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Bay Crossing Study DEIS
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Anne Arundel County's review of the Bay Crossing Study (BCS) Tier 1 DEIS revealed that the study is flawed, and doesn't justify its purpose or the need for a third span. The County's comment on the DEIS, a review required under the National Environmental Policy Act (NEPA), raises serious concerns about appropriately addressing traffic congestion, travel demand, and impacts to sensitive environmental resources which adversely affect communities.

The County finds this study to be a blueprint for projecting sprawl development. For the reasons outlined in the comment below, the County is reaffirming its opposition to the study, which should be paused and not advanced to the Final Environmental Impact Study (FEIS). The DEIS demonstrates the lack of need for a multi-billion dollar taxpayer-funded third span.

Traffic Assumptions

Traffic growth projections in the DEIS do not consider the Bay Bridge's recent traffic history, including the effects the COVID-19 pandemic had on traffic, increased telecommuting, and future economic activity.

- The DEIS projects traffic growth by 2040 of 22.9% for an average non-summer weekday and 14.1% for a summer weekend. These projections should be called into question by the historical fact that there has been no material change in annual or average daily traffic on the Bridge from 2007 to 2017.
    - The Annual Chesapeake Bay Bridge Volume data (page 2-2, 2-3, which goes up to 2017) shows a decline in traffic in 2007-2017 and that it flattened during the Great Recession in 2008-2009.
    - The traffic on the bridge has been flat for decades based on this data.
    - The study overstates future growth in the number of vehicles that will be crossing the water.

- The DEIS should address dramatic reductions in traffic demands as a result of the COVID-19 pandemic, which produced noticeable declines in traffic delays, energy consumption, and emissions.

- Traffic data has been collected throughout the pandemic; yet there is no pandemic-related data in the study.
- MDTA did not collect eastbound daily tolls.
- Travel patterns and volumes have changed significantly since the beginning of the pandemic, and the study should have reflected these adjustments in patterns.

- The DEIS, in projecting future degrees of congestion, presents data from 2016 and traffic counts collected in 2017 - data that is now nearly a half-decade out of date..

    - General practice when publishing transportation-related DEIS is to present traffic data collected within the preceding three years.
    - The DEIS should amend the outdated information to reflect more recent traffic counts and conditions.
    - The DEIS anticipates delays in the eastbound direction, but does not quantify delays after the implementation of all electronic tolling (AET) in May 2020, a significant change for the flow of eastbound traffic.
    - All consideration of the benefit effects of AET is postponed to be addressed only "as needed" in a possible later NEPA document, ensuring a significant change that could reasonably affect the outcome of this study is instead not contemplated by the study at all.

The DEIS traffic projections are based on data that just doesn't make the case to allocate resources for building a multi-billion dollar third span. It makes claims about the existing and projected eastbound queues, using traffic counts and speed data pre-dating the current reality of AET on the Bridge. The effect of AET on traffic queue length could have been estimated by MDTA from an earlier study, which found that AET would produce up to 80% reduction in queue lengths at the Bridge. This feasible calculation would reduce 2040 eastbound summer weekend queues projected in the DEIS from 13 miles to 2.6 miles - less than 4 miles cited as the current condition, and not a favorable result for the case the DEIS is trying to make.

A smart growth strategy would take into account the efficient use of transportation corridors and use of public transit and other innovative transportation options to minimize the use of automobiles and to protect environmentally sensitive areas. This study does none of this - it should be paused.

Purpose and Need Assessment

The DEIS purpose and need is not justified and appears to be centered solely on the bridge itself, rather than addressing the need to accommodate travel from the Western Shore of the Chesapeake Bay, including Northern Virginia, West Virginia, Washington D.C., and Pennsylvania to the Eastern Shore of Maryland. In other words, the DEIS purpose and need focuses on moving cars, not on moving people.

Public statements made by the Governor of Maryland prior to the completion of the study that "there is only one option I will ever accept" calls into question the undue influence about whether the NEPA study was adequately followed. Typically, a robust scientific NEPA analysis is conducted before selecting a preferred alternative. The Governor's statement calling out a preferred corridor prior to the completion of the study undermines confidence in what really drove the purpose and need - the corridor selection rather than scientific analysis.

Current and future traffic congestion on and near the existing Chesapeake Bay Bridge was the primary concern behind the crossing's purported purpose and need. This primary concern ignored the entire transportation network of Central Maryland and the Eastern Shore, and was driven by questionable assumptions of population growth and sprawling new developments on the Eastern Shore. The study shows very small increases in traffic volumes in recent years, calling into question the larger increases projected in future years. Sufficient detail on the Origin and Destination analysis and the summertime traffic projections were not provided in the DEIS or Appendices to adequately determine how these assumptions were generated.

This study missed the mark on justifying a clear and concise purpose and need..

Environmental Impacts

The DEIS fails to address the environmental impacts of constructing a new bridge across the Chesapeake Bay. Below are a few of the impacts that the DEIS lists but does not discuss adequately:

- The DEIS Corridor 7 contains approximately 6,640 acres of mapped 100-year FEMA floodplain, and intersects the largest area of floodplain of three corridors. Based on the distribution of 100-year FEMA floodplain within the limits of Corridor 7, the area with the highest potential for impacts is located within the eastern section of the corridor between Kent Island and the Eastern Shore.
- The DEIS Corridor 7 contains approximately 9,810 acres of land that fall within the limits of the Critical Area. The majority is classified as Resource Conservation Area (RCA - the most restrictive critical area classification), but the corridor also contains relatively high levels of both Limited Development Area (LDA) and Intensely Developed Area (IDA).
- The DEIS offers generalized descriptions of the environmental assets in the preferred corridor for the new bridge. The sketches within the study show the environmental impacts of a third span will likely be significant.
- Evaluation of these impacts with much more specificity should be revealed in this study and not postponed to a later EIS.
- The preferred Corridor 7 contains 10,870 acres of mapped tidal wetlands (9,600 acres of open water and 1,270 acres of coastal wetlands). These tidal wetlands constitute approximately 34% of the total corridor. Similarly, 3,460 acres of valuable oyster resources and 5,140 acres of (RCA)
- Corridor 7 contains the highest amount of land area susceptible to sea level rise based on the projections for 2050 and 2100. The highest concentrations are located within the

section of the corridor that spans Kent Island and at Kent Narrows and the Chester River in the eastern portion of the corridor.

- Corridor 7 contains 6,900 acres of forest interior dwelling species (FIDS) habitat, which represents 25% of the total corridor study area, and 2,180 acres of Sensitive Special Projects Areas. These areas contain biological resources that require conservation and protection.

The study is silent on possible significant adverse effects to fish, wildlife, plant habitat, and increased flooding within the critical area, postponing these concerns to a later date rather than addressing them directly. And it provides no alternatives that could be taken to reduce and mitigate these impacts.

No-Build Alternative

The DEIS calls for "updates as needed during Tier 2" to reflect future projects that were not planned and programmed as of Project Scoping in 2017. In other words, it never seriously examined the alternative of not building an additional Bay Bridge span.

Federal guidelines require EIS to address the no-build alternative and rigorously explore and objectively evaluate all reasonable alternatives. The DEIS does not meet this requirement. The no-build alternative is not properly characterized or discussed when, as in the DEIS, available strategies to better manage traffic operations and demand under that alternative are excluded from consideration.

The DEIS states that "transportation system management/travel demand management (TSM/TDM) measures such as improvements to contraflow operation on the existing bridge may be implemented. It says specific examples of TSM/TDM improvements "could include" implementing all electronic tolling and variable tolls. Nevertheless, it then cuts off further discussion by stating that if TSM/TDM improvements are implemented, that will be done "separately from the Bay Crossing Study". It also states that a combination of alternatives, such as MOAs in combination with a recommended corridor alternative, will be evaluated in "Tier 2" to determine whether such a combination could satisfy the transportation needs in combination with alternative alignments.

In contrast, the AKRF Study directly addresses TSM/TDM measures and indicates the potential they have for lowering peak period congestion.

This section of the DEIS study does not comply with Federal statute - it lacks justification, and is not comprehensive and specific as possible to even be considered for a Tier 2 evaulation.

Stakeholder Involvement

Anne Arundel County and Queens Anne's County should have been consulted throughout this process due to the significant impacts a potential crossing will have on transportation networks, development plans, and surrounding communities. However, neither jurisdiction was involved in the process and was only provided notice at the same time and degree as the general public.

Conclusion

The unstated goal of this study is not to analyze relevant data and information to determine whether or not an additional span across the Chesapeake Bay is the appropriate long-term solution to traffic congestion. If that were the goal, the concerns noted above provide immediate cause to pause this process rather than move to the FEIS stage.

Instead, the goal of this study is to demonstrate that the only possible solution to traffic congestion on the Bay Bridge is to build another bridge. But the study fails in this aim, too, by using out-of-date data, by not adjusting analysis based on massive changes in traffic patterns over the last year, by failing to account for myriad environmental impacts, and by declining to fully consider a no-build alternative.

The failure of this multi-million dollar taxpayer-funded study to adequately assess any options other than the one supported by the Governor raises serious questions about motive. Maryland used to lead the nation in smart growth planning, the concept whereby development is targeted to areas where infrastructure exists, and transportation investments are placed where development is targeted. Building this span rejects that history, in support of a project that will inevitably lead to more sprawl.

Let's stop pretending that this kind of transportation investment is our future. Let's stop this project.

If you have any questions regarding these comments please contact Ms. Lori Rhodes, Deputy Chief Administrative Officer for Land Use.