Chesapeake BAY CROSSING STUDY
TIER 2 NEPA

COMBINED
FINAL ENVIRONMENTAL IMPACT STATEMENT and RECORD OF DECISION

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CHESAPEAKE BAY CROSSING STUDY: TIER 2 NEPA

Maryland

RECORD OF DECISION

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1 RECORD OF DECISION

1.1 Decision

This Record of Decision (ROD) has been prepared in accordance with the National Environmental Policy Act (NEPA) (42 USC § 4321 et seq.), 23 United States Code (USC) 139, and Federal Highway Administration (FHWA) Environmental Impact and Related Procedures (23 Code of Federal Regulations [CFR] Part 771). This ROD announces selection of the Preferred Alternative (Alternative C including refinements) as the Selected Alternative for the Chesapeake Bay Crossing Study: Tier 2 NEPA (Tier 2 Study). Alternative C, including refinements, consists of two new four-lane bridge spans across the Chesapeake Bay and six lanes along U.S. 50/301 on the Eastern and Western Shores (three per direction), and removal of both existing bridge spans.

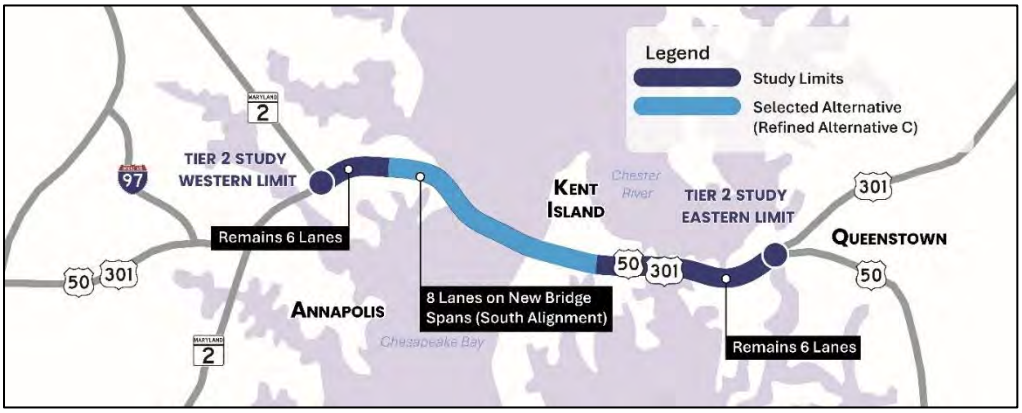
This decision relies on the Tier 2 Study information and analysis described in the Draft Environmental Impact Statement (EIS), Final EIS, all supporting technical reports, public and agency comments received during official comment periods, and input received throughout the Tier 2 Study process from the public and interested local, state, and Federal agencies. In making this decision, FHWA considered the potential impacts and a reasonable range of alternatives under NEPA, Section 4(f) of the U.S. Department of Transportation Act (USDOT) of 1966, and other applicable laws.

This combined Final EIS/ROD (per 23 USC §139(n), 23 CFR 771.124) does not have a comment period or a 30-day waiting period because these documents are published as a single document. The EPA will publish a Notice of Availability (NOA) in the Federal Register for this combined Final EIS/ROD document.

1.2 Project Location

The William Preston Lane, Jr. Memorial (Bay) Bridge is a two-span structure that crosses the Chesapeake Bay from Anne Arundel County on the Western Shore to Queen Anne's County on the Eastern Shore. The Tier 2 Study western limit is the MD 2/MD 450 interchange, and the Tier 2 Study eastern limit is the U.S. 50/301 split, as both interchanges are logical termini for a comprehensive review of environmental impacts that could result from additional transportation capacity across the Chesapeake Bay. The Selected Alternative is an 8.3-mile-long improvement that extends along U.S. 50/301 from west of Oceanic Drive to east of Cox Creek to allow sufficient room to transition from six lanes on the approach and departure roadways to eight lanes on the new bridge crossing. The Tier 2 Study Limits and the location of the Selected Alternative are shown in **Figure 1**.

Figure 1:Tier 2 Study Limits and Selected Alternative



1.3 Background

The original span of the bridge was built in 1952 to connect communities on both sides of the Chesapeake Bay. Within ten years of opening, traffic volumes on the original span had nearly doubled. Planning began for a new structure that would provide additional capacity, and a parallel span directly north of the original Bay Bridge was opened in 1973. The Bay Bridge has become one of Maryland's most iconic and recognizable landmarks, used by millions of Marylanders and other travelers every year. As Maryland's only crossing of the Chesapeake Bay, the Bay Bridge plays a significant role in the State's regional transportation system and is vital in facilitating transportation, commerce, and tourism in the region.

In 1974, the first full year that the first and second spans were open to traffic, 7.5 million vehicles crossed the bridge. By 2002, that number had more than tripled, to 25.0 million. Annual volumes have been above 25.0 million each year since, except for the COVID-19 pandemic year of 2020. Today, the Bay Bridge structures have inadequate capacity for current volumes, particularly during summer weekends. Queues longer than one mile routinely occur and can persist for as long as eight hours. During those eight hours, queues have been observed to extend to nearly five miles. 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.

The Maryland Transportation Authority (MDTA) and FHWA initiated Tier 1 of the Chesapeake Bay Crossing Study (Tier 1 Study) in 2016. The purpose of the Tier 1 Study was to consider corridors for providing additional capacity and access across the Chesapeake Bay to improve mobility, travel reliability, and safety at the existing Bay Bridge. The needs identified for the Tier 1 Study included adequate capacity, dependable and reliable travel times, and the flexibility to support maintenance and incident management in a safe manner. As part of the Tier 1 Study, the MDTA also considered financial viability of proposed corridor alternatives and the presence of environmental resources within corridor alternatives. The Tier 1 Study evaluated 14 possible corridor alternative locations across the Chesapeake Bay. After close coordination with regulatory and resource agencies, the public, and other stakeholders to identify critical resources and determine potential impacts, the Tier 1 combined Final EIS/ROD was issued by FHWA on April 14, 2022. The Tier 1 Study combined Final EIS/ROD identified Corridor 7 as the Selected Corridor Alternative. Corridor 7 is a two-mile-wide and 22-mile-long corridor that follows existing U.S. 50/301 and includes the location of the existing Bay Bridge. On the Western Shore, the western limit of the corridor is west of the Severn River near the MD 70 (Rowe Boulevard) interchange, north of Downtown Annapolis. On the Eastern Shore, the eastern limit of the corridor is the U.S. 50/301 split near Queenstown.

1.4 Purpose and Need

The purpose of the Tier 2 Study is to address existing and future transportation capacity needs and access across the Chesapeake Bay and at the Chesapeake Bay Bridge approaches along the U.S. 50/301 corridor. The MDTA identified five needs for the Tier 2 Study:

- Adequate capacity and reliable travel times
- Mobility
- Roadway deficiencies
- Existing and future maintenance
- Navigation

Two objectives were considered throughout the process of developing and evaluating Tier 2 Study alternatives: (1) environmental responsibility given the sensitivity of the Chesapeake Bay as an environmental resource and (2) financial responsibility. A more detailed discussion of the Purpose and Need is included in **Chapter 2** of the Final EIS.

1.5 Alternatives Considered

This section provides a brief overview of the Alternatives Retained for Detailed Study (ARDS) considered for the Tier 2 Study that led to selection of Alternative C (including refinements). A more detailed discussion of the ARDS is provided in **Chapter 3** of the Final EIS, including an overview of alternatives that were considered and dismissed.

The Tier 2 Study EIS evaluated seven ARDS, including one no-build and six build alternatives. Each of the six build alternatives would replace the existing two Bay Bridge spans with a new two-span bridge over the Chesapeake Bay and remove the existing spans. The build alternatives also include an optional pedestrian/bicycle shared-use path (SUP), tolling, financial commitment for transit-related improvements, transportation system management/transportation demand management (TSM/TDM), stormwater management (SWM), utilities, and truck weigh and inspection stations (TWIS). If financial considerations allow, an SUP option across a new Bay Bridge would be a two-way pedestrian and bicycle facility that would be part of a new bridge structure and would be separated from the adjacent travel lanes by a physical barrier.

The alternatives evaluated were:

- **Alternative A (6-5-6 No-Build):** Retains the existing Chesapeake Bay Bridge, U.S. 50/301 alignment, and number of lanes. This alternative would retain six lanes on the approaches on the Eastern and Western Shores and five lanes on the Bay Bridge. Alternative A would include regular maintenance of the Bay Bridge and U.S. 50/301, but no capital improvements other than currently planned and programmed projects.

- **Alternative B (6-8-6 North):** Consists of six lanes along U.S. 50/301 on the Western Shore (three per direction); eight lanes crossing the Chesapeake Bay (four per direction); and six lanes along U.S. 50/301 on the Eastern Shore (three per direction). The five existing Bay Bridge lanes would be increased to eight bridge lanes; however, the number of lanes on the Western and Eastern Shores would not change except to accommodate lane transition onto the new spans. Alternative B would have one bridge span north of the existing spans and one bridge span between the existing bridge spans.

- **Alternative C (6-8-6 South):** Consists of six lanes along U.S. 50/301 on the Western Shore (three per direction); eight lanes crossing the Chesapeake Bay (four per direction); and six lanes along U.S. 50/301 on the Eastern Shore (three per direction). The five existing Bay Bridge lanes would be increased to eight bridge lanes; however, the number of lanes on the Western and Eastern Shores would not change except to accommodate lane transition onto the new spans. Alternative C would have one bridge span south of the existing spans and one bridge span between the existing bridge spans.

- **Alternative D (8-8-8 North):** Consists of eight lanes (four per direction) along the entire length of the study limits including U.S. 50/301 on the Western Shore, across the Chesapeake Bay, and on U.S. 50/301 on the Eastern Shore. Alternative D would increase the number of lanes along the U.S. 50/301 approaches on both the Western and Eastern Shores from six lanes to eight lanes. Alternative D would increase the five existing Bay

Bridge lanes to eight lanes (four per direction) across the Bay. Alternative D would have one bridge span north of the existing spans and one bridge span between the existing bridge spans.

- **Alternative E (8-8-8 South):** Consists of eight lanes (four per direction) along the entire length of the study limits including U.S. 50/301 on the Western Shore, across the Chesapeake Bay, and on U.S. 50/301 on the Eastern Shore. Alternative E would increase the number of lanes along the U.S. 50/301 approaches on both the Western and Eastern Shores from six lanes to eight lanes. Alternative E would increase the five existing Bay Bridge lanes to eight lanes (four per direction) across the Chesapeake Bay. Alternative E would have one bridge span south of the existing spans and one bridge span between the existing spans.

- **Alternative F (8-10-8 North):** Consists of eight lanes (four per direction) along U.S. 50/301 on the Western Shore, ten lanes (five per direction) across the Chesapeake Bay, and eight lanes (four per direction) along U.S. 50/301 on the Eastern Shore. Alternative F would increase the number of lanes along the U.S. 50/301 approaches on both the Western and Eastern Shores from six lanes to eight lanes, similar to Alternatives D and E. It would increase the five existing Bay Bridge lanes to ten lanes (five per direction) across the Chesapeake Bay. Alternative F would have one bridge span north of the existing spans and one bridge span between the existing bridge spans.

- **Alternative G (8-10-8 South):** Consists of eight lanes (four per direction) along U.S. 50/301 on the Western Shore, ten lanes (five per direction) across the Chesapeake Bay, and eight lanes (four per direction) along U.S. 50/301 on the Eastern Shore. Alternative G would increase the number of lanes along the U.S. 50/301 approaches on both the Western and Eastern Shores from six lanes to eight lanes, similar to Alternatives D and E. It would increase the five existing Bay Bridge lanes to ten lanes (five per direction) across the Chesapeake Bay. Alternative G would have one bridge span south of the existing spans, and one bridge span between the existing spans.

1.5.1 Preferred Alternative: Alternative C

Based on analysis of a wide range of engineering, environmental, and cost considerations, as well as agency and public input, Alternative C was identified as the Preferred Alternative for the Tier 2 Study. Of the build alternatives, Alternative C would have the least impact to cultural, socioeconomic, and most natural resources. Alternative C would result in the least impact to residential, industrial, open urban land, and institutional properties compared to the other build alternatives. Alternative C would have a slightly smaller area of impact to commercial properties. Alternative C would require 2.3 acres of overall right-of-way less than Alternative B and 60 to 70 acres less than Alternatives D, E, F, and G.

Alternative C (Preferred Alternative) eliminates bridge bottlenecks on non-summer weekdays (NSWD) for both directions of travel and for summer weekends (SWED) in the eastbound direction. A traffic analysis comparison between Alternative C (Preferred Alternative) and Alternative A (No-Build) shows that Alternative C substantially improves conditions during NSWD by eliminating projected queues and improving overall travel time, reliability, and system resiliency. Under NSWD conditions, Alternative C would eliminate the traffic queues forecasted by the traffic analysis modeling for Alternative A.

Alternative C would cost $14.8 to $16.4 billion **without** the optional SUP, which would be the lowest cost of the build alternatives. If financial considerations allow, the SUP would cost an additional $1.2 billion for a total cost of $16.1 to $17.6 billion **with** the optional SUP.

A more detailed discussion of the Preferred Alternative is provided in **Chapter 4** of the Final EIS.

1.5.2 Refinements to Alternative C

Following public review of the Draft EIS and identification of Alternative C as the Preferred Alternative, Alternative C was further refined to avoid and minimize environmental impacts. The following refinements were made to Alternative C:

- On the Western Shore, the eastbound lane transition from three to four lanes was shifted approximately 600 feet to the east. This change avoided one business displacement (an automotive retail center) adjacent to Whitehall Road; avoided one partial commercial property acquisition in Jemal's Bay 50 Shopping Center; reduced Critical Area impacts; and reduced Habitat Connectivity Network[1] (HCN) impacts.
- On the Western Shore, a potential SWM pond in the southwest corner of Sandy Point State Park was removed from the Preferred Alternative. This change avoided the roadway-related impact to Sandy Point State Park, which is a historic site, Section 4(f) property and Section 6(f) property. This change also reduced impacts to Critical Areas, Forest Interior Dwelling Species (FIDS) habitat, and the HCN.
- On the Western Shore, the proposed Skidmore Drive alignment was shifted to the north and a retaining wall was added to avoid impacts to Holly Beach Farm, which is a historic site and Section 4(f) property and Section 6(f) property, and to reduce impacts to Critical Areas and FIDS habitat.
- On the Eastern Shore, along westbound U.S. 50/301, the linear SWM facility adjacent to Island Plaza, west of Duke Street, was removed. This change reduced impact to the primary parking lot for this business plaza and mapped Sensitive Species Project Review Areas[2] (SSPRA).

Table 1 provides a comparison of impacts from Alternative C to impacts from the Selected Alternative. Impact numbers that are reduced for the Selected Alternative (Refined Alternative C) from what was presented in the Draft EIS for the MDTA Recommended Preferred Alternative (RPA) (Alternative C) are highlighted in green. The same table is included as **Table 4-1** in the Final EIS.

[1] The Habitat Connectivity Network, or HCN, is a statewide GIS mapping framework that identifies large, intact natural habitats ("hubs") and the ecological pathways ("corridors") that connect them to prevent wildlife fragmentation and guide conservation efforts.

[2] Sensitive Species Project Review Areas, or SSPRA, is a digital map data layer which represents the general locations of documented rare, threatened and endangered species.

Table 1: Comparison of Potential Impacts between Alternative C and Refined Alternative C

Resource Type	Resource	Unit	Alternative C	Refined Alt. C
Community Resources	Commercial Displacements	#	2	0
	Total Property Impact	#	48	45
		acres	20.8	18.2
	Community Facilities	#	8	7
		acres	9.5	7.8
	Number of Parks	#	4	2
	Park Property Area	acres	2.4	0.8
Noise	Noise Sensitive Areas	#	28	28
Historic Resources	Number of Historic Properties[1]	#	3	2
	Historic Property Area	acres	0.9	0.4
Other Resources/ Preservation Areas	Number of Section 4(f) Properties	#	9	6
	Section 4(f) Properties	acres	2.7	0.9
	Number of Section 6(f) Properties	#	2	0
	Conservation Easements	acres	1.7	0
	Habitat Connectivity Network (HCN)	acres	0.4	0.2
	Local Protected Land	acres	0.7	0.7
Natural Resources	100-Year Floodplain Area	acres	35.6	35.6
	Wetlands (Field Delineated)	acres	5.6	5.6
	Surface Waters: Non-tidal	acres	0.1	0.1
		linear feet	670	670
	Surface Waters: Tidal[2]	acres	1.0	1.0
		linear feet	290	290
	Chesapeake Bay Tidal Water Impacts[3]	acres	131.9	131.9
	Critical Areas	acres	164.1	162.5
	Critical Area (100-ft) Buffer	acres	17.7	17.7
	Public Shellfishery Areas	acres	6.1	6.1
	Oyster Sanctuaries	acres	0.6	0.6
	Natural Oyster Bars	acres	10.2	10.2
	Essential Fish Habitat	acres	136.0	136.0
	FIDS Habitat	Acres	12.1	11.4
	Mapped SSPRA	#	7	7
		acres	109.4	109.1
	Forest Areas	acres	59.5	57.7
	Impervious Surface	acres	95.7	99.6[4]

[1] *Historic properties also include the Chesapeake Bay Bridge. This historic bridge is not included in the impact area calculations.*

[2] *Impacts do not include the Chesapeake Bay proper.*

[3] *Includes impacts from new bridge construction and old bridge pier removal.*

[4] *Proposed new impervious surface increased due to the shift of Skidmore Drive.*

1.6 Selected Alternative

FHWA identifies the Preferred Alternative, Alternative C including refinements, as the Selected Alternative. The Selected Alternative is approximately 8.3 miles long and consists of six lanes

along U.S. 50/301 on the Western Shore (three per direction); eight lanes across the Chesapeake Bay (four per direction); and six lanes along U.S. 50/301 on the Eastern Shore (three per direction). The Selected Alternative includes replacing the existing Bay Bridge spans with two new bridge spans. The five existing Bay Bridge lanes will be increased to eight bridge lanes. On the Western Shore, the transition from the existing six lanes to eight lanes approaching the bridge occurs west of Oceanic Drive in both directions. On the Eastern Shore, the transition from eight lanes to the six existing lanes occurs east of Cox Creek in both directions. The Selected Alternative includes one bridge span south of the existing spans and one bridge span between the existing bridge spans.

After approval of the Final EIS/ROD, the MDTA will perform financial analysis and determine whether an SUP would be implemented with Alternative C. If the SUP is included, a NEPA re-evaluation and additional coordination among local, state, and Federal agencies would occur regarding connections, parking, maintenance, and other features, as well as consistency with local pedestrian and bicycle plans, the 2025 Maryland State Transportation Trails Strategic Plan, and Maryland Department of Transportation's (MDOT's) Complete Streets Policy.

The MDTA commits to coordinating with the Maryland State Highway Administration (SHA) and local agencies to help them evaluate roadway needs and traffic operations along U.S. 50/301 approaching the Bay Bridge, outside of this study. This includes SHA's U.S. 50 from the Bay Bridge to Ocean City Project and other potential future projects that would address traffic queues during SWED, which impact the U.S. 50/301 corridor-wide network.

1.6.1 Basis of Decision

1.6.1.1 Environmental Impacts

The FHWA evaluated the potential environmental impacts for a reasonable range of alternatives in the Tier 2 Study, as outlined in **Section 4.2** of the Final EIS. The No-Build Alternative, Alternative A, would have the least environmental impact but would not meet the study purpose and need. FHWA has determined that Alternative C, including refinements, has the least environmental impact of the build alternatives based on the information included in the Draft and Final EIS. Alternative C, including refinements, will:

- meet the purpose and need for the Tier 2 Study;
- have the least impact to wetlands, submerged aquatic vegetation (SAV), Critical Areas, FIDS habitat, the HCN, and mapped SSRPAs compared to the other build alternatives;
- adversely affect the fewest number of historic properties and have the smallest area of impact to historic properties compared to the other build alternatives;
- avoid all residential and business displacements, and have the least impact to residential, business, industrial, open urban land, and institutional properties compared to the other build alternatives;
- have the least overall harm to Section 4(f) properties based on the findings of the *Final Section 4(f) Evaluation* included in **Appendix E** of the Final EIS; and
- avoid impacts to Section 6(f) properties, including Sandy Point State Park and Holly Beach Farm.

1.6.1.2 Permits and Approvals

The development and review of applications for permits and other approvals will be completed as more detailed design and construction engineering progresses. **Table 2** summarizes the Federal, state, and local permits, authorizations, and approvals that are required for the Selected Alternative based on the preliminary design and associated impacts. The same table is included as **Table 8-1** in the Final EIS and more information regarding authorizations, permits, and approvals required for the Selected Alternative is provided in **Chapter 8** of the Final EIS.

Table 2: Permits and Approvals for the Selected Alternative

Permit/Approval	Authority	Agency	Schedule
Section 6(f) of the LWCF Act	Federal	National Park Service (NPS)	Spring 2030 – Authorization concurrent with Permit Application (if needed for optional SUP)
Section 4(f) of the USDOT Act	Federal	FHWA	October 2026 – Authorization with ROD
Migratory Bird Treaty Act	Federal	U.S. Fish and Wildlife Service (USFWS)	At this time no impacts are identified; needed only if occupied nests cannot be avoided.
Nongame and Endangered Species Conservation Act	State	Maryland Department of Natural Resources (MDNR)	October 2026 – Authorization with ROD
MHT Act and National Historic Preservation Act, Section 106	State / Federal	Maryland Historical Trust (MHT), Advisory Council on Historic Preservation (ACHP), FHWA	October 2026 – Authorization with ROD (Programmatic Agreement)
Fish and Wildlife Coordination Act	Federal	USFWS, National Marine Fisheries Service (NMFS), MDNR	October 2026 – Authorization with ROD
EO 11990: Protection of Wetlands	Federal	FHWA	October 2026 – Authorization with ROD
EO 11988: Floodplain Management	Federal	FHWA	October 2026 – Authorization with ROD
Endangered Species Act	Federal	USFWS	Concurrence received March 4, 2026
		National Oceanic and Atmospheric Administration (NOAA) NMFS	October 2026 – Authorization (Biological Opinion) with ROD
Marine Mammal Protection Act	Federal	NOAA NMFS	Spring 2030 – Permit Application Spring 2031 – Authorization
CWA, Section 401 (Water Quality Certification)	Federal	Maryland Department of the Environment (MDE)	Spring 2030 – Joint Permit Application Spring 2031 – Permits
CWA, Section 404/River and Harbors Act – Section 10	Federal	U.S. Army Corps of Engineers (USACE)	
Nontidal Wetlands Protection Act & Program	State	MDE	
Tidal Wetlands Act & Program	State	MDE/Board of Public Works (BPW)	
Waterways Construction Statute	State	MDE	
Coastal Zone Consistency & Coastal Zone Mgmt Program	Federal	MDE/MDNR	
Whole Watershed Act	State	MDE	

Permit/Approval	Authority	Agency	Schedule
Civil Works Projects, Section 408 / River and Harbors Act – Section 14	Federal	USACE	Spring 2030 – Permit Application Spring 2031 – Permit
Bald and Golden Eagle Protection Act	Federal	USFWS	At this time no impacts are identified; needed only if impacts are identified in final design.
Essential Fish Habitat – Magnuson-Stevens Fishery Conservation and Management Act	Federal	NOAA Fisheries	October 2026 – Conservation Recommendations with ROD
General Bridge Act/River and Harbors Act – Section 9	Federal	U.S. Coast Guard (USCG)	Spring 2030 – Bridge Permit Application Spring 2031 – Permit
National Flood Insurance Program	Federal	Federal Emergency Management Agency (FEMA)	Spring 2030 – Authorization
Obstruction Evaluation / Airport Airspace Analysis 14 CFR 77	Federal	Federal Aviation Administration (FAA)	Spring 2031 – Authorization
Obstruction Evaluation / Airport Airspace Analysis COMAR 11.03.05	State	Maryland Aviation Administration (MAA)	Spring 2031 – Authorization
Chesapeake Bay Critical Area Law	State	MDNR Critical Area Commission	Spring 2030 – Authorization
Forest Conservation Act, Reforestation / Roadside Tree Laws	State	MDNR	Spring 2030 – Applications Spring 2031 – Permits
CWA, Section 402 (National Pollutant Discharge Elimination System)	Federal	MDE	Spring 2030 – Applications Spring 2031 – Permits
Sediment & Erosion Control Program	State	MDE	
Stormwater Management Act	State	MDE	
General Permit for Discharges of Stormwater Associated with Construction Activity	Federal	MDE	
General Permit for Stormwater Associated with Industrial Activity	Federal	MDE	
Water Appropriation and Use Permit	State	MDE	
Dam Safety Program	State	MDE	
Water Supply Program - Well Construction Permit	State	MDE	
Onsite Systems Division - Septic System Construction Permit	State	MDE	
Air Quality Permits Program - Permit to Construct	State	MDE	
Oil Control Program - Underground Storage Tank Removal/ Abandonment Notification	State	MDE	

1.6.1.3 Section 4(f) Finding

Section 4(f) of the USDOT Act of 1966, (49 USC 303(c)) is a Federal law that protects significant publicly owned public parks, recreation areas, wildlife and waterfowl refuges, and publicly- or privately-owned historic sites listed or eligible for listing in the National Register of Historic Places (NRHP). As a USDOT agency, FHWA must comply with Section 4(f) and cannot approve the use of a Section 4(f) property within a proposed transportation project unless:

- There is no feasible and prudent avoidance alternative, and the proposed project includes all possible planning to minimize harm to the property resulting from such use (23 CFR 774.3(a)); or
- FHWA determines that the use of the Section 4(f) property, including any measure(s) to minimize harm (such as avoidance, minimization, mitigation, or enhancement measures), will have a *de minimis* impact (as defined in 23 CFR 774.17) on the property (23 CFR 774.3(b)).

Based on analysis in the *Final Section 4(f) Evaluation* (**Appendix E** of the Final EIS), the Selected Alternative will:

- Have a *de minimis* impact to five publicly owned public park and recreation areas including Broadneck Peninsula Trail, Kent Island Water Trails, Terrapin Nature Park, Eisinger Property, and Stevensville Middle School.
- Permanently use the NRHP-eligible Chesapeake Bay Bridge due to demolition of the bridge and associated adverse effects. The *Final Section 4(f) Evaluation* (**Appendix E** of the Final EIS) demonstrates that there is no feasible and prudent avoidance alternative to this use, and the Selected Alternative includes all possible planning to minimize harm to this property.
- Have no Section 4(f) use of the Skidmore historic district. There would be no physical impact to any properties that have been identified to contribute to the NRHP-eligibility of Skidmore, based on consultation with the Maryland State Historic Preservation Officer (SHPO). Per the evaluation of effects under Section 106 of the National Historic Preservation Act, Skidmore will be adversely affected due to diminishment of the property's integrity of setting, feeling, and association contributing to the cumulative effects of highway expansion and development. Diminishment of Skidmore will be largely caused by cumulative effects in combination with other past highway expansion projects and not result from the Selected Alternative alone. The impacts from the Selected Alternative therefore would not substantially impair the features or attributes that contribute to Skidmore's NRHP eligibility and there will be no constructive use.

A *Draft Section 4(f) Evaluation* was prepared and included in the Draft EIS, which was made available for a 45-day public review period from January 23, 2026, to March 9, 2026. No public comments were received on the impacts to Broadneck Peninsula Trail, Kent Island Water Trails, Terrapin Nature Park, Eisinger Property, or Stevensville Middle School. After the public review period, the officials with jurisdiction (OWJs) over these Section 4(f) properties concurred that Alternative C, including refinements, will not adversely affect the activities, features, or attributes of their respective properties per 23 CFR 774.5(b)(2).

Therefore, in consideration of public and agency comments, FHWA determined that: a) impacts to Broadneck Peninsula Trail, Kent Island Water Trails, Terrapin Nature Park, Eisinger Property, and Stevensville Middle School are *de minimis*, and b) there is no feasible and prudent alternative to the use of the Chesapeake Bay Bridge, and the Selected Alternative includes all possible planning to minimize harm to the Chesapeake Bay Bridge. More detailed discussion is included in the *Final Section 4(f) Evaluation* (**Appendix E** of the Final EIS).

1.6.1.4 Mitigation and Commitments

Impacts to environmental resources have been avoided and minimized where practicable and in response to feedback from regulatory agencies, stakeholders, and the public. The MDTA and FHWA are committed to mitigating the impacts of the Selected Alternative in accordance with Federal and state regulations and will work with regulatory agencies and resource managers through design and construction to develop final mitigation plans, obtain all applicable permits, and prepare construction monitoring plans as applicable; and complete post-construction monitoring plans for any permittee-responsible mitigation elements. **Table 3** includes environmental consequences of the Selected Alternative and optional SUP, and commitments/mitigation measures for each resource.

Table 3: Environmental Consequences of the Selected Alternative and Mitigation/Commitments

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
Population and Demographics *Final EIS Section 5.1.1*	The Selected Alternative avoids residential displacements. The Selected Alternative accommodates increased traffic from projected regional population growth through 2040.	The optional SUP would not impact the existing population or demographic makeup of the region.	No impact, no mitigation is proposed.	Not applicable	Not applicable
Housing *Final EIS Section 5.1.2*	The Selected Alternative requires right-of-way acquisition of residential areas to accommodate proposed roadway widening. There are no residential displacements or demolitions. The Selected Alternative will not bisect any residential areas or create impediments to travel through residential communities. The Selected Alternative will not affect the overall distribution of age, type, or tenure of housing stock.	The optional SUP would not impact existing housing in the area.	All residential property owners, from whom partial property will be acquired, will be compensated and paid fair market value for the affected property in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) and state requirements.	MDTA	Final Design
Business, Economics, and Employment *Final EIS Section 5.1.3*	The Selected Alternative avoids business displacements but requires partial right-of-way acquisition of business properties. Construction and operations and maintenance spending represents substantial capital investment in the local economy. The economic capital costs	The optional SUP would generate additional foot traffic to nearby businesses and parks and could attract additional tourism spending to the area.	All business property owners, from whom partial property will be acquired, will be compensated and paid fair market value for the affected property in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and state requirements.	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
	impact includes $15.6 billion in net capital expenditure, 61,337 in employment, $4.2 billion in earnings, $12.8 billion in value added, and $23 billion in output. The economic O&M costs impact includes $390 million in net capital expenditure, 1,533 in employment, $106 million in earnings, $322 million in value added, and $577 million in output. Construction and demolition of the Bay Bridge would produce localized but economically meaningful impacts on fishing, crabbing, and oystering activities in the immediate area. While these impacts are expected to be localized, their significance would be heightened due to the multi-year construction timeline, resulting in temporary revenue losses or increased uncertainty for seafood businesses reliant on these activities near the Bay Bridge.		Notification protocols will be followed throughout the construction duration to inform recreational and commercial fisheries of restriction periods.	MDTA	Construction
Community Facilities *Final EIS Section 5.1.4*	The Selected Alternative impacts 7 community facilities totaling 7.8 acres: one educational facility partial acquisition, one place of worship partial acquisition, one park/recreational area partial acquisition, one recreational trail partial acquisition and one recreational trail temporary impact, two transportation facility partial acquisitions, and one public utility facility partial acquisition.	The optional SUP would facilitate connections to community facilities, particularly existing and proposed trails and recreational facilities. The optional SUP would impact 1.2 acres of additional	All property owners, from whom partial property will be acquired, will be compensated and paid fair market value for the affected property in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) and state requirements.	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
	Generally, the Selected Alternative requires acquisition of undeveloped strips of land from properties along U.S. 50/301. While some driveways and parking may be impacted, these impacts are not expected to restrict access to facilities.	community facility land at two community facilities (Sandy Point State Park and Terrapin Nature Park).	As detailed in the *Final Section 4(f) Evaluation*, mitigation for impacts to recreational sites is not required for the Selected Alternative because the Selected Alternative will not adversely affect the activities, features, or attributes that qualify the properties for Section 4(f) protection.		
Land Use *Final EIS Section 5.2.1*	The Selected Alternative will convert 17.4 acres of land from low-density residential, medium-density residential, high-density residential, commercial, institutional, open urban land, and other land uses to transportation land use. This includes 0.7 acres of protected land that would be converted to transportation right-of-way. The Selected Alternative primarily converts strips of land from undeveloped areas or areas of landscaping and trees, and paved areas associated with commercial and other transportation developments along U.S. 50/301 to transportation land use. Improvements are compatible with planned and future development in Anne Arundel and Queen Anne's counties.	The optional SUP would convert 1.2 acres of land from institutional, urban land, and other land uses. The optional SUP is consistent with Walk & Roll Anne Arundel! (2023), Queen Anne's County Pedestrian and Bicycle Master Plan (2024), and other local plans.	All property owners, from whom partial property will be acquired, will be compensated and paid fair market value for the affected property in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) and state requirements.	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
Right-of-Way, Property, and Communities *Final EIS Section 5.2.2, 5.2.3*	The Selected Alternative requires temporary or permanent right-of-way from 45 properties. These properties are located in Cape St. Claire and Broadneck on the Western Shore, and Kent Island on the Eastern Shore. The Selected Alternative will improve transportation capacity, reliability, and mobility at the Bay Bridge and its approaches. The Selected Alternative primarily converts strips of land from undeveloped areas or areas of landscaping and trees, and paved areas associated with commercial and other transportation developments along U.S. 50/301 to transportation land use. While some driveways and parking may be impacted, these impacts are not expected to restrict access to facilities.	Two properties would be impacted by the optional SUP; these properties will already be impacted by the Selected Alternative. The optional SUP would enhance safe pedestrian and bicycle access and would connect the Western and Eastern Shores.	All property owners, from whom partial property will be acquired, will be compensated and paid fair market value for the affected property in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) and state requirements.	MDTA	Final Design
Visual Resources *Final EIS Section 5.3*	The Selected Alternative has visual impacts due to clearing vegetation which will make the road more visible from surrounding land uses and the increased height and lighting of a new bridge across the Chesapeake Bay, which will have visual or aesthetic impacts.	The optional SUP would have minimal additional visual impact since it would be constructed on the new bridge structure. The optional SUP would provide new views of the Chesapeake	The design of the highway elements and new Bay Bridge could incorporate aesthetic architectural elements that enhance visual appeal. This may include landscaping enhancements on the approach roadways and aesthetic architectural elements on a new bridge, as well as the lighting design.	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
	Construction will temporarily disrupt the landscape with cranes, scaffolding, and other equipment altering the view. The Severn River is outside the study limits just west of MD 2/MD 450 and is designated as a State Scenic River. While outside the study limits, the increased height of a new bridge may be visible from the Severn River, particularly at the mouth of the river.	Bay and nearby shorelines from the new bridge.	The MDTA will coordinate with MDNR and the Severn River Commission as design progresses regarding potential effects to the scenic river.	MDTA	Final Design
			The MDTA will develop a bridge lighting plan during the design phase. Mitigation measures will focus on minimizing light pollution and ecological impacts, in consideration of DarkSky International guidelines. Warm-toned, low-intensity, and programmable lighting can help protect nocturnal species, migratory birds, and sensitive habitats while maintaining scenic views.	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
Cultural Resources (Historic Architecture and Archaeology) *Final EIS Section 5.4*	Seventeen architectural historic properties were identified in the APE. The Selected Alternative will adversely affect the Chesapeake Bay Bridge (William Preston Lane, Jr. Memorial Bridge) and Skidmore. The Selected Alternative avoids impacts to identified archaeological historic properties; through the Section 106 consultation process, the MDTA will continue to identify and evaluate archaeological resources.	The optional SUP would not result in additional adverse effects to identified historic properties.	FHWA and the MDTA executed a Section 106 Programmatic Agreement (PA) to resolve adverse effects to historic properties from the Selected Alternative in accordance with Section 106 of the NHPA. The PA identifies mitigation commitments for the Chesapeake Bay Bridge and Skidmore. Mitigation for the Chesapeake Bay Bridge includes photographic and digital documentation, interpretive panels, online interpretive content, and a playground/outdoor interactive interpretive area. Skidmore mitigation includes drafting a Multiple Property Documentation form for Broadneck Peninsula descendant communities, interpretive panels, and a booklet with information about the history of Skidmore and Broadneck Peninsula descendant communities.	MDTA, FHWA, and other PA Signatories as applicable	Final Design through Post-Construction
			As stated in the PA, the MDTA will identify and evaluate archaeological resources with an underwater archaeological survey and additional terrestrial survey if needed.	MDTA, FHWA, and other PA Signatories as applicable	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
Section 4(f) and Section 6(f) Resources *Final EIS Section 6 and Final Section 4(f) Evaluation (Final EIS Appendix E)*	The Selected Alternative impacts a portion of five recreational properties and one historic site. The Selected Alternative will not adversely affect the activities, features, or attributes that qualify the recreational properties for protection under Section 4(f). The OWJs over the recreational properties concurred with this determination (see Appendix B of the *Final Section 4(f) Evaluation)*. On June 22, 2026, FHWA subsequently signed the OWJ *de minimis* impact letters for the five recreational properties. The Selected Alternative includes demolition/removal of the historic Chesapeake Bay Bridge, which is considered a 'use', and is documented in an individual Section 4(f) evaluation. Although there would be an adverse effect per Section 106 to the Skidmore Historic District, the Selected Alternative would not require a Section 4(f) use of the District. There would be no physical impact to properties which contribute to the District and no constructive use. The Selected Alternative avoids land acquisition from Section 6(f) properties. The Selected Alternative avoids physical impacts to Sandy Point State Park;	The optional SUP would impact 0.6 acre of Sandy Point State Park and 0.6 acre of Terrapin Nature Park. A Section 6(f) conversion is not anticipated for Sandy Point State Park because the SUP would be expected to enhance and support public outdoor recreational use.	Mitigation measures for the historic Chesapeake Bay Bridge are noted in the Cultural Resources commitments in this table, and described in the Section 106 PA (Refer to Final EIS **Appendix D**). Minimization and mitigation measures for the historic property were identified in coordination with MHT and other Section 106 consulting parties.	MDTA	Final Design through Post-Construction
			As detailed in the *Final Section 4(f) Evaluation*, mitigation for impacts to recreational sites is not required for the Selected Alternative because the Selected Alternative will not adversely affect the activities, features, or attributes that qualify the properties for Section 4(f) protection.	Not applicable	Not applicable
			The MDTA will coordinate with MDNR, USCG, marina operators, and emergency services to determine timing, duration, and extent of any access restrictions to Mezick Pond. The MDTA will develop and coordinate a Maintenance of Access Plan with MDNR during design that includes: a schedule of anticipated activities that could result in temporary closures of Mezick Pond, procedures for communication of closures, and	MDTA	Final Design & Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
	however, during in-river construction directly adjacent to the Chesapeake Bay western shoreline, the Selected Alternative will temporarily restrict navigation at the entrance to Mezick Pond.		processes for coordinating modifications to the plan.		
			If the optional SUP is advanced, potential impacts to Section 4(f) and Section 6(f) properties would be determined and coordinated with MDNR, Queen Anne's County, and NPS.	MDTA	Final Design
Soils and Groundwater *Final EIS Sections 5.5.1 and 5.5.2*	The Selected Alternative will impact 19.6 acres of prime farmland and soils of statewide importance outside the limits of census-designated urban areas and existing transportation right-of-way. Construction of the Selected Alternative will result in soil displacement. Soil may also be compacted in some areas due to heavy equipment operations. The Selected Alternative avoids impacts to private wells and wellhead protection areas. The Selected Alternative would impact five inactive groundwater wells. The Selected Alternative could impact groundwater recharge that enters the Magothy and Aquia aquifers due to an increase in impervious surfaces.	The optional SUP would impact 0.9 acre of additional prime farmland and soils of statewide importance. Construction may result in additional soil displacement. Increases in impervious surface could impact groundwater recharge that enters the Magothy and Aquia aquifers.	The MDTA will implement Best Management Practices (BMPs) and an MDE-approved Erosion and Sediment Control (ESC) plan during construction to minimize impacts to soils.	MDTA	Construction
			The MDTA will evaluate measures to reduce impacts to groundwater resources through SWM measures that mimic natural infiltration to meet (and exceed where feasible) water quality protection requirements during final design.	MDTA	Final Design
			The MDTA will coordinate with USGS and the MDE Water Supply Program during final design and construction to determine potential impacts to active and inactive groundwater wells; determine if any groundwater wells require abandonment and if so, coordinate the abandonment procedures; and determine if mitigation, such as relocation, is required for these impacts.	MDTA	Final Design & Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
Floodplains *Final EIS Section 5.5.3*	The Selected Alternative includes fill to support road widening, culvert extensions and a new bridge. These improvements will temporarily and permanently impact 35.6 acres of floodplains.	The optional SUP would result in 1.3 acres of temporary and permanent impacts to floodplains.	The MDTA has avoided or reduced floodplain encroachments where practicable, using steeper slopes, retaining walls, and other measures to reduce the limits of disturbance (LOD). Avoidance and minimization efforts will continue in final design.	MDTA	Final Design
			Hydrologic and Hydraulic (H&H) studies will be performed, changes to floodplain elevations will be mitigated as appropriate, and floodplain permits will be obtained in accordance with 23 CFR 650 Subpart A, and MDE and FEMA regulations.	MDTA	Final Design
			The MDTA will mitigate any unavoidable increases during final design and construction through the purchase of easements or additional right-of-way to contain increased floodwaters as required.	MDTA	Final Design & Construction
Surface Water Resources *Final EIS Section 5.5.4*	The Selected Alternative footprint is located in four watersheds. During construction of the Selected Alternative, turbidity can increase due to erosion and sediment disturbance, which can lead to channel disturbance, aquatic habitat damage, and increased flood risk. The Selected Alternative will impact 348.5 acres within MD 12-digit watersheds,	The optional SUP would result in 5.5 acres of additional impact to MD 12-digit watersheds and an additional 12.3 acres of new impervious surfaces.	The MDTA will provide SWM systems to help control runoff and reduce peak flows in accordance with COMAR 26.17.2. Approved ESC measures will be implemented during construction in accordance with COMAR 26.17.01 to minimize erosion and prevent sedimentation downstream.	MDTA	Final Design & Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
	which includes an increase of 98.4 acres of impervious surfaces. Increased impervious surfaces can increase runoff levels, flow levels, and contaminants to surface waters.		The MDTA will obtain a Section 401 Water Quality Certification (WQC) from MDE to ensure discharges comply with Federal and state laws, regulations, and requirements.	MDTA	Final Design
			The MDTA will develop a Stormwater Pollution Prevention Plan.	MDTA	Final Design
Regulated Wetlands and Waterways *Final EIS Section 5.5.5.1*	The Selected Alternative will impact 0.1 acre (670 linear feet) of nontidal waterways and 1 acre (290 linear feet) of tidal waterways. These impacts do not include the Chesapeake Bay (Refer to Chesapeake Bay Tidal Waters). The Selected Alternative will also impact 4.2 acres of nontidal wetlands, 9.8 acres of nontidal wetland buffer, and 1.5 acres of tidal wetlands.	The optional SUP would impact less than 0.1 acre (30 linear feet) of nontidal waterways. It would impact less than 0.1 acre (0.0 linear feet) of tidal waterways. The optional SUP would have no impact to nontidal wetlands and nontidal wetland buffers. There would be a 0.7-acre impact to tidal wetlands.	The MDTA developed conceptual mitigation for unavoidable adverse impacts to all regulated wetlands and waterways in coordination with regulatory agencies and supporting resource agencies (Refer to Final EIS **Section 5.5.5.1** Minimization and Mitigation). The MDTA will coordinate with USACE and MDE during final design to obtain all Federal and state required permits for impacts to regulated wetlands and waterways. The MDTA will develop a final compensatory mitigation plan during final design for approval by MDE and USACE and will adhere to the USACE mitigation hierarchy, as described in the 2008 mitigation rule (33 CFR 332.4(c)), and the *NOAA Mitigation Policy for Trust Resources*. The approved final mitigation plan will meet all Federal and state mitigation requirements.	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			BMPs will be developed based on guidance including MDE's *Best Management Practices for Working in Nontidal Wetlands, Wetland Buffers, Waterways, and 100-Year Floodplains* and the *NOAA Fisheries/FHWA Best Management Practices Manual for Transportation Activities in the Greater Atlantic Region*.	MDTA	Final Design
Chesapeake Bay Tidal Waters *Final EIS Section 5.5.5.2*	Construction of the new bridge structure and removal of existing bridge piers for the Selected Alternative will impact 131.9 acres of Chesapeake Bay tidal open waters. Dredging required for the Selected Alternative will also impact 50.2 acres (308,800 cubic yards) of Chesapeake Bay substrate. Dredging directly impacts benthic organisms. Additionally, new work dredging (i.e., dredging an area that hasn't been previously dredged) in shallow water areas can alter bottom substrate and depth characteristics, potentially displacing	The optional SUP would require slightly larger bridge piers and would impact an additional 1.9 acres of Chesapeake Bay substrate. There would be no additional impacts from dredging.	The MDTA will coordinate with USACE and MDE during final design to obtain all Federal and state required permits for impacts to Chesapeake Bay tidal waters.	MDTA	Final Design
			The MDTA will observe the time-of-year restrictions (TOYRs) listed in **Section 5.5.5.2** of the Final EIS to the greatest extent practicable and work with the resource agencies to develop a construction plan that provides protection for sensitive resources.	MDTA	Final Design & Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
	species that utilize shallow areas, and impact sandy bottom habitat. Dredging also increases turbidity in the water column.		The MDTA will only use mechanical dredging rather than hydraulic dredging. The MDTA will prepare a Dredge Material Management Plan and evaluate dredge material to determine the appropriate disposal method and location. The MDTA will return bottom elevations approximately to existing. During final design, the MDTA will consider the potential for beneficial reuse of appropriate dredge material.	MDTA	Final Design & Construction
			As discussed in **Section 5.5.5.2** of the Final EIS, the MDTA developed a conceptual mitigation plan for unavoidable adverse impacts to tidal waters in coordination with regulatory agencies and supporting resource agencies. The MDTA will develop a final compensatory mitigation plan during final design for approval by MDE and USACE and will adhere to the USACE mitigation hierarchy, as described in the 2008 mitigation rule (33 CFR 332.4(c)), and the *NOAA Mitigation Policy for Trust Resources*. The approved final mitigation plan will meet all Federal and state mitigation requirements.	MDTA	Final Design & Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			More detailed hydraulic modeling will be conducted in final design when pier locations, pier sizes, and pier protection designs are available to determine flow dynamics and the need for any additional scour protection for the new bridge structures. If future modeling results in substantially different flow dynamics, those effects will be coordinated with regulatory agencies as necessary.	MDTA	Final Design
Maintained Navigational Channels *Final EIS Section 5.5.5.3*	Four navigation channels, including the Chesapeake Bay Bridge Channel, Chesapeake Bay Auxiliary Channel, Bay Bridge Marina, and Mezick Pond access channel will be temporarily impacted during construction. The Chesapeake Bay Bridge Channel is a Federally maintained channel under the USACE Section 408 program. The Chesapeake Bay Auxiliary Channel is not maintained or marked except at the existing bridge. The Bay Bridge Marina and Mezick Pond access channels are state maintained.	No additional maintained navigational channels would be affected by the optional SUP.	The MDTA will coordinate with USCG to obtain a Bridge Permit and USACE to obtain Section 408 approval during final design for construction of a new bridge in or near the Federal navigation channel. Permit conditions will ensure that any temporary impacts and closures of the navigation channel and state-maintained access channels, such as the Bay Bridge Marina channel and Mezick Pond, are minimized and mitigated in coordination with the USCG, MDNR, marina operators, and emergency services.	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			For Mezick Pond specifically, the MDTA will develop and coordinate a Maintenance of Access Plan with MDNR during design that includes: a schedule of anticipated activities that could result in temporary closures of Mezick Pond, procedures for communication of closures, and processes for coordinating modifications to the plan.	MDTA	Final Design & Construction
Chesapeake Bay Critical Areas *Final EIS Section 5.5.6*	The Selected Alternative will impact 162.5 acres of Critical Area on the Eastern and Western Shores. The Selected Alternative will also impact 17.7 acres of Critical Area 100-ft Buffer and 29.1 acres of Critical Area Expanded Buffer. The Selected Alternative will impact 9.8 acres of FIDS habitat and 45.8 acres of mapped SSPRA within the Critical Area.	The optional SUP would impact an additional 2.5 acres of Critical Area. It would impact 1.0 acres of Critical Area 100-ft Buffer and 1.5 acres of Critical Area Expanded Buffer. The optional SUP would not impact any FIDS habitat. The optional SUP would impact an additional 2.1 acres of mapped SSPRA.	The MDTA will obtain approval from the Chesapeake Bay Critical Area Commission and adhere to the authorization requirements established under COMAR 27.01.	MDTA	Final Design & Construction
			Where practicable, the MDTA will reduce the roadway footprint in Critical Area habitats and natural shorelines through the use of 2:1 slopes and other ESD measures during final design. Mitigation will be provided for impacts to forest within the Critical Area at a ratio dependent upon the percent of forest acreage cleared, designated land use classification, and whether impacts fall within the identified Critical Area Buffer.	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			The MDTA developed conceptual mitigation for unavoidable adverse impacts to the Chesapeake Bay Critical Area in coordination with regulatory agencies and supporting resource agencies. Where practicable, the MDTA will prioritize reforestation within the LOD. Offsite reforestation mitigation within the Critical Area will fulfill any remaining Critical Area reforestation requirements. (Refer to **Section 5.5.6.3** of the Final EIS for details).	MDTA	Final Design & Construction
Aquatic Habitat and Biota *Final EIS Section 5.5.7*	The Selected Alternative will impact aquatic habitat and biota by removing or altering aquatic habitat during construction and could degrade habitat and affect biota long-term. Impacts include increased flow volumes, sedimentation or siltation, water temperature, turbidity, underwater noise, and shading, decreased base flows, changes in substrate composition, and water quality degradation. These impacts can affect animal behavior, such as feeding, migration, nesting, and spawning, or potentially cause injury or mortality. The Selected Alternative impacts 5.6	The optional SUP would include an additional impact to 0.7 acres of nontidal and tidal wetlands, less than 0.1 acres of nontidal and tidal waterways (excluding the Chesapeake Bay), 0.6 acres of NOBs, 0.6 acres of historic oyster bottom, 0.4 acres of public shellfisheries, and 2.4 acres of	The MDTA will observe the time-of-year restrictions (TOYRs) listed in **Section 5.5.7.3** of the Final EIS for aquatic biota to the greatest extent practicable and work with the resource agencies to develop a construction plan that provides protection for sensitive resources.	MDTA	Final Design & Construction
			The MDTA will coordinate with NOAA Permits and Conservation Division in final design to secure an Incidental Harassment Authorization (IHA) for impacts to marine mammals, which would include appropriate BMPs to minimize harassment to the extent practicable.	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
	acres of nontidal and tidal wetlands, 1.1 acres of nontidal and tidal waterways (excluding the Chesapeake Bay), 10.2 acres of natural oyster bars (NOBs), 24.1 acres of historic oyster bottom, 0.6 acres of oyster sanctuaries, 6.1 acres of public shellfisheries, 136.0 acres of EFH, 290 linear feet of horseshoe crab habitat, and 2.5 acres of waterfowl staging and concentration areas. The Selected Alternative will also impact Mezick Pond and the Bay Bridge Pier Islands, which are used by colonial waterbirds as nesting sites. Impacts to habitat within the Chesapeake Bay from the Selected Alternative will impact local marine mammals that inhabit the Chesapeake Bay.	Essential Fish Habitat (EFH). There would be no additional impact to oyster sanctuaries, horseshoe crab habitat, or waterfowl staging and concentration areas.	The MDTA developed conceptual mitigation for unavoidable adverse impacts to aquatic resources (Refer to **Section 5.5.7.3** of the Final EIS for details) in coordination with regulatory agencies and supporting resource agencies. A final compensatory mitigation plan will be developed during final design.	MDTA	Final Design
			The MDTA has coordinated specific avoidance and minimization measures related to marine mammals, Federally-listed aquatic species, EFH, and HAPCs, as noted in **Section 5.5.7.3** of the Final EIS and below. The MDTA will adhere to the following Conservation Recommendations (CR) provided by NOAA Fisheries through EFH consultation: • **CR-1**: The MDTA will design the bridge to meet structural integrity, engineering efficiency, and up-to-date engineering practices. Once these design criteria have been met, the MDTA will develop an alternatives analysis evaluating measures to minimize underwater noise generated	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			during construction activities where practicable.		
			• **CR-2**: The MDTA will develop a project schedule that avoids driving piles from January 15 through May 15, unless underwater noise monitoring results demonstrate those piles can be driven while ensuring the Zone of Safe Fish Passage (ZSFP) and all applicable performance standards committed to in coordination with NOAA Fisheries are maintained. The ZSFP is defined as a minimum contiguous 7,000-foot-wide area, including at least one channel edge, while ensuring noise levels do not exceed 150 dB root mean square (RMS).	MDTA	Final Design & Construction
			• **CR-3**: The MDTA will avoid explosive demolition to the maximum extent practicable. When explosive demolition is required, the MDTA will develop a Demolition Plan in coordination with resource agencies and will conduct required blasting during times of lower biological activity (generally October 1 – December 15); specific dates will be determined during the	MDTA	Final Design & Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			development of the Demolition Plan and will incorporate the best available data including any updated telemetry data. The MDTA will coordinate with resource agencies to define how fish kills will be documented and offset, including any potential adaptive management approaches, during final design.		
			• **CR-4**: The MDTA will Develop an Underwater Noise Monitoring Plan (UNMP) that defines proposed measures to minimize, monitor, and adaptively manage hydroacoustic energy resulting from project pile installation and mechanical demolition activities, including the following elements: o From January 15 through May 15 (the anadromous fish migratory period), ensure a minimum contiguous Zone of Safe Fish Passage (ZSFP) equivalent to approximately one-third the waterway width - approximately 7,000 linear feet. The ZSFP will allow Federally managed fish species,	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			including migratory fish, to safely navigate to their spawning grounds around undesirable noise (i.e., above the 150 dB RMS behavioral threshold) and turbidity levels. The ZSFP will encompass the channel edges. o An adaptive management framework for construction activities and accompanying mitigation measures to minimize fish kills and maintain compliance with the 150 dB RMS threshold across the entire width of the ZSFP. o Monitoring measures to describe the occurrence of fish that are stunned, injured, or killed. The MDTA will coordinate with the regulatory agencies during final design to determine fish kill thresholds that would trigger construction hold		

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			points and be described in the UNMP. The MDTA will coordinate with the regulatory agencies to define an optimization plan prior to resuming the triggering construction activities, which will be included in the UNMP.		
			• **CR-5**: The MDTA will fund additional telemetry deployments prior to production pile driving when information more relevant to construction of the project is available and the project is fully funded for final design. The MDTA will collect at least two years (2 springs & 2 summers) of pre-construction data to monitor migratory behavior and validate ZSFP efficacy. The MDTA will coordinate with the agencies on the details of the initial deployment and two-year data collection and will consider the potential for long-term management of the arrays by resource agencies during final design.	MDTA	Final Design & Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			• **CR-6**: Rubble will be removed to the maximum extent practicable, and to the extent that removal would not result in greater harm to benthic environments compared to leaving the rubble in place. The decision to remove, re-use, or leave rubble in place, or use rubble to fill scour, will be determined prior to the start of demolition, using the best available data at the time and in coordination with NOAA Fisheries.	MDTA	Construction
			• **CR-7**: The MDTA will return bottom elevations approximately to existing and will provide documentation of the post-demolition conditions to the agencies.	MDTA	Construction
			• **CR-8**: The MDTA will develop a pre-construction and post-construction monitoring plan during final design to describe benthic recovery in dredged areas and identify and define measures to restore or otherwise offset documented losses of function, relative to a reference site, after three years in coordination with regulatory and resource agencies.	MDTA	Final Design through Post Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			• **CR-9**: The MDTA will only use mechanical dredging and will consider operational BMPs to further reduce impact to the Chesapeake Bay bottom during final design. The MDTA will observe the TOYRs for Natural Oyster Bars to the extent practicable as noted in **Section 5.5.7.3** of the Final EIS. The MDTA will coordinate a working meeting with relevant regulatory agencies to discuss in-water TOYRs as related to construction schedules and costs.	MDTA	Final Design & Construction
			• **CR-10**: The MDTA will observe the TOYRs for aquatic biota to the greatest extent practicable as noted in **Section 5.5.7.3** of the Final EIS. The MDTA will work with resource and regulatory agencies during final design to develop a construction plan and BMPs that provide protection for sensitive resources in compliance with all statutory requirements. The MDTA will coordinate a working meeting with relevant regulatory agencies to discuss in-water TOYRs as related to construction schedules and costs.	MDTA	Final Design & Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			• **CR-11**: The MDTA will continue to evaluate opportunities to treat stormwater from the proposed bridge spans and roadway surfaces to the extent practicable during final design.	MDTA	Final Design
			• **CR-12**: During final design, the MDTA will develop a compensatory mitigation plan (CMP) for regulatory agency approval. The CMP will include the following: (1) replacement of biogenic impacts in-kind to the greatest extent practicable; (2) replacement of permanently impacted open water habitat through out-of-kind mitigation activities to be determined in coordination with regulatory and resource agencies; (3) compensation for the temporal loss of tidal open water habitat function; (4) prioritization of compensatory mitigation projects based on the USACE mitigation hierarchy, as described in the 2008 mitigation rule (33 CFR 332.4(c)), MDE Tidal Mitigation Plan Guide, and the NOAA Mitigation Policy for Trust Resources; (5) implementation of a site protection instrument at mitigation sites for the project as	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			necessary; (6) oyster mitigation will comply with MDE's requirement that oyster mitigation activities will occur at an oyster sanctuary; and (7) final mitigation ratios to be determined in coordination with regulatory agencies during final design.		
			The MDTA will adhere to the following additional commitments: • The MDTA will use noise attenuation and minimization measures during pile driving, including: o Use of a bubble curtain system that achieves 10 dB or greater attenuation for bridge piles and 5 dB or greater attenuation for dolphin pier protection piles. The effectiveness of the bubble curtain attenuation will be demonstrated with a test pile and underwater noise program prior to initiating production pile driving activities. o Use of a "soft start" or "ramping up" pile driving (e.g., driving does not begin at 100% energy).	MDTA	Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			Soft start parameters will be determined and coordinated with NOAA Fisheries in final design. o Where softer sandy soils are at the surface, use a vibratory hammer for initial pile driving through the softer soils prior to using an impact hammer through stiffer material as practicable and as appropriate. o Use of cushion blocks to drive concrete piles with an impact hammer, as practicable and as appropriate.		
			• The MDTA will implement an effective quiet time of no pile driving for 12 consecutive hours per 24-hour period.	MDTA	Construction
			• The MDTA will develop a detailed Demolition Plan in coordination with NOAA Fisheries and submit to NOAA Fisheries for review and approval, in advance of any detonation activity. The Demolition Plan will address the following measures: o Detonation bore hole stemming, capping, or filling;	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			o Firing all charges in a single firing circuit with a delayed detonation between each charge; o Focusing blast energy towards a solid substrate rather than towards the water column; o Evaluating the feasibility of employing noise attenuating devices; o Conducting the blasting during periods of low water or low tide; o Using rubber blasting mats to reduce debris and acoustic signature; o Employing scare charges; o Installing hydrophones to confirm the impact distance to adaptively manage the Demolition Plan; o Using explosive weights that result in injury/mortality thresholds remaining within 100 feet of the blasting source; and		

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			o Using adaptive management actions between blast events to minimize fish mortality.		
			• The MDTA will employ scare charges and fish deterrent boats ahead of blasting activities. Use low weight/energy repellent charges that startle fish from the area prior to blasting, and minimize the time between repellent activities and blasting, such that fish are not allowed a recovery period to re-enter the blasting exclusion zone.	MDTA	Construction
			• The MDTA will employ species spotters and monitoring boats to scan the work area for marine mammals and sea turtles prior to blasting. Blasting will not occur when marine mammals or turtles are present.	MDTA	Construction
			• The MDTA will only use mechanical dredging.	MDTA	Construction
			• To prevent sediment and debris from entering the water, the MDTA will use geo-textile fabric, hay bales, or other methods, and will use nets, tarps, and pans when demolishing bridge superstructures.	MDTA	Construction
			• The MDTA will limit the amount and extent of turbidity and	MDTA	Final Design through Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			sedimentation by using appropriate sedimentation and turbidity controls such as turbidity curtains, silt curtains, settling basins, bridge netting and cofferdams. The MDTA will specify the measures to be used in the construction plans, including: o Install erosion control measures prior to ground disturbance; o Inspect daily and maintain continuously in an effective operating condition all ESC measures until such time as they are removed with prior permission from the MDE inspector; o Upon project completion, remove and stabilize all temporary construction materials with sediment and erosion control measures to prevent reentry into waterways.		

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			• The MDTA will minimize the suspension of sediments and disturbance of the substrate when removing piles by implementing the following applicable techniques: o Remove piles with a vibratory hammer, rather than by direct pull, jetting, or clamshell; o Remove piles slowly to reduce sediment sloughing off in the water column; o Strike or vibrate the pile to break the bond between the sediment and pile to minimize the pile breakage, and reduce the amount of sediment sloughing off the pile during removal; o Place piles on a barge equipped with a basin to contain all attached sediment and runoff water after removal.	MDTA	Construction
			• The MDTA will only use clean fill in the water.	MDTA	Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			• The MDTA will evaluate dredge material to determine the appropriate disposal method and location.	MDTA	Construction
			• The MDTA will remove cofferdams, turbidity curtains, silt curtains, or other diversion structures only after water quality is consistent with ambient levels outside the structure.	MDTA	Construction
			• The MDTA will avoid, to the greatest extent practicable, the use of creosote piles or other in-water structures, and coordinate with NOAA Fisheries if there is an essential use identified by the contractor.	MDTA	Final Design & Construction
			• The MDTA will minimize raw concrete or grout contact with the water to the maximum extent practicable.	MDTA	Construction
			• The MDTA will remove contaminants and sediments from water prior to discharging it to aquatic habitats from construction activities such as excavations, cofferdams, settling basins, and sediment ponds.	MDTA	Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			• The MDTA will manage concrete wash water and cooling water effluent from concrete saw operations to ensure they do not enter surface waters untreated.	MDTA	Construction
			• The MDTA will employ an Independent Environmental Monitor (IEM) to monitor compliance with environmental and conservation commitments and report to the regulatory agencies and MDTA concurrently.	MDTA	Construction
			• The MDTA will coordinate with NOAA Fisheries and MDNR during Final Design to determine if SAV surveys would be informative of permit conditions. If so, the MDTA will conduct SAV surveys during the growing season, prior to construction, within nearshore areas of the Action Area to determine the presence and extent of SAV beds.	MDTA	Final Design
			• The MDTA will incorporate necessary measures to avoid, minimize, or otherwise offset impacts to SAV, as appropriate. Impacts to SAV will be mitigated at a ratio of at least 3:1, depending upon the nature/scale of the impacts.	MDTA	Final Design & Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			• The MDTA will not operate or moor vessels in, or immediately adjacent to, SAV in such a way that could shade or otherwise impact SAV.	MDTA	Construction
			The MDTA will coordinate additional avoidance and minimization measures for aquatic habitat and biota with the agencies during final design.	MDTA	Final Design
Terrestrial Habitat and Biota *Final EIS Section 5.5.8*	The Selected Alternative could cause habitat fragmentation and the introduction and spread of invasive species. The Selected Alternative will impact 57.7 acres of forested areas. The majority of impacts will occur within habitat edges along existing roadways. Wetlands will also be impacted by the Selected Alternative (Refer to Regulated Wetlands and Waterways). Beyond habitat loss, construction can result in increased risk of mortality for less mobile wildlife due to construction disturbance or vehicle strikes. Construction activities also generate noise, vibration, and light pollution, which can disturb wildlife behavior and stress sensitive species.	The optional SUP would impact 1.4 acres of additional forested areas. It would also impact tidal wetlands (Refer to Regulated Wetlands and Waterways).	The MDTA will adhere to Critical Area authorization requirements for impacts to forests and trees within the Critical Area and Maryland Reforestation Law for forest and tree impacts outside the Critical Area.	MDTA	Final Design & Construction
			The MDTA developed conceptual mitigation for offsite reforestation for any remaining mitigation required after onsite reforestation is maximized (Refer to Final EIS **Section 5.5.8.1** for details). Reforestation (mitigation) plans will be developed and coordinated with the Critical Area Commission and MDNR during final design.	MDTA	Final Design
			The MDTA will coordinate with MDNR to ensure compliance with all applicable environmental regulations associated with terrestrial biota, as noted in **Section 5.5.8.2** of the Final EIS.	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			Tree clearing will be prohibited during the active season for bat species (April 1 to September 30) to avoid and minimize potential direct effects to NLEB and TCB in the action area, which will also reduce impacts to many migratory and breeding birds and other species. The MDTA will incorporate other TOYRs to the greatest extent practicable to limit work during breeding or migration seasons for sensitive species.	MDTA	Construction
Rare, Threatened, and Endangered (RTE) Species *Final EIS Section 5.5.9*	The Selected Alternative will require demolition, construction, and operational activities that could remove or degrade habitat, cause physical injury to, or alter behavior of RTE species. The Selected Alternative is not likely to adversely affect listed and proposed species under USFWS jurisdiction, including the northern long-eared bat and tricolored bat. The Selected Alternative is likely to adversely affect <u>but is not likely to jeopardize the continued existence of the following</u> listed species under NOAA Fisheries jurisdiction: <u>the New York Bight, Chesapeake Bay, Gulf of Maine,</u>	No additional species would be affected from the optional SUP.	During final design, the MDTA will develop ESC and SWM plans to minimize impacts to species.	MDTA	Final Design
			The MDTA will follow Occupational Safety and Health Administration (OSHA), MDOT, and State Highway Administration (SHA) requirements and will consider DarkSky principles for changes to permanent and temporary lighting where practicable.	MDTA	Final Design & Construction
			The MDTA will replace trees and forests, where practicable, within the LOD according to Chesapeake Bay Critical Area regulations and Maryland Reforestation Law, requiring an impact to replacement ratio ranging from 1:1 to 3:1.	MDTA	Final Design & Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
	Carolina, and South Atlantic Distinct Population Segment (DPS) of Atlantic sturgeon or shortnose sturgeon. The Selected Alternative is not likely to adversely affect the following listed species under NOAA Fisheries jurisdiction: loggerhead sea turtle, Kemp's ridley sea turtle, green sea turtle, and leatherback sea turtle. The Selected Alternative will impact habitat for several state RTE shorebirds, including Least Tern and Sora Rail. The removal of the existing bridge structure and piers would make the structure and islands unavailable for nesting, which is currently used by Peregrine Falcons and waterbirds, including Great Egret, Snowy Egret, Cattle Egret, and Black-Crowned Night Heron. The Delmarva fox squirrel, a Species in Need of Conservation, may also be affected due to impacts to forested areas in Queen Anne's County.		Tree clearing will be prohibited during the active season for bat species (April 1 to September 30) to avoid and minimize potential direct effects to NLEB and TCB in the action area. The MDTA will adhere to other TOYRs coordinated with USFWS, MDNR, and NOAA Fisheries to the greatest extent practicable.	MDTA	Construction
			Where practicable, the MDTA will use specific construction techniques and equipment to reduce aquatic impacts. These techniques will be coordinated with NOAA Fisheries during final design. The MDTA will employ the measures listed below in addition to those listed in the Aquatic Habitat and Biota section of this table to avoid, minimize, and monitor potential effects of the proposed work on Atlantic and shortnose sturgeon and sea turtles, as noted in **Section 5.5.7** of the Final EIS and below.	MDTA	Final Design & Construction
			• Remove temporary structures and fills including monitoring devices placed for underwater noise monitoring during pile driving and blasting, in their entirety. Return aquatic habitats impacted by temporary activities, fills, or structures to pre-construction or better	MDTA	Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			condition, including contours, elevations, substrate, and vegetation.		
			• Stage construction activities to reduce intensity of disturbance where appropriate and practicable. Staging of construction activities will be coordinated with the agencies during design.	MDTA	Construction
			• Avoid areas where protected species congregate for spawning/foraging or overwintering, if identified prior to or during construction. Currently, no specific spawning, foraging, or overwintering areas are known.	MDTA	Construction
			• Use pile driving underwater noise monitoring results to determine an acceptable pile driving sequence of construction that ensures the ZSFP is achieved from January 15 through May 15.	MDTA	Final Design & Construction
			• Operate construction vessels at reduced speeds (e.g., below 10 knots). Safety exemptions would be in place if needed.	MDTA	Construction
			• Employ species spotters to reduce species/vessel collisions; and keep appropriate distance from protected species if spotted.	MDTA	Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			• Use construction equipment that reduces potential for impingement and entrainment such as environmental buckets on mechanical dredges.	MDTA	Construction
			• Employ a NOAA Fisheries approved observer during mechanical dredging and removal of demolition debris in case of accidental capture.	MDTA	Construction
			• When explosive demolition is required, employ scare charges and fish deterrent sonar from boats, and monitor for the presence of tagged sturgeon, ahead of blasting activities.	MDTA	Construction
			The MDTA will adhere to the following Reasonable and Prudent Measures (RPMs) included in the Incidental Take Statement (ITS) (Terms & Conditions of each RPM are included in the *Biological Opinion* (**Appendix C**)): • **RPM-1**: All sturgeon captures, injuries, or mortalities in the immediate activity area will be reported to NOAA Fisheries within 24 hours.	MDTA	Construction
			• **RPM-2**: Any dead sturgeon will be held until proper disposal procedures can be discussed with NOAA Fisheries. The fish will be held in cold storage.	MDTA	Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
			• **RPM-3**: All sturgeon over 75 centimeters total length that are captured will have a fin clip taken for genetic analysis. This sample will be transferred to a NOAA Fisheries-approved laboratory capable of performing the genetic analysis.	MDTA	Construction
			• **RPM-4**: During blasting, acoustic measurement of the first three detonations will be conducted to confirm the estimated underwater pressure levels. If pressure levels exceed those estimates, the MDTA will contact NOAA Fisheries within 24 hours of the recorded measurement.	MDTA	Construction
			• **RPM-5**: The MDTA will submit a final blasting plan prior to demolition that contains final parameters for blasting, outline the final mitigation measures, details of the deterrent system, the noise and fish monitoring plan and require NOAA Fisheries approval of the plan before it is executed and ensure that any sturgeon killed during blasting are recorded.	MDTA	Final Design & Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
Unique and Sensitive Areas *Final EIS Section 5.5.10*	The Selected Alternative will impact 7.2 acres of HCN hubs and corridors and 109.1 acres of mapped SSPRA.	The optional SUP would result in 3.5 acres of additional impact to mapped SSPRA and no additional impacts to HCN hubs and corridors.	The MDTA will consider designs that avoid or minimize impact to HCN hubs and corridors and mapped SSPRA to the maximum extent practicable during final design. Where practicable, the MDTA will follow TOYRs to limit work during breeding or migration seasons for sensitive species and restore habitat by replanting disturbed areas with native vegetation.	MDTA	Final Design & Construction
Hazardous Materials *Final EIS Section 5.6*	The Selected Alternative will potentially impact 46 identified sites of concern, including 25 sites with a high potential for impact (rank 1), eight sites with a medium/high potential for impact (rank 3), three sites with a medium potential for impact (rank 4), and 10 sites with a low potential for impact (rank 5). The majority of impacts occur at greater depth due to releases associated with Underground Storage Tanks (USTs), gasoline stations, and various commercial properties.	No additional sites of concern would be impacted by the optional SUP.	The MDTA will complete a full American Society for Testing Materials (ASTM)-compliant Phase I Environmental Site Assessment prior to any property acquisition. Additional environmental investigations will be required to determine the extent of potential impacts based on ground disturbance activities.	MDTA	Final Design
			A project-specific materials management plan will be developed during the final design phase and implemented during the construction phase to establish procedures for identifying, handling, transporting, and disposing of contaminated materials, soils, or groundwater discovered, or construction materials generated during construction.	MDTA	Final Design & Construction
Air Quality	Mobile Source Air Toxics (MSAT) emissions for the Selected Alternative are expected to remain the same or	The optional SUP could slightly increase temporary	The MDTA will obtain all construction-related permits from MDE prior to construction.	MDTA	Final Design

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
Final EIS Section 5.7	increase slightly when compared to 2045 No-Build conditions. Construction-related temporary air quality impacts will be localized to the site and surrounding area.	air quality impacts during construction.	The MDTA will coordinate with the contractor to implement measures to minimize and mitigate temporary construction impacts to air quality, such as those listed in **Section 5.7.3** of the Final EIS.	MDTA	Construction
Noise *Final EIS Section 5.8*	The Selected Alternative will increase traffic noise in 28 Noise Sensitive Areas (NSAs). Per the noise analysis, consideration of noise abatement was completed for 11 of the impacted NSAs. Construction activities could result in temporary noise disturbance.	Construction of the optional SUP would have minimal to no additional noise impact due to the proximity of the existing highway and the construction noise generated from the Selected Alternative.	Three barriers were identified as feasible and reasonable based on the preliminary noise analysis for the Selected Alternative. The barriers provide noise abatement for seven of the 11 impacted NSAs. The MDTA will complete further study to determine the design details of any feasible and reasonable barriers as design of the Selected Alternative progresses.	MDTA	Final Design
			Additional mitigation procedures to minimize public exposure to temporary construction noise will be considered during final design, such as limiting the time of day that pile driving operations can occur, equipment adjustments, construction of noise barriers first where possible, and alteration of construction activity areas and temporary noise barriers.	MDTA	Construction

Environmental Resource	Potential Environmental Consequences of the Selected Alternative	Potential Environmental Consequences of the Optional SUP	Mitigation/Commitments	Responsible Party	Timeframe
Transit	Not Applicable	Not Applicable	The MDTA commits to providing up to approximately $40 million for transit-related improvements for local transit agencies near the Bay Bridge. The MDTA would coordinate with MTA, local governments, and local transit agencies to help them determine the potential improvements that would be most beneficial for them at that time.	MDTA	Final Design & Construction
General	Not Applicable	Not Applicable	The MDTA commits to coordinating with the SHA and local agencies to help them evaluate roadway needs and traffic operations along U.S. 50/301 approaching the Bay Bridge, outside of this study. This includes SHA's U.S. 50 from the Bay Bridge to Ocean City Project and other potential future projects that would address traffic queues during SWED, which impact the U.S. 50/301 corridor-wide network.	MDTA	Following ROD

Table 3 of the ROD is the same as **Table 4-4** of the Final EIS.

1.7 Public Outreach and Comments

A comprehensive public engagement and agency coordination program has been conducted throughout the Tier 2 Study. The MDTA and FHWA have provided opportunities for meaningful agency coordination and public involvement throughout the Tier 2 Study, including with publication of the Notice of Intent and public release of the Draft EIS.

Public engagement activities were initiated shortly after the launch of the Tier 2 Study in June 2022. The Bay Crossing Study website (baycrossingstudy.com) was launched with the Tier 1 Study in October 2017. The website is used to share project information, upcoming engagement opportunities, and gather feedback from the public. Three rounds of public open houses and one round of public hearings were held as part of the Tier 2 Study. Additionally, the MDTA held a Transit and Bicycle/Pedestrian Listening Meeting and conducted a community engagement program throughout the corridor.

The MDTA held three public hearings in February 2026 for the Tier 2 Study Draft EIS. The purpose of these hearings was to provide the opportunity for the public to provide comments and testimony on the Draft EIS. The public hearings also featured an open house to present the information in the Draft EIS, including the MDTA's Recommended Preferred Alternative (Alternative C), the alternatives analysis, and environmental impacts. The first public hearing was held virtually on Monday, February 9, 2026, with 344 attendees. An in-person hearing was held on Tuesday, February 10, 2026, at Broadneck High School on the Western Shore, with 92 attendees. This was followed by another in-person hearing on Thursday, February 12, 2026, at the Kent Island High School on the Eastern Shore, with 101 attendees.

To date, the MDTA has received over 5,600 comments and survey responses on the Tier 2 Study. Input from agencies and the public has substantially contributed to the content and analysis presented in the Draft and Final EIS. More detailed discussion of public engagement for the Tier 2 Study is provided in **Sections 7.1** and **7.2** of the Final EIS.

1.8 Conclusion

FHWA considered the alternatives, information, and analyses submitted by Federal, State, and local governments, as well as public and agency comments in the development of this ROD. FHWA, having considered this information, has determined:

1. Adequate opportunity was afforded for the presentation of all views by all parties with a substantive economic, environmental, cultural, or social interest;
2. Fair deliberation has been provided to the preservation and enhancement of the environment and to the communities near and in which the Selected Alternative is proposed;
3. All practicable measures to avoid or minimize environmental harm have been included in this decision, and where adverse effects remain, there exists no reasonable alternative to avoid and further mitigate these effects;
4. Based on a balanced deliberation of the need for safe and efficient transportation, the social, economic, cultural, and environmental effects of the proposed project, national, state and local environmental protection goals, and the Final EIS and public and agency comments submitted, in accordance with 23 CFR 771, FHWA has determined that:
    a. The requirements of 23 CFR 771 have been met;
    b. The action, to the fullest extent practicable, incorporated the environmental investigations, analyses, reviews, and consultations in a single coordinated process;
    c. Compliance with all applicable requirements is reported in the environmental impact statement required by NEPA;
    d. Public involvement and an established and comprehensive interdisciplinary approach were integral in the development process for the proposed action; and
    e. Consistent with social, economic, or other essential considerations, and from among other reasonable alternatives, the action to be undertaken by the MDTA, is an alternative that minimizes or avoids adverse environmental effects to the maximum practicable extent, including the effects reported in the environmental impact statement.

1.9 Statute of Limitations

Pursuant to 23 USC Section 139(1), FHWA will publish a statute of limitations (SOL) in the Federal Register upon issuance of this ROD. A claim arising under Federal law seeking judicial review of the Federal agency actions on the Chesapeake Bay Crossing Study Tier 2 EIS will be barred unless the claim is filed within 150 days of the publication of the SOL notice in the Federal Register.