

**SECTION V
COMMENTS AND COORDINATION**

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PURPOSE AND NEED

Project Name & Limits: US 50 Bridge over Sinapuxent Bay, MD 611 to MD 378 (Baltimore Avenue) and Somerset Street to 3 rd Street, Worcester County	
Having reviewed the attached Purpose and Need concurrence/comment package and the summary presented above, the following agency (by signing this document):	
<input checked="" type="checkbox"/> Federal Highway Administration <input type="checkbox"/> Environmental Protection Agency	<input type="checkbox"/> Corps of Engineers <input type="checkbox"/> Fish and Wildlife Service
<input type="checkbox"/> Concur (without comments) <input checked="" type="checkbox"/> Concur (w/ <u>minor</u> comments) <input type="checkbox"/> Does Not Concur	
Comments / Reasons for Non-Concurrence:	
<i>Note: Please do <u>not</u> provide "conditional" concurrence. You should either concur with the information as provided (without comments or with <u>minor</u> comments) or not concur until revisions are made or additional information is provided.</i>	
<input type="checkbox"/> National Park Service <input type="checkbox"/> National Marine Fisheries Service <input type="checkbox"/> MD Dept. of Natural Resources	<input type="checkbox"/> MD Dept. of the Environment <input type="checkbox"/> MD Department of Planning <input type="checkbox"/> MD Historical Trust <input type="checkbox"/> US Coast Guard
<input type="checkbox"/> Provides Comments (below or attached) <input type="checkbox"/> Has No Comments	
Comments:	
Additional Information Needed:	
Signature: <u><i>[Handwritten Signature]</i></u>	Date: <u><i>August 15, 2005</i></u>

[Handwritten Initials] 8/16/05



U.S. Department
of Transportation
Federal Highway
Administration

REVIEW COMMENTS

Maryland Division
City Crescent Building
10 South Howard Street, Suite 2450
Baltimore, Maryland 21201

Date: August 16, 2005

To: Caryn Brookman (via e-mail) **cc:**
File: WO419A11 Personal File

From: Ivan Marrero – FHWA

Subject: Purpose and Need Statement “Improvements at US-50 (Ocean Gateway) Harry W. Kelley Memorial Bridge over Sinepuxent Bay”

I have reviewed the subject document and have the following comments:

	Page No.	Comment
1.	10	Remove the first sentence from the conclusion. The fact that the bridge is eligible for federal funding should not be a factor in the decision making therefore this sentence should be removed.
2.		The PAN needs to include a statement that the study will also look at strategies for extending the life of the existing bridge.

PURPOSE AND NEED

Project Name & Limits: US 50 Bridge over Sinepuxent Bay, MD 611 to MD 378 (Baltimore Avenue) and Somerset Street to 3rd Street, Worcester County

Having reviewed the attached Purpose and Need concurrence/comment package and the summary presented above, the following agency (by signing this document):

Federal Highway Administration Corps of Engineers
 Environmental Protection Agency Fish and Wildlife Service

Concurs (without comments) **Concurs (w/ minor comments)** **Does Not Concur**

Comments / Reasons for Non-Concurrence:

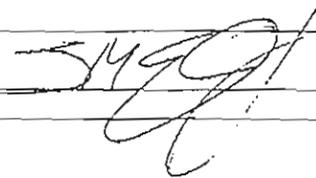
Note: Please do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with minor comments) or not concur until revisions are made or additional information is provided.

National Park Service MD Dept. of the Environment MD Historical Trust
 National Marine Fisheries Service MD Department of Planning Metropolitan Planning Org.
 MD Dept. of Natural Resources

Provides Comments (below or attached) **Has No Comments**

Comments:

Additional Information Needed:

Signature: 

Date: 7-20-05

Revised

PURPOSE AND NEED

Project Name & Limits: US 50 Bridge over Sinepuxent Bay, MD 611 to MD 378 (Baltimore Avenue) and Somerset Street to 3 rd Street, Worcester County	
Having reviewed the attached Purpose and Need concurrence/comment package and the summary presented above, the following agency (by signing this document):	
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<input type="checkbox"/> Concur (without comments) <input type="checkbox"/> Concur (w/ <u>minor</u> comments) <input type="checkbox"/> Does Not Concur	
Comments / Reasons for Non-Concurrence:	
<i>Note: Please do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with <u>minor</u> comments) or not concur until revisions are made or additional information is provided.</i>	
<input type="checkbox"/> National Park Service <input type="checkbox"/> National Marine Fisheries Service <input checked="" type="checkbox"/> MD Dept. of Natural Resources	<input type="checkbox"/> MD Dept. of the Environment <input type="checkbox"/> MD Department of Planning <input type="checkbox"/> MD Historical Trust <input type="checkbox"/> US Coast Guard
<input type="checkbox"/> Provides Comments (below or attached) <input checked="" type="checkbox"/> Has No Comments	
Comments:	
Additional Information Needed:	
Signature: <u><i>Ray C. Distano</i></u>	Date: <u>8-15-05</u>

RECEIVED

PURPOSE AND NEED

Wetlands & Waterways Program

Project Name & Limits: US 50 Bridge over Sinepuxent Bay, MD 611 to MD 378 (Baltimore Avenue) and Somerset Street to 3rd Street, Worcester County

Having reviewed the attached Purpose and Need concurrence/comment package and the summary presented above, the following agency (by signing this document):

- Federal Highway Administration
- Environmental Protection Agency
- Corps of Engineers
- Fish and Wildlife Service

Concur (without comments) Concur (w/ minor comments) Does Not Concur

Comments / Reasons for Non-Concurrence:

Note: Please do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with minor comments) or not concur until revisions are made or additional information is provided.

- National Park Service
- National Marine Fisheries Service
- MD Dept. of Natural Resources
- MD Dept. of the Environment
- MD Department of Planning
- MD Historical Trust
- US Coast Guard

Provides Comments (below or attached) Has No Comments / CONCURS

Comments:

Additional Information Needed:

Signature: [Handwritten Signature] Date: 8/19/05

Deputy Administrator
Wetlands & Waterways Program

PURPOSE AND NEED

Project Name & Limits: US 50 Bridge over Sinepuxent Bay, MD 611 to MD 378 (Baltimore Avenue) and Somerset Street to 3rd Street, Worcester County

Having reviewed the attached Purpose and Need concurrence/comment package and the summary presented above, the following agency (by signing this document):

Federal Highway Administration Corps of Engineers
 Environmental Protection Agency Fish and Wildlife Service

Concur (without comments) Concur (w/ minor comments) Does Not Concur

Comments / Reasons for Non-Concurrence:

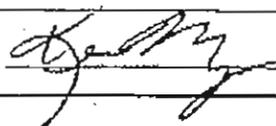
Note: Please do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with minor comments) or not concur until revisions are made or additional information is provided.

National Park Service MD Dept. of the Environment MD Historical Trust
 National Marine Fisheries Service MD Department of Planning US Coast Guard
 MD Dept. of Natural Resources

Provides Comments (below or attached) Has No Comments

Comments:

Additional Information Needed:

Signature: 

Date: 9/15/05

PURPOSE AND NEED

Project Name & Limits: US 50 Bridge over Sinepuxent Bay, MD 611 to MD 378 (Baltimore Avenue) and Somerset Street to 3rd Street, Worcester County

Having reviewed the attached Purpose and Need concurrence/comment package and the summary presented above, the following agency (by signing this document):

Federal Highway Administration
 Environmental Protection Agency

Corps of Engineers
 Fish and Wildlife Service

Concur (without comments) Concur (w/ minor comments) Does Not Concur

Comments / Reasons for Non-Concurrence:

Note: Please do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with minor comments) or not concur until revisions are made or additional information is provided.

National Park Service
 National Marine Fisheries Service
 MD Dept. of Natural Resources

MD Dept. of the Environment
 MD Department of Planning

MD Historical Trust
 Metropolitan Planning Org.

Provides Comments (below or attached) Has No Comments

Comments:

Additional Information Needed:

Signature: William Schat

Date: 7/11/05

RECEIVED
AUG 11 2005

PURPOSE AND NEED

Project Name & Limits: US 50 Bridge over Sinepuxent Bay, MD 611 to MD 378 (Baltimore Avenue) and Somerset Street to 3 rd Street, Worcester County		
Having reviewed the attached Purpose and Need concurrence/comment package and the summary presented above, the following agency (by signing this document):		
<input type="checkbox"/> Federal Highway Administration	<input type="checkbox"/> Corps of Engineers	
<input type="checkbox"/> Environmental Protection Agency	<input type="checkbox"/> Fish and Wildlife Service	
<input type="checkbox"/> Concur (without comments) <input type="checkbox"/> Concur (w/ <u>minor</u> comments) <input type="checkbox"/> Does Not Concur		
Comments / Reasons for Non-Concurrence:		
<i>Note: Please do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with <u>minor</u> comments) or not concur until revisions are made or additional information is provided.</i>		
<input type="checkbox"/> National Park Service	<input type="checkbox"/> MD Dept. of the Environment	<input checked="" type="checkbox"/> MD Historical Trust
<input type="checkbox"/> National Marine Fisheries Service	<input type="checkbox"/> MD Department of Planning	<input type="checkbox"/> US Coast Guard
<input type="checkbox"/> MD Dept. of Natural Resources		
<input type="checkbox"/> Provides Comments (below or attached) <input checked="" type="checkbox"/> Has No Comments		
Comments:		
Additional Information Needed:		
Signature: <u>Andrew Lewis</u>	Date: <u>9/30/05</u>	

PURPOSE AND NEED

Project Name & Limits: US 50 Bridge over Sinepuxent Bay, MD 611 to MD 378 (Baltimore Avenue) and Somerset Street to 3 rd Street, Worcester County	
Having reviewed the attached Purpose and Need concurrence/comment package and the summary presented above, the following agency (by signing this document):	
<input type="checkbox"/> Federal Highway Administration <input type="checkbox"/> Corps of Engineers <input type="checkbox"/> Environmental Protection Agency <input type="checkbox"/> Fish and Wildlife Service	
<input type="checkbox"/> Concurs (without comments) <input type="checkbox"/> Concurs (w/ <u>minor</u> comments) <input type="checkbox"/> Does Not Concur	
Comments / Reasons for Non-Concurrence:	
<i>Note: Please do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with <u>minor</u> comments) or not concur until revisions are made or additional information is provided.</i>	
<input checked="" type="checkbox"/> National Park Service <input type="checkbox"/> MD Dept. of the Environment <input type="checkbox"/> MD Historical Trust <input checked="" type="checkbox"/> National Marine Fisheries Service <input type="checkbox"/> MD Department of Planning <input type="checkbox"/> Metropolitan Planning Org. <input type="checkbox"/> MD Dept. of Natural Resources	
<input checked="" type="checkbox"/> Provides Comments (below or attached) <input type="checkbox"/> Has No Comments	
Comments:	
<i>Essential Fish Habitat Assessment, Section 7 Consultation (Endangered Species Act)</i>	
Additional Information Needed:	
Signature: <u>John S. Piell</u>	Date: <u>7/1/05</u>



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Habitat Conservation Division
904 South Morris Street
Oxford, Maryland 21654

July 8, 2005

MEMORANDUM TO: Paul Wettlaufer
Regulatory Branch, Special Projects Section

FROM: John Nichols 

SUBJECT: U.S. 50 Bridge, Sinepuxent Bay

This pertains to the Purpose and Need Statement, dated June 27, 2005, for the proposed replacement or upgrading of the U.S. 50 Bridge over Sinepuxent Bay (Maryland Route 611 to Maryland Route 378). The following are National Marine Fisheries Service (NMFS) comments attached as a supplement to the project concurrence form.

Sinepuxent Bay, including the project area and vicinity, is Essential Fish Habitat (EFH) for an array of marine and estuarine federally managed finfish, including larval, juvenile, and adult summer flounder (*Paralichthys dentatus*). We are particularly concerned about the earlier life stages of summer flounder, which use the project waters as nursery ground, and are highly vulnerable to various types of in-water construction activities.

Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation & Management act requires all federal agencies to consult with NMFS on any action authorized, funded or undertaken by that agency that may adversely affect EFH. The consultation process includes preparation of an EFH assessment. The assessment should include, at minimum, the following information: 1) a complete description of the proposed action; 2) species with designated EFH for the project area; 3) an analysis of the potential impacts of the project on EFH and affected species, including cumulative and secondary impacts, and impacts to prey species consumed by managed species; 4) your agency's determination on the effects of the proposed action of EFH and associated species; and, 5) mitigative measures incorporated by your agency to offset and/or minimize adverse impacts to EFH and associated species.

Although an EFH assessment for this project has not been provided at this time, we are able to provide you with issues that will be of concern to NMFS during the Streamlined Environmental Regulatory Process for this project, as well as preliminary EFH Conservation Recommendations.

1. Instream work, particularly actions that will re-suspend fine-grain sediment into the water column, result in erosion of soil into adjacent waters, inhibit movements of aquatic fauna, or produce lethal subaqueous shock waves should be restricted from April 1 through June 30, to protect early juvenile life stages of summer flounder.

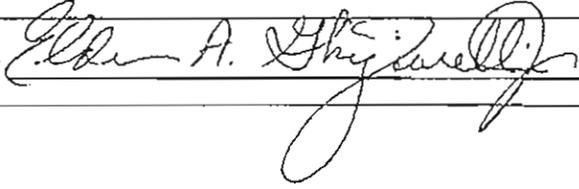


2. If a new bridge is to be constructed, and the existing bridge ultimately removed, a detailed analysis of potential demolition methods should be required, particularly methods involving subaqueous blasting. Shock waves resulting from subaqueous blasting can have lethal effects on a wide array of marine life. If subaqueous blasting is required for bridge demolition, measures will be needed to minimize adverse effects on marine fauna.
3. A similar analysis for minimizing subaqueous shock wave lethality on marine fauna should also be applied to activities involving driving of large steel pilings into position. (i.e., should large steel pilings be required for a replacement bridge).

Finally, several species of threatened and endangered marina turtles are known to occur in the Maryland coastal embayments, including the project area and vicinity. Therefore, your agency should contact Sara McNulty of our Protected Resources Division in Gloucester, MA; (978) 281-9328, ext. 6535, to determine your requirements for Section 7 Consultation for this project under the Endangered Species Act.

If there are any questions, please contact me at (410) 226-5606, or, John.Nichols@NOAA.GOV.

ALTERNATIVES RETAINED FOR DETAILED STUDY

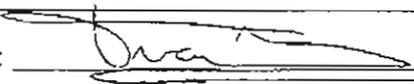
Project Name & Limits: US 50 Crossing Study, MD 611 to MD 378 (Baltimore Avenue) and Somerset Street to 3 rd Street, Worcester County	
Having reviewed the attached Alternatives Retained for Detailed Study concurrence/comment package and the summary presented above, the following agency (by signing this document):	
<input type="checkbox"/> Federal Highway Administration <input type="checkbox"/> Environmental Protection Agency	<input type="checkbox"/> Corps of Engineers <input type="checkbox"/> Fish and Wildlife Service
<input type="checkbox"/> Concurs (without comments) <input type="checkbox"/> Concurs (w/ <u>minor</u> comments) <input type="checkbox"/> Does Not Concur	
Comments / Reasons for Non-Concurrence:	
<i>Note: Please do <u>not</u> provide "conditional" concurrence. You should either concur with the information as provided (without comments or with <u>minor</u> comments) or not concur until revisions are made or additional information is provided.</i>	
<input type="checkbox"/> National Park Service <input type="checkbox"/> National Marine Fisheries Service <input type="checkbox"/> MD Dept. of Natural Resources	<input type="checkbox"/> MD Dept. of the Environment <input type="checkbox"/> MD Department of Planning
<input type="checkbox"/> Provides Comments (below or attached) <input checked="" type="checkbox"/> Has No Comments	
Comments:	
Additional Information Needed:	
Signature: 	Date: <u>5/14/07</u>

Send to:

Theresa Christian
 State Highway Administration
 707 N. Calvert Street
 Mail Stop C-301
 Baltimore, MD 21202

Or fax to: 410-209-5004

ALTERNATIVES RETAINED FOR DETAILED STUDY

Project Name & Limits: US 50 Crossing Study – Ocean City From: MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3 rd Street to Somerset Street in the north-south direction.		
Having reviewed the attached Alternatives Retained for Detailed Study concurrence/comment package and the summary presented above, the following agency (by signing this document):		
<input checked="" type="checkbox"/> Federal Highway Administration	<input type="checkbox"/> Fish and Wildlife Service	<input type="checkbox"/> MD Dept. of Natural Resources
<input type="checkbox"/> Environmental Protection Agency	<input type="checkbox"/> National Park Service	<input type="checkbox"/> MD Dept. of the Environment
<input type="checkbox"/> Corps of Engineers	<input type="checkbox"/> National Marine Fisheries Service	
<input type="checkbox"/> Concur (without comments)	<input checked="" type="checkbox"/> Concur (w/ <u>minor</u> comments)	<input type="checkbox"/> Does Not Concur
Comments / Reasons for Non-Concurrence:		
<i>Note: Do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with <u>minor</u> comments) or not concur until revisions are made or additional information is provided.</i>		
<input type="checkbox"/> MD Historical Trust	<input type="checkbox"/> MD Department of Planning	<input type="checkbox"/> Metropolitan Planning Organization
<input type="checkbox"/> Provides Comments (below or attached)	<input type="checkbox"/> Has No Comments	
Comments:		
Additional Information Needed:		
Signature: 	Date: <u>2-2-07</u>	

Send to:

Theresa Christian
State Highway Administration
707 N. Calvert Street
Mail Stop C-301
Baltimore, MD 21202

Or fax to: 410-209-5004

FEB05'07 AM 0:00 BRPE

ALTERNATIVES RETAINED FOR DETAILED STUDY

Project Name & Limits: US 50 Crossing Study – Ocean City

From: MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3rd Street to Somerset Street in the north-south direction.

Having reviewed the attached Alternatives Retained for Detailed Study concurrence/comment package and the summary presented above, the following agency (by signing this document):

Federal Highway Administration Fish and Wildlife Service MD Dept. of Natural Resources
 Environmental Protection Agency National Park Service MD Dept. of the Environment
 Corps of Engineers National Marine Fisheries Service

Concur (without comments) Concur (w/ minor comments) Does Not Concur

Comments / Reasons for Non-Concurrence:

Note: Do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with minor comments) or not concur until revisions are made or additional information is provided.

MD Historical Trust MD Department of Planning Metropolitan Planning Organization
 Provides Comments (below or attached) Has No Comments

Comments:

Additional Information Needed:

Signature: *A. James Wilkins*

Date: 2-27-07

Send to:

Theresa Christian
State Highway Administration
707 N. Calvert Street
Mail Stop C-301
Baltimore, MD 21202

Or fax to: 410-209-5004

MAR 01 '07 BY: 1:56 DTFE

ALTERNATIVES RETAINED FOR DETAILED STUDY

Project Name & Limits: US 50 Crossing Study – Ocean City

From: MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3rd Street to Somerset Street in the north-south direction.

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Federal Highway Administration Fish and Wildlife Service MD Dept. of Natural Resources
 Environmental Protection Agency National Park Service MD Dept. of the Environment
 Corps of Engineers National Marine Fisheries Service

Concur (without comments) Concur (w/ minor comments) Does Not Concur

Comments / Reasons for Non-Concurrence:

Note: Do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with minor comments) or not concur until revisions are made or additional information is provided.

MD Historical Trust MD Department of Planning Metropolitan Planning Organization

Provides Comments (below or attached) Has No Comments

Comments: For Alternative 2, is it feasible to build an elevated walkway/fishing pier attached to the existing bridge so that the existing sidewalks could be reconstructed as shoulders/bike lanes?

Additional Information Needed:

Signature: *[Signature]*

Date: 2/26/2007

Send to:

Theresa Christian
State Highway Administration
707 N. Calvert Street
Mail Stop C-301
Baltimore, MD 21202

Or fax to: 410-209-5004

FEB 28 10 07 AM '07

ALTERNATIVES RETAINED FOR DETAILED STUDY

Project Name & Limits: US 50 Crossing Study – Ocean City

From: MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3rd Street to Somerset Street in the north-south direction.

Having reviewed the attached Alternatives Retained for Detailed Study concurrence/comment package and the summary presented above, the following agency (by signing this document):

Federal Highway Administration Fish and Wildlife Service MD Dept. of Natural Resources
 Environmental Protection Agency National Park Service MD Dept. of the Environment
 Corps of Engineers National Marine Fisheries Service USCG BRIDGE OFFICE

Concurs (without comments) **Concurs (w/ minor comments)** **Does Not Concur**

Comments / Reasons for Non-Concurrence:

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MD Historical Trust MD Department of Planning Metropolitan Planning Organization
 Provides Comments (below or attached) Has No Comments

Comments:

Additional Information Needed:

Signature: _____

Date: _____

2/16/2001

Send to:

Theresa Christian
State Highway Administration
707 N. Calvert Street
Mail Stop C-301
Baltimore, MD 21202

Or fax to: 410-209-5004

ALTERNATIVES RETAINED FOR DETAILED STUDY

Project Name & Limits: US 50 Crossing Study – Ocean City

From: MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3rd Street to Somerset Street in the north-south direction.

Having reviewed the attached Alternatives Retained for Detailed Study concurrence/comment package and the summary presented above, the following agency (by signing this document):

Federal Highway Administration Fish and Wildlife Service MD Dept. of Natural Resources
 Environmental Protection Agency National Park Service MD Dept. of the Environment
 Corps of Engineers National Marine Fisheries Service

Concur (without comments) Concur (w/ ~~minor~~ comments) Does Not Concur

Comments / Reasons for Non-Concurrence: *Comments will be mailed at a later date.*

Note: Do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with minor comments) or not concur until revisions are made or additional information is provided.

MD Historical Trust MD Department of Planning Metropolitan Planning Organization

Provides Comments (below or attached) Has No Comments

Comments:

Additional Information Needed:

Signature: *William Schutt* Date: *4/4/07*

Send to:

Theresa Christian
State Highway Administration
707 N. Calvert Street
Mail Stop C-301
Baltimore, MD 21202

Or fax to: 410-209-5004



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401



April 3, 2007

Mr. Joseph Kresslein
State Highway Administration
707 North Calvert St.
Baltimore, MD 21202

Attn: Theresa Christian

Re: US 50 bridge crossing of Sinepuxent Bay

Dear Mr. Kresslein:

The U.S. Fish and Wildlife Service (Service) is taking this opportunity to respond to the Maryland State Highway Administration (SHA) Alternatives Retained for Detail Study. The Service was pleased with the aerial photographs and figures which clearly depicted the location and potential impacts of the proposed alternatives to the Sinepuxent Bay resources. The Service was also pleased that SHA provided detailed explanations for retaining or dropping the various alternatives.

However, the Service was disappointed that Alternative 6 was dropped from further consideration. Alternative 6 was the only alignment that was located north of Skimmer Island, an island that may be migrating south towards the existing bridge. Both the Service and the Maryland Division of Natural Resources (DNR) agreed that this alignment provided the greatest distance from Skimmer Island than any of the other alternatives and would have caused the least disturbance to colonial nesting birds using the island. Skimmer Island provides nesting habitat for the following State-listed Endangered colonial nesting species: royal tern (*Sterna maxima*), sandwich tern (*Sterna sandvichensis*), and black skimmer (*Rhynchops niger*). To provide further documentation, the Service has asked the Wildlife and Heritage Service to record the number of nesting pairs of each colonial nesting bird species that use the island annually.

In the Study, SHA removed this alternative from further consideration because it would: 1) require the longest bridge; 2) require the purchase of the greatest acreage of right-of-way; 3) bypass traffic around existing businesses; 4) impact 3.2 acres of tidal wetlands; and 5) impact a buffer to a Wetland of Special State Concern. The Service was especially concerned that this

alignment would impact 3.2 acres of tidal wetlands which would be difficult to replace. But because colonial nesting bird habitat is so limited in this area, it is the Service's opinion that conserving this natural resource takes priority over conserving tidal wetland habitat.

Several of the concerns listed by SHA can be minimized if a vegetation control program is initiated and an island replacement site is located. These programs would involve the following:

1. Initiate a vegetation control program that should begin during the summer of 2007. The colonial birds of interest prefer bare sand to nest. After the initial vegetation control program, the island will probably have to be re-sprayed the following year. After the first two years, spraying will probably need to occur every third or fourth year.
2. Work with the Corps of Engineers, U.S. Fish and Wildlife Service, Natural Marine Fisheries Service, Department of Natural Resources, and local government officials to determine the best location for a replacement island if Skimmers Island migrates towards the new Sinepuxent Bay bridge crossing. The Service would request that SHA replace the island at its 2007 location or at a new location if the island migrates toward the new bridge and the colonial nesters abandon Skimmer Island. If the colonial nesting birds disappear from Skimmer Island before the start of construction of the new bridge, the Service would not require SHA to replace the island

We appreciate the opportunity to provide comments on this Study and look forward to discussing the matter with you further. If you have any questions, please call Bill Schultz of my staff at (410) 573-4586.

Sincerely



John P. Wolflin
John P. Wolflin
Field Supervisor, Chesapeake Bay Field Office

ALTERNATIVES RETAINED FOR DETAILED STUDY

Project Name & Limits: US 50 Crossing Study – Ocean City From: MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3 rd Street to Somerset Street in the north-south direction.		
Having reviewed the attached Alternatives Retained for Detailed Study concurrence/comment package and the summary presented above, the following agency (by signing this document):		
<input type="checkbox"/> Federal Highway Administration	<input type="checkbox"/> Fish and Wildlife Service	<input checked="" type="checkbox"/> MD Dept. of Natural Resources
<input type="checkbox"/> Environmental Protection Agency	<input type="checkbox"/> National Park Service	<input type="checkbox"/> MD Dept. of the Environment
<input type="checkbox"/> Corps of Engineers	<input type="checkbox"/> National Marine Fisheries Service	
<input type="checkbox"/> Concur (without comments)	<input checked="" type="checkbox"/> Concur (w/ <u>minor</u> comments)	<input type="checkbox"/> Does Not Concur
Comments / Reasons for Non-Concurrence:		
<i>Note: Do <u>not</u> provide "conditional" concurrence. You should either concur with the information as provided (without comments or with <u>minor</u> comments) or not concur until revisions are made or additional information is provided.</i>		
<input type="checkbox"/> MD Historical Trust	<input type="checkbox"/> MD Department of Planning	<input type="checkbox"/> Metropolitan Planning Organization
<input type="checkbox"/> Provides Comments (below or attached)	<input type="checkbox"/> Has No Comments	
Comments:		
Additional Information Needed:		
Signature: <u>Ray C. Dinstaman Jr</u>	Date: <u>3-19-07</u>	

Send to:

Theresa Christian
State Highway Administration
707 N. Calvert Street
Mail Stop C-301
Baltimore, MD 21202

Or fax to: 410-209-5004



Martin O'Malley, Governor
John R. Griffin, Secretary

March 19, 2006

Mr. Joseph Kresslein
State Highway Administration
P.O. Box 717
Baltimore, Maryland 21203-0717

Dear Mr. Kresslein:

This letter is in response to the State Highway Administration (SHA) request for Maryland Department of Natural Resources' (DNR) concurrence on the Alternatives Retained for Detailed Study (ARDS) package for the US 50 Crossing Study (US 50: from MD 611 to MD 378 [Baltimore Avenue] and from 3rd Street to Somerset Avenue), Project No. WO419A11, Worcester County.

Department staff has participated in discussions of this project at the monthly interagency meetings and several additional project-specific meetings. We have also reviewed the written documentation on the project. The Department concurs with the Alternates Retained for Detailed Study package for the project, dated January 26, 2007, with the following comments:

In the commenting timeframes before and during preliminary ARDS decision making by the project team, the Department had advocated the retention of Alternative 6 through the complete ARDS stage, as Alternative 6 represented a significantly different alternative concept than the other alternatives under consideration. Given the sensitive colonial waterbird habitat located on Skimmer Island within the study area, we emphasized the importance of this difference for the upcoming period of study in which the project team would be considering optimized measures for avoiding and minimizing resource impacts, as feasible. Holding true to the phased process of review, we were taking no position yet on whether Alternative 6 would have ultimately been favorable in our own review, only that we did not have enough information prior to ARDS study, and the detailed study provided by the ARDS stage might provide additional important insight.

In the current ARDS package we find that our summarized position is accurately described so that it can be clear for the public record. This public record is an important aspect for the Department, including the documentation of how SHA reached their decisions on the ARDS proposal. Over the last several months, DNR and SHA have explored and discussed the various information that SHA must consider in their ARDS decisions, only a part of which are the DNR comments. This information has included other potential resource impacts, engineering constraints, cost estimates, economic concerns, and public comments. We have a thorough understanding now on what the project team has considered for their ARDS decision. We have no further questions or comments on that information following our coordination and we appreciate the opportunity to discuss those details. The ARDS package provides initial documentation of those other

considerations. We encourage the study team to also retain the detailed background information regarding these other considerations for the project files.

From the perspective that Alternative 6 offered a significantly different treatment of the area in the vicinity Skimmer Island, the Department is disappointed that Alternative 6 was not found to qualify for detailed study. However, we are able to concur with the study team decision and proposal on ARDS based on their presentation of the complete set of information they considered in their decision, the acknowledgement of the importance of the sensitive species habitat, and the commitment stated in the ARDS package to thoroughly consider impact avoidance and minimization measures for this habitat under the retained alternatives. We confirm that significant habitat protection issues remain and will be addressed during further study based on current resource location and the waterbird colony buffer. This will especially be true if future sand bar migration in the area elevates the concern for habitat conflicts during construction or subsequent operation of the new bridge. We are in full support and strongly advocate SHA's efforts to conduct a study of sand migration patterns in the vicinity, including modeling and projections of future sand bar locations to be conducted by experts in this field.

In the following paragraphs, we are documenting our major commenting points from the last several months of coordination on ARDS, so that this information will be consolidated and available for the public record:

It is important that study of the remaining alternatives retained for detailed study include specific considerations for the sensitive waterbird species found in the area. Potential impacts to the rare, threatened, and endangered species we are charged to protect under the authority of Maryland law via Natural Resource Article 10-2A could be more likely for alternatives along the existing bridge, especially under a scenario of a migrating Skimmer Island. The remaining alternatives will need careful, thorough, and rigorous analysis of the potential impacts to the State listed species in question. Above all, further evaluations of potential impacts associated with the project as it is conceived now will require close coordination with DNR's Wildlife and Heritage Service. As stated previously, our principal concern lies with Skimmer Island, a flood tidal shoal system that provides essential nesting habitat for two State listed endangered species, the black skimmer and the royal tern. It should be noted that there are other colonial nesting waterbird species of conservation interest found there as well. Skimmer Island is a dynamic piece of colonial waterbird nesting habitat that has changed significantly over the past 25 years and will continue to do so into the future. There are certain potential sand migration scenarios that could place Skimmer Island or a similar land form closer to, underneath, or even south of the US 50 Bridge in the next 25 to 75 years. Under some of these scenarios, expansion of the existing US 50 bridge alignment from its existing footprint could cause significant and potentially unacceptable impacts to the Black Skimmer and Royal Tern populations in question. This is especially relevant given the fact that this particular site represents the only viable nesting location for Royal Tern in the State. It is essential that the project's future actions be considered under the provisions of Title 08 in COMAR, regarding potential to "jeopardize the continued existence" of these species, to avoid an undesirable and potentially unlawful outcome in the context of our functional jurisdiction as it relates to conserving viable populations of wildlife across the State. We understand and agree that the study of sand migration and further consideration

of potential impact avoidance and minimization measures, as well as potential mitigation measures to be considered later, for the alternatives still under consideration will aim to avoid such an outcome.

We also understand that there are scenarios where the island may be simply rotating or migrating in a less direct manner. However, other shoal systems may develop separately, and could still place the project in closer proximity to new habitat for the species of concern. The sand migration study being undertaken, as one component of the proactive efforts to avoid and minimize conflicts with the conservation of the sensitive species, will be invaluable in assessing this situation.

We are also supportive of SHA's commitment to consider potential mitigation options that could be developed in the event that Skimmer Island and/or the sensitive bird species it supports are impacted in a significant manner by this project. This would include any scenario such as documented island migration where future impacts from project construction and operation might be expected to be greater than they would be today. Before mitigation is considered in detail, impacts to sensitive habitats must be assessed, along with avoidance and minimization design features and Best Management Practices. The likelihood of traffic conflicts with birds in flight for any project alternative must be considered as part of the project review. Our preliminary consideration of possible future mitigation options leads us to conclude that the sand migration study must be completed, or at least must submit its initial results, before we can provide more detailed recommendations on possible mitigation efforts for the sensitive species found in this study area. Generally, we would not discuss mitigation at this early stage. However, the sensitivity of these species, combined with the potential for impacts, the scope and scale of possible later mitigation concepts, and the interests of several other commenting resource agencies makes it worthwhile to initially address the issue, as staff have been discussing in the coordination meetings. In general, mitigation for the type of habitat of concern in this case might include consideration of wildlife or vegetation management on existing lands in cooperation with DNR, other protection or enhancement of usable habitat (specifically, isolated open sand areas), or creation of new usable habitat (i.e. the creation of one or more new sand islands).

The following list of recommendations by our Wildlife and Heritage Service were compiled during interagency coordination on the justification for dropping Alternative 6. We confirm that each of the items in this list have been discussed and addressed initially in a positive manner by SHA, although most will require further study and coordination.

With the dropping of Alternative 6 from ARDS, the Department of Natural Resources asserts that the following efforts are essential to incorporate in the future evaluation and analysis of the remaining alternatives, in order to fully address the sensitive species habitat of concern:

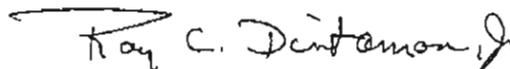
1. Analysis of the flood tidal shoal migration and change, including modeling and projections over the long term (25 to 75 years).

2. Analysis of the impacts upon flood tidal shoal migration and change that may be attributable to the specific options retained for further study (i.e. how the project itself may influence the migration).
3. Presentation of avoidance, minimization, and mitigation options related to potential impacts of long-term habitat loss to Black Skimmers and Royal Terns that might result from the alternatives retained for detailed study. A range of options should also be addressed for other sensitive (non-RTE) colonial nesting waterbird species found in the area.
4. Comparison of the impacts to Black Skimmers and Royal Terns from alternatives selected for further study to impacts associated with Alternative 6 (for clarification, this comment acknowledges that Alternative 6 will not be carried forward, so the initial comparison has already been completed at the preliminary alternatives stage, as well as through the interagency discussion of ARDS decisions; however, further study will be done of avoidance, minimization, and mitigation measures that may be appropriate with the retained alternatives).
5. Analysis of the potential for "take" of listed species under current statute which would result from any of the alternatives being retained for detailed study, including consideration of any increase in traffic volumes related to the project.

Regarding ownership of Skimmer Island and nearby sand or spoils islands, our staff is not immediately clear on the ownership of these islands. Our preliminary coordination with DNR's Public Lands Policy and Planning Unit, which would review any project aspects potentially affecting public lands owned and managed by the Department, indicates that the ownership of the islands would need to be researched. Please inform us whether SHA has already conducted such research or could do so during detailed studies. If so, we request that the results of such landowner research be provided to DNR when available. The review of potential use of DNR lands for transportation projects is carried out in a Department process separate from our NEPA related environmental review process. Please coordinate with our Public Lands Policy and Planning unit regarding any DNR lands within the study area.

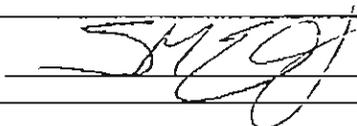
If you have any questions concerning these comments you may contact Greg Golden of my staff at 410-260-8334.

Sincerely,



Ray C. Dintaman, Jr., Director
Environmental Review Unit

ALTERNATIVES RETAINED FOR DETAILED STUDY

Project Name & Limits: US 50 Crossing Study – Ocean City From: MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3 rd Street to Somerset Street in the north-south direction.		
Having reviewed the attached Alternatives Retained for Detailed Study concurrence/comment package and the summary presented above, the following agency (by signing this document):		
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<input checked="" type="checkbox"/> Corps of Engineers	<input type="checkbox"/> National Marine Fisheries Service	
<input checked="" type="checkbox"/> Concur (without comments)	<input type="checkbox"/> Concur (w/ <u>minor</u> comments)	<input type="checkbox"/> Does Not Concur
Comments / Reasons for Non-Concurrence:		
<i>Note: Do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with <u>minor</u> comments) or not concur until revisions are made or additional information is provided.</i>		
<input type="checkbox"/> MD Historical Trust	<input type="checkbox"/> MD Department of Planning	<input type="checkbox"/> Metropolitan Planning Organization
<input type="checkbox"/> Provides Comments (below or attached)	<input type="checkbox"/> Has No Comments	
Comments:		
Additional Information Needed:		
Signature: <u></u>	Date: <u>2.9.07</u>	

Send to:

Theresa Christian
State Highway Administration
707 N. Calvert Street
Mail Stop C-301
Baltimore, MD 21202

Or fax to: 410-209-5004

ALTERNATIVES RETAINED FOR DETAILED STUDY

FEB05:07 PM 1:50 OPRE

Project Name & Limits: US 50 Crossing Study – Ocean City From: MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3 rd Street to Somerset Street in the north-south direction.		
Having reviewed the attached Alternatives Retained for Detailed Study concurrence/comment package and the summary presented above, the following agency (by signing this document):		
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<input type="checkbox"/> Concurs (without comments) <input type="checkbox"/> Concurs (w/ <u>minor</u> comments) <input type="checkbox"/> Does Not Concur		
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<input type="checkbox"/> Provides Comments (below or attached)		<input checked="" type="checkbox"/> Has No Comments
Comments:		
Additional Information Needed:		
Signature: <u>John Tomlinson</u>		Date: <u>2/2/07</u>

Send to:

Theresa Christian
State Highway Administration
707 N. Calvert Street
Mail Stop C-301
Baltimore, MD 21202

Or fax to: 410-209-5004

ALTERNATIVES RETAINED FOR DETAILED STUDY

Project Name & Limits: US 50 Crossing Study – Ocean City
From: MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3rd Street to Somerset Street in the north-south direction.

Having reviewed the attached Alternatives Retained for Detailed Study concurrence/comment package and the summary presented above, the following agency (by signing this document):

Federal Highway Administration Fish and Wildlife Service MD Dept. of Natural Resources
 Environmental Protection Agency National Park Service MD Dept. of the Environment
 Corps of Engineers National Marine Fisheries Service

Concurs (without comments) Concurs (w/ minor comments) Does Not Concur

Comments / Reasons for Non-Concurrence:
See attached comments.

Note: Do not provide "conditional" concurrence. You should either concur with the information as provided (without comments or with minor comments) or not concur until revisions are made or additional information is provided.

MD Historical Trust MD Department of Planning Metropolitan Planning Organization
 Provides Comments (below or attached) Has No Comments

Comments:

Additional Information Needed:

Signature: *J. S. Ficht* Date: 11/9/07

Send to:
 Theresa Christian
 State Highway Administration
 707 N. Calvert Street
 Mail Stop C-301
 Baltimore, MD 21202

Or fax to: 410-209-5004



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Habitat Conservation Division
Chesapeake Bay Program Office
410 Severn Ave., Suite 107A
Annapolis, Maryland 21403

January 9, 2007

MEMORANDUM TO: Theresa Christian
State Highway Administration, Project Planning

FROM: John Nichols *JN*
Officer in Charge

SUBJECT: U.S. 50 Crossing of Sinepuxent Bay, Ocean City, Maryland

The National Marine Fisheries Service (NMFS) has reviewed the Alternatives Retained for Detailed Study package for the U.S. 50 Crossing of Sinepuxent Bay, and offers concurrence on the selected alternatives. We have also provided the following comments and recommendations pertaining to the selected alternatives and the continuing study of this proposal.

NMFS PREFERRED ALTERNATIVES

As discussed in our January 12, 2006 memorandum on the Preliminary Concepts Descriptions for this study, we remain concerned about potential changes that this project will have on local estuarine circulation and sediment movement patterns. We, therefore, continue to favor those alternatives that will be situated closest to the existing bridge, and which should minimize changes to estuarine circulation. In addition to Alternative 2 (Rehabilitation of the Existing Bridge), we favor Alternatives 5 and 5a. We also maintain our recommendation that analyses covering potential changes in local circulation and sediment drift patterns be conducted for all selected alternatives.

CONSTRUCTION ISSUES

As discussed on our July 8, 2005 memorandum on the Purpose and Need Statement for this study, we are concerned about the potential use of large-diameter hollow steel piles for support of a new bridge or other temporary structures, particularly with regard to shock-waves that are produced from driving such pilings into position. Power-driving of larger-diameter hollow steel piles produces high energy shock waves that can kill or injure finfish in the immediate vicinity of the pile driving activity. In discussions with your staff, we have learned that use of large hollow steel pilings may be necessary for securing adequate support of a new bridge structure because of the thick overlying layer of fine-grain and/or unconsolidated sediments in the project area.

Adult fish mortality from power-driving of hollow steel piles has been documented for other projects, such as the Woodrow Wilson Bridge Project in Alexandria, Virginia. Fish mortality observed during Wilson Bridge construction operations occurred during driving of piles with a 66-inch or greater bore diameter, which generated a maximum force of 360,000 ft.-lbs. Highest shock wave levels occurred within 150 feet of the driving operation. Power-driving of hollow steel piles under 60-inch bore diameter was also treated with concern, although maximum driving force was one-half of that generated for piles exceeding 66-inch bore.

NMFS has recommended that instream work (as defined in our July 8, 2005 memorandum) be restricted from April 1 through June 30, during the summer flounder nursery period in the Maryland coastal bays. Incorporating this restriction will preclude pile-driving activity during the period of peak juvenile flounder abundance in the project area, particularly important for protecting the progeny of this species because smaller fish are more susceptible to pile-driving shock waves.



Protecting fish and other marine life from pile-driving shock waves is also needed year-round, including during late autumn and winter months, when larval summer flounder begin to enter the coastal bays. We therefore recommend that your agency consult methods used during the Woodrow Wilson Bridge construction operations for mitigating the effects of shock waves produced from power-driving of large hollow steel piles. Such methods included use of a large hollow steel pile, or "can", to encase the pile being driven, coupled with a compressed air bubble curtain, also contained within the "can". The combination of the "can" and bubble curtain reduced shock wave levels up to 95% immediately outside the can, and to levels well below those lethal to fish (i.e., from 55 psi to 1 psi). Additional information on the latter measures can be obtained from the following references.

- 1) Potomac Crossing Consultants
6711A Oxon Hill Road
Oxon Hill, Maryland 20745
Mike Baker, Cell Phone # (202) 438-7499, or, bakerm@wwhgee.com

- 2) Potomac Crossing Consultants. January 2003. Supplemental Shortnose Sturgeon Biological Assessment, Woodrow Wilson Bridge Project. Prepared for: Section 7, Endangered Species Act Consultation with the National Marine Fisheries Service.

Shock wave mitigating measures, such as those discussed above, should be used for power-driving any hollow steel piles with diameters of 48 inches or greater, to ascertain that local marine resources will be conservatively protected during this operation.

Shock waves from subaqueous blasting also can be lethal to a wide array of marine life. Although Alternative 7, as well as demolition of the existing U.S. 50 Bridge are unlikely to be considered further in this study, regulatory issues pertaining to protecting marine life from subaqueous blasting should be kept in mind should the need for this demolition technique arise in the future.

The latest Virginia Institute of Marine Science aerial surveys for submerged aquatic vegetation (SAV) (i.e., 2004 growing season) indicate that SAV is not present in the project vicinity. However, should future survey information (i.e., from VIMS, or by ground-truth observations) document SAV presence within 500 yards of the project site, measures should be incorporated into the construction format to protect this habitat during undertaking of turbidity-generating activities.

Finally, we wish to re-affirm our willingness to work with your staff and the Maryland Department of Natural Resources for protecting Skimmer Island from project-related impacts; e.g., through either substrate and/or island relocation.

If you have any questions, you may contact me at (410) 267-5675, or, John.Nichols@NOAA.GOV

ANNE
CAROL
~~FRISSELLA~~

Concurrence with the MD State Highway Administration's
Determination(s) of Eligibility and/or Effects

Project Number: WO419A11 MHT Log No. 200703856
Project Name: US 50 Crossing Study, US 50 over Sinepuxent Bay,
SHA Bridge No. 2300700
County: Worcester
Letter Date: October 30, 2007

The Maryland Historical Trust has reviewed the documentation attached to the referenced letter and concurs with the MD State Highway Administration's determinations as follows:

Eligibility (as noted in the Eligibility Table [Attachment 5]):

- Concur
- Do Not Concur

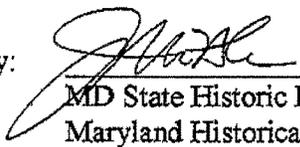
Effect (as noted in the Effect Table [Attachment 5]):

- No Properties Affected
- No Adverse Effect
- Conditioned upon the following action(s) (see comments below)
- Adverse Effect

Agreement with FHWA's Section 4(f) criteria of temporary use (as detailed in the referenced letter, if applicable):

- Agree

Comments:

By:  MD State Historic Preservation Office/
Maryland Historical Trust Date 12-18-07

Return by U.S. Mail or Facsimile to:
Dr. Julie M. Schablitsky, Cultural Resources Team Leader, Project Planning Division,
MD State Highway Administration, P.O. Box 717, Baltimore, MD 21203-0717
Telephone: 410-545-8870 and Facsimile: 410-209-5004

Theresa Christian

From: Byrne, Lori [LBYRNE@dnr.state.md.us]
Sent: Tuesday, March 20, 2007 12:42 PM
To: Theresa Christian
Cc: Golden, Greg
Subject: Clarification on species status for US Route 50 Bridge over Sinepuxent Bay, WO Co.

Hi Ms. Christian,

It was recently brought to our attention that in the correspondence regarding this project, there was a reference to a particular species that was inaccurate; the Sandwich Tern (*Sterna sandvicensis*) was described as state-listed endangered. I just wanted to clarify that this bird species does occasionally use Skimmer Island for breeding and is only found at that one location in MD during the breeding season. It is considered rare because it is at the edge of its range here in MD and is only found within larger Royal Tern colonies. The Royal Terns are state-listed but the Sandwich Tern is not, even though it is a sensitive species and vulnerable to the same disturbances as the other breeding birds at Skimmer Island.

I'm not sure if the error was on our end, or a typo, or what, but I just wanted to be sure it was corrected. Please contact me with any further questions on this matter. Thanks!

Lori A. Byrne
Environmental Review Coordinator
Wildlife and Heritage Service
Maryland DNR
410-260-8573

A-32



Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor

Maryland Department of Natural Resources

Environmental Review
Tawes State Office Building
580 Taylor Avenue
Annapolis, Maryland 21401

C. Ronald Franks
Secretary

W. P. Jensen
Deputy Secretary

September 28, 2004

Mr. Donald H. Sparklin
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Sparklin:

This letter is in response to your letter of request, dated September 23, 2004, for information on the presence of finfish species in the vicinity of State Highway Administration's Project No. WO419A11: US 50 over Sinepuxent Bay River in Worcester County.

Our Fisheries Service has documented herring, shad, striped bass and white perch in Assawoman Bay. Additionally, Table 1 (attached) lists the fish species documented in Maryland's Coastal Bays by our Fisheries Service. Many of these species could potentially be found near your project site. These species should be adequately protected by the Use I instream work time restriction period mentioned above, sediment and erosion control methods, and other Best Management Practices typically used for protection of stream resources.

If you have any questions concerning these comments, you may contact me at 410-260-8331.

Sincerely,

A handwritten signature in black ink that reads "Ray C. Dintaman, Jr." with a stylized flourish at the end.

Ray C. Dintaman, Jr., Director
Environmental Review Unit

Attachment

Table 1

Aquatic Species Collected During Seine Surveys In Maryland's Coastal Bays Since 1993

Fisheries Service

Maryland Department of Natural Resources

Atlantic Needlefish (<i>Strongylura marina</i>)	Atlantic Silverside (<i>Menidia menidia</i>)
Rough Silverside (<i>Membras martinica</i>)	White Mullet (<i>Mugil curema</i>)
Striped Mullet (<i>Mugil cephalus</i>)	Northern Puffer (<i>Spheroides maculatus</i>)
Northern Kingfish (<i>Menticirrhus saxatilis</i>)	Long Clawed Hermit Crab (<i>Pagurus longicarpus</i>)
Flat clawed Hermit Crab (<i>Pagurus pollicaris</i>)	Striped Killifish (<i>Fundulus majalis</i>)
Mummichog (<i>Fundulus heteroclitus</i>)	Rainwater Killifish (<i>Lucania parva</i>)
Spot (<i>Leiostomus xanthurus</i>)	Lined Seahorse (<i>Hippocampus erectus</i>)
Northern Pipefish (<i>Syngnathus fuscus</i>)	Winter Flounder (<i>Pseudopleuronectes americanus</i>)
Summer Flounder (<i>Paralichthys dentatus</i>)	Silver Perch (<i>Bairdiella chrysosura</i>)
Bluefish (<i>Pomatomus saltatrix</i>)	Atlantic Menhaden (<i>Brevoortia tyrannus</i>)
Atlantic Herring (<i>Clupea harengus</i>)	Striped Bass (<i>Morone saxatilis</i>)
Brown Shrimp (<i>Penaeus aztecus</i>)	Mantis Shrimp (<i>Squilla empusa</i>)
Grass Shrimp (<i>Palaemonetes vulgaris</i>)	Sand Shrimp (<i>Crangon septemspinosa</i>)
Blue Crab (<i>Callinectes sapidus</i>)	Mud Crab (<i>Neopanope texana sayi</i>)
Green Crab (<i>Carcinus maenas</i>)	Lady Crab (<i>Ovalipes ocellatus</i>)
Rock Crab (<i>Libinia emarginata</i>)	Lesser Blue Crab (<i>Callinectes similis</i>)
Smallmouth Flounder (<i>Etropus microstomus</i>)	Tautog (<i>Tautoga onitis</i>)
Black Drum (<i>Pogonias cromis</i>)	Feather Blenny (<i>Hypsoblennius hentzi</i>)
Spotfin Mojarra (<i>Eucinostomus argenteus</i>)	Bay Anchovy (<i>Anchoa mitchilli</i>)
American Eel (<i>Anguilla rostrata</i>)	Black Sea Bass (<i>Centropristes striatus</i>)
Oyster Toadfish (<i>Opsanus tau</i>)	Reef Croaker (<i>Micropogonias undulatus</i>)
Naked Goby (<i>Gobiosoma boscii</i>)	Blue Mussel (<i>Mytilus edulis</i>)
Blood Ark (<i>Anadara ovalis</i>)	Pigfish (<i>Orthopristis chrysoptera</i>)



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401

November 9, 2004

Ms. Cynthia D. Simpson
Deputy Director
Office of Planning and Preliminary Engineering
State Highway Administration
P.O. Box 717
Baltimore, MD 21203-0717

ATTN: Mr. Donald Sparklin

RE: Project No. W0419A11, US 50 over Sinepuxent Bay, Worcester County, MD

Dear Ms. Simpson:

This responds to your letter, received , 2004, requesting information on the presence of species which are federally listed or proposed for listing as endangered or threatened within the vicinity of the above referenced project area. We have reviewed the information you enclosed and are providing comments in accordance with Section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

Except for occasional transient individuals, no federally proposed or listed endangered or threatened species are known to exist within the project impact area. Therefore, no biological assessment or further Section 7 consultation is required with the U.S. Fish and Wildlife Service. Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

This response relates only to federally protected threatened or endangered species under our jurisdiction. It does not address the Service's concerns pursuant to the Fish and Wildlife Coordination Act or other legislation. For information on the presence of other rare species, you should contact Ms. Lori Byrne of the Maryland Heritage and Wildlife Division at (410) 260-8573.

We appreciate the opportunity to provide information relative to fish and wildlife issues, and thank you for your interest in these resources. If you have any questions or need further assistance, please contact Maricela Constantino at (410) 573-4542.

Sincerely,

G. A. Moser

G. Andrew Moser.
Acting Program Supervisor, Threatened and Endangered Species



MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

Robert L. Ehrlich, Jr., Governor

Michael S. Steele, Lt. Governor

C. Ronald Franks, Secretary

November 24, 2004

Ms. Cynthia D. Simpson
Maryland Department of Transportation
State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

**RE: Environmental Review for Project No. WO419A11, US 50 Over Sinepuxent Bay,
Project Planning Study for Replacement of Bridge No. 2300700, Worcester
County, Maryland.**

Dear Ms. Simpson:

There is a waterbird colony located on Skimmer Island within ¼ mile of the property. The approximate location of the colony site is indicated on the attached map. This particular colony site has been known to support a variety of breeding waterbirds, including the state-listed endangered Black Skimmer (*Rhynchops niger*), the state-listed endangered Sandwich Tern (*Sterna sandvichensis*) and is the only location that supports a colony of the state-listed endangered Royal Tern (*Sterna maxima*).

Waterbird colonies are a rare resource that should be protected. Conservation of waterbird colonies that are located in the Coastal Bays Critical Area is required by state law. Significant mortality of chicks or eggs resulting from disturbance of the colony during the breeding season is a violation of the U.S. Migratory Bird Treaty Act. Disturbance includes actions such as cutting nest trees, cutting nearby trees or nearby construction that causes abandonment of chicks by the adults.

Waterbirds establish nesting colonies in wetland areas that are relatively predator and disturbance free. Colony sites are usually islands and tidal wetlands. Colony sites are rare, all of Maryland's 20,000 pairs of waterbirds nest at fewer than 125 locations. As Maryland continues to grow and develop, secure nest sites for waterbirds will become scarcer. Whenever possible waterbird colony sites should be conserved as part of responsible land stewardship.

Protection of this waterbird colony is encouraged, by implementing the following guidelines:

1. Establish a protection area of ¼ mile radius from the colony's outer boundary. Within this area establish three zones of protection: Zone 1 extends from the outer boundary of the colony to a radius of 330 feet, Zone 2 extends from 330 feet to 660 feet in radius, and Zone 3 extends from 660 feet to ¼ mile (1320 feet).

B-5

Tawes State Office Building • 580 Taylor Avenue • Annapolis, Maryland 21401

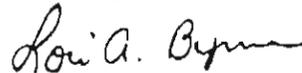
410.260.8DNR or toll free in Maryland 877.620.8DNR • www.dnr.maryland.gov • TTY users call via Maryland Relay

2. During the breeding season, all human entry into Zone 1 should be restricted to only that essential for protection of the colony. Human disturbance of colony sites that results in significant mortality of eggs and/or chicks is considered a prohibited taking under various state and federal regulations.
3. No land use changes, including development or timber harvesting, should occur in Zone 1.
4. Construction activities, including clearing, grading, building, etc., should not occur within Zones 1 and 2.
5. Selective timber harvesting may occur in Zone 2, but clearcutting should be avoided.
6. No construction or timber harvesting activities should occur within the ¼ mile protection area during the breeding season. The breeding season varies for each different waterbird species, but is generally from 15 March through 15 August.

The Department of Natural Resources' Wildlife and Heritage Service provides assistance to those interested in protecting this resource. The above guidelines are usually suitable for protection of most waterbird colonies. Specific protection measures depend upon the species inhabiting the colony, site conditions, planned activities, colony site type and history, and other factors. For more specific technical advice regarding your project and waterbird protection, please contact the WHS.

Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,



Lori A. Byrne,
Environmental Review Coordinator
Wildlife and Heritage Service
MD Dept. of Natural Resources

ER #2004.2113.wo
Cc: S.A. Smith, WHS
R. Dintaman, ERU
R. Esslinger, CAC

Attachment

Approximate boundaries of
"Skimmer Island" in
Sinepuxent Bay



Canfield, Harry

From: Theresa Christian [TChristian@sha.state.md.us]
Sent: Tuesday, March 20, 2007 2:42 PM
To: Sue Rajan; Jamaica Kennon
Cc: Heather Lowe; Canfield, Harry
Subject: Re: Clarification on species status for US Route 50 Bridge over Sinepuxent Bay, WO Co.

FYI

-----Original Message-----

From: Byrne, Lori [mailto:LBYRNE@dnr.state.md.us]
Sent: Tuesday, March 20, 2007 12:42 PM
To: Theresa Christian
Cc: Golden, Greg
Subject: Clarification on species status for US Route 50 Bridge over Sinepuxent Bay, WO Co.

Hi Ms. Christian,

It was recently brought to our attention that in the correspondence regarding this project, there was a reference to a particular species that was inaccurate; the Sandwich Tern (*Sterna sandvicensis*) was described as state-listed endangered. I just wanted to clarify that this bird species does occasionally use Skimmer Island for breeding and is only found at that one location in MD during the breeding season. It is considered rare because it is at the edge of its range here in MD and is only found within larger Royal Tern colonies. The Royal Terns are state-listed but the Sandwich Tern is not, even though it is a sensitive species and vulnerable to the same disturbances as the other breeding birds at Skimmer Island.

I'm not sure if the error was on our end, or a typo, or what, but I just wanted to be sure it was corrected. Please contact me with any further questions on this matter. Thanks!

Lori A. Byrne
Environmental Review Coordinator
Wildlife and Heritage Service
Maryland DNR
410-260-8573

The information contained in this communication (including any attachments) may be confidential and legally privileged. This email may not serve as a contractual agreement unless explicit written agreement for this purpose has been made. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication or any of its contents is strictly prohibited. If you have received this communication in error, please re-send this communication to the sender indicating that it was received in error and delete the original message and any copy of it from your computer system.



Robert L. Ehrlich, Jr., Governor

Michael S. Steele, Lt. Governor

C. Ronald Franks, Secretary

March 21, 2005

Mr. Donald H. Sparklin
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Sparklin:

This letter is in response to your letter of request, dated September 23, 2004, for information on the presence of finfish species in the vicinity of State Highway Administration's Project No. WO419A11: US 50 over Sinepuxent Bay in Worcester County.

Our Fisheries Service has documented the anadromous herring, shad, striped bass and white perch in Sinepuxent Bay. Additionally, Table 1 (attached) lists the fish species documented in Maryland's Coastal Bays by our Fisheries Service. Many of these species could potentially be found near your project site. Although Sinepuxent Bay is classified as Use II waters (Shellfish Harvesting Waters), the Use I instream work time restriction may be more appropriate due to the presence of the anadromous fish species mentioned above. The Use I restriction period is March 1 through June 15, inclusive, during area. Fish species likely to be present at the subject site should be adequately protected by the Use I instream work time restriction period mentioned above, sediment and erosion control methods, and other Best Management Practices typically used for protection of stream resources.

If you have any questions concerning these comments, you may contact me at 410-260-8331.

Sincerely,

Ray C. Dintaman, Jr., Director
Environmental Review Unit

Attachment

Table 1

Aquatic Species Collected During Seine Surveys In Maryland's Coastal Bays Since 1993

Fisheries Service

Maryland Department of Natural Resources

Atlantic Needlefish (<i>Strongylura marina</i>)	Atlantic Silverside (<i>Menidia menidia</i>)
Rough Silverside (<i>Membras martinica</i>)	White Mullett (<i>Mugil curema</i>)
Striped Mullet (<i>Mugil cephalus</i>)	Northern Puffer (<i>Spheroides maculatus</i>)
Northern Kingfish (<i>Menticirrhus saxatilis</i>)	Long Clawed Hermit Crab (<i>Pagurus longicarpus</i>)
Flat clawed Hermit Crab (<i>Pagurus pollicaris</i>)	Striped Killifish (<i>Fundulus majalis</i>)
Mummichog (<i>Fundulus heteroclitus</i>)	Rainwater Killifish (<i>Lucania parva</i>)
Spot (<i>Leiostomus xanthurus</i>)	Lined Seahorse (<i>Hippocampus erectus</i>)
Northern Pipefish (<i>Syngnathus fuscus</i>)	Winter Flounder (<i>Pseudopleuronectes americanus</i>)
Summer Flounder (<i>Paralichtys dentatus</i>)	Silver Perch (<i>Bairdiella chrysosura</i>)
Bluefish (<i>Pomatomus saltatrix</i>)	Atlantic Menhaden (<i>Brevoortia tyrannus</i>)
Atlantic Herring (<i>Clupea harengus</i>)	Striped Bass (<i>Morone saxatilis</i>)
Brown Shrimp (<i>Penaeus aztecus</i>)	Mantis Shrimp (<i>Squilla empusa</i>)
Grass Shrimp (<i>Palaemonetes vulgaris</i>)	Sand Shrimp (<i>Crangon septemspinosa</i>)
Blue Crab (<i>Callinectes sapidus</i>)	Mud Crab (<i>Neopanope texana sayi</i>)
Green Crab (<i>Carcinus maenas</i>)	Lady Crab (<i>Ovalipes ocellatus</i>)
Rock Crab (<i>Libinia emarginata</i>)	Lesser Blue Crab (<i>Callinectes similis</i>)
Smallmouth Flounder (<i>Etopus microstomus</i>)	Tautog (<i>Tautoga onitis</i>)
Black Drum (<i>Pogonias cromis</i>)	Feather Blenny (<i>Hypsoblennius hentzi</i>)
Spotfin Mojarra (<i>Eucinostomus argenteus</i>)	Bay Anchovy (<i>Anchoa mitchilli</i>)
American Eel (<i>Anguilla rostrata</i>)	Black Sea Bass (<i>Centropristes striatus</i>)
Oyster Toadfish (<i>Opsanus tau</i>)	Reef Croaker (<i>Micropogonias undulatus</i>)
Naked Goby (<i>Gobiosoma boscii</i>)	Blue Mussel (<i>Mytilus edulis</i>)
Blood Ark (<i>Anadara ovalis</i>)	Pigfish (<i>Orthopristis chrysoptera</i>)



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

AUG 12 2005

Bruce M. Grey, Deputy Director
Office of Planning and Preliminary Engineering
State Highway Administration
Maryland Department of Transportation
707 North Calvert Street
Baltimore, Maryland 21202

Re: Project No. W0419A11

Dear Mr. Grey,

This is in response to your letter dated July 26, 2005 requesting information on the presence of any species listed as threatened and/or endangered under the jurisdiction of NOAA's National Marine Fisheries Service (NMFS) in the vicinity of a proposed project in Maryland. The Maryland State Highway Administration is initiating Project Planning studies for the US 50 Crossing over Sinepuxent Bay, located in Worcester County, Maryland. The purpose of the study is to develop a transportation solution that addresses transportation operational inadequacies and structural deficiencies as well as to improve safety for all general users on the US 50 crossing.

Several species of sea turtles are known to be present in the coastal Maryland waters from April 1 – November 30 each year. Loggerhead (*Caretta caretta*), Kemp's ridley (*Lepidochelys kempi*), and green sea turtles (*Chelonia mydas*) are the most common species in these waters. Leatherback sea turtles (*Dermochelys coriacea*) are predominantly pelagic but are seasonally present in coastal Maryland waters. Any of these species may be present in Sinepuxent Bay during the April through November time frame and could be affected by any in-water construction activities.

Section 7(a)(2) of the Endangered Species Act (ESA) of 1973, as amended, states that each Federal agency shall, in consultation with the Secretary, insure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. Any discretionary federal action that may affect a listed species must undergo Section 7 consultation. As listed species may be present in the project area, the federal action agency (i.e, Federal Highway Administration (FHWA)) is responsible for determining whether the proposed action is likely to affect any listed species. The FHWA should then submit their determination along with a request for concurrence, to the attention of the Endangered Species Coordinator, NMFS, Northeast Regional Office, Protected Resources Division, One Blackburn Drive, Gloucester, MA



01930. After reviewing this information, NMFS would then be able to conduct a consultation under section 7 of the ESA. If FHWA designates the Maryland Department of Transportation as a designated non-federal representative for purposes of informal section 7 consultation, FHWA should send a letter to the NMFS Endangered Species Coordinator documenting any such delegation (see the address above). NMFS Habitat Conservation Division (HCD) is responsible for overseeing programs for designated Essential Fish Habitat. Your information request has been forwarded to John Nichols of NMFS HCD. Mr. Nichols can be reached at (410)226-5771. Should you have any questions about these comments or about the section 7 consultation process in general, please contact Julie Crocker at (978)281-9328 ext. 6530.

Sincerely,



Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

Cc: Nichols, F/NER4

File Code: Sec 7 FHWA/Maryland DOT Sinepuxent Bay Route 50



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS
P.O. BOX 1715
BALTIMORE, MD 21203-1715

May 23, 2006

Operations Division

Mr. Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Grey:

This is in reply to your letter dated May 12, 2006 concerning Project No. W0419A11, US 50 Crossing Study, Worcester County, MD. You requested consideration to relocate the existing Federal navigation channel.

Federal channel alignments are authorized by Congress and any significant realignment will require Congressional approval. Your proposal to move the channel from the east side to the west side of the bay is a significant departure that impacts environmental, hydraulic and navigation issues. The navigation channel has firmly established itself along the east side in accordance with the hydraulic tidal patterns of the inlet. Establishing a channel to the west is likely to result in undesirable changes. Changes to the inlet hydraulics would bring about alterations to the shoals and islands in the vicinity of the bridge. We would expect a greatly increased dredging requirement to maintain the waterway dimensions. Federal funds for dredging are extremely limited and properly maintaining a more costly alignment is unlikely.

Accordingly, our recommendation is not to realign the channel. We recognize that there are benefits to the new bridge from a fixed navigation span on the west side. However, there remain many unanswered potentially negative impacts from a western channel that requires more extensive investigation.

We look forward to continued participation on your study team to determine the optimum alternative alignment for the bridge. If there are any questions concerning this response please contact Mr. Robert Blama, Project Manager at (410) 962-6068.

A handwritten signature in black ink, appearing to read "Donald P. Snyder", is located above the typed name.

Donald P. Snyder
Acting Chief, Navigation Branch
Operations Division

B-13



The Board of Education of Worcester County
Accredited by the Middle States Association of Colleges and Schools

6270 Worcester Highway
Newark, Maryland 21841-9746
www.worcester.k12.md.us

Telephone: 410-632-5010
Fax: 410-632-0745

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Superintendent of Schools
EDWARD BARBER
Assistant Superintendent
For Administration
DR. RICHARD T. WALKER
Assistant Superintendent for Instruction

August 3, 2006

AUG07'06 PM 1:10 DPPE

Bruce M. Grey
Deputy Director
Office of Planning and Preliminary Engineering
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Grey,

I am writing in response to your July 21, 2006 letter regarding the project planning study for the US 50 Bridge over Sinepuxent Bay in Worcester County, Maryland (US 50 Crossing Study).

After reviewing the map attached to your letter which identified the Crossing Study area, I am confirming there are no existing or proposed public schools in the study area. The Worcester County Public School closest to study area boundary is Ocean City Elementary School located at 12828 Center Drive.

Please contact me or Mr. Joe Price, Facilities Planner at (410) 632-5010 if you have questions or need additional information.

Sincerely,

Edward Barber
Assistant Superintendent
For Administration

EB:jjp
cc: Dr. Jon M. Andes
Mr. Joseph J. Price

B-14





U.S. Department
of Transportation
**Federal Highway
Administration**

45 50

DELMAR Division - Maryland
City Crescent Building
10 South Howard Street
Suite 2450
Baltimore, Maryland 21201

February 12, 2007

Ms. Julie Crocker
Endangered Species Coordinator
NMFS Northeast Regional Office
Protected Resources Division
One Blackburn Drive
Gloucester, Massachusetts 01930

In Reply Refer To: HDA-MD

Dear Ms. Crocker:

The Federal Highway Administration (FHWA), in cooperation with the Maryland State Highway Administration (SHA), has initiated a Project Planning study for the US 50 Crossing Study in Worcester County, Maryland (see attached location map). The purpose of this study is to develop and analyze future options for the Harry Kelly Memorial Bridge which crosses the Sinepuxent Bay. We will explore any feasible alternatives that would ease traffic congestion; improve safety; accommodate the needs of fishermen, cyclists and hikers; and feature aesthetic treatments representative of a gateway to Ocean City.

The project area and vicinity is an essential fish habitat. As indicated in the attached letter, several species of federally threatened or endangered sea turtles under the jurisdiction of the National Marine Fisheries Service (NMFS) may be found seasonally in the coastal waters of Maryland from April 1 to November 30 of any year. These sea turtle species include the leatherback (*Dermochelys coriacea*), Kemp's ridley (*Lepidochelys kempi*), green (*Chelonia mydas*), loggerhead (*Caretta caretta*) and hawksbill (*Eretmochelys imbricata*) sea turtles.

Section 7 (a)(2) of the Endangered Species Act (ESA) of 1973, as amended, states that each Federal agency shall, in consultation with the Secretary, insure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat.

As listed species may be present in the project area, FHWA is requesting initiation of Section 7 consultation for the US 50 Crossing Study, and is officially designating SHA a non-federal representative for purposes of delegating informal Section 7 consultation.

**MOVING THE
AMERICAN
ECONOMY**



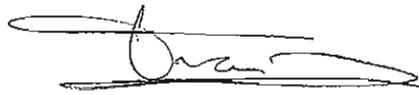
B-15

SHA shall prepare an Essential Fish Habitat Assessment as well as a Biological Assessment to determine whether the proposed action is likely to affect the essential fish habitat or any listed species. Once a determination has been made, FHWA will submit the determination to you along with a request for concurrence.

Please provide FHWA with any requirements you may have under the Section 7 consultation process, so that we may address them. If you have any questions or would like to discuss the project in more detail, please contact Mr. Lance Wilgus at (302) 734-2745.

Thank you for your cooperation and interest in this project.

Sincerely yours,



 Nelson J. Castellanos
Division Administrator

Enclosure

cc:

Mr. Raja Veeramachaneni, Director, Office of Planning and Preliminary Engineering, SHA

bcc:

Ms. Denise King, Environmental Specialist, FHWA

Mr. Ivan Marrero, Project Delivery Team Leader, FHWA

Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA

Ms. Jamaica Kennon, Project Engineer, Project Planning Division, SHA

Mr. Joseph Kresslein, Assistant Division Chief, Project Planning Division, SHA

Mr. Andrew Moser, Annapolis Field Office, USFWS

Ms. Heather Murphy, Assistant Division Chief, Project Planning Division, SHA

Mr. John Nichols, U.S. Department of Commerce, NOAA/NMFS

Ms. Sue Rajan, Project Manager, Project Planning Division, SHA

Mr. Lance Wilgus, Area Engineer, FHWA

IMarrero:tsgm 02/12/07 (s:\IMarrero\TC FHWA Letter to NMFS.doc)



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2298

MAR 19 2007

Nelson J. Castellanos, Division Administrator
US Federal Highway Administration
DELMAR Division – Maryland
City Crescent Building,
10 South Howard Street, Suite 2450
Baltimore, Maryland 21201

Dear Mr. Castellanos,

This is in response to your letter dated February 12, 2007 regarding section 7 consultation on the effects of potential modifications to the Harry Kelly Memorial Bridge (Route 50) which crosses Sinepuxent Bay. As noted in previous correspondence on this project, several species of listed sea turtles occur seasonally in Maryland waters, including Sinepuxent Bay.

As noted in your letter, FHWA has designated the Maryland State Highway Administration (SHA) as its non-federal representative for purposes of informal consultation on this project. As such, NMFS understands that future correspondence regarding this project is likely to come from the SHA. As you know, once project plans have been fully developed, the SHA is responsible for determining whether the proposed action is likely to affect any listed species. The SHA should then submit their determination along with a request for concurrence, to the attention of the Endangered Species Coordinator, NMFS Northeast Regional Office, Protected Resources Division, One Blackburn Drive, Gloucester, MA 01930. After reviewing this information, NMFS would then be able to conduct a consultation under section 7 of the ESA. It is my understanding that you will be coordinating with NMFS Habitat Conservation Division regarding potential effects to designated Essential Fish Habitat and other NMFS trust resources. Should you have any questions about these comments or about the section 7 consultation process in general, please contact Julie Crocker at (978)281-9328 ext. 6530.

Sincerely,

Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

Cc: Nichols, F/NER4

File Code: Sec 7 FHWA/Maryland DOT Sinepuxent Bay Route 50

B-17





Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

State Highway
Administration

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

April 20, 2007

Re: Project No. WO419A11
US 50 over Sinepuxent Bay
Worcester County, Maryland
USGS *Berlin* and *Ocean City* 7.5' Quadrangles

Mr. J. Rodney Little
State Historic Preservation Officer
Maryland Historical Trust
100 Community Place
Crownsville MD 21032-2023

Dear Mr. Little:

Introduction and Project Description

This letter serves to provide the Maryland Historical Trust (MHT) with the Maryland State Highway Administration's (SHA) eligibility determinations for historic standing structures within the Area of Potential Effects (APE) for this bridge replacement project. SHA previously consulted with MHT about eligibility on December 6, 2005. However, MHT requested revisions to the Determination of Eligibility (DOE) forms and other corrections in July 2006. SHA has chosen several alternates for further study and we will continue our consultation with MHT regarding impacts to historic standing structures and archeological issues when detailed plans are available. A location map is included as Attachment 1.

Funding

Federal funds are anticipated for this project.

Area of Potential Effects

The APE for this project remains unchanged and is the same study area described in our December 2005 letter. The APE extends from Somerset Street to 3rd Street on the southern and northern boundaries and from Baltimore Street in Ocean City to MD 611 in West Ocean City. For archeology, the APE will include the worst case limits of disturbance. The APE is indicated on the attached USGS quadrangle maps for Berlin and Ocean City in Attachment 2.

B-18

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.479.0770 · www.marylandroads.com

Eligibility of Historic Standing Structures:

In 2005, SHA, through its consultant KCI Technologies, Inc., prepared a determination of eligibility report, *Recordation and Documentation of Standing Historic Resources, Ocean City, Worcester County, Maryland, Determination of Eligibility Report, Volume 1* (Attachment 3). KCI also prepared MIHP and DOE forms, photographs and maps for the Ocean City Survey District and thirty-six other individual historic standing structures. MHT requested that SHA provide revised MIHP and DOE forms for twenty-three historic standing structures in the APE. KCI has completed the requested revisions (Attachment 4).

SHA Architectural Historian, Ms. Anne E. Bruder, reviewed these materials and visited the APE on April 10, 2007 to assess the eligibility recommendations. As a result, SHA has determined that the Emery-Hartman House (MIHP No. WO-553), the Bunting House (MIHP No. WO-554), and the Francis Scott Key Motel (MIHP No. WO-555) are all individually eligible as examples of Arts & Crafts style bungalows and a 1950s Colonial Revival Motel reflective of roadside architecture, respectively. The Emery-Hartman House and Bunting House exemplify the modest type of dwelling that was constructed during the 1920s for Ocean City's middle class residents. The dwellings are located two and three blocks from the ocean front, and are surrounded by other similar modest structures. The Francis Scott Key Motel exemplifies the modest bay-side commercial establishment that was designed for Ocean City's middle class visitors who vacationed near the ocean for brief periods during the summer. The owners have added additional buildings behind the original motel that demonstrate the continued popularity of the resort.

Each building retains integrity of location, design, workmanship, and association. Indeed, although the two houses have been altered, the alterations would be easily reversed to restore the design and materials to the original in order to meet the Secretary of the Interior's Standards for Rehabilitation. In the case of the Emory-Hartman House, the roof shingles have been replaced, while at the Bunting House, the front door has been replaced. No other alterations are evident. The windows in the Emory-Hartman House are original and exhibit evidence of being repainted many times over the past 82 years. SHA has determined that each building is eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion C (Architecture). Likewise, SHA has determined that the Francis Scott Key Motel is also eligible for inclusion the NRHP under Criterion C (Architecture). Research conducted under NRHP Criteria A and B did not identify any event or person of local, state or national importance and therefore, neither of these buildings is eligible for the NRHP under Criteria A or B. We make this determination because these buildings represent the domestic and leisure residential styles of the middle class in Ocean City.

Mr. J. Rodney Little
US 50 over Sinepuxent Bay
Page Three

SHA also has determined that the following resources are not eligible due to poor integrity of materials, design, workmanship and association: Warehouse East side off of Golf Course Road, 9915 Golf Course Road; Dwelling south of Sea Isle Motel; Wheels of Yesterday Museum; Sea Island Motel; TC Diner and Family Restaurant; The Breakfast Place; 9949 Elm Street; 9945 Elm Street; North of 9937 Elm Street; 9935 Elm Street; 12731 Pony Rest Lane; Rambler Motel; and Antique Woodwork. Because these buildings lack integrity, and research conducted did not identify significance under Criteria A (events), B (persons), or C (architecture), none of the buildings are eligible for inclusion in the NRHP. Criterion D was not investigated as part of the historic standing structures study. MIHP, DOE and Short DOE forms along with photographs and maps have been provided to MHT in Attachment 4. MHT previously provided concurrence regarding eligibility for other historic standing structures in the APE and information about the status for each will be found in the Eligibility Table in Attachment 5. The historic boundary for each historic standing structure will be confined to the tax parcel associated with the property.

Review Request

Please examine the attached maps and Eligibility Table. We request your concurrence by **May 21, 2007** that the Emery-Hartman House, the Bunting House and the Francis Scott Key Motel are eligible for the NRHP, but that the Warehouse East side off of Golf Course Road, 9915 Golf Course Road; Dwelling south of Sea Isle Motel; Wheels of Yesterday Museum; Sea Island Motel; TC Diner and Family Restaurant; The Breakfast Place; 9949 Elm Street; 9945 Elm Street; North of 9937 Elm Street; 9935 Elm Street; 12731 Pony Rest Lane; Rambler Motel; and Antique Woodwork are not eligible for inclusion in the NRHP. By carbon copy, we invite the Worcester County Planning Commission and the Ocean City Department of Planning and Zoning to provide comments and participate in the Section 106 process. Pursuant to the requirement of the implementing regulations found at 36 CFR Part 800, SHA seeks their assistance in identifying historic preservation issues as they relate to this specific project (see 36 CFR §§800.2 (c)(4) and (6), and §800.3(f) for information regarding the identification and participation of consulting parties, and §800.4, and §800.5 regarding the identification of historic properties and assessment of effects). For additional information regarding the Section 106 regulations, see the Advisory Council on Historic Preservation's website, www.achp.gov, or contact the Maryland State Highway Administration or the Maryland Historical Trust). If no response is received by **May 21, 2007**, we will assume that these offices decline to participate.

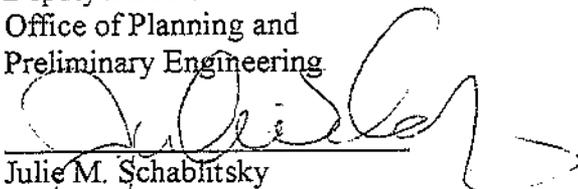
Mr. J. Rodney Little
US 50 over Sinepuxent Bay
Page Four

Please contact Ms. Anne E. Bruder at 410-545-8559 (or via email at abruder@sha.state.md.us) with questions regarding standing structures for this project. Ms. Carol A. Ebright may be reached at 410-545-2879 (or via email at cebright@sha.state.md.us) with concerns regarding archeology.

Very truly yours,

Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering

by:


Julie M. Schablitsky
Cultural Resources Team Leader
Project Planning Division

- Attachments:
- 1) Project Location Map
 - 2) APE Map
 - 3) *Recordation and Documentation of Standing Historic Resources, Ocean City, Worcester County, Maryland Draft Determination of Eligibility Report, Volume 1*
 - 4) MIHP, DOE and Short DOE Forms
 - 5) Eligibility Table

cc: Ms. Anne E. Bruder, SHA-PPD (w/Attachments)
~~Ms. Theresa Christian, SHA-PPD (w/Attachments)~~
Ms. Carol A. Ebright, SHA-PPD
Mr. Bruce M. Grey, SHA-OPPE
Mr. Jesse C. Houston, Director, Ocean City Department of Planning and Zoning (w/Attachments)
Ms. Jamaica Kennon, SHA-PPD (w/Attachments)
Mr. Louie Paglerani, Worcester County Planning Commission (w/Attachments)
Ms. Sue Rajan, SHA-PPD
Dr. Julie Schablitsky, SHA-PPD
Mr. Donald H. Sparklin, SHA-PPD

**Concurrence with the MD State Highway Administration's
Determination(s) of Eligibility and/or Effects**

Project Number: WO419A11 **MHT Log No.** _____
Project Name: US 50 over Sinepuxent Bay, SHA Bridge No. 2300700 Replacement Study
County: Worcester
Letter Date: April 20, 2007

The Maryland Historical Trust has reviewed the documentation attached to the referenced letter and concurs with the MD State Highway Administration's determinations as follows:

Eligibility (as noted in the Eligibility Table [Attachment 5]):

- Concur
- Do Not Concur

Effect (as noted in the Effect Table [N/A]):

- No Properties Affected
- No Adverse Effect
- Conditioned upon the following action(s) (see comments below)
- Adverse Effect

Agreement with FHWA's Section 4(f) criteria of temporary use (as detailed in the referenced letter, if applicable):

- Agree

Comments:

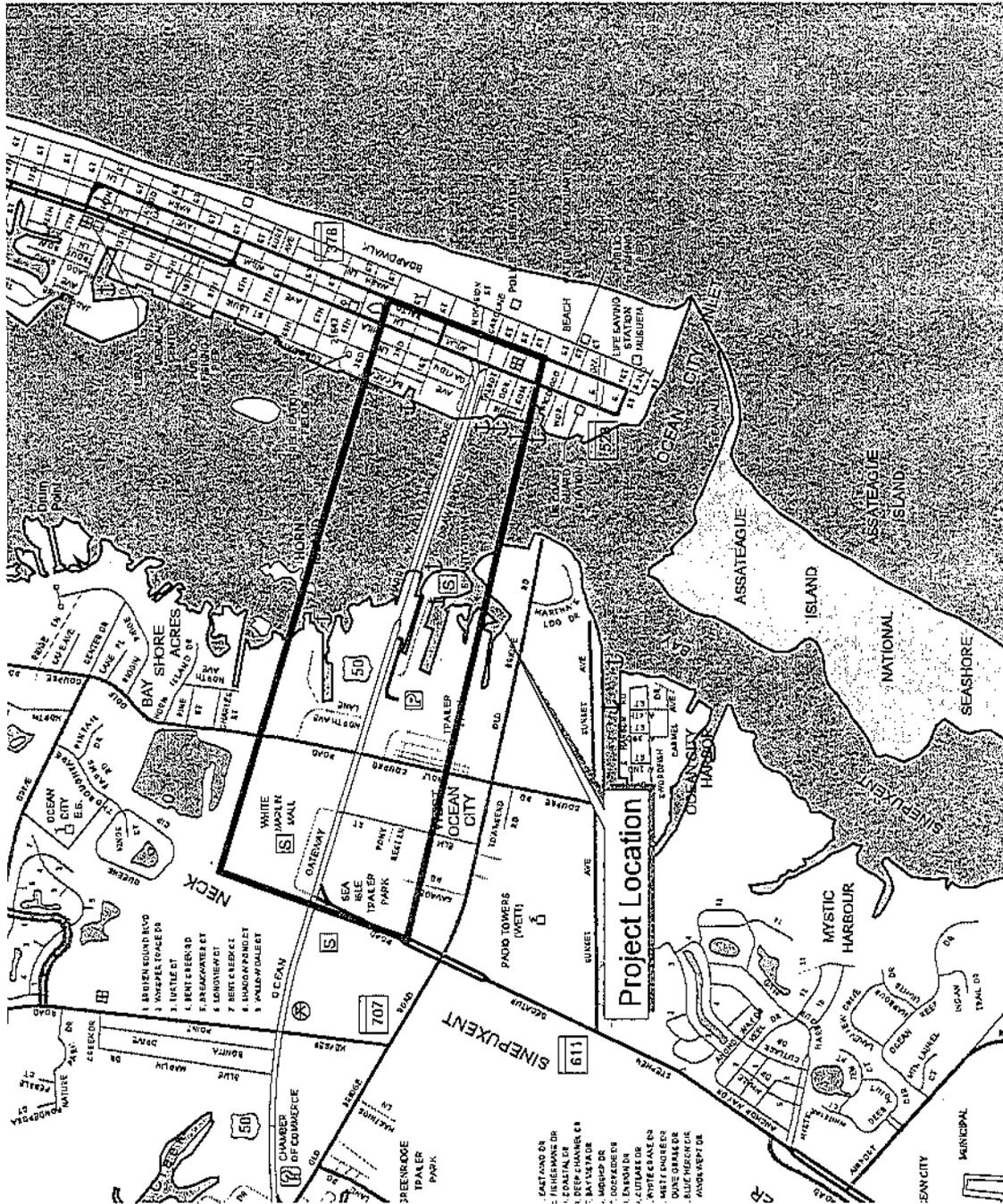
By: _____ Date _____
MD State Historic Preservation Office/
Maryland Historical Trust

Return by U.S. Mail or Facsimile to:
Mr. Donald Sparklin, Deputy Division Chief, Project Planning Division,
MD State Highway Administration, P.O. Box 717, Baltimore, MD 21203-0717
Telephone: 410-545-2883 and Facsimile: 410-209-5004

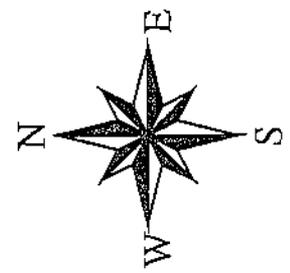
cc: Dr. Julie M. Schablitsky, SHA

ATTACHMENT 11

US 50 over Sinepuxent Bay SHA Project No. WO419A11 Location Map



County



1.8 Miles

0.9

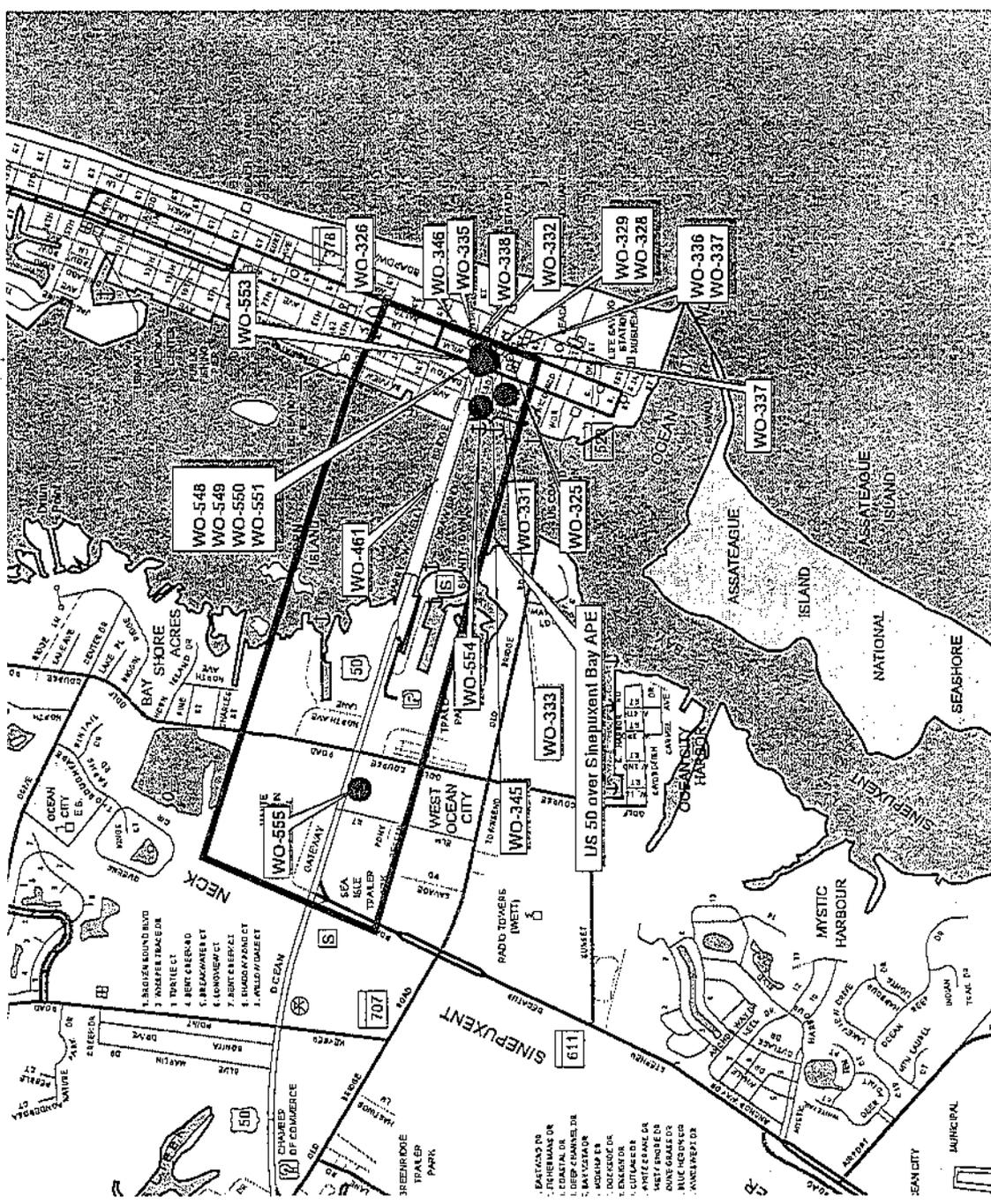
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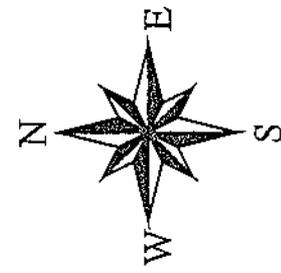


ATTACHMENT 2

US 50 over Sinepuxent Bay SHA Project No. WO419A11 APE Map



Maryland Inventory of Historic Places
 County



Attachment 5: Eligibility/Status Table

Project Name: US 59 over Sinepuxent Bay, SHA Bridge No. 2300700, Bridge Replacement

April 16, 2007

Resource	Type	SHA NR Determination	SHPO Opinion	Alternate	Attachment	Remarks
St. Mary's Star of the Sea Church, WO-325	S	X	X 7/2006			Within Ocean City Survey District
St. Paul's by the Sea Episcopal Church, WO-326	S	NR (C)	NR (C) 7/2006			Within Ocean City Survey District, but individually eligible for the NRHP under Criterion C
Mount Vernon Hotel, WO-328	S					Demolished prior to September 2005.
Mount Vernon Hotel Annex, WO-329	S					Demolished prior to September 2005.
Taylor House, WO-331	S	NR	NR (A&C) 7/2006			
John Dale Showell House, WO-332	S	X	X 7/2006			
Tairry-A-While Guest House, WO-333	S	X	X 3/2005			
Edwin L. Purnell Store, WO-336	S	NR	NR (A&C) 7/2006			
Town Market, WO-337	S	NR	NR (A&C) 7/2006			
Ocean City Baptist Church, WO-338	S	X	X 7/2006			
City Hall, WO-341	S	NR (A and C)	NR (A&C) 7/2006		4	Providing MHT with photographs, slides and negatives for the Ocean City Survey District
Ocean City Survey District, WO-412	HD	X	X 7/2006			
SHA Bridge No. 2300700, WO-461	S	NR (C)	NR (C) 7/2001			
Downtown Brewing Company, WO-548	S	X	X 8/2001			Demolished 2006
Beecher House, WO-549	S	X	X 8/2001			Demolished 2006
Schaefer House, WO-550	S	X	X 8/2001			
Vincent House, WO-551	S	X	X 8/2001			
Emery-Hartman House, WO-553	S	NR 4/2007 (C)	Requested 4/2007		4	Within the Ocean City Survey District, but individually eligible.
Bunting House, WO-554	S	NR 4/2007 (C)	Requested 4/2007		4	Within the Ocean City Survey District, but individually eligible.
Francis Scott Key Motel, WO-555	S	NR 4/2007 (C)	Requested 4/2007		4	In West Ocean City
Plimminon Honeymoon Cottage	S	X	X 7/2006			Within the Ocean City Survey District.
Soprano's Pizza and Pasta	S	X	X 7/2006			Within the Ocean City Survey District.
106 Dorchester Street	S	X	X 7/2006			Within the Ocean City Survey District.
110 Dorchester Street	S	X	X 7/2006			Within the Ocean City Survey District.
Carolina Coach Company	S	X	X 7/2006			Within the Ocean City Survey District.
Driftwood Apartments	S	X	X 7/2006			Within the Ocean City Survey District.
24 St. Louis Avenue	S	X	X 7/2006			Within the Ocean City Survey District.
101 St. Louis Avenue	S	X	X 7/2006			Within the Ocean City Survey District.
105 St. Louis Avenue	S	X	X 7/2006			Within the Ocean City Survey District.
Warehouse East Side off of Golf Course Road	S	X	Requested 4/2007		4	Within the Ocean City Survey District.

Resource	Type	SHA NR Determination	SHPO Opinion	Alternate	Attachment	Remarks
9915 Golf Course Road	S	X	Requested 4/2007		4	
South of 9915 Golf Course Road	S	X	Requested 4/2007		4	
Dwelling south of Sea Isle Motel	S	X	Requested 4/2007		4	
Wheels of Yesterday Museum	S	X	Requested 4/2007		4	
Sea Isle Motel	S	X	Requested 4/2007		4	
TC Diner and Family Restaurant	S	X	Requested 4/2007		4	
The Breakfast Place	S	X	Requested 4/2007		4	
9949 Elm Street	S	X	Requested 4/2007		4	
9945 Elm Street	S	X	Requested 4/2007		4	
North of 9947 Elm Street	S	X	Requested 4/2007		4	
9945 Elm Street	S	X	Requested 4/2007		4	
12741 Pony Rest Lane	S	X	Requested 4/2007		4	
Rambler Motel	S	X	Requested 4/2007		4	
Antique Woodwork	S	X	Requested 4/2007		4	

Codes:

Resource Types: S (Structure), A (Archaeological Site), HD (Historic District), NHL (National Historic Landmark)

NR Determination: ND (Not Determined), X (Not Eligible), NR (Eligible), NRL (Listed), NHL (Landmark)

SHPO Opinion: (B) designates opinion regarding boundary, Code following date signifies SHPO opinion

Bold rows indicate review action requested

#45674
LOGGED 7/17

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JAMAICA
PAROL

Concurrence with the MD State Highway Administration's
Determination(s) of Eligibility and/or Effects

Project Number: WO419A11

MHT Log No. 200701406

Project Name: US 50 over Sinepuxent Bay, SHA Bridge No. 2300700 Replacement Study

County: Worcester

Letter Date: April 30, 2007

The Maryland Historical Trust has reviewed the documentation attached to the referenced letter and concurs with the MD State Highway Administration's determinations as follows:

Eligibility (as noted in the Eligibility Table [Attachment 5]):

- Concur
- Do Not Concur

Effect (as noted in the Effects Table [N/A]):

- No Properties Affected
- No Adverse Effect
- Conditioned upon the following action(s) (see comments below)
- Adverse Effect

Agreement with FHWA's Section 4(f) criteria of temporary use (as detailed in the referenced letter, if applicable):

- Agree

Agreement with FHWA's de minimus impact finding (as detailed in the referenced letter, if applicable):

- Agree

Comments:

SEE ATTACHED CONTINUATION SHEET

By: [Signature]
MD State Historic Preservation Office/
Maryland Historical Trust

7-13-07
Date

Return by U.S. Mail or Facsimile to:
Mr. Donald H. Sparklin, Deputy Division Chief, Project Planning Division,
MD State Highway Administration, P.O. Box 717, Baltimore, MD 21203-0717
Telephone: 410-545-8564 and Facsimile: 410-209-5046

CC: Dr. Julie M. Schablitsky, SHA

Concurrence with the MD State Highway Administration's
Determination(s) of Eligibility and/or Effects

CONTINUATION SHEET #1
Maryland Historical Trust Comments

Project Number: WO419A11

MHT Log No. 200701406

Project Name: US 50 over Sinepuxent Bay, SHA Bridge No. 2300700 Replacement Study

The Maryland Historical Trust (Trust) provides the following comments in addition to the concurrence indicated on the previous page:

The Trust previously commented on determinations of eligibility for historic standing structures in July 2006. The comments provided below complete the Trust's review of the historic standing structures for this undertaking. We look forward to continued consultation regarding the effects of the project on the National Register-eligible historic properties.

It is the Trust's opinion that the following resources are *eligible* for listing in the National Register of Historic Places (NRHP):

- Emery/Hartman House (MIHP No. WO-553): This property is eligible under NRHP Criteria A and C. This resource is associated with early resort development in Ocean City and is a representative example of its type.
- Francis Scott Key Motel (MIHP No. WO-555): The property is eligible under NRHP Criterion A.

It is the Trust's opinion that the following resources are *not eligible* for listing in the NRHP:

- Bunting House (MIHP No. WO-554): This resource is an undistinguished example of a common building type that does not represent a significant trend in the history of Ocean City

The Trust agrees with SHA that all resources documented on DOE Short Forms are *not eligible* for listing in the NRHP.



TOWN OF
OCEAN CITY

The White Marlin Capital of the World

Ocean City Police Department
Office of the Chief
6501 Coastal Highway
P. O. Box 759
Ocean City, Maryland 21843
Tele: (410) 723-6601
Fax: (410) 723-4010

MAYOR & CITY COUNCIL
P.O. BOX 158
OCEAN CITY,
MARYLAND 21843-0158

www.town.ocean-city.md.us

MAYOR
RICHARD W. MEEHAN

CITY COUNCIL MEMBERS

JOSEPH M. MITRECIC
President
NANCY L. HOWARD
Secretary

JAMES S. HALL
JAMES W. HANCOCK, III
MARY P. KNIGHT
LLOYD MARTIN
MARGARET PILLAS

DENNIS W. DARE
City Manager

CAROL L. JACOBS
City Clerk

July 27, 2007

Bruce M. Grey
Deputy Director
Office of Planning and Preliminary Engineering
State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Grey:

The Ocean City Police Department has carefully reviewed the selected five alternatives to improve the US 50 crossing of the Sinepuxent Bay in Worcester County, Maryland. Enclosed please find a detailed report on the projected impact of these alternatives.

I look forward to a continued successful relationship between our agencies and thank you again for your consideration in this matter of mutual concern.

Sincerely,

Bernadette DiPino
Chief of Police

BAD/ceb

Ocean City, MD



2001

B-24

.....

Ocean City Police Department

Project Planning Study Input US 50 Crossing of the Sinepuxent Bay

.....

*Project No. WO419A11
Final Report – July 20, 2007*

Patrol Division

B-25

Project Planning Study Input US 50 Crossing of the Sinepuxent Bay

*Project No. WO419A11
Final Report – April 20, 2006*

Introduction

The Maryland State Highway Administration (SHA) has initiated a Project Planning Study to improve the US 50 crossing of the Sinepuxent Bay in Worcester County, Maryland. The SHA has requested input from the Ocean City Police Department in determining how emergency services and response times may be affected by the proposed project. The department has been asked to evaluate all possible impacts that may result from this project.

Background

The Ocean City Police Department (OCPD) does not have primary responsibility for emergency response to locations in West Ocean City. The department does make frequent daily patrol checks of city property located in West Ocean City. OCPD also is an important secondary source of emergency response and back-up to the Maryland State Police and Worcester County Sheriff's Office. Any prolonged disruption of traffic flow into and out of the town via Rt. 50 would hinder that response.

Impact of Construction

It is difficult to determine the impact construction will have on police response without a detailed construction schedule. Time tables and the extent of lane closures will all effect emergency response in and around the construction area.

A traffic management plan should be developed and implemented during the construction phase of the project to provide reliable access into and out of the city. The State Highway Administration (SHA) should coordinate construction

activities, sequencing, and traffic management plans with fire, police, and emergency rescue services to minimize delays and response times during the construction period.

Emergency Evacuation

The Route 50 Bridge is a primary hurricane evacuation route for the Town of Ocean City. Restrictions due to construction should be minimized during hurricane season. Any prolonged permanent closure or restricted traffic flow on the bridge would greatly inhibit the ability to empty the city in accordance with existing evacuation plans and time tables.

According to the Maryland Eastern Shore Hurricane Evacuation Traffic Management Plan the two westbound lanes of US 50 can accommodate approximately 2,500 vehicles per hour under forced flow conditions. Forced Flow is defined as vehicles traveling at a speed of 30 to 35 miles/hour and without opportunities to pass or change lanes.

The construction schedule should make accommodations to reestablish outbound traffic flow to the prescribed 2,500 vehicles per hour within a reasonably short period of time. This would need to be done prior to the commencement of evacuation orders.

Alternative 1, and 2

Alternative 1; No Build,

Alternative 2; Rehabilitation

Emergency response times by police, fire, and ambulance service providers would generally remain unchanged throughout the study area. The proposed improvements would not reduce the rate and duration the draw span would be open. It is unclear whether the proposed improvements would reduce the frequency and duration of draw span malfunctions that close down vehicular traffic. The number of lanes would not be changed.

Alternative 4

Alternative 4; First Street Connection

Emergency response times by police, fire, and ambulance service providers would generally improve throughout the study area. The increased height of the

bridge would eliminate the draw span all together. Marine traffic would no longer require closing traffic on the bridge. A seven foot shoulder area would be added along both sides of the highway giving traffic more room to yield to emergency vehicles. This shoulder would also allow disabled vehicles an area to pull out of traffic. Draw span malfunctions would no longer be a factor. The number of lanes would not be changed.

Alternative 5, and 5A

Alternative 5; South Parallel Bridge

Alternative 5A; North Parallel Bridge

Emergency response times by police, fire, and ambulance service providers would generally improve throughout the study area. The increased height of the bridge would reduce the rate and duration the draw span would be open. A seven foot shoulder area would be added along both sides of the highway giving traffic more room to yield to emergency vehicles. This shoulder would also allow disabled vehicles an area to pull out of traffic. It can be assumed that a new up to date draw span would experience fewer malfunctions then the existing bridge. The number of lanes would not be changed.

Recommendations

1. Once an alternative is chosen the SHA should develop a traffic management plan for the site in conjunction with the City Engineers Office, Emergency Management, and the contractors involved in the construction.
2. The traffic management plan needs to address the issue that Route 50 is a critical evacuation route for the Town of Ocean City.



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

October 31, 2007

Re: Project No. WO419A11
US 50 Crossing Study
US 50 over Sinepuxent Bay,
SHA Bridge No. 2300700
Worcester County, Maryland
USGS Ocean City 7.5' Quadrangle

Mr. J. Rodney Little
State Historic Preservation Officer
Maryland Historical Trust
100 Community Place
Crownsville MD 21032-2023

Dear Mr. Little:

Introduction and Project Description

This letter serves to inform the Maryland Historical Trust (MHT) of the Maryland State Highway Administration's (SHA) finding that proposed Project No. WO419A11 will have an adverse effect on historic properties. SHA has also provided information about previously unidentified historic standing structures and we request your concurrence with our eligibility determinations. The project involves either the construction of a parallel bridge next to the current structure, or the complete rehabilitation of SHA Bridge No. 2300700, using the Secretary of Interior's Standards for Treatment of Historic Properties. SHA has retained six alternatives for detailed study:

Alternative 1 – No-Build

- o No major improvements are proposed under Alternative 1, the No Build Alternative. Minor short term improvements would occur as part of routine maintenance and safety improvements.
- o This alternative does not address the Purpose and Need for the project. However, it serves as a baseline for judging the impacts and benefits associated with the other alternatives.

Alternative 2 – Rehabilitation

- o This alternative includes the rehabilitation of the existing bridge, construction of a separate fishing pier for fisherman, wider sidewalks on the bridge for pedestrians and cyclists, and adding aesthetics such as lighting and archways to create an entrance into the city.

My telephone number/toll-free number is _____

Maryland Relay-Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com

- Rehabilitation of the bridge will extend its life by 30-40 years; however, it will not decrease the number of draw span openings.
- The rehabilitation would include major repairs such as a concrete overlay, bascule span repairs, as well structural, mechanical, and electrical repairs.
- This alternative also does not require taking any homes or businesses and does not impact any wetlands.

Alternative 4 – 1st Street Connection (Curved Bridge)

- Alternative 4 proposes a new 45' high, fixed-span bridge beginning 440' west of the existing bridge and crossing into Ocean City near the intersection of St. Louis Avenue and 1st Street, then connecting via three ramps to Philadelphia and Baltimore Avenues in Ocean City.
- The new bridge is approximately 3055' long. It consists of four 12' lanes, one 8' median, two 7' shoulders, and two 5' sidewalks, with a total width of 87' 4" including curb offsets. A 6000' radius reversed curve is used on the east side of the bridge alignment to keep the bridge about 170' south of Skimmer Island. The vertical clearance of the bridge over Saint Louis Avenue is about 24'.
- The bridge and ramps use a maximum 5% vertical slope. The minimum design speeds for the east and west sides of the bridges are 30 mph and 40 mph, respectively. The design speed for the three ramps is 30 mph with a maximum superelevation of 4%. The corresponding minimum curve radius for the ramps is 250'.
- The outbound ramp to westbound US 50 begins approximately 150' north of 2nd Street on Philadelphia Avenue, and is composed of two 12' lanes, a 10' outside shoulder and a 5' sidewalk, and has a 250' curve radius.
- The inbound northbound ramp from US 50 ties into Baltimore Avenue approximately 160' north of 2nd Street, and consists of two 12.5' lanes, a 10' inside shoulder and a 4' outside shoulder, and has a 250' curve radius. The vertical clearance of the ramp bridging over Philadelphia Avenue is 17'.
- The inbound southbound ramp from US 50 ties into Philadelphia Avenue right before Division Street, and consists of single 15' lane, a 4' inside shoulder, a 10' outside shoulder and a 5' sidewalk, and has a 250' curve radius.
- The existing bridge approach from Ocean City will remain open, with the new ramp to southbound Philadelphia Avenue providing an overpass with clearance underneath to allow for pedestrian and bicycle traffic to pass through to/from the east.
- The existing bridge approach from the west will remain open for bicycle and pedestrian traffic, with access provided from/to the new bridge sidewalks where the new bridge comes to grade.

Alternative 4 – 1st Street Connection (Current)

- Alternative 4 proposes a new 45' high, fixed-span bridge beginning 440' west of the existing bridge and crossing into Ocean City between 1st Street and Division St., then connecting via three ramps to Philadelphia and Baltimore Avenues in Ocean City.
- The bridge is approximately 3000' long. It consists of four 12' lanes, one 8' median, two 7' shoulders, and two 5' sidewalks, with a total width of 87' 4" including curb offsets. The bridge passes about 168' south of Skimmer Island. The vertical clearance of the bridge over Saint Louis Avenue is about 24'.
- The bridge and ramps use a maximum 5% vertical slope. The design speed for east and west sides of the bridges are 30 mph and 40 mph, respectively. The design speed for the ramps is 30 mph with a maximum superelevation of 4%. The corresponding minimum curve radius for the ramps is 250'.
- The outbound ramp to westbound US 50 begins approximately 210' north of 1st Street on Philadelphia Avenue, and is composed of two 12' lanes, a 10' outside shoulder and a 5' sidewalk, and has a 250' curve radius.
- The inbound northbound ramp from US 50 ties into Baltimore Avenue approximately 170' north of 1st Street, and consists of two 12.5' lanes, a 10' inside shoulder and a 4' outside shoulder, and has a 250' curve radius. The vertical clearance of the ramp bridging over Philadelphia Avenue is 17'.
- The inbound southbound ramp ties into Philadelphia Avenue just before Talbot Street, and consists of a single 15' lane, a 4' inside shoulder, a 10' outside shoulder and a 5' sidewalk, and has a 250' curve radius. In order to tie the ramp before Talbot Street, the 10' clearance for pedestrian traffic on Division Street can not be satisfied. The actual clearance is about 4'.
- The existing bridge approach from the west will remain open for bicycle and pedestrian traffic, with access provided from/to the new bridge sidewalks where the new bridge comes to grade.
- There is not enough clearance under the ramp to southbound Philadelphia Avenue from the new bridge to allow for pedestrians and bicycles using the existing bridge to pass under the ramp. Therefore access to the existing bridge from Ocean City will need to be provided from the south on Philadelphia Avenue along the west side of the ramp.

Alternative 5 – South Parallel Bridge

- Alternative 5 proposes a new 30' high, draw-span parallel bridge running 35' south of the existing bridge, beginning 340' west of the existing bridge on US 50 and tying back into Division Street at Philadelphia Avenue.
- The bridge is approximately 2290' long. It consists of four 12' lanes, one 8' median, two 7' shoulders, and two 5' sidewalks with a total width of 87' 4" including curb offsets.
- The new draw span crosses the existing boat channel adjacent to existing draw span, and is 140' long.

- The bridge uses a maximum 5% vertical slope. The design speed for east and west sides of the bridges are 35 mph and 40 mph, respectively.
- A 200' long right-turn only lane is introduced before the Philadelphia Avenue for inbound US 50 traffic going to the south. This lane will be 12' wide with the 10' shoulder to the outside.
- The existing bridge approaches will remain open for bicycle and pedestrian traffic, with access provided from/to the new bridge sidewalks where the new bridge comes to grade.

Alternative 5A -- North Parallel Bridge

- Alternative 5A proposes a new 30' high, draw-span parallel bridge running 36' north of the existing bridge, beginning 435' west of the existing bridge on US 50 and tying back into Division Street at Philadelphia Avenue – a mirror concept of Alternative 5.
- The bridge is approximately 2310' long. It consists of four 12' lanes, one 8' median, two 7' shoulders, and two 5' sidewalks with a total width of 87' 4" including curb offsets. The bridge is located about 214' south of Skimmer Island.
- The new draw span crosses the existing boat channel adjacent to existing draw span, and is 140' long.
- The bridge uses a maximum 5% vertical slope. The design speed for east and west sides of the bridges are 35 mph and 40 mph, respectively.
- A 200' long right-turn only lane is introduced before the Philadelphia Avenue for inbound US 50 traffic going to the south. This lane will be 12' wide with the 10' shoulder to the outside.
- The existing bridge approaches will remain open for bicycle and pedestrian traffic, with access provided from/to the new bridge sidewalks where the new bridge comes to grade.

Preliminary plans for each alternative are included in Attachment 1.

Funding

Federal funds are anticipated for this project.

Area of Potential Effects

The Area of Potential Effects (APE) for this project remains unchanged and is the same study area described in our December 2005 letter. In determining the APE for this project, SHA considered possible visual, audible, atmospheric and/or physical impacts to historic properties, including standing structures and archeological sites. The project may require new right-of-way, as well as permanent and temporary easements. The APE extends from Somerset Street to 3rd Street on the southern and northern boundaries and from Baltimore Street in Ocean City to MD 611 in West Ocean City. For archeology, the study area corresponds to the limits of construction impacts. The APE is indicated on the attached USGS quadrangle maps for Berlin and Ocean City in Attachment 2.

Identification Methods and Results

Potentially significant architectural and archeological resources were both researched as part of the historic investigation instigated by the proposed bridge replacement project.

Architecture: SHA Architectural Historian Anne E. Bruder reviewed the project file, GIS-Cultural Resources database and made a field visit on September 6, 2007. SHA has been in consultation with MHT regarding historic standing structures in the APE since 2005. As a result of the most recent correspondence between our agencies, MHT concurred with SHA's eligibility determinations for forty-three historic standing structures, but did not concur with one determination. SHA has accepted MHT's determination that the Bunting House (MIHP No. WO-554) is not eligible for inclusion in the National Register of Historic Places (NRHP).

SHA has identified a building that was included in the initial Ocean City Survey District study that our consultant, KCI Technologies (KCI), conducted in March and April 2005. KCI identified this building, 2nd Street Pumping Station, located on St. Louis Avenue between 1st and 2nd Streets, but provided a construction date of 1960. However, a field visit by SHA staff noted that the building contains a plaque which indicates that it was constructed in 1937. Construction began in 1936 after Ocean City received a grant from the Federal Emergency Administration of Public Works (PWA) for the sanitary sewer system. Because of the importance of the PWA during President Franklin D. Roosevelt's first term, SHA investigated the building under NHRP Criteria A and C.

The 2nd Street Pumping Station is a one-story, brick clad building with a raking parapet. It was rehabilitated in 2000 and the Town replaced the windows and doors. The 1936-1937 PWA project was one of seventeen sanitary sewer projects constructed in Maryland between 1933 and 1937. Alone, the building does not convey the significance of the PWA to all of Maryland's projects, and the 2000 rehabilitation has altered important elements of the building. As a result, SHA has determined that the 2nd Street Pumping Station is not eligible for the NRHP under Criteria A or C. Research conducted under Criterion B did not identify persons of local, state or national significance and the 2nd Street Pumping Station is not eligible for the NRHP under Criterion B. Criterion D was not investigated as part of this study. The 2nd Street Pumping Station is a contributing resource to the Ocean City Survey District, which SHA and MHT have agreed is not eligible for the NRHP. SHA has attached completed MIHP and DOE forms with maps, photographs and negatives included in Attachment 3.

Newly released GIS data from MHT also helped SHA identify two buildings that have MIHP numbers which have not been individually evaluated for the NRHP. These are the Charles Ludlum House (MIHP No. WO-345) and the Marvel House (MIHP No. WO-346). SHA and MHT previously commented on the first building, commonly known as Soprano's Pizza by a short Determination of Eligibility (DOE) Form, and as a contributing resource to the Ocean City Survey District (MIHP No. WO-412). SHA and MHT determined that the survey district,

including Soprano's Pizza, is not eligible for the NRHP on December 6, 2005 and July 25, 2006 respectively. As with the previous determination, the current DOE Form explains that the Charles Ludlum House is not individually eligible for inclusion in the NRHP as a result of the change in function from a single family dwelling to a commercial restaurant. Additionally, it appears that new windows have been installed and the roof is covered in composite shingles. These alterations have resulted in lost integrity of materials, workmanship, feeling and association. Research did not identify events or persons of local, state or national importance and the Charles Ludlum House is not eligible for inclusion in the NRHP under Criteria A or B. Although the building retains elements that demonstrate its origins as a Queen Anne's style dwelling, the commercial conversion has caused the loss of most of the character defining elements and it is not eligible under Criterion C. Criterion D was not investigated as part of this study.

With regard to the Marvel House, SHA visited the site and found that the building had been demolished in preparation for the construction of a new condominium building. The photographs accompanying the Addendum and DOE Forms show the empty lot. It appears to have been demolished for some time and SHA believes that it may not have stood in 2005 when we conducted our initial architectural investigations for this project. Attachment 3 includes MIHP and Addendum Forms, the three DOE forms, photographs, negatives and maps for these resources.

As a result of the previous consultation between SHA and MHT, we have agreed that there are eight standing historic properties in the APE: St. Paul's-by-the-Sea Episcopal Church (MIHP No. WO-326), the Taylor House (MIHP No. WO-331), the Edwin L. Purnell House (MIHP No. WO-336), Town Market (MIHP No. WO-337), City Hall (MIHP No. WO-341), SHA Bridge No. 2300700 (MIHP No. WO-461), the Emery-Hartman House (MIHP No. WO-553), and the Francis Scott Key Motel (MIHP No. WO-555).

Impact Assessment:

SHA visited the project area and took photographs from various vantage points to show potential impacts at this stage of design. These photographs will be found in Attachment 4. We have determined that *Alternative 1, No Build*, will have no impact to any standing historic property in the APE because it is not an undertaking as defined by 36 CFR Part 800.

Alternative 2, Rehabilitation will cause no adverse impacts to SHA Bridge No. 2300700 because the work will be completed in accordance with the Secretary of Interior's Standards for Treatment of Treatment of Historic Properties (36 CFR Part 68). SHA makes this determination because all repairs to the bridge will comply with 36 CFR Part 68, while the fishing pier, wider sidewalks and aesthetic treatments are all reversible. The Alternative 2 work is also confined to

the bridge itself and will not require any new right-of-way or permanent easements to complete. As a result, there will be no impacts to St. Paul's-by-the-Sea Episcopal Church, the Taylor House, the Edwin L. Purnell House, Town Market, City Hall, the Emery-Hartman House, or the Francis Scott Key Motel.

SHA has determined that visual impacts from *Alternative 4- 1st Street Connection (Curved)* will accrue to SHA Bridge No. 2300700 and the Emery-Hartman House due to their proximate location to the new bridge. The new bridge would tower 15-feet over the current 30-foot high bridge, and would alter the viewshed of both SHA Bridge No. 2300700 and the Emery-Hartman House. *Alternative 4- 1st Street Connection (Curved)* is a 45-foot fixed span and the top of the crossing may be visible from either St.-Paul's-by-the-Sea Episcopal Church or City Hall, but at a distance of seven blocks with intervening commercial and residential buildings to screen the view. Also the bridge ramps and widening on Baltimore Avenue end north of Second Street. SHA has determined that *Alternative 4- 1st Street Connection (Curved)* will cause adverse impacts on SHA Bridge No. 2300700 and the Emery-Hartman House, but have no adverse impacts on either St. Paul's-by-the-Sea Episcopal Church or City Hall. We make this determination because *Alternative 4 Curved* does not require right-of-way or permanent easements, but the new bridge ramp does alter the viewsheds of the adjacent standing historic properties. If this alternative becomes SHA's selected alternative, we will provide MHT with renderings to demonstrate if there are any additional impacts to these historic properties. SHA has determined that there will be no impacts by *Alternative 4 - 1st Street Connection (Curved)* to the Taylor House, Edwin L. Purnell House, Town Market, or the Francis Scott Key Motel because of the distance between the new bridge and these historic properties. If MHT concurs that the 2nd Street Pumping Station is not eligible, this alternative will have no impact on the standing structure.

SHA has determined that visual impacts from *Alternative 4 - 1st Street Connection (Current)* will accrue to SHA Bridge No. 2300700 and the Emery-Hartman House due to their proximate location to the new bridge. The Emery-Hartman House is located southeast of the present bridge, separated from it by a small park. The new bridge would tower 15-feet over the current 30-foot tall bridge, and would alter the viewshed of both SHA Bridge No. 2300700 and the Emery-Hartman House. Furthermore, *Alternative 4 - 1st Street Connection (Current)* is a 45-foot fixed span and the top of the crossing may be visible from either St.-Paul's-by-the-Sea Episcopal Church or City Hall, but at a distance of seven blocks with intervening commercial and residential buildings to screen the view. The bridge ramps and widening on Baltimore Avenue end just north of First Street, and SHA has determined that *Alternative 4 - 1st Street Connection (Current)* will have adverse impacts to SHA Bridge No. 2300700 and the Emery-Hartman House, but no impacts on either St. Paul's-by-the-Sea Episcopal Church or City Hall. We make this determination because *Alternative 4 - 1st Street Connection (Current)* does have visual and atmospheric impacts, but not require right-of-way or permanent easements from standing historic properties. If this alternative becomes SHA's selected alternative, we will

provide MHT with renderings to demonstrate if there are any additional impacts to these historic properties. SHA has determined that there will be no impacts by Alternative 4 to the Taylor House, Edwin L. Purnell House, Town Market, or the Francis Scott Key Motel. We make this determination because of the distance between the new bridge and these historic properties. Intervening residential and commercial buildings also limits the viewshed impacts to these historic properties.

Alternative 5 – South Parallel Span is the south parallel 30-foot high draw span which will match the current structure in height. The new highway connecting the bridge to Philadelphia Avenue will end at the same location as the present road from the bridge. SHA has determined that *Alternative 5 – South Parallel Span* will have no adverse impact to either SHA Bridge 2300700 or to the Emery-Hartman House, and will have no impact on St. Paul's-by-the-Sea Episcopal Church, the Taylor House, Edwin L. Purnell House, Town Market, City Hall or the Francis Scott Key Motel. We make this determination because the new bridge and the new road connecting the bridge to Philadelphia Avenue will introduce limited new visual impacts but these will not alter any characteristic that qualifies either SHA Bridge No. 2300700 or the Emery-Hartman House for the NRHP. Furthermore, the intervening residential and commercial buildings, as well as the distance, prevent physical, audible, atmospheric or visual impacts to St. Paul's-by-the-Sea Episcopal Church, the Taylor House, the Edwin L. Purnell House, Town Market, City Hall, or the Francis Scott Key Motel.

Alternative 5A – North Parallel Bridge is the north parallel 30-foot high draw span which will match the current structure in height. The new highway connecting the bridge to Philadelphia Avenue will end at the same location as the present road from the bridge. SHA has determined that Alternative 5A will have no adverse impact to either SHA Bridge 2300700 or to the Emery-Hartman House, and will have no impact on St. Paul's-by-the-Sea Episcopal Church, the Taylor House, Edwin L. Purnell House, Town Market, City Hall or the Francis Scott Key Motel. We make these determinations because the new bridge and the new road connecting the bridge to Philadelphia Avenue will introduce limited visual impacts, but these will not alter any characteristics that qualify either SHA Bridge No. 2300700 or the Emery-Hartman House for the NRHP. Furthermore, the intervening residential and commercial buildings, as well as the distance, prevent physical, audible, atmospheric or visual impacts to the historic properties located on Baltimore Avenue and in West Ocean City. SHA has summarized its effect determinations in a Hybrid Eligibility and Effects Table in Attachment 5.

Archeology: SHA Archeologist Carol A. Ebright assessed the potential of the project area through consultation of the SHA-GIS Cultural Resources Database, aerial photographs, historic and environmental mapping, prior studies, a field visit made on November 19, 2004, and recent Visidata video.

There are no previously recorded archeological sites in the project area. Although not shown on the GIS, a prior archival study and disturbance assessment was conducted in Ocean City, including part of the US 50, Philadelphia Avenue and Caroline Avenue corridors, prior to the reconstruction of Philadelphia Avenue and its connection via the US 50 bridge (Williams 2001). The study concluded that extensive disturbances from prior construction, including substantial utility work, have severely limited the likelihood that any previously existing archeological resources have survived with meaningful integrity. These resources include buried sections of the original Baltimore, Chesapeake, and Atlantic Railroad tracks, known to be disturbed and partially removed by prior utility work.

The combined study area for the six alternatives retained for detailed study is somewhat larger than Williams 2001 study area, but is restricted to the western approach, the area immediately south of the existing bridge (Alternative 5), the bridge itself (Alternatives 1 and 2), or areas north of the bridge extending to Second Street (Alternatives 4, 4 Curved, and 5A). A large portion of the impacted land on the north side of the bridge is Made Land, largely emplaced after 1942 (USGS) and before 1964 (Worcester Co. Soil Survey aerial photographs). Sanborn maps suggest that the original land in the project area north of the bridge was generally not occupied until sometime after 1911. The western approach to the US 50 bridge has been heavily disturbed by prior construction and modern development, mostly on Made Land.

The combination of extensive disturbances created by prior construction of roads and the existing bridge, utility installation, shoreline alterations, and continuing development in the project area indicates low potential for the preservation of any prehistoric or early historic archeological resources. Archeological resources associated with twentieth century resources have also suffered disturbance in many instances, and are not likely to yield important information due to their ubiquity and relatively recent age. Informal coordination in 2005 with Dr. Susan Langley of your office indicated that, although no prior underwater survey has been done in the project area, this portion of the Sinepuxent Bay has been heavily disturbed and has low potential for intact underwater archeological resources.

None of the Alternatives are likely to impact any intact, significant, archeological resources in the APE. No further archeological work is recommended for this undertaking.

Review Request

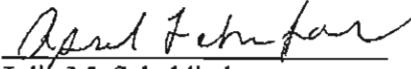
Please examine the attached maps, plans, and Hybrid Eligibility and Effects Table. We request your concurrence by December 3, 2007 that there would be adverse effects on historic properties by the replacement of SHA Bridge 2300700, US 50 over Sinepuxent Bay, and that neither the 2nd Street Pumping Station, the Charles Ludlum House nor the Marvel House are eligible for inclusion in the NRHP. By carbon copy, we invite the Worcester County Planning Commission and the Ocean City Department of Planning and Community Development to provide comments and participate in the Section 106 process. Pursuant to the requirement of the

Mr. J. Rodney Little
US 50 Crossing Study
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implementing regulations found at 36 CFR Part 800, SHA seeks their assistance in identifying historic preservation issues as they relate to this specific project (see 36 CFR §800.2(c)(4) and (6), and §800.3(f) for information regarding the identification and participation of consulting parties, and §800.4, and §800.5 regarding the identification of historic properties and assessment of effects). For additional information regarding the Section 106 regulations, see the Advisory Council on Historic Preservation's website, www.achp.gov, or contact the Maryland State Highway Administration or the Maryland Historical Trust). If no response is received by December 3, 2007, we will assume that these offices decline to participate. Please contact Ms. Anne E. Bruder at 410-545-8559 (or via email at abruder@sha.state.md.us) with questions regarding standing structures for this project. Ms. Carol A. Ebright may be reached at 410-545-2879 (or via email at cebright@sha.state.md.us) with concerns regarding archeology.

Very truly yours,

Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering

by: 
Julie M. Schablitsky
Cultural Resources Team Leader
Project Planning Division

- Attachments: 1) Project Plans
2) APE Map
3) MIHP and DOE Forms
4) Condition Photographs
5) Eligibility and Effects Table

cc: Ms. Anne E. Bruder, SHA-PPD (w/Attachments)
Ms. Theresa Christian, SHA-PPD (w/Attachments)
Ms. Carol A. Ebright, SHA-PPD
Ms. Kelly Henry, Worcester County Planning Commission (w/Attachments)
Mr. Jesse Houston, Ocean City Department of Planning and Community Development,
(w/Attachments)
Ms. Sue Rajan/Ms. Jamaica Kennon, SHA-PPD
Ms. Susan M. Ridenour, SHA-OED
Dr. Julie M. Schablitsky, SHA-PPD (w/Attachments)
Mr. Donald H Sparklin, SHA-PPD

ANNE
CAROL
~~FRISCA~~

Concurrence with the MD State Highway Administration's
Determination(s) of Eligibility and/or Effects

Project Number: WO419A11

MHT Log No. 200703856

Project Name: US 50 Crossing Study, US 50 over Sinepuxent Bay,
SEA Bridge No. 2300700

County: Worcester

Letter Date: October 30, 2007

The Maryland Historical Trust has reviewed the documentation attached to the referenced letter and concurs with the MD State Highway Administration's determinations as follows:

Eligibility (as noted in the Eligibility Table [Attachment 5]):

- Concur
- Do Not Concur

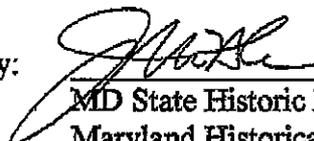
Effect (as noted in the Effect Table [Attachment 5]):

- No Properties Affected
- No Adverse Effect
- Conditioned upon the following action(s) (see comments below)
- Adverse Effect

Agreement with FHWA's Section 4(f) criteria of temporary use (as detailed in the referenced letter, if applicable):

- Agree

Comments:

By: 
 MD State Historic Preservation Office/
 Maryland Historical Trust

12-18-07
 Date

Return by U.S. Mail or Facsimile to:
 Dr. Julie M. Schablitsky, Cultural Resources Team Leader, Project Planning Division,
 MD State Highway Administration, P.O. Box 717, Baltimore, MD 21203-0717
 Telephone: 410-545-8870 and Facsimile: 410-209-5004



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

State Highway
Administration

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

November 23, 2007

Re: Project No. WO419A11
US 50 Crossing Study
From MD 611 to MD 378; and
3rd Street to Somerset Street
Worcester County, Maryland

Mr. Ray Dintaman, Jr., Director
Environmental Review Unit
Maryland Department of Natural Resources
Tawes State Office Building, B-3
580 Taylor Avenue
Annapolis, MD 21401

Attn: Mr. Greg Golden

Dear Mr. Dintaman:

Thank you for your letter dated March 19, 2007 concurring with the US 50 Crossing Study Alternatives Retained for Detailed Study (ARDS). This letter is in response to your comments and suggestions.

The Maryland State Highway Administration (SHA) appreciates the Maryland Department of Natural Resources' (DNR) participation in the discussions of this project at the interagency meetings and several project-specific meetings throughout the study, concurrence with the ARDS package, dated January 26, 2007, and the comments provided throughout the study and particularly the comments included with the ARDS concurrence.

SHA is aware that DNR would have preferred that Alternative 6 was retained for detailed study since Alternative 6 represented a significantly different alternative concept than the other alternatives considered, particularly as it relates to the sensitive colonial waterbird habitat located on Skimmer Island. However, due to the reasons cited for dropping Alternative 6, SHA did not feel that it was a viable alternative that could be selected. SHA is committed to comparing the potential effects of each of the ARDS particularly as they relate to Skimmer Island, including the potential conflicts with birds in flight. Skimmer Island is a flood tidal shoal system that provides essential nesting habitat for two state-listed endangered species, the Black Skimmer and the Royal Tern. As documented in the ARDS package, both species require unvegetated sand bars for breeding and nesting habitat and Skimmer Island represents the only viable nesting location for the Royal Tern in the state of Maryland.

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com

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Studies are being conducted to assess the potential impacts to rare, threatened and endangered species and to aid in the detailed engineering of each alternative in an effort to avoid and minimize impacts to these species and their habitat. In addition to an Essential Fish Habitat Assessment, SHA is conducting a detailed sand migration study. A sand migration model is being applied to each of the ARDS (including the No-Build and rehabilitation alternatives) in an effort to predict the effect of the alternatives on the sand migration patterns of the Bay, particularly as they relate to the possible future migration of Skimmer Island and projections of future sand bar locations. These studies will be documented in the Environmental Impact Statement (EIS) as part of the impact analysis, avoidance, minimization, and mitigation discussions.

SHA will continue coordination with DNR and other resource agencies throughout the remaining stages of this study and will present the results of the studies described above as they become available. These studies will provide invaluable information for the decision-making process and the detailed design of the alternatives as they relate to pier placement, construction sequencing, bridge location, abutment design and, ultimately, the selection of the preferred alternative.

SHA offers the following specific responses to DNR's comments on the US 50 Crossing ARDS:

Comment 1. Analysis of the flood tidal shoal migration and change, including modeling and projections over the long term (25 to 75 years).

Response. The physical data collection, historic shoreline and island change data collection and analysis, and hydrodynamic and sediment transport model configuration tasks for the sand migration model have been completed and are currently being applied to each of the ARDS. The model application will indicate possible impacts on Skimmer Island and other coastal areas over the short and long term. The model results and impact assessments will be presented to the agencies prior to the EIS in order to begin mitigation discussions.

Comment 2. Analysis of the impacts upon flood tidal shoal migration and change that may be attributable to the specific options retained for further study (i.e. how the project itself may influence the migration).

Response. The sand migration model will be applied to each of the ARDS for a sufficient simulation time period to predict the effects on hydrodynamics and sediment transport, including the evolution of shoals, islands and channels.

Comments 3. Presentation of avoidance, minimization, and mitigation options related to potential impacts of long-term habitat loss to Black Skimmers and Royal Terns that might result from the alternatives retained for detailed study. A range of options should also be addressed for other sensitive (non-RTE) colonial nesting waterbird species found in the area.

Response. The model will be used to assess methods to stabilize or protect Skimmer Island and other tidal shoal systems from adverse impacts (it is possible that impacts to Skimmer Island may cause potential indirect impacts to the listed species). Recommendations for design options, such as beach stabilization, structural protection, or channel modification may be recommended and presented to the regulatory agencies.

Comment 4. Comparison of the impacts to Black Skimmers and Royal Terns from alternatives selected for detailed study to impacts associated with Alternative 6 (for clarification, this comment acknowledges that Alternative 6 will not be carried forward, so the initial comparison has already been completed at the preliminary alternatives stage, as well as through the interagency discussion of ARDS decisions; however, further study will be done of avoidance, minimization, and mitigation measures that may be appropriate with the retained alternatives).

Response. DNR is correct in stating that the initial comparison between Alternative 6 and the alternatives returned for detailed study has already been completed. As mentioned previously at an SHA/DNR coordination meeting, dropped alternatives are not compared with retained alternatives. However, SHA realizes that Alternative 6 was the alternative located farthest away from Skimmer Island, and is committed to working with DNR's Wildlife and Heritage Division to develop best management practices particularly as they relate to the species of concern and their habitat, and will investigate measures to avoid, minimize and mitigate as appropriate with the retained alternatives.

Comment 5. Analysis of the potential for "take" of listed species under current statute which would result from any of the alternatives being retained for detailed study, including consideration of any increase in traffic volumes related to the project.

Response. The EIS will include an assessment of potential impacts to these listed species associated with each of the alternatives retained for detailed study. None of the alternatives retained for detailed study will result in increased traffic volumes since they will not be increasing the roadway capacity on US 50 into Ocean City.

In response to DNR's request for information on the ownership of Skimmer Island and the nearby sand/spoil islands, we have included a copy of Liber 1997 Folio 052 that indicates that Skimmer Island and Heron Island are owned by the State of Maryland, Department of Natural Resources.

We hope that this letter addresses your concerns. We welcome any input you may have regarding reducing impacts to the colonial nesting bird habitat. Should you have any questions

Mr. Ray Dintaman, Jr.
US 50 Crossing Study
Page 4

or need additional information, please feel free to contact Ms. Theresa Christian, the
Environmental Manager, at 410-545-8697; or Ms. Sue Rajan, Project Manager, at 410-545-8514.

Very truly yours,

Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering

by: 
Joseph R. Kresslein
Assistant Division Chief
Project Planning Division

Attachment

cc: Ms. Theresa Christian, SHA-PPD (w/attachments)
Mr. Bruce M. Grey, SHA-PPD
Ms. Jamaica Kennon, SHA-PPD
Mr. Joseph R. Kresslein, SHA-PPD
Ms. Heather Murphy, SHA-PPD
Ms. R. Suseela Rajan, SHA-PPD



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

State Highway
Administration

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

September 26, 2007

Re: Project No. WO419A11
US 50 Crossing Study
From MD 611 to MD 378; and
3rd Street to Somerset Street
Worcester County, Maryland

Mr. John Wolflin, Field Supervisor
US Department of the Interior
Fish and Wildlife Service
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401

Attention: Mr. Bill Schultz

Dear Mr. Wolflin:

Thank you for your letter dated April 3, 2007 regarding the US 50 Crossing Study alternatives retained for detailed study (ARDS). The Maryland State Highway Administration (SHA) appreciates the participation of U.S. Fish and Wildlife Service (FWS) in the discussions and review of the US 50 Crossing Study. This letter is in response to your comments and recommendations.

SHA understands your concern that Alternative 6 was not retained for detailed study. However, due to the reasons cited for dropping Alternative 6, we did not feel that it was a viable alternative that could be selected. SHA will evaluate your suggestions regarding a vegetation control program and colonial nesting bird habitat replacement, and will address the feasibility of your recommendations in the Preferred Alternative and Conceptual Mitigation package.

Skimmer Island has been known to provide habitat for two state-listed endangered species, the black skimmer and royal tern. We have attached correspondence from the Maryland Department of Natural Resources (DNR), Wildlife and Heritage Service, which clarifies that a third species, the sandwich tern, is classified as a sensitive species. Although the sandwich tern is not listed as endangered, this species does occasionally use Skimmer Island for breeding and is only found at that one location in Maryland during the breeding season. DNR has provided the attached table to illustrate the use of the island by bird species. As you requested, this information will be included in the Environmental Impact Statement for the project.

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

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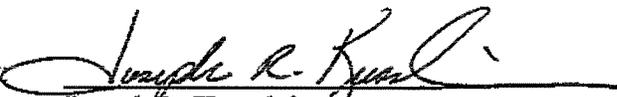
Studies are being conducted to assess the potential impacts to rare, threatened and endangered species and to aid in the detailed engineering of each alternative in an effort to avoid and minimize impacts to these species and their habitat. In addition to an Essential Fish Habitat Assessment, SHA is conducting a detailed sand migration study. A sand migration model is being applied to each of the ARDS (including the No-Build and rehabilitation alternatives) in an effort to predict the effect of the alternatives on the sand migration patterns of the Bay, particularly as they relate to Skimmer Island and projections of future sand bar locations. These studies will be documented in the Environmental Impact Statement (EIS) as part of the impact analysis, avoidance, minimization, and mitigation discussions.

SHA will continue coordination with the FWS and other resource agencies throughout the remaining stages of this study and will present the results of the studies described above as they become available. These studies will provide invaluable information for the decision making process and the detailed design of the alternatives as they relate to pier placement, construction sequencing, bridge location, abutment design and, ultimately, the selection of the preferred alternative.

We hope that this letter addresses your concerns. We welcome any input you may have regarding reducing impacts to the colonial nesting bird habitat. Should you have any questions or need additional information, please feel free to contact Ms. Theresa Christian, the Environmental Manager, at 410-545-8697; or Ms. Sue Rajan, the Project Manager, at 410-545-8514.

Very truly yours,

Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering

by 
Joseph R. Kresslein
Assistant Division Chief
Project Planning Division

Attachments

cc: Ms. Theresa Christian, SHA-PPD (w/attachments)
Mr. Bruce M. Grey, SHA-PPD
Ms. Jamaica Kennon, SHA-PPD
Mr. Joseph R. Kresslein, SHA-PPD
Ms. Heather Murphy, SHA-PPD
Ms. R. Suseela Rajan, SHA-PPD



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
One Blackburn Drive
Gloucester, MA 01930-2296

DEC 17 2007

Nelson J. Castellanos
Division Administrator, DELMAR Division
Federal Highway Administration
10 South Howard Street, Suite 2450
Baltimore, Maryland 21201

Attn: Theresa Christian, Maryland State Highway Administration, Baltimore

Dear Mr. Castellanos:

The National Marine Fisheries Service (NMFS) has reviewed your Essential Fish Habitat (EFH) assessment, received November 15, 2007, for the U.S. 50 Bridge Crossing of Sinepuxent Bay Study in Ocean City, Maryland. We offer the following comments and recommendations.

Your assessment has been well prepared, and is comprehensive in the analysis of potential project impacts on federally managed species occurring in the project vicinity. Furthermore, your agency has adopted preliminary recommendations from our written comments on the Alternatives Retained for Detailed Study package, dated January 9, 2007, regarding measures for protecting finfish and other marine fauna from construction activities. To further clarify our position on these protective measures, we have provided two EFH conservation recommendations, in accordance with Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation & Management Act (MSA).

1. Your EFH assessment indicates that NMFS may require a time-of-year restriction on construction activities to protect larval and juvenile summer flounder. In fact, NMFS is recommending that in-water construction activities (including dredging, by any method, pile driving, cofferdam construction and removal) be restricted from April 1 - June 30, during the period of peak abundance of summer flounder early juveniles in the Maryland coastal bays.
2. If power-driving of large diameter (> 48 inches) hollow steel piles is required for this project, shock wave levels should be monitored immediately outside the "can" or sheath encasing a pile during power-driving, to ascertain that underwater sound oscillations do not exceed the 4 pounds per square inch (psi) threshold identified in your assessment. If oscillations continually exceed 4 psi during driving activity, and/or fish mortality is observed in the vicinity of the activity, corrective measures should be taken immediately. These measures may include: 1) decreasing the diameter of the "can" to better



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consolidate the air bubble curtain; and/or 2) increasing the intensity of the air bubble curtain within the "can."

Section 305(b)(4)(B) of the MSA requires your agency to provide NMFS with a detailed response to these EFH conservation recommendations, including a description of measures adopted for avoiding or mitigating the impact of the project on managed species. In the case of a response that is inconsistent with NMFS' recommendation, Section 305(b)(4)(B) requires your agency to explain its reasons for not following the recommendations. Included in such reasoning would be the scientific justification for any disagreements with NMFS over the anticipated effects of the proposed action and the measures needed to avoid or mitigate such effects [50 CFR 600.920(k)].

Please also note that a distinct or further EFH consultation must be reinitiated if new information becomes available, or the project is revised in such a manner that affects the basis for the above EFH conservation recommendations.

We look forward to your response to our EFH conservation recommendations. Should you have any questions about this matter, please contact John S. Nichols at our Annapolis, Maryland, field office at 410-267-5675, or John.Nichols@NOAA.GOV.

Sincerely,



Peter D. Colosi
Assistant Regional Administrator
for Habitat Conservation

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US 50 CROSSING STUDY Ocean City



A NEW STUDY OF THE OLD BRIDGE

This is the first newsletter for the US 50 Crossing Study, sponsored by the Maryland State Highway Administration (SHA) and the Federal Highway Administration (FHWA). The purpose of the newsletter is to introduce you to the project, provide information on the project's purpose, and to invite your participation as we begin looking into potential changes to the US 50 crossing into Ocean City.

Kick-Off Meetings - June 8 & 9

WHAT: Learn first-hand about the study at an Informational Open House that will be held in Ocean City on June 8-9, 2005. The sessions will not only outline key issues, but solicit your ideas on what direction the project should take. To make it easier to participate, we have planned three identical sessions over two days. There will be no formal presentation, but state representatives will be available to receive comments and provide information. Please mark your calendars and plan to attend a session!

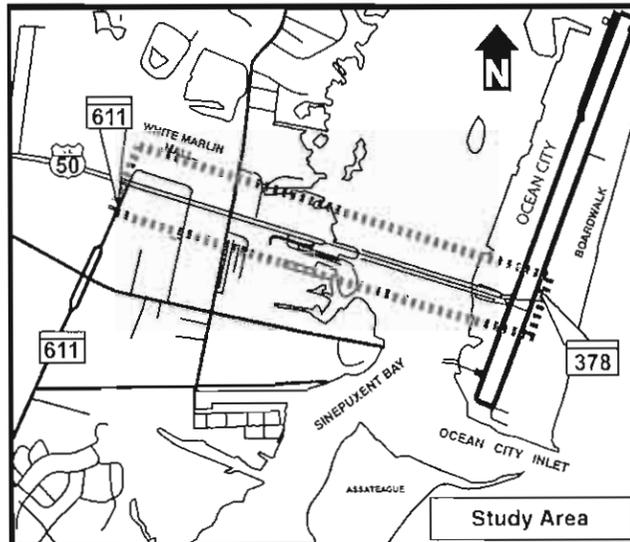
WHEN:

JUNE 8
2:00 PM - 5:00 PM
6:30 PM - 8:30 PM

JUNE 9
9:00 AM - 11:00 AM

WHERE:

Roland E. Powell
Convention Center
Room 217
4001 Coastal Highway
(40th Street)
Ocean City, MD 21842



Also identified is the need to establish a more attractive and aesthetic gateway representative of a major coastal resort.

The Town of Ocean City would like to see a beautification effort on any US 50 bridge that would include a separate fishing pier, so that pedestrians can use the sidewalks without conflicting with people fishing from the bridge.

Local officials also point out that resolving the future of the US 50 crossing will assist development efforts. New building projects are expected around each end of the existing bridge in the near future. If the study selects an improvement option, private and public plans potentially could be adjusted to better accommodate a new or rehabilitated bridge with minimal disruptions.

About the Study...

The purpose of this study is to develop and analyze future options for the US 50 bridge over the Sinepuxent Bay. This study will consider a wide range of options, including no-build, rehabilitating the existing bridge, building a new bridge, or potentially developing a non-bridge option. The project limits extend from MD 611 to MD 378 (Baltimore Avenue).

The study will address a number of needs, which include improving the structural, operational and safety problems associated with the existing bridge. The study will also address how to better accommodate the variety of users of the crossing, including car and truck drivers, pedestrians, fishermen, boaters, cyclists, and public transit passengers.

About the Bridge...

The US 50 bridge over Sinepuxent Bay was built in 1942. The existing bridge, popularly known as the Harry W. Kelley Memorial Bridge, has an operating life expectancy of 15-40 years depending on the amount of repair work done in the future.

The bridge has been placed on the state's Historic Bridge Inventory and is eligible for inclusion in the National Register of Historic Places.

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Current Activities

SHA began a formal planning study in November 2004. Under the requirements of the National Environmental Policy Act, this study will document the alternative selection process. The project planning process includes engineering studies, an evaluation of environmental impacts, costs, and public-agency coordination associated with the alternatives that are studied.

SHA is currently defining the goal and direction of the study in conjunction with FHWA, state and federal regulatory agencies, and local officials.

Schedule

Develop Preliminary Alternatives	Fall 2005
Alternates Public Workshop	Spring 2006
Location/ Design Public Hearing	Winter 2007/2008
Location/ Design Approval	Spring 2009

Contacts

For more information or to be included on the project mailing list, please contact:

Mr. Chris Weber, Project Manager,
410-545-8519 or 1-800-548-5026
Email: cweber@sha.state.md.us

In addition, an overview of this and other SHA projects, including upcoming activities, can be found on the SHA's website at www.marylandroads.com. Simply click on "Projects and Events" to locate the project planning fact sheets.

Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lieutenant Governor
Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator



Maryland Department of Transportation
State Highway Administration
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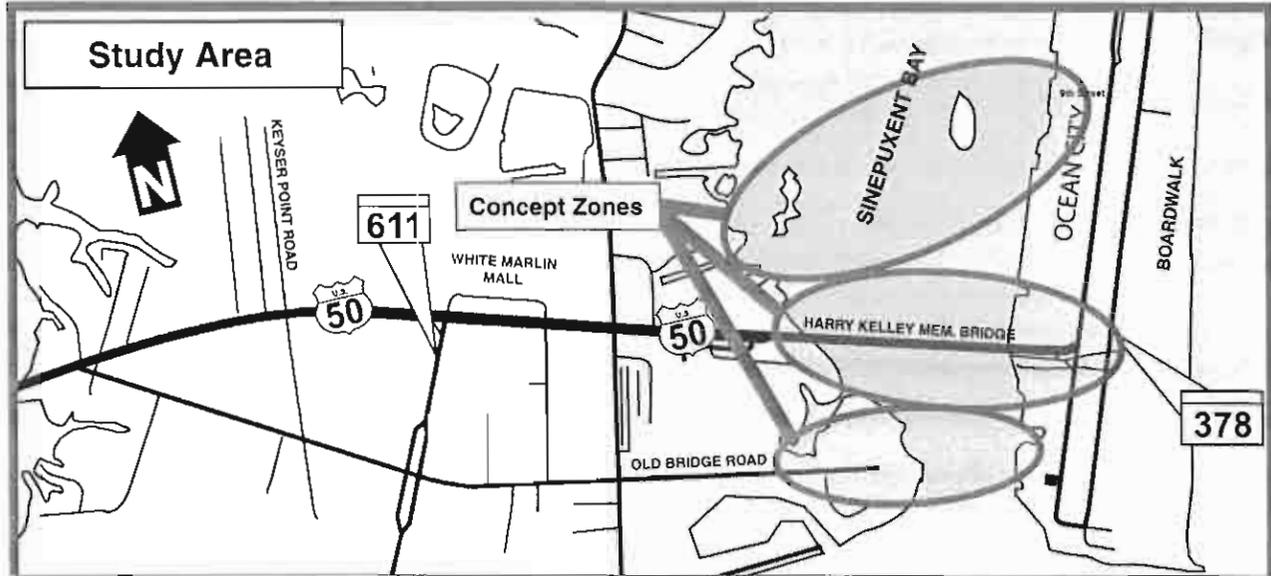




US 50 CROSSING STUDY Ocean City



STUDY UNDERWAY: IDEAS AND CHALLENGES IDENTIFIED



This is the second newsletter for the US 50 Crossing Study, sponsored by the Maryland State Highway Administration (SHA) and the Federal Highway Administration (FHWA). The purpose of the newsletter is to provide you a brief update on progress so far, which includes identifying community and natural resource issues, and soliciting ideas for improvements to the US 50 crossing. We would also like to invite you to a public meeting in October.

Many Ideas on the Table

One of the first steps in planning any project is to identify a wide range of options. For the US 50 Crossing Study, this began in the spring, with discussions with the public, regulatory agencies, local governments and others. The kick-off public meeting in June was part of the process.

This "brainstorming" generated a long list of ideas, some of which were quite innovative. These ideas include several non-bridge options for the US 50 crossing, such as a ferry or water taxis. Also suggested were a variety of locations for a new bridge, ranging from 9th St. to the north to Old Bridge Rd./Worcester St. to the south.

To comply with the National Environmental Policy Act, which is required for federal funding, the study team will consider all of these concepts during the initial screening phase. You will have the opportunity to review and comment on them at the October Open House. Later this year, the most promising of the concepts will be developed into preliminary alternatives, which will be presented next spring.

Public Meetings -- October 6 & 7

WHAT: Learn the latest about the study and give us your thoughts at an Informational Open House that will be held in Ocean City on October 6 & 7, 2005. To make it easier to participate, we have planned three identical sessions over two days. There will be no formal presentation, but state representatives will be available to receive comments and provide information. Please mark your calendars and plan to attend a session!

WHEN:

October 6, 2005
1:00 PM - 4:00 PM
6:00 PM - 8:00 PM

October 7, 2005
9:00 AM - 11:00 AM

WHERE:

Roland E. Powell
Convention Center
Room 217
4001 Coastal Highway
(40th Street)
Ocean City, MD 21842

Environmental Protections and Challenges

Much of the natural beauty and wildlife that makes Ocean City distinctive is protected under state and federal environmental laws and regulations. These protections will strongly influence what the project team will and won't be able to do.

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In the US 50 Crossing study area, the following environmental features have protected status:

- Parks
- Tidal and non-tidal wetlands
- The existing bridge and several other properties that are considered "historic"
- The threatened and endangered water bird colony on Skimmer's Island
- The "important habitat" for summer flounder in Sinepuxent Bay
- The possible presence of endangered marine turtles in Sinepuxent Bay
- Possibly others

The project team is required to try to avoid these sensitive resources. If we cannot avoid them, we must minimize any negative impacts made to them.

About the Study...

The US 50 bridge over Sinepuxent Bay was built in 1942. The existing bridge, popularly known as the Harry W. Kelley Memorial Bridge, has an operating life expectancy of 15-40 years, depending on the amount of repair work done in the future. The bridge has been placed on Maryland's Historic Bridge Inventory and is eligible for inclusion in the National Register of Historic Places.

The purpose of this study is to develop a transportation solution that improves upon the structural, operational and safety deficiencies associated with the existing bridge.

The study will address how to better accommodate the variety of users of the crossing, including car and truck drivers, pedestrians, fishermen, boaters, cyclists, and public transit passengers. Also identified is the need to establish a more attractive and aesthetic gateway representative of a major coastal resort.

Schedule

Develop Preliminary Alternatives	Fall/Winter 2005
Alternates Public Workshop	Spring 2006
Location/ Design Public Hearing	Winter 2007/2008
Location/ Design Approval	Spring 2009

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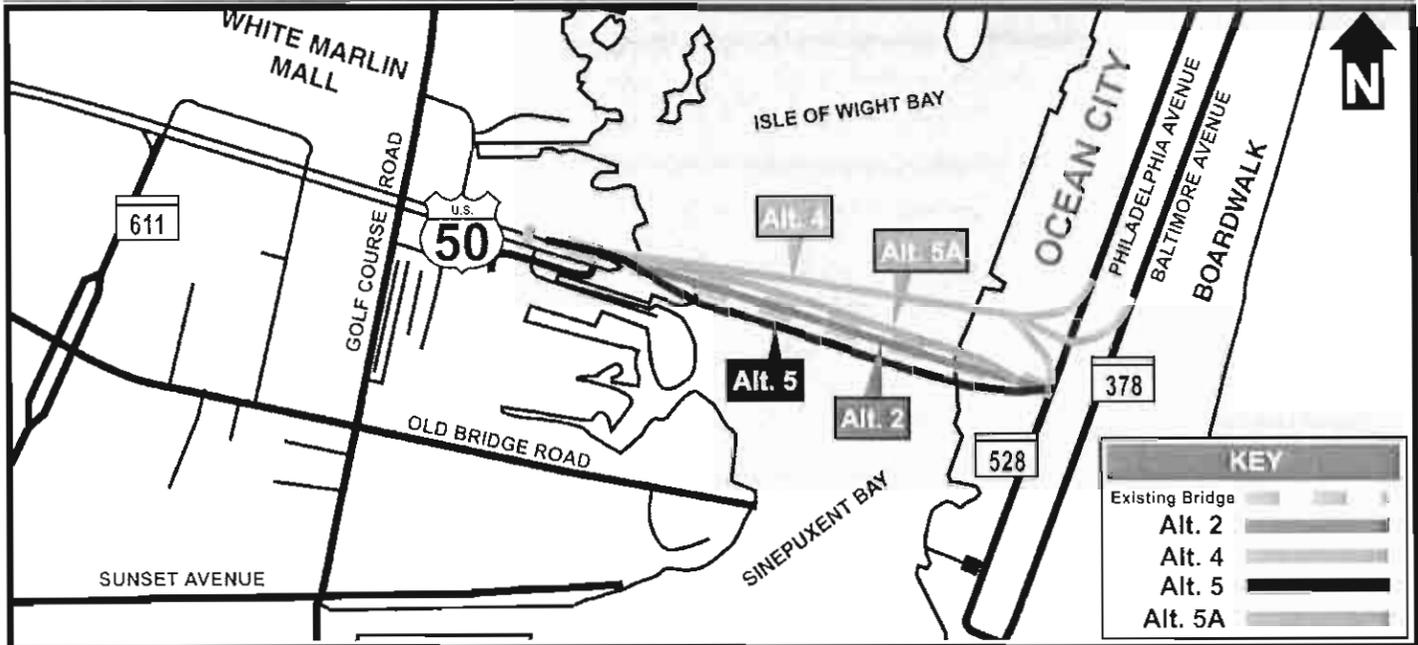
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US 50 CROSSING PROJECT MOVES FORWARD



The US 50 Crossing Project Planning Study has passed an important milestone, with the decision to do detailed analysis of five alternatives and to drop three others from further consideration.

The State Highway Administration (SHA) selected the Alternatives Retained for Detailed Study (ARDS) after considering a number of issues, including environmental and community impacts, traffic operation, project costs, and comments from regulatory agencies and the public. The project team wishes to thank everyone who participated in the Alternates Public Workshops held at the Roland E. Powell Convention Center in June 2006.

Detailed engineering and environmental studies are now underway. Another meeting is planned for the spring to update the public on the project.

WHY IS THE PROJECT NEEDED?

The US 50 bridge over Sinepuxent Bay was built in 1942. The existing bridge, known as the Harry W. Kelley Memorial Bridge, has an operating life expectancy of 15-40 years, depending on the amount of repair work done in the future. The bridge has been placed on Maryland's Historic Bridge Inventory and is eligible for inclusion in the National Register of Historic Places.

The purpose of this study is to develop a transportation solution that improves upon the structural, operational and safety deficiencies associated with the existing bridge.

The study will address how to better accommodate the variety of users of the crossing, including car and truck drivers, pedestrians, fishermen, boaters, cyclists, and public transit passengers. The need to establish a more attractive gateway representative of a major coastal resort has also been identified.

FIVE ALTERNATIVES RETAINED FOR DETAILED STUDY

Four "build" alternatives and the "no-build" alternative are currently under consideration. After evaluating all of the issues and comments, the project team made refinements to each of the build alternatives. Alternative 2 no longer contains the aerial tram, due to cost and lack of support. For Alternatives 4, 5 and 5A, the proposed bridge has been reduced from six lanes to four lanes, which the team believes will be sufficient to meet future travel demand.

Here is a brief summary of the Alternatives Retained for Detailed Study:

Alternative 1: No-Build – Includes minor short-term improvements as part of routine maintenance and safety operations. No major improvements are proposed. However, it provides a baseline for the other alternatives under consideration.

Alternative 2 Modified: Rehabilitation – Involves the rehabilitation of the existing bridge, a separate fishing pier, wider sidewalks for pedestrians and cyclists, and such aesthetics as lighting and archways. No property displacements would be required.

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Alternative 4: 1st Street Connection – Proposes a new 45 foot high, fixed-span parallel bridge beginning just west of the existing bridge and connecting near 1st Street in Ocean City. The new four-lane bridge would carry inbound and outbound traffic: inbound traffic could continue northbound one-way onto Baltimore Avenue, while a new connection would continue the inbound right-turn movement for traffic heading south. This alternative would require the taking of as many as 18 homes and 35 businesses. In addition, the greater height demands of a fixed span would result in a steep entrance into the resort. The existing bridge would be retained and possibly used for pedestrians, bikes, and fishing.

Alternative 5: South Parallel Bridge – Proposes a new parallel bridge beginning just south of US 50 and tying back into Division Street. The new four-lane bridge, which will not change traffic flow, would have a higher draw span and carry inbound and outbound traffic. The higher draw span will help reduce congestion by requiring fewer openings. This alternative could displace as many as eight homes and eight businesses in Ocean City. The existing bridge would be retained and possibly used for pedestrians, bikes, and fishing.

Alternative 5A: North Parallel Bridge – Proposes a new parallel bridge beginning just north of US 50 and tying back into Division Street—a mirror concept of Alternative 5. The new four-lane bridge, which will not change traffic flow, would have a higher draw span and carry inbound and outbound traffic. The higher draw span will help reduce congestion by requiring fewer openings. This alternative could displace as many as six homes and nine businesses in Ocean City. The existing bridge would be retained and possibly used for pedestrians, bikes, and fishing.

ALTERNATIVE 6, TWO OTHERS DROPPED

Three alternatives have been dropped because of such factors as significant environmental and property impacts, high cost, lack of public support, removal of the existing bridge, and traffic maintenance demands.

The following are no longer under consideration:

Alternative 3: One-Way Pair

Alternative 6: 9th Street Connection

Alternative 7: Remove and Replace

In particular, Alternative 6 drew strong opposition from residents and businesses in West Ocean City.

NEXT STEPS

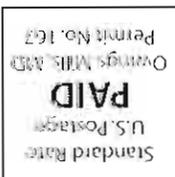
Over the next several years, SHA will pursue the following tasks and milestones:

- Receive concurrence from environmental resource agencies on the Alternatives Retained for Detailed Study (ARDS) – Winter 2006-2007
- Hold Informational Public Workshop – Spring 2007
- Complete detailed engineering and environmental analyses – Summer 2007
- Prepare draft environmental document – Fall 2007
- Conduct Location/Design Public Hearing – Winter 2007-2008
- Complete final environmental document – Spring 2009
- Obtain Location/Design approval – Summer 2009

CONTINUING PUBLIC INVOLVEMENT

SHA is committed to keeping the public involved throughout the US 50 Project Planning Study and welcomes all questions and comments. For more information or to be added to or removed from the project mailing list, interested persons should contact the Project Manager: Ms. R. Suseela Rajan, 410-545-8514 or 1-800-548-5026, email: srajan@sha.state.md.us. Information on this and other SHA projects can be found on our web site: www.marylandroads.com.

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Baltimore, Maryland 21203-0717





Spring 2007 Newsletter



We want to hear from you! Here's how you can get involved in the study and stay updated as we move forward:

- Fill out and mail the inserted postage-paid survey.
- Get on the project mailing list. Add your name and address to the bottom of the attached postcard to receive future project updates and announcements.

- Come to our public meetings!
- We will send you announcements and advertise in newspapers when we plan to hold our next round of public meetings.
- Let us know how we can come to you. Representatives are available to come to community or business organization meetings.

Log on to our Project Web Page at:
www.sha.state.md.us/roads/roads.htm

Martin O'Malley, Governor
 Anthony Brown, Lieutenant Governor
 John D. Porcari, Secretary
 Neil J. Pedersen, Administrator

Next Steps

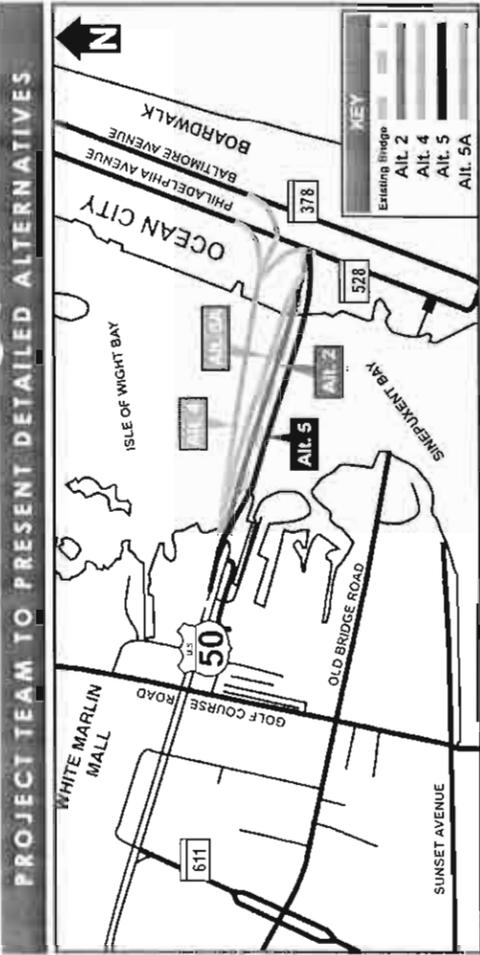
SHA envisions this schedule for pursuing the following key tasks and Project Planning milestones:

- Complete detailed engineering and environmental analyses – Summer 2007
- Prepare draft environmental document – Winter 2007
- Conduct Location/Design Public Hearing – Spring 2008
- Select SHA Preferred Alternative – Spring 2008
- Complete final environmental document – Spring 2009
- Obtain Location/Design approval – Summer 2009

Contacting Us

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www.marylandroads.com

Public Involvement is Important!



Alternatives Refined

Detailed engineering/environmental work continues in the US 50 Crossing Study, which has resulted in refinements to several alternatives.

The alternatives retained for further study include Alternative 1 (No-Build), Alternative 2 (Rehabilitation of the Existing Bridge), Alternative 4 – Fixed Span Bridge, Alternative 5 (South Parallel Bridge), and Alternative 5A (North Parallel Bridge).

The project team is conducting a more detailed engineering evaluation of these alternatives to determine how to reduce impacts to the environment and properties while improving the bay crossing for the variety of bridge users. In recent months, the engineering evaluation has focused on a number of issues, which include:

- Shifting the alignment of Alternative 4 to the south to reduce property impacts while reducing the roadway grades
- Reducing the width of any new bridge to four lanes, instead of six lanes as previously proposed
- Determining how to maintain bridge traffic during construction
- Evaluating how the alternatives will accommodate the surrounding community (pedestrian and bicycle access, landscaping, traffic patterns, etc.)

Attend the Public Meetings!

WHAT: Get an update on the latest developments at an informational Public Workshop. Learn about the current alternatives and major issues under study, and provide us with your input and views. Three identical sessions are scheduled for your convenience. All will be conducted in an open house format, in which Project Team members will be available to provide information and receive comments. There will be no formal presentation, so feel free to arrive at any time. Please mark your calendars and plan to attend!

WHEN:		WHERE:	
Thursday, May 31, 2007	6:00 PM to 8:00 PM	Roland E. Powell Convention Center Room 217	4001 Coastal Highway (40th Street) Ocean City, MD 21842
Friday, June 1, 2007	9:00 AM to 11:00 AM		
	1:00 PM to 3:00 PM		

SHA
 State Highway Administration
 MARYLAND DEPARTMENT OF TRANSPORTATION
 STATE HIGHWAY ADMINISTRATION
 OFFICE OF PLANNING AND PRELIMINARY ENGINEERING
 P.O. BOX 717 MAIL STOP C-301
 BALTIMORE, MD 21203-1717



Why is the Project Needed?

The US 50 bridge over the Sinepuxent Bay was built in 1942. The existing bridge, known as the Harry W. Kelley Memorial Bridge, has an operating life expectancy of 15-40 years, depending on the amount of repair work done in the future. The bridge is eligible for inclusion in the National Register of Historic Places.

The purpose of this study is to develop a transportation solution that improves upon the structural, operational and safety deficiencies associated with the existing bridge.

The study will address how to better accommodate the variety of users of the crossing, including car and truck drivers, pedestrians, fishermen, boaters, cyclists, and public transit passengers. The need to establish a more attractive gateway representative of a major coastal resort has also been identified.

Environmental Studies

SHA is conducting detailed environmental analyses necessary to prepare the Draft Environmental Impact Statement (DEIS) in accordance with the National Environmental Policy Act (NEPA), including:

- Detailed studies to further define the limits of important environmental resources, including wetlands
- A Community Effects Analysis to determine the potential effects of the project on the human environment
- Computer models to examine the effects of various bridge designs on navigation, erosion and the formation of the shoals (such as Skimmer Island) in Ocean City's back bays and inlet
- An Essential Fish Habitat assessment to determine the effects of the project on the fish in the Sinepuxent Bay
- An assessment of rare, threatened and endangered species to determine the potential effects of the project on waterbirds, as well as, protected marine turtles that may be present in the project vicinity
- Air and Noise Analyses
- Hazardous Material

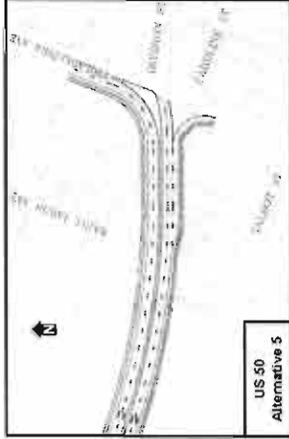
Alternatives Currently Under Consideration

Four "build" alternatives and the "no-build" alternative are under consideration that will be presented to the public at the upcoming workshops. These include:

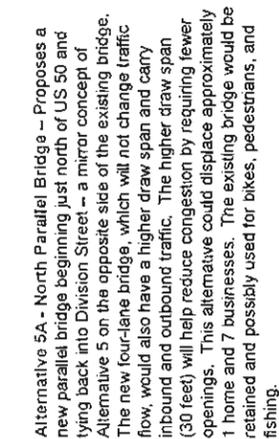
Alternative 1 – No-Build – Includes minor short-term improvements as part of routine maintenance and safety operations. No major improvements are proposed. This alternative provides a baseline for the other alternatives under consideration.

Alternative 2 – Rehabilitation – Involves rehabilitation of the existing bridge, construction of a separate fishing pier, wider sidewalks for pedestrians and cyclists, and adds aesthetics such as lighting and archways. No property acquisitions would be required.

Alternative 4 – Fixed Span Bridge – Proposes a new 45-foot high, fixed-span parallel bridge beginning just west of the existing bridge. Originally under this alternative, the bridge began just west of the existing bridge and connected near 1st Street in Ocean City. The Project Team is now examining locating this bridge further south, closer to the existing bridge and tying in south of 1st Street. The new four-lane bridge would carry inbound and outbound traffic; inbound traffic could continue northbound one-way onto Baltimore Ave., while a new connection would continue the inbound right-lane movement for traffic heading south. This alternative may require displacement of 21 homes and 16 businesses. The existing bridge would be retained and possibly used for bikes, pedestrians, and fishing.



Alternative 5 – South Parallel Bridge – Proposes a new parallel bridge beginning just south of US 50 and tying back into Division Street. The new four-lane bridge, which will not change traffic flow, would have a higher draw span and carry inbound and outbound traffic. The higher draw span (30 feet) will help reduce congestion by reducing the number of draw span openings. This alternative could displace approximately 6 homes and 4 businesses. The existing bridge would be retained and possibly used for bikes, pedestrians, and fishing.



Alternative 5A – North Parallel Bridge – Proposes a new parallel bridge beginning just north of US 50 and tying back into Division Street – a mirror concept of Alternative 5 on the opposite side of the existing bridge. The new four-lane bridge, which will not change traffic flow, would also have a higher draw span and carry inbound and outbound traffic. The higher draw span (30 feet) will help reduce congestion by requiring fewer openings. This alternative could displace approximately 1 home and 7 businesses. The existing bridge would be retained and possibly used for bikes, pedestrians, and fishing.

CATEGORY	US 50 Crossing Study - Summary of Impacts				Alt. 5A
	Alt. 1 (No-Build)	Alt. 2	Alt. 4	Alt. 5	
Number of Potential Displacements					
Residential	0	0	21	6	1
Commercial	0	0	15	4	7
Total	0	0	37	10	8
Right of Way Required (acres)					
Residential	0	0	2	1	1
Commercial	0	0	7	1	2
Total	0	0	9	2	3
Number of Properties Impacted					
Residential	0	0	12	9	1
Commercial	0	0	26	8	12
Total	0	0	38	17	13
Environmental Impacts (Acres)					
Wetlands	0	0	0.4	0.2	0.2
Wetlands (Incl. Bridge Shadow)	0	0	0.7	0.2	0.2
Historic Properties	0	0	0.0	0.0	0.0
Parks	0	0	0.0	0.0	0.0
Woodlands	0	0	0.0	0.0	0.0
Length of Bridge (ft)	N/A	N/A	2570.0	2290.0	2310.0
Cost					
Total Cost	\$20M - \$30M	\$130M - \$140M	\$355M - \$365M	\$335M - \$345M	\$315M - \$325M

US 50 Crossing Study – June 1st and 2nd 2006
 Alternates Public Workshop – Summary of Comments

ALL RESPONSES		
<i>Alternative</i>	<i>Favor</i>	<i>Oppose</i>
1	35	84
2	54	53
3	29	72
4	66	45
5	70	39
5a	97	31
6	15	242
7	47	70

Comment Cards		
<i>Alternative</i>	<i>Favor</i>	<i>Oppose</i>
1	1	1
2	5	0
3	1	1
4	3	0
5	4	0
5a	6	0
6	2	8
7	2	1

Letters		
<i>Alternative</i>	<i>Favor</i>	<i>Oppose</i>
1	3	0
2	1	0
3	0	0
4	0	0
5	0	0
5a	1	0
6	0	75
7	0	0

Emails		
<i>Alternative</i>	<i>Favor</i>	<i>Oppose</i>
1	0	0
2	4	0
3	0	0
4	2	1
5	1	0
5a	3	0
6	0	28
7	0	0

Exit Surveys			
<i>Alternative</i>	<i>Average Score</i>	<i>Favor</i>	<i>Oppose</i>
1	2.30	30	83
2	2.93	44	53
3	2.47	28	71
4	3.19	61	44
5	3.20	65	39
5a	3.66	87	31
6	1.49	13	127
7	2.61	45	69

Number of Responses	
Phone	5
Letter	75
Email	41
Exit Survey	162
Comment Card	58
TOTAL	341

Phone Calls		
<i>Alternative</i>	<i>Favor</i>	<i>Oppose</i>
1	1	0
2	0	0
3	0	0
4	0	0
5	0	0
5a	0	0
6	0	4
7	0	0

Agency Comments		
Agency	Supports further study of Alt. 6	Opposes Alt. 6 as Selected Alternative
Dept. of Natural Resources	X	
Corps of Engineers		X
Fish & Wildlife Service		X
National Marine Fisheries Service		X
Coastal Bays Program		X

October 2006

Comment	Count
Concerns with financial cost	117
Concerns with displacements	91
Opposed to negative impact on West OC community	88
Concerns with impact on wetlands	71
Concerns with negative impact on residents in OC	66
Concerns with general environmental impacts	57
Concerns with impact to Route 50 businesses	56
Opposed to increased traffic in West OC (Alternative 6)	45
Concerns with noise	45
Opposed to negative impact on West OC school	43
Concerns with impact to OC businesses	42
Concerns with pollution	40
Concerns with impact on wildlife	39
Concerns with safety of roads in West OC	39
Concerns with loss of property value	36
Concerns with aesthetics	30
Concerns with impact to West OC businesses	29
Favors eliminating/lowering drawbridge activity	22
Favors safer facilities for pedestrians, fishermen, bicyclists	21
No aerial tram needed	15
Favors maintaining current location of bridge	15
Four lanes (Alternative 6) not sufficient	13
Concerns with general negative impact on residents	12
Consider expanding Rt.90	12
Concerns with general impact on commerce/economy in OC	11
Favors improved traffic flow in and out of downtown area	11
Rebuild/Rehab bridge	11
Concerns with emergencies and evacuation	11
Favors fixed bridge	10
Concerns with history bridge and Ocean City	8
Traffic will remain congested despite alternatives	7
Concerns with construction impact	6
Length of Alternative 6 bridge is excessive	6
Displaced properties in Alternative 4 are mostly aged, rental properties	5
Concerns with islands	4
Existing bridge should be replaced	4
Concerns with negative impact on growth of West Ocean City	4
Consider route through 34th St.	4
Concerns with cost maintenance of two structures	3
Concerns with water flow and current	3
Safety concerns with steep grade	3
Favors improved boat/water traffic	2
Improve timing of traffic lights	2
Concerns with long term growth of Ocean City	2
Concerns with maintenance cost of new bridge	2
Eliminate Rt 50 bridge	2
Consider access at midpoint of town	2

October 2006

Comment	Count
Consider tram from Park & Ride on Rt. 50 to OC beach	2
Improve public transit	2
Skimmer Island not important	1
Consider economic gain of developing Isle of Wight Bay	1
Tram for tourists	1
Consider bridge over Assateague	1
Need at least 3 lanes	1
Consider bridge west of town	1
Build parking facilities in downtown Ocean City	1
Use message signs during holiday weekends (July 4th)	1
Community would be more open to other alternative if Alternative 6 taken away	1
Study is to fix bridge, not improve down traffic	1
Consider banning fishing boats	1

October 2006

**Summary of Comments
Informational Public Workshop
May 31st and June 1st 2007**

**Total Number of Attendees: 50
Total Number of Written Comments Received: 363**

**Table 1
How do you view each alternative?**

Alternative	Average
Alternative 1 – No Build	2.02
Alternative 2 – Rehab	3.13
Alternative 4 – Fixed Span	2.88
Alternative 5 – South Parallel	2.72
Alternative 5A – North Parallel	3.19

Note: 1 being very negative and 5 being very positive

Table 2

	Alternative 1	Alternative 2	Alternative 4	Alternative 5	Alternative 5A
Favor	63	143	130	104	158
Neutral	26	35	40	71	50
Oppose	189	116	127	116	94

**Table 3
Which impacts concern you the most?**

Impacts on homes	76
Impacts on businesses	19
Impacts on the natural environment	62
Impacts during construction	91
Impacts on community character	60
Impacts to pedestrian/bicycle/fisherman	17

Comments:

Widen Route 90 Bridge

Concerned about jammed draw span

Concerned about cost

Concerned about pedestrian and bicyclist safety

Concerned about impacts to Philadelphia Ave.

Concerned about taxes

Concerned about traffic in downtown Ocean City

Concerned about the draw span and emergency vehicles

People don't mind waiting because of the good view (when the draw span is up)

12/18/2007

Concerns about impacts to the Bay
Wants a double decker bridge like in NY
Traffic is due to poor traffic management in Ocean City not the bridge
Concerned downtown can not handle new traffic flow
Likes the old bridge as a fishing pier and for emergencies
Concerned about traffic on St. Louis Ave.
Concerned about time until completion
Worried that a new bridge will bring more traffic to already crowded Ocean City
Comments cont'd:
Concerned about losing the amazing view as you travel over the bridge
The light at the base of the bridge slows traffic
Concerned about waiting for the old bridge to Open with Alts. 5 and 5A
Inconvenience the boats and not open as often
Alternatives 1 and 2 are a band aid fix/will not fix the problem
Very concerned about the destruction of the character of "old Ocean City."
Concerned with the fixed span since he is buying a boat over 45'
Concerned about a tall bridge hurting the value of downtown Ocean City
Remove the drawspan connecting the bridges
Shift Alternative 4 to the north.
Allow parking on the old bridge
Add Kiosks shops which would pay for maintenance

Aesthetics:

Lighting and archways are good idea
Wants historic lighting, nice fencing, etc, to make the bridge look better
Retain historic character of the bridge
Use color and texture to rehabilitate bridge
Would like big welcome sign
Marlin ornament and new name
Boardwalk arch
Plants and brick design
Keep lighting focused downward on bridge
Low railing like the Chesapeake Bay Bridge
Suggests grass and brush be put on the old bridge instead of concrete
Avoid fence that takes away from scenic views
Make the new bridge classic and retro style like old OC



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

State Highway
Administration

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

June 27, 2007

Re: Project No. WO419A11
US 50 Crossing Study
From MD 611 to MD 378; and
3rd Street to Somerset Street
Worcester County, Maryland

Mr. Jeff McMahon, Fire Marshall
Worcester County Fire Department
1 W. Market Street, Room 1003
Snow Hill, Maryland 21863

Dear Chief McMahon:

The Maryland State Highway Administration (SHA) has initiated a Project Planning Study to improve the US 50 crossing of the Sinepuxent Bay in Worcester County, Maryland. The study area extends from MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3rd Street to Somerset Street in the north-south direction. The purpose of this study is to develop a transportation solution that addresses transportation operational inadequacies and structural deficiencies of the bridge as well as to improve safety for all users on the US 50 crossing of the Sinepuxent Bay.

The purpose of this letter is to request your input in determining whether and how emergency services and response times would be affected by the proposed project. All possible impacts that may result from this project must be evaluated, including effects to emergency services and response times caused by the changes in traffic circulation patterns, access and/or road construction in the area. These impacts may be positive, such as improved response times following the roadway improvements, or negative, such as delayed or longer response times.

SHA has selected five alternatives retained for detailed study (ARDS) after considering a number of issues, including environmental and community impacts, traffic operation, project costs, and comments from regulatory agencies and the public. Four build alternatives are currently under consideration, as well as a no-build alternative (see attachments).

Alternative 1 – No Build

Alternative 1 includes minor short-term improvements as part of the routine maintenance and safety operations. This alternative does not include any major improvements to the existing bridge.

Alternative 2 Modified – Rehabilitation

Alternative 2 Modified involves the rehabilitation of the existing bridge, a separate fishing pier, wider sidewalks for pedestrians and cyclists, and aesthetic improvements such as lighting and archways. No property displacements would be required.

C-14

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

Alternative 4 – First Street Connection

Alternative 4 includes a new 45-foot high, fixed-span parallel bridge beginning just west of the existing bridge and connecting near First Street in Ocean City. The new four-lane bridge would carry inbound and outbound traffic. Inbound traffic would continue northbound one-way onto Baltimore Avenue, while a new connection would continue the inbound right turn movement for traffic heading south. This alternative would require the displacement of eighteen homes and thirty-five businesses. In addition, the greater height demands of a fixed span would result in a steep entrance into the resort. The existing bridge would be retained and possibly used for pedestrians, cyclists, and fishermen.

Alternative 5 – South Parallel Bridge

This alternative includes a new parallel bridge just south of the US 50 bridge, tying back into Division Street. The new four-lane bridge, which would not change traffic flow, would have a higher draw span and carry inbound and outbound traffic. The higher draw span would help reduce congestion by requiring fewer openings. This alternative would displace eight homes and eight businesses in Ocean City. The existing bridge would be retained and possibly used for pedestrians, cyclists, and fishermen.

Alternative 5A – North Parallel Bridge

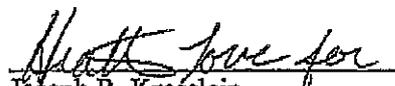
This alternative includes a new parallel bridge just north of the US 50 bridge, tying back into Division Street - a mirror concept of Alternative 5. The new four-lane bridge, which would not affect traffic flow, would have a higher draw span and carry inbound and outbound traffic. The higher draw span would help reduce congestion by requiring fewer openings. This alternative would displace six homes and nine businesses in Ocean City. The existing bridge would be retained and possibly used for pedestrians, cyclists, and fishermen.

Please provide your response by July 27, 2007. Should you have any questions or need additional information, please feel free to contact Ms. Jamaica Kennon, Project Manager, at (410) 545-8512 (toll free at 800-548-5026) or Ms. Theresa Christian, Environmental Manager, at 410-545-8697.

Very truly yours,

Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering

by:


Joseph R. Kresslein
Assistant Division Chief
Project Planning Division

Enclosures

cc: Ms. Theresa Christian, SHA-PPD (w/enclosures)
Mr. Bruce M. Grey, SHA-PPD
Ms. Jamaica Kennon, SHA-PPD
Mr. Joseph R. Kresslein, SHA-PPD
Ms. Heather Murphy, SHA-PPD
Ms. R. Suseela Rajan, SHA-PPD

C-15



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

State Highway
Administration

John D. Foreazi, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

June 27, 2007

Re: Project No. WO419A11
US 50 Crossing Study
From MD 611 to MD 378; and
3rd Street to Somerset Street
Worcester County, Maryland

Ms. Bernadette DiPino, Chief of Police
Ocean City Police Department
6501 Coastal Highway
Ocean City, Maryland 21842

Dear Chief DiPino:

The Maryland State Highway Administration (SHA) has initiated a Project Planning Study to improve the US 50 crossing of the Sinepuxent Bay in Worcester County, Maryland. The study area extends from MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3rd Street to Somerset Street in the north-south direction. The purpose of this study is to develop a transportation solution that addresses transportation operational inadequacies and structural deficiencies of the bridge as well as to improve safety for all users on the US 50 crossing of the Sinepuxent Bay.

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Alternative 2 Modified – Rehabilitation

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C-16

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · www.marylandroads.com

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Very truly yours,

Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering

by:


Joseph R. Kresslein
Assistant Division Chief
Project Planning Division

Chief DiPino
Project No. WO419A11 – US 50 Crossing Study
Page Three

Enclosures

cc: Ms. Theresa Christian, SHA-PPD (w/enclosures)
Mr. Bruce M. Grey, SHA-PPD
Ms. Jamaica Kennon, SHA-PPD
Mr. Joseph R. Kresslein, SHA-PPD
Ms. Heather Murphy, SHA-PPD
Ms. R. Suseela Rajan, SHA-PPD

C-18



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor

State Highway
Administration

John D. Porcari, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

June 27, 2007

Re: Project No. WO419A11
US 50 Crossing Study
From MD 611 to MD 378; and
3rd Street to Somerset Street
Worcester County, Maryland

Mr. Roger Steger, Fire Chief
Ocean City Volunteer Fire Company
P.O. Box 27
Ocean City, Maryland 21843

Dear Chief Steger:

The Maryland State Highway Administration (SHA) has initiated a Project Planning Study to improve the US 50 crossing of the Sinepuxent Bay in Worcester County, Maryland. The study area extends from MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3rd Street to Somerset Street in the north-south direction. The purpose of this study is to develop a transportation solution that addresses transportation operational inadequacies and structural deficiencies of the bridge as well as to improve safety for all users on the US 50 crossing of the Sinepuxent Bay.

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C-19

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Very truly yours,

Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering

by:


Joseph R. Kresslein
Assistant Division Chief
Project Planning Division

Chief Steger
Project No. WO419A11 – US 50 Crossing Study
Page Three

Enclosures

cc: Ms. Theresa Christian, SHA-PPD (w/enclosures)
Mr. Bruce M. Grey, SHA-PPD
Ms. Jamaica Kennon, SHA-PPD
Mr. Joseph R. Kresslein, SHA-PPD
Ms. Heather Murphy, SHA-PPD
Ms. R. Suseela Rajan, SHA-PPD



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

State Highway
Administration

John D. Purcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

June 27, 2007

Re: Project No. WO419A11
US 50 Crossing Study
From MD 611 to MD 378; and
3rd Street to Somerset Street
Worcester County, Maryland

Ms. Teresa Owens, Director
Worcester County Emergency Services
1 W. Market Street, Room 1002
Snow Hill, Maryland 21863

Dear Ms. Owens:

The Maryland State Highway Administration (SHA) has initiated a Project Planning Study to improve the US 50 crossing of the Sinepuxent Bay in Worcester County, Maryland. The study area extends from MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3rd Street to Somerset Street in the north-south direction. The purpose of this study is to develop a transportation solution that addresses transportation operational inadequacies and structural deficiencies of the bridge as well as to improve safety for all users on the US 50 crossing of the Sinepuxent Bay.

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C-22

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Very truly yours,

Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering

by:


Joseph R. Kresslein
Assistant Division Chief
Project Planning Division

Enclosures

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Mr. Bruce M. Grey, SHA-PPD
Ms. Jamaica Kennon, SHA-PPD
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Ms. Heather Murphy, SHA-PPD
Ms. R. Suseela Rajan, SHA-PPD

C-23



Martin O'Malley, *Governor*
Anthony G. Brown, *Lt. Governor*

John D. Porcari, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

June 27, 2007

Re: Project No. WO419A11
US 50 Crossing Study
From MD 611 to MD 378; and
3rd Street to Somerset Street
Worcester County, Maryland

Mr. Charles Martin, Sheriff
Worcester County Sheriff's Office
1 W. Market Street, Room 1001
Snow Hill, Maryland 21863

Dear Sheriff Martin:

The Maryland State Highway Administration (SHA) has initiated a Project Planning Study to improve the US 50 crossing of the Sinepuxent Bay in Worcester County, Maryland. The study area extends from MD 611 to MD 378 (Baltimore Avenue) in the east-west direction, and 3rd Street to Somerset Street in the north-south direction. The purpose of this study is to develop a transportation solution that addresses transportation operational inadequacies and structural deficiencies of the bridge as well as to improve safety for all users on the US 50 crossing of the Sinepuxent Bay.

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C-24

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Alternative 4 – First Street Connection

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Very truly yours,

Bruce M. Grey
Deputy Director
Office of Planning and
Preliminary Engineering

by:


Joseph R. Kresslein
Assistant Division Chief
Project Planning Division

Enclosures

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Ms. R. Suseela Rajan, SHA-PPD

C-25

SUMMARY OF PUBLIC INVOLVEMENT

The Maryland State Highway Administration (SHA) in coordination with the Federal Highway Administration (FHWA) introduced the US 50 Crossing Study to the public in the Spring of 2005. Three identical Informational Open House Meetings were held over a two day span on June 8 and 9, 2005 at the Roland E. Powell Convention Center in Ocean City, MD. The Open House was an opportunity to introduce the project, provide information about the purpose of the project, and to promote public participation and input.

SHA held three identical Public Meetings at the Roland E. Powell Convention Center in Ocean City, MD over a two day span on October 6 and 7, 2005. These sessions updated the public on the progress of the project particularly in regard to the development of preliminary concepts, as well as community and natural resource issues.

On June 1 and 2, 2006, SHA presented the Alternates Public Workshops at the Roland E. Powell Convention Center in Ocean City, MD. These workshops presented the results of the preliminary study of the US 50 Crossing project with the presentation of eight alternatives. Project information displayed included maps depicting alternatives under consideration, traffic data and environmental impacts. During the workshops, project team members addressed questions and concerns from the public, and collected verbal and written comments that required written responses. These workshops generated approximately 340 total responses with the majority of opposition to Alternative 6 – 9th Street Connection primarily due to the property displacements, alteration in traffic flow, aesthetic impacts and environmental impacts. Most comments were expressed in an Exit Survey that was filled out at the end of the workshop, while other comments were mailed directly to SHA.

A detailed list of specific comments includes the following:

Traffic Comments

- Do a traffic study at inlet.
- Alternative 4 & 6 make most sense for traffic.
- Improve timing of traffic lights.
- Traffic will remain congested despite alternatives.
- Make Philadelphia Avenue two-way all the way.
- Relocate St. Louis Avenue to area of Concrete Plant.
- Opposed to increased traffic in West Ocean City (Alternative 6).
- Look at improvements to the Division Street/ Baltimore Avenue intersection.
- Consider improving mass transit.

Environmental Comments

- Concerns with general environmental impacts.

- Concerns with noise.
- Concerns with pollution.
- Migratory birds are migratory. Why can't they move somewhere else?
- Skimmer Island not important.
- Elliott's pond in West OC is an important water bird nesting area.
- Concern about the small island just north of Skimmer Island that is closer to 9th Street Connection.

Impacts Comments

- Opposed to negative impact on West Ocean City community.
- Concerns with impact to Ocean City businesses.
- Concerns with loss of property value.
- Concerns with impact to West Ocean City businesses.
- Concerns with impact to US 50 businesses.
- Opposed to negative impact on West Ocean City school.
- Concerns with construction impact.
- Displaced properties in Alternative 4 are mostly aged, rental properties.
- Concerns with negative impact on growth of West Ocean City.
- Favors improved boat/water traffic.
- Concerns with long term growth of Ocean City.

Channel Comments

- Consider moving channel to avoid steep grades.
- Consider opening up current channel in west side of bay.
- Concerns with water flow and current.
- Swift currents in bay causing a large hole in channel – 55 ft deep.

Tram Comments

- No aerial tram.
- Salt air would be detrimental to the aerial tram.
- Consider tram from Park & Ride on US 50 to Ocean City beach.
- Tram for tourists.
- Include tram with other alternatives too.

Existing Bridge & Bridge Openings Comments

- Consider restrictions on bridge openings.
- Have Coast Guard make fishermen lower their antennas & outriggers.
- Alter draw bridge schedule to better match boat and vehicle peak periods.
- Favors maintaining current location of bridge.
- Can we use a suspension bridge?
- Remove rocks/ rip-rap under existing bridge.
- Rebuild/Rehab bridge.
- Favors fixed bridge – no draw span.
- Citizen insisted that double decker concept would work despite grade issues.

- Existing bridge should be replaced.
- Consider banning fishing boats.
- Add additional lanes to MD 90 bridge – widen or dualize.

New Bridge Concepts Comments

- Four lanes (Alternative 6) not sufficient.
- Length of Alternative 6 bridge is excessive.
- Concerns with cost maintenance of two structures.
- Safety concerns with steep grade.
- Concerns with maintenance cost of new bridge.
- Study crossings beyond 9th Street – 25th and 30th Streets.
- Consider bridge over Assateague. Move inlet further south to bridge to north Assateague.
- Study the Verrazano bridge concept with approaches that spiral down to existing grade.

Miscellaneous Comments

- Favors safer facilities for pedestrians, fishermen, bicyclists.
- Find a way to keep 1st Street open for pedestrians.
- Concerns with emergencies and evacuation.

Associations

- West Ocean City Association opposes Alternative 6.
- Water’s Edge Condominium Development opposes Alternative 6.

In the Winter of 2006 SHA selected five Alternatives Retained for Detailed Study (ARDS) and dropped the three other alternatives after considering a number of issues, including environmental and community impacts, traffic operation, project costs, and comments from regulatory agencies and the public. The ARDS, four “build” alternatives and “no-build” alternative, were further refined by SHA to meet future travel demand. The ARDS were presented to the public at the Spring 2007 Informational Public Workshops that were held on May 31, and June 1, 2007 at the Roland E. Powell Convention Center in Ocean City, MD. A total of 50 people attended the workshop sessions and a total of 363 written comments were received as a response to the workshops. A majority of the comments favored the build alternatives, while some expressed concern regarding community impacts, impacts to traffic during construction, and environmental impacts associated with the alternatives presented. A detailed summary of the comments from these workshops is attached in Section V on pages C-12 and C-13.

A Public Hearing is scheduled for May 29, 2008. The purpose of the Public Hearing is to afford all interested persons the opportunity to present their views regarding the proposed location and general design of the project alternatives, including the associated social, economic, and natural environmental effects. Citizens can provide either oral public or oral private testimony. In addition to public or private testimony, citizens can also submit comments in writing. A complete transcript of all comments made at the hearing will be available for review at SHA.