



**FEDERAL HIGHWAY ADMINISTRATION
DELMAR DIVISION**

FINDING OF NO SIGNIFICANT IMPACT

**GOVERNOR HARRY W. NICE MEMORIAL BRIDGE
IMPROVEMENT PROJECT
Charles County, Maryland and King George County, Virginia**

US Department of Transportation – Federal Highway Administration and
Maryland Transportation Authority
in cooperation with
the US Army Corps of Engineers, the US Environmental Protection Agency, and
Virginia Department of Transportation

The Federal Highway Administration (FHWA) has determined the Maryland Transportation Authority (MDTA) Preferred Alternate, Modified Alternate 7, will have no significant impact on the environment. Modified Alternate 7 consists of the installation of a new four-lane bridge to the north of the existing Governor Harry W. Nice Memorial Bridge. The new bridge will provide four 12-foot lanes, two four-foot inside shoulders, two 12-foot outside shoulders, a median barrier to separate opposing flows, and a single, barrier-separated, two-way bicycle/pedestrian (bike/ped) path on the south side of the bridge. The bike/ped path crosses beneath the bridge on each shore to enable bicyclists and pedestrians to transition to the shoulders of US 301 without crossing the highway. With the construction of a new four-lane bridge and two-way bike/ped path, there will no longer be a transportation need for the existing historic bridge. Therefore, the proposed action includes removal of the existing bridge immediately following construction of the new bridge.

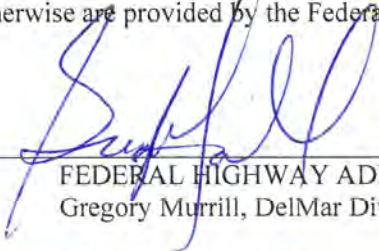
Modified Alternate 7 will require 14.1 acres of right-of-way from the Aqua-Land Marina & Campground, as well as 6.5 acres of recreational land in Virginia. The proposed action will also result in the following impacts: 8.2 acres of farmland soils, 3,660 linear feet of streams, 0.1 acre of wetlands, 0.5 acre of open water, 24.2 acres of Maryland Chesapeake Bay Critical Area, 2.2 acres of Virginia Preservation Areas, 8.4 acres of 100-year floodplain, 65 acres of temporary dredge impacts in the Potomac River, and 2.7 acres of forest. The project is included in the 2012 National Capital Region Constrained Long Range Plan. The analysis presented herein shows the environmental impacts of Modified Alternate 7 are not considered significant, and there is no controversy concerning the environmental effects. Furthermore, the project will not establish a precedent for future actions involving significant effects, there are no highly uncertain effects or unique or unknown risks, there are no significant indirect or cumulative effects, and there will be no violation of environmental laws. Therefore, consistent with 40 CFR 1508.27(a), the project will not result in significant impacts.

The project includes commitments for the mitigation of the project impacts. These commitments are documented in this Finding of No Significant Impact (FONSI), the draft Compensatory Mitigation Plan, a Section 106 Programmatic Agreement (PA) for effect to historic properties, a Final Section 4(f) Evaluation, a Section 7 Biological Assessment (BA), and a Memorandum of Agreement (MOA) for effects to parkland.

The project's Environmental Assessment (EA), completed in July 2009, and this FONSI have been independently evaluated by the FHWA and MDTA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures.

These documents provide sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required.

A Federal agency may publish a notice in the Federal Register, pursuant to 23 USC 139(1), indicating that one or more Federal agencies have taken final action on permits, licenses, or approvals for a transportation project. If such notice is published, claims seeking juridical review of those Federal agency actions will be barred unless such claims are filed within 180 days after the date of publication of the notice, or within such shorter time period as is specified in the Federal laws pursuant to which judicial review of the Federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.



FEDERAL HIGHWAY ADMINISTRATION
Gregory Murrill, DelMar Division Administrator

11/27/12
Date



MARYLAND TRANSPORTATION AUTHORITY
Harold Bartlett, Executive Secretary

11/21/12
Date