standard will be met.

Rather than preventing, prohibiting, or offsetting additional impairments, the agency insufficiently commits to 1) "continue to avoid" impacts to watersheds through design and construction of a Selected Alternative, 2) provide stormwater management (SWM) systems that "help control" runoff and reduce peak flows, and 3) implement measures that would "minimize" erosion downstream during construction. These and other unspecific commitments must be revised to state, in no uncertain terms, how the proposed action will not compromise water quality standards or exceed TMDL limits. Similarly, the commitments on page 4-62 to "reduce" impacts related to sediment and contaminants, and design SWM systems that "aim to eliminate" any impacts to meeting TMDL goals must be changed to show unequivocally how the proposed action will not violate state and federal law.

The DEIS must explain how critical information gaps will be closed. Bottom-disturbing activities such as dredging and pile driving cause resuspension of bottom sediments, which can have adverse impacts on water quality and aquatic biota. For this reason, Maryland regulations include guidelines for annual as well as 30-day mean limits on total suspended solids (TSS) and turbidity in estuarine waters. However, as currently written, assessments of turbidity, TSS, and sediment contaminants in the draft are only qualitative and do not adequately assess impact. The DEIS must be updated to clarify how pile driving or dredging will minimize resuspension of sediments, which contain contaminants such as metals, organic chemicals and pesticides that can expose fish, benthic macroinvertebrates, oysters, and other biota to toxic or sublethal effects.

Maryland regulations provide specific limits for TSS, turbidity, and contaminants, but the DEIS does not provide any meaningful scientific analysis of the degree to which project activities may violate water quality standards. The DEIS should include a quantitative assessment of the predicted effects of increased TSS/turbidity and contaminant release based on anticipated construction methods and existing conditions in Chesapeake Bay.

Assessments of benthic macroinvertebrate communities are Maryland's primary biological tool to determine whether streams meet water quality standards. The Maryland Biological Stream Survey uses these assessments to generate a Benthic Index of Biotic Integrity (BIBI), which reflects ecological stream health, as well as cumulative, long-term water-quality conditions. BIBI scores are essential for informing the identification of biological integrity impairments in Maryland waters. They also support Section 303(d) listings, and drive TMDL development, implementation, and compliance evaluation. Yet even though their role is essential in implementing state water quality protection policy, nontidal benthic macroinvertebrate data, according to the DEIS, are unavailable for significant portions of the resource review area, including all of the area located in Queen Anne's County (DEIS 4-92). The draft states that:

> "...these small, nontidal stream reaches have not been assessed in recent years by state or county nontidal monitoring programs. Nontidal stream health for the watersheds located on Kent Island is rated as "Poor" to "Fair" according to the Chessie BIBI (ICPRB, 2025). The stream health rating for these watersheds was determined from historic MBSS benthic macroinvertebrate data that was collected between 2000 and 2017 and the sites closest to the resource review area were assessed from 2002 to 2008. Watershed conditions and stream health may have changed somewhat since these assessments but would be expected to remain in the "Poor" to "Fair" category or be further reduced in quality due to ongoing agricultural use and increased development in these watersheds."

The DEIS must be revised to explain how the gap in information about benthic macroinvertebrate communities will be closed. This is needed to reliably understand current conditions relative to projected impacts. In the absence of this information, the finding that watershed condition and stream health would be "expected" to remain in the "Poor" to "Fair" category is scientifically unsound and insufficient to determine environmental impact as required by the DEIS and Maryland water policy.

The assessment of environmental consequences of dredging on benthic macroinvertebrates focuses on the potential for direct mortality and habitat alteration. The assessment should also address potential effects of suspended sediment associated with dredging activities, which has the potential to smother benthic communities in areas adjacent to the dredge footprint when these suspended sediments are redeposited, as noted in the Natural Environment Technical Report. This assessment should consider accepted thresholds for benthic communities (i.e. 390 mg/L, as noted in the Natural Environment Technical Report).

The DEIS must identify the full range of environmental impacts that the proposed action will induce. The DEIS correctly reports that "impacts could include potential changes to

land use, population, housing, labor force, employment, community cohesion, community facilities, business centers, recreational activities, viewsheds and aesthetics, travel patterns, access, and parking" (Socioeconomic & Land Use Technical Report 5-1). The identified Study Limits, however, constrain needed consideration of many of those impacts that can reasonably be anticipated to occur beyond the designated study area. FHWA requires that a project's limits must be long enough to capture the full range of environmental, social, and transportation impacts that the proposed action could induce. The limits must be "of sufficient length to address broad environmental concerns" including concerns related to the environmental impacts from growth and development caused by the project (23 CFR 771.111(f)).

Induced Growth and Development

As we commented in 2021 on the Tier 1 DEIS, MDTA is rightly concerned about the potential indirect effects of induced growth and development activity from the addition of travel capacity across the Chesapeake Bay. CBF agrees with MDTA's conclusion that constructing additional lanes will spur land development at a pace and extent greater than the no-build option. However, as with the Tier 1 draft, the current DEIS provides no quantifiable account of the potential development activity that is expected to result from any of the alternatives, including the Recommended Preferred Alternative. MDTA's conclusion that constructing additional lanes will spur land development justify an account by the agency of the number, location, and type of new homes and businesses expected to be built in the region and any commensurate change in transportation infrastructure anticipated to be needed to serve these facilities, including transit modes and new travel lanes leading to and from the crossing. Impacts expected from the development of any transportation alternative should be fully documented and analyzed to support decision-making. Without such analysis, it is not possible for MDTA or stakeholders to effectively compare the Recommended Preferred Alternative to any other option.

To fully account for the environmental impacts caused by the proposed action, MDTA must provide quantifiable growth projections and associated impact statements in the DEIS. Several growth projection models are currently in operation at the University of Maryland Center for Smart Growth, the Maryland Department of Planning (MDP), and the Chesapeake Bay Program (CBP). These models can test multiple scenarios with differing assumptions about demand and infrastructure improvements. They can also incorporate local land use planning and zoning, and MDP's model can provide granular, parcel-level projections about the amount and intensity of future growth generated by each scenario. This study should inform policy and regulatory changes developed in partnership with local governments to attenuate the adverse effects of the crossing on communities and the environment and should be a precondition of the crossing's construction.

Vehicular Air Emissions

Maryland's Climate Pollution Reduction Plan (CPRP) is the state's comprehensive strategy to meet ambitious climate targets outlined in the Climate Solutions Now Act of 2022. The CPRP commits Maryland to reducing statewide greenhouse gas (GHG) emissions 60% below 2006 levels by 2031 and achieving net zero emissions by 2045. Transportation is

Maryland's largest source of greenhouse gas emissions, and thus the CPRP devotes significant attention to strategies that can bend the emissions curve in this sector. The CPRP includes statewide modeling of projected vehicle miles traveled (VMT) and transportation-sector emission trends. It pairs this with analysis produced by the Maryland Department of Transportation (MDOT), which emphasizes that meeting climate goals requires a combination of vehicle electrification, emissions standards, and policies to manage VMT growth.

The proposed reconstruction of the Chesapeake Bay Bridge, with new, wider spans and higher capacity, raises substantive environmental and policy concerns that intersect directly with the CPRP's transportation goals. By expanding the number of lanes and easing congestion bottlenecks, the new bridge is likely to induce higher total traffic volumes. From a climate perspective, more vehicles crossing the Bay, should they continue to be predominantly gasoline-powered, would increase GHG emissions at a time when the CPRP calls for steep, near-term reductions. This result would increase overall emissions from the state's most-polluting sector, directly impeding Maryland's progress toward its 2031 pollution reduction target. Even as the CPRP pushes aggressively for EV adoption, fleet turnover will take time and increases in total VMT could outpace the declining per-vehicle carbon intensity unless electrification accelerates dramatically.

In addition to greenhouse gases, increased traffic would elevate emissions of nitrogen oxides (NOx) and particulate matter from combustion engines, contributing to Maryland's air pollution burden. Higher NOx emissions increase atmospheric nitrogen deposition, which is a documented contributor to eutrophication in the Chesapeake Bay. More NOx from additional vehicles can increase nutrient loads, counteracting major state investment in Bay restoration and pollution reduction. If traffic volumes grow faster than the state's ability to reduce the intensity of emissions from its vehicle fleet, Maryland could face a widening gap between actual emissions trends and the steep reductions required by 2031. In this sense, the new Bay Bridge represents a structural challenge that could undermine Maryland's pathway to meeting its legally mandated climate targets.

MDTA must fully account for the impact of increased vehicle exhaust on water quality and the DEIS must specify the extent to which vehicle exhaust associated with increased transportation capacity will pollute the air, impact water quality, and violate water quality standards. Committing to a dedicated shared use bicycle-pedestrian path could reduce vehicular traffic for users who prefer a vehicle-alternative option that could connect existing trail networks on the Eastern and Western shores.

Expanded Navigational & Shipping Disturbance

The DEIS fails to account for a key design change that will significantly alter the shipping industry and its associated environmental impacts – the increased height of the new spans. Recent industry trends show that container vessels calling on East Coast ports, including Baltimore, have grown significantly in size as global shipping lines increasingly deploy larger Panamax and post-Panamax ships. The existing Chesapeake Bay Bridge, with a vertical clearance of roughly 185 feet, currently limits the maximum air draft of vessels that

can reach the Port of Baltimore, constraining some of the newer ship classes that exceed this threshold. To address this constraint, the proposed replacement includes spans about 50 feet taller to match the new Key Bridge design, which would allow these larger vessels to transit up the Bay.

Enabling larger ships has meaningful environmental implications that are not addressed by the DEIS. Increased air draft capacity necessitates deeper and wider navigation channels, requiring extensive dredging that disturbs benthic habitats, resuspends contaminated sediments, and alters tidal flows, sediment transport, and salinity gradients – all with negative effects for submerged aquatic vegetation and shoreline stability. Beyond the channel itself, large vessel operations expand the on-water and upland footprint of disturbance. Larger hulls and propellors generate stronger wakes and propwash that can accelerate erosion and increase turbidity, while safe navigation demands larger turning basins, anchorages, and passing zones. Areas within the area of disturbance already suffer from high rates of erosion due to large fetch, sea level rise, and the loss of natural habitats that once buffered the shoreline from wave energy. Increased erosive energy from larger wakes may undermine remaining natural shorelines and prompt the use of more armored shoreline structures to withstand the increase in wave energy. Such armoring that is discouraged by state policy has a significant impact on benthic communities, forage fish species, and fisheries production, particularly for blue crabs.

In addition, to accommodate larger loads, terminals scale up cranes, berths, yards, and intermodal links, increasing industrial intensity and stormwater loads. Such intensification is already occurring with the construction of the new Seagirt Terminal in Baltimore. Infrastructure risk and mitigation measures also scale with vessel size. Maryland is already planning enhanced pier-protection systems in response to the risks posed by modern, heavier ships, adding further in-water structures with their own environmental footprint.

MDTA may consider these effects outside of the scope of this project and therefore inappropriate to address in the DEIS. However, following Key Bridge reconstruction, the Bay Bridge will be the only physical constraint to accommodating these larger post-Panamax vessels. Therefore, the increased frequency and footprint of dredging of approach channels and other associated effects should qualify as a direct impact of this project. Moreover, these effects will be ongoing, as maintenance dredging and regular shipping operations will continue to produce disturbance on a regular basis far after the completion of bridge construction. These impacts must be thoroughly examined and addressed by the DEIS along with a plan for long-term mitigation.

Impacts to Oyster Reef Habitat

The DEIS provides an assessment of the potential acreages of Natural Oyster Bars, Historic Oyster Beds, and Public Shellfish Fishery Areas impacted by the project actions and describes measures such as seasonal restrictions on dredging to minimize impacts to oysters. However, it fails to describe in any level of detail what pre-construction or mitigation measures will be implemented to offset potential losses to oysters and their habitat. Such measures could include relocation of live oysters prior to dredging and pile

driving, creation of oyster habitat using artificial substrates or shell material, oyster seeding, or contributions to ongoing oyster restoration projects. This is of particular importance to CBF as our organization has invested in oyster restoration for more than two decades, including projects located within the potential area of disturbance. These projects are typically linked to CBF's oyster gardening program, an all-volunteer program in which community members care for oysters in cages suspended from private docks or public locations (*e.g.* marinas) before they are out-planted on oyster sanctuary reefs at nine to twelve months in age. These programs not only increase oyster survival from early life stages, they also engage the public in meaningful access to the Bay, inspiring stewardship and environmental awareness.

The DEIS suggests that more than 60,000 acres of oyster sanctuary could be impacted by the construction and operation of the new Bay Bridge, including some or all of the sanctuary area in the Chester River, Eastern Bay, and tributaries including the Magothy River, Severn River, Corsica River, Choptank River, Tred Avon River, Miles River, and Wye River. This is a critical consideration as several of the sanctuaries listed, namely the Tred Avon River, Eastern Bay, and Severn River, have been or are currently the subject of large-scale restoration including significant investment of federal, state, and/or local funds. To date, these investments have been paying significant dividends for oyster populations, reef habitat, and associated fauna. For example, in the Tred Avon River sanctuary that has benfitted from substantial public funding, the oyster population increased by about four times, from 40 million to 175 million. These oyster sanctuaries are contributing significantly to the overall population of 7.6 billion adult oysters.

Given the anticipated impacts of dredging, pile driving, and other benthic disturbances associated with construction and ongoing maintenance activities, the DEIS should fully account for the impacts to oyster sanctuaries in particular, alongside all potentially impacted oyster resources. Should hydrodynamic modeling or other information suggest significant sedimentation will occur, either directly from bridge construction activities or due to induced impacts, the DEIS should recommend additional areas of productive oyster bottom that could be protected in sanctuary status to mitigate areas that are likely to experience chronic stress due to the sublethal and lethal effects of sedimentation. This does not include areas like the Tred Avon River, which have received major public restoration funding and fall under statutory protection that requires the State to monitor and maintain oyster densities at no fewer than fifteen oysters per square meter.

The DEIS should include a system to mitigate the full range of environmental impacts. Consistent with the unmet need to identify environmental impacts beyond the Study Limits that are associated with induced growth, development, navigational dredging, and habitat loss, the DEIS should be revised to include 1) growth modeling for Maryland localities that are projected to experience land use change caused by the proposed action, 2) socioeconomic and land use data for those localities, and 3) analysis of the environmental and economic impact of anticipated land use change, especially those changes that convert natural areas such as farms, forests, and open space to developed uses. The analysis should specifically identify the environmental and economic costs that describe the lost value caused by the projected conversion of these natural areas to limited

and intense development, which is known to be more damaging to the environment than undeveloped land. This is especially important as Maryland struggles to meet its obligation to control stormwater pollution – the only Bay pollution source that is increasing.

The DEIS should identify and evaluate a system to mitigate the full cost of direct and induced land use conversion caused by the proposed action. The system should be developed in consultation with local governments who plan, direct, and manage infrastructure investments anticipated to be affected, including wastewater, stormwater, transportation, open space, and other assets for which demand will increase. The projected financial cost of these investments should be specifically identified, and a mitigation fund should be recommended to help local governments recover these costs. Access to the fund may be conditioned on the existence of local policies that demonstrate a commitment by localities to share in the burden of growth management, such as protective rural zoning, water and sewer planning that priorities advanced wastewater treatment, and development standards that require green infrastructure, infill, and natural resource protection. The DEIS should evaluate potential for local comprehensive plans and implementing policies to be updated to address the environmental impacts identified in the draft and otherwise align access to the proposed mitigation fund with community preparedness.

As this project will result in significant ongoing impacts to aquatic ecosystems and benthic habitats, a similar means for ongoing mitigation should be developed to address impacts of habitat degradation, loss of ecosystem service value, increased costs of shoreline management and habitat restoration - particularly oyster restoration. These impacts should not be limited to the Study Area nor to the duration of the construction timeline. Because these represent long-term trade-offs to the vitality of Chesapeake Bay and Maryland's aquatic natural resources, the DEIS must address these impacts and appropriately mitigate them to the maximum extent possible.

Thank you for your consideration of these comments. For additional information, please contact [redacted], Maryland Staff Attorney ([redacted]).

Sincerely,

[redacted]

[redacted]
Maryland Executive Director

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March 9, 2026

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Re: Comments on the Bay Bridge Draft Environmental Impact Statement from Queen Anne's Conservation Association

Dear MDTA and FHWA Officials:

Queen Anne's Conservation Association ("QACA") submits this letter in response to Maryland Transportation Authority's ("MDTA") invitation for public comments on the Chesapeake Bay Crossing Tier 2 Draft Environmental Impact Statement ("DEIS"), which MDTA and the Federal Highway Administration ("FHWA") are soliciting as part of FHWA's compliance with the National Environmental Policy Act ("NEPA"), 42 U.S.C. §§ 4321-4347, and other applicable laws. We respectfully request that FHWA include this comment letter in the formal administrative record for this matter.

In order to fulfill its legal obligations for the remainder of the NEPA process, FHWA must: (1) remedy deficiencies in the traffic analysis; (2) follow through on commitments to consult on protected species and implement necessary protection and mitigation measures; and (3) complete analysis of bridge construction impacts. *See* Md. Transp. Auth., Tier 2 NEPA Chesapeake Bay Crossing Study Draft Environmental Impact Statement, http://bit.ly/4qS24td (last visited Mar. 9, 2026).

Failure to adequately address these concerns will have dire consequences for Maryland's Eastern Shore. A massive new bridge, constructed without sufficient traffic and environmental analysis, will dramatically increase negative impacts to the pristine and iconic Eastern Shore landscape. The Bay Bridge project threatens to fundamentally and permanently change the character of the Eastern Shore through increased traffic, suburbanization, and severe environmental degradation; FHWA and MDTA must take a more calculated and detailed look at multiple parts of their supporting analysis and purported justification before proceeding.

Statement of Interest

QACA is the oldest conservation organization on the Eastern Shore and is dedicated to promoting smart and sustainable growth in Queen Anne's County. It supports development that will provide a viable and sustainable economic foundation for the county, while also ensuring the protection of its rural character, including the small towns, farms, waterways, and open spaces that shape the county's landscape.

QACA has been an active participant in MDTA's Bay Crossing Study since its inception. It has consistently advocated for accurate and methodologically sound traffic projections, as well as using all available travel management strategies to mitigate peak traffic congestion *before* committing to a costly, disruptive, and environmentally damaging new bridge. To this end, QACA previously submitted detailed comments on the Bay Crossing Study Tier 1 Draft Environmental Impact Statement ("Tier 1 DEIS").[1] Included in those comments was a rigorous study by independent traffic engineering firm, AKRF, commissioned by QACA to evaluate the Purpose and Need Assessment ("PNA") first published by MDTA in 2019.[2] AKRF is a nationally recognized traffic engineering firm with impeccable credentials, which FHWA and other federal and state agencies routinely retain to manage and coordinate all aspects (including preparation of Draft and Final EISs) of traffic and highway engineering projects throughout the United States. QACA also commented on an earlier step in the Tier 2 NEPA Study process and raised concerns about the adequacy of several elements of the agency's environmental and traffic analyses.[3]

BACKGROUND

Relevant background information, including the applicable legal framework and a brief summary of the Bay Bridge Crossing NEPA process, is described below.

Statutory and Regulatory Framework

NEPA was enacted in 1970 to protect human health and the environment by ensuring that "unquantified environmental amenities and values" are given "appropriate consideration in decisionmaking." 42 U.S.C. § 4332(2)(B).

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[1] *See* Letter from QACA, April 22, 2021, to Bay Crossing Study, Re: Comments of Queen Anne's Conservation Association on Bay Crossing Study Tier 1 DEIS.

[2] *See* AKRF, *Chesapeake Bay Bridge Crossing Study Transportation Study*, December 15, 2020 (prepared for Queen Anne's Conservation Association).

[3] *See* Letter from QACA, January 13, 2025, to Bay Crossing Study, Re: Preliminary Comments on the Chesapeake Bay Bridge Crossing Tier 2 NEPA Study Process from Queen Anne's Conservation Association.

This foundational environmental law has twin aims. It establishes transparent procedures that require federal decisionmakers to consider and account for the environmental impacts of federal projects. NEPA also requires agencies to inform the public about the environmental impact of federal projects, along with reasonable alternatives, so that the public may weigh in on the decisionmaking process and ensure that the ultimate agency decision is careful and well-informed. *See* 42 U.S.C. § 4332; 23 C.F.R. § 771.105 (2025). Under NEPA, agencies have a duty to take a "hard look" at potential environmental impacts and environmentally enhancing alternatives "as part of the agency's process of deciding whether to pursue a particular federal action." *Baltimore Gas & Elec. Co. v. Natural Res. Def. Council*, 462 U.S. 87, 100 (1983).

A little over a month after QACA submitted its most recent comment in this review process, President Trump directed the Council on Environmental Quality ("CEQ") to propose rescinding its longstanding NEPA regulations. *See* E.O. 14154, Unleashing American Energy, 90 Fed. Reg. 8353 (Jan. 29, 2025). CEQ complied with this directive and promulgated an Interim Final Rule accomplishing this aim, which became effective on April 11, 2025. *See* 90 Fed. Reg. 10610 (Feb. 25, 2025). The rule states that "agencies should . . . continue to rely on the version of CEQ's regulations that was in effect at the time that the agency action under challenge was completed." *Id*. at 10614. CEQ contemporaneously published guidance endorsing that approach and has reiterated this methodology in updated guidance. *See* Memorandum for Heads of Departments and Agencies: Implementation of the National Environmental Policy Act (Feb. 19, 2025); Memorandum for Heads of Departments and Agencies: Implementation of the National Environmental Policy Act at 1 (Sept. 29, 2025), both available at https://ceq.doe.gov/guidance/guidance.html.

FHWA, in conjunction with the Federal Railroad Administration and the Federal Transit Administration, promulgated new NEPA implementing regulations in July 2025 to fill the regulatory gap left by CEQ's April 11, 2025 recission. 90 Fed. Reg. 29,426 (July 3, 2025). These regulations became effective July 3, 2025. 23 C.F.R. §§ 771.101-771.141 (2025).

Regardless of CEQ or FHWA regulations, NEPA requires agencies to prepare a "detailed statement"—i.e., an EIS—for any "major Federal actions significantly affecting the quality of the human environment." 42 U.S.C. § 4332(C). An EIS must describe, among other items, the purpose and need for the proposed action, the alternatives to the action, the affected environment, and the environmental consequences of alternatives. *Id*.

The purpose and need assessment for the proposed action serves to "delimit the universe of the action's reasonable alternatives." *Citizens Against Burlington, Inc. v. Busey*, 938 F.2d 190, 195 (D.C. Cir. 1991). However, the agency's purpose must not be too narrow. "[A]n agency may not define the objectives of its action in terms so unreasonably narrow that only one alternative from among the environmentally benign ones in the agency's power would accomplish the goals of the agency's action, and the EIS would become a foreordained formality." *Id*. at 196.

Once the agency has crafted a project's goals, it must turn to evaluating a reasonable range of alternatives to the proposed action. The agency must: "evaluate a reasonable range of alternatives to the action and document the reasons why other alternatives, which may have been

considered, were eliminated from detailed study." 23 C.F.R. § 771.123(c). The EIS must also "summarize the studies, reviews, consultations, and coordination required by environmental laws or executive orders to the extent appropriate at this stage in the environmental process." *Id*.

Public input is a critical component at each stage of the NEPA process. To determine the scope of the issues to be addressed in the EIS and to identify significant issues related to the proposed action, an agency must engage in a "scoping" process and engage the public. *See* 23 C.F.R. § 771.123(b)(1); *see also* 23 C.F.R. § 771.111 (identifying public outreach and communication options available to agencies during the scoping process). "Utilizing information acquired during the scoping process, the agency is then to prepare an initial draft EIS, which it must make publicly available and circulate to other agencies for feedback"; "[a]fter doing so, the agency must draft a final EIS that addresses any comments." *Webster v. U.S. Dep't of Agric.,* 685 F.3d 411, 418 (4th Cir. 2012) (internal citations omitted); *see also* 23 C.F.R. § 771.138 (detailing order and time limits for each constituent part of the NEPA process).

The EIS process cannot be used to justify already-made decisions; the agency must take a sincere "hard look" at the environmental impacts when considering major federal actions. *See Nat'l Audubon Soc'y v. Dep't of Navy*, 422 F.3d 174, 199 (4th Cir. 2005) (stating that "[w]here an agency has merely engaged in post hoc rationalization, there will be evidence of this in its failure to comprehensively investigate the environmental impact of its actions and acknowledge their consequences."). Meaningfully engaging with public concerns, like those listed in this letter, is a cornerstone of the EIS process.

Factual Summary

FHWA, along with MDTA, released the Chesapeake Bay Crossing Study Tier 2 DEIS in January 2026. The Tier 2 analysis represents a single step in the environmental analysis process and follows the Tier 1 FEIS and Record of Decision ("ROD"). The Tier 1 FEIS/ROD was published in the Federal Register on April 29, 2022. See 87 Fed. Reg. 25,563 (Apr. 29, 2022).

The agencies separated the Bay Crossing Study ("BCS") into two parts. The Tier 1 NEPA Study was intended to identify "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" using a "high-level qualitative review of cost, engineering, and environmental data." Tier 1 FEIS at 1-2, 1-3. By contrast, the Tier 2 NEPA Study is intended to "result in project-level (site-specific) decisions made through evaluation of specific alignments within" the selected corridor and "would include detailed engineering design of alternative alignments and the assessment of potential environmental impacts associated with those alignments." *Id*. at 1-2.

Because the Tier 1 analysis selected Corridor 7 as the Preferred Corridor Alternative, the Tier 2 analysis is limited to reviewing project-level alternatives and environmental impacts within Corridor 7. Tier 2 DEIS at 3. Through that review, MDTA identified Alternative C as the Recommended Preferred Alternative for its new project. *Id*. at 1.

Alternative C requires one bridge span south of the existing spans and one bridge span in between the existing bridge spans as well as "higher navigational clearance of 230 feet." Tier 2 DEIS at 1, 3-13.[4] Additionally, Alternative C includes "transit and operational considerations made through a financial commitment providing a onetime investment, and removal of the existing Bay Bridge spans." *Id*. Alternative C will expand the total number of lanes across the Bay from five to eight. *Id*.

In addition to constructing new pillars in the middle of the Bay to support the new spans, the highway on either side of the Chesapeake Bay must be widened to accommodate Alternative C's expanded size. Tier 2 DEIS at 6. This widening will encroach on the Chesapeake Bay Floodplain, "primarily on the Eastern Shore," and will also require widening the bridge over Cox Creek. *Id*. at 3-13, 4-48.

The construction of Alternative C will negatively impact the Bay ecosystem, with substantial adverse effects to resources such as protected species and water quality, and it will also massively increase car traffic to the Eastern Shore. QACA's comments on the Tier 2 DEIS concern the lawful consideration, prevention, and mitigation of these impacts.

Tier 2 Timeline

On January 16, 2026, FHWA signed the Tier 2 DEIS as the follow-up to the Tier 1 analysis. The Tier 2 DEIS was published in the Federal Register on January 23, 2026. *See* 91 Fed. Reg. 2,930 (Jan. 23, 2026). FHWA revised its Federal Register Notice on January 26, 2026, to change the stated comment deadline from March 20, 2026, to March 9, 2026. *See* 91 Fed. Reg. 4,080 (Jan. 30, 2026).

QACA raised concerns with the Tier 1 analysis in an earlier comment letter. To briefly summarize those concerns, QACA stated the following:

> In order to fulfill its NEPA obligations in the upcoming Tier 2 Study, FHWA must: **(1)** evaluate all feasible Modal and Operational Alternatives ("MOAs") including those that have not yet been adequately analyzed, such as combinations of MOA strategies separate from the construction of a new bridge; **(2)** utilize updated baseline traffic projections—including all congestion management strategies that are either currently available or are reasonably foreseeable to be available at the conclusion of the Tier 2 NEPA process; **(3)** account for the impacts of induced traffic demand arising from any new span—including the likelihood that large stretches of US-50 would need to be widened, resulting in significant cost and disruption to surrounding communities; and **(4)** analyze all direct and indirect effects of construction on Chesapeake Bay.

[4] The Tier 2 DEIS Executive Summary states that Alternative C requires "two new spans south of the existing spans with eight lanes total (four in each direction)." This discrepancy should be corrected in the FEIS.

QACA hereby incorporates these concerns by reference and raises additional, new concerns below. FHWA must address all of these concerns—whether outstanding concerns from previous comments or new concerns raised herein—in order to comply with NEPA.

Discussion

The Tier 2 DEIS analysis considered some environmental effects of potential alternatives, but is not complete, as the agencies acknowledge throughout the document. To that end, the agencies must address the concerns raised later in this comment to comply with applicable environmental laws and ensure a comprehensive and lawful environmental review. MDTA and FHWA must analyze the issues discussed below as both a matter of legal compliance and as a matter of public responsibility; the "Chesapeake Bay is one of Maryland's most important natural, economic, and cultural resources and the largest estuary in the United States." Tier 2 DEIS at 2. Accordingly, it must be thoughtfully managed, especially prior to taking actions, such as this project, which will have significant, irreversible consequences.

Traffic Analysis

The Tier 2 DEIS' traffic analysis is incomplete and contradictory. The FEIS must address the following concerns in order to rectify deficiencies in the DEIS' reasoning.

General Concerns

To start, the DEIS's analysis estimates that bottlenecking will persist under Alternative C, undercutting the reasoning for the construction of a new bridge. Section 3.5.2 of the Tier 2 DEIS states that vehicle queues under summer weekend day conditions for Alternative C would still be over seven miles, far exceeding the existing queues of 4.8 miles and marginally shorter than the queues for the No Build alternative, which are estimated to be ten miles long. *See* Tier 2 DEIS Section 3.5.2. In 2045, under Alternative C, the Bay Bridge is still a bottleneck, as are the eastbound and westbound U.S. 50 split and merge areas. *Id*. Seasonal traffic delays and queues are the main justification for the replacement bridge alternative, and the DEIS demonstrates that this Alternative will not solve the very problem MDTA set out to solve. Instead, non-construction alternatives that could reduce bottlenecking should be considered.

Further, the structural life of the existing spans can be prolonged to 2065. Their premature demolition causes unnecessary negative impacts to the local community and the Chesapeake Bay. Using more of the structural life of existing bridge spans is a measured and responsible use of taxpayer dollars and allows for more time to study and test bridge congestion solutions that do not require major construction of entirely new bridge spans. QACA raises more specific concerns about MDTA's traffic analysis below.

Existing Data and Telecommuting

MDTA relies on outdated data for its analysis, building its foundation on shaky ground and potentially binding the State of Maryland to a costly construction project built on an

incomplete analysis. The FEIS should use updated traffic data to ground the analysis in real-world circumstances.

Specifically, the existing condition uses 2022 traffic volumes supplemented by additional data representing summer weekends in 2022 and 2023. However, the post-COVID traffic trends for telecommuting and commuting were still in flux in 2022. Based on Figure 2-1: Annual Crossings of the Bay Bridge, the 2018, 2019, and 2024 annual crossing volumes are roughly equal, indicating that telecommuting trends have likely stabilized and that there was minimal traffic growth between 2018 and 2024. The growth of 2022 traffic volumes, without considering effects of telecommuting and without developing an accurate growth rate based on recent travel patterns, results in a flawed and misleading analysis.

Traffic Growth Projections

In addition to using outdated information to analyze traffic patterns, the Tier 2 DEIS refers to a veritable black box of unknown assumptions with the statement: "Based on regional and statewide estimates for population growth and travel demand patterns, it is projected that traffic volumes across the Bay Bridge will continue to increase over time," in Section 1.1. *See* Tier 2 DEIS at 1-1. But the Tier 2 DEIS does not provide sufficient information on how the traffic projections and growth rates were estimated. The FEIS must clarify the basis for these projections, as they are the foundation for the new bridge's purported demand. An insufficient and contradictory traffic growth model leads to an overstated purpose and need from a traffic delay and queue projection perspective and must be explained in the FEIS.

In Section 2.2.1.1, the Tier 2 DEIS states that "the bridge itself is a constraining factor to travel flow," but the analysis does not reflect the effects of this constraint. The Tier 2 DEIS states that "[t]he existing Bay Bridge carries large volumes of travelers and frequently approaches or exceeds its capacity for long durations" and that "[t]hese travel volumes have increased over time and are expected to continue increasing in the future." Tier 2 DEIS at 2-1. Additionally, "[t]he increasing volumes correlate with increases in regional population and employment, and result in greater congestion." *Id*. at 2-2. Section 2.2.1.1 states that with the No Build alternative, from existing circumstances until 2045, non-summer weekday growth would increase by 31 percent and summer weekend day growth would increase by 25 percent. *See* Table 3-5: Daily Trips Across the Bay Bridge, Tier 2 DEIS at 3-31.

This growth analysis contradicts itself. Given that the currently planned and programmed projects under the No Build alternative do not increase the capacity of the bridge, traffic growth in daily trips cannot occur at a constant rate of 1.2 percent per year (31 percent to the 2045 Build year) on non-summer weekdays and 1.0 percent per year (25 percent to the 2045 Build year) on summer weekend days because the Tier 2 DEIS affirms the bridge currently approaches or exceeds its own capacity. This logic error assumes unconstrained traffic growth when the existing bridge capacity already realistically constrains growth. This error improperly inflates the traffic demand analysis, decreasing the validity of the traffic analysis.

The FEIS must address this internal mismatch, as it goes to the very heart of Bridge demand and construction justification. Without more, this analysis lacks the rigor necessary to

satisfy NEPA and inform the agencies and public prior to a final decision about the best way to proceed to satisfy any genuine needs underlying the project.

Induced Growth

The Tier 2 DEIS implicitly accepts the fact that a new bridge will increase traffic demand, but does not adequately analyze the impact of this new demand. This induced growth will negatively impact the pristine and undeveloped character of the Eastern Shore. Alternative C threatens to increase suburbanization and off-peak travel through the region, as well as increase environmental impacts through more highway widening, but the Tier 2 DEIS fails to sufficiently analyze these potential impacts.

Induced growth effects related to population were mentioned in the Tier 1 analysis but were not directly referenced in the Tier 2 DEIS except to restate that the alternative using the existing bridge corridor would have the least amount of induced growth. However, the statement in Section 4.7 of the Tier 2 DEIS lays bare the significant increases in Vehicle Miles Traveled ("VMT") projected by the new bridge alternatives: Alternative C is projected to result in a "25 to 28 percent increase in VMT from 2022 to the 2045 build scenarios."

The 25 to 28 percent increase in VMT for the build alternatives compared to existing VMT is an admission of induced traffic demand hidden in air quality modeling. An increase in capacity, like Alternative C, without an increase in demand would not increase VMT. An increase in VMT as a result of a capacity increase indicates a coupled increase in demand. This implicitly accepted induced demand traffic growth needs to be explicitly addressed in the Tier 2 FEIS, in order to satisfy NEPA's purpose of informed decisionmaking.

As a result of the induced demand, the highways leading up to the bridge will likely need to be widened beyond the scope analyzed in the DEIS. According to the AKRF March 2022 report provided to the agencies titled "Induced Traffic Demand and US 50 Highway Widening," "the widening of the Bay Bridge would temporarily relieve congestion on the bridge itself, but not on the highways leading to it unless they were also widened." As a result, "[t]he additional traffic attracted to the wider bridge would correspondingly require widening of large stretches of US 50 in the years following the bridge project to avoid new traffic bottlenecks." This additional widening is a direct consequence of the Bay Bridge project and must be analyzed in the FEIS.

Because the Tier 2 DEIS ignores the project's impact on induced growth, the Tier 2 DEIS fails to adequately analyze the impacts of increased traffic on the Eastern Shore. The Hazardous Materials Technical Report recognizes the history of development coupled with Bridge development, but the Tier 2 DEIS fails to consider this precedent. *See* Hazardous Materials Technical Report at 6-1 to 6-6. This DEIS ignores the impact on traffic using U.S. 50 from Queenstown and Wye Mills southward to and through Easton, Trappe, and Talbot Counties to the Choptank River bridge as well as through Cambridge, Vienna and ultimately Salisbury. It ignores population and traffic growth in Easton and particularly in and from Trappe, with this increased population deriving in part from the new Lakeside development, which is proposed to build 2,500 dwelling units. The Eastern Shore will receive much more incoming traffic as a result of the new bridge, and the traffic impacts must be properly considered.

In effect, using the U.S. 50/301 split as the eastern limit and failing to analyze induced growth results in an improper analysis that ignores the direct consequences of construction. As soon as the proposed improvements stimulate new traffic through the surrounding counties, similar improvements will have to be made for aggravated congestion in the affected areas. This construction will add development to an area where pristine and undeveloped nature is at the heart of the community and its culture. Ignoring these impacts risks permanently changing a treasured region without considering less damaging alternatives and mitigation measures.

Further, the induced demand will result in traffic returning to current congestion levels in a shorter time even than the construction period. The temporarily reduced summer weekend travel times during peak demand hours will relieve congestion only for 3 to 5 years, while construction of the new bridge will take 10 or more years. The FEIS must grapple with this key fact and analyze whether a new Bridge is a prudent choice, in light of the very limited time period that it would adequately address summer weekend travel times during peak demand.

Because a similar return to congestion happened in earlier iterations of the Bay Bridge, MDTA must consider the prudence of a project that is only a very short-term solution. Accounts from the 1973 completion of the second Bay Bridge span and a forecasting tool specifically developed for induced traffic demand indicate that it will only take the new Bay Bridge 3 to 5 years to return to congested traffic conditions, resulting in the same bottlenecking that already plagues the bridge, the relief of which is the purported reason for the new project.

While traffic congestion during summer weekend peak demand hours would return within 3 to 5 years from completion of a new Bay Bridge, essentially capping demand again for recreational trips, the excess traffic capacity of the bridge during non-summer weekends and most weekdays would attract substantial suburban sprawl development on the Eastern Shore. As documented in AKRFs March 2022 “Induced Traffic Demand and US 50 Highway Widening” report, it is estimated that over $1.35 billion in widening projects on nearly 70 miles of highway requiring approximately 230 acres of land and taking over 20 years of construction may be warranted by the Bay Bridge replacement. This development represents a fundamental, adverse change to the natural and rural landscape on Maryland’s Eastern Shore.

The cost of additional secondary impacts and necessary roadway widenings should be considered as part of a benefit-cost analysis for the proposed bridge replacement in the FEIS. The stakes could not be higher for the Eastern Shore community; the potential effects of increased traffic growth threaten the very nature of the region and warrant a more complete analysis prior to a final decision by the agencies.

The No Build Alternative

The Tier 2 DEIS also failed to adequately consider the potential capacity improvements of congestion pricing and managed lanes. A robust No Build alternative must quantify the capacity-increasing effects of improvements readily available to the MDTA. Failing to sufficiently analyze the No Build option decreases the quality of the analysis because it creates an inorganically weak baseline and fails NEPA’s hard look standard.

The Tier 2 DEIS mentions congestion pricing throughout, but does not present an adequate analysis of the impact of congestion pricing meeting the purpose and need, as well as the impact of congestion pricing on the resulting bridge project. Congestion Pricing uses variable tolls by time of day/year to manage peak period congestion. It induces some motorists with flexibility in their travel plans to shift their trip to off-peak times or to carpool or use buses more often. Based on a case study, traffic could potentially be reduced by up to 6.8 percent during a weekday peak period or 2.5 percent during a weekend peak period. *See* Dr. Kaan Ozby, *et al.*, *Evaluation Study of New Jersey Turnpike Authority's Time of Day Pricing Initiative*, RUTGERS UNIVERSITY, (2005), available at https://bit.ly/3PlFEU7.

The Tier 2 DEIS likewise fails to adequately address the use of Managed Lanes. Managed Lanes is a dynamic management tool using real-time data to allow MDTA to decide if the contraflow lane or other lanes should have higher tolls or require high-occupancy vehicles to use it during peak conditions to reduce overall traffic congestion on the Bay Bridge. Based on a case study, managed lanes at the Chesapeake Bay Bridge could potentially reduce traffic by up to 2.7 percent during summer weekends during peak hours. *See* Northern Virginia Transportation Commission, *2019 Corridor Performance Report for the I-66 Inside the Beltway and I-395 Corridors*, (2020) available at https://bit.ly/4bqWDgl.

Thoroughly considering both congestion pricing and managed lanes in the FEIS offers MDTA a way to complete their analysis of whether a new bridge is justified, which is a mandatory prerequisite to a final, well-informed decision by the agencies.

Connected and Automated Vehicles

The FEIS should also include sufficient analysis of Connected and Automated Vehicles ("CAV"). The current analysis fails to properly consider the effect of this emergent technology on future traffic demand. A proper analysis must consider the technology of the world in which this Bridge will exist.

QACA previously provided the agencies with a CAV analysis memo from trusted consultant AKRF. According to AKRF's CAV memorandum to QACA dated November 2022:

> By 2040, a CAV saturation rate of 20 percent on the Bay Bridge could provide 15 percent more traffic capacity to reduce summer weekend congestion, and a 40 percent decrease in the types of collisions experienced during congested traffic conditions. Significant increases in traffic capacity on the Bridge are also expected beyond 20 years with further implementation of CAV, which warrants a hard look by the MDTA of CAV effects in its analysis of the need for a third bridge span in the Tier 2 EIS.

The Tier 2 DEIS does not seriously consider CAV or evaluate its potential to forestall the traffic delays and queues projected by 2045. A more comprehensive analysis must be completed; the agencies must adequately consider future conditions when justifying its construction. Failure to do so risks producing an insufficient FEIS that is vulnerable to legal challenge.

Wind Screens

FHWA also failed to analyze the impact of wind screens on traffic demand. The agency acknowledges that weather conditions have a negative impact on traffic delays, increasing demand for a larger bridge with more lanes. The agency does not, however, consider whether wind screens could have an appreciable impact on the traffic issues. As QACA previously commented:

> The addition of wind barriers on the existing Bay Bridge spans—permeable screens or baffle barriers that direct winds over the bridge—could help avoid weather-related closure of the reversible lane by eliminating the impact of higher-wind weather events on high-profile vehicles, such as buses and trucks. Such measures have been demonstrated in comparable contexts to significantly reduce traffic congestion during certain inclement weather conditions; yet, FHWA to date has never considered whether such measures have the potential to reduce congestion on the Bay Bridge to acceptable levels when implemented alongside all TSM/TDM and other MOA approaches. If the reversible lane could remain open to traffic even during high-wind events, the reversible lane would be more consistently available to help improve traffic flow.

QACA reiterates these concerns after reviewing the Tier 2 DEIS. Failing to adequately analyze measures that could reduce the traffic issues driving the purpose and need for this project risks producing an insufficient FEIS that is vulnerable to legal challenge.

Commitment to Transit Improvement

FHWA and MDTA state that transit-related improvements would be made through a financial commitment from MDTA that would focus on providing a one-time investment for local transit agencies near the Bay Bridge. Tier 2 DEIS at 3-23. To the extent that this investment was invoked to diminish the potential impact of using transit as an improvement instead of building a new bridge, the failure to adequately specify how much this investment will address and improve the purpose and need of this project is in question.

This commitment, laudable in principle, lacks specificity and must be clarified in the Tier 2 FEIS. The Tier 2 DEIS and Traffic Analysis Technical Report note that "all transit-related opportunities would be determined in the future, closer to the time of construction" but fail to even estimate the amount of the investment and how such an investment would be specifically allocated. Tier 2 DEIS at 3-23, Tier 2 Traffic Analysis at 3-5. Nor is there any examination of the anticipated benefits that would be provided by this investment, and whether, in light of those potentially significant improvements, a new bridge must still be built.

Affected Species

As QACA previously commented, it is imperative that FHWA and MDTA rigorously examine and disclose to the public the foreseeable effects on regionally and nationally

significant biological resources in the Chesapeake Bay. The agencies have not completed this analysis, and must continue to assess impacts and acquire necessary permits and authorizations.

General Concerns

The Tier 2 DEIS repeatedly uses indefinite and uncertain language, failing to present an accurate and complete analysis of environmental harms. The FEIS should clarify multiple vague statements made by MDTA and FHWA.

For example, MDTA committed to avoidance and minimization methods related to marine mammals, federally listed aquatic species, essential fish habitat ("EFH"), and habitat areas of particular concern. *See* Tier 2 DEIS at 4-113. FHWA and MDTA organized the proposed avoidance and minimization efforts into the following categories:

- Underwater Noise/Hydroacoustic Energy
- Turbidity and Sedimentation
- Reduced Water Quality
- Habitat Alteration
- Vessel Interaction
- Impingement and Entrainment

MDTA must commit to specific measures and explain the implementation process in order to produce a satisfactory and lawful FEIS. Throughout the Tier 2 DEIS, MDTA uses indefinite, discretionary language when discussing these measures: MDTA "intends to observe the time-of-year restrictions for aquatic biota to the greatest extent practicable"; "will coordinate additional avoidance and minimization measures for EFH with the agencies during final design and permitting"; and "will use specific construction techniques and equipment to reduce aquatic impacts" in "practicable" situations. Tier 2 DEIS at 4-112, 8-18, and 8-20. As a further demonstration, MDTA "anticipate[s] that not all time-of-year restrictions will be able to be employed," but does not sufficiently explain which restrictions will or will not be employed, and how such decisions will be made and vetted (or not) with FHWA. Without a concrete plan for minimization and avoidance measures, the environmental impacts analysis is incomplete and legally insufficient.

Similarly, the FEIS should include more accurate acreage estimates for the limits of disturbance ("LOD"). The DEIS notes that the LOD determination will be "further refined" during the "final design" stage, which is not until 2028, but does not include an adequate current estimate for public consumption in the Tier 2 DEIS. *See* Tier 2 DEIS at 6.

Further, the impacts analysis by FHWA and MDTA is deficient in multiple ways discussed below. To meet the "hard look" standard, the agencies must analyze relevant considerations. Without addressing the issues noted below, the FEIS will be incomplete and legally insufficient.

Marine Mammals

Multiple marine mammal species inhabit the Chesapeake Bay, with varying frequency. These mammals add to the vibrant biodiversity of the Bay and, in addition to their intrinsic value as living creatures, serve Maryland as part of a multi-billion-dollar outdoor economy. *Economy & Human Health*, CHESAPEAKE BAY FOUNDATION, https://www.cbf.org/issues/economy-human-health/ (last visited Mar. 9, 2026). Bottlenose dolphins are the most common marine mammal, followed by harbor seals and harbor porpoises. *See* Tier 2 DEIS at 4-100. Manatees, fin whales, minke whales, North Atlantic right whales, and humpback whales have also been found in the Bay. *Id*.

As it pertains to all marine mammals, QACA raises multiple concerns with the DEIS. The DEIS fails to fully analyze auditory harms and blasting effects. Additionally, the DEIS does not provide for visual monitoring and a marine mammal monitoring plan, which could more adequately prevent negative impacts to treasured and protected marine mammals.

Auditory Harms to Marine Mammals

Section 4.5.7.2 of the Tier 2 DEIS notes that concurrent pile driving is likely to occur, which would result in higher noise levels and increase the ensonified areas that could exceed noise thresholds for auditory injury or behavioral disturbance. The raised noise level and resulting impacts should be considered when estimating the distance to the isopleths for pile driving noise and assessing additional noise impacts on marine mammals. The FEIS must include maps with isopleths reflecting a reasonable worst-case construction scenario for concurrent pile driving.

Though other species (e.g., harbor porpoise, humpback whale) are not expected to occur commonly near the bridge, the auditory injury isopleths for these other hearing groups (e.g., very high frequency cetaceans, low frequency cetaceans) should be presented to show where these noise impacts could occur.

Failure to consider these impacts risks producing an incomplete FEIS and resulting in unanalyzed harms to some of the Chesapeake Bay's most treasured residents.

Blasting Harms to Marine Mammals

Section 4.5.7.2 of the Tier 2 DEIS notes that blasting impacts on marine mammals would be "short." Tier 2 DEIS at 4-109. However, an acute injury due to blasting would be a permanent effect for any affected individuals. The assessment should explicitly state what is meant by an "acute effect" and clarify that the duration of the activity itself, not the resulting effects, would be of short duration. These effects, depending on their severity, may give rise to additional legal requirements under other federal environmental laws.

Marine Mammal Monitoring

In addition to scheduling blasting when dolphins are unlikely to be present in the area, as discussed below, MDTA should implement visual monitoring conducted by certified Protected Species Observers prior to blasting activities to ensure the area is clear of marine mammals and following blasting to document any potential injuries.

Further, underwater noise mitigation measures should include the development of a marine mammal monitoring plan to minimize the risk of physiological injury and behavioral effects during pile driving. Tier 2 DEIS at 4-113. The monitoring plan should consider information obtained from any additional or revised isopleth maps, as suggested above.

Bottlenose Dolphin Health

Because bottlenose dolphins are the most common marine mammal, QACA raises some additional, dolphin-specific concerns.

Alternative C has the potential to "adversely impact dolphins through harassment via underwater noise impact from blasting and pile driving activities, which can disrupt dolphin communication, navigation, foraging patterns, and cause stress." Tier 2 DEIS at 4-108. To minimize harm, MDTA must follow through on its commitment to "conduct blasting when dolphins are unlikely to be present in the study area to avoid potential injuries," use scare charges prior to blasting, and coordinate with the National Marine Fisheries Service ("NMFS") to ensure the least potential impact. *Id*. at 4-109.

Relatedly, MDTA must complete its commitment to acquire an Incidental Harassment Authorization from the NOAA Permits and Conservation Division for impacts to dolphins. *Id*. at 4-113. This separate legal authorization is necessary to proceed with this project and failure to appropriately comply can result in civil penalties. 16 U.S.C. § 1375.

MDTA's analysis of harms to dolphins is also incomplete in multiple areas. Section 4.5.7.2 of the Tier 2 DEIS identifies stress and disruption of communication and navigation as potential effects of blasting and pile driving noise on dolphins, but the DEIS fails to include auditory injury as a potential effect. Tier 2 DEIS at 4-108. Similar to the concerns raised below about the effects of concurrent pile driving on fish, such activity in multiple areas would also increase the ensonified areas that could exceed noise thresholds for physiological injury or behavior related to dolphins. This should be considered when estimating the distance to the isopleths for pile driving noise and additional impact to marine mammals. The Tier 2 FEIS should include maps with isopleths reflecting a reasonable worst-case scenario for more than one concurrent pile driving location.

Benthic Species

MDTA must fully analyze the impacts of Alternative C to benthic species. To date, MDTA has not taken a sufficiently hard look at these impacts and risks damaging sensitive and valuable species without having completed a lawful analysis of effects and alternatives.

MDTA states that "nontidal benthic macroinvertebrate data was not available for the Queen Anne's County watersheds that cross the resource review area, as these small, nontidal stream reaches have not been assessed in recent years by state or county nontidal monitoring programs." Tier 2 DEIS at 4-97. Because nontidal stream health for the watersheds located on Kent Island is rated as "Poor" to "Fair," additional impacts threaten to have particularly damaging effects in an already sub-optimal environment. *Id*. All build alternatives would impact benthic macroinvertebrates through dredging, which would result in direct mortality and alter aquatic habitat. *Id*. at 4-103. Agencies are not required to undertake new studies under NEPA, but they must make use of reliable, available data. *See* 42 U.S.C. § 4336(b)(3)

Further, the assessment of environmental consequences of dredging on benthic macroinvertebrates focuses on the potential for direct mortality and habitat alteration without addressing potential effects of suspended sediment associated with dredging activities, which has the potential to smother benthic communities in areas adjacent to the dredge footprint when these suspended sediments are redeposited, as noted in the Natural Environment Technical Report. The FEIS should consider accepted thresholds for benthic communities (i.e., 390 mg/L, as noted in the Natural Environment Technical Report at 15-8).

Additionally, the Tier 2 DEIS does not adequately consider the impacts of a net increase in shading that is likely to result from the additional lanes and a net larger footprint of the proposed action. Reduced light penetration from shading has been demonstrated to result in negative impacts to phytoplankton, benthos, fish species, and submerged aquatic vegetation that would occupy shallow areas where light has the potential to penetrate to the bottom. The FEIS should include an analysis that determines the net change from any additional shading after the old bridge footprint has been removed.

Fish

The FEIS must improve upon the existing Tier 2 DEIS analysis by following through on minimization measures and more fully considering the impacts of bridge construction on fish species.

First, MDTA must complete its determination of "whether it is practicable to implement a Zone of Safe Fish Passage" in the Bay during construction and follow through on EFH consultation. Tier 2 DEIS at 4-105. MDTA requested an expanded EFH consultation "due to the extent of the anticipated adverse effects to EFH," and must include the determination in the FEIS. *Id*.

Next, the FEIS must improve the existing harm analysis in multiple ways. To start, the assessment of the effects of dredging on fish should include a quantitative assessment of sediment resuspension using accepted thresholds for fish (e.g., 1,000 mg/L, as noted in the Natural Environment Technical Report at 15-8). This assessment should acknowledge the variability in tolerance to concentrations of suspended sediment by species, or groups of fish.

Additionally, the assessment of environmental consequences of pile driving noise needs to present results for both the peak Sound Pressure Level ("SPL") threshold, which can result in injury or mortality upon exposure, and the Sound Exposure Level ("SEL") threshold, which can result in injury if exposure accumulates over a given amount of time, and clearly explain the potential effects of exposure to both of these thresholds.

Finally, the assessment of environmental consequences of pile driving noise needs to more completely consider the effects of noise exposure, including mortality, injury, and behavioral disruption, on resident fish as well as anadromous fish, such as striped bass and alosids like American shad, blueback herring, and alewife, that will need to pass through the bridge corridor region to reach spawning areas. The Tier 2 DEIS expects concurrent pile driving to occur, which will create isopleths (i.e. larger cross sections of ensonified areas that could exceed noise thresholds), resulting in mortality, physiological injury, or behavioral effects. *See* Tier 2 DEIS at 4-105. The Tier 2 DEIS should include maps with isopleths reflecting reasonable worst-case construction scenarios for concurrent pile driving and ensure that the pile driving plan always allows a large enough "quiet zone" for anadromous fish to pass through.

Oysters

Much like other sections of the DEIS, commitments for avoidance and minimization for oyster impacts are scant and incomplete. Alternative C will impact acres of Natural Oyster Bars as well as existing oyster sanctuary areas. *See* Tier 2 DEIS at 4-107. The DEIS notes that "any dredging or bottom disturbance within the boundaries of a Natural Oyster Bar would require mitigation," but does not follow through on explaining the mitigation. Tier 2 DEIS at 4-75.

In particular, the Tier 2 DEIS fails to describe what pre-construction or mitigation measures will be implemented to offset potential losses to oysters and their habitat. Such measures could include relocation of live oysters prior to dredging and pile driving, creation of oyster habitat using artificial substrates or shell material, oyster seeding, or contributions to ongoing oyster restoration projects, among other options.

Similarly, there is no estimate of the surface area to be affected by additional fill for new causeways in the shallows of Chesapeake Bay at the Kent Island shoreline, which extend some 3,900-4,700 feet from the Kent Island shoreline. *See* Natural Resources Technical Report Section 9.1. These shallows, where the substrate is mixed sand and silt and where the photic zone reaches down to the substrate, are typical of the most productive types of habitat in the Bay and must be responsibly managed. This omission is despite the fact that the Technical Report, Section 10.3.2, notes that Alternative C will involve dredging 10.2 acres of natural oyster bars, 136 acres of EFH, and 6.1 acres of public shellfisheries areas.

The FEIS should include and comprehensively evaluate this information in order to develop a lawful analysis of environmental impacts.

Aquatic Habitat

MDTA has yet to take a hard look at multiple impacts to aquatic habitat, particularly certain water quality impacts and modifications to the bottom of the Chesapeake Bay.

Water Quality

The Tier 2 DEIS's assessments of turbidity, suspended sediment, and contaminants are only qualitative and therefore inadequate for impact assessment. Contaminants such as metals, organic materials, and pesticides currently bound in sediments would be resuspended during pile driving or dredging, exposing fish, benthic macroinvertebrates, oysters, and other biota to toxic or sublethal effects. The DEIS acknowledges these harms in vague terms, noting that "[d]redge effects to aquatic biota will be long-term, removing existing benthic habitat in the shallows and affecting water quality and clarity during dredging." Tier 2 DEIS at 4-74.

Recognizing the damage from dredging and pile driving, Maryland regulations set guidelines for annual, and 30-day mean, limits on total suspended solids and turbidity in estuarine waters. The Tier 2 DEIS's qualitative analysis does not provide any meaningful scientific analysis as to the degree to which project activities may violate Maryland's water quality standards.

Furthermore, MDTA must follow through on its commitment to use only mechanical dredging rather than hydraulic dredging. Tier 2 DEIS at 4-75. Mechanical dredging can reduce the impacts to aquatic habitats and species. *Id*.

Chesapeake Bay Bottom

The Tier 2 DEIS performed hydrodynamic modeling to determine how build alternatives could modify the Chesapeake Bay bottom, but failed to completely analyze potential effects. The existing analysis fails to completely capture the potential impacts, which resulted in an insufficient model that does not recognize the full potential for water quality violations.

Specifically, data on sediment characteristics combined with site-specific hydrodynamic modeling, as performed in other EIS documents (e.g. the Tappan Zee Bridge Replacement Study), should also be used to determine the shapes and geographic extent of resuspended sediment plumes under different tidal conditions, thereby providing a quantitative prediction on compliance with water quality standards, and the extent of potential violations during dredging and pile driving.

Similarly, an analysis of the extent of bottom footprint gained or lost and net change in volume of fill gained or lost within the water column, after both bridge construction and old bridge removal are taken into account, needs to be calculated in order to quantify impacts to the bottom and water column habitats.

Finally, QACA recommends leaving the deeper portions of the support piers in place, so as to retain the solid substrate "reefing" effect provided to the otherwise soft bottomed Chesapeake Bay.

MDTA recognizes the "permanent impact" that dredging can have on the Chesapeake Bay bottom. Tier 2 DEIS at 4-79. Completing a comprehensive analysis of these impacts is imperative to taking a "hard look" at environmental impacts, as NEPA requires.

Rare, Threatened, and Endangered Species

Many rare, threatened, and endangered species inhabit the Chesapeake Bay. As noted previously, these creatures are cherished by the local community, as well as tourists, and must be properly considered by MDTA and FHWA during this NEPA process.

FHWA, in coordination with MDTA, prepared a Biological Assessment that determined that the action is likely to adversely affect Atlantic sturgeon, shortnose sturgeon, loggerhead sea turtle, Kemp's ridley sea turtle, green sea turtle, and leatherback sea turtle. Tier 2 DEIS at 8-20. The Biological Assessment states that FHWA, in cooperation with MDTA, will continue to coordinate with NMFS through final design of the project to ensure implementation of appropriate avoidance, minimization, and mitigation measures. In addition to including an appropriate analysis of effects to ESA-listed species in a Biological Opinion prepared by NMFS as part of the Section 7 consultation process pursuant to the Endangered Species Act, FWHA and MDTA must also evaluate those foreseeable effects in the FEIS once they come into clearer focus during the Section 7 consultation process, in order to comply with NEPA.

In particular, the FEIS should reflect an improvement in areas concerning water quality, vehicle strike, noise impacts, and species monitoring. QACA identifies specific concerns below.

Water Quality

As noted, the assessment of the effects of dredging on sturgeon and sea turtles should include a quantitative assessment of sediment resuspension using accepted thresholds (e.g., the 1,000 mg/L for fish noted in the Natural Environment Technical Report at 15-8). Failure to quantify these impacts risks causing unknown adverse impacts to aquatic creature health.

Vehicle Strikes

The FEIS must update its vehicle strike analysis for sturgeon, as it improperly dismisses the potential for shallow draft construction vessel strike on sturgeon. The Tier 2 DEIS states that the operation of shallow-draft construction vessels would eliminate vessel strike risk for sturgeon. Tier 2 DEIS at 4-130. Although utilization of shallow-draft vessels would reduce vessel strike risk, the risk would not be eliminated as there are documented sturgeon strikes by shallow-draft vessels (NMFS 2018).

Similarly, the Tier 2 DEIS improperly states the vehicle risk for vessel strikes on sea turtles. The Tier 2 DEIS mitigation measures intended to reduce risks of vessel interaction

include a speed restriction of 10 knots. Tier 2 DEIS at 4-114. However, sea turtles are known to be vulnerable to vessel strikes at speeds below 10 knots (Hazel et al. 2007). The FEIS should consider further speed restrictions when transiting through an area where sea turtles are more likely to be foraging (i.e., submerged aquatic vegetation, jellyfish aggregations).

Noise

For the SEL noise thresholds for physiological injury for sturgeon and sea turtles, the "prolonged time period" required for injury to occur should be meaningfully defined. Tier 2 DEIS at 4-131. As it stands, the term is too vaguely worded in the Tier 2 DEIS to be adequately implemented and to lawfully protect affected species.

Acoustic thresholds for sea turtles have been updated since the 2024 Multi-species Pile Driving Calculator. The isopleths should be recalculated with the current Multi-species Pile Driving Calculator, which includes these updated thresholds, and the EIS figures and text should be updated accordingly.

Species Monitoring

Given the potential for sturgeon to overwinter in Chesapeake Bay, MDTA should consider conducting an acoustic survey to locate overwintering sturgeon and/or relocation trawling prior to blasting to avoid or minimize impacts to sturgeon.

As sea turtles could be present during the blasting window, there should be visual monitoring conducted by certified Protected Species Observers prior to blasting activities to ensure the area is clear of sea turtles and following blasting to document any potential injuries.

Conclusion

The FEIS must improve on the DEIS in multiple, tangible ways. In order to fulfill its legal obligations for the remainder of the NEPA process, FHWA must: (1) remedy significant deficiencies in the traffic analysis; (2) follow through on commitments to consult on protected species and implement necessary avoidance, minimization, and mitigation measures; and (3) complete a lawful analysis of bridge construction impacts. The concerns raised above greatly affect the Eastern Shore and the Bay ecosystem; responsible management demands a considered and thoughtful review of the proposed project. We look forward to reviewing what we hope will be a considerably improved analysis in the Tier 2 FEIS.

Respectfully submitted,

Counsel for QACA

Comments by [redacted] opposing the Maryland Transportation Authority's proposal to build two new Bay Bridges

([redacted] is a longtime Maryland environmental journalist and retired professor of Environmental Studies at Salisbury University)

The $15 billion proposal to build two new and expanded Bay Bridges (present five lanes to eight) is at best premature, at worst a disaster for the rural nature of Maryland's Eastern Shore.

It's also oblivious, in its desire to "reach the beach" with even more vacationers, to the looming specter of climate change and rising sea levels at places like Ocean City.

The current spans are structurally sound with current maintenance programs for another 40 years, according to an analysis by the Queen Annes Conservation Association (QACA). The association has also identified several proven ways, like congestion pricing and HOV lanes, to even out growing backups at the current bridges.

Beyond the new, wider bridges themselves, the considerable impacts of more traffic that will reverberate through the Eastern Shore are virtually ignored by the Maryland Transportation Authority's Draft Environmental Impact Statement.

The first Bay Bridge in 1952 and the second one in 1972 both caused explosions of development and population increase on the Shore. There is no reason to think the third time will be any different. Just to take one example, the new Lakeside development along U.S. 50 near the village of Trappe is approved for more than 2000 new homes, despite a lack of sewage treatment capacity.

It took 366 years after Captain John Smith mapped the Chesapeake--1607 to 1973-- for population on the Shore to reach around a quarter million. In the 60 years since it has pushed close to half a million. Similarly, about 75,000 acres of the Shore developed in those first 366 years. Current growth--without new and expanded bridges--is projected to develop another 200,000 acres of farms and forests in coming decades.

This forecasts massive change to a region so unique its very name, Eastern Shore, like Everglades of Adirondaks, has always conveyed a special sense of place. "Go to the Eastern Shore if you would see villages that are poems," wrote H.L. Mencken in 1927. No one today would call Kent Island, where the Bay Bridges spill out, a poem.

Nor Ocean City, where the cost to taxpayers this year of pumping the beach back up from offshore sand deposits is forecast to double since the last pumping in 2021--from about $20 million to $40 million. This is driven by rising costs in general, but also by worsening erosion as climate change pushes sea levels higher. With near abandonment by our federal government of

the battle to rein in climate change, this will get worse.

Currently the federal government picks up slightly more than half the cost of beach building, but that contract runs out in another 20 years. And just projecting those relatively predictable beach nourishment costs ignores the unpredictable, but sure to happen, major coastal storms.

It is past time when Maryland should be discussing a long term strategy for retreat of people and property from its increasingly vulnerable coasts. It is surely no time to be spending billions on bridges to boost population there.

Queen Anne's County Bicycle and Pedestrian Advisory Committee
1945 4-H Road
P.O. Box 37
Centreville, MD 21617

March 7, 2026

MDTA Bay Crossing Study
Public Comment Submission
2310 Broening Highway
Baltimore, MD 21224
info@baycrossingstudy.com

Dear Bay Crossing Study:

The Queen Anne's County Bicycle and Pedestrian Advisory Committee (BPAC) enthusiastically **supports making a barrier-separated "Shared-Use Path" a <u>mandatory</u> design feature of the proposed Chesapeake Bay Bridges**, versus merely an "optional" feature as it is now being proposed. This is a once-in-a-century opportunity to build a landmark feature that serves all Marylanders and visitors.

Bridges with dedicated pedestrian and bicycle facilities have become destinations in their own right across the country, generating substantial tourism revenue and broader economic benefits for their regions. Given the Chesapeake Bay's iconic status, a shared-use path here would have a significant impact in Maryland. Specifically, Queen Annes County would benefit substantially from a Shared Use Path. The proposed path could connect directly to our existing Cross Island & South Trail systems and align strategically with our County's Pedestrian & Bicycle Master Plan by enhancing active transportation opportunities. Our County leadership strongly supports trails, as demonstrated by their current application for BUILD grant funding for the advance planning and design of a Bicycle & Pedestrian Overpass crossing of US 50/301just east of the **<u>existing Bay Bridges.</u>**

The current demand for active transportation access on the Bay Bridge is witnessed annually during the Bay Bridge Run which drew 19,000 participants in

2025 (increasing over 50% from 2021). A permanent path would unlock the stunning beauty of the Chesapeake Bay year-round, transforming the impact of the Bay Bridge Run into a **perpetual economic and recreational engine** for the region.

A path on the Bay Bridge, however, is more than a scenic overlook. It is also a missing link for three nationally significant trail systems:

- **The East Coast Greenway** (Maine to Florida)
- **The 9/11 National Memorial Trail**
- **The American Discovery Trail** (Delaware to California)

Beyond recreation and tourism, the path would also provide a practical commuting alternative and serve as an emergency or maintenance lane when needed. Bridging the gap between Anne Arundel and Queen Anne's Counties would fulfill the goals of Maryland's own **2025 State Transportation Trails Strategic Plan**, maximizing the value of existing public investments on both sides of the Bay, including supporting the Eastern Shore Trail Network, and aligning with the Maryland Department of Transportation's own **2024 Complete Streets Policy**.

Recognizing that decisions made today will define our state and regional transportation landscape for the next hundred plus years, we urge you to ensure the replacement bridge connects people, not just vehicles, by making the shared-use path a **required component feature** for all potential bridge scenarios.

Sincerely,

[redacted]

Chairperson, Queen Anne's County Bicycle and Pedestrian Advisory Committee

BPAC Members: [redacted]

Corsica River Conservancy

March 8, 2026

Maryland Transportation Authority
Division of Planning & Program Development
Bay Crossing Study
2310 Broening Highway
Baltimore, Maryland 21224

Sent via email to: info@baycrossingstudy.com

To Whom It May Concern:

On behalf of the Corsica River Conservancy (CRC) and our members, thank you for the opportunity to offer comments on the Tier II phase of the Bay Bridge Crossing National Environmental Policy Act (NEPA) study. In 2005, Maryland chose the Corsica to be the first watershed selected under its newly created Targeted Watershed program and we, along with our partners, have worked diligently over the last 20 plus years to restore and preserve the Corsica River and its surrounding lands.

Our concerns about the current analyses cover four areas:

Limiting the area of study does not recognize the massive negative second and third order impacts the proposed bridge will have on thousands of acres of agricultural lands, forests, scenic byways, wetlands, and the Bay itself.

The limited area of study, between MD Rt 2 and the Rt 50/301 split, does not recognize the increased traffic that will travel along Rt 301 north, including increases coming from Delaware and Pennsylvania. Lands removed from the highway will see significant increased development

pressure, further straining already challenged infrastructure, increasing impervious surfaces that are already close to prudent maximum levels, and destroying forests and wetlands that are required to maintain water quality. Maryland's Critical Area Commission and the Eastern Shore Land Conservancy have or will conduct significant analyses of the area of potential damage to natural resources that should be taken into account to expand the scope of analyses before the EIS is approved.

If the project continues, mitigation will not be sufficient unless it is funded at levels that recognize the total area of impact and that are guaranteed over many years. Mitigation planning should include input from local governments and other interested parties.

As noted above, areas that will need mitigation exceed those identified in the analyses. County governments, residents, and organizations that represent the resources under pressure all have an interest in minimizing the impact a larger Bay bridge will have. Discussions and decisions made in order to move the project forward will need to have funding and enforcement mechanisms that apply to all affected government agencies at the local, state, and federal levels.

Costs and funding sources have not been sufficiently identified.

As currently planned, the preferred alternative for the Bay Bridge is to tear down and replace two expanded bridge spans and associated highway widening. The costs and funding mechanisms have yet to be identified. Costs beyond the current project scope will be significant and should be recognized and roughly estimated at this point in the process.The study itself says that "no alternative will alleviate all congestion," which makes it prudent to ensure that fully loaded costs of the project are enumerated and measured against benefits before the EIS is finalized.

All responsible state agencies need to weigh in on the sufficiency of the NEPA analyses and the larger project proposal.

It does not appear that all state agencies have been involved in the project analyses even though they will be responsible for dealing with the impact. For example, the current at-grade intersections on Rt 301 will be untenable with the additional traffic the proposal envisions, yet the State

Highway Administration does not seem to have analyzed or created contingencies to address additional stresses from any Bridge expansion.

Signed,

[redacted]

Board of Directors

Corsica River Conservancy

March 9, 2026
Dear MdTA;

We respectfully request that you make the Shared-use Path a mandatory feature of the replacement Chesapeake Bay Bridge as so many recent and iconic bridges across the U.S. have done. Here are 10 reasons why Maryland must not forego this once-in-a-century opportunity:

1. Delivers once-in-a-generation public value
2. Closes a critical statewide and regional network gap
3. Provides essential redundancy and resilience
4. Expands equitable access to the Chesapeake Bay
5. Boosts tourism and local economies which you have not yet assessed
6. Improves safety compared with ad-hoc alternatives
7. Aligns with Maryland's climate, health, and mode-shift goals
8. Costs far less when designed and built now than to retrofit later
9. Matches best practice for modern mega-projects
10. Strengthens public connection and support for protection of the Chesapeake Bay

Other jurisdictions have found the benefits of a SUP outweigh the costs. Below are lists of existing and planned long U.S. bridges with a protected SUP. Please assure that the Chesapeake Bay Bridge will join this proud list.

Thank you.

[redacted]

President, Bicycle Advocates for Annapolis & Anne Arundel County

[redacted]

Existing Bridges with Shared-Use Paths

Bridge	Location	Bridge Length	Path Width
Richmond–San Rafael Bridge	California (San Francisco Bay)	5.5 mi	10 ft
Governor Mario M. Cuomo Bridge	New York (Hudson River)	3.6 mi	12 ft
Pensacola Bay Bridge	Florida	3.0 mi	~12 ft
Arthur Ravenel Jr. Bridge	Charleston, South Carolina	2.5 mi	12 ft
Fred Hartman Bridge	Baytown–La Porte, Texas	2.6 mi	~10 ft
San Francisco–Oakland Bay Bridge East Span Path	California	~2.2 mi path	15.5 ft
Golden Gate Bridge	California	1.7 mi	~10 ft sidewalks
Verrazzano-Narrows Bridge	New York	1.3 mi	~12 ft
Williamsburg Bridge	New York	1.2 mi	~12 ft bike path + pedestrian path
Brooklyn Bridge	New York	1.1 mi	~13–18 ft promenade with bike lane
Woodrow Wilson Bridge	DC–MD–VA	1.1 mi	12 ft

Mount Hope Bridge	Rhode Island	1.2 mi	~8–10 ft sidewalk
George Washington Bridge	New York–New Jersey	1.2 mi	~10 ft north walkway
Robert F. Kennedy (Triborough) Bridge	New York	0.8 mi	~14 ft shared path
Benjamin Franklin Bridge	Philadelphia, PA – Camden, NJ	1.1 mi	~8 ft walkway
Walt Whitman Bridge	Philadelphia, PA – Camden, NJ	1.1 mi	~11 ft path
Mackinac Bridge	Michigan	5.0 mi	~5 ft sidewalk (bike access escorted)
Jordan Bridge	Chesapeake, Virginia	0.75 mi	~12 ft shared-use path
Sarah Mildred Long Bridge	New Hampshire – Maine	0.75 mi	~12 ft shared path
Bob Kerrey Pedestrian Bridge	Omaha, NE – Council Bluffs, IA	0.9 mi	~15 ft

Planned, Under Construction, or Recently Completed Bridges with Shared-Use Paths

Bridge	Location	Bridge Length	Path Width
US-181 Harbor Bridge (Corpus Christi Harbor Bridge)	Corpus Christi, Texas	~6.4 mi (with approaches)	~10 ft
Mobile River Bridge & Bayway (I-10 replacement)	Mobile Bay, Alabama	~10 mi corridor	~12 ft planned
I-5 Columbia River Bridge (Interstate Bridge Replacement)	Portland, OR – Vancouver, WA	~1.3 mi	~16–20 ft planned
Gordie Howe International Bridge	Detroit, MI – Windsor, ON	1.5 mi	~12 ft multi-use path
I-90 Allston Multimodal Bridge	Boston, Massachusetts	~0.5 mi	~14–16 ft planned
Howard Frankland Bridge replacement	Tampa Bay, Florida	3 mi	~12 ft multi-use path

March 9, 2026

Maryland Transportation Authority
2310 Broening Highway
Baltimore, MD 21224

Re: Chesapeake Bay Study, Tier 2 NEPA

To Whom it May Concern:

I write in support of the recommended Corridor C option that has been proposed by MDTA for the new Chesapeake Bay Crossing. I commend the Authority for the thorough and systematic study it undertook of the initial options in the Tier 1 study, the reduction to three options at and adjacent to the existing crossing, and the final recommended option to build in alignment with the current Route 50 approaches. This is the best option for a number of reasons:

- It makes use of existing roadway infrastructure, in alignment with Maryland's long-standing Smart Growth policies.
- The recommended alignment is the shortest distance across the Bay, reducing drivers' exposure to winds and other environmental hazards, and decreasing the total size of the bridge infrastructure.
- Existing commercial land uses along this corridor will be supported by the increase of traffic that the new bridges will generate, with an increase of density that will make efficient use of existing and planned infrastructure.
- Farmland and natural resources in Kent, Queen Anne's, and Talbot Counties will be spared, protecting precious environmental areas and helping those communities to preserve their traditional agricultural and fisheries ways of life.

The thoroughness of the studies is admirable, as is the way that the options have been presented to the public. I attended events at Broadneck High School in Anne Arundel County in December 2024 and February 2026, and have benefitted from my conversations with the knowledgeable staff of MDTA.

However, in two important respects, I believe that the Study falls short: the provision of the pedestrian and bicycle Shared Use Path (SUP) as an alternative, subject to funding availability; and the inclusion of the transit provisions as a set of options rather than as an essential component of the recommendations.

Pedestrian and Bicycle Shared Use Path (SUP)

Failure to include the SUP as an essential part of the new Bay Crossing bridge system will represent a lost opportunity that will not be recoverable in the future. This path will connect hike-bike trails that are already well developed on the Western and Eastern Shores of the Bay and will provide a magnificent recreation experience for residents and visitors. The heavily used hike-bike trail on the northern side of the Woodrow Wilson Bridge on the Potomac River demonstrates how popular such features can be; other examples include the walkways on the San Francisco Golden Gate Bridge and the Walk Across the Hudson at Poughkeepsie, New York.

The new bridge will become the iconic landmark for the state of Maryland and for the Chesapeake Bay itself. Provision of viewing platforms and telescopes would give visitors a truly memorable understanding of the Bay, its culture, and its shipping economy, promoting recreation and leisure

facilities on both sides of the Bay. While it is doubtful that the SUP would be used by bicycle commuters in any substantial numbers, it would at least provide this as a travel option.

Failure to include this important public feature at this early stage of design and project costing will be a point of criticism that will haunt the Bay Crossing for decades to come. If the SUP is not included now as a component of the scope of work, it is likely that it will never be added later, when the breadth of the bridge will be largely consumed by vehicular traffic.

Transit

The report projects a number of enhancements to public transit, deeming congestion pricing, expanded park-and-ride facilities, and part-time shoulder use as reasonable alternatives. These are essentially mitigation measures for the increase in vehicular traffic which will inevitably result from the expansion of the bridge from five lanes to the projected eight lanes.

Instead, the project should present a genuine alternative that will reduce dependency on the automobile and support a substantial shift in the public's use and perceptions of public transportation. The Bay Crossing project presents a serious opportunity to stimulate a change of modal use that will have lasting effects on the region and might serve as a model for other transportation improvements in the future. In effect, this will involve a cultural shift within our region away from over-dependence on the automobile.

Likely induced traffic

There can be little doubt that the change from five lanes to eight lanes will induce a great deal more traffic than we currently see. The new traffic load will lead to significant growth in commercial and hospitality development, particularly on the Kent Island side of the Bay. In the absence of strong local planning controls, the density of housing will increase as well. With it, there will be a concurrent increase in commuting traffic, with many residents enjoying the quality of life on the Shore while working at jobs in Annapolis, Washington DC, and Baltimore.

The bridge design should address this expansion of development and travel demand over the many decades that the bridge will be in service. Simply enhancing the existing bus services will not be sufficient to significantly reduce the number of cars and provide rapid, efficient and attractive commuting options. Instead, transit services need to be deliberately designed from the beginning to be fast, convenient, and affordable if they are to convince commuters and others to consider transit as a reasonable alternative to driving.

Possible options

The Report states that "Bus rapid transit (BRT) was not considered reasonable and was not included in the ARDS because it would:

- Remove less than 2% (estimated) of traffic from vehicular travel lanes, and
- Require new stations and a connection to limited existing transit, increasing environmental and property impacts and cost" [1]

While this cautious approach is understandable in the face of cost, funding, and scope uncertainties, provision should be made during the planning and design phases for the eventual incorporation of some form of BRT. Adjustments of scope can be made in these phases of project development most

[1] Draft Environmental Impact Statement, Section 3 "Alternatives Considered," Page 3-7

easily and without the enormous expense of changes during or after construction. Planning considerations include:

- Since BRT uses the same horizontal infrastructure as the road traffic, it will not change the structural design of the bridge spans themselves. However:
    - Master planning for the passenger loading and unloading infrastructure at each end of the bridge should be made during these phases to avoid costly land purchases in the future.
    - The infrastructure needed to ensure safe lane management should be envisioned and planned for at an early stage, even if it is not installed until much later (after the full need and justification for BRT is established).
- One lane in each direction could be dedicated to BRT during rush hours in the work week. This lane could be combined with High Occupancy Vehicle (HOV) pricing to allow a reasonable and safe mix of cars and buses.
- The BRT lane could be combined with the SUP, using moveable barriers with ample warning to ensure the safety of the pedestrians and bicyclists. The current traffic management of the five bridge lanes provides a precedent for how this kind of daily manipulation of traffic can be safely managed.

The Crossing project represents a once in a century opportunity to not only improve an essential element of infrastructure, but to support a cultural change in the way our region satisfies its transportation needs. The SUP would enhance the iconic value of the new Bay Bridge, placing this project squarely in the company of some of the great bridges of this country. Providing for a robust and attractive transit system is more than an enhancement; it is a necessity, and I am convinced that omitting it from planning and design while the opportunity exists will eventually be deemed a major failure of foresight.

Thank you for this opportunity to comment on the Bay Crossing project. Many thanks as well to your helpful and courteous staff for the information they have provided throughout this process.

With best regards,

SIERRA CLUB
MARYLAND CHAPTER

Sierra Club Maryland Chapter
P.O. Box 278
Riverdale, MD 20738
(301) 277-7111

March 9, 2026

Transmitted by email to info@baycrossingstudy.com

Heather Lowe, Project Manager
Maryland Transportation Authority
2310 Broening Highway
Baltimore, MD 21224

RE: Comments on the Tier 2 Bay Crossing Study Draft EIS and MDTA's Recommended Preferred Alternative

Dear Ms. Lowe,

We write with respect to the Tier 2 Bay Crossing Study Draft EIS[1] and MDTA's Recommended Preferred Alternative.[2] Our comments incorporate by reference our prior comments pertaining to the Bay Crossing impact studies (Draft EIS[3], Tier II Study[4]) and the Bay Watershed comments.[5]

We understand that the Recommended Preferred Alternative, Alternative C (6-8-6 South), would consist of: two new four-lane bridge spans with full shoulders across the Chesapeake Bay; removal of the existing Bay Bridge spans; and widening of US 50/301 to eight lanes (four per direction) from west of Oceanic Drive to east of Cox Creek.

We continue to strongly support the "no build" alternative.

As stated at earlier, we believe existing traffic congestion on the current bay crossings warrants the state taking action. However, we strongly recommend an

[1] https://www.baycrossingstudy.com/study-process/tier-2-study/draft-environmental-statement-eis/
[2] https://www.baycrossingstudy.com/study-process/tier-2-study/recommended-preferred-alternative/
[3] https://www.sierraclub.org/maryland/blog/2021/05/comments-3rd-bay-crossing-draft-environmental-impact-statement
[4] https://www.sierraclub.org/sites/default/files/2026-03/md-sc-comments-on-bay-crossing-tier-2-study-july2023.pdf
[5] https://www.sierraclub.org/sites/default/files/2025-09/maryland-sierra-club-comments-on-draft-2025-chesapeake-bay-agreement-sept1-2025.pdf

integrated combination of modal and operational alternatives be implemented to relieve growing traffic congestion and provide more equitable access to economic and social mobility vs. building another bay crossing.

The combination of alternatives we support include an enlarged rapid transit system using electric buses, significant bicycle infrastructure, a robust electric ferry system, possibly a rail line, together with a number of options offered by transportation system management (TSM) and transportation demand management (TDM).

Transit alternatives

The addition of more reliable, affordable, accessible, and rapid electric public transit traveling across existing roadway and bridges would attract ridership and allow many people to leave their cars at home, thereby reducing traffic congestion. Public transit also is more equitable than adding more roads or another bridge because it serves residents at all income levels (including those who cannot afford a car), and would be much more environmentally-friendly than cars and SUVs that emit greenhouse gas emissions and other health-damaging air pollution.

Effective modeling by transportation planners could determine the best routes and schedules for existing and additional transit to attract and serve the most people, particularly local residents traveling to and from jobs, and could determine whether use of vans and mini-buses should be part of the vehicle mix. Data would need to be routinely collected on ridership to allow routes and schedules to be modified as needed to work in coordination with other alternatives, better serve riders and lessen traffic congestion.

To enable rapid travel across the current bay crossings, buses would need to have dedicated lanes, have off-board fare payment to speed up boarding, and have transit signal priority in intersections. Full coordination among state, county and local government transportation departments in funding and planning decisions would be needed to create a seamless, integrated network of high performing public transit options.

Another possibility to be explored would be for bus service to be offered during summer months between population centers like the Washington metro region (using a highly transit accessible location in Maryland such as Silver Spring) and Ocean City, with a brief stop in Annapolis and possibly another city or two along the way to pick up and drop off passengers. Surveys would need to be taken to determine what days during the week the buses should run and the best departure times in order to have sufficient travelers to justify the bus service.

Bicycle infrastructure

The large number of bicyclists who spoke at MDTA's Tier 2 Study Virtual Listening Meeting on June 27, 2023, is testament to the popularity of including bike infrastructure on a bay crossing. Biking not only is a non-polluting and effective way for individuals to travel, it also has been shown to reduce health costs. For bicyclists to be able to travel safely on roads and a bay crossing, they would need to have one-way, well-marked, protected bike lanes to travel in and definitely not just a designated portion of lanes being actively used by cars, trucks or buses.

If allocating space for protected, one-way bike lanes would be difficult to provide on a bay crossing when traffic is at its peak, one solution would be to designate a number of consecutive hours between peak travel times when biking on a bay crossing would be permitted.

Electric ferry service and rail travel

A robust ferry service and having light or heavy rail running across the bay are options that should be given serious consideration as well. The ferries should be powered by rechargeable electric batteries so they would be non-polluting, and the trains should run on electricity vs. diesel. To attract riders to the ferry service, pedestrians and bicyclists possibly could ride free; there would be a charge for cars. Transportation planners should be tasked with determining which alternatives would be able to attract sufficient ridership to be economically feasible, and also should determine how each alternative could be implemented in a manner that complements and works in full coordination with other alternatives.

Electric ferries probably could be leased for use in a pilot study which would keep costs down. Establishing a light or heavy rail service would make most sense if made part of a rail system that serves a larger area than just to cross the bay. Building a rail system not only would help eliminate congestion crossing the bay, it would provide economic and social mobility that would advance the region's economic potential.

TSM and TDM options

TSM options that should be considered include using congestion pricing during peak travel times and/or reducing tolls during off-peak travel, having lower-priced or possibly no tolls for high occupancy vehicles, implementing traffic signal coordination, and using other proven techniques for managing traffic congestion. TDM options could include having high occupancy vehicle lanes, creating more park and ride locations on both sides of the bay, and incentivizing employers in the region to offer flexible work

schedules and/or staged work schedules that have employees starting and leaving work at different times. Other TDM options include incentivizing employers to allow more telework and to provide transit subsidies and not free parking for employees who travel to work, and incentivizing property rental companies on the Eastern Shore to offer weekly rental periods that start and end on different weekdays.

Additional Reasons We Don't Support the Recommended Preferred Alternative

The impact of climate change on future growth patterns can't be ignored. Climate change is already happening and may fundamentally alter growth and traffic to Eastern Shore communities. According to the Maryland Department of the Environment, "With 3,100 miles of shoreline, Maryland is the fourth most vulnerable state to suffer the effects of sea-level rise associated with climate change. Rising sea levels and increased storm intensity could have devastating and far-reaching impacts on the Atlantic coast and the Chesapeake Bay ecosystem that affect the environmental, recreational and economic benefits enjoyed by Maryland and its visitors."

Transportation is the largest source of climate-damaging greenhouse gas (GHG) emissions in our state. Numerous academic studies and many years of practical experience have shown that expanding highways or adding another bridge would "induce demand", that is, attract more drivers who believe their travel would be faster. This means traffic congestion would continue and the increased number of drivers would generate increased GHG emissions and other health-damaging air pollution. That is the opposite of what should be happening now to enable Maryland to meet its goal of a 60% reduction in GHG emissions by 2031, with zero emissions by 2045.

A 3rd bay crossing would damage the Chesapeake Bay. The Recommended Preferred Alternative would affect more than 10,000 acres of tidal wetlands and more than a thousand acres each of non-tidal wetlands, oyster resources, and other sensitive areas.[6]

The potential for severe adverse impacts to these resources and the Bay from a possible new Chesapeake Bay Bridge Crossing and demolition of the current bridges are additional reasons we support a comprehensive set of transit, ferry, and transportation demand management strategies instead of pursuing a harmful expansion of the Bay Bridge.

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[6] MDTA, Additional Foreseeable Effects of the Chesapeake Bay Crossing Study Alternatives Retained for Detailed Study, January 2026, available at: https://www.baycrossingstudy.com/wp-content/uploads/2026/01/BCST2_Additional-Foreseeable-Effects_January-2026.pdf. See especially the acreage associated with Chesapeake Bay Critical area, 100 year floodplains, oyster sanctuaries, and Sensitive Species project review areas in Chapter 6 as well as the summary table on page 8-21.

Adverse impacts on the communities on the Eastern Shore are a major concern. The additional traffic across a new bay crossing plus new traffic arising from such development could significantly harm the health and wellbeing of communities on the Eastern Shore and cancel out any potential congestion improvements anticipated to come from a third bay crossing.

In conclusion, we support the "no build" alternative and the implementation of a fully integrated, comprehensive clean transportation solution composed of the alternatives described above. Such a solution would address current and future traffic congestion on the current bay bridges in a safe, more cost-effective, equitable, reliable and more environmentally-friendly manner than adding a third bay crossing.

Thank you for your consideration of these comments.

[redacted]
State Director
Sierra Club Maryland Chapter

Coalition for Smarter Growth
DC • MD • VA

March 9, 2026

Maryland Transportation Authority
2310 Broening Highway
Baltimore, MD 21224

Re: Comment on Chesapeake Bay Crossing Study, Tier II NEPA, Draft EIS

To whom it may concern:

I am submitting this comment on behalf of the Coalition for Smarter Growth. Our organization advocates for walkable, bikeable, inclusive, and transit-oriented communities as the most sustainable and equitable way for the Washington, DC region to grow and provide opportunities for all. We work extensively in the Maryland suburbs of DC and also at the state level for supportive transportation and land use policies and major investments.

Please consider these comments on the Chesapeake Bay Crossing, Tier II NEPA, Draft Environmental Impact Statement:

1. EIS fails to consider more effective land use alternatives for improving access

The Development of Alternatives did not consider land use alternatives (or elements of alternatives) that can more effectively manage long-term travel demand in the study corridor. The initial Transit and Transportation Demand Management (TDM) alternatives excluded critical land use elements, which have these benefits for the project purpose and need:

- Focusing new development at existing mixed-use activity centers, walkable neighborhoods, main street towns, and transit hubs is one of the best ways to reduce vehicle trip generation and driving distances while improving mobility and access.
- Better land use planning – putting more residents and jobs close to each other and to transit stops – is also critical to making transit services across the Bay Crossing and study area successful in attracting riders and providing cost-effective service.

USDOT has found that land use is a critical policy for improved transportation outcomes and reduced environmental harm.[1]

The Draft EIS should be revised, with new alternatives development to incorporate land use planning elements. We believe that the Draft EIS TSM/TDM alternative (includes expanded transit) *with land use elements added* would perform much better in terms of supporting the project purpose and need. This revised alternative and evaluation should be included in the study before project sponsors select a preferred alternative.

[1] USDOT (2025). Land Use as a Strategy for Transportation, Housing and the Environment: Opportunities for State and Local Governments, accessed March 9, 2026: https://www.transportation.gov/sites/dot.gov/files/2025-01/Land%20Use%20as%20a%20Strategy.pdf

2. Ignores low-density, scattered suburban development generated by the project

The environmental study ignores the well documented suburban sprawl that highway capacity capacity expansion projects cause. The environmental resources of the Eastern Shore and Anne Arundel County have been adversely impacted (e.g., water quality, air quality, forest areas, agricultural areas, Chesapeake Bay Critical Areas and buffers, wetlands, land use) by decades of highway expansion projects. According to the Eastern Shore Land Conservancy, developed land on the Eastern Shore surged from 10,000 acres in the 1940s to 173,000 acres today following construction of the Bay Bridge spans.

Similar adverse impacts are likely to result from the proposed Bay Crossing highway capacity expansion Preferred Alternative. The Draft EIS should be revised to document these impacts, including a wider study area as recommended by the Eastern Shore Land Conservancy in its comments.

3. Traffic forecast fails to include induced demand from new suburban sprawl that would result from the Build Alternatives

Decades of academic research of completed highway capacity expansion projects show that induced vehicular travel demand is significant and that land use conversion due to the projects is a major factor.[2]

The Draft EIS Air Quality Technical report forecasts an 8% increase in VMT by the Preferred Alternative over the No Build. However, with a vehicle capacity expansion of 60% (five lanes to eight lanes), the literature (Volker & Handy (2023)) suggests a much larger increase in VMT due to observed long-term induced demand of 8-10% for every 10% increase in capacity.

The RMI SHIFT Calculator,[3] which uses observed induced demand elasticities, likewise estimates a substantial VMT and GHG increase from the Preferred Alternative. Using an approximate total of 17 new lane miles added to U.S. 50/301 by the Preferred Alternative (3 new lanes on the bridge, 2 new lanes on the landings), the expanded bridge and approaches would induce **30 to 71 million new VMT per year** and up to 0.7 MMT CO_2e cumulative emissions through 2050.

[2] Volker, J., & Handy, S. (2023). Increasing Highway Capacity Induces More Auto Travel. *UC Davis: National Center for Sustainable Transportation*. Accessed March 9, 2026: http://dx.doi.org/10.7922/G22805Z9 Retrieved from https://escholarship.org/uc/item/3q21f88p

[3] RMI SHIFT Calculator (State Highway Induced Frequency of Travel). Accessed March 9, 2026: https://shift.rmi.org/

4. VMT & GHG increases due to project are inconsistent with Maryland policies

The state's *Climate Pollution Reduction Plan* and MDOT plans have a goal to reduce per capita VMT by 20% by 2050, which is needed in addition to transitioning to electric vehicles for the state to meet its adopted greenhouse gas reduction targets.

In addition, Governor Moore's executive order #01.01.2024.19 "Implementing Maryland's Climate Pollution Reduction Plan: Implementing Maryland's Climate Pollution Reduction Plan" calls on MDOT to "implement…projects to reduce vehicle miles traveled and enhance transportation choices in Maryland."

The increase in VMT from an expanded Bay Bridge would be directly contrary to the goals set by the Governor, the Climate Pollution Reduction Plan, and MDOT to achieve state-mandated emissions reductions.

5. Bay Bridge alternatives should incorporate a multi-use path

The new Chesapeake Bay Bridge could and should include a safe bike and pedestrian path, but the Maryland Transportation Authority is currently treating it as optional. These facilities have provided significant community benefits, recreation and outdoor tourism, on major bridge projects elsewhere.

The Bay Bridge path would connect to the East Coast Greenway, the 911 National Memorial Trail, the cross-country American Discovery Trail, and budding Maryland Eastern Shore Trail Network, as well as closing the gap in the existing trail systems between Anne Arundel and Queen Anne's counties. Trail projects across the U.S. have been extremely popular and this major connection among trail networks would generate significant outdoor recreation and related economic activity.

6. Incorporate variable toll pricing to address peak demand

The Draft EIS states that congestion pricing or variable pricing is an "operational management strategy that *could* be used." [emphasis added] However, we believe this is critical to effectively managing the highly peaked travel demand by helping shift demand to off-peak periods, and should be a required component of the project.

Further study of congestion pricing, as part of an integrated land use, transit, and TSM/TDM alternative, should also look at how this can help the project reduce lane capacity expansion and project costs.

Recommended revisions to the Draft EIS

We ask that MDTA:

1. Revise the alternatives development and screening process to incorporate land use planning elements and an integrated land use, transit, and TSM/TDM alternative.
2. Document the anticipated adverse environmental impacts of low-density, scattered suburban development generated by the build alternatives.
3. Revise the traffic and air quality analyses to fully account for the anticipated increased vehicular travel demand generated by the build alternatives.
4. Incorporate the separated bicycle and pedestrian facility in the Preferred Alternative.
5. Incorporate variable congestion pricing as a core component of the build alternatives to address the heavily peaked demand.

Thank you for your consideration,

[redacted]
Transportation & Climate Director
Coalition for Smarter Growth

March 9, 2026
Bay Crossing Study
2310 Broening Highway
Baltimore, MD 21224
Info@baycrossingstudy.com

RE: Tier 2 NEPA Study Draft Environmental Impact Statement Comments

Thank you for the opportunity to provide comments on the Tier 2 NEPA Study and Draft Environmental Impact Statement (DEIS) for proposed Chesapeake Bay crossing improvements on behalf of ShoreRivers. ShoreRivers is a nonprofit dedicated to protecting and restoring Eastern Shore waterways—including the Chester, Miles, and Wye Rivers and Eastern Bay—and we urge the Maryland Transportation Authority (MDTA) to carefully consider the following concerns in the final stages of the study.

The DEIS shows that build alternatives would require substantial land conversion and property acquisition along the U.S. 50/301 corridor, impacting 25–88 acres of land. ShoreRivers believes that expanding bridge or highway capacity in this corridor risks reversing water quality gains in these rivers and the broader Chesapeake Bay by increasing stormwater runoff, degrading submerged aquatic vegetation (SAV) and oyster habitats, and exacerbating climate vulnerabilities. For these reasons, we do not support new bridge construction or capacity expansion. We offer the following recommendations to ensure robust consideration of natural resources that will be impacted and potentially lost should the project proceed.

1. Public Access

The Draft Environmental Impact Statement acknowledges that the build alternatives would result in partial acquisitions affecting numerous parks, recreational areas, and public facilities. These include Sandy Point State Park, Terrapin Nature Park, Broadneck Trail, the Cross Island Trail, and other recreational resources, which are among the few public access points to the Chesapeake Bay in Anne Arundel and Queen Anne's Counties.

Public access to waterways and shoreline resources is intrinsic to tourism, commerce, recreation, and the quality of life of residents throughout the region. It also fosters stewardship and long-term support for protecting natural resources. While the DEIS identifies these facilities as being subject primarily to partial land acquisition rather than displacement, the cumulative effect of these impacts—combined with construction disruptions and potential long-term changes to park access and shoreline use—has not been sufficiently evaluated.

ShoreRivers urges MDTA to include a comprehensive evaluation of public access impacts, including potential reductions in access, temporary closures during construction, and cumulative impacts to shoreline recreation.

2. Aquatic Resources and Fisheries

Impacts to oysters, SAV, and other aquatic habitats must be evaluated in a long-term context that accounts for annual variability and Chesapeake Bay restoration targets. However, the DEIS does not provide sufficient detail about how oyster populations and habitat losses would be avoided, minimized, or mitigated. Given the scale of anticipated disturbances from dredging, pile driving, and other construction activities, the DEIS should clearly outline mitigation strategies such as relocating live oysters prior to construction, creating or enhancing reef habitat through shell or other substrate placement, seeding oysters, or directing resources toward existing restoration efforts.

This lack of detail is particularly concerning because many of the waters potentially affected—including Eastern Bay and tributaries such as the Tred Avon, Miles, Wye, Choptank, Corsica, and Chester Rivers—contain oyster sanctuaries that have received significant public and nonprofit investment for restoration. These projects are producing measurable ecological gains; for example, oyster populations in the Tred Avon River sanctuary have increased dramatically following restoration efforts. Because these reefs represent decades of restoration work and substantial public investment, the DEIS should more thoroughly evaluate potential impacts to oyster sanctuaries specifically. ShoreRivers recommends:

- "look-back" analyses of SAV acreage and oyster populations
- bottom surveys for future habitat potential
- economic assessments of fisheries dependent on aquatic habitats

Loss or degradation of these habitats directly affects fisheries and Bay restoration efforts. Mitigation dollars should prioritize habitat restoration—including oyster sanctuaries, SAV beds, wetlands, and tidal marshes—to ensure the State does not backslide in Bay recovery.

3. Migratory and Endangered Species

Construction of new bridge infrastructure could affect Atlantic sturgeon—an endangered species that relies on riverine habitats within the Chesapeake Bay watershed for spawning and migration—as well as marine mammals through sedimentation, noise, and water quality changes. Measures such as timing restrictions, noise mitigation, and habitat protection must be included if the project proceeds.

4. Stormwater Impacts

Expanded roadways would create tens of acres of impervious surface, increasing stormwater runoff and nutrient loading. Secondary development along the corridor will further stress wastewater infrastructure and tributaries of the Chesapeake Bay.

Equally concerning is the compounding effect of climate change. Rainfall events across the Chesapeake Bay watershed are becoming more intense and frequent. Stormwater infrastructure designed to meet current regulatory standards may not be sufficient to manage future rainfall conditions. Without significant upgrades to stormwater management design standards, expanded roadway infrastructure risks creating additional pollutant loading precisely at a time when the State of Maryland is working to reduce nutrient inputs to the Bay. ShoreRivers recommends:

- stormwater systems exceeding current regulatory standards with climate-resilient design
- pollution prevention, spill containment, and long-term maintenance funding
- quantitative evaluation of environmental impacts from secondary and induced growth
- targeted conservation of lands along the 50/301 corridor to limit secondary development on lots with sensitive ecosystems and/or communities vulnerable to increased stormwater pressure

5. Secondary Growth

The build alternatives analyzed in the Draft Environmental Impact Statement are explicitly intended to increase roadway capacity along the U.S. 50/301 corridor. The DEIS acknowledges that the build alternatives would provide additional roadway capacity to accommodate regional population growth and improve access to commercial and residential development areas.

In practical terms, this means the project is likely to accelerate development pressures along the Eastern Shore corridor in Kent Island, Chester, Grasonville, Queenstown, and beyond. The DEIS also identifies numerous approved or proposed development projects within the study area along U.S. 50/301, including major subdivisions and commercial site plans. While the DEIS acknowledges these development trends, it does not adequately quantify the secondary environmental impacts that induced growth will create, including:

- increased stormwater runoff
- expanded impervious surfaces
- increased wastewater generation
- loss of forest and agricultural lands
- increased nutrient loading to tributaries of the Chesapeake Bay

These indirect impacts are particularly significant on the Eastern Shore, where many tributaries—including the Chester, Wye, and Miles Rivers—are shallow estuarine systems that respond rapidly to increased nutrient and sediment inputs. Expanding transportation capacity without fully evaluating induced development and its associated pollution loads risks undermining decades of investment in Chesapeake Bay restoration. For this reason, ShoreRivers strongly recommends that the Final Environmental Impact Statement include a growth analysis evaluating how increased bridge and corridor capacity will influence future land use, housing development, impervious cover, and associated nutrient loading.

6. Chesapeake Bay Restoration and State Commitments

Maryland and its partner states have spent decades working toward the restoration of the Chesapeake Bay through the Chesapeake Bay Agreement and the Chesapeake Bay Total Maximum Daily Load (TMDL). Billions of dollars have been invested in reducing nutrient pollution from agriculture, wastewater treatment plants, and urban stormwater systems. Despite this progress, many tributaries of the Chesapeake Bay—including those on Maryland's Eastern Shore—remain impaired by excess nitrogen, phosphorus, and sediment. Achieving the restoration targets established under the Chesapeake Bay TMDL requires continued reductions in nutrient loading across all sectors.

The build alternatives proposed in the Draft Environmental Impact Statement risk moving the State in the opposite direction. Expanding highway capacity and enabling additional development along the Eastern Shore corridor will inevitably increase nutrient and sediment loading to Bay tributaries. These outcomes are inconsistent with the State's long-term restoration commitments.

The DEIS itself identifies a wide range of sensitive environmental resources within the project area, including wetlands, waterways, protected lands, parks, and conservation easements. These natural systems provide critical ecosystem services that support Bay restoration, including:

- nutrient filtration
- shoreline stabilization
- flood mitigation
- habitat for fisheries and wildlife

Loss or degradation of these systems—combined with increased stormwater loading—will make it more difficult for Maryland to meet its Chesapeake Bay restoration obligations. Given the scale of potential environmental impacts identified in the DEIS, ShoreRivers urges MDTA to fully evaluate whether expanding highway capacity along the Chesapeake Bay crossing corridor is consistent with the State's legally binding Chesapeake Bay restoration commitments.

7. Public Participation and Due Process

The proposal to remove and replace the existing eastbound and westbound Bay Bridge spans with new bridge structures represents a major project component that was not part of the original Tier 1 analysis. Adequate environmental study and public input should occur before advancing such significant changes.

Transparency and public participation strengthen studies such as this and ensure that community voices are meaningfully incorporated into decision-making. Significant project changes, including the replacement of existing Bay Bridge spans, require robust public input. Transparency and public participation are essential to ensure community priorities and environmental safeguards are incorporated. ShoreRivers strongly encourages MDTA to incorporate public feedback related to purpose and need, traffic projections, environmental impacts, and alternatives analysis throughout the duration of the study.

8. Mitigation Recommendations

If the project proceeds, ShoreRivers urges robust mitigation, including:

- large-scale restoration of oyster sanctuaries, SAV beds, wetlands, and tidal marshes
- large-scale land preservation and conservation easements
- living shoreline projects and enhanced public access
- advanced stormwater management and long-term maintenance funding
- corridor-wide conservation strategies to offset induced development impacts

Mitigation must prioritize environmental restoration to ensure the State's Chesapeake Bay recovery efforts continue. Given that the DEIS acknowledges that the proposed build alternatives would increase roadway capacity, convert significant acreage to transportation right-of-way, and facilitate future development along the U.S. 50/301 corridor, the Final Environmental Impact Statement must provide a comprehensive analysis of how these changes will affect water quality, nutrient loading, and Chesapeake Bay restoration efforts.

Thank you for considering these comments. ShoreRivers remains committed to collaborating with MDTA and stakeholders to ensure Chesapeake Bay crossing decisions prioritize water quality, ecosystem health, and community resilience.

Sincerely,

[redacted]

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Comments on 3rd Bay Bridge Crossing Proposal

March 9th, 2026

History of Road Widening and Its Problems

"For years people have, erroneously, assumed that adding lanes to a highway will solve the congestion problem." UC Davis Magazine article, "Does Widening Highways Ease Traffic Congestion?", February 20, 2024.

Research shows that when roads are widened, drivers start to take more trips and longer trips. This is referred to as induced travel demand. As a result, within a short time, traffic builds to its original volume. It also encourages people to travel longer distances, increasing sprawl. Simply stated, research shows that a 10% increase in highway volume, shortly leads to a 10% increase in the volume of driving; right back where you started.[1] Yale University and Transportation for America have found similar results. Widening roads is not a solution to traffic congestion, a fact that has been known for 100 years and measured with increasingly advanced statistical methods since the 1970s and '80s. There are communities that sill make this mistake. Looks like MTA is on the verge of making one of those huge blunders.

Adding to the problem, building roads using concrete, aggregate and asphalt is a carbon intensive process. A lot of carbon is emitted in the production of these materials. For example, for a mile of single lane highway, a detailed university study has estimated that 15,517 tons of CO_2 is released. For two lanes spanning 7 miles the total CO_2 released is 217,241 tons of CO_2 or the annual equivalent of 47,174 passenger vehicles, or 19,800 homes. Building a third bridge across the Bay, would easily quadruple that amount when steel and concreate are added for bridge construction. That's a huge load on the environment and a huge loss to our quality of life.

Widening also increases pollution in the Bay area caused by HC, CO, NO_x, increases the heat island effect, increases traffic volume due to induced demand, increases noise, increases sprawl, and increases carbon release, all thumbing a nose at the risks from climate change. It's a no-win situation, we all lose. The State of Maryland and MTA will be tagged with the moniker familiar to other states that have made similar mistakes.

Furthermore, highway expansion projects in the U.S. more broadly, are tied to a big political economy built up around large infrastructure projects, claiming the benefit of added jobs. A

[1] Handy, Susan, "Increasing Highway Capacity Unlikely to Relieve Traffic Congestion", National Center for Sustainable Transportation, University of California, Davis.

lot of people are employed in highway construction projects so there is motivation and influence by this industry to promote highway projects. But such projects may not be good for the community or the environment, and that affects everyone.

Solutions

Solutions that work, integrate public transportation, introduce demand pricing or tolling, and apply remote work programs, among many others.

Spending millions or billions on road widening has been shown to be a poor investment and won't solve the congestion problem. There is a better way. Public transportation such as commuter buses operating along the current bridge would make a significant impact on reducing congestion and reducing pollution. Running frequent reliable service will create significant passenger-following that is convenient for workers, vacationers, and tourists traveling to and from the Eastern Shore. Furthermore, making these buses zero-emission vehicles (ZEV) using battery storage, provides reduces transportation related CO_2 and toxic gas production over that of diesel-powered buses or worse yet, automobiles. Most modern motorcoaches can carry up to 60 passengers with some larger articulated buses carrying over 100 passengers; and with multiple buses operating during peak time, that's a number that will significantly reduce traffic and CO_2 emissions from cars. The EIS did a poor job of studying integrated transportation modes.

In a recent report by the American Public Transportation Association (APTA) based on research from the National Academy of Sciences, the number of commuters is increasing. "With an estimated 16.5 million additional commuters by 2030, U.S. roads will become even more congested, and again as studies have pointed out, widening will not lead to solving this problem. Public transit will provide a high-capacity mobility alternative, as it remains the most efficient mode of travel, transporting the most people in the smallest space." The study also found that 76% of Americans think public transportation is the backbone of a multi-transit lifestyle. Traveling to the Eastern Shore by commuter bus without the worry of traffic safety is another important benefit of a well-managed transportation system.

Summary

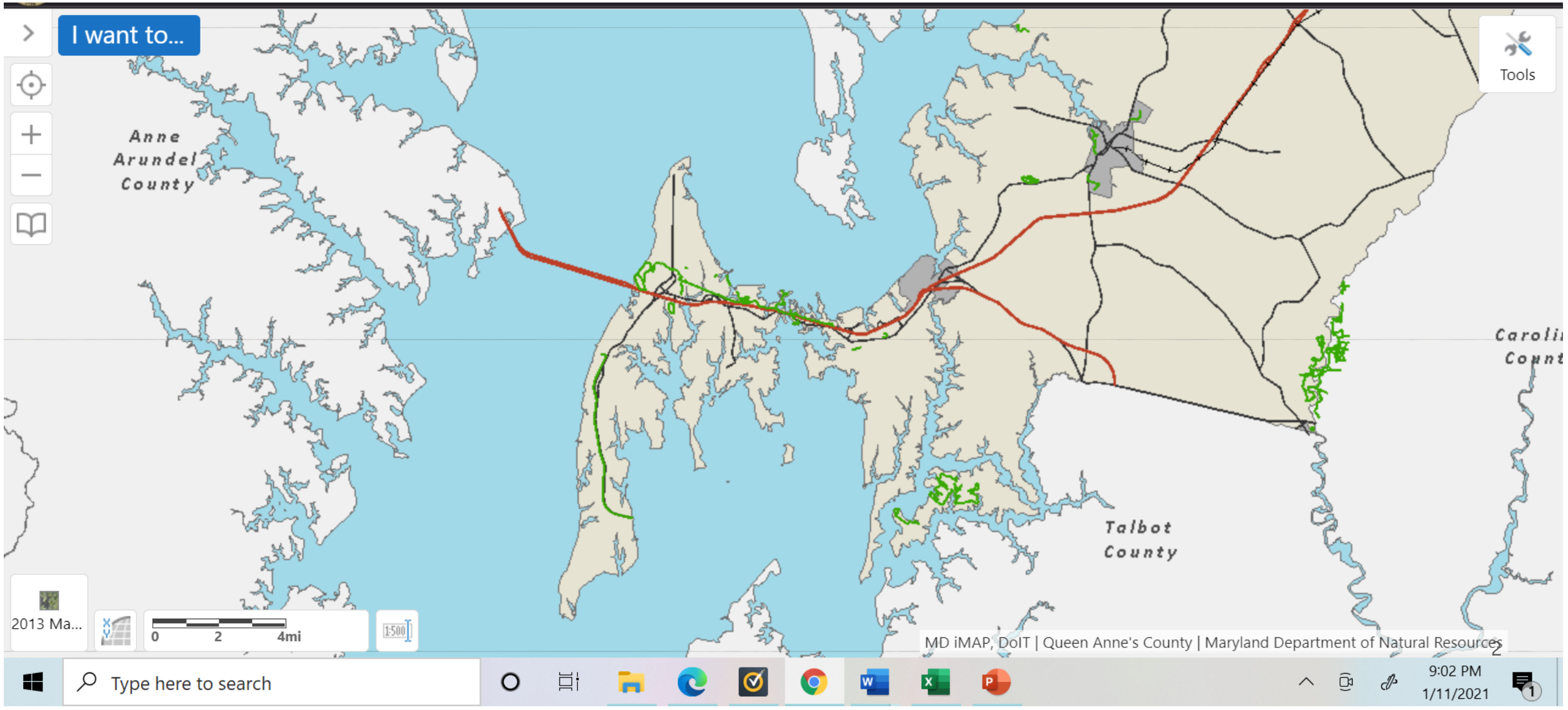
Adding a third bridge with added traffic lanes may look like Maryland is investing heavily to solve its transportation problems, but the only thing true about that statement is that Maryland is investing heavily without solving the problem. The plan to add a third bridge is based on outmoded attempts to solve traffic congestion problems, and lacks the sophistication needed for multi-modal transportation options. By the time the bridge is complete, it will be obsolete, and Maryland taxpayers will wonder where the money went.

Bay Bridge NEPA II study is opportunity to fix "past wrongs" for Queen Anne's County

Public Comment Submitted 3/9/2026 by:

[redacted]

QAC biggest connectivity challenge is geography .....



The Bay Bridge, by using Kent Island as its “Gateway to the Eastern Shore”, has impacted the community’s connectivity and cohesiveness

Cut in Half by Rt 50 …. The “Reach the Beach" freeway initiative

32 Square miles 20 K Population 8.6 K Household Units **split by Rt. 50**

North of Rt 50

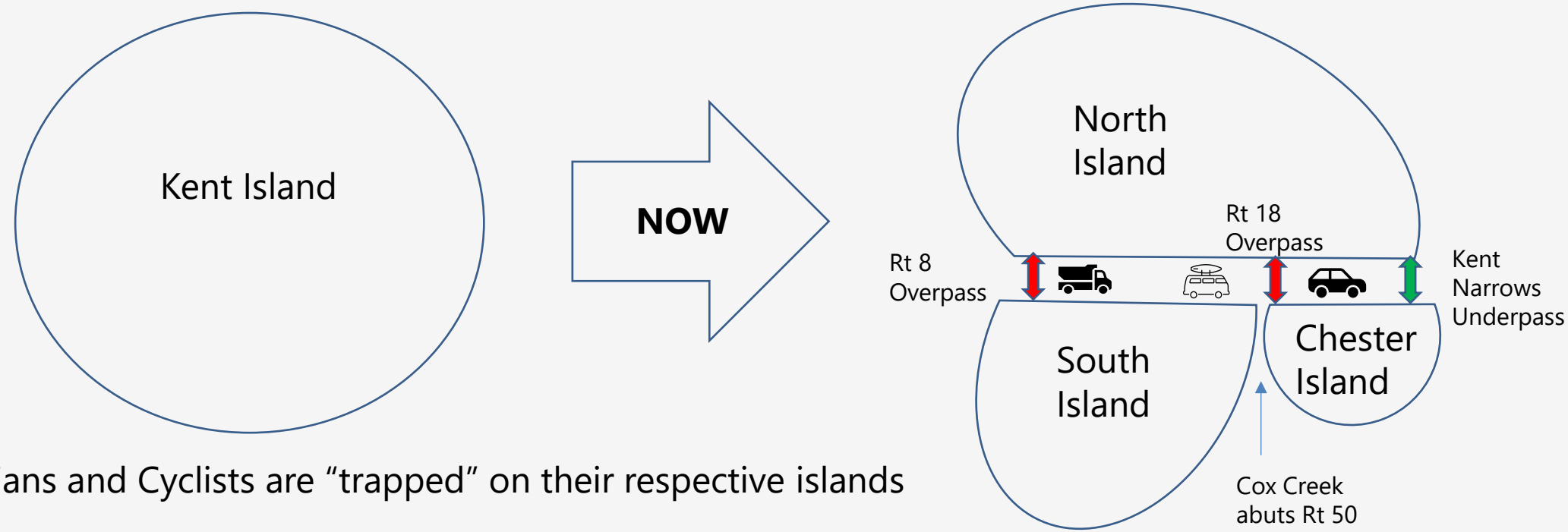
- Medical Center
- High School w/Athletic fields
- Public Library
- Industrial Park
- Professional offices
- Residential/ Four Seasons Expansion

South of Rt 50

- Commuter Lot at Rt 8/Rt 50
- Retail Shopping/Grocery
- Commercial Centers along Rt 50/301
- Hardware Stores
- Fast Food
- Strip Malls
- Residential
- Schools

Shockingly, there is no Pedestrian overpass connectivity designed to cross RT 50 on Kent Island

What makes matters worse for Pedestrians is that Rt 50 has actually turned an island into "three islands" due to Cox Creek abutting RT50 *with no service road*



Pedestrians and Cyclists are "trapped" on their respective islands

- Overpasses have **no designated** pedestrian or cyclist lanes
- **Only** the Kent Narrows Underpass allows safe passage as you exit the island
- South Island / Chester Island have no East/West passage due to Cox Creek abutting Rt 50

The new Bay Bridge vision needs to fix the past wrongs by "stitching the island back together" for Pedestrians & Cyclists

1. Redesign **all Rt.50 Overpasses** to include Pedestrian and bike lanes
2. Address the missing **Cox Creek service road** on the South side of Rt. 50. Include a separated Pedestrian/Bike trail with the new service road to enable pedestrian east/west movement on the south side of Rt. 50.
3. Celebrate the Chesapeake Bay by making Bike lanes on the new Bay Bridge a reality, The **"Shared-Use Path" needs to be a integral requirement of any proposal, *not merely an "option"*.**