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)** X **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 ___ US Coast Guard
___ MD Dept. of Natural Resources

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

Comments:

Additional Information Needed:

Signature: [illegible] Date: August 15, 2005

8/16/05

6/9/00

REVIEW COMMENTS

U.S. Department of Transportation
Federal Highway Administration

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
___ Environmental Protection Agency
✓ Corps of Engineers
___ 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
___ 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: _____ Date: 7·20·05

6/9/00

Roland

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 ___ US Coast Guard
✓ MD Dept. of Natural Resources

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

Comments:

Additional Information Needed:

Signature: Ray Dintaman Date: 8-15-05

6/9/00

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

___ **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
___ 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: [signature] Date: 8/19/05

Deputy Administrator
Wetlands & Waterways Program

6/9/00

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

✓ **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
___ 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**

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
X Corps of Engineers
X Fish and Wildlife Service

X **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
___ 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 Schaut Date: 7/11/05

6/9/00

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 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):

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___ Environmental Protection Agency ___ Fish and Wildlife Service

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

Comments / Reasons for Non-Concurrence:

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___ 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)** X **Has No Comments**

Comments:

Additional Information Needed:

Signature: Andrew Lewis Date: 9/30/05

6/9/00

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**

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___ 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:

Essential Fish Habitat Assessment, Section 7 Consultation (Endangered Species Act)

Additional Information Needed:

Signature: John S. Fiell Date: 7/1/05

6/9/00

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 – 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
X Environmental Protection Agency
___ Corps of Engineers
___ Fish and Wildlife Service
___ National Park Service
___ National Marine Fisheries Service
___ MD Dept. of Natural Resources
___ MD Dept. of the Environment

✓ **Concurs (without comments)** ___ **Concurs (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: Kevin Morgan Date: 4/24/07

Send to:

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

Or fax to: 410-209-5004

5 MAY 18 '07 PM 1:23 USF

ALTERNATIVES RETAINED FOR DETAILED STUDY

Project Name & Limits: US 50 Crossing Study, MD 611 to MD 378 (Baltimore Avenue) and Somerset Street to 3rd 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):

___ 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: Eldon A. Ghizzelli Jr Date: 5/14/07

Send to:

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

Or fax to: 410-209-5004

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

___ **Concurs (without comments)** X **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: 2-2-07

Send to:

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

Or fax to: 410-209-5004

FEB05'07 AM 9:20 BPYE

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

X **Concurs (without comments)** ___ **Concurs (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: [illegible] 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 PM 1:56 OPE

ALTERNATIVES RETAINED FOR DETAILED STUDY

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

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

Comments / Reasons for Non-Concurrence:

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___ MD Historical Trust
X 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: [illegible] 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

ALTERNATIVES RETAINED FOR DETAILED STUDY

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

X **Concurs (without comments)** ___ **Concurs (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: _____ 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

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

___ **Concurs (without comments)** X **Concurs (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 Schultz 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

Sherry Kurent

for 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 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
___ Environmental Protection Agency
___ Corps of Engineers
___ Fish and Wildlife Service
___ National Park Service
___ National Marine Fisheries Service
✓ MD Dept. of Natural Resources
___ MD Dept. of the Environment

___ **Concurs (without comments)** ✓ **Concurs (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: Ray C. Dustman Jr. Date: 3-19-07

Send to:

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

Or fax to: 410-209-5004

MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

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

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

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 retain 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.

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

4

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

✓ **Concurs (without comments)** ___ **Concurs (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: _____ Date: 2.9.07

Send to:

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

Or fax to: 410-209-5004

ALTERNATIVES RETAINED FOR DETAILED STUDY

FEB05'07 PM 1:50 OPPE

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

___ **Concurs (without comments)** ___ **Concurs (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.

X MD Historical Trust
___ MD Department of Planning
___ Metropolitan Planning Organization

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

Comments:

Additional Information Needed:

Signature: Tim Tamburrino Date: 2/2/07

Send to:

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

Or fax to: 410-209-5004

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

___ **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: [signature] Date: 1/9/07

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
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@wwbgec.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

MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Joseph P. Gill, Deputy Secretary

March 4, 2011

Elizabeth Habic
Environmental Planning Division
MD State Highway Administration
707 North Calvert Street, Mail Stop C-301
Baltimore MD 21202

RE: **SHA PREFERRED ALTERNATIVE/CONCEPTUAL MITIGATION CONCURRENCE DOCUMENT US 50 CROSSING PROJECT PLANNING STUDY, WORCESTER COUNTY, MARYLAND PROJECT NO. WO419A11**

Elizabeth:

The Maryland DNR continues to concur regarding the need for the above-referenced project and further concurs with the selected preferred alternative (Alternative 5A) for this US 50 bridge crossing into Ocean City. Based on review of the draft Preferred Alternative/Conceptual Mitigation Concurrence document, dated March, 2011, we offer the following observations and comments to guide possible revisions to the draft and future efforts to move to design phases of this project.

- ***Tidal Wetlands and Waters of the U.S.***

  Reference to Tidal Wetland and Water of the U.S. impacts in last sentence at bottom of page 18 indicates .4 acres of impact to emergent wetlands. Sentence also makes reference to Table 5. Table 4, at top of page 19, indicates .01 acres (permanent) and .02 acres (temporary) in impacts to wetlands. References to wetland impact in the text do not appear to be consistent with impacts shown in Table 4. The discussion and figures are consistent with table 5 which appears later in the report on page 24, but some discussion of Table 4 would better explain its presence in the report.

- ***Floodplain Impacts***

  Text on page 19 indicates "Placement of fill in tidal floodplains at the bridge abutments and approaches will not result in increased floodplain elevation or frequency. Does this mean that no fill will be placed in the floodplain or that the amount of fill will not increase floodplain elevation or flood frequency?

- ***Chesapeake and Atlantic Coastal Bays Critical Area Impacts***

  Page 19 notes the preferred alternative will impact approximately 2.5 acres of the Critical Area – Intensely Developed Area (IDA) and approximately 1.2 acres of the

1 OPPE '11 MAR 10 A10:04

100-foot buffer. As this project proceeds, greater evaluation of mitigation measures to offset these impacts will need to be coordinated with the Critical Area Commission.

- ***Aquatic Habitat and Wildlife/Fisheries Impacts***

  This section of the report suggests there will be minimal loss of shallow water habitat, and that short term impacts associated with dredging and sedimentation prompted by bottom disturbance are not expected to be significant. This section raises some concern, on DNR's part, that impacts may be underestimated. Therefore, we strongly urge greater consideration of these potential impacts in the design phase of the project.

- ***Bottom of Page 24***

  Change recreation to re-creation

- ***"Preferred Tidal Wetland Mitigation Option"***

  Page 25 of the document notes:
  "Pursuant to COMAR 26.24.05.01C-1E(2), out of kind creation and enhancement ratios are increased by a factor of two (2). Based on projected cost for one (1) acre of enhancement associated with each program, SHA has proposed to extend this ratio to 8:1 for the project's impacts to tidal wetlands and waters. Therefore, SHA would contribute to either the CWI or NPS Assateague wetland enhancement program at an 8:1 ratio for the project's impacts to tidal wetlands and tidal waters."

  The basis for the 8:1 mitigation proposal is not clear. If COMAR requires in-kind replacement at 2:1 and out-of-kind is doubled, isn't the result 4:1? Does 8:1 reflect out-of-kind mitigation for both emergent wetlands and Waters of the U.S? If so, the text should be revised to make this clear.

- ***Table 6***
  Reference to Table 6 appears on page 26 of the document in title only and is labeled "Environmental Impact Chart". Our copy received by Email in PDF format has no table shown.

- ***Colonial Nesting Waterbirds and Skimmer Island***

  DNR appreciates the report references to ongoing consideration of options to minimize the possible migration and degradation of Skimmer Island, including the removal of some of the scour protection under the existing bridge to reduce the "weir" effect and provide increased sand availability to the Island. We further appreciate the commitment to continued coordination with DNR and USFWS during the design/construction phases of the project to ensure the preferred alternatives design and ultimate construction will not adversely affect the State-listed endangered species or their habitat or that appropriate mitigation measures are taken.

Thank you for the opportunity to comment on this document. If you have any questions do not hesitate to contact Tony Redman at 410-260-8336.

Sincerely,

Gregory J Golden

Greg Golden
Director, Environmental Review Unit
Maryland Department of Natural Resources

SHA'S PREFERRED ALTERNATIVE AND CONCEPTUAL MITIGATION

Concurrence Form

Project Name & Limits: US 50 Crossing Project Planning Study. Limits: MD 611 to west, MD 378 to east, Somerset Street to south, and 5th Street to north.

Having reviewed the attached SHA Preferred Alternative and Conceptual Mitigation 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:

If the existing U.S. 50 Bridge is removed, it should be done so in part; i.e., enough of the existing piers, and pier scour protection should be left intact to avoid adverse impacts (increased scour erosion) to the minor island.

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. Fiol Date: 3/14/11

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SHA'S PREFERRED ALTERNATIVE AND CONCEPTUAL MITIGATION

Concurrence Form

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___ 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:

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X MD Historical Trust ___ MD Department of Planning ___ Metropolitan Planning Organization

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

Comments:

*See Below

Additional Information Needed:

Signature: [signature] Date: 3/15/2011

*MHT is currently working with SHA to develop a Memorandum of Agreement (MOA) that will stipulate appropriate measures to mitigate the undertaking's adverse effect. Part of the mitigation will include the creation and installation of interpretive panels and marketing efforts to identify entities willing to salvage the bascule span. The "Cultural Resources" section on Page 23 mentions that the proposed mitigation includes the partial retention of the existing bridge. Please remove references to the retention of the bridge from this section. The main bascule span, which conveys the primary historic significance of this bridge, is being demolished under the preferred alternative. While MHT has no objections to SHA retaining fragments of the approach spans, this action is not considered mitigation for adverse effects on historic properties.

5

MARYLAND DEPARTMENT OF THE ENVIRONMENT
1800 Washington Boulevard • Baltimore MD 21230
MDE 410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Anthony G. Brown
Lieutenant Governor

Robert M. Summers, Ph.D.
Secretary

June 29, 2011

Mr. Joseph R. Kresslein
Assistant Division Chief
Environmental Planning Division
Maryland State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

Dear Mr. Kresslein:

This is in reply to your letter dated June 13, 2011 requesting MDE concurrence in the Preferred Alternative and Conceptual Mitigation for the U.S. 50 Crossing over Sinepuxent Bay study. Thank you for the opportunity to participate in the study, and for your attention to our earlier comments. Even though there won't be funding for design and construction in the foreseeable future, we can appreciate the necessity of conducting a planning study to identify a Preferred Alternative, in order to preserve/obtain the required right-of-way. Also, we realize that a number of outstanding issues cannot be addressed until the design phase. Because it will likely be many years before this project will return to us in the form of a Joint Permit Application (JPA), we wanted to provide this letter to not only memorialize our position on the Preferred Alternative and Conceptual Mitigation, but also to document SHA's commitments to conduct additional studies and coordination during the design phase.

We concur with the selection of Alternative 5A as the Preferred Alternative. Alternative 5A has impacts to waters and wetlands that are comparable to the other alternatives that were evaluated, but results in fewer residential and commercial displacements, and would require fewer bridge openings due to the higher elevation of the bascule. The decision to construct the new bridge adjacent to the existing bridge, as opposed to using an alternative alignment, minimized the impact to Skimmer Island. The decision to construct on the north side of the existing bridge, as opposed to the south side, minimized the impacts to residential and commercial properties. Alternative 5A is also supported by the Ocean City Council and Mayor, and the Worcester County Council. While we concur with your selection of the Preferred Alternative, please be aware that the Board of Public Works has approval authority for the issuance of a Tidal Wetlands License, and it is likely this project will require such authorization.

The tidal wetland mitigation sites that were investigated were rejected as unsuitable by resource and regulatory agencies. The permit agencies subsequently agreed to a monetary payment to either DNR's Coastal Wetland Initiative or the National Park Service's ditch filling program at Assateague Island National Seashore, at an 8:1 ratio to offset the project's impacts to tidal wetlands and tidal waters. It is understood that further coordination will be undertaken with MDE, USACE, and USFWS during the design phase if these programs are no longer available at the time that the project is being advanced to construction. In-water construction activities will be prohibited from April 1 to June 30 of any year to protect summer flounder and from April 1 to November 30 of any year to protect sea turtles. If pile driving of large diameter (> 48 inches) hollow steel piles is required, shock wave levels will be monitored to ensure they do not exceed 4 pounds per square inch.

As reported in the PACM document, SHA has committed to conducting the following additional studies and coordination during detailed design (MDE's commentary on these commitments is included in italics):

- SHA will re-evaluate the estimated 14.1 acres of bottom disturbance and coordinate with the agencies regarding potential measures to minimize bottom disturbance during construction. *MDE looks forward to reviewing this re-evaluation in the subsequent JPA, including an analysis of potential reductions in the amount of dredging required for barge access.*

- Dredged material placement sites will be identified for the permanent disposal of material dredged for barge access. *MDE looks forward to reviewing the analysis of alternative disposal sites in the JPA, including a summary of the environmental impacts of the preferred disposal site.*

- SHA will conduct further studies to evaluate the potential effects on Skimmer Island associated with construction of a new bridge and barge access channels, as well as the removal of some, or all, of the existing bridge and rock scour protection. *Skimmer Island provides habitat for the State-endangered royal tern (Sterna maxima) and black skimmer (Rhynchops niger), but the island has been eroding in recent years. SHA's sand migration study indicated that the rock scour protection SHA installed under the existing bridge exerts the primary influence over sedimentation processes at Skimmer Island. MDE looks forward to a discussion in the JPA on how the design of the proposed project considers and, to the extent practicable, rectifies the causes of the erosion taking place at Skimmer Island.*

- There is a desire to retain some portion of the existing bridge as a fishing pier. SHA will determine how much of the existing bridge will be removed. At a minimum, the existing drawspan will be removed. Coordination will be undertaken to determine an agency/entity to take over ownership/maintenance of any portion of the existing structure which is to remain. *While MDE typically supports the provision of public access to water-based recreation, our understanding is that the objective of retaining a portion of the existing bridge for recreation may conflict with the objective of rectifying the erosion of Skimmer Island. If a choice must be made between competing objectives, MDE's evaluation of the JPA will place greater priority on rectifying the erosion of Skimmer Island, since Skimmer Island is the only known location in the state that supports the state-endangered royal tern.*

- To reduce the duration of drawspan openings and to facilitate navigation, SHA will investigate increasing the length of the drawspan in the new bridge, and removing a sufficient portion of the existing bridge to provide the same horizontal opening at the existing bridge. This would improve the ability of two large boats approaching from opposite directions to safely pass each other in the channel beneath the drawspan. *MDE is not aware of any additional environmental impacts that would be required to accomplish this improvement in navigation and would support this objective.*

- SHA will revisit the proposed mitigation for impacts to tidal wetlands and waters, to determine whether the agreed upon mitigation strategy continues to be viable. *MDE will coordinate with SHA to determine an appropriate mitigation site if DNR's Coastal Wetland Initiative and the National Park Service's ditch filling program at Assateague Island National Seashore are no longer available.*

- SHA will coordinate with the Chesapeake Bay Critical Area Commission regarding impacts within the Critical Area.

- During final design, SHA will re-open consultation with NMFS regarding construction techniques, time-of-year restrictions, and other means of reducing construction impacts to Essential Fish Habitat and/or marine turtles should new information become available or if the project is revised.

Thank you for your responsiveness to our concerns throughout the study. We look forward to continuing efforts by SHA during the design phase to preserve the unique habitat of Skimmer Island. Once again, please be aware that your project will most likely require approval by the Board of Public Works. If you have any questions, you may contact me at 410-462-9139.

Sincerely,

Paul Wettlaufer

Paul Wettlaufer on behalf of the Tidal Wetlands Division
Wetlands and Waterways Program

SHA'S PREFERRED ALTERNATIVE AND CONCEPTUAL MITIGATION

Concurrence Form

Project Name & Limits: US 50 Crossing Project Planning Study. Limits: MD 611 to west, MD 378 to east, Somerset Street to south, and 5th Street to north.

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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

___ **Concurs (without comments)** ___ **Concurs (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:

Our comments on the draft PACM are addressed. Thanks.
On page 18, in the last paragraph, we suggest change "allows" to "requires."

Additional Information Needed:

Signature: _____ Date: 7/7/2011

SHA'S PREFERRED ALTERNATIVE AND CONCEPTUAL MITIGATION

Concurrence Form

Project Name & Limits: US 50 Crossing Project Planning Study. Limits: MD 611 to west, MD 378 to east, Somerset Street to south, and 5th Street to north.

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X **Concurs (without comments)** ___ **Concurs (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: _____ Date: 8/3/11

SHA's PREFERRED ALTERNATIVE AND CONCEPTUAL MITIGATION

Project Name & Limits: US 50 Crossing Project Planning Study Limits: MD 611 to west, MD 378 to east, Somerset Street to south, and 5th Street to north.

Having reviewed the attached SHA Preferred alternative and Conceptual Mitigation concurrence/comment package and the summary presented above, the following agency (by signing this document):

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

___ Concurs (without comments) **_X_ Concurs (w/ minor comments)** **___Does Not Concur**

Comments / Reasons for Non-Concurrence:

- The Service supports examination of the existing bridge for partial or complete removal. The operation and maintenance of any existing structure remaining should be evaluated.
- Associate temporary and long term impacts should be aggregated in the impact **Table 4, page 20.** Currently wetlands temporary impacts are shown incorrectly.
- The Service recommends evaluation of dredge disposal at the time of construction to include Skimmers Island for beneficial use.
- The Service recommended the Coastal Wetlands Initiative (CWI) for mitigation. CWI restores wetland function to previously ditched tidal wetlands, this includes high marsh and low marsh tidal wetlands. The PACM states that the goals of this program are, "to re-establish hydrology to human altered high marsh sections of salt marsh complexes", page 26. The Service would like to point out that this program also enhances the functionality of low marsh tidal wetlands.
- The Service's desire is to maximize the efficiency and ecological benefit in mitigating for the resource impacts that will be incurred through this project. Consideration should be given for the development of a SHA tidal wetland bank to provide for advanced mitigation.

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: _____ Date: 8/5/11
Mitch Keiler, Biologist

SHA'S PREFERRED ALTERNATIVE AND CONCEPTUAL MITIGATION

Concurrence Form

Project Name & Limits: US 50 Crossing Project Planning Study. Limits: MD 611 to west, MD 378 to east, Somerset Street to south, and 5th Street to north.

Having reviewed the attached SHA Preferred Alternative and Conceptual Mitigation concurrence/comment package and the summary presented above, the following agency (by signing this document):

X 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

X **Concurs (without comments)** ___ **Concurs (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: _____ Date: September 16, 2011

SHA'S PREFERRED ALTERNATIVE AND CONCEPTUAL MITIGATION

Concurrence Form

Project Name & Limits: US 50 Crossing Project Planning Study. Limits: MD 611 to west, MD 378 to east, Somerset Street to south, and 5th Street to north.

Having reviewed the attached SHA Preferred Alternative and Conceptual Mitigation 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:

Please 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: [signature] Date: 8/1/11

US 50 Crossing Project Planning Study, Worchester County, MD
Project Number WO419A11

The Corps concurs with the US 50 Bridge PACM with the following comments:

1. The proposed dredging impacts will be considered permanent impacts for Section 404/Section 10 permitting purposes.
2. As a condition of this PACM concurrence, and as part of the conceptual mitigation for this project, the Corps requires that a majority of the existing bridge/piers and associated riprap scour protection be removed from the navigable waters of the U.S. This requirement will be incorporated into a Department of Army permit, issued.
3. In order to fully understand the proposed project's potential impacts to Skimmers Island, prior to permitting, with full agency review and coordination, MD SHA must study the sand migration in the vicinity of the existing bridge and the new bridge and their relationship to Skimmers Island migration in Sinepuxent Bay and examine the following factors:
    a. The impact to Skimmers Island from partial bridge/scour protection removal (e.g., 25%, 50%, 75%, 100% removal of the existing structure/scour protection).
    b. The impact of proposed new pier placement in conjunction with removal of the existing bridge and scour protection.
    c. The impact of construction dredging of approximately 80,000 cubic yards of material near Skimmers Island in conjunction with the new bridge pier placement and removal of existing bridge.

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 Assawoaman 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,

Ray C. Dintaman, Jr.

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 (*Strongylura marina*)
Rough Silverside (*Membras martinica*)
Striped Mullet (*Mugil cephalus*)
Northern Kingfish (*Menticirrhus saxatilis*)

Flat clawed Hermit Crab (*Pagurus pollicaris*)
Mummichog (*Fundulus heteroclitus*)
Spot (*Leiostomus xanthurus*)
Northern Pipefish (*Syngnathus fuscus*)

Summer Flounder (*Paralichtys dentatus*)
Bluefish (*Pomatomus saltatrix*)
Atlantic Herring (*Clupea harengus*)
Brown Shrimp (*Penaeus aztecus*)
Grass Shrimp (*Palaemonetes vulgaris*)
Blue Crab (*Callinectes sapidus*)
Green Crab (*Carcinus maenas*)
Rock Crab (*Libinia emarginata*)
Smallmouth Flounder (*Etropus microstomus*)
Black Drum (*Pogonias cromis*)
Spotfin Mojarra (*Eucinostomus argenteus*)
American Eel (*Anguilla rostrata*)
Oyster Toadfish (*Opsanus tau*)
Naked Goby (*Gobiosoma bosci*)
Blood Ark (*Anadara ovalis*)

Atlantic Silverside (*Menidia menidia*)
White Mullett (*Mugil curema*)
Northern Puffer (*Spheroides maculatus*)
Long Clawed Hermit Crab (*Pagurus longicarpus*)
Striped Killifish (*Fundulus majalis*)
Rainwater Killifish (*Lucania parva*)
Lined Seahorse (*Hippocampus erectus*)
Winter Flounder (*Pseudoplueronectes americanus*)
Silver Perch (*Bairdiella chrysosura*)
Atlantic Menhaden (*Brevoortia tyrannus*)
Striped Bass (*Morone saxitilis*)
Mantis Shrimp (*Squilla empusa*)
Sand Shrimp (*Crangon septemspinosa*)
Mud Crab (*Neopanope texana sayi*)
Lady Crab (*Ovalipes ocellatus*)
Lesser Blue Crab (*Callinectes similis*)
Tautog (*Tautoga onitis*)
Feather Blenny (*Hypsoblennius hentzi*)
Bay Anchovy (*Anchoa mitchilli*)
Black Sea Bass (*Centropristes striatus*)
Reef Croaker (*Micropogonias undulatus*)
Blue Mussel (*Mytilus edulis*)
Pigfish (*Orthopristis chrysoptera*)

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).

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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.

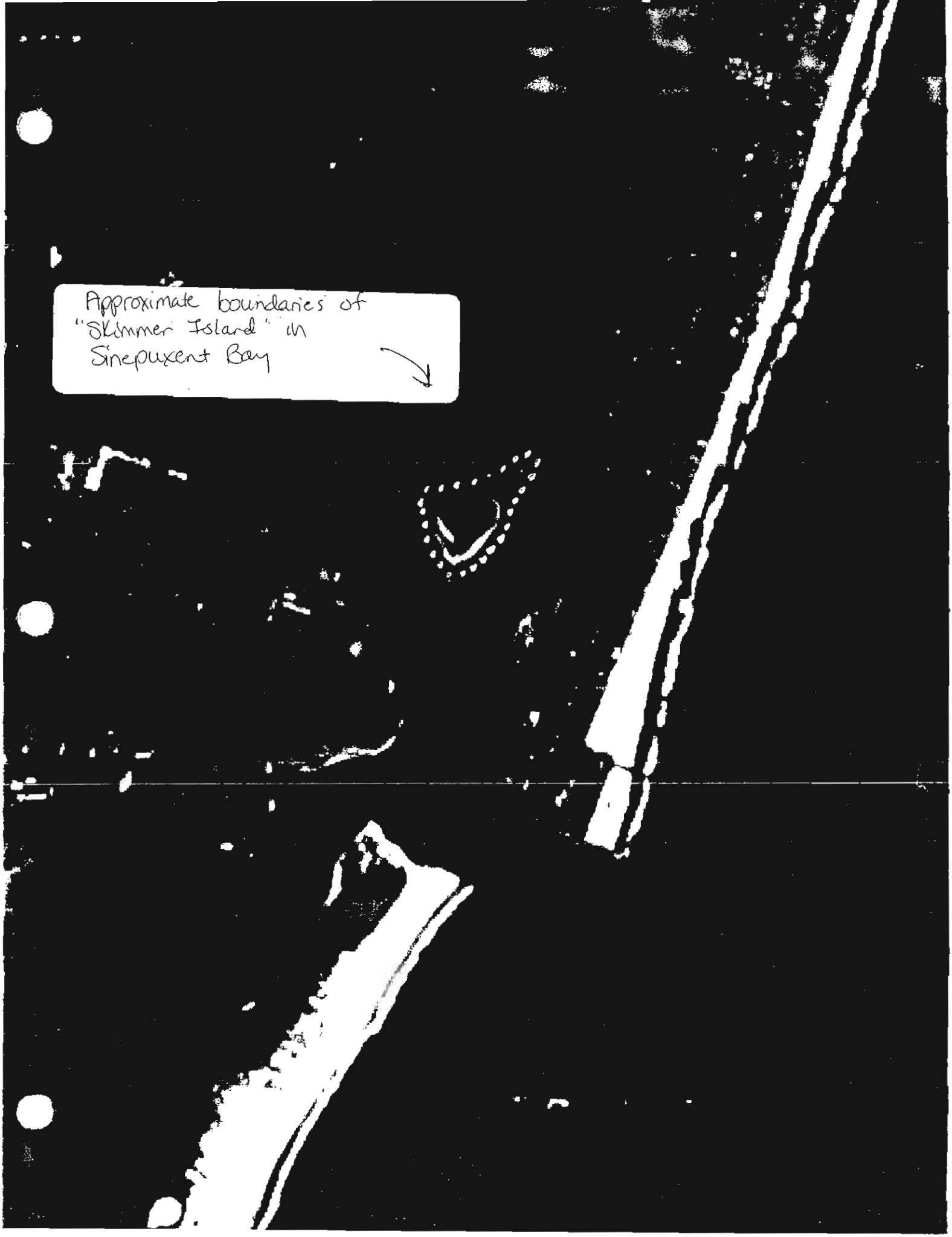
Thank you for allowing us the opportunity to review this project. If you should have any further questions regarding this information, please contact me at (410) 260-8573.

Sincerely,

Lori A. Byrne

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.

'm not sure if the error was on our end, or a typo, or what, but I just wanted to be sure .t 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.

MARYLAND
DEPARTMENT OF
NATURAL RESOURCES

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 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.

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

Attachment

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Table 1

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

Fisheries Service

Maryland Department of Natural Resources

Atlantic Needlefish (*Strongylura marina*)
Rough Silverside (*Membras martinica*)
Striped Mullet (*Mugil cephalus*)
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Flat clawed Hermit Crab (*Pagurus pollicaris*)
Mummichog (*Fundulus heteroclitus*)
Spot (*Leiostomus xanthurus*)
Northern Pipefish (*Syngnathus fuscus*)

Summer Flounder (*Paralichtys dentatus*)
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Smallmouth Flounder (*Etropus microstomus*)
Black Drum (*Pogonias cromis*)
Spotfin Mojarra (*Eucinostomus argenteus*)
American Eel (*Anguilla rostrata*)
Oyster Toadfish (*Opsanus tau*)
Naked Goby (*Gobiosoma bosci*)
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Rainwater Killifish (*Lucania parva*)
Lined Seahorse (*Hippocampus erectus*)
Winter Flounder (*Pseudoplueronectes americanus*)
Silver Perch (*Bairdiella chrysosura*)
Atlantic Menhaden (*Brevoortia tyrannus*)
Striped Bass (*Morone saxitilis*)
Mantis Shrimp (*Squilla empusa*)
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Black Sea Bass (*Centropristes striatus*)
Reef Croaker (*Micropogonias undulatus*)
Blue Mussel (*Mytilus edulis*)
Pigfish (*Orthopristis chrysoptera*)

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 Colligan

Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

Cc: Nichols, F/NER4

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

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

State Highway Administration
Driven to Excel

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

December 6, 2005

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 inform the Maryland Historical Trust (MHT) of the Maryland State Highway Administration's (SHA) proposed Project No. WO419A11. SHA has also initiated historic standing structures studies in the project study area. We are providing MHT with copies of the study, *Recordation and Documentation of Standing Historic Resources, Ocean City, Worcester County, Maryland Draft Determination of Eligibility Report, Volumes 1 and 2* prepared by KCI Technologies, Inc. (KCI), and request MHT's concurrence with SHA's eligibility determinations. The project involves investigating various alternatives for replacement or rehabilitation of SHA Bridge No. 2300700 over Sinepuxent Bay in Ocean City, Worcester County. The project study area's western and eastern limits were initially set as US 50 at MD 611 in West Ocean City and US 50 at MD 378 (Baltimore Avenue). The preliminary northern limit was 3rd Street and the southern limit was Somerset Street in Ocean City. However, at the request of the federal and state environmental agencies, SHA expanded the study area to include potential bridge locations further north and south of the current US 50 alignment. This larger study area extends from 9th Street and Baltimore Avenue, south along Baltimore Avenue to South 1st Street, across Sinepuxent Bay south of Sunset Avenue to the intersection of MD 707 at US 50. The northern limit extends from 9th Street and Baltimore Avenue across the bay to West Ocean City. A location map showing the entire study area is included as **Attachment 1**.

Funding

Federal funds are anticipated for this project.

Area of Potential Effects

Because several different crossings of Sinepuxent Bay are being considered, SHA has incorporated the entire study area as the preliminary Area of Potential Effects (APE) for this project. The APE is indicated on the attached SHA Quadrangle maps for Berlin and Ocean City in **Attachment 2.**

Identification Methods and Result

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 consulted the SHA-GIS Cultural Resources Database, MIHP forms, county histories and photographs at the MHT, SHA and Enoch Pratt libraries, and made a field visit on November 19, 2004. The US 50 over Sinepuxent Bay Bridge (SHA Bridge No. 2300700) is an example of a double leaf bascule that was constructed in 1942. SHA Bridge No. 2300700 has been included in the SHA Historic Highway Bridge Inventory as well as the MIHP and assigned MIHP No. WO-461. It is one of eleven movable spans built between 1916 and 1951 in Maryland that are eligible for the National Register of Historic Places (NRHP). MHT concurred with the eligibility determination in July 2001.

Ocean City is significant as the only example of an oceanside resort in Maryland. Until the last quarter of the nineteenth century, Fenwick-Assateague Island was largely uninhabited. From time to time before 1875, hunting and fishing parties would camp on the island, but no permanent structure was constructed. In 1875, Stephen Taber of New York purchased a 267-acre tract of land called "The Lady's (or Ladies) Resort to the Ocean" and deeded fifty acres to a group of investors who constructed the Atlantic Hotel facing the ocean. Construction started on July 4, 1875, and that is considered to be the founding date of Ocean City. The original part of the town was laid out in a rectilinear grid between South Division and Caroline streets. The construction of the Wicomico & Pocomoke Railroad from Berlin to Ocean City in 1876 facilitated access to the resort. The Baltimore, Chesapeake & Atlantic Railroad acquired the Wicomico & Pocomoke Railroad in 1877 and established an excursion train from Baltimore via Claiborne, which opened the resort to the residents of Maryland's largest city. Until the turn of the twentieth century the resort was primarily seasonal as visitors made brief visits between June and September. By the early twentieth century however, the town had grown sufficiently that people settled in Ocean City and became year-round residents. In 1915, the Maryland State Roads Commission (SRC) constructed a vehicular bridge parallel to the railroad bridge at South Division Street. Both bridges were destroyed in the 1933 hurricane; and in 1942 the SRC constructed the double leaf bascule bridge at North Division Street, now known as the Harry W. Kelley Memorial Bridge.

In 1990, the Worcester County Historic Preservation Commission conducted a standing structures survey in Ocean City and identified twenty-nine buildings representing a portion of the historic built environment in the resort. These resources were included in Paul Touart's architectural history, *Along the Seaboard Side: The Architectural History of Worcester County, Maryland*, but no NRHP determination of eligibility was provided for any historic standing structure. As a result of an intersection improvement project at US 50 and MD 528 in Ocean City, SHA conducted historic standing structures studies in 2001. We identified four buildings: the Downtown Brewing Company, the Beecher House, the Schaefer House, and the Vincent House and recommended none as eligible for inclusion in the NRHP. MHT determined the structures to be not eligible in August 2001.

As part of the early coordination for this project, SHA consulted with MHT regarding the survey methodology for the smaller study area. Because of the dense development in Ocean City and West Ocean City, the study area contains 300 buildings which might require identification and evaluation for inclusion in the NRHP. Via email on February 15, 2005, SHA and MHT agreed that a reconnaissance survey would be conducted to identify the best examples of each architectural style and that the area between Sinepuxent Bay and Baltimore Street between Somerset and Third streets would be identified as the Ocean City Survey District, MIHP No. WO-412. A MIHP form and Determination of Eligibility (DOE) form would be provided for the Ocean City Survey District. We also agreed that the historic standing structures identified and included in the MIHP in 1990 within the survey district's boundary would be included in the Ocean City Survey District form, and would receive individual DOE forms. Other resources in West Ocean City would be identified using MIHP and DOE forms if appropriate and short DOE forms for ineligible properties.

Through its consultant, KCI Technologies, Inc. of Hunt Valley, Maryland and Mechanicsburg, Pennsylvania, SHA has completed a historic standing structures eligibility and context report as required by MHT's *Standards and Guidelines for Architectural and Historical Investigations in Maryland* (MHT 2000). Attached for your review and comment is one copy of *Recordation and Documentation of Standing Historic Resources, Ocean City, Worcester County, Maryland, Draft Determination of Eligibility Report, Volumes 1 and 2,* KCI Technologies, Inc. (April 15, 2005) (**Attachment 3**). The report and forms are well written and describe the historical and architectural development of the study area from 1875 to 1960. Although SHA has made a number of comments (**Attachment 4**), we believe the information is sufficient to make eligibility determinations for all of the historic standing structures. Please note that SHA has informed KCI that the incorrect Determination of Eligibility (DOE) form has been generated for some of the historic standing structures that are being submitted to MHT for review. KCI has obtained the correct format and the Access database will be forwarded to MHT for review. When the final hard copies of the forms are provided to MHT, they will be in the correct format. SHA requests that MHT provide any additional comments regarding the study and information prior to KCI generating any additional forms.

KCI identified the Ocean City Survey District and thirty-seven individual historic standing structures for which they prepared MIHP and long or short DOE forms (**Attachment 3, Volume 2**). Of the historic resources identified, KCI has recommended only seven individual historic standing structures as eligible for inclusion in the NRHP: St. Mary's Star of the Sea Church, St. Paul's by the Sea Episcopal Church, the Taylor House, City Hall, the Emery-Hartman House, the Bunting House, and the Francis Scott Key Motel. All of the buildings except the Francis Scott Key Motel are in the Ocean City Survey District and are considered individually eligible for the NRHP under Criteria A or C. The two churches are eligible under Criterion A as examples of Ocean City's religious history. The Francis Scott Key Motel is located in West Ocean City and is considered eligible under NRHP Criterion A as a mid-century example of travel and tourism outside the Ocean City Survey District.

SHA has carefully considered its consultant's recommendations and has determined that St. Mary's Star of the Sea Church, St. Paul's by the Sea Episcopal Church and City Hall are eligible for the NRHP. However, we have determined that the Taylor House, the Emery-Hartman House, the Bunting House and the Francis Scott Key Motel are individually not eligible for inclusion in the NRHP as a result of unsympathetic alterations to the resources and their individual settings. The boundaries for the individual properties are limited to the respective parcel associated with the address on the Worcester County Tax Maps. SHA also has prepared two Addendum Sheets for the Mount Vernon Hotel and Mount Vernon Hotel Annex because both buildings have been demolished.

KCI recommends the Ocean City Survey District, including 215 historic standing structures not individually identified in the MIHP or DOE forms, and the thirty historic standing structures in Ocean City and West Ocean City, as not eligible for the NRHP. Although all of the buildings are associated with the history of tourism and travel in Maryland (Criterion A), because of lost historic buildings, unsympathetic alterations and additions, as well as unsympathetic infill construction, the Ocean City Survey District lacks the integrity and cohesiveness necessary to convey its history as a late nineteenth and early twentieth century oceanside resort. Likewise, research conducted did not identify persons (Criterion B) associated with intact buildings that would be significant in Ocean City's history. Unsympathetic alterations have also caused the town to lose its architectural integrity and significance, and the Ocean City Survey District is not eligible under Criterion C. No investigations were conducted under Criterion D as part of the historic standing structures study. Information included in the DOE forms indicates that the historic standing structures in West Ocean City lack both integrity and significance to meet the requirements of the NRHP integrity and eligibility criteria either individually or as an historic district. SHA has determined that the Ocean City Survey District and the fourteen standing structures in West Ocean City are not eligible for inclusion in the NRHP. SHA's remarks about the individual resources will be found in the Eligibility Table in **Attachment 5**.

SHA would note that there are several motels and diners in West Ocean City that may qualify for consideration as a multiple resource under the theme of Roadside Architecture. If MHT concurs, we will request that the consultant investigate the resources identified in Attachment 5 as such.

Because SHA's historic standing structures study was completed before the study area was expanded, KCI's context report and forms only address structures in the smaller APE. SHA has conducted a preliminary review of the expanded study area through the study of historic maps, Worcester County Tax Database and the Maryland Property View. We would anticipate expanding the boundaries of the Ocean City Survey District to incorporate the areas north and south of the current boundary described in the MIHP No. WO-412 form. Based on the preliminary survey, these areas include approximately 350 commercial and residential buildings that may date from the 1930s, 1940s and 1950s. The MIHP includes two dwellings, the Walker House, a 1908 single family dwelling and the Joseph Collins House, an International Style house constructed in 1949. Historic standing structures in the southern end of Ocean City include Henry's Hotel and the Samuel Ludlum House. This area also includes the location of the former railroad station and bridge, as well as the former 1915 SRC bridge.

In West Ocean City there are no previously inventoried historic standing structures. The Worcester County Tax Database indicates that there are buildings along Old Bridge Road that date from at least the 1930s. As SHA's studies progress, we will consult with MHT about how to conduct the study and refine the APE as necessary.

Archeology: SHA Archeologist Carol A. Ebright assessed the potential of the project area through consultation of the SHA-GIS Cultural Resources Database, historic mapping and various secondary sources, prior survey reports, and environmental data. A field visit was made on November 19, 2004.

The archeological study area includes several possible crossings within the expanded APE (**Attachment 1**). There are no recorded archeological sites in the project area. A section of MD 528 in Ocean City within the study was previously surveyed by Williams (2001), who documented extensive disturbance along a section of Philadelphia Avenue in the vicinity of the current US 50 bridge. Informal inquiries to the State Underwater Archeologist, Dr. Susan Langley, indicated that no unrecorded underwater surveys have taken place near the current bridge, and that the degree of disturbance here is such that an underwater survey may not be required for this specific location within the APE. Other underwater portions of the study area have not been surveyed.

The southern portion of the study area includes the former location of the Wicomico and Pocomoke Railroad and its Sinepuxent Bay crossing. The railroad, which reached Ocean City in 1876, made possible the development of Ocean City into a viable resort, and was in the general location of modern Sunset Avenue and South Division Street. The early bridge was planked when not in use by the railroad to allow use by pedestrians, horses and buggies. The southern portion of the study area also includes the location of an earlier SRC bridge, in use by 1916, that followed the Old Bridge Road and entered Ocean City at Worchester Street. The shorelines in this part of the project area contained late 19th and early 20th century oyster houses and canning factories, as shown on early Sanborn maps (1897, 1904, 1911, 1921, and 1929). Underwater and shoreline archeological remains of early transportation features and early industries are likely to be present in the southern portion of the project area on both sides of Sinepuxent Bay. North of the extant US 50 bridge, the portion of the project area within Ocean City is likely to be completely disturbed and to lack archeological potential. Historic maps show the west side of Sinepuxent Bay to have been sparsely settled up to the mid-20th century. Much of the western approach of existing US 50 was constructed on Made Land.

The intense development of the barrier island on which Ocean City is located makes it highly unlikely that any intact, significant, prehistoric archeological resources have survived on the east side of Sinepuxent Bay. The study area on the western side of Sinepuxent Bay has been largely disturbed by substantial modern development; however, sections remain undeveloped and have high prehistoric archeological potential, particularly along the margins of old wetlands or former open waters of the Bay. In general, archeological potential appears to be highest for any potential alignments south of the existing US 50 bridge, where 19th century industrial and transportation sites may be preserved. SHA will continue to consult with you regarding the need for future archeological investigations as project plans become more fully developed.

Review Request

Please examine the attached maps and Eligibility Table. We request your concurrence by **January 6, 2006** that St. Mary's Star of the Sea Church, St. Paul's by the Sea Episcopal Church, and City Hall are eligible for the NRHP, but that the Taylor House, the Emery-Hartman House, the Bunting House and the Francis Scott Key Motel are not individually eligible for inclusion in the NRHP. We also request MHT's concurrence that the Ocean City Survey District and the remaining historic standing structures listed in the Eligibility Table (**Attachment 5**) 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 **January 6, 2006**, 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: Mary F. Barse
Mary F. Barse
Assistant Division Chief
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, Volumes 1 and 2
4) SHA's Comments regarding Report and Forms
5) Eligibility Table

cc: Ms. Mary F. Barse, SHA-PPD
Ms. Anne E. Bruder, SHA-PPD (w/Attachments)
~~Ms. Theresa Christian, SHA-PPD~~
Ms. Carol A. Ebright, SHA-PPD
Mr. Bruce M. Grey SHA-OPPE
Mr. Jesse C. Houston, Ocean City Department of Planning and Zoning (w/Attachments)
Mr. John Narer, SHA-OBD
Mr. Louie Paglerani, Worcester County Planning Commission (w/Attachments)
Mr. Chris Weber, SHA-PPD
Ms. Tessa Young, 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: December 6, 2005

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 3]):

[ ] 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:

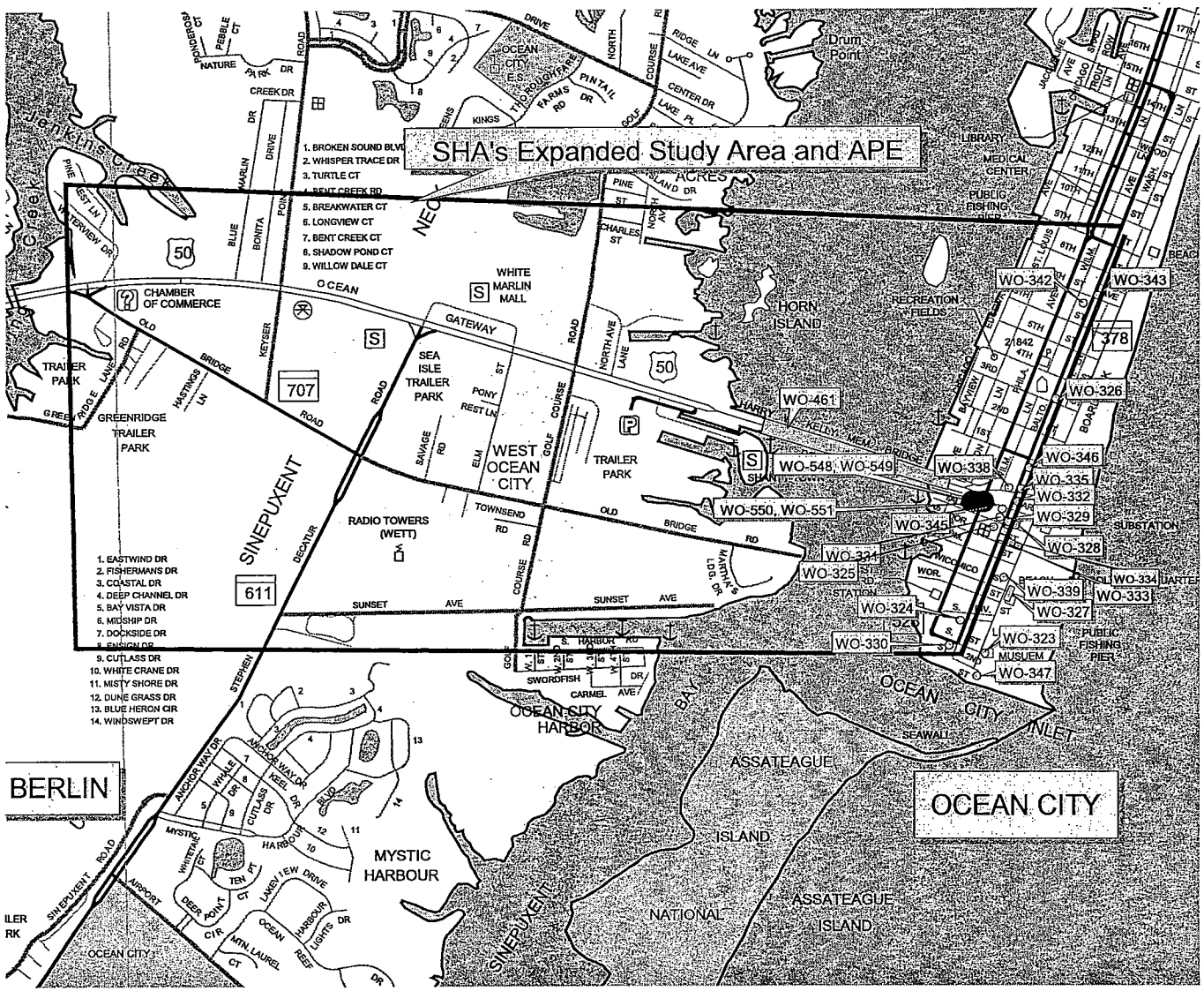
_____
_____
_____
_____
_____
_____

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

Return by U.S. Mail or Facsimile to:
Ms. Mary F. Barse, Assistant Division Chief, Project Planning Division,
MD State Highway Administration, P.O. Box 717, Baltimore, MD 21203-0717
Telephone: 410-545-8564 and Facsimile: 410-209-5004

cc: Mr. Richard G. Ervin, SHA

Attachment 1
US 50 over Sinepuxent Bay Study
Location Map

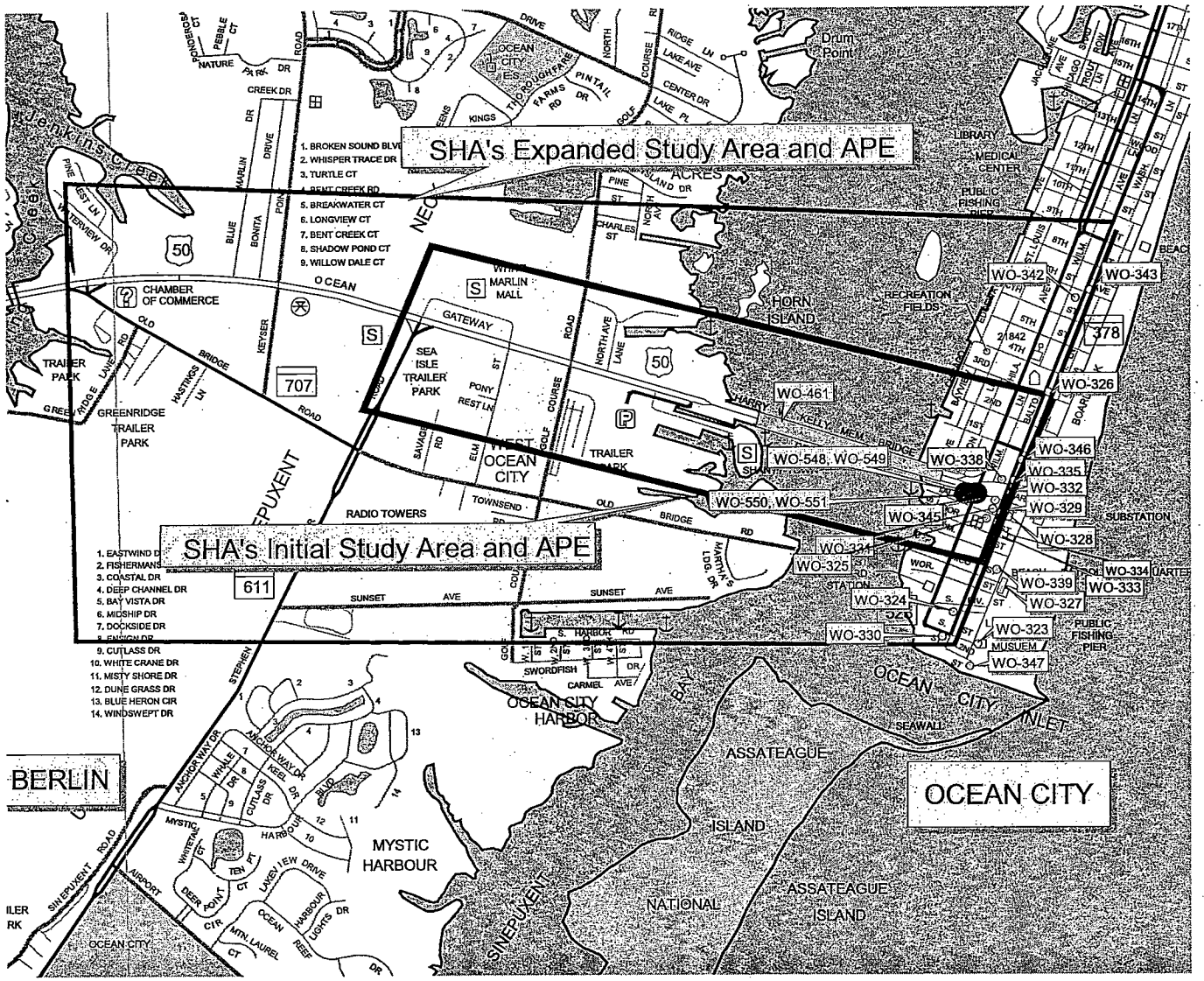


Maryland Inventory of Historic Places
USGS Topo Quad Index
County

0.9 0 0.9 1.8 Miles

N W E S

Attachment 2: US 50 over Sinepuxent Bay Study
SHa Berlin & Ocean City Quadrangles
APE Map



Maryland Inventory of Historic Places
USGS Topo Quad Index
County

0.9 0 0.9 1.8 Miles

N W E S

Attachment 4:
SHA's Comments regarding Recordation and Document of Standing Historic Resources, Ocean City, Worcester County, Maryland – Draft Determination of Eligibility Report Volumes 1 and 2

1. Pages i and ii -- the term as SHA uses it is Area of Potential Effects (APE).
2. Remember that this is a formal document. Sentences starting with "And" and the use of contractions and popular terms such as "Bungaloid" are not acceptable for a document that SHA is submitting to the Maryland Historical Trust. Please review the document carefully for misspellings, punctuation, subject-verb agreement, contractions, possessive case used for a plural form and terms like Bungaloid. Also, a careful edit would reduce the number of redundant statements.
3. Page 1 -- the Maryland Preservation Law is now the Maryland Historical Trust Act of 1985, as amended, State Finance and Procurement Article §§5A-325 and 5A-326.
4. Page 3 -- "...and fires which disseminated the town..." Do you mean disseminated (scattered widely) or devastated (to lay to waste) which is something a fire or hurricane would do, and that seems to be the import of this sentence. You also use the word decimated, which means to kill or destroy widely. SHA believes that devastated would be the best choice.
5. Page 7 -- correct the spelling of Paul Touart's name.
6. Page 18 – Mrs. Shreve built....an annex called the Casino for the young generation of resorts – this sentence makes no sense. Remember that unlike Rehoboth Beach, Ocean City had gambling and dancing in addition to promenading on the boardwalk (it was a fun family rather than a religious family resort).
7. Page 19 -- Table 2 – some of the entries are duplicated. Could you use the Sanborn maps to identify construction dates for some of the hotels? Please check the spelling of Miss Vandegfit's name. Also, the statistics indicate that of the 29 hotels with known guest capacity, 22 were in the 50-100 guest range, while 6 were in the 100-300 range and only one held more than 350 guests. Were the hotels really overgrown boarding houses or were they built small in case things did not work out?
8. Page 21, first paragraph – the chronology needs to be straightened out – the paragraph starts with early twentieth and then jumps to 1880s.
9. Page 22 – the Maryland State Roads Commission was responsible for constructing the jetty and the Kelley Bridge (SHA #23007) that is the subject of this study. Include information about transportation developments before, during and after World War II in Ocean City. Clarify where during World War II the boats were based – were they based in Ocean City or just sunk in the vicinity of the town?
10. Page 23 – Clarify why a motel is more cost effective and appealing to a family? Motels got their name because they were hotels for motorists traveling through an area. The parking lot was an important feature and guests would only stay a short time.

11. Page 24 – where is the Verazzano Bridge? Please revise the section about the Chesapeake Bay Bridge to discuss the State Roads Commission's role in Ocean City's development.
12. Pages 24 and 25 – Table 4 shows condominiums or hotels? Narrative says one thing but the table title says another.
13. Page 26 – "Craftsman" – more formally called the "Arts and Crafts Movement." Please give some consideration to the mail order business that Sears Roebuck and Montgomery Wards ran that sold millions of houses to new homeowners between 1905 and 1940. Foursquares and several of the houses pictured in the context report and forms are probably Sears models.
14. The phrase "it is remains in its original location and setting," is repeated in several forms. Please correct on the summary of the MIHP forms in the report (pages 31-38). Also, location and setting alone are not sufficient for eligibility. The resource must meet at least 4 of 7 integrity criteria.
15. Bibliography – Mary Corddry's book was published in 1991. Please provide publication dates for Mary Ellen Mumford and Reginald V. Truitt's books.
16. KCI should add the resumes of all who worked on the investigation to the end of Volume 1, rather than at the end of Volume 2.
17. Final copies of Volume 1 should be printed double-sided on archival paper.

SHA Comments Regarding Volume 2

1. SHA has the following general comments regarding MIHP and DOE forms.
    - The capsule summary should contain two paragraphs that duplicate the summary paragraphs from Sections 7 and 8. Both paragraphs should be very short and not contain eligibility information. The capsule summary should only be one page long.
    - The MIHP Section 7 should be limited to resource description only and not narrative about significance, which should be put in Section 8.
    - If photograph references would help explain a resource, please include the photograph number in the building description in Section 7.
    - Make sure that Section 9, Bibliography, is either in Section 9 or on a continuation sheet. It should not be included in Section 8.
    - For the buildings in West Ocean City, please revise the opening sentence of the last paragraph to indicate that these resources are located west of Ocean City. SHA suggests either "near" or "west of" if appropriate. These buildings have their own context, and while what occurred in Ocean City may have an impact, the context for these buildings should also be developed more fully.
    - SHA also recommends that KCI use tax parcel information, including owners' names when identifying buildings. The West Ocean City building names are too vague and make it impossible to identify them.
2. Town Market (WO-337) – is the two-story porch common for Ocean City buildings?
3. Emery-Hartman House – if by "craftsman" KCI means to suggest that the owner built the house as a hobby you need to say so. If you mean that the dwelling is an

example of an Arts and Crafts Bungalow (and SHA agrees that it is), then please refer to it using appropriate terminology. Again, terms like "craftsman" and "bungaloid" are not appropriate in an official document from one state agency to another.

4. KCI identified three motels, Rambler, Sea Isle and Francis Scott Key, in West Ocean City. How are they alike or unalike? A very typical layout for motels (especially along US 301 in southern Maryland) is the "V" or "flying wedge" shape – the main portion of the motel (with the front desk and coffee shop) is flanked by the buildings with the rooms on either side. For Francis Scott Key Motel – did the room location correspond to the cost of the room? SHA believes these buildings could qualify as a multiple property resource under the theme of Roadside Architecture.
5. Final copies of MIHP and DOE forms should be unbound on archival paper and 3-hole punched. Labeled photographs, slides and negatives should be in archival sleeves.

Attachment 5: *Eligibility/Status Table*

Project Name: US 50 over Sinepuxent Bay, SHA Bridge No. 2300700, Bridge Replacement **November 29, 2005**

Resource	Type	SHA NR Determination	SHPO Opinion	Alternate	Attachment	Remarks
St. Mary's Star of the Sea Church, WO-325	S	NR (A)	Requested 11/2005		4	Within Ocean City Survey District, but individually eligible for the NRHP under Criterion A.
St. Paul's by the Sea Episcopal Church, WO-326	S	NR (A and C)	Requested 11/2005		4	Within Ocean City Survey District, but individually eligible for the NRHP under Criteria A and C.
Mount Vernon Hotel, WO-328	S	X	Requested 11/2005		4	Apparently demolished prior to March 2005. KCI noted as an empty lot during the March 2005 field investigations. By September a new building had been constructed. Addendum form prepared. Within the Ocean City Survey District.
Mount Vernon Hotel Annex, WO-329	S	X	Requested 11/2005		4	Apparently demolished prior to March 2005. KCI noted as an empty lot during the March 2005 field investigations. By September a new building had been constructed. Addendum form prepared. Within the Ocean City Survey District.
Taylor House, WO-331	S	X	Requested 11/2005		4	Although KCI recommends this building as eligible, the windows appear to have been replaced since 1990, and the loss of historic fabric and other modernization has caused a loss of integrity. See page 444 of *On the Seaboard Side.* Within the Ocean City Survey District.
John Dale Showell House, WO-332	S	X	Requested 11/2005		4	Within the Ocean City Survey District. Information included in the MIHP form.
Edwin L. Purnell Store, WO-336	S	X	Requested 11/2005		4	Within the Ocean City Survey District. Information included in the MIHP form.
Town Market, WO-337	S	X	Requested 11/2005		4	Is the two story porch a common feature in Ocean City's buildings? This form replaces the Hardware and General Store Short DOE form. Information included in MIHP form.
Ocean City Baptist Church, WO-338	S	X	Requested 11/2005		4	Within the Ocean City Survey District. Information included in the MIHP form.
City Hall, WO-341	S	NR (A and C)	Requested 11/2005		4	Within the Ocean City Survey District. Information included in the MIHP form.
Ocean City Survey District, WO-412	HD	X	Requested 11/2005		4	

Resource	Type	SHA NR Determination	SHPO Opinion	Alternate	Attachment	Remarks
SHA Bridge No. 2300700, US 50 over Sinepuxent Bay; Harry W. Kelly Memorial Bridge	S	NR (C)	NR 7/2001		4	
Downtown Brewing Company, WO-548	S	X	X 8/2001		4	
Beecher House, WO-549	S	X	X 8/2001		4	
Schaefer House, WO-550	S	X	X 8/2001		4	
Vincent House, WO-551	S	X	X 8/2001		4	
Plimhimmon Honeymoon Cottage	S	X	Requested 11/2005		4	Within the Ocean City Survey District. Information included in the MIHP form.
Hardware and General Store	S	X	Requested 11/2005		4	KCI revised this form in order to evaluate the Town Market, WO-337. Disregard this form.
Soprano's Pizza and Pasta	S	X	Requested 11/2005		4	Did the Sanborn Insurance Company Map indicate what hotel this might have been? How new is the tower? Within the Ocean City Survey District. Information included in the MIHP form.
Emery-Hartman House, WO-553	S	X	Requested 11/2005		4	Although KCI recommends this building as eligible, SHA does not agree and has determined it as not eligible. The building is an example of the Bungalow style, but is now isolated as a result of modern development that surrounds it. SHA believes a larger concentration of such buildings would support the eligibility determination.
106 Dorchester Street	S	X	Requested 11/2005		4	106 Dorchester Street is not individually eligible, but typical of the late 1920s style architecture. Based on the consultant's assessment, it appears to be an isolated remnant, rather than a part of a significant concentration of such buildings.
110 Dorchester Street	S	X	Requested 11/2005		4	Information included in the Ocean City Survey District MIHP form.
Bunting House, WO-554	S	X	Requested 11/2005		4	Although the history about Greene & Greene is interesting, this bungalow is more likely associated with the Sears Roebuck or the Montgomery Wards type catalog houses. Again, because it appears to be an isolated example, SHA has determined it is not eligible because it is an isolated remnant. .Information is included in the Ocean City Survey District MIHP form.

Resource	Type	SHA NR Determination	SHPO Opinion	Alternate	Attachment	Remarks
Carolina Coach Company	S	X	Requested 11/2005		4	See Attachment 5 for additional comments regarding this form. The Sanborn Maps indicated that the awning was added before 1929.
Driftwood Apartments	S	X	Requested 11/2005		4	Within the Ocean City Survey District. Information included in the MIHP form.
24 St. Louis Avenue	S	X	Requested 11/2005		4	Within the Ocean City Survey District. Information included in the MIHP form.
101 St. Louis Avenue	S	X	Requested 11/2005		4	Within the Ocean City Survey District. Information included in the MIHP form.
105 St. Louis Avenue	S	X	Requested 11/2005		4	Within the Ocean City Survey District. Information included in the MIHP form.
Warehouse East Side off of Golf Course Road	S	X	Requested 11/2005		4	While SHA understands that a number of buildings in West Ocean City did not have visible building numbers, it is important to identify the location as precisely as possible. Please include tax map and parcel number information when an address is not available.
9915 Golf Course Road	S	X	Requested 11/2005		4	Please change the name of the property to Evelyn Clark Property.
South of 9915 Golf Course Road	S	X	Requested 11/2005		4	Please change the name of the property to Evelyn Clark Property II and indicate the tax map and parcel number.
Dwelling south of Sea Isle Motel	S	X	Requested 11/2005		4	Include tax map and parcel number information on DOE form. Note that this building is located in West Ocean City and explain if it has any association with the Sea Isle Motel.
Wheels of Yesterday Museum	S	X	Requested 11/2005		4	
Sea Isle Motel	S	X	Requested 11/2005		4	This is a resource that may qualify as part of a multiproperty investigation under the theme of Roadside architecture (motels, diners and gas stations).
TC Diner and Family Restaurant	S	X	Requested 11/2005		4	This is a resource that may qualify as part of a muitiple resource investigation under the theme of Roadside architecture (motels, diners and gas stations). See Attachment 5 for additional comments.

Resource	Type	SHA NR Determination	SHPO Opinion	Alternate	Attachment	Remarks
Francis Scott Key Motel	S	X	Requested 11/2005		4	**SHA disagrees that this resource is individually eligible. It may qualify as part of a multiple resource investigation under the theme of Roadside architecture (motels, diners and gas stations). See Attachment 5 for additional comments.**
The Breakfast Place	S	X	Requested 11/2005		4	**Please correct the address of this property to 12742 Ocean Gateway. This is a resource that may qualify as part of a multiple resource investigation under the theme of Roadside architecture (motels, diners and gas stations).**
9949 Elm Street	S		Requested 11/2005		4	**Quonset huts were surplus after World War II. How did you arrive at the 1940 date?**
9945 Elm Street	S		Requested 11/2005		4	
North of 9937 Elm Street	S		Requested 11/2005		4	
9935 Elm Street	S		Requested 11/2005		4	
12731 Pony Rest Lane	S		Requested 11/2005		4	
Rambler Motel	S		Requested 11/2005		4	**This is a resource that may qualify as part of a multiple resource investigation under the theme of Roadside architecture (motels, diners and gas stations). Also see Attachment 5 for additional comments.**
Antique Woodwork	S		Requested 11/2005		4	

Codes:

Resource Types: S (Structure), A (Archeological 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

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

REPLY TO
ATTENTION OF

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.

Donald P. Snyder
Acting Chief, Navigation Branch
Operations Division

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

Project Number: WO419A11 **MHT Log No. 200503698**
Project Name: US 50 over Sinepuxent Bay, SHA Bridge No. 2300700 Replacement Study
County: Worchester
Letter Date: December 6, 2005

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
[X] 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: _____ 7-25-06
MD State Historic Preservation Office/ Date
Maryland Historical Trust

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: Ms. Mary F. Barse, SHA

AUG01'06 PM12:06 DPPE

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.** 200503698
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:

1. ***Archeology:*** The Trust awaits further consultation and the results of survey efforts.

2. ***Historic Built Environment - Draft Report:*** Trust staff reviewed the following draft report submitted with your letter: *Draft Determination of Eligibility Report, Recordation and Documentation of Standing Historic Resources, Ocean City, Worchester County, Maryland* (KCI Technologies, Inc. 2005). The draft report generally meets the reporting requirements of the *Standards and Guidelines for Architectural and Historical Investigations in Maryland* (MHT 2000). We concur with SHA's comments as outlined on Attachment 4 of your letter and ask SHA to address these issues in the preparation of the final document. Please remember to double-side the report and do not include copies of inventory forms in the final report.

3. ***MHT Opinion on MIHP Forms:*** While the Trust concurs with SHA's comments in Attachment 4 of your letter regarding MIHP and DOE forms, SHA should have revised the forms prior to submitting them to the Trust for concurrence and processing. Documentation submitted to the Trust should comply with the Trust's *Standards and Guidelines* and reflect SHA's opinion of the historic resource. Once the Trust has provided concurrence on National Register eligibility and accessioned the survey documentation, we are not able to accept large-scale revisions. In the future, MIHP and DOE documentation submitted to the Trust with SHA comments and internal SHA disagreements on eligibility will be returned to SHA for revision and the review of the project could be delayed.

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

   - SHA Bridge No. 2300700, US 50 over Sinepuxent Bay (MIHP No. WO-461): Determined eligible in 2001.
   - St. Paul's by the Sea Episcopal Church (MIHP No. WO-326): The property is eligible under NRHP Criterion C. The interior of the church was not investigated as part of this survey. If the interior is significantly compromised, the Trust reserves the right to re-evaluate the eligibility of the property at a later date.
   - Taylor House (MIHP No. WO-331): The Trust does not concur with SHA's determination that the property is ineligible for the NRHP due to a loss of integrity. The Trust believes that the property is eligible for the NRHP under Criteria A and C. Despite alterations, the building still conveys the characteristics of late nineteenth century and early twentieth century resort architecture.
   - Edwin Purnell Store (MIHP No. WO-336): We do not concur with SHA regarding the eligibility of this resource. The Trust believes that the Edwin Purnell Store is eligible for listing in the NRHP under Criteria A and C. The resource is a good example of Ocean City's early commercial development. Alterations to the building do not compromise its integrity.

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

CONTINUATION SHEET #2
Maryland Historical Trust Comments

Project Number: DO581A21 **MHT Log No.** 200601650
Project Name: MD 16: West of Linkwood Road to Northern Corporate Limits and MD 14: Creamery Road to East of MD 392

The building still conveys the essential character of a late nineteenth century and early twentieth century commercial building.

- Town Market (MIHP No. WO-337): The Trust does not concur with SHA regarding the eligibility of this resource. The Trust believes that the Town Market is eligible for listing in the NRHP under Criteria A and C. The building has not been altered to the extent that its integrity has been compromised. Like the Edwin Purnell Store, this building still conveys the essential character of a late nineteenth century and early twentieth century commercial building.
- City Hall (MIHP No. WO-341): The Trust concurs with SHA that this resource is eligible for the NRHP under Criteria A and C.

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

- Ocean City Survey District (MIHP No. WO-412): The Trust concurs with SHA that this resource is not eligible for the NRHP.
- St. Mary's Star of the Sea Catholic Church (MIHP No. WO-325): We do not concur with SHA regarding the eligibility of this resource. Alterations over time have obscured the original design, materials and craftsmanship. Since the architectural integrity of the resource has been compromised, the St. Mary Star of the Sea Church is not eligible for the NRHP.
- John Dale Showell House (MIHP No. WO-332): The Trust concurs with SHA that this resource is not eligible for the NRHP.
- Ocean City Baptist Church (MIHP No. WO-338): The Trust concurs with SHA that this resource is not eligible for the NRHP.
- Tarry-A-While Guest House (MIHP No. WO-333): This resource, located at 108 Dorchester Street, was determined not eligible for listing in the NRHP in March 2005. This resource was not included in SHA's *Eligibility/Status Table.*

We are unable to provide concurrence on NRHP eligibility for the following resources until original unbound documentation has been submitted to our office for review:

- Emery-Hartman House (MIHP No. WO-553)
- Bunting House (MIHP No. WO-554)
- Francis Scott Key Motel (MIHP No. WO-555)

4. ***MHT Opinion on DOE Short Forms:*** The Trust agrees with SHA that all resources documented on DOE Short Forms are *not eligible* for listing in the NRHP. However, we are not able to provide formal concurrence on these resources until unbound copies of the DOE Short Forms are submitted to our office.

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

DR. JON M. ANDES
Superintendent of Schools

EDWARD BARBER
Assistant Superintendent
For Administration

DR. RICHARD T. WALKER
Assistant Superintendent for Instruction

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SARA D. THOMPSON

AUG07'06 PM 1:10 OPPE

August 3, 2006

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 pubic 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

US 50

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

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

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,

for 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

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

State Highway Administration
Maryland Department of Transportation

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

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.

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.

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.

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:

_____
_____
_____
_____
_____
_____

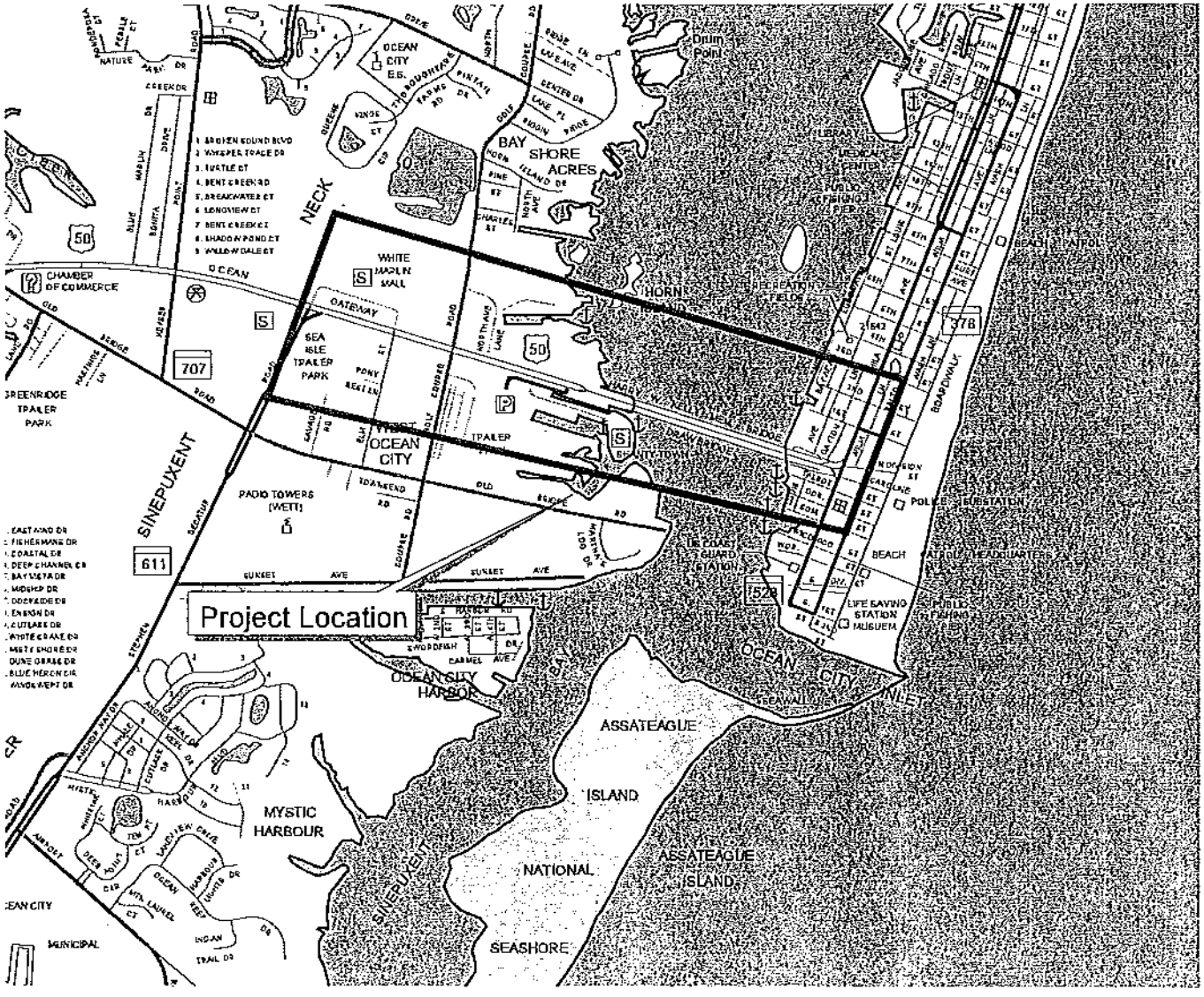
By: _____ _____
MD State Historic Preservation Office/ Date
Maryland Historical Trust

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 1

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



0.9 0 0.9 1.8 Miles

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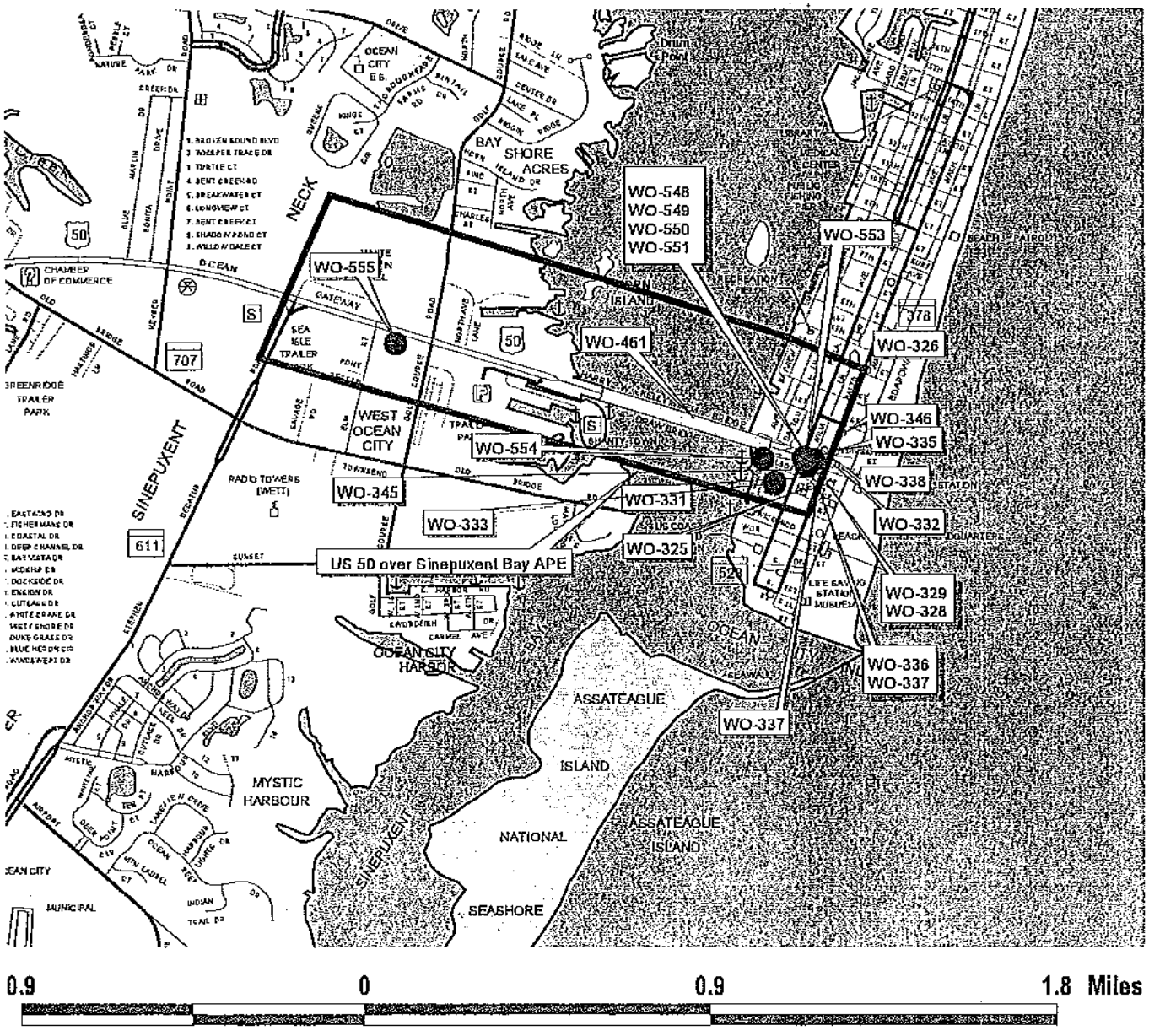
ATTACHMENT 2

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



Maryland Inventory of Historic Places
County

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Attachment 5: *Eligibility/Status Table*

Project Name: US 50 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			
Tarry-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
Plimhimmon 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	

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 (Archeological 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

#56714
LOG 7/17

THERESA JAMAICA PACOL

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: Worchester
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
[X] 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: _____ 7-13-07
MD State Historic Preservation Office/ Date
Maryland Historical Trust

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

www.town.ocean-city.md.us

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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

Bernadette DiPino
Chief of Police

BAD/ceb

Ocean City, MD
All-America City
2001

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

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*

SHA State Highway Administration
Maryland Department of Transportation

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

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

- 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.
- 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

- 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.

- 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

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: April Fehrnfar
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

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 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

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

ANNE
CAROL
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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]):

[X] 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)
[X] Adverse Effect

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

[ ] Agree

Comments:

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

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.

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

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

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
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 01930-2298

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

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 Colosi

Peter D. Colosi
Assistant Regional Administrator
for Habitat Conservation

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

State Highway Administration

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

Maryland Department of Transportation

March 14, 2008

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

Ms. Bihui Xu
Infrastructure Planning
Maryland Department of Planning
301 West Preston Street
Baltimore, MD 21201

Dear Ms. Xu:

Thank you for your response dated February 26, 2007 regarding the US 50 Crossing Study Alternatives Retained for Detailed Study (ARDS). The Maryland State Highway Administration (SHA) appreciates the Maryland Department of Planning's (MDP) participation in the discussions of this project at the interagency meetings and particularly the comment regarding the ARDS package.

SHA offers the following specific response to MDP's comment on the US 50 Crossing ARDS:

Comment. 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?

Response. *Based on an analysis completed by SHA bridge engineers, it has been determined that it would not be feasible to build an elevated walkway/fishing pier attached to the existing bridge. Nor would it be feasible to reconstruct the existing sidewalks as shoulders/bike lanes. The existing bridge was constructed with 5-foot sidewalks that are hanging off the side of the bridge and are supported by an edge beam that runs from pier to pier. Minor widening of the sidewalks (an additional 2 feet), would not be wide enough to accommodate traffic and would not be capable of supporting the weight of the vehicles.*

We hope that this letter addresses your concerns. SHA will continue coordination with MDP and other resource agencies throughout the remaining stages of this study, and we welcome any input you may have. 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
Joseph R. Kresslein
Assistant Division Chief
Project Planning Division

Attachment
cc: Ms. Dennis Atkins, SHA-PPD
Ms. Theresa Christian, SHA-PPD
Mr. Bruce M. Grey, SHA-PPD
Ms. Jamaica Kennon, SHA-PPD
Mr. Joseph R. Kresslein, 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

March 17, 2008

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 Nichols
U.S. Department of Commerce
NOAA/NMFS
Habitat Conservation Division
Chesapeake Bay Program Office
410 Severn Ave., Suite 107A
Annapolis, MD 21403

Dear Mr. Nichols:

Thank you for your letter dated January 9, 2007 concurring with the US 50 Crossing Study Alternatives Retained for Detailed Study (ARDS). This letter is in response to your comments and recommendations. All suggested recommendations were taken into consideration when the Maryland State Highway Administration (SHA) prepared the essential fish habitat (EFH) and aquatic endangered species assessments (ESA) for the project.

SHA appreciates the U.S. Department of Commerce National Oceanic and Atmospheric Administration – National Marine Fisheries Service's (NMFS) participation in the discussions of this project at the interagency meetings and appreciates the comments provided throughout the study.

SHA notes that NMFS favors alternatives situated near the US 50 Bridge, specifically Alternatives 2, 5, and 5A, to minimize changes to estuarine circulation. SHA has conducted a hydrodynamic study that considered changes in local estuarine circulation and sediment movement patterns with respect to the various project alternatives. The analysis indicated that the existing rock scour protection on the US 50 Bridge provides a primary control over the hydraulics and sedimentation processes in the area. The existing bridge pilings also play a significant role in controlling hydraulics and sedimentation. These processes would change if the scour protection or the existing bridge were removed. The new bridge alternatives would affect the hydraulics and sedimentation in the very local vicinity of those structures, but the far-field conditions would continue and evolve in a manner similar to the No-Build Alternative.

SHA understands the concerns regarding the potential impacts to fish and other aquatic life that may result from the use of large-diameter hollow steel piles for bridge support. In accordance with your recommendations, construction mitigation will be employed that would dampen pressure waves in the water. Mitigation techniques would include NMFS' recommendation of sheathing the sheet piles and using an Air Bubble Curtain System (ABCS) to dampen the pressure waves. These recommendations were incorporated into the EFH assessment for the project.

In accordance with your recommendation, SHA will also restrict work from April 1 through June 30 to be protective of summer flounder during their nursery period. Pile-driving and other in-water activities would be completed to avoid the time-of-year restriction. Subaqueous blasting is not planned as part of the US 50 Crossing Study at this time. If an alternative that includes subaqueous blasting were to be considered in the future, SHA will coordinate with NMFS.

Concurrent with your request, if submerged aquatic vegetation (SAV) is observed within 500 yards of the project area during future Virginia Institute of Marine Science (VIMS) aerial surveys or as a result of ground-truth observations, then measures will be incorporated into the construction format to protect this habitat during turbidity-generating activities. However, no SAV has been found in that area for at least the past 6 years of VIMS aerial surveys for which the data are currently available (2000-2006).

SHA appreciates the willingness of NMFS to work with our staff and the Maryland Department of Natural Resources to protect Skimmer Island from project-related impacts and will include NMFS in future coordination related to Skimmer Island.

We hope that this letter addresses your concerns. SHA will continue coordination with NMFS and other resource agencies throughout the remaining stages of this study, and we welcome any input you may have regarding the reduction of impacts to aquatic life. 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

Joseph R. Kresslein
Assistant Division Chief
Project Planning Division

Attachment

cc: Mr. Dennis Atkins, SHA-PPD
Ms. Theresa Christian, SHA-PPD
Mr. Bruce M. Grey, SHA-PPD
Ms. Jamaica Kennon, SHA-PPD
Mr. Joseph R. Kresslein, SHA-PPD
Ms. R. Suseela Rajan, SHA-PPD

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401
410/573-4575

0 '08MAY01 PM 1:10 OPP

April 25, 2008

Mr. Bruce Gray
Deputy Director, Office of Planning and
Preliminary Engineering
State Highway Administration
707 North Calvert Street
Mail Stop C-301
Baltimore, MD 21202

RE: US 50 Crossing Study-Ocean City Project Planning Study, Worcester County, Maryland

Dear Mr. Grey:

The U.S. Fish and Wildlife Service (Service) has reviewed the Draft Environmental Impact Statement (DEIS) for the US 50 Crossing Study. After careful review of the DEIS, the Service endorses the selection of any of the new bridge alternatives (Alternatives 4, 5, and 5A) and removal of the existing bridge. We are opposed to the selection of Alternative 2 (Rehabilitation) because the existing bridge is modifying tidal hydraulics and causing Skimmers Island to migrate toward the bridge. We believe the removal of the existing bridge will benefit the hydraulic and sedimentation processes in Isle of Wight Bay. The Service also understands that the existing bridge needs to be replaced or rehabilitated because of its substandard design and deteriorating condition. Our principal concern with this project involves the continued migration of Skimmers Island to the existing bridge. Skimmers Island is used by up to twelve species of colonial nesting birds to nest and raise young. According to Dave Brinker, Ecologist for the Natural Heritage Program, Maryland Department of Natural Resources, "Skimmer Island is the singular most significant piece of barren sand habitat for colonial nesting waterbirds in Maryland." (e-mail, August 10, 2006).

The Service believes that Skimmers Island will become smaller and will continue migrating towards the existing bridge, if the existing bridge and rock scour protection are kept in place. According to the DEIS (page IV 26), "The conclusion of the modeling is that the existing rock scour protection of the existing bridge provides a primary control over the hydraulics and sedimentation process in the area. The existing bridge pilings also play a significant role in controlling hydraulic and sedimentation process in the area."

The Service also attended a presentation at a State Highway Administration (SHA) meeting on February 20, 2008. At the meeting, aerial photographs of Skimmers Island were shown prior to placement of the rock scour protection around the bridge piers. Before scour protection placement, Skimmers Island was located north and east of its present location and was further away from the existing US 50 bridge. After the scour protection was placed, Skimmers Island migrated to the southwest, to its present location which is less than 700 feet from the existing bridge.

Alternatives 4 and 5A would be located north of the existing bridge and closer to Skimmers Island. The Service would be opposed to these alternatives if the scour protection and piers of the existing bridge were not removed. We are apprehensive about the possibility of Skimmers Island moving closer to these more northerly bridge locations. The more disturbance from vehicles, fishermen, and bicyclist using the new bridge could prevent the colonial nesting birds from using the island. We believe that Skimmers Island would migrate to the northeast if the existing bridge and scour protection were removed. Consequently, none of the proposed alternatives would affect the use of the island by colonial nesting birds and remove Service concerns of any of the new bridge alternatives. However, the Service believes it is necessary to remove the existing bridge and scour protection to encourage the migration of Skimmers Island to the northeast which will place the island further away from the existing and proposed bridge alternatives.

The Service is willing to work with SHA to alleviate our concerns about colonial nesting birds. If you have any questions, call Bill Schultz of my staff at (410) 573-4586.

Sincerely,

Leopoldo Miranda Castro
Field Supervisor

Cc:
Steve Elinsky, Baltimore Corps of Engineers, Baltimore
Barbara Rudnick, EPA, Philadelphia, PA
Steve Hurt, MDE, Baltimore, MD
Greg Golden, DNR, Annapolis, MD
Dan Johnson, FHWA, Baltimore, MD
John Nichols, NMFS, Annapolis, MD

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

DELMAR Division - Maryland

**10 S. Howard St., Suite 2450
Baltimore, Maryland 21201**

May 12, 2008

1 '08MAY13 PM 1:51 DPP

In Reply Refer to HDA-MD

Mr. Peter D. Colosi
Assistant Regional Administrator for Habitat Conservation
U.S. Department of Commerce, NOAA
National Marine Fisheries Service
Northeast Region
One Blackburn Drive
Gloucester, MA 01930-2298

Attn: John Nichols, NMFS Habitat Conservation, Annapolis, MD

Dear Mr. Colosi:

Thank you for your letter dated December 17, 2007 providing comments on the Essential Fish Habitat (EFH) assessment for the US 50 Crossing Study in Ocean City, Maryland. The Federal Highway Administration (FHWA), and the Maryland State Highway Administration (SHA), appreciates the National Marine Fisheries Service's (NMFS) participation in the discussions of this project at the interagency meetings and at several project-specific meetings conducted during the study, and appreciated the comments provided throughout the study.

SHA offers the following specific responses to NMFS comments on the EFH assessment:

Comment 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 be restricted from April 1 – June 30, during the period of peak abundance of summer flounder early juveniles in the Maryland coastal bays.

Response. *SHA will restrict in-water construction activities, including dredging by any method, pile driving, and cofferdam construction and removal during the period of April 1 – June 30 as requested by NMFS to be protective of summer flounder early juveniles.*

Comment 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.

MOVING THE
AMERICAN
ECONOMY

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

Response. *If the project requires larger diameter piles, SHA will sheath the piles while they are being driven to dampen potential underwater sound oscillations. Further, SHA will also monitor oscillations outside the sheath encasing during power-driving of the pile to ascertain that underwater sound oscillations do not exceed the 4 psi threshold. Should oscillations exceed 4 psi or if fish mortality is observed in the vicinity of the pile driving activity, corrective measures will be taken. These measures will include decreasing the size of the sheath and/or increasing the intensity of the air bubble curtain within the sheath or other method to be coordinated with and approved by NMFS prior to implementation.*

SHA will implement all of the recommendations provided by NMFS regarding protection of the EFH and the species managed under the Magnuson-Stevens Fishery Conservation and Management Act. If new information becomes available or if the project is revised, SHA will reinitiate consultation with NMFS regarding the EFH.

We hope this letter addresses your concerns. 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. Jamaica Kennon, the Assistant Project Manager, at 410-545-8512.

Thank you for your cooperation and interest in this project.

Sincerely,

Katherine Sr. Kirp

Nelson J. Castellanos
Division Administrator

cc:
Mr. Raja Veeramachaneni, SHA
bcc:
Ms. Theresa Christian, SHA
Mr. Bruce M. Grey, SHA
Ms. Jamaica Kennon, SHA
Mr. Joseph R. Kresslein, SHA
Ms. Sue Rajan, SHA
Mr. Donald H. Sparklin, SHA ✓

Theresa Christian

From: coastkeeper@actforbays.org
Sent: Monday, June 02, 2008 7:28 AM
To: Theresa Christian
Follow Up Flag: Follow up
Flag Status: Red

Hello Theresa,

We met at the US Rt. 50 bridge crossing public hearing in Ocean City last week. I had a question you were not able to answer at the time and I said I would send it to you for a more definitive answer. Thanks for passing this along and I look forward to a reply.

It is my understanding, based on conversations a Board member had with one of the engineers who modeled the hydrodynamics and scouring for this EIS, that if a new bridge is built (which will be a different design from the current one), and the existing bridge is removed, the flushing time of the Coastal Bays north of the bridge will be much shorter. From my perspective, this means all those nutrients will have a lower residence time and get flushed out of there much more quickly.

My question is, if the new parallel span is built and the old bridge is left in place, will this significantly increase the residence time of the water above the bridges?

Additionally, if we now have two bridges in place, will that mean we get even more nutrients building up in Isle of Wight Bay and Assawoman Bay?

Again, thanks for passing this along to anyone who might be able to offer a reply.
Kathy P.

Kathy Phillips
Assateague COASTKEEPER
Executive Director - Assateague Coastal Trust
P.O. Box 731
Berlin, MD 21811
mobile: 443-235-2014
actforbays.org

A.C.T. To Preserve Our Coastal Bays!
The Assateague COASTKEEPER is a member of the WATERKEEPER Alliance www.waterkeeper.org

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

Margaret G. McHale
Chair

Ren Serey
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS
1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

June 24, 2008

Mr. Bruce M. Grey
Deputy Director
Office of Planning and Preliminary Engineering
State Highway Administration
707 North Calvert Street, Mailstop C-301
Baltimore, Maryland 21202

Re: US 50 Crossing Study

Dear Mr. Grey:

Thank you for providing the Draft Environmental Impact Statement for the above-referenced project. The State Highway Administration (SHA) proposes to replace the existing US 50 Harry W. Kelley Memorial Bridge over the Sinepuxtent Bay in Ocean City, MD. At this time, SHA has is considering five proposals for replacement of the bridge: No major improvements, bridge rehabilitation, construction of a fixed span bridge, construction of a 4-lane bridge south of US 50, and construction of a 4-lane bridge north of US 50.

Because of the extensive nature of development associated with this project, including significant Buffer impacts, the US 50 Bridge will require conditional approval from the full Critical Area Commission, as regulated under COMAR 27.02.06. A complete, approved application must be submitted *one month prior* to the Commission Meeting in which SHA wishes to present this project. Enclosed with this letter is a copy of the State Application Checklist for Critical Area Projects. We recommend that SHA work closely with Commission staff to address any issues or concerns that may be associated with this project.

In addition, upon reviewing the information provided in the Draft Environmental Impact Statement, we have the following comments:

1. Because the project is located in an Area of Intense Development, 10% Phosphorus Removal will be required. Please see the Critical Area 10% Rule

3 '08 JUN 26 PM 1:01

TTY for the Deaf
Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450

Guidance Manual for more information (http://www.dnr.state.md.us/criticalarea/guidancepubs/10percent_rule.html)

2. The applicant will be required obtain a letter from the Maryland Department of Natural Resources Wildlife and Heritage Service to determine if this project will impact any rare, threatened, or endangered species. Impacts will need to be addressed in the application based on recommendation from the Maryland Department of Natural Resources. It appears from the information provided that the project will impact several areas where threatened and endangered species are known to exist on-site.
3. The applicant must to obtain a letter from the Maryland Historic Trust to determine if this project will impact historic structures onsite. It appears from the information provided that the project may potentially impact eight historic sites.
4. Mitigation for any disturbance to the Buffer will be required at a 3:1 ratio.
5. Mitigation for any disturbance to vegetation outside the 100-foot Buffer will be required at a 1:1 ratio.
6. All mitigation must be shown on a planting plan that identifies species, stocking density, and a planting schedule. The planting plan should be included with the submittal and is required for app projects with 5,000 square feet of mitigation or greater prior to scheduling within the Commission.
7. Any MDE tidal or non-tidal permits or licenses will need to be acquired prior to Commission approval.
8. We recommend that SHA work closely with Worcester County and the Town of Ocean City on this project.

Thank you again for providing information on this project. If you have any questions, please feel free to contact me at (410) 260-3483.

Sincerely,

Nick Kelly

Nick Kelly
Natural Resource Planner
cc: 19-08

Critical Area Commission
Project Application Checklist

Development in the Critical Area
Resulting from State Agency and Local Agency Programs
(COMAR 27.02.01-.08)

General Instructions

The following checklist contains a list of items for consideration by the Critical Area Commission during its review of each State and local project affecting the Critical Area. While some items will not apply to the project of concern, the responsible Agency should review and be able to discuss aspects of each relevant item. This checklist should be completed and sent, with all other completed information, to the Critical Area Commission staff contact prior to Commission review. Please be aware of the following general guidelines:

(1) **The completed checklist, maps, and all other pertinent project materials must be submitted to Critical Area staff contact *at least 6 weeks prior to scheduled review by the Project Subcommittee* at the Critical Area Commission's monthly meeting.**

(2) **A mitigation planting plan, and a sediment and erosion control plan must be finalized prior to scheduling the project for review by the Project Subcommittee. If 10% pollutant reduction is required, the 10% Worksheet must be completed and BMPs or offsets identified.**

(3) **All other resource/environmental permits and other release documents must be obtained or must be in their final stages (i.e., public comment period completed, permit conditions in final form) prior to scheduling the project for review by the Project Subcommittee.**

If there are any questions with any aspect of this form or with the Commission's review process, please do not hesitate to call the Commission staff contact at (410) 260-3460.

General Mapping Features

Please include the following features on all site plans:

____ **Vicinity map**

____ **Scale**

____ **Project Name and Location**

____ **Critical Area boundary**

____ **Project boundary/Limits of disturbance**

____ **Orientation**

____ **Tract or lot lines**

____ **Development area boundaries (Intensely Developed Areas - IDAs, Limited Development**

Areas - LDAs, Resource Conservation Areas - RCAs if information is available)

____ **One hundred-year floodplain boundary**

____ **Dredging activity and spoil site**

____ **Topography**

____ **Vegetative cover:**
- ____ Existing forest
- ____ Forest clearing
- ____ Afforestation/reforestation areas
- ____ Mitigation areas (Buffer impacts)

____ **Agricultural lands**

____ **Surface mining sites and wash plants**

____ **Soil:**
- ____ Type
- ____ Area of hydric soils
- ____ Area of highly erodible soils

____ **Existing and proposed structures** (buildings, roads, other paved or impervious areas, parking lots, lots, storm drains, septic, stormwater management systems, shore erosion control structures).

____ **Natural parks**

Habitat Protection and other Sensitive Area Mapping Features

Please show the following Habitat Protection Area features on all site plans, if relevant to the particular project site:

____ **Buffers**:
- ____ Minimum 100 ft. from tidal waters, tidal wetlands and tributary streams
- ____ Expanded Buffer to include 15% slopes, hydric soils and highly erodible soils
- ____ 25 ft. from nontidal wetlands
- ____ Plant and Wildlife Habitat (Colonial water bird nesting sites, historic waterfowl staging and concentration areas, riparian forest, forest interior dwelling bird habitat, areas of state or local significance, and natural heritage areas)

____ **Tidal Wetlands**

____ **Nontidal Wetlands**

____ **Plant and Wildlife Habitats** (same as above)

____ **Threatened and Endangered Species** (including species in need of conservation)

____ **Anadromous Fish Propagation Waters**

General Project Information

Please include the following text information, if applicable to the site, in the project application materials. This information may be included in the form of letters, reports, or site plan notes.

____ **Project name and location**

____ **Project description** (brief narrative including project type, i.e. industrial, port-related, etc.)

____ **Total acreage in Critical Area**

____ **Total forest area cleared**

____ **10% calculations** (Please enclose worksheet) **or impervious surface information**

____ **Agency sponsoring project**

____ **Anticipated timeline** (Include project milestones, approximate start and completion dates)

____ **Whether project is on State-owned land, locally-owned land or privately-owned land**

____ **Method of stormwater control**

____ **Soil erosion and sediment control measures and implementation strategy**

____ **Mitigation required for clearing of forest area** (1:1 ratio outside the 100-foot Buffer, 1.5:1 if between 20%-30% clearing, and 3:1 ratio inside the 100-foot Buffer or if above 30% clearing)

____ **Afforested area** (site must have a minimum of 15% forest cover if not IDA)

Minimum Documentation Requirements

The following permits and documents should be secured or must be in their final stages (i.e., public comment period completed, permit conditions in final form), if applicable to the site, prior to scheduling the project for review by the Project Subcommittee:

____ **Maryland Department of the Environment** (MDE)
- ____ Stormwater Management
- ____ Sediment and erosion control plan*
- ____ Tidal wetlands permits
- ____ Nontidal wetlands permits
- ____ Water Quality Certification

____ **Army Corps of Engineers (ACOE) Tidal Wetlands Permit (404)**

____ **Local Agency Permits (alternative to MDE authorization)**
- ____ Stormwater Management
- ____ Sediment and erosion control plan*

- All applicants are required to obtain these permits prior to review by the CAC.

State / Federal Agency Recommendations

Review and comment from the appropriate MDE, MHT, DNR, and ACOE units shall be provided, if applicable to the site, for the following resources and habitats:

____ **Threatened and Endangered Species**

____ **Riparian Forests**

____ **Natural Heritage Areas**

____ **Submerged Aquatic Vegetation**

____ **Other Aquatic Species** (Shellfish, etc.)

____ **Maryland Historic Trust**

____ **Plant and Wildlife Habitat**

____ **Forest Interior Dwelling Birds** (FIDs)

____ **Colonial water birds**

____ **Anadromous Fish Propagation Waters**

____ **Historic Waterfowl Staging and Concentration Areas**

Site Visits

Site visits should be arranged by the responsible agency in advance of Commission review. At a minimum, the site visit should include the Commission staff contact.

PLEASE MAIL OR FAX THE ABOVE INFORMATION TO:

CRITICAL AREA COMMISSION
1804 WEST STREET, SUITE 100
ANNAPOLIS, MARYLAND 21401
(410) 260-3460
Fax (410) 974-5338

MD20080424-0381

MARYLAND STATE POLICE

Eastern Troop

TO: Captain M. E. Koerner, CO, Eastern Troop

Date: June 25, 2008

FROM: Lt. E. W. Starner, CO, Berlin Barrack

For Your Information	Take Charge of
As Requested	For Additional Information
Approve and Return	For comment/recommendation
Note and Return	Give me facts so I can answer
See me	Prepare reply for my signature

SUBJECT: US 50 Crossing Study

I have reviewed the files contained on the CD regarding the "US 50 Crossing Study" (MD 611 to MD 378; and 3rd Street to Somerset Street). I have also contacted local SHA personnel in an effort to gather additional information. My observations regarding this study are as follows:

1) The current Rt 50 bridge has been closed on two separate occasions in recent months. Although the closure did not occur during the "summer season", it still has a negative impact on traffic flow in and out of Ocean City. If a bridge closure were to occur during the "summer season", the impact on traffic flow in and out of ocean city would be significant. The "alternative options" which include a new parallel bridge would eliminate that problem.
2) The alternative options that include a new parallel bridge would offer the benefit of separating pedestrian traffic from motor vehicle traffic. The existing bridge could be retained and used for pedestrians, bicyclists, and fisherman. This would have a positive influence on public safety.
3) The alternative options that include a new parallel bridge would offer the benefit of a high draw span which would reduce the number of bridge openings. Again, this would serve to enhance traffic flow issues in and out of Ocean City and again would have a positive influence on public safety.

From a law enforcement perspective, a new parallel bridge is the best option to address traffic flow and public safety issues. This benefit would have to be balanced with the environmental impact and the impact on existing residences and businesses in Ocean City.

On May 29, 2008, a public hearing was held at the Roland E. Powell Convention Center in Ocean City. Nothing "significant" came out of that hearing. Some complaints were heard from local residents and business owners that would potentially be affected by the building of a new bridge.

Maryland Coastal Bays Program
9919 Stephen Decatur Highway, Suite 4
Ocean City, Maryland 21842
410 213-2297
410 213-2574 (fax)
http://www.mdcoastalbays.org
email: outreach@mdcoastalbays.org

June 27, 2008

Dear Ms. Kennon,

The Maryland Coastal Bays Program would like to submit the following comments on the US 50 bridge crossing into Ocean City.

1) The new concept for US 50 bridge improvements provides an opportunity to rectify the two-decade-old rock stabilization quick fix that altered water flow in the northern bays. Whichever option the Maryland State Highway Administration chooses for the new or improved US 50 bridge into Ocean City, the impact of the current and future bridge on flow should be a top priority. This should include study on flow regimes and implementing changes to better restore the hydrologic balance of flow through the width of the bay rather than the current gouging on the east and shoaling and limited flow on the western half of the bay. Study on the impact of the rocks under the bridge on tides and flushing would be helpful.

   While the stabilized inlet has allowed significant sand flow into the coastal bays, a major culprit in the build up of sand around the US 50 bridge over the past two decades is the boulders used to stabilize the bridge after a barge broke loose and ran into its southern side in the late 1980's.

   In a summer, Skimmer Island (so named after 1990) went from a barely discernable clump of grass at high tide to a 348,000-square-foot island. In many cases what was 4-6 feet of water at high tide became 2-3 feet. A sand bar developed just west of the east channel on the south side of the bridge and the sand bars on the east side of the west channel became an island at low tide on both sides of the bridge.

   Most noticeable was the change in flow. Eddies developed near the rocks, especially on the north side of the bridge where the water seems to just sit at incoming tide. Besides generally rendering flounder fishing from the US 50 bridge poor, the rocks have had the more insidious effect of creating a sand barrier which has rapidly increased flow in the east channel.

   Nevertheless, the rocks buttressing the bridge have been a boon for anglers fishing for tautog, which love the underwater structure, and they created Skimmer Island which has become a massive heron-breeding colony and represents one of a handful of places in Maryland where royal terns and black skimmers have bred.

Still, the rocks have utterly changed the nature of Isle of Wight Bay and for the most part in a detrimental way.

2) Skimmer Island must be protected. The island is a critical nesting area for snowy egrets, great egrets, cattle egrets, tri-colored herons, black-crowned night herons, little blue herons, glossy ibis, and has served as one of a handful of nesting islands in Maryland for black skimmers and royal terns. Every effort must be taken to protect it and the species breeding on it. SHA should also consider a fence or barrier which allows birds to fly only over car height, such as the one that exists on the existing bridge. This can prevent collisions with cars and protect both birds and motorists. The southerly alternate 5 seems to provide the last impact. Skimmer Island is also critical to horseshoe crabs. We have found more horseshoe crabs along the west side of Skimmer Island than any other beach area in the back bays. Nearly 6,000 were counted there in 2007 alone.

3) SHA should consider island creation for bird breeding as a form of mitigation. The coastal bays are losing many islands and this has had a devastating impact on breeding populations of royal terns, black skimmers and brown pelicans. Dollars for mitigation should also be considered for soft shoreline restoration and marsh ditch plugging, both of which the Maryland Coastal Bays Program has worked extensively with and considers a priority in the watershed.

4) The Maryland Coastal Bays Program is willing to be the recipient of dollars for mitigation in the coastal bays watershed to undertake restoration projects.

If the Coastal Bays Program can be of assistance or if you have any questions, please call me at 410-213-2297.

Sincerely,

Dave Wilson Jr.
Executive Director
Maryland Coastal Bays Program

Maryland Department of Planning

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

Richard Eberhart Hall
Secretary
Matthew J. Power
Deputy Secretary

June 27, 2008

Mr. Bruce M. Grey
Deputy Director, Office of Planning and Preliminary Engineering
State Highway Administration
707 N. Calvert Street
Mailstop C-301
Baltimore, MD 21202

STATE CLEARINGHOUSE RECOMMENDATION

State Application Identifier: MD20080424-0381
Applicant: State Highway Administration (SHA)
Project Description: Draft Environmental Impact Statement: US 50 Crossing Study: MD 611 to MD 378; and 3rd Street to Somerset Street: considered eight (8) alternatives including "no build"
Project Location: Worcester County
Approving Authority: U.S. Department of Transportation
Recommendation: **Consistent with Qualifying Comments and Contingent Upon Certain Actions**

Dear Mr. Grey:

In accordance with Presidential Executive Order 12372 and Code of Maryland Regulation 14.24.04, the State Clearinghouse has coordinated the intergovernmental review of the referenced project. This letter constitutes the State process review and recommendation based upon comments received to date. This recommendation is valid for a period of three years from the date of this letter.

Review comments were requested from the Maryland Departments of State Police, the Environment, Natural Resources, the Governor's Office of Homeland Security, the Maryland Emergency Management Agency, Worcester County, and the Maryland Department of Planning, including the Maryland Historical Trust. As of this date, the Maryland Emergency Management Agency, and the Governor's Office of Homeland Security have not submitted comments. **This recommendation is contingent upon the applicant considering and addressing any problems or conditions that may be identified by their review. Any comments received will be forwarded.**

The Maryland Historical Trust (the Trust) stated that their findings of consistency are contingent upon the Applicant taking the actions summarized below. In correspondence dated December 18, 2007 and January 9, 2008, the Maryland Historical Trust concurred with SHA's determination that two proposed alternatives (Alternative #4 and Alternative #4 Curved) would adversely affect historic properties. All other alternatives under consideration would have "no effect" or "no adverse effect" on historic properties. Consultation between the Trust, and SHA is ongoing.

7 '08 JUL 07 AM 11:07 PM

301 West Preston Street • Suite 1101 • Baltimore, Maryland 21201-2305
Telephone: 410.767.4500 • Fax: 410.767.4480 • Toll Free: 1.877.767.6272 • TTY Users: Maryland Relay
Internet: www.MDP.state.md.us

The Maryland Departments of the Environment, State Police, and Natural Resources, found this project to be generally consistent with their plans, programs, and objectives, but included certain qualifying comments summarized below.

The Maryland Department of the Environment stated that:

1. Any above-ground or underground petroleum storage tanks which may be removed, must be emptied and properly abandoned in accordance with applicable State and federal laws and regulations. Contact the Oil Control Program at (410) 537-3442 for additional information.

2. Any solid waste including construction, demolition and land clearing debris, generated from the subject project, must be properly disposed of at a permitted solid waste acceptance facility, or recycled if possible. Contact the Solid Waste Program at (410) 537-3318 for additional information.

3. The Hazardous Waste Program should be contacted directly at (410) 537-3343 if this project will generate or handle hazardous wastes to ensure these activities are being conducted in compliance with applicable State and federal laws and regulations. Activities in areas of known or suspected contamination should be coordinated with the Hazardous Waste Program.

The Maryland Department of State Police commented that alternative options that include a new parallel bridge are the best options to address traffic flow, and public safety issues. These benefits would have to be balanced with the environmental impact and the impact on existing residences and businesses in Ocean City. See the attached memorandum.

The Maryland Department of Natural Resources (DNR) affirmed that "Agency staff continue to participate at monthly interagency meetings and have reviewed past documentation on this project. DNR has concurred on the project's Purpose and Need, and Alternatives Retained for Detailed Study. DNR will continue to coordinate with SHA to the conclusion of the project."

Worcester County, and the Maryland Department of Planning found this project to be consistent with their plans, programs, and objectives. This Department commented that regardless of the alternative selected, the location of the project will be within a Priority Funding Area (PFA: either a municipality or county-certified area). If State funding, loans, and/or technical assistance are required to complete the project, its location within a PFA may be significant.

Any statement of consideration given to the comments should be submitted to the approving authority, with a copy to the State Clearinghouse. The State Application Identifier Number must be placed on any correspondence pertaining to this project. The State Clearinghouse must be kept informed if the approving authority cannot accommodate the recommendation.

Please remember, you must comply with all applicable state and local laws and regulations. If you need assistance or have questions, contact the State Clearinghouse staff person noted above at 410-767-4490 or through e-mail at brosenbush@mdp.state.md.us. **Also please complete the attached form and return it to the State Clearinghouse as soon as the status of the project is known.** ***Any substitutions of this form must include the State Application Identifier Number.*** **This will ensure that our files are complete.**

Thank you for your cooperation with the MIRC process.

Sincerely,

Linda C. Janey, J.D., Assistant Secretary
for Clearinghouse and Communications

LCJ:BR
cc: Beth Cole - MHT
William Ebare - MDSP
Joane Mueller - MDE
Ruth Mascari - MEMA
Roland Limpert - DNR
Andrew Lauland - GOHS
Edward Tudor - WRCS

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

June 30, 2008

2 '08JUL02 PM 2:23 IMP

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

Subject: Draft Environmental Impact Statement for US 50 Crossing Study from MD 611 to MD 378; and 3rd Street to Somerset Street Worcester County, Maryland (Project No. WO419A11, CEQ # 20080154)

Dear Mr. Grey:

In accordance with the National Environmental Policy Act (NEPA), Section 309 of the Clean Air Act, Section 404 of the Clean Water Act (Section 404), and the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508), the U. S. Environmental Protection Agency (EPA) has reviewed Draft Environmental Impact Statement (DEIS) for the above referenced project. The Draft Environmental Impact Statement (DEIS) was prepared by the Maryland State Highway Administration and the Federal Highway Administration (FHWA) in cooperation with the US Army Corp of Engineers, National Oceanic and Atmospheric Administration, the National Marine Fisheries Service, the US Coast Guard, US Fish and Wildlife, the Maryland Department of the Environmental and the US Environmental Protection Agency (EPA).

The US 50 Crossing Study proposes to develop a transportation solution that addresses the transportation operational inadequacies and structural deficiencies as well as to improve safety for all users on the US 50 crossing of the Sinepuxent Bay in Worcester County, Maryland

Throughout project development, including planning, scoping, alternatives analysis, the Maryland State Highway Administration (SHA) has provided extensive and ongoing coordination, cooperation and consultation with EPA, as well as other Federal and state resource agencies in accordance with the US 50 Crossing Study Coordination Plan. As such, the DEIS provides a collaborative assessment of the proposed project.

EPA has evaluated the DEIS for the US 50 Crossing Study and has rated the project as an EC-1, Environmental Concerns, Adequate information. EPA has developed the rating system to evaluate EISs under the NEPA process. A copy of the EPA EIS rating system is enclosed for your information. Further information regarding the rating system can be found at: http://www.epa.gov/Compliance/nepa/comments/ratings.html. EPA has based the EC-1 rating for the project on general concern that all the proposed alternatives with the possible exception of the

Alternative 1 - No-Build and Alternative 2 - Rehabilitation pose on the socioeconomic and natural environment including the Indirect and Cumulative Effects associated with Skimmer Island.

EPA also recommends that SHA investigate the use of the following measure to further improve the project:

Construction Restriction including Dredging and/or Excavation:

1. The use of turbidity curtains or other Best Management Practices to avoid or minimize the potential of re-suspension of sediment and noise levels during construction.

2. In order to avoid or minimize construction impacts the project should employ the use steeper fill slopes and retaining wall where ever possible.

3. Continue to evaluate hydrology/hydraulics for the abutments location, pier size and configuration to minimize impacts to the bay.

4. Abide by the National Marine Fisheries and the Maryland Department of Natural Resource's construction restriction for federally threatened and endangered marine turtles, colonial nesting birds on Skimmer Island, and Essential Fish Habitat.

EPA recognizes and appreciates the proactive approach taken by SHA and FHWA in the development of the DEIS. Thank you for the opportunity to provide comments on the DEIS. Should you have any questions regarding our comments concerning the NEPA process, please contact Kevin Magerr at 215-814-5724.

Sincerely,

William Arguto
NEPA Team Leader

cc: Keith Gray, FHWA

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

REPLY TO
ATTENTION OF

Operations Division

JUL 03 2008

Maryland State Highway Administration
Attn: Mr. Joseph Kresslein
Project Planning Division
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Kresslein:

The U.S. Army Corps of Engineers/Baltimore District (Corps) has completed its review of the Draft Environmental Impact Statement (DEIS) generated for the US50 Crossing Study MD611 to MD378; and 3rd Street to Somerset Street and offers the comments below.

(Page IV-20 – Wetland/Waterways Mitigation Permits) – The DEIS is considered by this office to be the application for the project. One component of a complete application is compensatory mitigation. The application must address compensatory mitigation and include site specific information. The text in referenced section indicates that a mitigation site search has been initiated which is insufficient. Therefore, the application is considered to be incomplete. Please provide the status of the search.

(Page IV-22 - Aquatic Habitat and Wildlife/Fisheries Impacts) – The third paragraph discusses dredging that may be required for the mobilization of construction equipment and to set new bridge footings. Please provide the following information pertaining to the proposed dredging: (a) The method of dredging that would be utilized. (b) The depths to which all areas would be dredged. The depths should be provided from mean low water. (c) The volume of spoil to be removed. (d) The dimensions of each area that would be dredged. (e) The identification of the proposed dredge material placement site (DMP). A letter from the owner(s) of the DMP(s) indicating acceptance of the spoil material will be required and submitted to this office.

The fourth paragraph states that an area of approximately 200,000 square feet would be dredging to set the footings where 31,320 square feet of fill material would be placed. The area to be dredged is excessive. Please provide an explanation.

If you have any questions concerning this matter, please contact me at (410) 962-4503.

Sincerely,

Stephen M. Elinsky
Biologist
U.S. Army Corps of Engineers/Baltimore District
Regulatory Branch/Maryland Northern Permits Section

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401
410/573-4575

December 8, 2008

Joseph R. Kresslein
Assistant Division Chief
Project Planning Division
Office of Planning and
Preliminary Engineering
State Highway Administration
707 North Calvert Street
Baltimore, MD 21202

Re: *US 50 Bridge Project / Tidal Wetland Mitigation Site Search*

Dear Mr. Kresslein:

On November 14, 2008, Mitch Keiler, representing the U.S. Fish and Wildlife Service, attended a field trip to view and comment on potential wetland mitigation to US 50 Bridge Replacement Project over the Sinepuxent Bay. The following four sites were reviewed by the interagency team:

3J6b (small cove on St. Martin River with public access)
3K9b (Piney Island Drive along Perkins Creek)
9C6 (tidal marsh along Isle of Wight Bay), and
17D13 (National Park Service and Maryland DNR land facing Sinepuxent Bay)

We were asked to provide recommendations concerning the suitability of these potential sites to satisfy mitigation for the proposed impacts to tidal wetlands and open water related to the replacement alternatives. This letter constitutes the U.S. Fish and Wildlife Service's (Service) comments and recommendations.

In general, the Service finds that all of the sites visited provide too little ecological benefit, require excessive amounts of rock, sand fill, dredging of existing mud, and detract from local aesthetics. We support these observations with the following site specific comments and recommend an option that may be more cost efficient for implementing ecologically responsible mitigation for the impacts projected.

2 '08DEC10 PM 2:02 USP

Site 3J6b (small cove on St. Martin River with public access) proposes to fill open water by creating a sill and back filling with clean sand to create tidal marsh. This site did not demonstrate a need for restoration and presented more constructability questions than answers for its suitability to compensate for the proposed impacts. This site appeared to be in a brackish water system which raises questions regarding in-kind replacement, because the impacts are located in salt water. Construction of a sill would continue to harden the shoreline in St. Martins River where the shoreline shows no signs of erosion. Construction of a sill could potential translate boat wake wave energy to adjoining lands that currently appear as stable natural shorelines. We recommend that this site be withdrawn from consideration.

Site 3K9b (Piney Island Drive along Perkins Creek) has similar attributes as the St. Martin River project site 3J6b. The shoreline shows no signs of active erosion and the placement of structures could potentially do more harm than good to adjoining stable natural shorelines. We recommend that this site be withdrawn from consideration.

Site 9C6 (tidal marsh along Isle of Wight Bay) currently has a stabilization project underway. We recommend that this site be withdrawn from consideration because the stabilization will be completed before SHA moves ahead with mitigation.

Site 17D13 (National Park Service and Maryland DNR land facing Sinepuxent Bay) has an eroding shoreline and has been reviewed by the NPS, DNR and the Coastal Bays Program as the location for a living shorelines project. During the course of review by these agencies issues related to submerged aquatic vegetation (SAV) and flounder were raised for this project site. The issues related to SAV location and marine fisheries impacts will remain as substantial obstacles, and we recommend that this site be dropped from further consideration.

After the site visit, the Service and SHA representatives met with Brian Sturgis, Estuarine Ecologist and restoration project manager with the NPS to enquire about site 17D13. He provided information related to the DNR Coastal Wetland Initiative (CWI), which is restoring historically ditched tidal marshes (mosquito ditches) in Maryland's coastal bays by plugging the ditches. Currently, the NPS through the CWI program is restoring natural hydrology back to 38 acres of tidal marsh under their ownership. SHA has provided some money to the CWI program through Safe, Accountable, Flexible, and Efficient – Transportation Equity Act (SAFE-TEA) funds. We recommend that SHA contribute to the CWI program as mitigation for the impacts of the US 50 bridge replacement. This is the most cost effective mitigation option available.

The Service recommends contacting Donald Webster at the Maryland Department of Natural Resources for information related to the Coastal Wetland Initiative:

Donald Webster
Maryland Department of Natural Resources
828B Airpax Road, Suite 500
Cambridge, MD 21613
(410) 221-8838 x103

We appreciate the opportunity to provide comments and a recommendation for the US 50 bridge replacement wetland impacts. If you have any questions or need further assistance, please contact Mitch Keiler at (410) 573-4554.

Sincerely,

Leopoldo Miranda
Field Supervisor
Chesapeake Bay Field Office

cc: Jack Dinne, Baltimore corps of Engineers, Baltimore, MD
Barbra Rudnick, EPA, Philadelphia, PA
Greg Golden, DNR, Annapolis, MD
Steve Hurt, MDE, Baltimore, MD
Brian Sturgis, NPS, Berlin, MD
Donald Webster, DNR, Cambridge, MD
Elizabeth Habic, SHA, Baltimore, MD

5674

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

Project Number: WO419A11 **MHT Log No. 201003552**
Project Name: US 50 Crossing Study – Replacement of US 50, SHA Bridge No. 2300700 over Sinepuxent Bay
County: Worcester
Letter Date: July 20, 2010

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 4]):
- [X] Concur
- [ ] Do Not Concur

Effect (as noted in the Effects Table [Attachment 4]):
- [ ] No Properties Affected
- [ ] No Adverse Effect
- [ ] Conditioned upon the following action(s) (see comments below)
- [X] Adverse Effect

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

Comments:
Thank you for providing our office with updated analysis on the following Alternatives Retained for Detailed Study: No build, Alternative 4 Modified Signal Option (MSO), Alternative 5A, Alternative 5B and Alternative 5C. MHT concurs with SHA's assessment of effects as presented in Attachment 4 of your correspondence dated July 20, 2010. SHA Bridge No. 2300700 (MIHP No. WO-461) will be adversely affected by Alternatives 4 MSO, 5A, 5B and 5C. In addition, the Emery-Hartman House (MIHP No. WO-553) will be adversely affected by Alternative 5B. Finally, we agree with SHA's finding that the Ocean City Survey District Extension (MIHP No. WO-412) is not eligible for listing in the National Register of Historic Places. We look forward to additional consultation to assess the impacts of ancillary activities and any project modifications.

By: _____ 9-21-10
MD State Historic Preservation Office/ Maryland Historical Trust — Date

Return by U.S. Mail or Facsimile to:
Dr. Julie M. Schablitsky, Assistant Division Chief, Environmental Planning Division,
MD State Highway Administration, P.O. Box 717, Baltimore, MD 21203-0717
Telephone: 410-545-2883 and Facsimile: 410-209-5004

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

State Highway Administration
Maryland Department of Transportation

Beverley K. Swaim-Staley, *Secretary*
Neil J. Pedersen, *Administrator*

July 20, 2010

Re: Project No. WO419A11
US 50 Crossing Study – Replacement of
US 50, SHA Bridge No. 2300700, over
Sinepuxent Bay
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 would have an adverse effect on historic properties. The project involves the replacement of the 1942 double leaf bascule span which carries US 50 over Sinepuxent Bay in Ocean City, SHA Bridge No. 2300700, MIHP No. WO-461. The bridge was determined eligible for the National Register of Historic Places (NRHP), and MHT concurred with that determination on April 3, 2001. SHA previously consulted with MHT about eligibility of historic standing structures in the Area of Potential Effects (APE) on December 6, 2005, April 20, 2007 and October 31, 2007. In the last correspondence, SHA also provided MHT with the Alternatives Retained for Detailed Studies (ARDS) descriptions for Alternatives 1, 2, 4, 4A, 5 and 5A. SHA determined that Alternatives 4 and 4A would have adverse impacts on historic standing structures while Alternatives 2, 5 and 5A would have no adverse impacts on historic standing structures. Alternative 1 would have no impact, since it would not require any changes to the historic property. MHT concurred with SHA's impact determinations on December 18, 2007.

Since 2007, SHA met with the Ocean City Mayor and City Council on January 13 and February 23, 2009, and again on April 27, 2010; and with the Worcester County Commissioners on October 19, 2009, April 6, 2010, and again on May 4, 2010 to discuss the bridge replacement alternatives and potential impacts to Ocean City. Based on SHA's discussions with Ocean City and Worcester County officials, we have revised the ARDS package to address local concerns as explained below.

Also since 2007, SHA has determined that the project will require the removal of the bascule span of SHA Bridge No. 2300700. As explained more fully below, SHA believes that the bridge has been rehabilitated and is in good working order. However, the Ocean City Council questioned the utility of maintaining a bridge that would require more frequent openings when the new bridge is constructed. As a result, SHA has chosen to remove the bascule span from the eligible bridge, while previously we had planned to retain the entire bridge as a pedestrian crossing. SHA plans to leave the approach spans in place for non-vehicular use under each of the alternatives retained for detailed study.

Alternatives Retained For Detailed Study (ARDS) Alternatives

In order to ensure that MHT has the most current information, we again present the ARDS alternatives for your consideration. Conceptual ARDS plan sheets are included as Attachment 1.

Dropped ARDS Alternatives: SHA has dropped several of the previously coordinated alternatives from further consideration based on further studies and discussions with Ocean City and Worcester County.

Alternative 2 (Rehabilitation using the Secretary of Interior's Standards for Rehabilitation): Since our previous coordination, SHA has determined that we have fully rehabilitated the historic bridge as a result of the repairs SHA made between 2006 and 2009, and we believe that it will continue to operate as it should for the foreseeable future. Recent improvements to the bridge include resurfacing of the deck, and the repair and replacement of worn parts of the drawspan mechanism. Similar work would continue as needed to maintain the bridge as long as feasible. While SHA remains fully committed to maintaining the historic bridge, the SHA Office of Structures has concluded that maintaining the bridge beyond the next twenty years may not possible. Also, the Ocean City Council questioned the need to maintain the bridge if it required more frequent openings when the new bridge is constructed. As a result, SHA has chosen to remove the bascule span from the eligible bridge, while previously we had planned to retain the entire bridge as a pedestrian crossing. The approach spans will be left in place for non-vehicular use. SHA has therefore dropped ARDS Alternative 2 (Rehabilitation Using the Secretary of Interior's Standards for Rehabilitation) because we cannot maintain the historic bridge.

Alternatives 4 and 4 Curved: These alternatives have been modified to create Alternative 4 Modified Signal Option (MSO). Alternative 4 Curved was shifted to minimize impacts and was then named Alternative 4 Modified. Then we added a signal to Alternative 4 Modified and renamed it Alt 4 MSO. However, Alternative 4 Modified has been dropped from further consideration since Alternative 4 MSO achieves the level of service SHA

seeks for the new bridge. Alternative 4 Modified required widening of Baltimore between 3rd and 5th Streets without a signal to allow for more spacing for the vehicles from the bridge and Baltimore Avenue to safely merge into one stream. This widening would push the roadway pavement closer to the historic St. Paul by-the-Sea Episcopal Church and the City Hall.

Alternative 5 (South Parallel 30' Drawspan): is no longer under consideration because SHA has determined that the northern alignments have fewer physical impacts than the southern alignment.

Retained ARDS Alternatives:
Alternative 4 Modified Signal Option (MSO) – 45' Fixed Span Bridge

As with the original Alternative 4 Modified, the bridge would be a fixed span with 45 feet of clearance over the water with four lanes carrying the inbound and outbound traffic. This alternative would require longer ramps into Ocean City than the alternatives with less clearance due to the height needed for the fixed span, thus requiring the traffic signals on the bridge ramp south of 3rd Street, and also at Baltimore Avenue and 4th Street as well as Philadelphia Avenue and 3rd and 4th streets. Portions of the existing bridge may be retained and used for nonvehicular purposes, but the draw span would be removed.

With Alternative 4 MSO, the inbound Ocean City traffic would continue northbound one-way onto Baltimore Avenue (MD 378) via a two-lane ramp touching down between 2nd and 3rd Streets, or southbound onto Philadelphia Avenue via a one-lane ramp touching down between Division Street and 1st Street. The northbound ramp would tie into Baltimore Avenue at a signalized intersection, reducing the need to widen Baltimore Avenue to the north with the elimination of weaving traffic volumes. Outbound traffic would utilize the two-lane ramp from southbound Philadelphia Avenue (beginning between Second and 3rd Streets) to the bridge. With the addition of the traffic signal on the ramp junction with Baltimore Avenue, Baltimore Avenue would not need to be transitioned from three lanes down two as it approaches the ramp from the south to accommodate the merge of the ramp as it did with the original Alternative 4 Modified. This would reduce potential impacts to St. Paul's by-the-Sea Episcopal Church and the Ocean City City Hall.

The alignment includes curvature of the bridge to allow for both the eastern tie-in further to the north in Ocean City, while providing horizontal clearance between the bridge and the Skimmer Island resource. The bridge alignment would still tie-in to US 50 just west of the existing bridge on the west side of the bay.

Modifications to signalization control of intersections on Baltimore and Philadelphia Avenues would be needed with the expected changes in local traffic patterns with the partial closings of 1st and 2nd streets between St. Louis and Baltimore avenues.

The intersections of Philadelphia Avenue with 3rd and 4th streets, and Baltimore Avenue with 4th Street, would need new signals while some signals could be removed at other locations. Parking on 5th Street will not need to be removed to allow for the addition of a left turn lane from 5th Street to Philadelphia Avenue as was the case with the original Alternative 4 Modified, but 3rd Street would be converted to one-way westbound between Baltimore and Philadelphia avenues (two-way today).

Alternative 4MSO was developed as the SHA Office of Traffic and Safety was concerned that the original Alternative 4 Modified would result in potentially dangerous weaving movements along Baltimore Avenue. This alternative would eliminate the need for draw span openings and would provide a separate facility for pedestrians and bikers, on the existing bridge. While it would have significant right-of-way impacts in Ocean City (including the removal of several hundred existing offsite parking spaces that are used by area businesses and residents), it would provide direct connections from the bridge to Baltimore and Philadelphia Avenues, and would result in less maintenance and operating costs than the lower height build alternatives with the elimination of the need for a draw span. Based on SHA's discussions with the Ocean City Mayor and City Council and the Worcester County Commissioners, SHA has determined that this alternative will have significant impacts to Ocean City.

Alternative 5A – 30' North Parallel Draw Bridge

Alternative 5A includes a new parallel bridge just north of US 50, tying back into Division Street east of the bay. The bridge alignment would tie-in to US 50 just west of the existing bridge on the west side of Sinepuxent Bay. The bridge would have a higher draw span than the current bridge (30 feet of clearance instead of the existing 15 to 20 feet) and carry inbound and outbound traffic with four lanes. The higher draw span is expected to reduce the number of bridge openings as a higher percentage of boats may pass underneath without an opening. The existing bridge may be partially retained and used for pedestrians and bikers, but the existing draw span would be removed from the bridge. St. Louis Avenue would need to be relocated underneath US 50 to continue the north/south connection.

This alternative received considerable support from the public at the Workshop, has relatively low right of way and environmental impacts, and provides a separate facility for pedestrians, bicyclists, and fishermen on the existing bridge. It is favored by the Worcester County Commissioners and is endorsed by the Ocean City Council and Mayor.

Alternative 5B – 45' North Parallel Fixed Span Bridge

In Alternative 5B, the bridge would be a fixed span with 45 feet of clearance over the water with four lanes carrying the inbound and outbound traffic. It would follow the horizontal alignment of Alternative 5A as it crosses the water instead of veering to the north as Alternative 4 MSO does. The bridge alignment would tie-in to US 50 just west of the existing bridge on the west side of Sinepuxent Bay. Portions of the existing bridge may be retained and used for pedestrians and bikers, but the draw span would be removed.

This alternative would require longer ramps into Ocean City than the alternatives with less clearance due to the height needed for the fixed span. The inbound Ocean City traffic would continue northbound one-way onto Baltimore Avenue (MD 378) via a two-lane ramp touching down between 2nd and 3rd Streets, or southbound onto Philadelphia Avenue via a one-lane ramp touching down between Talbot Street and Dorchester Street. Outbound traffic would utilize the two-lane ramp from southbound Philadelphia Avenue (beginning south of 1st Street) to the bridge. Baltimore Avenue would need to be transitioned from three lanes down two as it approaches the northbound ramp from the south to accommodate the merge of the ramp. North of the ramp, Baltimore Avenue would need to be widened to 4 lanes up to 5th Street to accommodate the merging of the two lanes from the ramp and the two lanes from Baltimore Avenue. This widening would push the roadway pavement closer to the historic St. Paul by-the-Sea Episcopal Church and the City Hall, but would not require right-of-way from either historic property.

Traffic needing to access the bridge from the south along Baltimore Avenue would utilize 1st Street which runs under the northbound ramp to access the ramp onto the bridge from Philadelphia Avenue. This movement eliminates the majority of weaving traffic north of the northbound ramp, which was an issue with the original Alternative 4 Modified.

The addition of signal control for the intersection of Baltimore Avenue with 3rd Street would be needed along with the expected changes in local traffic patterns. Partial closings of 2nd and Talbot streets between St. Louis and Baltimore avenues would occur due to the new ramps, and access from southbound Philadelphia Avenue to the west on Dorchester Street would not be possible. Dorchester Street may need to be converted to one-way eastbound just east of Philadelphia Avenue which would prevent access onto Philadelphia. St. Louis Avenue would need to be relocated underneath US 50 to continue the north/south connection.

Alternative 5B was developed as Ocean City Department of Public Works staff was concerned with right-of-way impacts from Alternative 4 MSO and wanted to know what options existed for moving that alignment further south. This alternative would eliminate the need for draw span openings and would provide a separate facility for pedestrians and bikes on the existing bridge. While it would still have significant right-of-way impacts in Ocean City, it would have less parking impacts than Alternative 4 MSO, would provide direct connections from the bridge to Baltimore and Philadelphia avenues, and would result in less maintenance and operating costs than the lower height build alternatives with the elimination of the need for a draw span. The historic bridge's drawspan would be removed under this alternative, although the approach spans would be retained for nonvehicular use.

This alternative has been dropped at the request of the Ocean City Mayor and City Council, as well as the Worcester County Commissioners.

Alternative 5C – Low Level North Parallel Draw Bridge

Alternative 5C includes a new parallel bridge just north of US 50 following the horizontal alignment of Alternative 5A, tying back into Division Street east of Sinepuxent Bay. The bridge alignment would tie-in to US 50 just west of the existing bridge on the west side of the bay. The bridge would have a draw span with the same clearance as the existing bridge (15-20 feet) and carry inbound and outbound traffic with four lanes. The draw span will require the same number of openings as the existing bridge, but would have less visual impact and slightly less right-of-way impact than Alternative 5A. The existing bridge may be partially retained (the bascule span would be removed) and used for pedestrians and bikers but the existing draw span would be removed from the bridge.

St. Louis Avenue would need to be relocated underneath US 50 to continue the north/south connection. No major improvements are proposed for the existing bridge other than providing access for pedestrians and bicyclists. This alternative was developed at the request of local elected officials. As with Alternative 5A, it has relatively low right-of-way and environmental impacts. Along with Alternative 5A, it is endorsed by the Ocean City Council and Mayor.

Funding

Federal funds are anticipated for this project.

Area of Potential Effects

In determining the APE for this project, SHA considered possible visual, audible, atmospheric and/or physical impacts to historic properties, both archeological sites and standing structures that would diminish any NRHP qualifying characteristic of the historic property's integrity. The project will require additional right-of-way. The

archeology survey area within the APE is defined as the limits of construction where ground disturbance would occur. SHA has refined the APE for standing structures to account for physical or visual impacts caused by the new bridge construction. The APE includes the historic standing structures standing between Dorchester Street to 6th Street on the southern and northern boundaries and from Baltimore Avenue in Ocean City to Shanty Town Lane in West Ocean City, as shown on the USGS Ocean City Quadrangle (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 consulted the SHA-GIS Cultural Resources Database, MIHP forms, county histories and photographs at the SHA library, and made a field visit on February 24, 2009. Previously identified standing historic properties that remain in the refined APE include SHA Bridge No. 2300700, MIHP No. WO-461, St. Paul's-by-the-Sea Episcopal Church, MIHP No. WO-326, Ocean City City Hall, MIHP No. WO-341, and the Emery-Hartman House, MIHP No. WO-553. Standing historic properties that are no longer included in the APE are: Taylor House, MIHP No. Wo-331, Edwin L. Purnell Store, MIHP No. WO-336, Town Market, MIHP No. WO-337, and the Francis Scott Key Motel, MIHP No. WO-555 in West Ocean City. These have been excluded from the APE because of the distance from the new bridge alternatives and intervening built environment limits the potential for visual or physical impacts.

Although SHA is no longer studying Alternative 4 MSO, both it and Alternative 5B require widened lanes on Baltimore Avenue between 3rd and 5th Streets, and SHA requested that its consultant, KCI Technologies, Inc. conduct additional historic standing structures investigations about the area between St. Louis and Atlantic avenues and 3rd and 6th streets. Rather than complete an additional MIHP form, MHT requested that SHA and KCI complete an Addendum and DOE form with photographs, negatives, slides and mapping to include as part of the larger Ocean City Survey District, MIHP No. WO-412. These items are included in Attachment 3.

SHA surveyed a nine block area that extends the Ocean City Survey District, MIHP No. WO-412, to 6th Street between St. Louis and Atlantic avenues identified as the Ocean City Survey District Extension. The new survey area consists of residential, commercial and civic buildings. Both St. Paul's-by-the-Sea Episcopal Church and the Ocean City City Hall are within the survey area and are the only standing historic properties that are listed in or eligible for inclusion in the National Register of Historic

Places (NRHP). SHA's consultant, KCI Technologies, Inc. recommends the survey area as not eligible with the exception of the two historic properties. SHA has reviewed the materials and based on that review and the February 2009 field visit, has determined that the Ocean City Survey District, including the new extension area, is not eligible for inclusion in the NRHP.

Impact Assessment

SHA's decision to remove the bascule span of SHA Bridge No. 2300700 in order to construct Alternatives 4 Modified Signal Option (MSO), 5A, 5B, or 5C will have an adverse impact on this historic property.

Alternative 4 Modified Signal Option: Furthermore, SHA has determined that Alternative 4MSO will have no adverse visual or physical impacts on St. Paul's-by-the-Sea Episcopal Church, Ocean City City Hall, and/or the Emery-Hartman House because although the southbound US 50-to-Philadelphia Avenue and northbound US 50-to-Baltimore Avenue ramps will be visible from either the Emery-Hartman House or the St. Paul by-the-Sea Episcopal Church or the Ocean City City Hall, each ramp will be at street level as it approaches the historic properties, will not require any additional right-of-way from any historic property and will not alter the characteristics that qualify any of them for the NRHP.

Alternative 5A: Likewise, SHA has determined that in addition to the adverse impact to SHA Bridge No. 2300700, Alternative 5A will have no adverse impact on the Emery-Hartman House. We make this determination because the widening and subsequent ramps at the east end of the bridge will be visible from the historic property. However, the new bridge will not be in the historic property's primary viewshed and will not alter the characteristics that qualify it for the NRHP. However, Alternative 5A does not extend to Baltimore Avenue and will have no impact on St. Paul by-the-Sea Episcopal Church or the Ocean City City Hall.

Alternative 5B: SHA has also determined that Alternative 5B will have an adverse visual impact on the Emery-Hartman House because of the additional structure and ramps that will be required for the north- and southbound ramps from the new bridge. However, because SHA is able to limit the amount of widening required on northbound Baltimore Avenue in front of St. Paul's-by-the-Sea Episcopal Church and the Ocean City City Hall to the current right-of-way limits for the road, that Alternative 5B will have no adverse impact on either St. Paul's-by-the-Sea Episcopal Church or the Ocean City City Hall.

Alternative 5C: With regard to Alternative 5C, SHA has determined that there will be no adverse impacts caused by the construction of this alternative on the Emery-Hartman House although the ramps to and from the bridge at its east end will be visible from the historic property. However, the alterations will not be within the primary viewshed of the

historic property, and the ramps will be at street level at Philadelphia Avenue. However, there will be an adverse impact to SHA Bridge No. 2300700. The bridge ramps do not extend beyond Philadelphia Avenue and will have no impact on either St. Paul by-the-Sea Episcopal Church or the Ocean City City Hall.

SHA's Eligibility and Effects Table is included as Attachment 4 outlining the impact determinations for each historic property in the APE.

Memorandum of Agreement

As a result of the adverse impact to the historic bridge, SHA proposes to enter into a Memorandum of Agreement (MOA) that will provide mitigation for the project's effect on historic properties. SHA will consult with the Ocean City Museum and the Nabb Research Center for Delmarva History and Culture as well as MHT in the next few months about possible mitigation strategies.

Archeology: SHA Archeologist Carol A. Ebright assessed the potential of the project area through consultation of SHA-GIS Cultural Resources Database and historic mapping.

Based on conceptual plans for Alternative 4 MSO: 45' Fixed Span, Alternative 5A North Parallel Bridge: 30' High Draw Span, Alternative 5B North Parallel Bridge: 45' Fixed Span, and Alternative 5C North Parallel Bridge: 18' High Draw Span, archeological potential is low due to extensive prior disturbance. No further archeological work is recommended. The project will be reassessed when detailed plans are available.

Review Request

Please examine the attached map, plans, Addendum and DOE forms, and Eligibility and Effects Table. We request your concurrence by August 16, 2010 that there would be adverse effects on historic properties caused by the replacement of SHA Bridge No. 2300700, US 50 over Sinepuxent Bay by Alternatives 4MOS, 5A, 5B or 5C; that Alternative 5B will have adverse effects on the Emery-Hartman House, but have no adverse effects on either St. Paul's by-the-Sea Episcopal Church or the Ocean City City Hall; and that there would be no adverse impacts to St. Paul's by-the-Sea Episcopal Church, the Ocean City City Hall or the Emery-Hartman House by Alternatives 4MOS, 5A or 5C. Finally, we also request your concurrence that the Ocean City Survey District Extension is not eligible for inclusion in the NRHP, and that the No Build Alternative (Alternative 1) will have no impact on any historic property. By carbon copy, we invite the Ocean City Department of Planning and Community Development, the Worcester County Department of Development, Review and Permitting, St. Paul's by-the-Sea Episcopal Church, and Ms. Lynnda J. Emery and Ms. Kristina J. Hartman to provide comments and participate in the National Historic Preservation Act of 1966 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 August 16, 2010, we will assume that these consulting parties 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,

April Foley

for Julie M. Schablitsky
Assistant Division Chief
Environmental Planning Division

Attachments:
1) Conceptual Project Plans
2) APE Map
3) Addendum and DOE forms, photographs, slides, maps
4) Eligibility and Effects Table

cc: Ms. Jamaica Arnold, SHA-PMD
Mr. Nick Blendy, FHWA-DelMar Division
Ms. Anne E. Bruder, SHA-EPLD (w/Attachments)
Reverend David Dingwall, St. Paul's by-the-Sea Episcopal Church (w/Attachments)
Ms. Carol A. Ebright, SHA-EPLD
Ms. Lynnda J. Emery and Ms. Kristina J. Hartman, Emery-Hartman House (w/Attachments)
Ms. Jennifer Grasso, Worcester County Department of Development, Review and Permitting (w/Attachments)
Ms. Elizabeth Habic, SHA-EPLD (w/Attachments)
Mr. Jesse Houston, director, Ocean City Department of Planning and Community Development (w/Attachments)
Ms. Jeannette Mar, FHWA-DelMar Division
Dr. Julie M. Schablitsky, SHA-EPLD
Mr. Donald H Sparklin, SHA-EPLD

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 Crossing Study – Replacement of US 50, SHA Bridge No. 2300700, over Sinepuxent Bay
County: Worcester
Letter Date: July 20, 2010

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 4]):

[ ] Concur
[ ] Do Not Concur

Effect (as noted in the Effect Table [Attachment 4]):

[ ] 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):

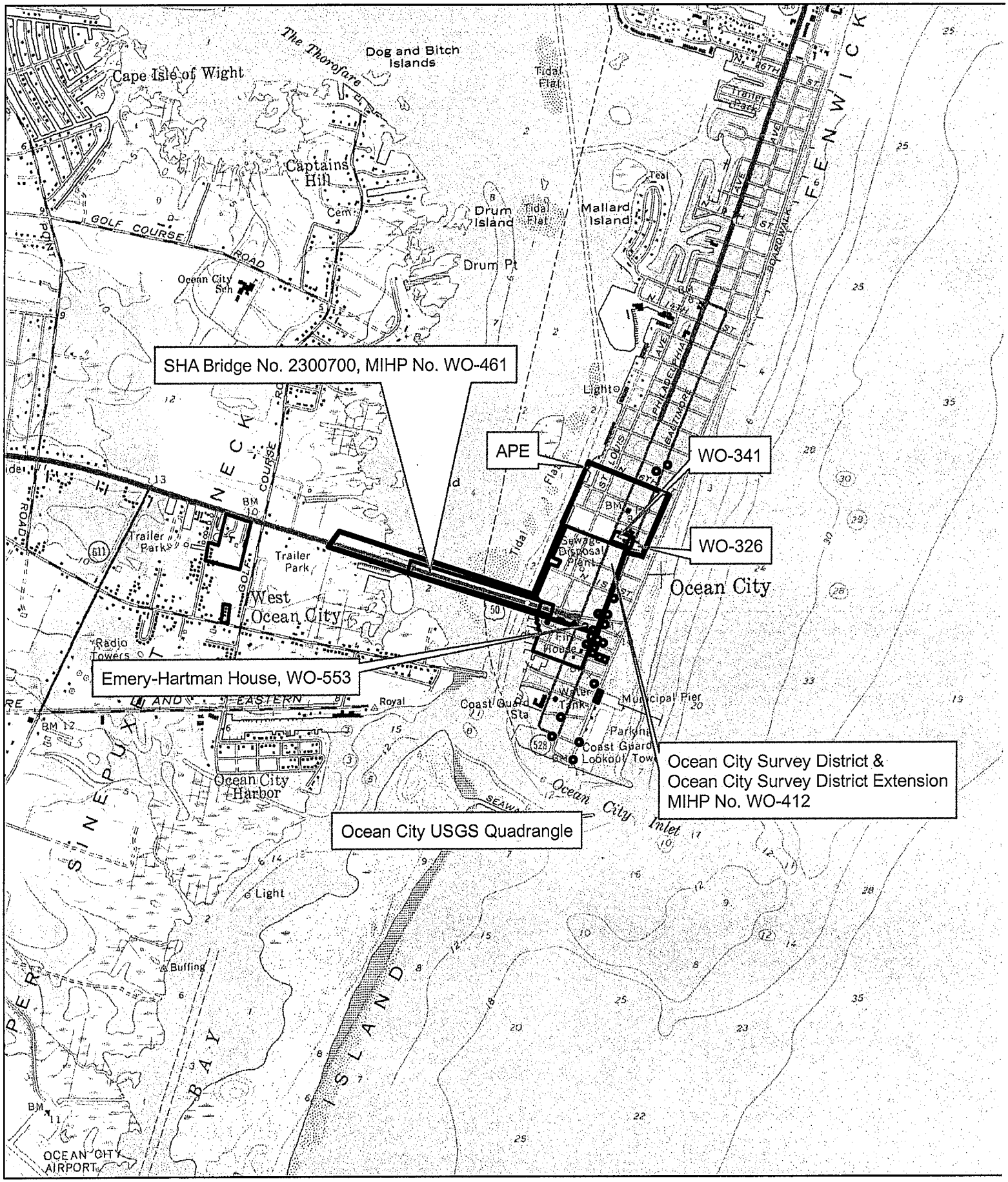
[ ] Agree

Comments:

_____
_____
_____
_____
_____
_____

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

Return by U.S. Mail or Facsimile to:
Dr. Julie M. Schablitsky, Assistant Division Chief, Environmental Planning Division,
MD State Highway Administration, P.O. Box 717, Baltimore, MD 21203-0717
Telephone: 410-545-8870 and Facsimile: 410-209-5004
A_proj No. 5674



Ocean City USGS 7.5' Quadrangle

US 50 Crossing Study: US 50 over Sinepuxent Bay

Replacement of SHA Bridge No. 2300700

00.05 0.1 0.2 Miles

N

Attachment 4: *Hybrid Eligibility/Effect Table*

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

July 14, 2010

				Alternate 1 No Build		Alternate 4 MSO		Alternate 5A		Alternate 5B		Alternate 5C			
Resource	Type	SHA NR Det.	SHPO Opinion	Impact	SHPO Concur	Impact	SHPO Concur	Impact	SHPO Concur	Impact	SHPO Concur	Impact	SHPO Concur	Attachment	Remarks
St. Paul's-by-the-Sea Episcopal Church, WO-326	S	NR, 12/2005	NRL 10/22/2008	None	None	No Adverse	Requested 6/2010	None	Requested 6/2010	No Adverse	Requested 6/2010	None	None		
Taylor House, WO-331	S	NR, 12/2005	NR, 7/2006	None	None	None	None	None	None	None	None	None	None		Outside APE for all ARDS Alternatives
Edwin L. Purnell Store, WO-336	S	NR, 12/2005	NR, 7/2006	None	None	None	None	None	None	None	None	None	None		Outside APE for all ARDS Alternatives
Town Market, WO-337	S	NR, 12/2005	NR, 7/2006	None	None	None	None	None	None	None	None	None	None		Outside APE for all ARDS Alternatives
City Hall, WO-341	S	NR, 12/2005	NR, 7/2006	None	None	No Adverse	Requested 6/2010	None	Requested 6/2010	No Adverse	Requested 6/2010	None	None		
SHA Bridge No. 2300700, WO-461	S	NR, 2/2001	NR, 7/2001	None	None	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010		
Emery-Hartman House, WO-553	S	NR, 12/2005	NR, 7/2006	None	None	No Adverse	Requested 6/2010	No Adverse	Requested 6/2010	Adverse	Requested 6/2010	No Adverse	Requested 6/2010		
Francis Scott Key Motel, WO-555	S	NR, 12/2005	NR, 7/2006	None	None	None	None	None	None	None	None	None	None		Outside APE for all ARDS Alternatives
Ocean City Survey District Extension, WO-	S	X 6/2010	Requested 6/2010	None	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010		
Effect				None	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010		

Codes:

Resource Types: S (Structure), A (Archeological 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
Impact: None, No Adverse, Adverse
Effect: NPA (No Properties Affected), NAE (No Adverse Effect), AE (Adverse Effect)
Bold rows indicate review action requested

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

State Highway Administration
Maryland Department of Transportation

Beverley K. Swaim-Staley, *Secretary*
Neil J. Pedersen, *Administrator*

February 11, 2011

Re: Project No. WO419A11
US 50 Crossing Study – Replacement of US 50, SHA Bridge No. 2300700 over Sinepuxent Bay
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) proposal to resolve the adverse effect finding for the above-referenced project. On July 20, 2010, SHA determined that the replacement of SHA Bridge No. 2300700 (WO-461), US 50 over Sinepuxent Bay, Worcester County, Maryland would have an adverse effect on the National Register of Historic Places (NRHP) eligible bridge because SHA will remove the bridge's bascule span in conjunction with building a new parallel span on the north side of the present bridge (SHA Alternate 5A). MHT concurred with the adverse effect finding on September 21, 2010. SHA's July 20, 2010 letter indicated that we would consult with local parties in Ocean City as well as MHT regarding the possible mitigation and the Memorandum of Agreement (MOA).

On August 4, 2010, SHA met with representatives of the Ocean City Life-Saving Station Museum (Museum), and spoke by telephone with Mr. Glenn Irwin, Executive Director of the Ocean City Development Corporation, and Dr. G. Ray Thompson of the Edward H. Nabb Research Center for Delmarva History & Culture at Salisbury University about mitigation strategies for the movable bridge. SHA suggested two strategies: 1) because there have been at least three bridges, create interpretive panel(s) that discuss the history of the crossings over Sinepuxent Bay in the nineteenth and twentieth centuries, as well as the boats that ferried visitors to the island prior to the bridge construction events; and 2) relocate the bascule span to a nearby museum or park.

At the present time, SHA has not identified a recipient for the bascule span, which is quite large. Neither the Museum nor the Nabb Center is capable of acquiring and/or displaying it. As a result, SHA has included a marketing stipulation for the span in the MOA, in the event that a recipient is identified when SHA begins the construction phase.

SHA also proposes to create at least one interpretive panel to provide public interpretation about the history of the several Sinepuxent Bay crossings. We plan to work with the Museum and Ocean City Development Corporation to obtain photographs in local collections as well as SHA's own photo archive that can be included in the panel. If there is not enough information for two different panels, SHA will make a duplicate panel and attach them on the old bridge's approach span railings if these are retained, or on the new bridge's railings. Although Ocean City has a public walking tour with interpretive panels, there is no place within the tour to place SHA's panels, either in the Museum or along the boardwalk and other outdoor locations. SHA believes that using the railings on one of the SHA bridges will be the most effective manner of display since SHA proposes to include pedestrian access for both bridges.

Review Request

Attached for your consideration is the draft MOA stipulating the public interpretation and bridge marketing as the items to mitigate the loss of SHA Bridge No. 2300700, US 50 over Sinepuxent Bay. We request your concurrence by March 10, 2011, that the MOA is acceptable. By carbon copy, we invite the Ocean City Department of Planning and Community Development, the Ocean City Life-Saving Station Museum, the Ocean City Development Corporation, the Worcester County Department of Development, Review and Permitting and the Edward H. Nabb Research Center for Delmarva History & Culture of Salisbury University 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 March 10, 2011, 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,

April Feher

for Julie M. Schablitsky
Assistant Division Chief
Environmental Planning Division

Attachments: 1) Draft Memorandum of Agreement

cc: Ms. Jamaica Arnold, SHA-PMD
Ms. Anne E. Bruder, SHA-EPLD (w/Attachment)
Ms. Carol A. Ebright, SHA-EPLD
Ms. Jennifer Grasso, Worcester County Department of Development, Review and Permitting (w/Attachment)
Ms. Elizabeth Habic, SHA-EPLD (w/Attachment)
Mr. Jesse Houston, Ocean City Department of Planning and Community Development (w/Attachment),
Ms. Sandy Hurley, Ocean City Life-Saving Station Museum (w/Attachment)
Mr. Glenn Irwin, Ocean City Development Corporation (w/Attachment)
Ms. Jeanette Mar, FHWA Delmar Division (w/Attachment)
Mr. John Narer, SHA-OOS
Dr. Julie M. Schablitsky, SHA-EPLD
Mr. Donald H Sparklin, SHA-EPLD
Dr. G. Ray Thompson, Edward H. Nabb Research Center for Delmarva History & Culture of Salisbury University (w/Attachment)

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 Crossing Study – replacement of US 50, SHA Bridge No. 2300700, over Sinepuxent Bay
County: Worcester
Letter Date: February 11, 2011

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 [N/A]):

[ ] 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: _____ _____
MD State Historic Preservation Office/ Maryland Historical Trust — Date

Return by U.S. Mail or Facsimile to:
Dr. Julie M. Schablitsky, Assistant Division Chief, Environmental Planning Division,
MD State Highway Administration, P.O. Box 717, Baltimore, MD 21203-0717
Telephone: 410-545-8870 and Facsimile: 410-209-5004
A_proj No. 5674

Preserving America's Heritage

May 20, 2011

Hassan Raza, P.E.
Division Administrator
FHWA – DelMar Division
10 South Howard Street, Suite 2450
Baltimore, MD 21201

Ref: *Proposed Replacement of SHA Bridge # 2300700, US 50 over Sinepuxent Bay Ocean City, Worcester County, Maryland*

Dear Mr. Raza:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Maryland State Historic Preservation Office (SHPO), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the notification of adverse effect. If you have any questions or require further assistance, please contact Ms. Najah Duvall-Gabriel at 202-606-8585 or at ngabriel@achp.gov.

Sincerely,

LaShavio Johnson

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone:202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

U.S. Department of Transportation
Federal Highway Administration

DelMar Division

10 South Howard Street, Suite 2450
Baltimore, MD 21201
(410) 962-4440
(410) 962-4054
http://www.fhwa.dot.gov/demddiv/

August 19, 2011

In Reply Refer To:
HDA-MD
(WO419A11)

Mr. Reid J. Nelson
Director, Office of Federal Agency Programs
Advisory Council on Historic Preservation
1100 Pennsylvania Avenue, NW, Suite 809
Washington, DC 20004

Dear Mr. Nelson:

In accordance with 36 CFR §800.6(b)(1)(iv), the Federal Highway Administration (FHWA) wishes to transmit the fully executed Memorandum of Agreement (MOA) for US 50 over Sinepuxent Bay, Ocean City, Worcester County, Maryland. The Maryland State Highway Administration (SHA) proposes to replace SHA Bridge No. 2300700 on US 50 which is eligible for listing in the National Register of Historic Places. The replacement would require the removal of the bascule span of the bridge and would have an adverse effect on the standing historic property. The MOA stipulates the measures to mitigate the adverse effect and was prepared in consultation with the Maryland State Historic Preservation Officer (SHPO), SHA and FHWA.

Should you have any questions, please contact Ms. Jeanette Mar of my staff at (410) 779-7152 or Jeanette.Mar@dot.gov.

Sincerely yours,

Jeanette Mar

for Gregory Murrill
Division Administrator

Enclosure:
cc:
Mr. John Eddins, ACHP
Mr. J. Rodney Little, MHT
Dr. Julie Schablitsky, SHA
[redacted]

MEMORANDUM OF AGREEMENT AMONG
THE FEDERAL HIGHWAY ADMINISTRATION,
THE MARYLAND STATE HIGHWAY ADMINISTRATION AND
THE MARYLAND STATE HISTORIC PRESERVATION OFFICER
PURSUANT TO 36 CFR 800 REGARDING
REPLACEMENT OF SHA BRIDGE NO. 2300700,
US 50 OVER SINEPUXENT BAY
IN WORCESTER COUNTY, MARYLAND

WHEREAS, the Federal Highway Administration (FHWA) proposes to assist the Maryland State Highway Administration (MD SHA) with the replacement of SHA Bridge No. 2300700, US 50 over Sinepuxent Bay in Worcester County (Undertaking); and

WHEREAS, after detailed study of alternatives, the MD SHA has selected the following Preferred Alternative for construction: Alternate 5A, 30' North Parallel Draw Bridge, for construction; and

WHEREAS, the FHWA has determined that the Undertaking will have an adverse effect on SHA Bridge No. 2300700 (MIHP No. WO-461), which is eligible for inclusion in the National Register of Historic Places under Criterion C; and

WHEREAS, the FHWA has consulted with the Maryland State Historic Preservation Officer (MD SHPO) pursuant to 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (16 USC 470f); and

WHEREAS, the MD SHA has participated in consultation, has responsibilities for implementing stipulations under this Memorandum of Agreement (MOA), and has been invited to be a signatory to this MOA;

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

WHEREAS, the FHWA has notified the Advisory Council on Historic Preservation (Council) of the adverse effect determination, and it has declined to participate in the consultation;

WHEREAS, the MD SHA held public meetings on June 8, June 9, October 6 and October 7, 2005, June 1 and 2, 2006, and May 31 and June 1, 2007 and a public hearing on May 29, 2008; and

NOW THEREFORE, the FHWA, MD SHPO and MD SHA agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

FHWA and MD SHA will ensure that the following measures will be implemented:

I. SHA Bridge No. 2300700, US 50 over the Sinepuxent Bay Bridge (MIHP No. WO-461)

A. Recordation – Within one (1) year of the execution of this MOA, MD SHA shall provide to the MD SHPO black and white digital photographs sufficient to portray the bridge's elevations, its architectural and engineering details and its context in order to provide an accurate record of the bridge. Black and white photography will be completed according to the photographic documentation requirements outlined on pages 36-38 of the *Standards and Guidelines for Architectural and Historical Investigations in Maryland* (Maryland Historical Trust, 2000) and in the *Guidelines and Resources for Compliance-Generated Determinations of Eligibility, Appendix E – Guidelines for Digital Images* (Maryland Historical Trust, 2009).

B. Public Interpretation – During the design phase of the Undertaking, the MD SHA will develop a public interpretation program using large panels that discuss the history of the different transportation modes including, but not limited to boats and/or highway and railroad bridges that have been used to allow people, goods and services to cross the Sinepuxent Bay in the nineteenth and twentieth centuries. Within one year of completion of the new bridge, the plan for the interpretive panel(s) will be implemented in consultation with the MD SHPO, the Ocean City Life-Saving Station Museum and other consulting parties from Ocean City and Worcester County.

C. Number of Interpretive Panels – The number of panels provided by the MD SHA will be dependent on the amount of information and photographs available for inclusion in the Sinepuxent Bay Crossing history interpretive panel(s). If only one panel is produced from the available materials, the MD SHA will provide a second copy of the panel for placement on the bridge railings in a separate location.

D. Placement of Interpretive Panel(s) – The interpretive panel(s) shall be placed on the railings of the approach spans of the old bridge if these spans are maintained. In the event that the original spans are not maintained, the MD SHA shall install these on the railings of the sidewalks on the new bridge.

E. **Marketing** – During the design phase of the Undertaking, the MD SHA shall seek a new owner for the US 50 over Sinepuxent Bay Bridge bascule span after the new bridge opens. The MD SHA will retain ownership of the approach spans. The MD SHA shall write a letter to solicit interest from Ocean City and Worcester County museums and parks and shall prepare a Marketing Plan Information Packet for the Sinepuxent Bay Bridge to provide to interested parties, including the following:

1) Photographs of the bridge;
2) A parcel map;
3) Information about the bridge's historical significance;
4) Information on maintenance and operational costs and considerations;
5) Information on available financial assistance available including MD SHA allocations, the potential for SAFTEA-LU funds and grant moneys;
6) Notification that the purchaser will be required to maintain the property in accordance with the recommended approaches in the Secretary of Interior's Standards for Treatment of Historic Properties (36 CRF Part 68), if recommended by the MD SHPO;
7) Notification of the requirement for inclusion in the transfer document of the MD SHPO standard historic preservation deed of easement on the property, if required by the MD SHPO;
8) A distribution list of potential purchasers or transferees developed with input from the MD SHPO;
9) An advertising plan and schedule;
10) A schedule for receiving and reviewing offers;
11) Upon agreement by the MD SHPO with the marketing plan, the MD SHA shall implement the plan. The MD SHA will review all offers in consultation with the MD SHPO prior to acceptance. The MD SHA shall ensure that any transfer of the property's ownership incorporates the MD SHPO standard historic preservation deed of easement, if required by the MD SHPO;
12) If the MD SHA receives no offer that it determines conforms to the requirements of rehabilitation and maintenance, the MD SHA shall demolish the bridge's bascule span.

II. Submission

A. **Recordation** – MD SHA shall submit the photographic recordation, including 5" X 7" black and white prints, digital files in an uncompressed TIF format, burned onto a 75-year, "gold"-type archival CD or DVD, and a photo log. Digital and paper files will all be labeled according to MD SHPO standards. The documentation package will be submitted to the MD SHPO for review and comment within one (1) year of execution of this MOA. MD SHPO's review is subject to a thirty (30) day period beginning upon the date of receipt of said documentation package by the MD SHPO. MD SHA may assume MD

SHPO approval of the recordation if no comments are received within the 30-day review period.

B. **Public Interpretation** - During the design phase of the Undertaking, the MD SHA shall submit the required public interpretation plan to the MD SHPO for a 30-day review period. MD SHA shall revise the package according to MD SHPO comments, if any. MD SHA may assume MD SHPO approval of the public interpretive plan if no comments are received within the 30-day review period. MD SHA shall provide the MD SHPO with photographs of the completed interpretive panel(s) within three (3) months of installation.

C. **Marketing** – MD SHA shall submit the draft Marketing Plan Information Packet for the Sinepuxent Bay Bridge to the MD SHPO for a 30-day review period. In its review of the Marketing Plan, the MD SHPO shall indicate whether it will require a standard historic preservation easement on the relocated bascule span upon transfer of the property's ownership and whether it recommends that the bascule be maintained in accordance with the recommended approaches in the Secretary of Interior's Standards for Treatment of Historic Properties (36 CRF Part 68). MD SHA shall revise the package according to MD SHPO comments, if any. MD SHA may assume MD SHPO approval of the Marketing Plan if no comments are received within the 30-day review period.

III. Design Development, Alignment Modifications and Ancillary Activities

The project may result in unforeseen effects on other historic properties due to changes made during design development, alignment modifications, or as a result of associated ancillary activities including, but not limited to: construction staging areas, stormwater management facilities, wetland mitigation areas, reforestation areas, environmental stewardship activities, or other actions. All design and construction elements that may affect historic properties will be subject to review and concurrence by the MD SHPO. The FHWA and the MD SHA will ensure that avoidance of adverse effects to historic properties is the preferred strategy and will utilize all feasible, prudent, and practicable measures to avoid adverse effects.

Should such activities be added for which cultural resources studies have not been completed, the MD SHA shall ensure that consultation ensues with the MD SHPO, the FHWA and other relevant consulting parties as appropriate, and that all required cultural resources studies are implemented in accordance with the applicable performance standards in Stipulation V and with the following procedures:

1) Identification: The MD SHA professional cultural resources staff shall review any additions or changes to the project and implement identification investigations as necessary to identify any historic properties that may be impacted by the proposed activity or alignment modification. The MD SHA shall

provide all completed information to the MD SHPO, the FHWA, and relevant consulting parties under this MOA for review and comment. If the MD SHPO does not provide comments within 30 calendar days of receipt, the MD SHA may assume the MD SHPO acceptance of the results.

2) Evaluation: The MD SHA shall evaluate all cultural resources identified in the areas inventoried under Stipulation III in accordance with 36 CFR 800.4(c) to determine their eligibility for the National Register. The MD SHA shall provide the results of any such evaluation efforts to the MD SHPO, the FHWA, and relevant consulting parties for review and comment. If the MD SHPO does not provide comments within 30 calendar days of receipt, the MD SHA may assume the MD SHPO acceptance of the results.

3) Treatment: Should any property eligible for inclusion in the National Register be identified under Stipulation III, the MD SHA shall make a reasonable and good-faith effort to avoid adversely impacting the resources by relocating or modifying the proposed action. If adverse effects are unavoidable, the MD SHA, the FHWA, the MD SHPO and relevant consulting parties shall consult in accordance with 36 CFR 800.6 to resolve adverse effects on National Register-eligible historic properties. The FHWA shall solicit the participation of the Council. If adverse effects are unavoidable, the MD SHA, the FHWA, the MD SHPO and relevant consulting parties shall develop and implement appropriate treatment options in a Memorandum of Agreement. The FHWA and the MD SHA shall implement the mitigation plan once the MD SHPO concurs with the plan. The MD SHA shall ensure that any resulting cultural resources work is accomplished in accordance with the relevant performance standards in Stipulation V.

IV. Unexpected Discovery of Historic Properties during Construction

If historic properties are discovered or unanticipated effects on historic properties are found after the Undertaking is implemented the MD SHA shall ensure that reasonable efforts are made to avoid, minimize, or mitigate adverse effects to such properties, and shall consult with the MD SHPO, the FHWA, and other relevant consulting parties to resolve any adverse effects pursuant to 36 CFR 800.13(b). The MD SHA shall ensure that any resulting cultural resources work is accomplished in accordance with the relevant performance standards in Stipulation V.

V. Performance Standards

A. Professional Qualifications – the MD SHA shall ensure that all cultural resources work performed pursuant to the MOA is carried out by or under the direct supervision of a person or persons meeting at a minimum the Professional Qualifications Standards set forth in the Secretary of the Interior's Standards for Architectural History and Archeology (36 CFR Part 61).

B. Standards and Guidelines - the MD SHA shall ensure that all cultural resources investigations and work performed pursuant to this MOA shall be conducted in a manner consistent with the principles and standards contained in the documents (and subsequent revisions thereof) listed below:

- *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation* (1983 and successors);
- *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994);
- *Standards and Guidelines for Architectural and Historical Investigations in Maryland* (Maryland Historical Trust, 2000);
- *Guidelines and Resources for Compliance-Generated Determinations of Eligibility (DOEs)* (Maryland Historical Trust, 2009);
- *Advisory Council on Historic Preservation – Section 106 Archaeology Guidance* (ACHP 2007);
- *Secretary of the Interior's Standards for the Treatment of Historic Properties* (36 CFR Part 68).

C. Curation - All materials and records, including but not limited to field reports, photographs, field sketches, etc., and records resulting from archeological investigations conducted for the project will be curated in accordance with 36 CFR 79 at the Maryland Archeological Conservation Laboratory.

VI. Administration

A. Resolution of Objections by the Signatories - Should the MD SHPO, or any of the signatories to this MOA, object in writing within 30 days to any plans or actions proposed pursuant to this MOA, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that such objection cannot be resolved, the FHWA will:

1) Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the Council. The Council shall provide the FHWA with its advice on the resolution of the objection within 30 days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the Council, signatories and concurring parties, and provide them with a copy of this written response. The FHWA will then proceed according to its final decision.

2) If the Council does not provide its advice regarding the dispute within the 30 day time period, the FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the Council with a copy of such written response.

3) The FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remains unchanged.

B. Resolution of Objections by the Public - At any time during implementation of the measures stipulated in this MOA, should an objection pertaining to this agreement or the effect of the undertaking on historic properties be raised by another consulting party, a concurring party to the MOA, or a member of the public, the FHWA shall notify the parties to this agreement and take the objection into account, consulting with the objector and, should the objector so request, with any of the parties to this MOA to resolve the objection.

C. Amendment - If any of the signatories to this MOA believes that its terms cannot be carried out, or that an amendment to the terms must be made, that signatory shall immediately consult with the other signatories to develop amendments. If an amendment cannot be agreed upon, the dispute resolution process set forth in Stipulation VI.A will be followed.

D. Termination - Any signatory to this MOA may terminate it by providing thirty days written notice to the other parties, provided that the parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. Termination of this MOA will require compliance with 36 CFR 800. This MOA may be terminated by the execution of a subsequent MOA that explicitly terminates or supersedes its terms.

E. Duration - This MOA shall be null and void if its terms are not carried out within twenty (20) years from the date of its execution, unless the signatories agree in writing to an extension for carrying out its terms.

Execution of this MOA by the FHWA, MD SHA and MD SHPO, its subsequent submission to the Council and implementation of its terms, evidence that FHWA and MD SHA have taken into account the effects of the undertaking on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

By: William A Wade Date: 8/19/2011
for Gregory Murrill, Division Administrator

MARYLAND STATE HISTORIC PRESERVATION OFFICER

By: Date: 7-12-11
J. Rodney Little, State Historic Preservation Officer

MARYLAND STATE HIGHWAY ADMINISTRATION

By: Date: 7/28/11
for Darrell B. Mobley, Acting Administrator

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

State Highway Administration

Beverley K. Swaim-Staley, *Secretary*
Darrell B. Mobley, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

August 29, 2011

Mr. Stephen Decatur
Maryland Coastal Bays Program
9919 Stephen Decatur Highway, Suite 4
Ocean City MD 21842

Dear Mr. Decatur:

Thank you for your comments regarding the U.S. 50 Draft Environmental Impact Statement (DEIS) for the U.S. 50 Crossing Study (Attachment 1). The Federal Highway Administration (FHWA) and the Maryland State Highway Administration (SHA) appreciate the Maryland Coastal Bays Program's comments and would like to take this opportunity to address your questions and comments.

The FHWA and SHA note that Maryland Coastal Bays Program has concerns regarding the the potential impact of the US 50 Crossing Project on hydraulic and sedimentation processes in the Isle of Wight Bay. SHA studied the hydrodynamics of the Bay in a sand migration report completed in October 2009 and will undertake future hydrodynamic modeling studies to investigate the potential impacts to the Bay if the existing structure is removed after the new alternative is constructed. Due to the changing dynamics of the ecological system in the Sinepuxent Bay, we believe that it would be more appropriate to conduct these modeling studies closer to the project implementation phase, when future conditions can be more accurately assessed.

FHWA and SHA also acknowledge concerns regarding the colonial nesting waterbirds and horseshoe crabs that utilize Skimmer Island which is in close proximity to the current bridge. FHWA and SHA will make all efforts to avoid and minimize impacts to Skimmer Island in the design of the proposed bridge. SHA will evaluate fencing on the bridge structure proposed for Selected Alternative 5A that would provide protection for birds. Coordination will continue throughout the life of the project with the resource agencies regarding potential impacts and appropriate mitigation measures to protect the species using Skimmer Island. SHA will keep the Maryland Coastal Bays Program in mind for future contributions as mitigation for impacts due to the bridge replacement project.

We hope that this letter addresses your concerns, and 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. Elizabeth Habic, the Environmental Manager, at 410-545-8563, or Ms. Jamaica Arnold, the Project Manager, at 410-545-8512.

Very truly yours,

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

by: Donald Sparklin

Donald H. Sparklin
Division Chief
Environmental Planning Division

Attachment

cc:	Ms. Jamaica Arnold, SHA-PMD	(w/attachment)
	Ms. Elizabeth Habic, SHA-EPLD	"
	Mr. Joseph R. Kresslein, SHA-EPLD	"
	Mr. Donald S. Sparklin, SHA-EPLD	"
	Ms. Nicole Washington, SHA-PMD	"

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

State Highway Administration

Beverley K. Swaim-Staley, *Secretary*
Darrell B. Mobley, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

August 29, 2011

Mr. Leopoldo Miranda Castro
Field Supervisor
U.S. Department of the Interior
Fish and Wildlife Service
Chesapeake Bay Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401

Attention: Mr. Mitch Keiler

Dear Mr. Castro:

Thank you for your comments regarding the U.S. 50 Draft Environmental Impact Statement (DEIS) for the U.S. 50 Crossing Study (Attachment 1). The Federal Highway Administration (FHWA) and the Maryland State Highway Administration (SHA) appreciate the U.S. Fish and Wildlife Service's (USFWS) comments and would like take this opportunity to address your questions and comments.

The USFWS has recommended the selection of Alternatives 4, 5, and 5A along with the removal of the existing bridge, piers, and scour protection based on the position that removal of the existing structure will benefit the hydraulic and sedimentation processes in Isle of Wight Bay. SHA will undertake future hydrodynamic modeling studies during the design phase of the project to investigate the potential impacts to the Bay if the existing structure were removed after the new alternative is constructed. Due to the changing dynamics of the ecological system in the Sinepuxent Bay, we believe that it would be more appropriate to conduct these modeling studies and coordinate further with the USFWS and other resource agencies closer to the project implementation phase, when future conditions can be more accurately assessed.

The FHWA and SHA also acknowledge USFWS concerns regarding the colonial nesting waterbirds that utilize Skimmer Island which is in close proximity to the current bridge. FHWA and SHA will make all efforts to avoid and minimize impacts to Skimmer Island in the design of the proposed bridge and appropriate mitigation measures will be developed for any unavoidable impacts.

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.roads.maryland.gov

We hope that this letter addresses your concerns. Should you have any questions or need additional information, please feel free to contact Ms. Elizabeth Habic, the Environmental Manager, at 410-545-8563, or Ms. Jamaica Arnold, the Project Manager, at 410-545-8512.

Very truly yours,

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

by: Donald Sparklin

Donald H. Sparklin.
Division Chief
Environmental Planning Division

Attachment

cc:	Ms. Jamaica Arnold, SHA-PMD	(w/attachment)
	Ms. Elizabeth Habic, SHA-EPLD	"
	Mr. Joseph R. Kresslein, SHA-EPLD	"
	Mr. Donald S. Sparklin, SHA-EPLD	"
	Ms. Nicole Washington, SHA-PMD	"

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

State Highway Administration

Beverley K. Swaim-Staley, *Secretary*
Darrell B. Mobley, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

August 29, 2011

Ms. Barbara Rudnick
NEPA Team Leader
Office of Environmental Programs (3EA30)
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia PA 19103-2029

Attention: Mr. Kevin Magerr

Dear Ms. Rudnick:

Thank you for your comments regarding the U.S. 50 Draft Environmental Impact Statement (DEIS) for the U.S. 50 Crossing Study (Attachment 1). The Federal Highway Administration (FHWA) and the Maryland State Highway Administration (SHA) appreciate the U.S. Environmental Protection Agency's (EPA) comments.

The FHWA and SHA note that EPA has rated the US 50 Crossing project as an EC-1, Environmental Concerns, Adequate information for Alternatives 4, 5, and 5A and recommends investigation of the following measures to improve the project. In response to EPA's concerns, SHA will implement the following construction restrictions:

1. SHA will utilize turbidity curtains or other Best Management Practices to avoid or minimize the potential of re-suspension of sediment and noise levels during construction.

2. SHA will avoid or minimize construction impacts wherever possible using steeper fill slopes and retaining walls.

3. SHA will attempt to minimize impacts to the bay by evaluating the hydrology/hydraulics for the abutments location, pier size and configuration.

4. SHA will continue to coordinate with National Marine Fisheries and the Maryland Department of Natural Resources as well as abide by any construction restrictions for federally threatened and endangered marine turtles, colonial nesting birds on Skimmer Island and Essential Fish Habitat.

We hope that this letter addresses your concerns. Should you have any questions or need additional information, please feel free to contact Ms. Elizabeth Habic, the Environmental Manager, at 410-545-8563, or Ms. Jamaica Arnold, the Project Manager, at 410-545-8512.

Very truly yours,

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

by: Donald Sparklin

Donald H. Sparklin
Division Chief
Environmental Planning Division

Attachment

cc:	Ms. Jamaica Arnold, SHA-PMD	(w/attachment)
	Ms. Elizabeth Habic, SHA-EPLD	"
	Mr. Joseph R. Kresslein, SHA-EPLD	"
	Mr. Donald S. Sparklin, SHA-EPLD	"
	Ms. Nicole Washington, SHA-PMD	"

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

State Highway Administration

Beverley K. Swaim-Staley, *Secretary*
Darrell B. Mobley, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

September 14, 2011

Mr. Joseph P. DaVia
Transportation Program Manager
U.S. Army Corps of Engineers, Baltimore District
Attn: CENAB-OP-RMN
P.O. Box 1715
Baltimore, Maryland 21203-1715

Attention: Mr. John Dinne

Dear Mr. DaVia:

Thank you for your comments regarding the Draft Environmental Impact Statement (DEIS) for the U.S. 50 Sinepuxent Bay Crossing Study in Worcester County, MD (Attachment 1). The Federal Highway Administration (FHWA) and the Maryland State Highway Administration (SHA) appreciate the U.S. Army Corps of Engineers (USACE) review of this document and would like to take this opportunity to address your questions and comments.

The FHWA and SHA note that the Final Environmental Impact Statement (FEIS) will be considered by the USACE to be an application for a Wetland/Waterways Mitigation Permit. A previous mitigation site search failed to identify a suitable location for the mitigation of wetland and waterways impacts. In lieu of wetland replacement, the U.S. Fish and Wildlife Service (letter dated December 12, 2008) recommended that SHA provide monetary contributions to the Department of Natural Resources Coastal Wetlands Initiative (CWI) or National Park Service (NPS) ditch filling wetlands enhancement program at Assateague National Seashore as an alternative to provide compensatory replacement for the proposed project's impacts, currently estimated to be 0.86 acre, to emergent tidal wetlands and tidal waters. SHA agrees with this recommendation, and in coordination with USACE and MDE, has proposed in the Preferred Alternative/Conceptual Mitigation (PACM) package for this project, that a monetary contribution would be made to CWI or NPS wetland enhancement programs at an 8:1 ratio. SHA has obtained concurrence from all commenting agencies, including the USACE (Attachment 2) on the PACM package proposed for this project. This recommended approach may be revisited in the future if these programs are no longer available at the time design funding becomes available or if regulatory requirements change.

The information below, based on the level of detail available to us at this time, is provided in response to your questions (a through e in the third and fourth paragraphs of your letter) pertaining to dredging:

a) **Method of dredging:** Dredging will be conducted with bucket equipment.
b) **Depth of dredging:** SHA will avoid or minimize impacts to resources in the bay where possible, however; the exact depth of the necessary dredging is not known at this time.
c) **Volume of spoil to be removed:** Approximately 80,000 cubic yards of material would be removed.
d) **Dimensions of area to be dredged:** in an area approximately 200 feet wide along the entire length (2,295 ft.) of the selected bridge alternative alignment for barge access during construction.
e) **Identify proposed dredge material placement site:** Before the final design phase of the project SHA will seek a material placement site and include a letter from the owner of the dredge material placement site indicating acceptance of the dredged material.

The exact amount of material and depth of the section to be dredged can not be accurately determined until closer to the design phase of the project, due to the dynamic state of the bay and currently unidentified timeframe for construction, which may be up to 20 years in the future. An estimate of the required amount of dredging will be refined during the design phase for the Preferred Alternative 5A based on conditions in the bay at that time. Coordination with the Corps of Engineers will continue through design and construction.

We hope that this letter addresses your concerns. Should you have any questions or need additional information, please feel free to contact Ms. Elizabeth Habic, the Environmental Manager, at 410-545-8563, or Ms. Jamaica Arnold, the Project Manager, at 410-545-8512.

Very truly yours,

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

by: Donald Sparklin
Donald H. Sparklin
Division Chief
Environmental Planning Division

cc: Ms. Jamaica Arnold, SHA-PMD
Ms. Elizabeth Habic, SHA-EPLD
Mr. Joseph R. Kresslein, SHA-EPLD
Mr. Donald H. Sparklin, SHA-EPLD
Ms. Nicole Washington, SHA-PMD

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

REPLY TO
ATTENTION OF

Operations Division

JUL 03 2008

Maryland State Highway Administration
Attn: Mr. Joseph Kresslein
Project Planning Division
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Kresslein:

The U.S. Army Corps of Engineers/Baltimore District (Corps) has completed its review of the Draft Environmental Impact Statement (DEIS) generated for the US50 Crossing Study MD611 to MD378; and 3rd Street to Somerset Street and offers the comments below.

(Page IV-20 – Wetland/Waterways Mitigation Permits) – The DEIS is considered by this office to be the application for the project. One component of a complete application is compensatory mitigation. The application must address compensatory mitigation and include site specific information. The text in referenced section indicates that a mitigation site search has been initiated which is insufficient. Therefore, the application is considered to be incomplete. Please provide the status of the search.

(Page IV-22 - Aquatic Habitat and Wildlife/Fisheries Impacts) – The third paragraph discusses dredging that may be required for the mobilization of construction equipment and to set new bridge footings. Please provide the following information pertaining to the proposed dredging: (a) The method of dredging that would be utilized. (b) The depths to which all areas would be dredged. The depths should be provided from mean low water. (c) The volume of spoil to be removed. (d) The dimensions of each area that would be dredged. (e) The identification of the proposed dredge material placement site (DMP). A letter from the owner(s) of the DMP(s) indicating acceptance of the spoil material will be required and submitted to this office.

The fourth paragraph states that an area of approximately 200,000 square feet would be dredging to set the footings where 31,320 square feet of fill material would be placed. The area to be dredged is excessive. Please provide an explanation.

If you have any questions concerning this matter, please contact me at (410) 962-4503.

Sincerely,

Stephen M. Elinsky
Biologist
U.S. Army Corps of Engineers/Baltimore District
Regulatory Branch/Maryland Northern Permits Section

SHA'S PREFERRED ALTERNATIVE AND CONCEPTUAL MITIGATION

Concurrence Form

Project Name & Limits: US 50 Crossing Project Planning Study. Limits: MD 611 to west, MD 378 to east, Somerset Street to south, and 5th Street to north.

Having reviewed the attached SHA Preferred Alternative and Conceptual Mitigation 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:

Please 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: [signature] Date: 8/1/11

US 50 Crossing Project Planning Study, Worchester County, MD
Project Number WO419A11

The Corps concurs with the US 50 Bridge PACM with the following comments:

1. The proposed dredging impacts will be considered permanent impacts for Section 404/Section 10 permitting purposes.
2. As a condition of this PACM concurrence, and as part of the conceptual mitigation for this project, the Corps requires that a majority of the existing bridge/piers and associated riprap scour protection be removed from the navigable waters of the U.S. This requirement will be incorporated into a Department of Army permit, issued.
3. In order to fully understand the proposed project's potential impacts to Skimmers Island, prior to permitting, with full agency review and coordination, MD SHA must study the sand migration in the vicinity of the existing bridge and the new bridge and their relationship to Skimmers Island migration in Sinepuxent Bay and examine the following factors:
    a. The impact to Skimmers Island from partial bridge/scour protection removal (e.g., 25%, 50%, 75%, 100% removal of the existing structure/scour protection).
    b. The impact of proposed new pier placement in conjunction with removal of the existing bridge and scour protection.
    c. The impact of construction dredging of approximately 80,000 cubic yards of material near Skimmers Island in conjunction with the new bridge pier placement and removal of existing bridge.

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

State Highway Administration

Beverley K. Swaim-Staley, *Secretary*
Darrell B. Mobley, *Acting Administrator*

MARYLAND DEPARTMENT OF TRANSPORTATION

September 14, 2011

Mr. Nick Kelly
State of Maryland
Critical Area Commission
Chesapeake and Atlantic Coastal Bays
1804 West Street, Suite 100
Annapolis MD 21401

Dear Mr. Kelly:

Thank you for your comments regarding the Draft Environmental Impact Statement (DEIS) for the U.S. 50 Sinepuxent Bay Crossing Study in Worcester County, MD. The Federal Highway Administration (FHWA) and the Maryland State Highway Administration (SHA) appreciate the Critical Area Commission's review of this document and would like to take this opportunity to address your questions and comments. The following numbered responses correspond to the numbered comments in your letter (Attachment 1):

1. The 10% Phosphorus Removal worksheet will be completed during the design phase of the project.
2. Coordination with the MD Department of Natural Resources (DNR), Wildlife and Heritage Service, was initiated at the onset of the project planning (see MD DNR letter dated November 24, 2004 (Attachment 2)). The waterbird colony located on Skimmer Island, located within ¼ mile of the U.S. 50 Bridge has been known to support a variety of breeding waterbirds, including the state-listed endangered Black Skimmer and Sandwich Tern, and is the only location that supports a colony of state-listed endangered Royal Tern. Coordination will continue during the design phase to ensure avoidance and minimization of impacts to rare threatened and endangered species to the greatest extent possible.
3. The Maryland Historical Trust (MHT) concurred on August 19, 2010 that the Preferred Alternative would result in an adverse effect on one significant historic resource, the Harry W. Kelley Memorial Bridge (Attachment 3). A Memorandum of Agreement between MHT, SHA, and FHWA was signed on August 19, 2011 and identifies mitigation measures for removal of the bascule span which would include development of interpretative panels documenting history of the bridge. Final details for these panels will be coordinated in the design phase of the project.
4. Any disturbance to the Chesapeake Bay Critical Area buffer will be mitigated at a 3:1 ratio.
5. Any disturbance to vegetation outside the 100-foot Buffer will be mitigated at a 1:1 ratio.
6. During final design, a planting plan will be developed that identifies species, stocking density and a planting schedule. The plan will be submitted to the Commission for review and approval.

7. Permits will be acquired prior to seeking Commission approval.

8. SHA has worked closely with the Worcester County Commissioners and Ocean City Mayor and City Council throughout the U.S. 50 planning study. This coordination will continue in subsequent project phases.

The SHA will continue to coordinate with the Commission through final design regarding proposed impacts within the Critical Area, appropriate mitigation ratios, and proposed sediment and erosion control measures and stormwater management techniques. All appropriate state, local and federal permits will be obtained prior to seeking Commission approval.

We hope that this letter addresses your concerns. Should you have any questions or need additional information, please feel free to contact Ms. Elizabeth Habic, the Environmental Manager, at 410-545-8563, or Ms. Jamaica Arnold, the Project Manager, at 410-545-8512.

Very truly yours,

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

by: Donald H. Sparklin
Division Chief
Environmental Planning Division

cc: Ms. Jamaica Arnold, SHA-PMD
Ms. Elizabeth Habic, SHA-EPLD
Mr. Roby Hurley, CAC
Mr. Joseph R. Kresslein, SHA-EPLD
Mr. Donald S. Sparklin, SHA-EPLD
Ms. Nicole Washington, SHA-PMD

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor

Margaret G. McHale
Chair

Ren Serey
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS
1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

June 24, 2008

Mr. Bruce M. Grey
Deputy Director
Office of Planning and Preliminary Engineering
State Highway Administration
707 North Calvert Street, Mailstop C-301
Baltimore, Maryland 21202

Re: US 50 Crossing Study

Dear Mr. Grey:

Thank you for providing the Draft Environmental Impact Statement for the above-referenced project. The State Highway Administration (SHA) proposes to replace the existing US 50 Harry W. Kelley Memorial Bridge over the Sinepuxtent Bay in Ocean City, MD. At this time, SHA has is considering five proposals for replacement of the bridge: No major improvements, bridge rehabilitation, construction of a fixed span bridge, construction of a 4-lane bridge south of US 50, and construction of a 4-lane bridge north of US 50.

Because of the extensive nature of development associated with this project, including significant Buffer impacts, the US 50 Bridge will require conditional approval from the full Critical Area Commission, as regulated under COMAR 27.02.06. A complete, approved application must be submitted *one month prior* to the Commission Meeting in which SHA wishes to present this project. Enclosed with this letter is a copy of the State Application Checklist for Critical Area Projects. We recommend that SHA work closely with Commission staff to address any issues or concerns that may be associated with this project.

In addition, upon reviewing the information provided in the Draft Environmental Impact Statement, we have the following comments:

1. Because the project is located in an Area of Intense Development, 10% Phosphorus Removal will be required. Please see the Critical Area 10% Rule

3 '08JUN24 PM 1:41 CP

TTY for the Deaf
Annapolis: (410) 974-2609 D.C. Metro: (301) 586-0450

Guidance Manual for more information (http://www.dnr.state.md.us/criticalarea/guidancepubs/10percent_rule.html)

2. The applicant will be required obtain a letter from the Maryland Department of Natural Resources Wildlife and Heritage Service to determine if this project will impact any rare, threatened, or endangered species. Impacts will need to be addressed in the application based on recommendation from the Maryland Department of Natural Resources. It appears from the information provided that the project will impact several areas where threatened and endangered species are known to exist on-site.
3. The applicant must to obtain a letter from the Maryland Historic Trust to determine if this project will impact historic structures onsite. It appears from the information provided that the project may potentially impact eight historic sites.
4. Mitigation for any disturbance to the Buffer will be required at a 3:1 ratio.
5. Mitigation for any disturbance to vegetation outside the 100-foot Buffer will be required at a 1:1 ratio.
6. All mitigation must be shown on a planting plan that identifies species, stocking density, and a planting schedule. The planting plan should be included with the submittal and is required for app projects with 5,000 square feet of mitigation or greater prior to scheduling within the Commission.
7. Any MDE tidal or non-tidal permits or licenses will need to be acquired prior to Commission approval.
8. We recommend that SHA work closely with Worcester County and the Town of Ocean City on this project.

Thank you again for providing information on this project. If you have any questions, please feel free to contact me at (410) 260-3483.

Sincerely,

Nick Kelly

Nick Kelly
Natural Resource Planner
cc: 19-08

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).

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

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

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

SHA State Highway Administration
Maryland Department of Transportation

Beverley K. Swaim-Staley, *Secretary*
Neil J. Pedersen, *Administrator*

July 20, 2010

Re: Project No. WO419A11
US 50 Crossing Study – Replacement of
US 50, SHA Bridge No. 2300700, over
Sinepuxent Bay
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 would have an adverse effect on historic properties. The project involves the replacement of the 1942 double leaf bascule span which carries US 50 over Sinepuxent Bay in Ocean City, SHA Bridge No. 2300700, MIHP No. WO-461. The bridge was determined eligible for the National Register of Historic Places (NRHP), and MHT concurred with that determination on April 3, 2001. SHA previously consulted with MHT about eligibility of historic standing structures in the Area of Potential Effects (APE) on December 6, 2005, April 20, 2007 and October 31, 2007. In the last correspondence, SHA also provided MHT with the Alternatives Retained for Detailed Studies (ARDS) descriptions for Alternatives 1, 2, 4, 4A, 5 and 5A. SHA determined that Alternatives 4 and 4A would have adverse impacts on historic standing structures while Alternatives 2, 5 and 5A would have no adverse impacts on historic standing structures. Alternative 1 would have no impact, since it would not require any changes to the historic property. MHT concurred with SHA's impact determinations on December 18, 2007.

Since 2007, SHA met with the Ocean City Mayor and City Council on January 13 and February 23, 2009, and again on April 27, 2010; and with the Worcester County Commissioners on October 19, 2009, April 6, 2010, and again on May 4, 2010 to discuss the bridge replacement alternatives and potential impacts to Ocean City. Based on SHA's discussions with Ocean City and Worcester County officials, we have revised the ARDS package to address local concerns as explained below.

Also since 2007, SHA has determined that the project will require the removal of the bascule span of SHA Bridge No. 2300700. As explained more fully below, SHA believes that the bridge has been rehabilitated and is in good working order. However, the Ocean City Council questioned the utility of maintaining a bridge that would require more frequent openings when the new bridge is constructed. As a result, SHA has chosen to remove the bascule span from the eligible bridge, while previously we had planned to retain the entire bridge as a pedestrian crossing. SHA plans to leave the approach spans in place for non-vehicular use under each of the alternatives retained for detailed study.

Alternatives Retained For Detailed Study (ARDS) Alternatives

In order to ensure that MHT has the most current information, we again present the ARDS alternatives for your consideration. Conceptual ARDS plan sheets are included as Attachment 1.

Dropped ARDS Alternatives: SHA has dropped several of the previously coordinated alternatives from further consideration based on further studies and discussions with Ocean City and Worcester County.

Alternative 2 (Rehabilitation using the Secretary of Interior's Standards for Rehabilitation): Since our previous coordination, SHA has determined that we have fully rehabilitated the historic bridge as a result of the repairs SHA made between 2006 and 2009, and we believe that it will continue to operate as it should for the foreseeable future. Recent improvements to the bridge include resurfacing of the deck, and the repair and replacement of worn parts of the drawspan mechanism. Similar work would continue as needed to maintain the bridge as long as feasible. While SHA remains fully committed to maintaining the historic bridge, the SHA Office of Structures has concluded that maintaining the bridge beyond the next twenty years may not possible. Also, the Ocean City Council questioned the need to maintain the bridge if it required more frequent openings when the new bridge is constructed. As a result, SHA has chosen to remove the bascule span from the eligible bridge, while previously we had planned to retain the entire bridge as a pedestrian crossing. The approach spans will be left in place for non-vehicular use. SHA has therefore dropped ARDS Alternative 2 (Rehabilitation Using the Secretary of Interior's Standards for Rehabilitation) because we cannot maintain the historic bridge.

Alternatives 4 and 4 Curved: These alternatives have been modified to create Alternative 4 Modified Signal Option (MSO). Alternative 4 Curved was shifted to minimize impacts and was then named Alternative 4 Modified. Then we added a signal to Alternative 4 Modified and renamed it Alt 4 MSO. However, Alternative 4 Modified has been dropped from further consideration since Alternative 4 MSO achieves the level of service SHA

seeks for the new bridge. Alternative 4 Modified required widening of Baltimore between 3rd and 5th Streets without a signal to allow for more spacing for the vehicles from the bridge and Baltimore Avenue to safely merge into one stream. This widening would push the roadway pavement closer to the historic St. Paul by-the-Sea Episcopal Church and the City Hall.

Alternative 5 (South Parallel 30' Drawspan): is no longer under consideration because SHA has determined that the northern alignments have fewer physical impacts than the southern alignment.

Retained ARDS Alternatives:
Alternative 4 Modified Signal Option (MSO) – 45' Fixed Span Bridge

As with the original Alternative 4 Modified, the bridge would be a fixed span with 45 feet of clearance over the water with four lanes carrying the inbound and outbound traffic. This alternative would require longer ramps into Ocean City than the alternatives with less clearance due to the height needed for the fixed span, thus requiring the traffic signals on the bridge ramp south of 3rd Street, and also at Baltimore Avenue and 4th Street as well as Philadelphia Avenue and 3rd and 4th streets. Portions of the existing bridge may be retained and used for nonvehicular purposes, but the draw span would be removed.

With Alternative 4 MSO, the inbound Ocean City traffic would continue northbound one-way onto Baltimore Avenue (MD 378) via a two-lane ramp touching down between 2nd and 3rd Streets, or southbound onto Philadelphia Avenue via a one-lane ramp touching down between Division Street and 1st Street. The northbound ramp would tie into Baltimore Avenue at a signalized intersection, reducing the need to widen Baltimore Avenue to the north with the elimination of weaving traffic volumes. Outbound traffic would utilize the two-lane ramp from southbound Philadelphia Avenue (beginning between Second and 3rd Streets) to the bridge. With the addition of the traffic signal on the ramp junction with Baltimore Avenue, Baltimore Avenue would not need to be transitioned from three lanes down two as it approaches the ramp from the south to accommodate the merge of the ramp as it did with the original Alternative 4 Modified. This would reduce potential impacts to St. Paul's by-the-Sea Episcopal Church and the Ocean City City Hall.

The alignment includes curvature of the bridge to allow for both the eastern tie-in further to the north in Ocean City, while providing horizontal clearance between the bridge and the Skimmer Island resource. The bridge alignment would still tie-in to US 50 just west of the existing bridge on the west side of the bay.

Modifications to signalization control of intersections on Baltimore and Philadelphia Avenues would be needed with the expected changes in local traffic patterns with the partial closings of 1st and 2nd streets between St. Louis and Baltimore avenues.

The intersections of Philadelphia Avenue with 3rd and 4th streets, and Baltimore Avenue with 4th Street, would need new signals while some signals could be removed at other locations. Parking on 5th Street will not need to be removed to allow for the addition of a left turn lane from 5th Street to Philadelphia Avenue as was the case with the original Alternative 4 Modified, but 3rd Street would be converted to one-way westbound between Baltimore and Philadelphia avenues (two-way today).

Alternative 4MSO was developed as the SHA Office of Traffic and Safety was concerned that the original Alternative 4 Modified would result in potentially dangerous weaving movements along Baltimore Avenue. This alternative would eliminate the need for draw span openings and would provide a separate facility for pedestrians and bikers, on the existing bridge. While it would have significant right-of-way impacts in Ocean City (including the removal of several hundred existing offsite parking spaces that are used by area businesses and residents), it would provide direct connections from the bridge to Baltimore and Philadelphia Avenues, and would result in less maintenance and operating costs than the lower height build alternatives with the elimination of the need for a draw span. Based on SHA's discussions with the Ocean City Mayor and City Council and the Worcester County Commissioners, SHA has determined that this alternative will have significant impacts to Ocean City.

Alternative 5A – 30' North Parallel Draw Bridge

Alternative 5A includes a new parallel bridge just north of US 50, tying back into Division Street east of the bay. The bridge alignment would tie-in to US 50 just west of the existing bridge on the west side of Sinepuxent Bay. The bridge would have a higher draw span than the current bridge (30 feet of clearance instead of the existing 15 to 20 feet) and carry inbound and outbound traffic with four lanes. The higher draw span is expected to reduce the number of bridge openings as a higher percentage of boats may pass underneath without an opening. The existing bridge may be partially retained and used for pedestrians and bikers, but the existing draw span would be removed from the bridge. St. Louis Avenue would need to be relocated underneath US 50 to continue the north/south connection.

This alternative received considerable support from the public at the Workshop, has relatively low right of way and environmental impacts, and provides a separate facility for pedestrians, bicyclists, and fishermen on the existing bridge. It is favored by the Worcester County Commissioners and is endorsed by the Ocean City Council and Mayor.

Alternative 5B – 45' North Parallel Fixed Span Bridge

In Alternative 5B, the bridge would be a fixed span with 45 feet of clearance over the water with four lanes carrying the inbound and outbound traffic. It would follow the horizontal alignment of Alternative 5A as it crosses the water instead of veering to the north as Alternative 4 MSO does. The bridge alignment would tie-in to US 50 just west of the existing bridge on the west side of Sinepuxent Bay. Portions of the existing bridge may be retained and used for pedestrians and bikers, but the draw span would be removed.

This alternative would require longer ramps into Ocean City than the alternatives with less clearance due to the height needed for the fixed span. The inbound Ocean City traffic would continue northbound one-way onto Baltimore Avenue (MD 378) via a two-lane ramp touching down between 2nd and 3rd Streets, or southbound onto Philadelphia Avenue via a one-lane ramp touching down between Talbot Street and Dorchester Street. Outbound traffic would utilize the two-lane ramp from southbound Philadelphia Avenue (beginning south of 1st Street) to the bridge. Baltimore Avenue would need to be transitioned from three lanes down two as it approaches the northbound ramp from the south to accommodate the merge of the ramp. North of the ramp, Baltimore Avenue would need to be widened to 4 lanes up to 5th Street to accommodate the merging of the two lanes from the ramp and the two lanes from Baltimore Avenue. This widening would push the roadway pavement closer to the historic St. Paul by-the-Sea Episcopal Church and the City Hall, but would not require right-of-way from either historic property.

Traffic needing to access the bridge from the south along Baltimore Avenue would utilize 1st Street which runs under the northbound ramp to access the ramp onto the bridge from Philadelphia Avenue. This movement eliminates the majority of weaving traffic north of the northbound ramp, which was an issue with the original Alternative 4 Modified.

The addition of signal control for the intersection of Baltimore Avenue with 3rd Street would be needed along with the expected changes in local traffic patterns. Partial closings of 2nd and Talbot streets between St. Louis and Baltimore avenues would occur due to the new ramps, and access from southbound Philadelphia Avenue to the west on Dorchester Street would not be possible. Dorchester Street may need to be converted to one-way eastbound just east of Philadelphia Avenue which would prevent access onto Philadelphia. St. Louis Avenue would need to be relocated underneath US 50 to continue the north/south connection.

Alternative 5B was developed as Ocean City Department of Public Works staff was concerned with right-of-way impacts from Alternative 4 MSO and wanted to know what options existed for moving that alignment further south. This alternative would eliminate the need for draw span openings and would provide a separate facility for pedestrians and bikes on the existing bridge. While it would still have significant right-of-way impacts in Ocean City, it would have less parking impacts than Alternative 4 MSO, would provide direct connections from the bridge to Baltimore and Philadelphia avenues, and would result in less maintenance and operating costs than the lower height build alternatives with the elimination of the need for a draw span. The historic bridge's drawspan would be removed under this alternative, although the approach spans would be retained for nonvehicular use.

This alternative has been dropped at the request of the Ocean City Mayor and City Council, as well as the Worcester County Commissioners.

Alternative 5C – Low Level North Parallel Draw Bridge

Alternative 5C includes a new parallel bridge just north of US 50 following the horizontal alignment of Alternative 5A, tying back into Division Street east of Sinepuxent Bay. The bridge alignment would tie-in to US 50 just west of the existing bridge on the west side of the bay. The bridge would have a draw span with the same clearance as the existing bridge (15-20 feet) and carry inbound and outbound traffic with four lanes. The draw span will require the same number of openings as the existing bridge, but would have less visual impact and slightly less right-of-way impact than Alternative 5A. The existing bridge may be partially retained (the bascule span would be removed) and used for pedestrians and bikers but the existing draw span would be removed from the bridge.

St. Louis Avenue would need to be relocated underneath US 50 to continue the north/south connection. No major improvements are proposed for the existing bridge other than providing access for pedestrians and bicyclists. This alternative was developed at the request of local elected officials. As with Alternative 5A, it has relatively low right-of-way and environmental impacts. Along with Alternative 5A, it is endorsed by the Ocean City Council and Mayor.

Funding

Federal funds are anticipated for this project.

Area of Potential Effects

In determining the APE for this project, SHA considered possible visual, audible, atmospheric and/or physical impacts to historic properties, both archeological sites and standing structures that would diminish any NRHP qualifying characteristic of the historic property's integrity. The project will require additional right-of-way. The

archeology survey area within the APE is defined as the limits of construction where ground disturbance would occur. SHA has refined the APE for standing structures to account for physical or visual impacts caused by the new bridge construction. The APE includes the historic standing structures standing between Dorchester Street to 6th Street on the southern and northern boundaries and from Baltimore Avenue in Ocean City to Shanty Town Lane in West Ocean City, as shown on the USGS Ocean City Quadrangle (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 consulted the SHA-GIS Cultural Resources Database, MIHP forms, county histories and photographs at the SHA library, and made a field visit on February 24, 2009. Previously identified standing historic properties that remain in the refined APE include SHA Bridge No. 2300700, MIHP No. WO-461, St. Paul's-by-the-Sea Episcopal Church, MIHP No. WO-326, Ocean City City Hall, MIHP No. WO-341, and the Emery-Hartman House, MIHP No. WO-553. Standing historic properties that are no longer included in the APE are: Taylor House, MIHP No. Wo-331, Edwin L. Purnell Store, MIHP No. WO-336, Town Market, MIHP No. WO-337, and the Francis Scott Key Motel, MIHP No. WO-555 in West Ocean City. These have been excluded from the APE because of the distance from the new bridge alternatives and intervening built environment limits the potential for visual or physical impacts.

Although SHA is no longer studying Alternative 4 MSO, both it and Alternative 5B require widened lanes on Baltimore Avenue between 3rd and 5th Streets, and SHA requested that its consultant, KCI Technologies, Inc. conduct additional historic standing structures investigations about the area between St. Louis and Atlantic avenues and 3rd and 6th streets. Rather than complete an additional MIHP form, MHT requested that SHA and KCI complete an Addendum and DOE form with photographs, negatives, slides and mapping to include as part of the larger Ocean City Survey District, MIHP No. WO-412. These items are included in Attachment 3.

SHA surveyed a nine block area that extends the Ocean City Survey District, MIHP No. WO-412, to 6th Street between St. Louis and Atlantic avenues identified as the Ocean City Survey District Extension. The new survey area consists of residential, commercial and civic buildings. Both St. Paul's-by-the-Sea Episcopal Church and the Ocean City City Hall are within the survey area and are the only standing historic properties that are listed in or eligible for inclusion in the National Register of Historic

Places (NRHP). SHA's consultant, KCI Technologies, Inc. recommends the survey area as not eligible with the exception of the two historic properties. SHA has reviewed the materials and based on that review and the February 2009 field visit, has determined that the Ocean City Survey District, including the new extension area, is not eligible for inclusion in the NRHP.

Impact Assessment

SHA's decision to remove the bascule span of SHA Bridge No. 2300700 in order to construct Alternatives 4 Modified Signal Option (MSO), 5A, 5B, or 5C will have an adverse impact on this historic property.

Alternative 4 Modified Signal Option: Furthermore, SHA has determined that Alternative 4MSO will have no adverse visual or physical impacts on St. Paul's-by-the-Sea Episcopal Church, Ocean City City Hall, and/or the Emery-Hartman House because although the southbound US 50-to-Philadelphia Avenue and northbound US 50-to-Baltimore Avenue ramps will be visible from either the Emery-Hartman House or the St. Paul by-the-Sea Episcopal Church or the Ocean City City Hall, each ramp will be at street level as it approaches the historic properties, will not require any additional right-of-way from any historic property and will not alter the characteristics that qualify any of them for the NRHP.

Alternative 5A: Likewise, SHA has determined that in addition to the adverse impact to SHA Bridge No. 2300700, Alternative 5A will have no adverse impact on the Emery-Hartman House. We make this determination because the widening and subsequent ramps at the east end of the bridge will be visible from the historic property. However, the new bridge will not be in the historic property's primary viewshed and will not alter the characteristics that qualify it for the NRHP. However, Alternative 5A does not extend to Baltimore Avenue and will have no impact on St. Paul by-the-Sea Episcopal Church or the Ocean City City Hall.

Alternative 5B: SHA has also determined that Alternative 5B will have an adverse visual impact on the Emery-Hartman House because of the additional structure and ramps that will be required for the north- and southbound ramps from the new bridge. However, because SHA is able to limit the amount of widening required on northbound Baltimore Avenue in front of St. Paul's-by-the-Sea Episcopal Church and the Ocean City City Hall to the current right-of-way limits for the road, that Alternative 5B will have no adverse impact on either St. Paul's-by-the-Sea Episcopal Church or the Ocean City City Hall.

Alternative 5C: With regard to Alternative 5C, SHA has determined that there will be no adverse impacts caused by the construction of this alternative on the Emery-Hartman House although the ramps to and from the bridge at its east end will be visible from the historic property. However, the alterations will not be within the primary viewshed of the

historic property, and the ramps will be at street level at Philadelphia Avenue. However, there will be an adverse impact to SHA Bridge No. 2300700. The bridge ramps do not extend beyond Philadelphia Avenue and will have no impact on either St. Paul by-the-Sea Episcopal Church or the Ocean City City Hall.

SHA's Eligibility and Effects Table is included as Attachment 4 outlining the impact determinations for each historic property in the APE.

Memorandum of Agreement

As a result of the adverse impact to the historic bridge, SHA proposes to enter into a Memorandum of Agreement (MOA) that will provide mitigation for the project's effect on historic properties. SHA will consult with the Ocean City Museum and the Nabb Research Center for Delmarva History and Culture as well as MHT in the next few months about possible mitigation strategies.

Archeology: SHA Archeologist Carol A. Ebright assessed the potential of the project area through consultation of SHA-GIS Cultural Resources Database and historic mapping.

Based on conceptual plans for Alternative 4 MSO: 45' Fixed Span, Alternative 5A North Parallel Bridge: 30' High Draw Span, Alternative 5B North Parallel Bridge: 45' Fixed Span, and Alternative 5C North Parallel Bridge: 18' High Draw Span, archeological potential is low due to extensive prior disturbance. No further archeological work is recommended. The project will be reassessed when detailed plans are available.

Review Request

Please examine the attached map, plans, Addendum and DOE forms, and Eligibility and Effects Table. We request your concurrence by August 16, 2010 that there would be adverse effects on historic properties caused by the replacement of SHA Bridge No. 2300700, US 50 over Sinepuxent Bay by Alternatives 4MOS, 5A, 5B or 5C; that Alternative 5B will have adverse effects on the Emery-Hartman House, but have no adverse effects on either St. Paul's by-the-Sea Episcopal Church or the Ocean City City Hall; and that there would be no adverse impacts to St. Paul's by-the-Sea Episcopal Church, the Ocean City City Hall or the Emery-Hartman House by Alternatives 4MOS, 5A or 5C. Finally, we also request your concurrence that the Ocean City Survey District Extension is not eligible for inclusion in the NRHP, and that the No Build Alternative (Alternative 1) will have no impact on any historic property. By carbon copy, we invite the Ocean City Department of Planning and Community Development, the Worcester County Department of Development, Review and Permitting, St. Paul's by-the-Sea Episcopal Church, and Ms. Lynnda J. Emery and Ms. Kristina J. Hartman to provide comments and participate in the National Historic Preservation Act of 1966 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 August 16, 2010, we will assume that these consulting parties 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.

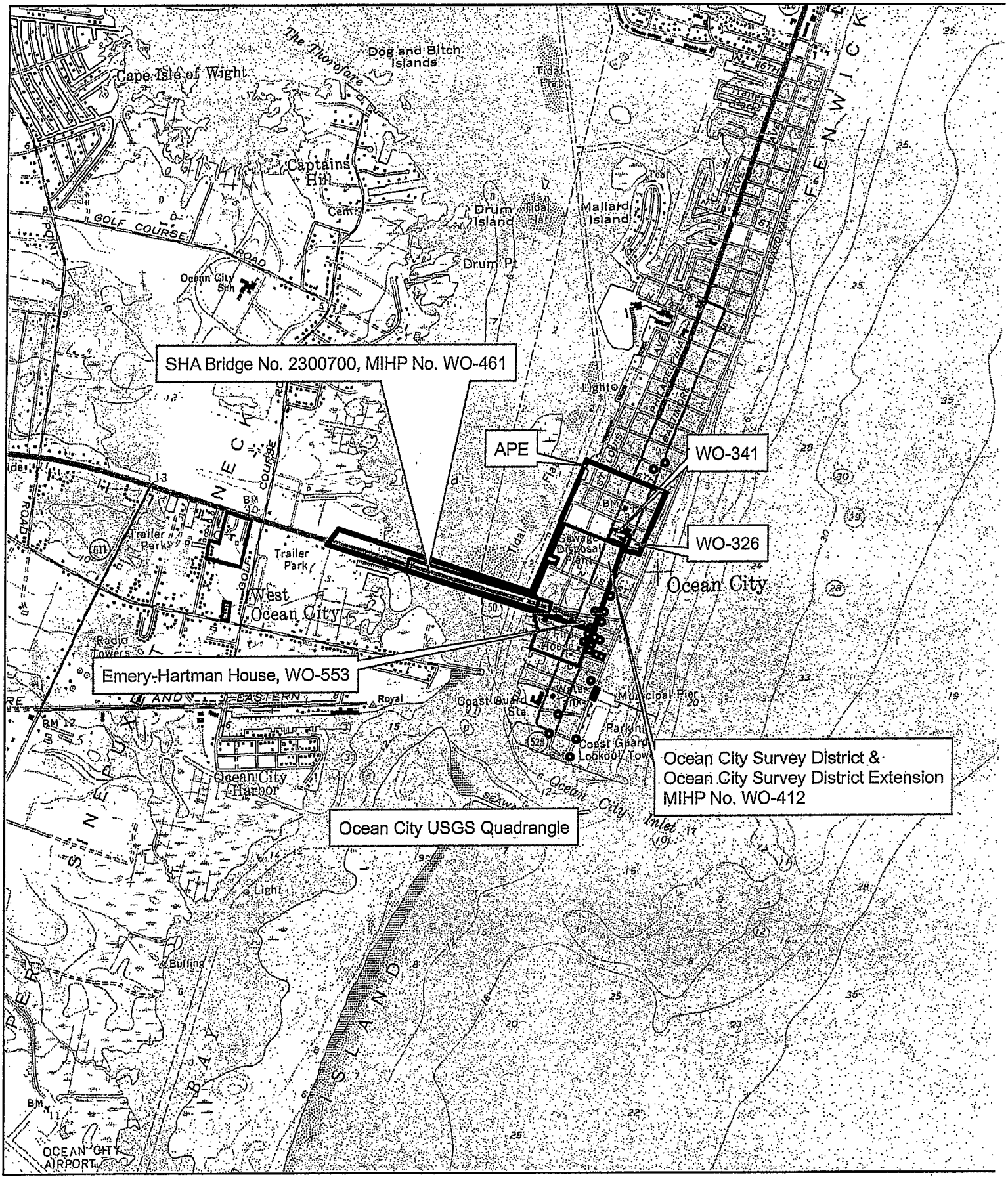
Very truly yours,

April Foley

for Julie M. Schablitsky
Assistant Division Chief
Environmental Planning Division

Attachments:
1) Conceptual Project Plans
2) APE Map
3) Addendum and DOE forms, photographs, slides, maps
4) Eligibility and Effects Table

cc: Ms. Jamaica Arnold, SHA-PMD
Mr. Nick Blendy, FHWA-DelMar Division
Ms. Anne E. Bruder, SHA-EPLD (w/Attachments)
Reverend David Dingwall, St. Paul's by-the-Sea Episcopal Church (w/Attachments)
Ms. Carol A. Ebright, SHA-EPLD
Ms. Lynnda J. Emery and Ms. Kristina J. Hartman, Emery-Hartman House (w/Attachments)
Ms. Jennifer Grasso, Worcester County Department of Development, Review and Permitting (w/Attachments)
Ms. Elizabeth Habic, SHA-EPLD (w/Attachments)
Mr. Jesse Houston, director, Ocean City Department of Planning and Community Development (w/Attachments)
Ms. Jeannette Mar, FHWA-DelMar Division
Dr. Julie M. Schablitsky, SHA-EPLD
Mr. Donald H Sparklin, SHA-EPLD



Ocean City USGS 7.5' Quadrangle

US 50 Crossing Study: US 50 over Sinepuxent Bay

Replacement of SHA Bridge No. 2300700

00.05 0.1 0.2 Miles

N

Attachment 4: *Hybrid Eligibility/Effect Table*

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

July 14, 2010

				Alternate 1 No Build		Alternate 4 MSO		Alternate 5A		Alternate 5B		Alternate 5C			
Resource	Type	SHA NR Det.	SHPO Opinion	Impact	SHPO Concur	Impact	SHPO Concur	Impact	SHPO Concur	Impact	SHPO Concur	Impact	SHPO Concur	Attachment	Remarks
St. Paul's-by-the-Sea Episcopal Church, WO-326	S	NR, 12/2005	NRL 10/22/2008	None	None	No Adverse	Requested 6/2010	None	Requested 6/2010	No Adverse	Requested 6/2010	None	None		
Taylor House, WO-331	S	NR, 12/2005	NR, 7/2006	None	None	None	None	None	None	None	None	None	None		Outside APE for all ARDS Alternatives
Edwin L. Purnell Store, WO-336	S	NR, 12/2005	NR, 7/2006	None	None	None	None	None	None	None	None	None	None		Outside APE for all ARDS Alternatives
Town Market, WO-337	S	NR, 12/2005	NR, 7/2006	None	None	None	None	None	None	None	None	None	None		Outside APE for all ARDS Alternatives
City Hall, WO-341	S	NR, 12/2005	NR, 7/2006	None	None	No Adverse	Requested 6/2010	None	Requested 6/2010	No Adverse	Requested 6/2010	None	None		
SHA Bridge No. 2300700, WO-461	S	NR, 2/2001	NR, 7/2001	None	None	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010		
Emery-Hartman House, WO-553	S	NR, 12/2005	NR, 7/2006	None	None	No Adverse	Requested 6/2010	No Adverse	Requested 6/2010	Adverse	Requested 6/2010	No Adverse	Requested 6/2010		
Francis Scott Key Motel, WO-555	S	NR, 12/2005	NR, 7/2006	None	None	None	None	None	None	None	None	None	None		Outside APE for all ARDS Alternatives
Ocean City Survey District Extension, WO-	S	X 6/2010	Requested 6/2010	None	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010		
Effect				None	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010	Adverse	Requested 6/2010		

Codes:

Resource Types: S (Structure), A (Archeological 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
Impact: None, No Adverse, Adverse
Effect: NPA (No Properties Affected), NAE (No Adverse Effect), AE (Adverse Effect)
Bold rows indicate review action requested

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

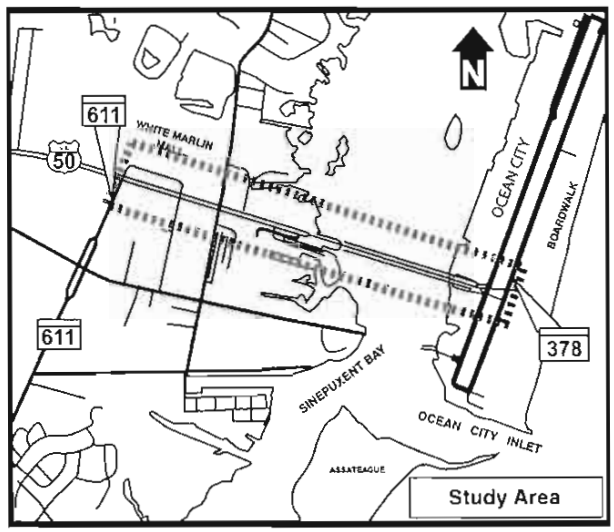
WHERE:

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

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.



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 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

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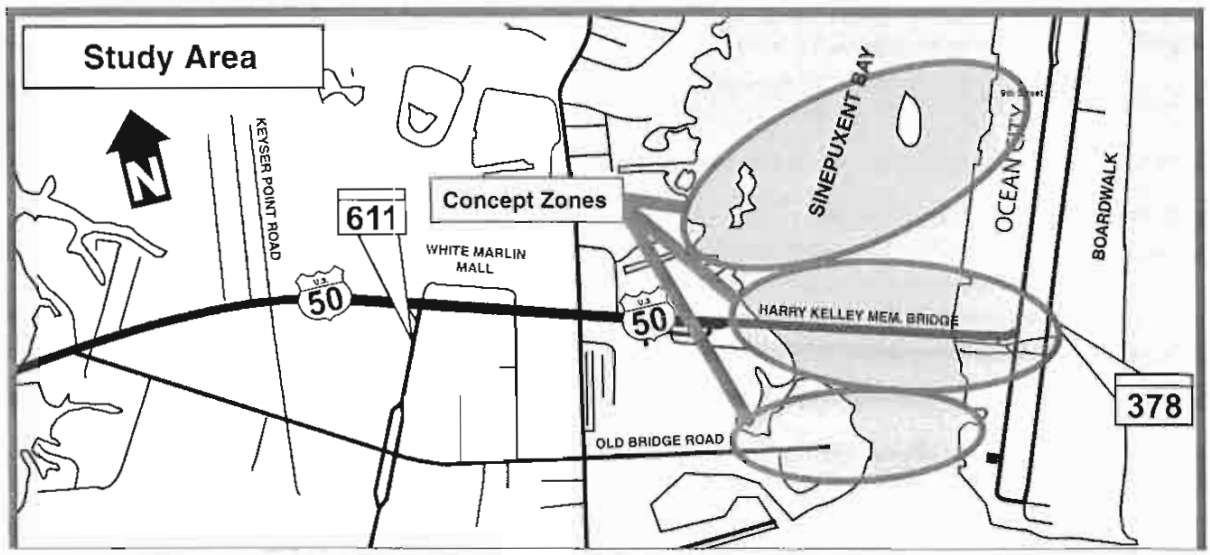
Maryland Department of Transportation
State Highway Administration
Office of Planning and Preliminary Engineering
P.O. Box 717, Mail Stop C-301
Baltimore, Maryland 21203-0717

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.

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

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.

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*

Contacts

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

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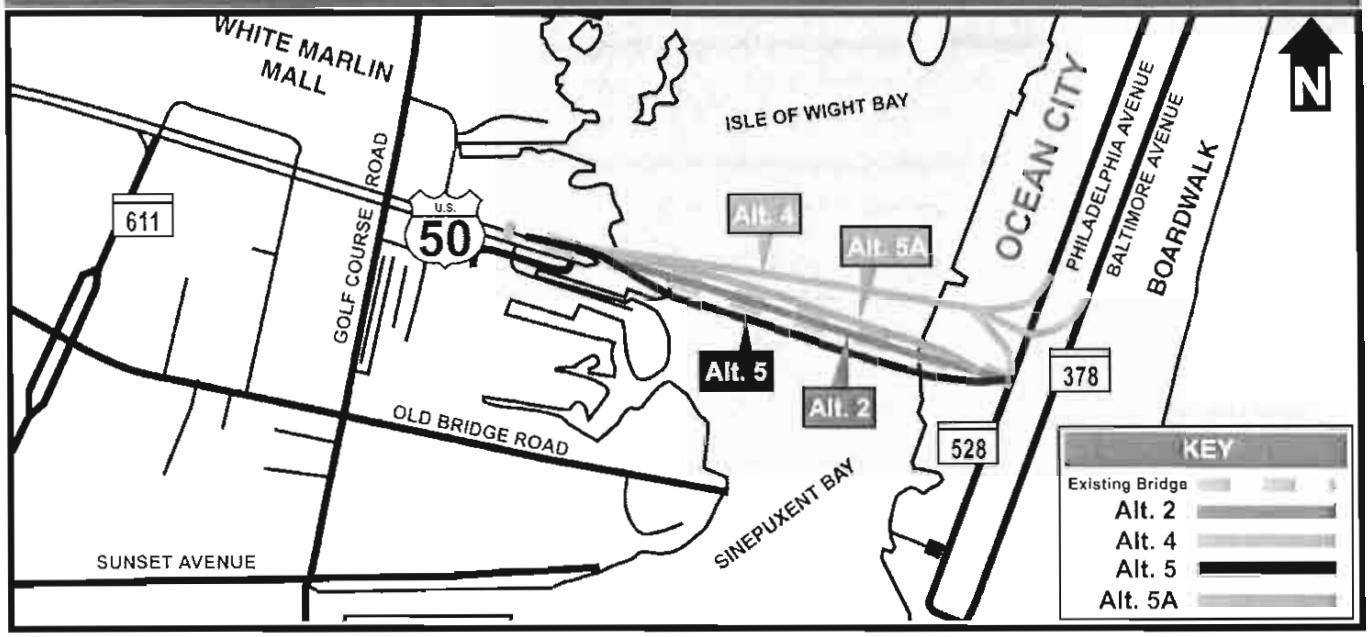
US 50 CROSSING STUDY Ocean City

WINTER 2006 Newsletter

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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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

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, at 410-545-8514 or 1-800-548-5026, or via email: srajan@sha.state.md.us. Information on this and other SHA projects can also be found on our web site: www.marylandroads.com.

Public Involvement is Important

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.marylandroads.com

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

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MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION
OFFICE OF PLANNING AND
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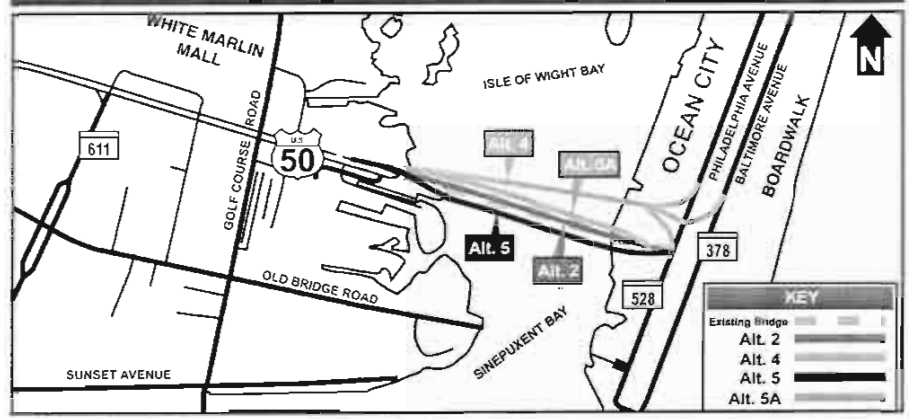
US 50 CROSSING STUDY

Spring 2007 Newsletter

PROJECT TEAM TO PRESENT DETAILED ALTERNATIVES



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 **Friday, June 1, 2007** • 9:00 AM to 11:00 AM • 1:00 PM to 3:00 PM	Roland E. Powell Convention Center Room 217 4001 Coastal Highway (40th Street) Ocean City, MD 21842

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

US 50 Crossing Study - Summary of Impacts

CATEGORY	Alt. 1 (No-Build)	Alt. 2	Alt. 4	Alt. 5	Alt. 5A
Displacements / Area of Impact					
Number of Potential Displacements					
Residential	0	0	21	6	1
Commercial	0	0	16	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

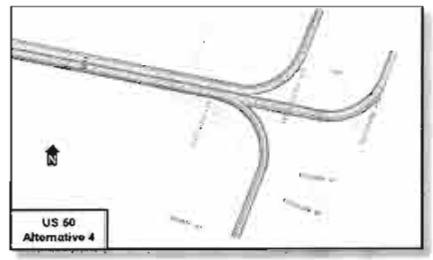
Alternatives Currently Under Consideration

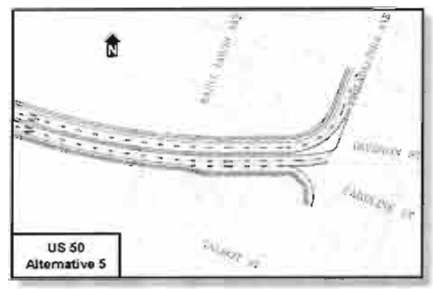
Four "build" alternatives and the "no-build" alternative are under consideration that will be presented to the public at the upcoming workshops. These include:

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.

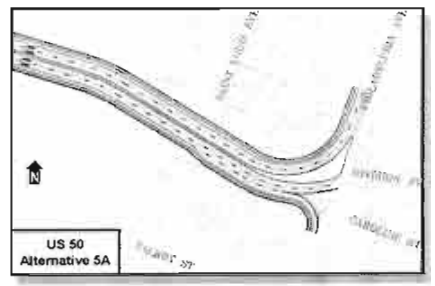
Alternative 4 – Fixed Span Bridge - Proposes a new 45-foot high, fixed-span parallel bridge beginning just west of the existing bridge. Originally under this alternative, the bridge began just west of the existing bridge and connected near 1st Street in Ocean City. The Project Team is now examining locating 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-turn 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.



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

ALL RESPONSES		
Alternative	*Favor*	*Oppose*
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		
Alternative	*Favor*	*Oppose*
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		
Alternative	*Favor*	*Oppose*
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		
Alternative	*Favor*	*Oppose*
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			
Alternative	*Average Score*	*Favor*	*Oppose*
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		
Alternative	*Favor*	*Oppose*
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

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

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

12/18/2007

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.

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: Matt Lowe for
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

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SHA State Highway Administration

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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 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.

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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.

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Very truly yours,

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

by: Heather Stone for
Joseph R. Kresslein
Assistant Division Chief
Project Planning Division

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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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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.

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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.

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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

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

SHA State Highway Administration
Maryland Department of Transportation

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

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.

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.

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
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Martin O'Malley, *Governor*
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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. 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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Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free
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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: Heather Lane for
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

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.

US 50 Crossing Study– May 29th Location/Design Public Hearing
Comments and Feedback Summary

The Location/Design Public hearing was held on Thursday May 29th, at the Roland E. Powell Convention Center in Ocean City. Attendance count reached almost 115 people.

Comment cards and feedback rating cards were provided at the hearing for citizens to complete. Comment cards were also provided in the hearing brochure that was mailed in advance of the hearing to the project mailing list.

The team received 45 comment cards, 5 letters, 3 e-mails, 13 study survey cards with comments, and 5 feedback rating cards. Written responses will be provided for all comments with a return address.

Public Comment General Breakdown:

Comment Cards:

- Seven comments in favor of Alternative 4
- Six comments strongly opposing Alternative 4
- Three comments in favor of Alternative 2 with MD 90 bridge expansion
- Six comments in favor of Alternative 5a
- Several requests to be added or deleted from the mailing list
- Three comments questioning why the traffic patterns on Baltimore Ave. and Philadelphia Ave. are not being addressed.
- Comment concerning impact to tidal action in bay and environmental impacts of new bridge
- Comment in favor of least expensive and least impactive option
- Comment commending the planning process and the brochure's information

Letters:

- Comment supporting Alternative 2 with the elimination of pedestrians, bicyclists and fisherman on the existing bridge and the construction of a separate structure to accommodate them. Comment in favor of widening MD 90
- Comments opposing Alternative 4 due to the impacts to on-street parking
- Comments opposing Alternative 4 and supporting Alternative 2
- Comments supporting Alternative 2
- Comments opposing Alternative 4

Email:

- Comment opposing Alternative 4 and in favor of MD 90 widening.
- Comment supporting Alternative 6 (It was eliminated in ARDS)
- Comment supporting Alternative 5A

Study Survey Cards:

Table 1
How do you view each alternative?

Alternative	Average
Alternative 1 – No Build	2.9
Alternative 2 – Rehab	3.3
Alternative 4 – Fixed Span	2.1
Alternative 5 – South Parallel	2.3
Alternative 5A – North Parallel	3

Note: 1 being very negative and 5 being very positive

Table 2

	Alternative 1	Alternative 2	Alternative 4	Alternative 5	Alternative 5A
Favor		3		1	2
Concern			5		

Table 3
Which impacts concern you the most?

Impacts on homes	2
Impacts on businesses	
Impacts on the natural environment	1
Impacts during construction	1
Impacts on community character	2
Impacts to pedestrian/bicycle/fisherman	

Feedback Rating Cards:

Results Summary	**AVG**	**1**	**2**	**3**	**4**
Overall, was the meeting useful and informative?	4				2
Was the staff courteous, knowledgeable and professional?	4				2
Were the displays and maps easily understood and informative?	4				2
Did the video presentation provide useful overview of the project and process?	3.5			1	1
Was the meeting held at a convenient location?	4				2
Was the building and parking appropriate for the meeting?	4				2
TOTAL Feedback Cards	2				

TEL: 410-632-1194
FAX: 410-632-3131
E-MAIL: admin@co.worcester.md.us

COMMISSIONERS
LOUISE L. GULYAS, PRESIDENT
JAMES C. CHURCH, VICE PRESIDENT
JUDITH O. BOGGS
LINDA C. BUSICK
ROBERT L. COWGER, JR.
JAMES L. PURNELL, JR.
VIRGIL L. SHOCKLEY

OFFICE OF THE
COUNTY COMMISSIONERS

Worcester County
GOVERNMENT CENTER
ONE WEST MARKET STREET • ROOM 1103
SNOW HILL, MARYLAND
21863-1195

GERALD T. MASON
CHIEF ADMINISTRATIVE OFFICER
JOHN E. "SONNY" BLOXOM
COUNTY ATTORNEY

July 23, 2009

Jamaica Kennon, Project Manager
Maryland State Highway Administration
Maryland Department of Transportation
707 North Calvert Street, C-301
Baltimore, Maryland 21202

RE: U.S. Route 50 Crossing Study

Dear Ms. Kennon:

As you are aware, at our meeting of July 21, 2009, the Worcester County Commissioners further reviewed the alternates currently under consideration for the U.S. Route 50 Crossing of the Sinepuxent Bay in Worcester County, Maryland. After careful consideration regarding the new information which you presented to the County Commissioners with respect to the effective elimination of Alternates 1 and 2 from consideration, the Worcester County Commissioners unanimously support Alternate 5A: North Parallel Bridge - 30' High Draw Span, primarily because this alternative impacts the fewest properties.

Thank you for your presentation to the Commissioners. Please keep us apprised of your progress in planning approvals for this project. If you should have any questions or concerns with regard to this matter, please feel free to contact either me or Gerald T. Mason, Chief Administrative Officer, at this office.

Sincerely,

Louise L. Gulyas
President

LLG/KS:dd
cf Beverley Swaim -Staley, Acting Secretary MDOT
Neal J. Pedersen, Administrator, SHA
Donnie Drewer, District Engineer, SHA
John H. Tustin, Director of Public Works
Edward A. Tudor, Director of Development Review & Permitting
CC125/Jamaica Kennon.USRoute50

Citizens and Government Working Together

MEMORANDUM

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

FROM: Jamaica Arnold
Project Manager
Project Management Division

DATE: February 22, 2011

SUBJECT: US 50 Crossing Study
Town of Ocean City Mayor and Council Update
Project Number WO419A11

On Tuesday, April 27, 2010 a presentation was made with the Town of Ocean City Council in Ocean City, MD. The following individuals were in attendance:

Ms. Jamaica Arnold	SHA-PMD	410-545-8512
Mr. Greg Slater	SHA-OPPE Director	410-545-0412
Ms. Nicole Washington	SHA-PMD	410-545-8070
Mr. Kenya Lucas	SHA-PMD	410-545-8545
Mr. Kevin Law	SHA-OHD Design Tech. Services	410-545-8855
Mr. Donnie Drewer	SHA District-1	410-677-4000
Mr. Richard Meehan	Mayor	410-289-8221
Mr. Joseph M. Mitrecic	Council President	410-289-8221
Mr. Doug Cymek	Council Member	410-289-8221
Mr. James S. Hall	Council Member	410-289-8221
Mr. Joseph T. Hall II	Council Member	410-289-8221
Ms. Mary Knight	Council Member	410-289-8221
Ms. Margaret Pillas	Council Member	410-289-8221
Mr. Lloyd Martin	Council Secretary	410-289-8221

The following is a summary presentation.

Ms. Arnold began the meeting with an explanation the purpose of the meeting, which was to give an update on the study, to display the visualizations developed for Alternative 4M, 5A, and 5B, to inform them of the upcoming public workshop, and to receive input from the Mayor and Council. It was stated that the presentation was a follow-up from the October 2009 Elected Official Meeting held with the SHA Administrator. A brief overview of the project was given including the purpose and need and synopsis of the alternatives. In addition, the visualizations of the alternatives were shown and the details were explained.

Below are comments from the council about the computer visualization and the presentation.

- Councilwoman Margaret Pillas questioned the differences in the tie in into Ocean City between Alternative 5A (30') and 5C (18'). Ms. Arnold replied that the connection into Ocean City is visually the same for both Alternative 5A and 5C. She also stated that the higher drawbridge alternative (Alternative 5A) allows 75% more of the boats to pass through it without opening the bascule span compared to the 20% of boats that can pass through with the lower bridge alternative (Alternative 5C).

- Councilman Joseph Hall Jr. questioned whether Alternative 5A or 5C will have more impacts to Ocean City than listed? Ms. Arnold replied that the impacts will be what are listed in the matrix. He also questioned the width of the drawbridge in between the bridge piers so he could determine how many boats would be able to pass through at one time. She replied that I will have to get back to him on that. He requested that SHA evaluate a wider bascule span in the future so that more boats can go through at a time. In addition, he quested whether the scour protection would be removed from the existing bridge once the bascule span is removed because of the strong tidal issues. Greg stated that we would further investigate this once the project proceeds to Final Design.

- Councilman James Hall questioned the differences in displacements between Alternative 5A and Alternative 5C. Ms. Arnold replied that there are no differences in displacements between the two alternatives.

- Councilwoman Margaret Pillas had concerns with the time of year of the Informational Workshop. Many business owners are busy during June. She asked if we were having more than one session. Ms. Arnold informed her of the two workshop sessions and stated that we chose that time because more residents are in town during this time of year. Ms. Arnold also stated that it is the team's goal to make the meeting time convenient for everyone overall.

- Councilman Joseph Hall Jr. asked how soon land acquisition would begin because property owners become very anxious regarding improvements and selling their property. Greg replied that funding is not currently provided for ROW acquisition, but we do try to work with property owners if there are major issues. He stated that in the Final Design phase, we would work with property owners to minimize impacts on their properties as well as, pending ROW funding; we would work with those property owners who want to be purchased in advance of the project.

- Councilman James Hall questioned why Alternative 4M is on the table. He stated that it will change the character of the community, it is massive, and no one wants it. He also questioned why we would show it at the workshop. Ms. Arnold stated that last year the Mayor and Council voted in favor of Alternative 4M and at the meeting in October we tried to drop it; however, there was still support from O.C. Department of Public Works.

He replied that they do not have a vote on the council. Greg informed the Council that we could put a label on Alternative 4M stating that this was not preferred by the City.

- Councilman James Hall suggested they vote to endorse Alternative 5A and 5C and completely drop Alternative 4M. Motion was seconded by Councilwoman Mary Knight.

- The Mayor and Council asked that we not hold the Informational Workshop, however, Ms. Arnold informed them that this was decided at the October 2009 Meeting and the Worcester Commissioners did not agree to cancel the meeting. She also stated that we could make a note of their support for Alternatives 5A and 5C at the Workshop.

- The vote passed unanimously to officially endorse Alternatives 5A and 5C with an additional comment from Councilman Joseph Hall to suggest going with Alternative 5A due to the higher bascule span.

- Mayor Richard Meehan thanked us for coming and sharing the results of the visualization. He acknowledged the extra cost but the recognized that visualization really gave them a good picture of how their town could change based on which alternative is chosen.

The above statements represent comments made during the April 27, 2010, Town of Ocean City Council Meeting. If you have any comments or additions the above statements please contact Ms. Jamaica Arnold at 410-545-8512 or Mr. Kenya Lucas at 410-545-8545.

cc: File

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

State Highway Administration
MARYLAND DEPARTMENT OF TRANSPORTATION

Beverley K. Swaim-Staley, *Secretary*
Neil J. Pedersen, *Administrator*

May 7, 2010

The Honorable James C. Church
President, Worcester County Commissioners
One West Market Street, Room 1103
Snow Hill MD 21863

Dear Commissioner Church:

Thank you for your involvement in the US 50 Crossing Study. I appreciate your letter of May 5, which provided concurrence on the Ocean City Council's recommendation to cancel the Informational Public Workshop that had been scheduled for June 3.

As a follow up from the October 19, 2009 meeting with both the Worcester County Commissioners and Ocean City's Mayor and Council, the consensus reached by both parties on Alternative 5A will be a factor used to determine the SHA Preferred Alternative. That alternative is scheduled to be selected this summer.

Thank you again for your interest in the US 50 Crossing Study. If you have any questions or comments, please do not hesitate to contact Mr. Gregory I. Slater, SHA's Director of Planning and Preliminary Engineering, at 410-545-0412, toll-free 1-888-204-4828, or via email at gslater@sha.state.md.us. Of course, please do not hesitate to contact me directly, if you prefer.

Sincerely,

Neil J. Pedersen

Neil J. Pedersen
Administrator

cc: Ms. Jamaica Arnold, Project Manager, Project Management Division, SHA
Mr. Donnie Drewer, District 1 Engineer, SHA
Mr. Gregory I. Slater, Director of Planning and Preliminary Engineering, SHA

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

State Highway Administration
Maryland Department of Transportation

Beverley K. Swaim-Staley, *Secretary*
Neil J. Pedersen, *Administrator*

MEMORANDUM:

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

FROM: Jamaica Arnold Jamaica Arnold
Project Manager
Project Management Division

DATE: June 4, 2010

SUBJECT: US Crossing Study
Worcester County Commissioner's Update
Project Number WO419A11

The following is a summary of the Worcester County Commissioners' Meeting held on May 4, 2010 in Snow Hill, MD.

Ms. Jamaica Arnold	SHA-PMD	410-545-8512
Ms. Nicole Washington	SHA-PMD	410-545-8070
Mr. Kenya Lucas	SHA-PMD	410-545-8545
James L. Purnell	Worcester County Comm.	410-641-0576
Bud Church	Worcester County Comm.	410-524-7888
Virgil Shockley	Worcester County Comm.	410-632-0450
Judy Boggs	Worcester County Comm.	410-641-6158
Linda Busick	Worcester County Comm.	410-641-5873
Louise Gulyas	Worcester County Comm.	443-513-1068
Robert Lee Cowger, Jr.	Worcester County Comm.	410-957-6797

The meeting began with Ms. Jamaica Arnold explaining the purpose of the meeting, which was to give an update of the outcome of the Ocean City Council Presentation held on April 27, 2010.

Ms. Arnold stated the visualizations and PowerPoint were shown similar to the presentation to the Commissioners on April 6, 2010. During the meeting, the City Council held a vote to endorse Alternatives 5A and 5C, to drop Alternatives 5B and 4M (alternatives that have the same alignment but different heights), and to not show more impactive alternatives (Alt 4M or Alt 5B). In addition, she also informed the Commissioners that the City Council did not SHA to hold another public workshop. Based on public support from previous public meetings for Alternative 5A, she asked if the Commissioners would support the Council's request to cancel the planned Informational Public Workshop to be held on June 3rd, 2010. It was also highlighted during the meeting that the budget for the planning portion remains a concern and eliminating this meeting would help reduce project costs. SHA has committed to informing the public of the latest activities through an updated newsletter and will upload clips of the 3-D visualizations to the SHA website. The Commissioners were supportive of helping to reduce project costs, they agreed to uphold their original recommendation of Alternative 5A, and they voted unanimously in favor of the City's recommendation to cancel the workshop.

cc: Ms. Elizabeth Habic, SHA
File

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

State Highway Administration
Maryland Department of Transportation

Beverley K. Swaim-Staley, *Secretary*
Neil J. Pedersen, *Administrator*

MEMORANDUM:

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

FROM: Jamaica Arnold Jamaica Arnold
Project Manager
Project Management Division

DATE: June 4, 2010

SUBJECT: US Crossing Study – Ocean City
Worcester County Commissioner's Update
Project Number WO419A11

The following is a summary of the Worcester County Commissioners' presentation held on April 6, 2010 in Snow Hill, MD.

Ms. Jamaica Arnold	SHA-PMD	410-545-8512
Ms. Nicole Washington	SHA-PMD	410-545-8070
Mr. Kenya Lucas	SHA-PMD	410-545-8545
Mr. Donnie Drewer	SHA-District 1	410-677-4006
Mr. Scott Holcomb	Gannet Fleming	410-348-2017
James L. Purnell	Worcester County Comm.	410-641-0576
Bud Church	Worcester County Comm.	410-524-7888
Virgil Shockley	Worcester County Comm.	410-632-0450
Judy Boggs	Worcester County Comm.	410-641-6158
Linda Busick	Worcester County Comm.	410-641-5873
Louise Gulyas	Worcester County Comm.	443-513-1068
Robert Lee Cowger, Jr.	Worcester County Comm.	410-957-6797

The following is a summary presentation.

Ms. Arnold began the presentation with an explanation the purpose of the meeting, which was to give an update on the study, to display the visualizations developed for Alternative 4M, 5A, and 5B, to inform them of the upcoming public workshop, and to receive input from the Commissioners. It was stated that the presentation was a follow-up from the October 2009 Elected Official Meeting held with the SHA Administrator. A brief overview of the project was given including the Purpose and Need and synopsis of the alternatives. Following the overview, the visualizations of the alternatives were shown and the details were explained.

Below are comments from the Commissioners about the computer visualization and the presentation.

- Commissioner Virgil Shockley had questions about the following subjects:
    - The difference of cost between the 18' alternative (Alt. 5C) and the 30' alternative (Alt. 5A)
    - The enforcement on the bridge itself during heavy traffic periods
    - The Mass Height Survey and the difference between the two alternatives
    - The impacts associated with displacements between (Alt. 5A and 5C).

- Ms. Arnold responded to Mr. Shockley's questions by saying that the displacements and impacts between the two alternatives are the same. The mass height survey was developed and showed that for Alternative 5A, 75% of the boats would be able to clear the new bridge thus reducing the number of openings. Alternative 5C would have the same number of openings as the existing bridge.

- Commissioner Louise Gulyas stated when observing the Alternative 4M computer model, "It doesn't look like a fishing village anymore."

- Commissioners Gulyas and Boggs mentioned when observing the Alternative 5A computer model, "The character of the town is the same as Everytown, USA with this selection."

- Commissioner Boggs cited when observing the Alternative 5B, "The impacts to downtown buildings are significant." "Seeing it like this, makes it much clearer (referring to all alternatives)."

- Commissioner Gulyas recognized that Alternatives 4M and 5B had several underpasses and said, "those walls look like the Philadephia Expressway."

- Commissioner Bud Church mentioned that they feel that they do not have a true say in the decision-making process. They truly feel like a step-child in the process. Ms. Arnold mentioned that we have had several meetings with the County and the City. It was stated that SHA's goal is to try to build consensus between the two municipalities. It is one of the factors that the SHA Administrator uses to determine SHA's Preferred Alternative.

- Commissioner Ms. Linda Busick stated that "Things change and the Ocean City we know now will be different 20 years from now."

- Commissioner Mr. James Purnell requested that we come back after the public workshop to give an update on the results. Ms. Arnold responded by saying that we will be returning after the workshop to update the Commissioners.

- Donnie Drewer spoke on behalf of SHA about maintaining the existing bridge, the lifespan of the bridge, and also provided some insight behind the planning study and finding the funding for the new bridge. He mentioned that lifespan of the bridge is between 20 -25 years and SHA needed to develop a plan to not only replace the bridge, but to allow Ocean City's redevelopment plans to proceed based on what is selected as a preferred alternative. Once a decision is made, the Town of Ocean City can move forward accordingly and redevelop around our project. The project currently isn't funded beyond the planning study; however, the Preferred Alternative would provide the basis for Design, ROW Acquisition, and Construction in the future when finances become available.

cc: Ms. Elizabeth Habic, SHA
File

of with the same situation which is put into Alternatives 5 and 5A by having a drop area for them to come in and you wouldn't have to displace anybody because you have the same exits and entrances to the Ocean City area. You could have the same traffic problem, but you would have a higher bridge, you would eliminate the drawbridge which would give us a little bit of a benefit there. And so the sailboats can come in and go as they choose.

But no matter what we do, you guys have got a problem. And it's going to take us years and years and years the way the government works to answer it.

But my solution again is to build a bridge over the existing bridge and that should accommodate a great many of the answers that are there. Thank you.

MR. DREWER:

Thank you for your comments.

Al (Pop) Wendling?

MR. WENDLING:

Al (Pop) Wendling. I'm talking from a business standard. 12 Somerset Street. And I want to see this bridge go up. I want you to know that.

MR. DREWER:

I don't know how long you're going to live.

MR. WENDLING:

Well, how many years are we talking about before it gets started and do we have the money for this, $400 million?

MR. DREWER:

At the present time, no.

MR. WENDLING:

Your guess is as good as mine.

MR. DREWER:

We got the cart before the horse here?

MR. WENDLING:

No, I don't believe so. Well let me back up. We're really not supposed to be answering questions. If you got questions,

we're supposed to answer them in the hall. This is a public comment time. So just please make your comments. We'll record the comments.

If you got questions like that, I'd be glad to address them in the hall.

MR. WENDLING:

Well, if you do get the money I'm for number 4. You're talking $60 million, it's just another 60 and that way we'll still take care of the fishermen, the bikers, and then the boaters to have the one drawbridge open, and keep it simple. Simplicity is genius. And maybe it will lower the price. Thanks.

MR. DREWER:

Thank you. Regan Smith?

MR. SMITH:

My name is Regan Smith. I'm a local attorney and my family owns the Angler Restaurant and I represent a lot of the downtown property owners. I think two years ago the OCDC and I believe the Chamber of Commerce took a position that they felt that if there was going

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State Highway Administration
MARYLAND DEPARTMENT OF TRANSPORTATION

Beverley K. Swaim-Staley, *Secretary*
Neil J. Pedersen, *Administrator*

July 10, 2008

Mr. Al 'Pop' Wendling
12 Somerset Street
Ocean City MD 21843

Dear Mr. Wendling:

Thank you for your testimony regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to your public testimony given at the May 29, 2008 Public Hearing. Your comments in favor of Alternative 4 have been noted.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon

Jamaica Kennon
Assistant Project Manager
Project Planning Division

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cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

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MR. DREWER:

Thank you. Regan Smith?

MR. SMITH:

My name is Regan Smith. I'm a local attorney and my family owns the Angler Restaurant and I represent a lot of the downtown property owners. I think two years ago the OCDC and I believe the Chamber of Commerce took a position that they felt that if there was going

to be a new bridge, a new span, that the one on the north side was the appropriate alternative. Since then I think the consensus, and I may be wrong, and if I'm wrong, anyone is welcome to say so.

I think the belief of most of the downtown property owners that disturbing the downtown, whether it's Alternative 5 or Alternative 4, is going to have a negative effect on our efforts to try to rebuild that area.

Currently the Comprehensive Plan in Ocean City supports redevelopment of the waterfront area down there, redevelopment of Baltimore Avenue where Mr. Harrison's property is, and we feel that a lot of these alternatives are fairly inconsistent with that. You'd be eliminating the downtown marinas to some degree with the southern approach. The northern approach does have the least impact on downtown businesses, and again, I think it's been said many times, none of these really improve the

1 traffic flow on Baltimore Avenue.

2 Most of us who live here, we plan

3 our day on Saturday and Sunday around avoiding

4 the bridge openings. We all know when they are

5 and we all know that no matter whether it's a 15

6 or a 30-foot span, that on Saturday and Sunday,

7 the peak traffic times and the peak boating

8 times coincide. And you're not going to be able

9 to eliminate those draw-span openings with a 30-

10 foot span or a 15-foot draw span. You'd still

11 have the same openings and you'd still have the

12 same back-up situations.

13 We believe, I think, generally in

14 the downtown area, that if you're going to do

15 something, rehabilitate the bridge where it is.

16 I'm concerned somewhat with the St. Louis Avenue

17 underpass, how that's going to work if you widen

18 the bridge, because you couldn't widen it on the

19 south side without eliminating properties there,

20 one of which is the John Bunting House that was

21 not on your list of historical properties. You

22 could do it more to the north I think without

23

1 really impacting too many properties on that
2 side.
3 But I think the general consensus of
4 most of us downtown is, if we're not going to
5 eliminate the draw span, we seem to be able to
6 live with it pretty well here, and perhaps just
7 do our best to rehabilitate and rebuild the
8 existing bridge. And I submitted a letter which
9 I think sums up my main point which is, if we're
10 going to spend $400 million, I'd rather dualize
11 Route 90 with that money, and I think most of
12 our hurricane evacuation planning and all would
13 support that. We'd have a much better
14 utilization of our funds. I think State Highway
15 already owns that right-of-way. It was set up
16 in the 70's and of course you were probably a
17 young engineer at that point working on that.
18 MR. DREWER:
19 I was then.
20 MR. SMITH:
21 And will probably be an older
22 engineer when we finish all this. But if you're
23

familiar, that was originally set up I think as a dual lane each way and was cut down to one lane each way because of funding. But you already own that right-of-way. You already have the overpasses and the cloverleafs built at 113. And accommodating that traffic on and off 50 I think would be a much better service to us as far as traffic than significant expenditure downtown. Thank you.

MR. DREWER:

Thank you.

(Applause)

MR. DREWER:

Does anyone else wish to comment? If not, let the record show that no further verbal comments were offered. As mentioned earlier and as stipulated in the public notice, we will hold the formal record open until June 30, 2008 for your written comments.

Before I close I would like to go away from the script and just so that you do understand what we're trying to accomplish here,

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

State Highway Administration
MARYLAND DEPARTMENT OF TRANSPORTATION

Beverley K. Swaim-Staley, *Secretary*
Neil J. Pedersen, *Administrator*

July 10, 2008

Mr. Regan Smith

Dear Mr. Smith:

Thank you for your testimony regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to your public testimony given at the May 29, 2008 Public Hearing. Your comments in favor of Alternative 2 and widening MD 90 have been noted.

Your suggestion to widen MD 90 has been noted as well. The purpose of the US 50 Crossing Project Planning Study is to develop a transportation solution that improves upon the structural, operational and safety deficiencies associated with the existing bridge; therefore, improvements to this bridge are needed because of structural deficiencies, not because of capacity. Even if improvements were made to MD 90, SHA would still be required to analyze alternatives for the US 50 bridge.

Another reason the widening of MD 90 is outside of the scope for the US 50 Crossing Study and has not been included in this study is due to funding. The widening of MD 90 is currently not funded for Project Planning. Funding must be identified for Project Planning, Final Design, Right-of-Way Acquisition (ROW) and Construction before the project can be evaluated. Each year, elected officials from each county in Maryland meet with SHA to discuss their roadway improvement priorities. The counties then present a letter to SHA, which contains their top highway priorities, for Planning, Design, ROW, and Construction, that they would like to see included in Maryland's Consolidation Transportation Program (CTP). The CTP is the State's six-year capital budget for transportation projects. Working together with Maryland's citizens, local jurisdictions and local delegations, projects are added to the CTP, which enhance transportation services and opportunities throughout the State.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Very truly yours,

Jamaica Kennon

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

to no avail, because we're going to abandon it and build the new bridge unnecessarily. Thank you.

MR. DREWER: Thank you for your comments.

(Applause)

MR. DREWER:

Jim McGinnis?

MR. McGINNIS:

Jim McGinnis from 1101 Philadelphia Avenue. I've lived here 22 years and I'm very active in the community. I'm going to suggest another alternative. I come from New York City where for the first half of my life I lived for 40 years and we built bridges above so we have extended traffic, because you built two layers. And I would suggest that we build a bridge which is over the existing bridge, which would keep the bridge going while the other is being built. It's going to cost more money, but it's going to cost us no matter what you do.

But the fishermen can be taken care

of with the same situation which is put into Alternatives 5 and 5A by having a drop area for them to come in and you wouldn't have to displace anybody because you have the same exits and entrances to the Ocean City area. You could have the same traffic problem, but you would have a higher bridge, you would eliminate the drawbridge which would give us a little bit of a benefit there. And so the sailboats can come in and go as they choose.

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State Highway Administration
MARYLAND DEPARTMENT OF TRANSPORTATION

Beverley K. Swaim-Staley, *Secretary*
Neil J. Pedersen, *Administrator*

July 10, 2008

Mr. Jim McGinnis
1101 Philadelphia Avenue
Ocean City MD 21843

Dear Mr. McGinnis:

Thank you for your testimony regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to your public testimony given at the May 29, 2008 Public Hearing.

Your comments in favor of building a bridge over the existing bridge have been noted. Please note that a bridge constructed over the existing bridge was not an option for this study due to maintenance of traffic issues, and cost.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Very truly yours,

Jamaica Kennon

Jamaica Kennon
Assistant Project Manager
Project Planning Division

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cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

1 and any organization you wish to represent.
2 At this time we'd like to welcome
3 elected officials who would like to speak.
4
5 We will now begin with those who
6 have registered to speak. First G. Hale
7 Harrison.
8 MR. HARRISON:
9 My name is G. Hale Harrison, I'm
10 with the Harrison Group at Harrison Resorts
11 located in Ocean City, Maryland. We operate
12 hotels in Ocean City and we love Ocean City and
13 we love the uniqueness and the character that
14 the downtown area has, and we don't want to see
15 downtown Ocean City blighted with a fly-over
16 bridge that would be more appropriate for an
17 area in Baltimore County or Montgomery County
18 that's more urban in nature. We are a resort
19 town. It's aesthetically pleasing downtown.
20 There's a lot of character and a lot of history
21 in the downtown area.
22 My concern is that Alternative 4 is
23

1 going to destroy and blight several blocks of
2 downtown Ocean City, and it's going to do so at
3 a heavy cost to the taxpayer. I believe your
4 figures are around like $400 million. I don't
5 see that that's a responsible use of money or an
6 effective use of money.
7 I think the existing bridge, you
8 said 20 years, I believe the pamphlet says, it's
9 got at least that amount of life in it with
10 routine maintenance. And another 40 years of
11 life left in it with more extensive maintenance.
12 My understanding from talking to some folks at
13 State Highway Administration is that the bridge,
14 the sub-structure is in good condition and that
15 the bridge can be maintained as is.
16 Now there are some benefits to
17 Alternative 4, of course, just like there are to
18 any of the other plans. One would be the
19 elimination of the draw and having a fixed span.
20 But I don't see that as a $400 million problem.
21 And actually the draw is something that really
22 does add character to downtown Ocean City. Like
23

I said, it's a resort area. People come here once a year.

The other thing is that the bridge as is, you're not going to be able to add a whole lot to the traffic situation in downtown Ocean City by increasing the number of lanes or creating another bridge for downtown Ocean City, and that's because the choke point is really Baltimore Avenue.

Having lived here all my life I know that downtown Ocean City is going to be congested no matter how you configure the bridge, just because the roads in downtown Ocean City aren't going to accommodate more traffic. And I appreciate the chance to speak here, the opportunity to speak here.

Also, I'd like to say that the State Highway Administration did a fantastic job with the repaving of half the Route 50 Bridge this year and I'm sure you'll do a fantastic job next year. It would be a shame to see millions of dollars spent maintaining this existing bridge

to no avail, because we're going to abandon it and build the new bridge unnecessarily. Thank you.

MR. DREWER: Thank you for your comments.

(Applause)

MR. DREWER:

Jim McGinnis?

MR. McGINNIS:

Jim McGinnis from 1101 Philadelphia Avenue. I've lived here 22 years and I'm very active in the community. I'm going to suggest another alternative. I come from New York City where for the first half of my life I lived for 40 years and we built bridges above so we have extended traffic, because you built two layers. And I would suggest that we build a bridge which is over the existing bridge, which would keep the bridge going while the other is being built. It's going to cost more money, but it's going to cost us no matter what you do.

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State Highway Administration
MARYLAND DEPARTMENT OF TRANSPORTATION

Beverley K. Swaim-Staley, *Secretary*
Neil J. Pedersen, *Administrator*

July 10, 2008

Mr. G. Hale Harrison
Harrison Group
Boardwalk and 2nd Street
P.O. Box 160
Ocean City MD 21843

Dear Mr. Harrison:

Thank you for your testimony regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to your public testimony given at the May 29, 2008 Public Hearing. Your comments in favor of Alternative 2 and opposition to Alternative 4 have been noted.

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STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
PROJECT PLANNING STUDY

THURSDAY, MAY 29, 2008
6:00 P.M. - MAPS/DISPLAYS AVAILABLE
7:00 P.M. - PRESENTATION/TESTIMONY

ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME NICHOLAS J. KILADIS **DATE** 5/14/08

ADDRESS 9924 RICHLYN DRIVE

CITY PERRY HALL **STATE** MD **ZIP** 21128

I/We wish to comment or inquire about the following aspects of this project:

I AM A RETIRED MD DOT EMPLOYEE AND HAVE OWNED PROPERTY IN OCEAN CITY SINCE 1971! IN SPITE OF THE HIGH COST AND R.O.W IMPACTS, I FEEL ALTERNATE 4 MODIFIED SHOULD BE BUILT. NOT ONLY WOULD THE TROUBLESOME DRAW BE ELIMINATED (BACK-UPS DUE TO OPENINGS AND FUTURE OPERATING COSTS) BUT IT ALSO PROVIDES DIRECT ACCESS TO MD 378 AND FROM MD 528. (MD DIVISION ST BOTTLENECK) IT ALSO RETAINS THE IN-BOUND RIGHT TURN MOVEMENT ON MD 528 WHICH I USE IN THE SUMMER TO REACH 12TH ST VIA ST. LOUIS AVE

☐ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Mr. Nicholas Kiladis
9924 Richlyn Drive
Perry Hall MD 21128

Dear Mr. Kiladis:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for Alternative 4 has been noted.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS

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US 50
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6:00 P.M. - MAPS/DISPLAYS AVAILABLE
7:00 P.M. - PRESENTATION/TESTIMONY

ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME JOSEPH G. RETTMAN **DATE** 05-14-08

ADDRESS 174 WILTSHIRE ROAD

CITY BALTIMORE **STATE** MD **ZIP** 21221

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US 50
PROJECT PLANNING STUDY

THURSDAY, MAY 29, 2008
6:00 P.M. - MAPS/DISPLAYS AVAILABLE
7:00 P.M. - PRESENTATION/TESTIMONY

ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME EDWARD WEBB **DATE** 5/14/08

ADDRESS 4084 - 14th Street

CITY O.C. **STATE** Md. **ZIP**

I/We wish to comment or inquire about the following aspects of this project:

PLAN
5-A
HAS BEST PROS & CONS
FOR TODAY and TOMORROW

☐ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Mr. Edward Webb
408-L 14th Street
Ocean City MD 21842

Dear Mr. Webb:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for Alternative 5A has been noted

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Robert Abele **DATE** 5/15/08

ADDRESS 63 Wood Duck Dr.

CITY Ocean Pines **STATE** MD **ZIP** 21811

I/We wish to comment or inquire about the following aspects of this project:

The current bridge with repairs made by adding rocks to support pilings impedes flow to the bays north of the bridge, reducing flushing to some degree. Leaving that bridge in place and adding the additional new bridge will further reduce water flow to the north. This reduced flushing of the northern bays affects water quality and will have a negative environmental impact on water quality and therefore sea grasses, fisheries and habitat. Have these impacts been considered?

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Maryland Department of Transportation

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Neil J. Pedersen, *Administrator*

July 10, 2008

Mr. Robert Abele
63 Wood Duck Drive
Ocean Pines MD 21811

Dear Mr. Abele:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

You stated that a new bridge would further reduce flow to the north of the bay and asked if we considered the environmental impacts. A sand migration study was carried out by the SHA 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. The study concluded the overall conditions in the Sinepuxent Bay would continue to evolve in a manner similar to the No-Build Alternative.

Additionally, SHA performed a sand migration study to determine the effects of the proposed alternatives on the movement and flow sediment in the Sinepuxent Bay. The results of the study indicated that only minor localized effects would occur in the immediate vicinity of any proposed bridge structure.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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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

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can be of any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME JOHN & ANN KIPP **DATE** 5/16/08

ADDRESS 447 HOLLY FARMS Rd.

CITY SEVERNA PARK **STATE** MD. **ZIP** 21146

I/We wish to comment or inquire about the following aspects of this project:

We no longer have a residence in O.C.

☐ **Please add my/our name(s) to the mailing list.**

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STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Jeanne Lynch **DATE** 5-16-08

ADDRESS 10464 Azalea Rd

CITY Berlin **STATE** MD **ZIP** 21811

I/We wish to comment or inquire about the following aspects of this project:

Best alternative, in my opinion, is #2 - Rehab! It causes the least disturbance and best value for taxpayer. By 30 years from now there will be new materials and new technologies available! Storms may completely change the landscape & present new opportunities!

If you feel you MUST build, the northern route by passes the "historic" parts of S.O.C. and will rehab some areas that need it most.

Good study! Thanks.

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State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Ms. Jeanne Lynch
10464 Azalea Road
Berlin MD 21811

Dear Ms. Lynch:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for Alternative 2 has been noted.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Joseph R. MANNO **DATE** 5/16/08

ADDRESS 10003 CLUE DR.

CITY Bethesda **STATE** Md **ZIP** 20817

I/We wish to comment or inquire about the following aspects of this project:

The planning was very good as well as the drawings of the bridge & road. People don't like to read so easily deciphered charts/drawings should be used.

Appreciate informing the citizens & keep up the good work.

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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME CHARLES R DAVIS **DATE** 5-17-08

ADDRESS 4422 BRITTANY DR

CITY ELLICOTT CITY **STATE** MD **ZIP** 21043

I/We wish to comment or inquire about the following aspects of this project:

WHY CAN'T THE PARALLEL SPANS HAVE 45' FIXED SPANS?
IF THE EXISTING BRIDGE STAYS THE DRAW WILL HAVE TO BE REMOVED. HOW WILL PEOPLE GET ACROSS?

☐ **Please add my/our name(s) to the mailing list.**

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State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Mr. Charles Davis
4422 Brittany Drive
Ellicott City MD 21043

Dear Mr. Davis:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

You asked if the parallel spans could have a fixed span. The parallel spans could not have a fixed span because a fixed span would require the bridge to be a height of 45 feet instead of 30 feet over the channel. This additional height would require the bridge to be longer and it would also require ramps that tie into Ocean City similar to what is being proposed in Alternative 4 Modified. In addition, a fixed span bridge would have to be built in a different location, further away from the existing bridge and the location that is proposed by either of the parallel spans.

Your comment regarding the removal of the existing draw span has been noted. The US 50 Bridge over Sinepuxent Bay is one of thirteen movable bridges built between 1916 and 1950 that has been included in the State Highway Administration's (SHA) Historic Bridge Inventory. In July 2001, SHA and the Maryland Historical Trust (MHT) determined the US 50 Bridge over Sinepuxent Bay to be eligible for inclusion in the National Register of Historic Places; therefore, removal of any part of the bridge is not under consideration at this time.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Denise Dotson **DATE** 5-17-08

ADDRESS 2203 Edinburg Ct

CITY Fallston **STATE** MD **ZIP** 21047

I/We wish to comment or inquire about the following aspects of this project:

Not able to attend meeting due to work schedule –

☑ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Rodney Johnson **DATE** 05/19/08

ADDRESS 4017 Silvage Rd

CITY Baltimore **STATE** Md **ZIP** 21236

I/We wish to comment or inquire about the following aspects of this project:

The only logical alternative that will have the greatest impact on relieving traffic backups is Alternative #4 (Fixed Span Bridge - 45' High Fixed Span). Otherwise, the traffic will back up when a drawbridge has to be open or breaks down. Also having to cross through the traffic lights across Phila Ave. + Balto. Ave will continue to impede traffic. I've seen these flyovers work in the Phillipines. The extra cost will basically pay for itself in [redacted] efficiency. All other alternatives just give you a new bridge, without addressing the traffic back up problems.

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

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Mr. Rodney Johnson
4017 Silvage Road
Baltimore MD 21236

Dear Mr. Johnson:

Thank you for your comments regarding the US 50 Crossing Project Planning Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for Alternative 4 has been noted.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Project or if we can be of any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

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Project Planning Division

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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME LINDA LEE PANLILIO **DATE** 5/19/2008

ADDRESS 1900 GREENBERRY ROAD

CITY BALTIMORE **STATE** MD. **ZIP** 21209

I/We wish to comment or inquire about the following aspects of this project:

GIVEN THE 2008-09 ECONOMIC OUTLOOK I RECOMMEND & PREFER THE LEAST EXPENSIVE OPTION.

GIVEN THE NEED FOR NATURE PRESERVATION I PREFER THE LEAST INTRUSIVE OPTION.

☐ **Please add my/our name(s) to the mailing list.**

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State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Ms. Linda Lee Panlilio
1900 Greenberry Road
Baltimore MD 21209

Dear Ms. Panlilio:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for the least expensive and least intrusive alternative has been noted.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME ROBERT P. BALUM **DATE** 5/20/2008

ADDRESS 1023 NEW JERSEY AVENUE

CITY HELLERTOWN **STATE** PA **ZIP** 18055

I/We wish to comment or inquire about the following aspects of this project:

ALTERNATIVE 5: SOUTH PARALLEL BRIDGE 30' HIGH DRAW SPAN. - DON'T DISTURB PRESENT BRIDGE UNTIL NEW BRIDGE IS BUILT.

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Maryland Department of Transportation

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

July 10, 2008

Mr. Robert Balum
1023 New Jersey Avenue
Hellentown PA 18055

Dear Mr. Balum:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for Alternative 5 has been noted.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME CAPONE MUSIC CO. ENTERPRISES, LLC **DATE** 5/20/08

ADDRESS 6906 HALL DR.

CITY BERLIN **STATE** MD **ZIP** 21811

I/We wish to comment or inquire about the following aspects of this project:

I regret that I am unable to attend the Public Hearing regarding the Location/Design for the Route 50 bridge to Ocean City.

My company owns and rents out a commercial unit at Teal Marsh, on Route 611, near the intersection of Route 50 & Route 611. This development, with many commercial units, is a great financial asset and of service to the West Ocean City community.

Any plan that impacts businesses at Teal Marsh will result in great financial loss to this development.

Audrey B. Capone

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

July 10, 2008

Ms. Audrey Capone
Capone Music Co. Enterprises, LLC
6906 Hall Drive
Berlin MD 21811

Dear Ms. Capone:

Thank you for your comments regarding the US 50 Crossing Project Planning Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

Your comments regarding impacts to businesses in West Ocean City have been noted. At this time, none of the proposed alternatives have business or residential impacts in West Ocean City.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME MARK FREI **DATE** 5/20/08

ADDRESS 826 SUMMER WALK DRIVE

CITY Gaithersburg **STATE** MD **ZIP** 20878

I/We wish to comment or inquire about the following aspects of this project:

Alt. 4 Modified is the only option that makes sense for the long-term: to avoid any/all bridge openings. While the $'s cost/+ envl impact is more, the long-term benefit exceeds the short-term impact.

☐ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

*** Persons who have received a copy of this brochure through the mail are already on the project mailing list.**

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Mr. Mark Frei
826 Summer Walk Drive
Gaithersburg MD 20878

Dear Mr. Frei:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for Alternative 4 has been noted

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
PROJECT PLANNING STUDY

THURSDAY, MAY 29, 2008
6:00 P.M. - MAPS/DISPLAYS AVAILABLE
7:00 P.M. - PRESENTATION/TESTIMONY

ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME MARK S. RADOWICH **DATE** 5-20-08

ADDRESS 462 Jackett Ct.

CITY Severna Park **STATE** Md. **ZIP** 21146

I/We wish to comment or inquire about the following aspects of this project:

☒ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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Brett Ripkin

From: Jamaica Kennon
Sent: Tuesday, June 24, 2008 7:21 AM
To: Brett Ripkin
Subject: FW: rt 50 bridge
Follow Up Flag: Follow up
Flag Status: Red

Brett,

Another comment on US 50.

Jamaica

From: Malcolm VanKirk [mailto:malcolmvankirk@yahoo.com]
Sent: Friday, June 20, 2008 6:23 PM
To: Jamaica Kennon
Subject: rt 50 bridge

I know it is a little late but has anyone ever thought of bringing the bridge all the way into ocean city at 9th street heading north bound on coastal highway. the bridge would have to be over land alittle but may help traffic enough by not having to cross coastal highway as it presently does at division street. Just a random thought.

thanks

Malcolm VanKirk
Sea Bay Hotel
Best Western Ocean City Hotel and Suites
410-524-6100(Office)
410-524-1619(Fax)
443-497-1468(cell)

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Mr. Malcolm VanKirk
Sea Bay Hotel
61st Street & Coastal Highway
Ocean City MD 21842

Dear Mr. VanKirk:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to your e-mail sent June 20th, 2008.

A new fixed-span bridge connecting at 9th Street was considering during the initial planning phase of the study. It was presented at the June 2006 Alternates Public Workshop as Alternative 6. The alternative was ultimately not retained for detailed study due to larger amounts of environmental impacts, higher residential and commercial displacements in Ocean City and West Ocean City and higher costs when compared to the other alternatives.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

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4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME BROOK YEARLEY **DATE** 5/20/08

ADDRESS 7821 CHELSEA ST.

CITY BALTIMORE **STATE** MD **ZIP** 21204

I/We wish to comment or inquire about the following aspects of this project:

If there is a new bridge built, It should be the least disruptive to residential/commercial

Alt. #4 MAKES (NO) sense — completely disrupts downtown —

Alt. 5A is the least disruptive —

Good luck — I enjoy being kept informed.

I am already on the mailing list.

☐ **Please add my/our name(s) to the mailing list.**

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Anthony G. Brown, *Lt. Governor*

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

M'. Brook Yearley
7821 Chelsea Street
Baltimore MD 21204

Dear M' Yearley:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your comment opposing Alternative 4 and support for Alternative 5A has been noted.

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Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS

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4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME TIM CURETON **DATE** 5-22-08

ADDRESS 116 CRESCENT HOLLOW DR.

CITY SEWELL **STATE** NJ **ZIP** 08080

I/We wish to comment or inquire about the following aspects of this project:

I THINK ALTERNATIVE #4 WOULD BE THE BEST FOR TRAFFIC & NO BRIDGE OPENINGS

☒ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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Anthony G. Brown, *Lt. Governor*

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Mr. Tim Cureton
1524 Teal Drive
Ocean City MD 21842

Dear Mr. Cureton:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for Alternative 4 has been noted

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Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

Draft

WO419A11
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4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME David Marc **DATE** 5/22/08

ADDRESS 6151 Old Washington Rd.

CITY Elkridge **STATE** MD **ZIP** 21075

I/We wish to comment or inquire about the following aspects of this project:

It is assumed that Alternatives 4, 5 and 5A would maintain the approach spans to old bridge and require removal of the draw span to allow free flow of high mast maritime traffic through the old bridge, other wise it would not be economically practical if the City has to maintain and operated the old draw span. Was there any thought on Alternative 2 Rehabilitation in conjunction with an expansion of the Route 90 Bridge?

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Anthony G. Brown, *Lt. Governor*

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Mr. David Marc
6151 Old Washington Road
Elkridge MD 21075

Dear Mr. Marc:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

Your comment regarding the operation and maintenance of the "old" draw span has been noted. The US 50 Bridge over Sinepuxent Bay is one of thirteen movable bridges built between 1916 and 1950 that has been included in the State Highway Administration's (SHA) Historic Bridge Inventory. In July 2001, SHA and the Maryland Historical Trust (MHT) determined the US 50 Bridge over Sinepuxent Bay to be eligible for inclusion in the National Register of Historic Places; therefore, removal of any part of the bridge is not under consideration at this time.

Your comment regarding the operation and maintenance of the "old" draw span has been noted. The US 50 Bridge over Sinepuxent Bay is one of thirteen movable bridges built between 1916 and 1950 that has been included in the State Highway Administration's (SHA) Historic Bridge Inventory. In July 2001, SHA and the Maryland Historical Trust (MHT) determined the US 50 Bridge over Sinepuxent Bay to be eligible for inclusion in the National Register of Historic Places; therefore, removal of any part of the bridge is not under consideration at this time.

You asked a question regarding the expansion of the MD 90 Bridge. The purpose of the US 50 Crossing Project Planning Study is to develop a transportation solution that improves upon the structural, operational and safety deficiencies associated with the existing bridge; therefore, improvements to the bridge are needed because of structural deficiency, not because of capacity. Even if improvements were made to MD 90, SHA would still be required to analyze alternatives for the bridge.

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

Another reason the widening of MD 90 has not been included in this study is due to funding. The widening of MD 90 is currently not funded for Project Planning. Funding must be identified for Project Planning, Final Design, Right-of-Way Acquisition (ROW) and Construction before the project can be evaluated. Each year, elected officials from each county in Maryland meet with SHA to discuss their roadway improvement priorities. The counties then present a letter to SHA, which contains their top highway priorities, for Planning, Design, ROW, and Construction, that they would like to see included in Maryland's Consolidation Transportation Program (CTP). The CTP is the State's six-year capital budget for transportation projects. Working together with Maryland's citizens, local jurisdictions and local delegations, projects are added to the CTP, which enhance transportation services and opportunities throughout the State.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

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US 50
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ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME LOUIS STAMBONI **DATE** 5/22/08

ADDRESS 109 WINDSOR CIRCLE

CITY OCEAN ISLE BEACH **STATE** NC **ZIP** 28469

I/We wish to comment or inquire about the following aspects of this project:

☐ **Please add my/our name(s) to the mailing list.**

☒ **Please delete my/our name(s) from the mailing list.**

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4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME DAVID + SUSAN NIGGEL **DATE** 5-23-08

ADDRESS 22 ST. LOUIS AVE

CITY OCEAN CITY **STATE** MD **ZIP**

I/We wish to comment or inquire about the following aspects of this project:

Home Address: DAVID + SUSAN NIGGEL
2576 STATE ST.
EAST PETERSBURG, PA. 17520

WE VOTE FOR 5 + 5A.

☒ **Please add my/our name(s) to the mailing list.**

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Mr. David and Susan Niggel
2576 State Street
East Petersburg PA 17520

Dear Mr. and Mrs. Niggel:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for Alternative 5 and Alternative 5A has been noted

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

No reply

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4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME RESIDENT **DATE** 5/24/08

ADDRESS P.O. BOX 7244

CITY THORNDALE **STATE** PA **ZIP** 19372-0244

I/We wish to comment or inquire about the following aspects of this project:

IT SOUNDS / LOOKS LIKE A WONDERFUL PROJECT,
BUT I DON'T NEED TO KNOW ABOUT IT
NOR DOES PUBLIC FUNDING NEED TO BE SPENT
TO TELL ME.
SINCERELY

(?) I'M FOR ALTERNATIVE #5! SOUTH PARALLEL BRIDGE 30' HIGH DRAW SPAN; HAS A LESS IMPACT ON BAY AND WATERBIRD COLONY!!! (?)

P.S. READ THE REST OF THE BROCHURE; WAIT A SECOND WHAT ABOUT THE STUDY ON TURTLES IN THE AREA ??? AND THE STATE ENDANGERED ROYAL TERN ???

☐ **Please add my/our name(s) to the mailing list.**

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MAKE SURE YOU GUYS DON'T MESS THINGS UP!!!

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

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4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Richard and Lisa Bayles **DATE** 5-26-08

ADDRESS 12239 Green Ridge Lane

CITY Ocean City **STATE** Md. **ZIP** 21842

I/We wish to comment or inquire about the following aspects of this project:

We prefer the Alternate 5A - North Parallel Solution primarily because it has less environmental impact and eliminates fewer homes and businesses. One one question is could a fixed span be used here to stop the disruption of lifting the span for boat traffic?

☐ **Please add my/our name(s) to the mailing list.**

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Anthony G. Brown, *Lt. Governor*

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Mr. Richard & Lisa Bayles
12239 Green Ridge Lane
Ocean City MD 21842

Dear Mr. Bayles:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

Your support for Alternative 5A has been noted. You asked if Alternative 5A could have a fixed span. Alternative 5A could not have a fixed span because a fixed span would require the bridge to be a height of 45 feet instead of 30 feet over the channel. This additional height would require the bridge to be longer and it would also require ramps that tie into Ocean City similar to what is being proposed in Alternative 4 Modified. In addition, a fixed span bridge would have to be built in a different location, further away from the existing bridge and the location that is proposed by Alternative 5A.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME NATALE & LUISA CAMINITI **DATE** MAY 26 -2008

ADDRESS 2009 BALLOWS WAY

CITY SILVER SPRING **STATE** MD **ZIP** 20906

I/We wish to comment or inquire about the following aspects of this project:

AS PROUD OWNER OF A SINGLE HOUSE AT 203 2ND ST, O.C. MD, MY WIFE AND I ARE REALLY APPRECIATIVE OF THE FACT THAT IN CONSIDARATION OF A NEED TO IMPROVE TRAFFIC PATTERN IS IN THE STUDY AND POTENTIALLY IMPROVEMENTS WILL BE BROUGHT TO DOWNTOWN O.C. MD. HOWEVER WE OUGHT VOICE OUR OPINION FIRST AS TAXPAYER AND EQUALLY SO AS HOMEOWNERS, WE VEHEMENTLY OPPOSE TO THE ALTERNATIVE 4 MODIFIED; FIXED SPAN BRIDGE 45' HIGH. THIS IS THE WORST IDEA OF ALL; THIS PLAN SHOULD NOT EVEN BE DISCUSSED, WHOSE IDEA IS THIS THAT WILL DESTROY THE ENTIRE NEIGHBORHOOD BY BOX IT IN WITH DEAD END STREETS?, UNLESS YOU ARE PROMOTING MORE CRIME, MORE TRASH, MORE COSTLY, ETC. ETC NOT TO MENTION THE OBSTRUCTION THAT A MONSTER OF BRIDGE WILL BRING TO THE VIEW, ONE LOWER BRIDGE THAT WILL BE A DRAW ANYWAY, IF YOU CONSIDER BOATS! AND ONE TALLER BRIDGE BESIDE THAT. WITH OUR ADVANCED THANKS TO ACCEPT OUR OPINION. SINCERELY Natale Caminiti Luisa Caminiti

☐ **Please add my/our name(s) to the mailing list.**

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Anthony G. Brown, *Lt. Governor*

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Mr. Natale and Luisa Caminiti
2009 Ballows Way
Silver Spring MD 20906

Dear Mr. and Mrs. Caminiti:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your opposition to Alternative 4 has been noted

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cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME **DATE** 5/26/08

Mr. Gerald H. Matson
Unit 504
18800 Navy Page Lane
Berlin, MD 21811

ADDRESS _____

CITY _____ **STATE** _____ **ZIP** _____

I/We wish to comment or inquire about the following aspects of this project:

_____

☒ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

*** Persons who have received a copy of this brochure through the mail are already on the project mailing list.**

STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
PROJECT PLANNING STUDY

THURSDAY, MAY 29, 2008
6:00 P.M. - MAPS/DISPLAYS AVAILABLE
7:00 P.M. - PRESENTATION/TESTIMONY

ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Bethany Gunther **DATE** 5/27/08

ADDRESS 957 Burdette Drive

CITY Downingtown **STATE** PA **ZIP** 19335

I/We wish to comment or inquire about the following aspects of this project:

I am unable to attend the public meeting but I would like to receive updates + progress reports on the project. I own a second home in Ocean City and am very interested in this project.

Please add me to the mailing list.

Thank you

☑ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

WO419A11
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US 50
PROJECT PLANNING STUDY

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ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Stephen Pilley **DATE** 5/28/08

ADDRESS 1907 Marlin Drive

CITY Ocean City **STATE** MD **ZIP** 21842.

I/We wish to comment or inquire about the following aspects of this project:

North Powell Alternative 5A appears to be the least disruptive on multiple levels. I am concerned that the South 5 Alternative disrupts access to a marina in W. OC & facilities at the Talbot Street Pier.

A suggestion for 5A is to obtain development rights for more of the concrete plant (which is already planning on moving) to allow the displaced businesses and residents the option to "swap" or purchase property to replace what is being displaced.

If, after this current round of comment, 5A appears the more likely option, the state should move to purchase the concrete property now before development, and not wait 5 plus years.

☐ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Mr. Stephen Pulley
1907 Marlin Drive
Ocean City MD 21842

Dear Mr. Pulley:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for Alternative 5A has been noted.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

US 50 CROSSING STUDY Ocean City

US 50 CROSSING STUDY SURVEY

The purpose of this study is to develop an alternative that will improve upon the structural, operational and safety problems associated with the existing bridge.

On a scale from 1 to 5, how do you view each alternative? (circle one)

	1 - Very Negative				5 - Very Positive
- Alternative 1: No Build	1	2	3	4	5
- Alternative 2: Rehabilitation	1	2	3	4	5
- Alternative 4: Fixed Span Bridge OVER EXISTING BR	1	2	3	4	5
- Alternative 5: South Parallel Bridge	1	2	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

BUILD NEW BRIDGE OVER PRESENT BRIDGE. TREMENDOUS DAMAGE DUE BRIDGE NO INTERRUPTION FOR TRAFFIC. NO EXISTING PROPERTY LOST & NO LOSS IN TAXES

Regarding the Alternatives, which aspects concern you the most? Why?

LOSS LOSING TAX REVENUE

On a scale from 1 to 5, how do you view each alternative? (circle one)

A. Impacts on homes **B. Impacts on businesses**

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction **E. Impacts on community character**

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

IT'S GOING TO COST US NO MATTER WHAT WE DO

Comments:

US 50 CROSSING STUDY Ocean City

US 50 CROSSING STUDY SURVEY

The purpose of this study is to develop an alternative that will improve upon the structural, operational and safety problems associated with the existing bridge.

On a scale from 1 to 5, how do you view each alternative? (circle one)

	1 - Very Negative				5 - Very Positive
- Alternative 1: No Build	1	2	3	4	5
- Alternative 2: Rehabilitation	1	2	3	4	5
- Alternative 4: Fixed Span Bridge	1	2	3	4	5
- Alternative 5: South Parallel Bridge	1	2	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

Alternative 4 – Smoother - consistent traffic flow

Regarding the Alternatives, which aspects concern you the most? Why?

No Build – too many problems not to build.

On a scale from 1 to 5, how do you view each alternative? (circle one)

A. Impacts on homes **B. Impacts on businesses**

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction **E. Impacts on community character**

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

Comments:

US 50 CROSSING STUDY SURVEY

The purpose of this study is to develop an alternative that will improve upon the structural, operational and safety problems associated with the existing bridge.

On a scale from 1 to 5, how do you view each alternative? (circle one)

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- Alternative 4: Fixed Span Bridge	1	2	3	4	5
- Alternative 5: South Parallel Bridge	1	2	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

#2

Regarding the Alternatives, which aspects concern you the most? Why?

#4 too costly + large

On a scale from 1 to 5, how do you view each alternative? (circle one)

A. Impacts on homes **B. Impacts on businesses**

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction **E. Impacts on community character**

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

Comments:

US 50 CROSSING STUDY Ocean City

US 50 CROSSING STUDY SURVEY

The purpose of this study is to develop an alternative that will improve upon the structural, operational and safety problems associated with the existing bridge.

On a scale from 1 to 5, how do you view each alternative? (circle one)

	1 - Very Negative				5 - Very Positive
- Alternative 1: No Build	1	2	3	(4)	5
- Alternative 2: Rehabilitation	1	2	3	4	(5)
- Alternative 4: Fixed Span Bridge	(1)	2	3	4	5
- Alternative 5: South Parallel Bridge	1	(2)	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	(3)	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

I favor alternative 2 because of the cost and the least impact.

Regarding the Alternatives, which aspects concern you the most? Why?

The aspects that concern me the most are, for alternative 4 especially, the impacts on the environment, homes, businesses and the community character and cost.

On a scale from 1 to 5, how do you view each alternative? (circle one)

A. Impacts on homes **B. Impacts on businesses**

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction **(E.) Impacts on community character**

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

Beautification of the Gateway into Ocean City - Enhancement of the existing park.

Comments:

Not matter what is done, during a few weeks out of the year thousands of cars are coming onto an island with two-three lane highways. There is only so much room. What is the rush to get them →

US 50 CROSSING STUDY Ocean City

US 50 CROSSING STUDY SURVEY

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On a scale from 1 to 5, how do you view each alternative? (circle one)

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- Alternative 4: Fixed Span Bridge	1	2	3	4	5
- Alternative 5: South Parallel Bridge	1	2	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

Alternative 2 — Cost, Impacts

Regarding the Alternatives, which aspects concern you the most? Why?

Cost

On a scale from 1 to 5, how do you view each alternative? (circle one)

A. Impacts on homes **B. Impacts on businesses**

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction **E. Impacts on community character**

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

A Gateway to Ocean City. needs work.

Comments:

TAXES IN THIS STATE ARE TOO HIGH, THIS PROJECT (ALT. 4) will only add to my tax Bill.

US 50 CROSSING STUDY Ocean City

US 50 CROSSING STUDY SURVEY

The purpose of this study is to develop an alternative that will improve upon the structural, operational and safety problems associated with the existing bridge.

On a scale from 1 to 5, how do you view each alternative? (circle one)

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- Alternative 2: Rehabilitation	1	2	3	4	5
- Alternative 4: Fixed Span Bridge	1	2	3	4	5
- Alternative 5: South Parallel Bridge	1	2	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

No DRAW BRIDGE

Regarding the Alternatives, which aspects concern you the most? Why?

TAX IMPACT

On a scale from 1 to 5, how do you view each alternative? (circle one)

3 **A. Impacts on homes** 4 **B. Impacts on businesses**

5 **C. Impacts on the natural environment (wetlands, the bay, etc.)**

1 **D. Impacts during construction** **E. Impacts on community character**

2 **F. Impacts to pedestrians/bicyclist/fisherman**

Do you have any ideas for aesthetic enhancements for this project?

Comments:

WHY NOT COME DOWN ROUTE 707 AND CROSS OVER HIGH (WITH NO DRAW) TO THE INLET?

US 50 CROSSING STUDY SURVEY

The purpose of this study is to develop an alternative that will improve upon the structural, operational and safety problems associated with the existing bridge.

On a scale from 1 to 5, how do you view each alternative? (circle one)

	1 - Very Negative				5 - Very Positive
- Alternative 1: No Build	1	2	3	4	5
- Alternative 2: Rehabilitation	1	2	3	4	5
- Alternative 4: Fixed Span Bridge	1	2	3	4	5
- Alternative 5: South Parallel Bridge	1	2	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

5 or 5A – least amount of loss of property.

Regarding the Alternatives, which aspects concern you the most? Why?

4 Relocation of entrance to O.C. and excessive loss of property

On a scale from 1 to 5, how do you view each alternative? (circle one)

A. Impacts on homes **B. Impacts on businesses**

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction **E. Impacts on community character**

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

Comments:

US 50 CROSSING STUDY SURVEY

The purpose of this study is to develop an alternative that will improve upon the structural, operational and safety problems associated with the existing bridge.

On a scale from 1 to 5, how do you view each alternative? (circle one)

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- Alternative 4: Fixed Span Bridge	1	2	3	4	5
- Alternative 5: South Parallel Bridge	1	2	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

5A makes the best use of ord is most accessable for biking, fishing, etc also displaces the fewest properties. Negative is the drawbridge.

4 seems to displace less + fixed span is great (But old bridge will not be used too for gunny)

Regarding the Alternatives, which aspects concern you the most? Why?

Time .... We needed it a few years ago; not your fault though

On a scale from 1 to 5, how do you view each alternative? (circle one) Huh?

A. Impacts on homes **B. Impacts on businesses**

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction **E. Impacts on community character**

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

Areas for shade on old bridge, planters + benches, low maintenance stuff

Comments:

US 50 CROSSING STUDY Ocean City

US 50 CROSSING STUDY SURVEY

The purpose of this study is to develop an alternative that will improve upon the structural, operational and safety problems associated with the existing bridge.

On a scale from 1 to 5, how do you view each alternative? (circle one)

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- Alternative 5: South Parallel Bridge	(1)	2	3	4	5
- Alternative 5a: North Parallel Bridge	(1)	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

After the Bridge Repairs this Winter and the expected Completion next Winter We Should be good for many, many years. our Bridge is Structurally Strong and Affords Fisherman, Walkers & Bikers Complete access

Regarding the Alternatives, which aspects concern you the most? Why?

None of the Alternatives 4, 5 or 5A will Allow increased traffic All They will Do is Disrupt our city. How about making Route 90 4 Lanes

On a scale from 1 to 5, how do you view each alternative? (circle one)

A. Impacts on homes **B. Impacts on businesses**

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction **E. Impacts on community character**

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

Comments:

Listed Above

US 50 CROSSING STUDY SURVEY

The purpose of this study is to develop an alternative that will improve upon the structural, operational and safety problems associated with the existing bridge.

On a scale from 1 to 5, how do you view each alternative? (circle one)

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- Alternative 5: South Parallel Bridge	1	2	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

5A: LEAST IMPACT ON EXISTING RESIDENTIAL PROPERTIES.

Regarding the Alternatives, which aspects concern you the most? Why?

EXPENDING TODAY'S DOLLARS FOR LONG-TERM, FINANCIALLY-SENSIBLE BENEFITS.

On a scale from 1 to 5, how do you view each alternative? ~~(circle one)~~

A. Impacts on homes B. Impacts on businesses

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction E. Impacts on community character

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

Comments:

US 50 CROSSING STUDY Ocean City

US 50 CROSSING STUDY SURVEY

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- Alternative 5: South Parallel Bridge	1	2	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

Regarding the Alternatives, which aspects concern you the most? Why?

On a scale from 1 to 5, how do you view each alternative? (circle one)

A. Impacts on homes **B. Impacts on businesses**

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction **E. Impacts on community character**

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

Comments:

US 50 CROSSING STUDY Ocean City

US 50 CROSSING STUDY SURVEY

The purpose of this study is to develop an alternative that will improve upon the structural, operational and safety problems associated with the existing bridge.

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- Alternative 5: South Parallel Bridge	1	2	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

#4 - NO CLOSURES - KEEPS TRAFFIC MOVING IN AND OUT OF TOWN - AVAILABLE TO EMERGENCY VEHICLES ANY TIME OF DAY OR NIGHT - ALLOWS CONSTANT FLOW IF EVACUATION IS NECESSARY

Regarding the Alternatives, which aspects concern you the most? Why?

On a scale from 1 to 5, how do you view each alternative? (circle one)

A. Impacts on homes **B. Impacts on businesses**

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction **E. Impacts on community character**

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

Comments:

US 50 CROSSING STUDY SURVEY

The purpose of this study is to develop an alternative that will improve upon the structural, operational and safety problems associated with the existing bridge.

On a scale from 1 to 5, how do you view each alternative? (circle one)

	1 - Very Negative				5 - Very Positive
- Alternative 1: No Build	1	2	3	4	5
- Alternative 2: Rehabilitation	1	2	3	4	5
- Alternative 4: Fixed Span Bridge	1	2	3	4	5
- Alternative 5: South Parallel Bridge	1	2	3	4	5
- Alternative 5a: North Parallel Bridge	1	2	3	4	5

Regarding the Alternatives, which aspect do you favor the most? Why?

Regarding the Alternatives, which aspects concern you the most? Why?

Displacement of homes and/or businesses

On a scale from 1 to 5, how do you view each alternative? (circle one)

A. Impacts on homes **B. Impacts on businesses**

C. Impacts on the natural environment (wetlands, the bay, etc.)

D. Impacts during construction **E. Impacts on community character**

F. Impacts to pedestrians/bicyclist/fisherman

Do you have any ideas for aesthetic enhancements for this project?

Comments:

STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS

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US 50
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4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Paul Chambers **DATE** 5-29-08

ADDRESS 12124 Conch Shell Rd

CITY Ocean City **STATE** MD **ZIP** 21842

I/We wish to comment or inquire about the following aspects of this project:

The birds on Skimmer Island could be relocated to another sanctuary that would be better suited for them. The Island is constantly changing due to storms, tides etc. A preserve further up the bay could be created to better protect them.

Without the concern for Skimmer Island, properties between 3rd + 4th Sts that are already owned by the local government could be utilized for bridge construction. A new bridge in that area would also allow an improved traffic flow.

☒ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

*** Persons who have received a copy of this brochure through the mail are already on the project mailing list.**

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

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Mr. Paul Chambers
12124 Conch Shell Road
Ocean City MD 21842

Dear Mr. Chambers:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

Your support for a new bridge and concerns regarding the birds on Skimmer Island have been noted. A Sand Migration Study was carried out by the SHA 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. The study indicated that the new bridge alternatives would only affect Skimmer Island and the sand migration patterns of the bay, in a very local vicinity of the new bridge. The overall conditions in the Sinepuxent Bay would continue and evolve in a manner similar to the No-Build Alternative.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

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

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Project or if we can be of any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
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ROLAND E. POWELL CONVENTION CENTER
OCEAN CITY, MD

PLEASE PRINT

NAME Shirley Chullin **DATE** 5/29/08

ADDRESS 9916 Golf Course Rd #54

CITY Ocean City **STATE** Md. **ZIP** 21842

I/We wish to comment or inquire about the following aspects of this project:

My concerns are the foot traffic coming and going over the bridge. I live close to the foot of the bridge in West O.C. I would like to see sidewalks on the West side of the Bridge.
Also the opening and closing of the existing bridge when the new bridge is built according to some of the plans presented.

☑ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Ms. Shirley Chullin
9916 Golf Course Road #54
Ocean City MD 21842

Dear Ms. Chullin:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

You wrote that you were concerned about foot traffic coming and going over then bridge. An aspect of the purpose and need of the US 50 Crossing Study is to provide a safer pedestrian crossing of the bridge. All of the alternatives under consideration will address the need to safely accommodate pedestrians.

Your comment regarding the operation and maintenance of the "old" draw span has been noted. The US 50 Bridge over Sinepuxent Bay is one of thirteen movable bridges built between 1916 and 1950 that has been included in the State Highway Administration's (SHA) Historic Bridge Inventory. In July 2001, SHA and the Maryland Historical Trust (MHT) determined the US 50 Bridge over Sinepuxent Bay to be eligible for inclusion in the National Register of Historic Places; therefore, removal of any part of the bridge is not under consideration at this time.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

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

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Project or if we can be of any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
PROJECT PLANNING STUDY

THURSDAY, MAY 29, 2008
6:00 P.M. - MAPS/DISPLAYS AVAILABLE
7:00 P.M. - PRESENTATION/TESTIMONY

ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Brian McCarthy **DATE** 5/29

ADDRESS 501 N Baltimore Ave

CITY Ocean City **STATE** MD **ZIP** 21842

I/We wish to comment or inquire about the following aspects of this project:

Any elimination of on street parking on 15th St. from Baltimore and Philadelphia Ave

Alternative 4

☐ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

*** Persons who have received a copy of this brochure through the mail are already on the project mailing list.**

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OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME _____ **DATE** _____

ADDRESS _____

CITY _____ **STATE** _____ **ZIP** _____

I/We wish to comment or inquire about the following aspects of this project:

_____

_____

_____

_____

RESIDENT
1216 CAMDEN AVE
SALISBURY, MD 218016834

☐ **Please add my/our name(s) to the mailing list.**

☒ **Please delete my/our name(s) from the mailing list.** THANK YOU

*** Persons who have received a copy of this brochure through the mail are already on the project mailing list.**

LAW OFFICES
WILLIAMS, MOORE, SHOCKLEY & HARRISON, L.L.P.
UNIT 6
11310 MANKLIN CREEK ROAD
BERLIN, MARYLAND 21811
(410) 641-8080
TELEFAX (410) 641-8282
MAILING ADDRESS:
P.O. BOX 1530
BERLIN, MARYLAND 21811

MARCUS J. WILLIAMS (1923-1995)
JOSEPH E. MOORE
RAYMOND C. SHOCKLEY
JOSEPH G. HARRISON, JR.
J. RICHARD COLLINS
REGAN J.R. SMITH
BRIAN D. SHOCKLEY

CHRISTOPHER T. WOODLEY

MAIN OFFICE
3509 COASTAL HIGHWAY
OCEAN CITY, MD 21842
(410) 289-3553
TELEFAX (410) 289-4157

MAILING ADDRESS:
P.O. BOX 739
OCEAN CITY, MD 21843

May 29, 2008

Jamaica,
Please include
in the comments
& prepare a
response.
Thanks.

Mr. Raja Veeramachaneni, Director
Office of Planning and Preliminary Engineering
Maryland State Highway Administration
707 North Calvert Street
Mailstop C-411
Baltimore, Maryland 21202

Re: Ocean City Bridge Project

Dear Mr. Veeramachaneni:

I represent many landowners on the Southern side of the Ocean City terminus of the Route 50 bridge.

I have previously written you a letter, a copy of which is enclosed for your review, outlining what I believe were some of the issues involved. Once again, I am writing to ask you to consider some of these alternatives in your review of the Route 50 bridge project.

If in fact there is not going to be a new six-lane bridge with a 45-foot span over the channel, it would seem to me that the alternative would be to simply rehabilitate the Route 50 bridge where it exists with the following improvements and considerations. The other options do not change the traffic patterns nor do they alleviate the need for draw span openings, or the stop lights at the foot of the bridge.

Utilizing the existing 55-foot roadway, the state could have two inbound and two outbound lanes along with an outbound shoulder or emergency vehicle lane by eliminating the existing sidewalks on the bridge. This would alleviate both the pedestrian and bicyclist/vehicular

traffic problems that arise as well as eliminate the fishermen from the existing structure, which often presents a hazard in crossing the bridge as well as in parking on bridge approaches and hanging their lines over travel portions of the roadway prior to casting.

While this would continue to present some traffic issues in entering and exiting in Ocean City, because of the traffic lights and bridge openings it would allow an emergency vehicle lane with the fifth lane/shoulder on the outbound side as well as improve the outflow of traffic if that lane were used during peak exit times on Saturdays and Sundays. There would still be backups on the inbound lanes on all the available options however, if there is not a consensus, or the political will to build a 45-foot span and eliminate the draw span. These problems will not disappear with any of the proposals contained within the current study plan.

Additionally, pedestrian, bicycle, and fishing traffic could be directed to a separate walking structure on the north side of the existing Route 50 bridge, as you currently have with the Verranzano Bridge on Assateague. This would allow the fishermen and pedestrians unobstructed, and far safer, access to the waters that they desire as well as improve the use of the westside beach parking lot for both bicycle and pedestrian traffic. The fishermen could also be accommodated on this structure or by placing separate fishing platforms on the north side of the Route 50 bridge with their own walkway as well as crossovers underneath the bridge to fishing platforms on the southern side of the bridge. This would eliminate the constant pedestrian traffic across the travel portion of the bridge and eliminate many of the hazards to both the fishermen and the drivers as it relates to their combined use of the bridge.

The advantage of this alternate 2A would be (1) improved safety for pedestrians as well as automobile use; (2) improvement of the evacuation potential for Ocean City; (3) no impact to existing landowners and businesses; (4) significant dollar savings in achieving the same goals as would be in most of the proposals in the current study; and (5) there would be very minimal environmental impact on the surrounding waterways and neighboring islands that are of concern with most of the proposals. I would suggest reviewing this with Worcester County's Traffic Consultant, Wes Guckert of the Traffic Group, to obtain his opinion as to whether this is a viable alternative.

Phase II. In addition to analyzing the issues with the existing Route 50 bridge, State Highway needs to review the possibility of expanding Route 90 to its full four-lane potential to provide additional ingress and egress into Ocean City.

Currently 75 percent of Ocean City's traffic (all those people north of 33rd Street) is directed to use Route 90 which contains one inbound and one outbound lane. This single lane situation results in multiple traffic issues on the busiest days because of stop and go traffic that does occur. An accident results in a significant tie-up because it eliminates traffic in one of the

lanes, if not both. By dualizing Route 90 and by eliminating the light at the current Isle Of Wight crossover, you would eliminate most of the backup issues and could direct traffic onto Route 90 on and off Coastal Highway with flyovers at the existing Route 90 and Coastal Highway location. This would be a far better use of our resources as it would also significantly improve the egress to Ocean City in the event of natural disaster/hurricane evacuation situations.

Please feel free to call if you have any questions.

Sincerely,

Regan J. R. Smith

cc: Mr. Greg Shockley
Mr. Donnie Drewer

Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

SHA State Highway Administration
Driven to Excel
Maryland Department of Transportation

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

November 8, 2006

Mr. Regan J.R. Smith
Law Offices
Williams, Moore, Shockley & Harrison, L.L.P.
P.O. Box 1530
Berlin, Maryland 21811

Dear Mr. Smith:

Thank you for your letter concerning the US 50 Crossing Study. The State Highway Administration (SHA) appreciates your interest in the study. Your support for Alternative 2 – Rehabilitation and Alternative 4 – 1st Street Connection has been noted.

Your suggestion to widen the MD 90 Bridge has also been noted. However, widening the MD 90 Bridge is not in the State's Transportation Plan at this time.

In your letter, you stated, "none of the plans that replaced the bridge with a thirty foot span would be any improvement." However, a mast height survey conducted for this study indicated that, approximately 75% of the boats that crossed the bridge had a mast height of 30' or under. The current height of the US 50 Bridge is 15'. Less than 7% of all boats had a mast height of 20' or below. Therefore, the alternatives with a 30' bascule will have substantially less draw span openings than the existing US 50 Bridge.

Currently, we are preparing a newsletter to give an update on the study including the alternatives recommended to be retained for further study. The next step in our study process is to receive concurrence on the Alternatives Retained for Detailed Study (ARDS) from the environmental resource agencies.

Following concurrence on the ARDS, the study will move into the next stage of studies. During the next stage of studies, detailed engineering and environmental analysis will be completed and a draft environmental document will be prepared. In detailed engineering, all alternatives will be studied to ensure that flooding will not be an issue. Two formal meetings are tentatively scheduled, an Informational Meeting in Spring 2007 and a Location/Design Public Hearing in Winter 2007/2008.

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

Again, thank you for your input in this study. If you have any comments, please contact the Project Manager, Ms. Sue Rajan at 410-545-8514. She can be reached toll free at 1-800-548-5026 or via email at srajan@sha.state.md.us.

Very truly yours,

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

By: Sue Rajan for
Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manger, SHA
Mr. Donnie Drewer, District Engineer, SHA
Mr. Scott Holcomb, Gannet Fleming
Ms. Sue Rajan, Project Manager, SHA

FILE COPY

October 23, 2006

State Highway Administration Office
of Planning and Preliminary Engineering
Attn: Sue Rajan, Project Manager
Mail Stop: C-301, Box 717
Baltimore, MD 21203-0717

Re: Route 50 Bridge Replacement – Ocean City, Maryland

Dear Ms. Rajan:

My family owns much of the property just to the south of the Route 50 Bridge, fronting on the bay, which would be affected by many of the proposals set forth at your meeting of June 1st and June 2nd at the Powell Convention Center.

I noticed recently that you have dropped Alternate Six from the Proposal which leaves only one alternative (Number Four) which would actually eliminate a draw span with a forty-five (45) foot fixed span bridge.

It is important to look at how traffic enters Ocean City when you are considering what to do with the Route 50 Bridge. There are essentially three ways to get in and out of Ocean City: (1) Across Route 54 (the least desirable route); (2) across Route 90, a two-lane divided highway, except for the bridge sections, which has a single light on the Isle of Wight in the center of the bridge and an additional light at its terminus on Coastal Highway at 62nd Street; and (3) is the four-lane dual highway coming in on Route 50 which has significant stop-lights on the west side of the Bridge at its approach, and enters into Ocean City at the Philadelphia Avenue light and then continues on to the Baltimore Avenue light and additional lights moving north on Baltimore Avenue. While Baltimore Avenue is a three-lane road in some points because of the bus traffic and delivery vehicles, it is essentially a two-lane road for purposes of getting in and out of town.

At the intersection of Route 90 and Route 50, just West of that, are signs that indicate that all traffic entering Ocean City for points north of 33rd Street, should use Route 90, which essentially diverts 75% of the in-bound population (those that live or reside north of 33rd Street) onto a single in-bound lane which does create a rolling back-up on peak travel days. Route 50, however, gets backed up significantly more due to the additional lights, draw span and the congestion in downtown Ocean City.

It would seem to me that one of the alternatives that has not been considered is to divert additional traffic onto Route 90, by creating a four-lane dualized road with two additional bridges on State Highway right-of-way that is already owned. More importantly, this would double the volume of that hurricane evacuation route in the event we did have a major storm, and allow a quick flush of traffic and population off the island across Route 90, diverting all four lanes westbound to a point just east of its intersection with Route 50. In conjunction with that, the project could involve the rehabilitation of the Route 50 Bridge structure where it is, without the condemnation or taking of additional properties, and with some improvements, such as a bike lane and improved pedestrian lane providing additional safety for pedestrian traffic.

While many complain that this would still require the two Route 50 bridge openings per hour, none of the plans that replaced the bridge with a thirty foot span would be any improvement. The peak traffic days coincide with the peak fishing days, so the fishing traffic requiring the bridge to open as a thirty-foot span would require just as many openings on those peak days as the current arrangement, and, therefore, would not improve traffic flow to any great measure. The only alternatives that would provide a smoother entry into Ocean City are Alternative Six, which was eliminated for obvious reasons, and the other alternatives that provide for a forty-five foot span and eliminates some of the traffic lights, but would also cause severe disruption to many homes and businesses within the downtown area or West Ocean City.

It would seem the best spent money would be Alternative Two, which is rehabilitation of the existing bridge and focusing the efforts and expense on the dualization of the Route 90 Bridge which provides significant traffic relief and improvements that are sorely needed to insure the safe flow of emergency vehicle traffic in and out of Ocean City on a daily basis, and also to allow a much better hurricane evacuation plan and superior traffic flow for Ocean City.

One thing that is certain is there will always be a significant amount of traffic in Ocean City on peak summer days, and no amount of bridge work is going to make that traffic move any smoother or faster when they are all trying to get to an island that is only ten and one-half miles long, and several hundred yards wide.

Please call me with any comments or considerations.

Sincerely,

Regan J. R. Smith

Cc: James Mathias
Norman Conway
J. Lowell Stoltzfus

Copies mailed to:

James Mathias
Teal Drive
Ocean City, MD 21842

Delegate James Mathias
Lowe Office Building
84 College Avenue
Annapolis, MD 21401-1991

Delegate Norman H. Conway
Lowe Office Bldg. – Room 416
84 College Avenue
Annapolis, MD 21401-1991

Senator J. Lowell Stoltzfus
James Senate Office Bldg. – Rm. 423
110 College Avenue
Annapolis, MD 21401-1991

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

DRAFTED

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
PROJECT PLANNING STUDY

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ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME John W. Wright **DATE** _____

ADDRESS 1524 Teal Drive

CITY Ocean City, MD 21842 **STATE** _____ **ZIP** _____

I/We wish to comment or inquire about the following aspects of this project:

THE "FIXED SPAN" OPTION AT FIRST STREET SEEMS TO BE THE LOGICAL CHOICE DUE TO THE PROBLEMS ASSOCIATED WITH A "DRAW SPAN". COULD THE FIXED SPAN BRIDGE BE CONSTRUCTED PARALLEL TO THE EXISTING BRIDGE (NORTH SIDE)

THANKS

☐ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Mr. John W. Wright
1524 Teal Drive
Ocean City MD 21842

Dear Mr. Wright:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

Your support for Alternative 4 Fixes Span Bridge has been noted. You asked if Alternative 4 could be constructed parallel to the existing bridge. Alternative 4 could not be parallel to the existing bridge similar to Alternative 5 or 5A because the fixed span bridge has to be built further away from the existing bridge than the location that is proposed by Alternative 5 or 5A.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

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

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can be of any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

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4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME TRACY RICHSTONE **DATE** 5/30/08

ADDRESS P.O. BOX 307

CITY O.C. **STATE** MD. **ZIP** 21843

I/We wish to comment or inquire about the following aspects of this project:

Your study has thus far failed to take into account:
(1) the traffic flow problems that exist on the O.C. side of the bridge. If there is no way to move the traffic once it hits O.C., this whole exercise is a waste of time and money.
(2) what effect the widening of the Rt. 90 bridge would have on traffic flow over the Rt. 50 bridge. the Rt. 90 bridge should be made 2 lanes in each direction and this project should be fast-tracked, regardless of the option chosen for the Rt. 50 bridge. No one wants to see homes or businesses displaced. Alternative #2 makes the most sense from a time and money viewpoint.

☐ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Ms. Tracy Richstone
P.O. Box 307
Ocean City MD 21843

Dear Ms. Richstone:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

Your comment supporting Alternative 2 Rehabilitation has been noted. Your concerns with traffic in Ocean City and you suggestion to widen MD 90 have been noted as well. The scope of this study did not include improvements to traffic in Ocean City. The purpose of the US 50 Crossing Study is to develop a transportation solution that improves upon the structural, operational and safety deficiencies associated with the existing bridge; therefore, improvements to the bridge are needed because of structural deficiency, not because of capacity. Even if improvements were made to MD 90, SHA would still be required to analyze alternatives for the bridge.

Another reason the widening of MD 90 has not been included in this study is due to funding. The widening of MD 90 is currently not funded for Project Planning. Funding must be identified for Project Planning, Final Design, Right-of-Way Acquisition (ROW) and Construction before the project can be evaluated. Each year, elected officials from each county in Maryland meet with SHA to discuss their roadway improvement priorities. The counties then present a letter to SHA, which contains their top highway priorities, for Planning, Design, ROW, and Construction, that they would like to see included in Maryland's Consolidation Transportation Program (CTP). The CTP is the State's six-year capital budget for transportation projects. Working together with Maryland's citizens, local jurisdictions and local delegations, projects are added to the CTP, which enhance transportation services and opportunities throughout the State.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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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Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

WO419A11
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US 50
CROSSING STUDY

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ROLAND E. POWELL CONVENTION CENTER
OCEAN CITY, MD

PLEASE PRINT

NAME DAVID E. SMITH **DATE** 30 MAY 2008
SHERYL J. SMITH
ADDRESS 104 5TH ST., UNIT #5B
CITY Ocean City **STATE** MD **ZIP** 21842

I/We wish to comment or inquire about the following aspects of this project:

Plan #4 would have a serious impact on those of us who are residents 9-10 months of the year and reside in buildings that were built prior to parking being a problem. Our building, Arnold Arms Condominium, was originally built in 1962 to provide family apartments for vacationers... in 1984-85 the property was purchased by East Coast Realty, and converted to 6-two bedroom 1 and ½ bath condos... Parking again was not an issue and was not addressed. Today we residents have to compete with visitors and vacationers for what few on street parking spaces that are left... Approx. 12 on our block. The majority of owners that would be impacted by Plan #4, are also retired Senior Citizens. It seems to me that the use of 4TH or 6TH Streets would have less resident parking impact..

☐ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Mr. David & Sheryl Smith
104 5th Street, Unit #5B
Ocean City MD 21842

Dear Mr. & Mrs. Smith:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your opposition to Alternative 4 and concerns with impacts to parking and impacts to senior citizens have been noted.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

Jamaica Kennon

From: Atlantic House Bed & Breakfast [innkeeper@atlantichouse.com]

Sent: Saturday, May 31, 2008 7:10 AM

To: Jamaica Kennon

Hi Jamaica, My name is Brian McCarthy I'm the owner of Atlantic House Bed & Breakfast @ 501 N Baltimore ave. I would like to express my dislike for proposal 4 the fixed span alternative because it will eliminate some parking on 5 th st which already has limited parking . I would prefer to widen the rt90 approach thank you
****

Atlantic House Bed & Breakfast
501 N Baltimore Ave
Ocean City , MD 18252
innkeeper@AtlanticHouse.com
www.AtlanticHouse.com
410-289-2333

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

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Atlantic House
Bed and Breakfast
501 N. Baltimore Avenue
Ocean City MD 21842

Dear Sir:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to your letter dated June 7, 2008.

Your concerns regarding a new US 50 Bridge, particularly the Alternative 4 Modified Fixed Span Bridge have been noted. Your suggestion to widen MD 90 has been noted as well. The purpose of the US 50 Crossing Study is to develop a transportation solution that improves upon the structural, operational and safety deficiencies associated with the existing bridge; therefore, improvements to the bridge are needed because of structural deficiency, not because of capacity. Even if improvements were made to MD 90, SHA would still be required to analyze alternatives for the bridge.

Another reason the widening of MD 90 has not been included in this study is due to funding. The widening of MD 90 is currently not funded for Project Planning. Funding must be identified for Project Planning, Final Design, Right-of-Way Acquisition (ROW) and Construction before the project can be evaluated. Each year, elected officials from each county in Maryland meet with SHA to discuss their roadway improvement priorities. The counties then present a letter to SHA, which contains their top highway priorities, for Planning, Design, ROW, and Construction, that they would like to see included in Maryland's Consolidation Transportation Program (CTP). The CTP is the State's six-year capital budget for transportation projects. Working together with Maryland's citizens, local jurisdictions and local delegations, projects are added to the CTP, which enhance transportation services and opportunities throughout the State.

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

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Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

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ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME William A. Clark **DATE** 5/31/08

ADDRESS 13030 Old Bridge Rd

CITY Ocean City **STATE** MD **ZIP** 21843

I/We wish to comment or inquire about the following aspects of this project:

Alternate 1 & 2 solve nothing - Alt 2 just postpones the inevitable. Options 5 & 5A really don't solve the problem either 1) you still have the draw to stop traffic (although less often due to increased height) 2) you still have to maintain the draw. 3) Most important the Southbound through traffic on Philadelphia Ave at grade stops traffic on the light cycles and slows things much more than the draw span. Alternate 4 is the only real solution to the traffic problem and although most expensive is the cheapest in the long run due to not having a draw span to maintain!

☐ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

*** Persons who have received a copy of this brochure through the mail are already on the project mailing list.**

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Mr. William Clark
13030 Old Bridge Road
Ocean City MD 21843

Dear Mr. Clark:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for Alternative 4 has been noted

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Project or if we can be of any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
PROJECT PLANNING STUDY

THURSDAY, MAY 29, 2008
6:00 P.M. - MAPS/DISPLAYS AVAILABLE
7:00 P.M. - PRESENTATION/TESTIMONY

ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Mr. Jim McGinniss, 1101 Philadelphia Ave, Ocean City, MD 21842-3746 **DATE** 31 MAY 08

ADDRESS _____

CITY _____ **STATE** _____ **ZIP** _____

I/We wish to comment or inquire about the following aspects of this project:

BUILD OVER THE EXISTING BRIDGE THEN DEMOLISH THE EXISTING BRIDGE. NO CHANGE IN TRAFFIC, NO LOST HOMES OR BUSINESSES. BIKE AND PEDESTRIANS UNCHANGED. JUST A CONSTRUCTION PROBLEM. IT CAN BE DONE SOONER THAN ANY OF THE OTHER ALTERNATIVES

☒ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Mr. Jim McGinnis
1101 Philadelphia Avenue
Ocean City MD 21842

Dear Mr. McGinnis:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

Your comments regarding construction of a new bridge over the existing bridge have been noted. A double-decker bridge was looked at early in the study, however, it was not feasible to accommodate the grades and space needed.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

drafted

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
PROJECT PLANNING STUDY

THURSDAY, MAY 29, 2008
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ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME D. Walter Madigosky **DATE** 1 June 2008

ADDRESS 10754 Kinloch Rd

CITY Silver Spring **STATE** MD **ZIP** 20903

I/We wish to comment or inquire about the following aspects of this project:

It appears to me that the only alternative that effectively makes a difference in the traffic pattern off the bridge is the modified alternative 4. Both 5, 5A and 2 still require a crossing of Philadelphia Ave (with the same back up which occurs now) whereas #4 crosses over Philadelphia Ave. The cost is higher but so are the benifits.

☒ **Please ~~add~~ keep my/our name(s) ~~to~~ on the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Dr. Walter Madigosky
10754 Kinlock Road
Silver Spring MD 20903

Dear Dr. Madigosky:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing. Your support for Alternative 4 has been noted

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Very truly yours,

By: Jamaica Kennon
Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

WO419A11
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ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Lynne C. Gillen **DATE** 6/2/08

ADDRESS P.O. Box 370 (owner Park Place Hotel - Btw 2nd & 3rd St)

CITY Ocean City **STATE** MD **ZIP** 21843

I/We wish to comment or inquire about the following aspects of this project:

In recent years the Downtown has gone thru a remarkable transformation. Our own hotel has a newly built hotel the "Breakers" on one side and the condo "Somerset" on the other. The Monte Carlo at 3rd St is also a recent addition. In the last few years, changes to the Downtown are so overall that enthusiasm for the bridge has changed — lets do route 90 instead!

We strongly recommend NOT using alternative 4 - which is between 2nd & 3rd St.

We can all wait to do it right!

☑ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

Lynne C. Gillen

*** Persons who have received a copy of this brochure through the mail are already on the project mailing list.**

P.S. enclosed is Photo of 3 Hotels (encl.) between 2nd & 3rd St

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Ms. Lynne Gillen
P.O. Box 370
Ocean City MD 21843

Dear Ms. Gillen:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

Your comment opposing Alternative 4 has been noted. Your suggestion to widen MD 90 has been noted as well. The purpose of the US 50 Crossing Study is to develop a transportation solution that improves upon the structural, operational and safety deficiencies associated with the existing bridge; therefore, improvements to the bridge are needed because of structural deficiency, not because of capacity. Even if improvements were made to MD 90, SHA would still be required to analyze alternatives for the bridge.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

Maryland Department of Transportation
STATE HIGHWAY ADMINISTRATION
Project Planning Division
Mail Stop C-301
P.O. Box 717
Baltimore, MD 21203

Martin O'Malley,
Governor

Anthony Brown,
Lieutenant Governor

John D. Porcari,
Secretary

Neil J. Pedersen,
Administrator

We have moved. Please change the address to:

Frederick R. Diehlmann, Jr.
Home address — 4020 Chaney Cove St.
Dunkirk, MD 20754

Frederick R Diehlmann Jr.

RESIDENT
6500 S OSBORNE RD
UPPER MARLBORO, MD 207723922

Ocean City address — 300-1 Somerset St.
Ocean City, MD 21842

3 '08JUN04 AM 11:04 IPP

printed on recycled paper

JUNE 3 2008
106 FIFTH STREET
OCEAN CITY, MD. 21842

DEAR MR. KENNON,

RE: ALTERNATIVE 4 MODIFIED — FIXED-SPAN BRIDGE

YOUR LOCATION/DESIGN BROCHURE, PROVIDED AT THE PUBLIC HEARING ON MAY 29 2008, DISCUSSES TRAFFIC PATTERNS RELATED TO ALTERNATIVE 4 MODIFIED.

THE PROPOSAL CONCERNING 5TH STREET PARKING ELIMINATION AND CREATION OF A LEFT TURN LANE AT MD 528 (PHILADELPHIA AVE) IS A POOR CHOICE WHEN COMPARED TO CHOOSING 3RD, 4TH, OR 6TH STREETS.

ON 5TH STREET BETWEEN MD 378 (BALTIMORE AVE) AND MD 528, A DISTANCE OF ONLY ONE CITY BLOCK, THERE ARE A NUMBER OF CONDITIONS THAT CONCERN THE PROPOSAL. MOST IMPORTANT TO 5TH STREET RESIDENTS IS THE PROPOSAL TO ELIMINATE PARKING IN THAT BLOCK AND TO INCREASE TRAFFIC. IN THAT ONE BLOCK, 11 APARTMENTS FRONT ON 5TH STREET, AND BEING OLD BUILDINGS NOT ONE HAS A PARKING SPACE. THERE IS ALSO AN OLDER BED + BREAKFAST INN WITH 12 UNITS AND IT HAS ONLY 2 PARKING SPACES. THE FEW PARKING SPACES CURRENTLY IN THIS BLOCK ARE VIED FOR BY THE RESIDENTS AND OVERFLOW CARS FROM THE 32 UNIT AMBASSADOR MOTEL WHICH IS ALSO SQUEEZED INTO THIS BLOCK. ANY REDUCTION OF PARKING WITHIN THIS BLOCK WILL SERIOUSLY BURDEN THE RESIDENTS OF 5TH STREET. THE COMPARABLE BLOCKS ON 3RD, 4TH, OR 6TH STREETS DO NOT HAVE EVEN 1 UNIT WITHOUT PARKING AND HAVE NO MOTELS.

OTHER CONDITIONS THAT CONCERN THE PROPOSAL FOR A 5TH STREET LEFT TURN LANE ARE AS FOLLOWS. WITHIN 25 FEET OF THE INTERSECTION PROPOSED FOR THE LEFT TURN LANE IS THE ENTRANCE/EXIT OF THE AMBASSADOR MOTEL. MANY PROSPECTIVE CUSTOMERS COME SOUTH ON MD. 528 (PHILADELPHIA AVE), TURN LEFT (EAST) ONTO 5TH STREET AND IMMEDIATELY TURN LEFT AGAIN (NORTH) INTO THE MOTEL PARKING LOT. GUESTS EXITING THAT MOTEL AT THE SAME DRIVEWAY CAN GO EAST OR WEST ON 5TH STREET OR EVEN SOUTH ON MD. 528. DIRECTLY ACROSS 5TH STREET AND CONNECTED TO THE VERY SAME SPOT IS THE PUBLIC DRIVEWAY ENTRANCE/EXIT FOR THE POST OFFICE. FINALLY, ADDED TO ALL OF THIS IS ANOTHER ENTRANCE/EXIT IN THE 5TH STREET BLOCK, FOR TRUCKS THAT TRANSFER MAIL DAY AND NIGHT AT THE POST OFFICE.

NONE OF THE CONDITIONS DESCRIBED ABOVE EXIST ON 3RD, 4TH OR 6TH STREETS.

IN SUMMARY, I WOULD ASK THAT YOU LOOK AGAIN AT THE MAP ON PAGE 15 OF THE BROCHURE AND RECONSIDER THE PROPOSALS MENTIONED ON PAGE 4 REGARDING 5TH STREET

THANK YOU FOR YOUR ATTENTION TO THIS MATTER.

Anthony Robinson

ANTHONY ROBINSON

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

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Mr. Anthony Robinson
106 Fifth Street
Ocean City MD 21842

Dear Mr. Robinson:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to your letter dated June 3, 2008. Your concerns regarding Alternative 4, associated impacts to on street parking, and the tie-in to Ocean City have been noted.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

Mayland Dept. of Transportation
State Highway Administration
Office of Planning
Attention Jamaica Kennon
Box 717
Baltimore,MD 21203

Dear sirs,

This letter is to express my concerns about the proposed construction of a new RT 50 bridge. I'm the new owner of the "Atlantic House Bed & Breakfast" at the corner of 5th Street and Baltimore Ave. Proposal 4 has the greatest effect on my establishment because it may eliminate on street parking which is already an added expense for me because I have to pay for parking for guests. Repairing the rt 50 bridge and widening the 90 bridge seems to be the way to go in my opinion.

Sincerely

3 '08JUN11 AM10:36 UPY

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
PROJECT PLANNING STUDY

THURSDAY, MAY 29, 2008
6:00 P.M. - MAPS/DISPLAYS AVAILABLE
7:00 P.M. - PRESENTATION/TESTIMONY

ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME ALDRIDGE LEES **DATE** 6/4/08

ADDRESS 606 N. PHILADELPHIA AVE UNIT 3-C

CITY OCEAN CITY **STATE** MD **ZIP** 21842

I/We wish to comment or inquire about the following aspects of this project:

I AM OPPOSED TO ANY ALTERNATIVE OTHER THAN REHABILITACION OF THE OLD BRIDGE. TAKING HOMES AND BUSINESSES FOR THE OTHER ALTERNATIVES WILL BE HARMFUL TO THE DOWNTOWN FABRIC AND WEAKEN THE TAX BASE.

IT WILL BE BETTER TO DUALIZE RTE 90 TO THUS ADD THE LANE CAPACITY THAT CAN MOVE TRAFFIC OFF THE ISLAND.

A NEW BRIDGE ADDS NO LANE CAPACITY AND IS STILL CONSTRAINED BY THE SIGNALIZATION ALONG ROUTE 50

☒ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

* **Persons who have received a copy of this brochure through the mail are already on the project mailing list.**

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

State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Mr. Aldridge Lees
606 N. Philadelphia Avenue Unit 3-C
Ocean City MD 21842

Dear Mr. Lees:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

Your comment supporting Alternative 2 Rehabilitation has been noted. Your suggestion to widen MD 90 has been noted as well. The purpose of the US 50 Crossing Study is to develop a transportation solution that improves upon the structural, operational and safety deficiencies associated with the existing bridge; therefore, improvements to the bridge are needed because of structural deficiency, not because of capacity. Even if improvements were made to MD 90, SHA would still be required to analyze alternatives for the bridge.

Another reason the widening of MD 90 has not been included in this study is due to funding. The widening of MD 90 is currently not funded for Project Planning. Funding must be identified for Project Planning, Final Design, Right-of-Way Acquisition (ROW) and Construction before the project can be evaluated. Each year, elected officials from each county in Maryland meet with SHA to discuss their roadway improvement priorities. The counties then present a letter to SHA, which contains their top highway priorities, for Planning, Design, ROW, and Construction, that they would like to see included in Maryland's Consolidation Transportation Program (CTP). The CTP is the State's six-year capital budget for transportation projects. Working together with Maryland's citizens, local jurisdictions and local delegations, projects are added to the CTP, which enhance transportation services and opportunities throughout the State.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division, SHA
Mr. Donnie Drewer, District Engineer, SHA

Harrison Group

Boardwalk & 2nd Street, P.O. Box 160, Ocean City, Maryland 21843
Phone 410 289 4444 · Fax 410 289 7686 · www.ocmdhotels.com

June 5, 2008

Jamaica Kennon, Project Manager
Maryland Department of Transportation
State Highway Administration
Office of Planning & Preliminary Engineering
707 North Calvert Street
Mail Stop C-301, Box 717
Baltimore, Maryland 21203-0717

Re: Comments on Route 50 Bridge Project Alternatives

Dear Ms. Kennon:

I am writing on behalf of the Harrison Group, Ocean City, Maryland's largest private employer, in reference to the ongoing discussion regarding Route 50 Bridge project alternatives. The Harrison Group strongly objects to **Alternative 4 (1st Street Connection)** and its modified version for the reasons outlined below. We support the State Highway Administration's efforts to maintain and revitalize the Harry W. Kelley Memorial Bridge, and therefore favor **Alternative 2 (Rehabilitation.)**

The economic impact of **Alternative 4** on Ocean City, particularly the downtown area, will be sharply negative. **Alternative 4** displaces more businesses and residents than any competing proposal, and its effects extend far beyond displacements. The new fly-over bridge, which is better suited to an urban area than a resort, will blight a large swath of downtown. Properties adjacent to it will be unsuitable for development of the type necessitated by Ocean City's resort composition, in turn lowering the City's assessable base. Traffic will predictably be drawn away from the downtown area – damaging Ocean City's most vibrant neighborhood – home to Trimper's Rides, the Pier Amusement Park, the Boardwalk and a large concentration of restaurant, retail and other businesses.

The benefits of **Alternative 4** are insufficient to justify its price tag, especially after accounting for the above stated impacts. The new bridge will not afford Ocean City a single additional lane of inbound or outbound traffic. This is understandable given the fact that the downtown road system can only accommodate 2 inbound and 2 outbound lanes of traffic. Thus, a new Route 50 Bridge can only improve the flow of traffic insofar as it eliminates the need to open a draw. This cannot possibly justify an expenditure of $400 million or the hobbling of downtown. Furthermore, the draw bridge can accommodate more traffic if opened less frequently during peak use. This will have an effect on boat traffic, but not an unmanageable one and certainly not one that merits the costs of **Alternative 4**.

The Harry W. Kelley Memorial Bridge is worth preserving. It is a well-known landmark that helps form Ocean City's identity and is appropriately suited to Ocean City's needs. Your informational materials indicate that it will last as long as 20 years without major renovations and perhaps 40 additional years with the implementation of improvements identified in **Alternative 2**. My understanding from conversations with State Highway Administration officials is that the sub-structure is in excellent condition and that the bridge can be maintained indefinitely. Abandoning it would be imprudent in light of the fact that it can be rehabilitated at approximately 1/3 the cost of a replacement bridge, even after allowing for improvements such as wider sidewalks and a fishing pier, and that a new bridge will have no more than a marginal effect on traffic. The State Highway Administration has done a superb job replacing the bridge's deck and draw. It should continue its maintenance efforts rather than casting off the existing bridge and building a new one. This is in the best interest of the community of Ocean City as well as the Maryland taxpayer.

Sincerely,

G. Hale Harrison

Note: When conditions necessitate an increase in Ocean City's capacity to accommodate inbound and outbound traffic, the State Highway Administration should consider the possibility of adding lanes to Route 90 and the Route 90 Bridge. Although Route 90 and the Route 90 Bridge are not currently under review, this is the only way to substantially increase Ocean City's inbound and outbound traffic given the City's existing road system.

cc: Mayor and City Council, Town of Ocean City
Delegate James Mathias
Donnie Drewer, District Engineer, SHA
Dennis Dare, City Manager, Town of Ocean City
Hal Adkins, Public Works Director, 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

July 10, 2008

Mr. G. Hale Harrison
Harrison Group
Boardwalk and 2nd Street
P.O. Box 160
Ocean City MD 21843

Dear Mr. Harrison:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to your letter dated June 5, 2008.

Your comments in favor of Alternative 2 and opposition to Alternative 4 have been noted. Your suggestions to widen MD 90 and to eliminate the light at the current Isle of Wight Bay crossover have been noted as well. The purpose of the US 50 Crossing Study is to develop a transportation solution that improves upon the structural, operational and safety deficiencies associated with the existing bridge; therefore, improvements to the bridge are needed because of structural deficiency, not because of capacity. Even if improvements were made to MD 90, SHA would still be required to analyze alternatives for the bridge.

Another reason the widening of MD 90 has not been included in this study is due to funding. The widening of MD 90 is currently not funded for Project Planning. Funding must be identified for Project Planning, Final Design, Right-of-Way Acquisition (ROW) and Construction before the project can be evaluated. Each year, elected officials from each county in Maryland meet with SHA to discuss their roadway improvement priorities. The counties then present a letter to SHA, which contains their top highway priorities, for Planning, Design, ROW, and Construction, that they would like to see included in Maryland's Consolidation Transportation Program (CTP). The CTP is the State's six-year capital budget for transportation projects. Working together with Maryland's citizens, local jurisdictions and local delegations, projects are added to the CTP, which enhance transportation services and opportunities throughout the State.

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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Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

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Greg Shockley
President

Macky Stansell
Vice-President

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Geoffrey Robbins

Glenn Irwin
Executive Director

Ex-Officio Members:

Boardwalk Development Association

Downtown Association

Economic Development Committee

O.C. Hotel-Motel-Restaurant Assoc., Inc.

Ocean City Chamber of Commerce

June 5, 2008

Maryland Department of Transportation
State Highway Administration
Office of Planning & Preliminary Engineering
ATTN: Jamaica Kennon, Project Manager
Mail Stop C-301
Box 717
Baltimore, MD 21203-0717

Dear Ms. Kennon:

At its June 4th Board meeting, the Ocean City Development Corporation voted to recommend that Alternative 2 (Rehabilitation of the existing bridge) as the best alternative for the Route 50 Bridge and downtown Ocean City. Our recommendation is based on a number of items, but particularly the large costs and displacement issues related to the construction of a new bridge. The separate fishing pier for fishermen, wider sidewalks for pedestrians and bicyclists, and overall aesthetic improvements for the existing bridge as proposed in Alternative 2 will be substantial improvements for Ocean City's Gateway feature.

Thank you very much for your consideration of this recommendation. The OCDC is a nonprofit organization charged with revitalizing downtown Ocean City.

If you have any questions, please do not hesitate to contact my office at (410) 289-7739.

Sincerely,

Glenn Irwin
Executive Director

cc: Mayor and City Council, Town of Ocean City
Delegate James Mathias
Dennis Dare, City Manager, Town of Ocean City
Donnie Drewer, District Engineer, SHA

OCEAN CITY DEVELOPMENT CORPORATION
108 Dorchester Street – Ocean City, Maryland 21842
Telephone: 410-289-7739 Fax: 410-289-7742 Website: www.ocdc.org

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Mr. Glenn Irwin
Executive Director
Ocean City Development Corporation
108 Dorchester Street
Ocean City MD 21842

Dear Mr. Irwin:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to your letter dated June 5, 2008. Your comments in favor of Alternative 2 have been noted.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION QUESTIONS AND/OR COMMENTS

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
PROJECT PLANNING STUDY

THURSDAY, MAY 29, 2008
6:00 P.M. - MAPS/DISPLAYS AVAILABLE
7:00 P.M. - PRESENTATION/TESTIMONY

ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Don & Nancy Bloom **DATE** 6-6-08

ADDRESS 553 McGinnis Pond Road

CITY Felton **STATE** DE **ZIP** 19943

I/We wish to comment or inquire about the following aspects of this project:

As we see it all of the New Bridge proposals, send the bulk of the traffic north on to Baltimore Ave at Division Street. We feel this is counter productive to the revitalization of the Historic Downtown Area. This is the chance to remedy that situation, by routing the main volume of traffic downtown to the future planned parking facilities, water taxi, and other infrastructure. This could also make St. Louis an alternative North route, since it is currently under utilized. The present traffic flow pattern has been counter productive to all attempts made to revitalize the Historic Downtown District.

Sincerely,

Don & Nancy Bloom

☒ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

*** Persons who have received a copy of this brochure through the mail are already on the project mailing list.**

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Mr. Don and Nancy Bloom
553 McGinnis Pond Road
Felton DE 19943

Dear Mr. and Mrs. Bloom:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

You comments regarding the new bridge proposals not addressing the revitalization of Historic Downtown Ocean City have been noted. Early in the study SHA looked at concepts in Historic Downtown Ocean City. Several of the alignments used Old Bridge Road or Sunset Avenue to access a new bridge from the west. These concepts were dropped because of potential impacts to commercial and residential properties in Ocean City and West Ocean City, interference with boat clearances at local marinas, direct impacts to the park and ride in West Ocean City, potential impacts to the Coast Guard Station at Sunset Avenue, potential tidal and non-tidal wetland impacts, impacts to EFH by potential dredging, impacts to the FEMA 100-year floodplain, as well as traffic impacts due to bringing all bridge traffic into the area south of Wicomico Street where it is heavily congested already.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

The US 50 Crossing Study is only funded through the completion of the Project Planning Phase. Additional project funding will need to be provided before we can move forward with the final engineering, right-of-way acquisition, and construction phases.

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

Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Project or if we can be of any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
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THURSDAY, MAY 29, 2008
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ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME LYNNDA EMERY DATE 6/10/08

ADDRESS 415 PRIVATE DRIVE 10463

CITY PROCTORVILLE STATE OH ZIP 45669-7920

We wish to comment or inquire about the following aspects of this project:

☒ Please add my/our name(s) to the mailing list.

☐ Please delete my/our name(s) from the mailing list.

* Persons who have received a copy of this brochure through the mail are already on the project mailing list.

STATE HIGHWAY ADMINISTRATION
QUESTIONS AND/OR COMMENTS

WO419A11
LOCATION/DESIGN PUBLIC HEARING

US 50
PROJECT PLANNING STUDY

THURSDAY, MAY 29, 2008
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ROLAND E. POWELL CONVENTION CENTER
4001 COASTAL HIGHWAY (40TH STREET)
OCEAN CITY, MARYLAND 21842

PLEASE PRINT

NAME Clara DiFilippo **DATE** 6/12/08

ADDRESS 216 N. Baltimore Ave.

CITY Ocean City **STATE** MD **ZIP** 21842

I/We wish to comment or inquire about the following aspects of this project:

Alternative 4 modified - I believe that this alternative cuts through my hotel's Parking lot. The address of the lot is 107 Baltimore Ave. My hotel is the Hotel Monte Carlo on the corner of 3rd street + Baltimore Avenue. I have two small lots (including 107 Baltimore Ave) that I need to ensure that I have parking for each of my 70 rooms. Please contact me if I will be affected by this alternative. My cellphone number is 443-783-1312.

Thank you, Clara DiFilippo

☐ **Please add my/our name(s) to the mailing list.**

☐ **Please delete my/our name(s) from the mailing list.**

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

State Highway Administration

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

Maryland Department of Transportation

July 10, 2008

Ms. Clara DiFilippo
216 N. Baltimore Avenue
Ocean City MD 21842

Dear Ms. DiFilippo:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to the comment card you completed from the May 29th, 2008 Location/Design Public Hearing.

Your concerns regarding Alternative 4 and impacts to your hotel's parking have been noted. Your parking lot is impacted under Alternative 4, however, a Preferred Alternative has not been chosen at this time. If Alternative 4 is chosen as the Preferred Alternative, please feel free to contact me or Mr. Jim Oddis from District 1 Right-of-Way. Mr. Oddis can be reached at 410-677-4074.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the environmental and regulatory agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Again, thank you for your interest in the study. If you have any additional questions or comments concerning the US 50 Crossing Study or if we can offer any further service; please contact Ms. Jamaica Kennon, Assistant Project Manager, at 410-545-8512, or toll free in Maryland at 1-800 548-5026, and via email at jkennon@sha.state.md.us.

Very truly yours,

Jamaica Kennon
Assistant Project Manager
Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
Mr. Donnie Drewer, District Engineer, SHA

Martin O'Malley, *Governor*
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State Highway Administration
Maryland Department of Transportation

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

July 10, 2008

Ms. Susan Cropper
Empress Motel
P.O. Box 99
Ocean City MD 21843

Dear Ms. Cropper:

Thank you for your comments regarding the US 50 Crossing Study. The State Highway Administration (SHA) relies heavily on public involvement to measure its progress and to ensure that it is meeting citizens' needs. This is a response to your e-mail sent June 29th, 2008. Your support for Alternative 5A has been noted.

Currently, we are evaluating comments from the Location/Design Public Hearing and the Draft Environmental Impact Statement. The next step is to choose SHA's Preferred Alternative. Comments received from the public, the Environmental and Regulatory Agencies, as well as factors such as cost, impacts to right-of-way and the natural environment will all be used to select the Preferred Alternative during the Fall of 2008.

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Very truly yours,

Jamaica Kennon
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Project Planning Division

cc: Ms. Theresa Christian, Environmental Manager, Project Planning Division
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