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Summary of Meeting #5

The fifth and final meeting of the Task Force on Traffic Capacity Across the Chesapeake Bay was held on Thursday, December 12, 2005 from 6:30 to 9:00 PM at the Tidewater Inn in Easton, Maryland. In addition to Co-Chairs, Senator J. Lowell Stoltzfus and O. James Lighthizer, the following Task Force members or their representatives and Ex-Officio members attended Meeting #5:

Task Force Members

- Lon Anderson, Director of Government Relations, AAA Mid-Atlantic
- John C. Astle, Senate of Maryland, District 30
- John E. "Sonny" Bloxom, President of the Worcester County Commissioners
- Walter T. Coryell, Chestertown Chief of Police
- William H. Cox, Jr., Maryland Transportation Commissioner
- Jeffrey E. Frank, President and CEO, Patton Harris Rust & Associates, pc
- Janet Greenip, Senate of Maryland, District 33
- Rona E. Kramer, Senate of Maryland, District 14
- James N. Mathias, Jr., Mayor of Ocean City, Maryland
- Anthony J. O'Donnell, Maryland House of Delegates, District 29
- E. J. Pipkin, Senate of Maryland, District 36

- Susan Ellsworth Shaw, Calvert County Commissioner
- Richard A. Sossi, Maryland House of Delegates, District 36
- Walter Thompson, former President and CEO, Maryland Motor Truck Association
- W. Gregory Wims, President and CEO, Hammer and Nails, Inc.

Ex-Officio Members

- Trent M. Kittleman, Executive Secretary, Maryland Transportation Authority
- Martin G. Madden, Chairman, Critical Area Commission
- C. Ronald Franks, Secretary, Maryland Department of Natural Resources
- Jim Rzepkowski representing Aris Melissaratos, Secretary, Department of Business and Economic Development
- Stephen Pattison representing Kendl P. Philbrick, Secretary, Maryland Department of the Environment
- Jim Noonan representing Audrey E. Scott, Secretary, Maryland Department of Planning

All Task Force meetings were open to the public. Approximately 45 citizens attended Meeting #5. The meeting was videotaped for broadcast on local access channels and for placement in Briefing Books located at designated libraries. Meeting #5 was simulcast on the Internet (webcast) for live remote viewing.

The format of Meeting #5 was an informal discussion of the three questions provided to Task Force members prior to the meeting. Senator Stoltzfus chaired Meeting #5. The agenda included the following items:

1. Welcome and Opening Remarks
2. Public Outreach
3. Discussions of Key Questions
4. Conclusions and Closing Remarks

1. Welcome and Opening Remarks (Senator Lowell Stoltzfus)

Senator Stoltzfus opened the meeting by introducing a new Task Force member, Mr. Alan Silverstein. Senator Stoltzfus asked Task Force members to refer to their pre-meeting packet of

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materials during the meeting. Senator Stoltzfus mentioned two outstanding items from Meeting #4: the request for population projections for Delaware and for another explanation of the NEPA process and timeline. He asked Dennis Simpson to summarize public outreach activities held during October through December.

2. Public Outreach (Mr. Dennis Simpson)

Mr. Simpson reviewed the five public information meetings, the locations of each and the number of attendees for each meeting. The main concerns expressed by citizens included: development pressures, impacts to natural resources, study of a transit alternative, homeland security issues in Zone 4 (with the Calvert Cliffs nuclear power plant and other nearby facilities) and concerns that the rural way of life would irreparably change with a new crossing.

Senator Stoltzfus noted that a summary of all the public comments was included in the pre-meeting packet.

3. Discussion of Key Questions (Task Force Members and Co-chairs)

Senator Stoltzfus facilitated a discussion of the three previously noted questions:

- What are the key issues of concern associated with each zone? For example, what sensitive environmental resources could be affected? What objections have the communities potentially impacted by a new crossing raised?
- What principles should guide future decision-makers in addressing the need for providing additional capacity across the Chesapeake Bay? What procedures should be used to ensure adequate representation of all stakeholders?
- What additional local or regional goals (besides congestion relief on the existing Bridge) should be considered when determining the location for any additional capacity across the Bay? For example, are there local land use or economic development goals that should be considered?

Question # 1

What are the key issues of concern associated

with each zone? For example, what sensitive environmental resources could be affected? What objections have the communities potentially impacted by a new crossing raised?

Mr. Walter Thompson

Mr. Thompson said that Mr. Neil Pedersen's presentation was an excellent presentation of important issues. It seems like there are more negatives than positives. Expanding at the current location achieves the most and that the other alternatives do not relieve traffic congestion.

Senator John Astle

Senator Astle noted the daily backups on eastbound US 50 and the lack of expansion room leading up to the existing Bay crossing. He stated that expanding Zone 2 is not a workable solution. Infrastructure leading to a bridge in Zones 1, 3 and 4 is easy. Senator Astle's bigger concern was the apparent disconnect between local land use policies and the State's roadway construction plans. Local governments want more development to generate tax revenue beyond what the highway infrastructure is capable of supporting. It appears that highway building is 10 years behind existing local development. This inherent conflict may prevent a solution to traffic congestion on the existing bridge.

Mr. Lon Andersen

Mr. Andersen said there is a clear need for additional capacity; however the solution is both politically and environmentally difficult. He said that crossing the Bay is easy. It's what happens when you get to the other shore. Twenty years from now, additional capacity will be a must.

Commissioner Sonny Bloxom

Commissioner Bloxom said that backups related to the bridge begin on MD 404 on the Eastern Shore and extend from I-97 through Annapolis on the Western Shore. He explained that expanding the current location would affect Kent Island and building in the other three zones would destroy a way of life and environmental resources. Commissioner Bloxom supported the No-Build Alternative. Most people on the Eastern Shore want "no growth" or "slow growth." Eastern Shore residents do not want to be a bedroom community to the Western Shore. The State should not spend money to make commuting easier for some. Commissioner Bloxom supported retaining jobs,

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businesses and industry on the Eastern Shore. That will not happen by creating easier access to the Western Shore. People will travel to Ocean City regardless of traffic.

Chief Walter Coryell

Chief Coryell thanked the Co-Chairs for allowing Kent County residents to speak and allowing him to present a petition with 2,000 signatures of Kent County residents who are against a crossing in Zone 1. Chief Coryell noted the wisdom in every person's comments and how the presentations have expanded Task Force members understanding of the issues. This public sentiment showed that Maryland should be innovative and find other ways to move people instead of by bus or car. Chief Coryell also commended the Authority on the wealth of information it brought before the Task Force and supported evaluation of the No-Build Alternative.

Delegate Anthony O'Donnell

Delegate O'Donnell said the Authority should only spend its money on viable solutions and recommended eliminating alternatives that don't solve the problem - to eliminate congestion at the existing bridge.

Senator Lowell Stoltzfus

Senator Stoltzfus said the issue becomes a complex problem when considering environmental and cultural resource issues associated with building a new infrastructure on either side of the Bay. He asked if members of the Task Force need more information on the environmental features of each zone or would like to discuss the cultural implications further.

Mr. William Cox

Mr. Cox said years ago Anne Arundel County struggled with only one major route to Annapolis (Ritchie Highway, MD Route 2) but Anne Arundel County solved its capacity issue by building I-97. Harford County solved capacity issue by building MD Route 24. All roads face obstacles. When Delaware built the US 1 toll road, traffic diverted to this route and took beach traffic from Ocean City. Ocean City started to grow because of the "Reach the Beach" program. Each of the four zones will have significant issues. The No-Build Alternative is one option - but the Authority should look at all options. People said no to the Monorail option years ago, but if the Monorail was built then, it would be helping to alleviate

congestion now. Saying "No" doesn't solve, but only compounds, the problem. You cannot just say "No" to growth.

Senator Lowell Stoltzfus

Senator Stoltzfus pointed out that some of the options mentioned so far: tunnel, transit and ferry, had not come to the floor for discussion, but further input was welcome.

Executive Secretary Trent Kittleman

Executive Secretary Kittleman noted there are many proponents of a transit alternative and wanted to assure the Task Force that all modes and crossing types (transit, etc.) would be evaluated in depth as part of the NEPA process. Ms. Kittleman said that people have valid concerns about how a bridge could destroy communities. Is there a way to build a bridge without destroying communities? That needs to be evaluated in the NEPA process.

Delegate Richard Sossi

Delegate Sossi said the existing bridge is over capacity. Putting a crossing in Zone 2 would exacerbate the problem, putting one in Zones 3 and 4 would not solve the problem, and putting one in Zone 1 would not work at all. Delegate Sossi agreed that the State should not spend money on options that would not solve the problem.

Senator E.J. Pipkin

Senator Pipkin noted that this would be the most controversial public works project in our history. The public does not understand the NEPA process. The process to build a bridge is much different than when the first two bridges were built. The Authority must continue to educate the public about requirements to get a project approved. The Federal government has developed parameters and a No-Build Alternative is an option. Senator Pipkin noted that the farther you live from the existing bridge, the easier it is to support the No-Build. Combine No-Build with population growth and there will be six-to-10-hour backups. Mass transit must be part of the discussion. Kent Island just lost a bus route to Baltimore because it could not cover minimum operating expenses. The public is not using mass transit. There is a need to change how mass transit programs are evaluated to make it viable. Senator Pipkin supported eliminating zones that are not viable and keeping dialog open as it has been. Doing nothing is not the answer.

Mr. Alan Silverstein

Mr. Silverstein said the cost of housing prices on the Western Shore is driving people to the Eastern Shore and beyond, pushing them further into Dorchester, and Caroline counties. Too few economic opportunities exist on the Eastern Shore. Today, housing in Queen Anne's County is becoming expensive. Creating more roads causes movement to that area. The Eastern Shore has a new certified heritage area in Kent, Queen Anne's, Caroline and Talbot Counties. Residents want to keep its quaint and rural character. Creating a road that drives land prices up and excludes locals from the marketplace is not acceptable. Building a road that provides region-wide access to the Eastern Shore but does not provide jobs brings no benefit to the Eastern Shore. Mr. Silverstein supported creating viable jobs, businesses and industry on the Eastern Shore for its citizens so that more roads would not be needed.

Commissioner Susan Ellsworth Shaw

Ms. Shaw said the Authority must continue to look at the facts. The State should thoroughly evaluate ways to build a bridge without destroying the environment and communities. Commissioner Shaw agreed with the statements by Delegate O'Donnell and Delegate Sossi that money shouldn't be spent to evaluate options that won't work. Commissioner Shaw was sympathetic toward the points of view expressed by Kent and Dorchester Counties. She also believed that Zone 4 is fatally flawed because of the Calvert Cliffs Nuclear Plant and related homeland security concerns.

Commissioner Sonny Bloxom

Commissioner Bloxom asked if bridge patrons could be forced to E-ZPassSM instead of using cash or tickets? Could the State use the police force to monitor traffic along the highway leading up to the bridge along US 50 in Annapolis to help increase capacity?

Senator Rona Kramer

Senator Kramer commended the Authority for studying the problem now rather than later when traffic delays will be worse. Montgomery County has seen what happens when projects are delayed. Everyday these issues get more complex. The Senator urged the Authority to deal with the problem quickly.

Chairman Martin Madden

Chairman Madden said this process is long overdue because it would take a decade to build a new crossing. He believed the process should include other States such as Delaware and Virginia because part of the demand for capacity is coming from other States. The Authority should look at solutions in the short and medium term, such as congestion pricing, E-ZPassSM and 3-day weekends, while conducting this study.

Executive Secretary Trent Kittleman

Executive Secretary Kittleman said the "Taking the Heat Out of Summer Travel" program did accomplish what Mr. Madden suggested, a 7.6% decrease in peak period traffic in 2005. In addition to this program, the Department of Business and Economic Development (DBED) and the Mayor of Ocean City are working with the Authority to promote "Go Early and Stay Late" options.

Senator Lowell Stoltzfus

Senator Stoltzfus said that more people travel to Delaware beaches than Maryland beaches so Chairman Madden's idea to include other states is a good one.

Question # 2:

What principles should guide future decision-makers in addressing the need for providing additional capacity across the Chesapeake Bay? What procedures should be used to ensure adequate representation of all stakeholders?

Senator Rona Kramer

Senator Kramer said the procedure is largely dictated by NEPA if Federal funds are being used and that Maryland would expect to use federal funds for this project.

Senator E.J. Pipkin

Senator Pipkin said the first step would be to look at the structural needs for the existing bridge, especially maintenance needs that will be required 10 to 13 years from now. Closing the Eastbound Bridge for maintenance will severely impact capacity. Senator Pipkin asked how future demand will be met during these maintenance activities.

Mr. Alan Straus

In response to the request in Meeting #4,

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Mr. Alan Straus presented a broader explanation of the history and timeline of the NEPA process. The National Environmental Policy Act (NEPA) was signed into law on January 1, 1970. The Act establishes national environmental policy and goals for the protection, maintenance, and enhancement of the environment and it provides a process for implementing these goals within the federal agencies. NEPA requires all federal agencies to prepare detailed statements assessing the environmental impact of and alternatives to major federal actions significantly affecting the environment. For transportation projects, NEPA requires the agencies to examine and avoid potential impacts to the social and natural environment when considering approval of proposed transportation projects. In addition to evaluating the potential environmental effects, the agencies must take into account the transportation needs of the public in reaching a decision that is in the best overall public interest. Under NEPA, the federal government works with state and local governments, as well as with other stakeholders and the public, to develop alternatives, assess how these alternatives satisfy the project needs, and identify project impacts. This process involves striking a balance among many different factors, including mobility, the economy, health and environmental protection, community and neighborhood preservation, and quality of life. This is a detailed process that involves weighing and balancing many considerations, and is designed to promote an informed decision.

Executive Secretary Trent Kittleman

Executive Secretary Kittleman said that lessons learned from the ICC study can be applied to the Bay Bridge. Maryland is experienced in implementing NEPA. The State Highway Administration (SHA) has demonstrated its commitment to protecting the environment to the Federal regulatory agencies. SHA has found that environmental stewardship opportunities help achieve agency concurrence but also bring about positive and forward looking aspects to highway projects. MDOT can be a source of funds to help communities.

Delegate Richard Sossi

Delegate Sossi questioned the level of detail of the traffic study presented during the Task Force

meetings. Mr. Alan Straus agreed the sketch level traffic study was appropriate for these preliminary investigations but that more detailed traffic studies would be developed as part of the NEPA process if a NEPA study is initiated.

Delegate Anthony O'Donnell

Delegate O'Donnell said all issues should be taken into account, cultural, environmental, and land use impacts when evaluating the alternatives, including the No-Build alternative. He believed that the traffic diversion numbers showed that Zone 4 would not divert enough traffic from the existing spans. He said that Zone 4 does not solve the problem so it should be eliminated from further study. Retaining an alternative that will not work complicates the evaluation process unnecessarily.

Commissioner Sonny Bloxom

Commissioner Bloxom said if a highway is built on the Eastern Shore, it should have no access and no interchanges until it connects with US 50, so that development resulting from a bridge is prohibited. This should be a guiding principle for all zones.

Commissioner Susan Ellsworth Shaw

Commissioner Shaw said a guiding principle should be to do the least harm possible but understand that "no harm" may not be possible.

Question # 3

What additional local or regional goals (besides congestion relief on the existing Bridge) should be considered when determining the location for any additional capacity across the Bay? For example, are there local land use or economic development goals that should be considered?

Mr. Jim Noonan (representing Secretary Audrey Scott)

Mr. Noonan said if you take out increasing traffic capacity as the impetus for a bridge, then there is no reason to do the study. Communities within the study area do not have a land use goal that requests a Bay crossing. Jurisdictions have not envisioned or included a Bay crossing in their respective land use planning documents. Economic development is not a reason. The sole reason is to reduce congestion.

Senator John Astle

Senator Astle said local land use and highway construction are inextricably linked.

New roadways allow more development. Without integrating local land use policies to transportation solutions, an effective solution to the congestion is not possible.

Senator Janet Greenip

Senator Greenip said congestion relief on the existing bridge is the biggest problem and urged the Authority to work quickly to solve the problem.

Commissioner Susan Ellsworth Shaw

Commissioner Shaw said the NEPA study should not only focus on environmental impacts but also on land use and economic development issues. Commissioner Shaw believed extensive interaction with the public would foster the consensus and support needed to solve the congestion problem.

Mr. Jim Rzepkowski (representing Secretary Aris Melissaratos)

Mr. Rzepkowski asked what will happen if the Authority pursues a No-Build alternative and has exhausted all means to relieve congestion on the Bridge. He asked, "In what year will the Authority tell the public there is nothing more we can do?" Mass transit would still require a bridge, so is a bridge carrying a train better? Would a train across the Bay be politically acceptable to environmental agencies and local communities? Would communities on the Eastern Shore agree to local transit stops? Mr. Rzepkowski noted that the Authority and Task Force have not heard from constituents in more distant counties that use the bridge three or four times a year.

Mr. Lon Anderson

Mr. Anderson said a new crossing would be a major financial commitment for Maryland, so it should be tied to statewide goals and long range plans. Decision makers should consider where Maryland should be (economically) in 50 years. Maryland's economic viability depends on having sufficient and reliable capacity across the Bay, but Maryland must also consider how it will protect and manage its rural and urban areas.

Executive Secretary Trent Kittleman

Executive Secretary Kittleman said the State may promote certain initiatives but input from local jurisdictions and all stakeholders is necessary. It could be a matter of coordination between the State and jurisdictions.

Senator E.J. Pipkin

Last year 84,000 jobs were created in the DC area and 15,000 were created in the Baltimore area (information from an economic development presentation held in Queen Anne's County that Senator Pipkin had recently attended). People in Western Maryland Counties are willing to endure 90-minute commutes to these employment areas. This will happen on the Eastern Shore as well.

This isn't just a capacity issue, it's also about jobs and commerce. In the past, when Senator Pipkin suggested limiting truck commerce across the Bay Bridge, the trucking and commerce industries clearly stated their need for transportation across the Bay. Western Shore distribution centers rely on Eastern Shore suppliers. The Senator said the Eastern Shore still needs broadband infrastructure to build its economy. Anticipated job availability on the Eastern Shore and people's willingness to commute will maintain the demand for capacity across the Bay. Stringent land use controls cause land scarcity. Citizens native to the Eastern Shore, as well as the younger generations, are being priced out of the Eastern Shore housing market.

Senator John Astle

Senator Astle suggested that willingness to commute may be significantly affected by rising fuel prices. This could change living patterns. This factor should be evaluated in this study.

Mr. Gregory Wims

Responding to Senator Pipkin's earlier statement that people are moving away from the Eastern Shore, Mr. Wims asked whether people are moving to another State or to other parts of Maryland?

Senator E.J. Pipkin

Senator Pipkin responded that both patterns are happening. Some Maryland residents are drawn to Pennsylvania or Delaware by lower retirement taxes or other incentives. However, these people are being replaced by Western Shore residents willing to make long commutes to Baltimore and Washington employment areas.

Delegate Richard Sossi

Delegate Sossi said regardless of where residents relocate they may still be crossing the bridge. There is a need to promote other transportation demand management strategies.

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If fuel costs rise, people may rideshare or change to four-day work weeks.

Commissioner Sonny Bloxom

Commissioner Bloxom said the Eastern Shore is losing young wage earners because there are no jobs. Higher paying jobs are on the Western Shore. A statewide planning process is scheduled for 2006. Each Maryland region, Western, Central and Eastern, will meet to discuss regional planning issues. The Eastern Shore regional meeting will allow local jurisdictions to find out what the State is doing in the other two regions and allow these jurisdictions to coordinate and share information.

Senator Lowell Stoltzfus

Senator Stoltzfus referred to the Tri-County councils that meet regularly to discuss regional planning issues. The Task Force process has shown that the Eastern Shore would be more affected than the Western Shore by a third crossing. There isn't an economic interest for the Western Shore but the capacity across the Bay has a huge impact to the Eastern Shore. Task Force members may want to engage the Tri-County councils in discussions about potential impacts.

4. Conclusion and Closing Remarks

Delegate Richard Sossi

Delegate Sossi thanked residents of Kent County for coming to the meetings and staying involved. Delegate Sossi extended regrets for Task Force member Victoria Goldsborough who was unable to attend Meeting #5.

Senator Lowell Stoltzfus

Senator Stoltzfus thanked the Task Force members for their participation. He noted the wealth of information provided on environmental and transportation issues. Senator Stoltzfus encouraged everyone attending Meeting #5 to continue to participate by e-mailing their ideas to the Task Force website, www.MDtransportationAuthority.com.

Mr. Jim Lighthizer

Mr. Lighthizer referenced experience as a former County Executive (Anne Arundel County) and his subsequent familiarity with land use issues. As President of the Civil War Land Use Preservation, Mr. Lighthizer has competed with developers to preserve land. He has observed that highways are self-fulfilling

prophecies. Growth follows highways and sewer lines. Limiting those two factors limits growth. I-97 serves as an example of where new interchanges and sewer/water lines were limited to prevent sprawl.

Evaluating the Bay Bridge as a major statewide transportation corridor, similar to I-495, I-95, I-270, I-395, I-295, US 50, I-81 and I-66; these transportation corridors are becoming so congested, residents avoid using them. I-495 is congested during all hours of the day, not just during rush hours. If these corridors are widened, they will fill up.

By 2025 the population will double in the Baltimore-Washington region. In 20 years, there will be less mobility than 10 years ago. Today, it costs \$9 to drive from Crofton to the District of Columbia, not factoring in any kind of maintenance costs. In the future it will cost a lot of money to drive anywhere. Land use rules are applied unevenly at the local level. These local jurisdictions won't make the land use changes necessary to prevent this transportation scarcity. People will pay for the privilege to use a road at a certain time. Variable pricing will be a necessity. Future solutions will come down to money. A solution won't happen until the public forces politicians to do it.

Delegate Anthony O'Donnell

Delegate O'Donnell asked about the process for developing the final Task Force Report.

Mr. Dennis Simpson

Mr. Simpson said the report will document the findings of the Task Force. Staff will complete a draft of the report in April or May and give the report to the Task Force for review. The report will be finalized and then shared with the public. The report will contain a summary of all comments from the public during the Public Information Meetings and those submitted to the Authority and the website.

Senator Lowell Stoltzfus

Senator Stoltzfus adjourned the meeting at 8:55 PM.