

**APPENDIX E**

**PUBLIC HEARING COMMENTS  
AND MDTA RESPONSES**



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**FEDERAL AGENCY COMMENTS**

**&**

**MDTA RESPONSES**



PUBLIC HEARING ON ENVIRONMENTAL ASSESSMENT FOR THE  
HARRY NICE BRIDGE IMPROVEMENT PROJECT  
REMARKS BY CAPT CATIE HANFT, USN  
COMMANDING OFFICER  
NAVAL SUPPORT ACTIVITY SOUTH POTOMAC  
HIGDON ELEMENTARY SCHOOL, NEWBURG, MD  
17 SEPTEMBER 2009

GOOD EVENING. I AM NAVY CAPTAIN CATIE HANFT, COMMANDING OFFICER  
FOR NAVAL SUPPORT ACTIVITY SOUTH POTOMAC. MY COMMAND FUNCTIONS  
AS THE HOST COMMAND RESPONSIBLE FOR OVERALL MANAGEMENT OF TWO  
NAVY INSTALLATIONS - NAVAL SUPPORT FACILITY INDIAN HEAD, HERE IN  
CHARLES COUNTY, AND NAVAL SUPPORT FACILITY DAHLGREN, JUST ACROSS  
THE POTOMAC RIVER IN KING GEORGE COUNTY.

TOGETHER, THESE INSTALLATIONS ARE HOME TO OVER A DOZEN MAJOR  
MILITARY COMMANDS THAT PROVIDE AN INCREDIBLE RANGE OF SUPPORT TO  
OUR ARMED FORCES, OTHER FEDERAL AGENCIES, AND THE NATIONAL  
COMMAND AUTHORITY.

NAVAL SUPPORT FACILITIES INDIAN HEAD AND DAHLGREN ARE AMONG THE  
LARGEST SINGLE EMPLOYERS IN THEIR RESPECTIVE COMMUNITIES. TOGETHER,  
THESE TWO INSTALLATIONS EMPLOY OVER 6,200 FEDERAL CIVILIAN  
PERSONNEL AND SUPPORT NEARLY 5,000 DEFENSE CONTRACTOR EMPLOYEES.  
OVER 1,000 UNIFORMED MILITARY PERSONNEL, REPRESENTING ALL SERVICES,  
ARE STATIONED AT THESE BASES.

THE COMBINED FEDERAL CIVILIAN PAYROLL ALONE FOR NAVAL SUPPORT  
FACILITIES INDIAN HEAD AND DAHLGREN STANDS AT OVER 480 MILLION  
DOLLARS ANNUALLY, AND BOTH BASES MANAGE ANOTHER 713 MILLION  
DOLLARS IN CONTRACTS WITH CORPORATIONS AND BUSINESSES IN THE REGION.

TO STATE THE OBVIOUS, NAVAL SUPPORT FACILITIES INDIAN HEAD AND  
DAHLGREN ARE NOT ONLY IMPORTANT TO OUR NATION'S DEFENSE; THEY ARE  
ALSO CRITICALLY IMPORTANT TO THE REGIONAL ECONOMY.

ONE REASON I AM HERE TONIGHT IS TO AFFIRM THAT IMPROVEMENT TO THE  
POTOMAC RIVER CROSSING FOR HIGHWAY 3-0-1 IS VITALLY IMPORTANT. IT  
CANNOT HAPPEN QUICKLY ENOUGH.

1

**Response to Comment 1:**

This project is currently funded through the planning phase only. Upon approval of this final environmental document by the Federal Highway Administration (FHWA), the Selected Alternate for the project will become eligible to compete with other Maryland Transportation Authority (MDTA) funding needs for the subsequent project phases of final engineering design, right-of-way acquisition, and construction.

As discussed in Section I, one of the project purposes is to provide sufficient capacity for projected traffic volumes, while one of the project needs is to address capacity limitations of the existing bridge. Modified Alternate 7 will address the project purpose and need with the installation of four twelve foot wide travel lanes with a median barrier and full width shoulders, which will assist in reducing traffic congestion, minimizing queues, and providing more predictable travel times at the crossing.

PUBLIC HEARING ON ENVIRONMENTAL ASSESSMENT FOR THE  
HARRY NICE BRIDGE IMPROVEMENT PROJECT

1 MARYLAND TRANSPORTATION AUTHORITY HAS PRESENTED A VERY THOROUGH ANALYSIS OF THE CURRENT AND PROJECTED TRAFFIC ISSUES ASSOCIATED WITH THE HARRY NICE MEMORIAL BRIDGE IN ITS CURRENT FORM. AS COMMANDING OFFICER FOR BOTH INDIAN HEAD AND DAHLGREN, I AM A FREQUENT TRAVELER ACROSS THE NICE BRIDGE BETWEEN THE TWO BASES. AND I CAN ATTEST TO THE URGENCY OF THE NEED FOR IMPROVEMENTS FOR THIS MAJOR TRANSPORTATION ROUTE ACROSS THE POTOMAC.

2 LIKEWISE, THERE ARE HUNDREDS OF EMPLOYEES ON THE TWO BASES THAT COMMUTE DAILY FROM THEIR HOMES IN MARYLAND TO WORK AT DAHLGREN, OR FROM THEIR HOMES IN VIRGINIA TO WORK AT INDIAN HEAD. FOR A SIGNIFICANT PORTION OF OUR WORKFORCE, THE NICE BRIDGE IS THE ONLY OPTION FOR THEIR COMMUTE TO AND FROM THEIR PLACE OF WORK.

3 CONSEQUENTLY, I AM AN ADVOCATE FOR IMPROVEMENTS TO THE NICE BRIDGE THAT WILL PROVIDE A SAFE AND ACCESSIBLE POTOMAC RIVER CROSSING.

MY SECOND REASON FOR BEING HERE TONIGHT IS TO ALSO ADVOCATE FOR A SOLUTION THAT WILL NOT ADVERSELY IMPACT THE MILITARY MISSIONS OF INDIAN HEAD OR DAHLGREN, AND, ULTIMATELY, THEIR ECONOMIC VITALITY.

MARYLAND TRANSPORTATION AUTHORITY ENGAGED MY COMMAND EARLY IN THEIR PROJECT TO DEVELOP IMPROVEMENT OPTIONS FOR THE NICE BRIDGE. WE HAVE BEEN AN ACTIVE STAKEHOLDER THROUGHOUT EACH PHASE OF M-T-A'S STUDY AND HAVE COMMENTED ON THE AGENCY'S ENVIRONMENTAL ASSESSMENT IN SUPPORT OF THE NICE BRIDGE PROJECT.

4 WITH REGARD TO THE NICE BRIDGE ALTERNATES UNDER STUDY, WE HAVE BEEN CONSISTENT IN OUR POSITION. WE HAVE PROVIDED EXPLANATION AND EVIDENCE AS TO WHY WE CANNOT AGREE TO AN EASEMENT ON NAVAL SUPPORT FACILITY DAHLGREN THAT WOULD BE REQUIRED TO ACCOMMODATE ANY OF THE ALTERNATES INVOLVING CONSTRUCTION SOUTH OF THE CURRENT BRIDGE STRUCTURE.

MY POSITION IS NOT REFLECTIVE OF ANY DESIRE TO SIMPLY WITHHOLD NAVY-OWNED REAL ESTATE FROM A PUBLIC VENTURE. AT ISSUE IS THE ADVERSE IMPACT THAT ANY OF THE SOUTHERN ALTERNATES WOULD HAVE ON UNIQUE RESEARCH AND TEST FACILITIES LOCATED AT THE NORTHWEST CORNER OF NAVAL SUPPORT FACILITY DAHLGREN.

Refer to the preceding page for the response to Comment 1.

**Response to Comment 2:**

The September 16, 2008 joint resolution between Charles County, Maryland and King George County, Virginia local elected officials recognizes the Nice Bridge's significant contribution to the Maryland and Virginia economies. As discussed in Section II.A, Modified Alternate 7 will reduce traffic delays, provide more predictable travel times and improve mobility for residents, recreational travelers, and business commerce, which in turn, will help support economic growth in Maryland and Virginia. The inclusion of a bike/ped path will also encourage bicycle tourism along the corridor. By avoiding encroachment of NSF Dahlgren, employment will not be impacted by the project.

**Response to Comment 3:**

One of the purposes of the project is to improve traffic safety on the bridge and roadway approaches (Section I.B). Modified Alternate 7 meets this need by providing a continuous physical median barrier separation of opposing traffic across the bridge, which eliminates the risk of head-on collisions; two twelve foot wide lanes of travel in each direction, which eliminates the current merge area from two to one lane of traffic on each roadway approach to the bridge; and full width shoulders, which provide needed recovery and refuge area for vehicles. Modified Alternate 7 also includes a ten-foot wide bicycle/pedestrian path along the south side of the new bridge. To increase the safety of path users, fencing and railing will be installed, and the path will be barrier-separated from the travel lanes. Additionally, the path crosses beneath the structure on each shore to direct bicyclists/pedestrians to the appropriate outside shoulder of US 301 eliminating the need to cross the highway.

**Response to Comment 4:**

Modified Alternate 7 would not result in direct impact to Naval Support Facility Dahlgren (NSFD). In Section II.A, it is noted the selection of Modified Alternate 7 included recognition of the property, resource, employment, and mission impacts from the southern alternates that would result on the NSFD.



PUBLIC HEARING ON ENVIRONMENTAL ASSESSMENT FOR THE  
HARRY NICE BRIDGE IMPROVEMENT PROJECT

4 IN GRANTING ANY EASEMENT OF NAVY PROPERTY - CALLED FOR IN ALTERNATES TWO, THREE, AND SIX AND THEIR VARIOUS OPTIONS - WE WILL BE IN THE POSITION OF COMPROMISING CRITICAL SAFETY AND SECURITY ZONES ASSOCIATED WITH FACILITIES DEVOTED TO THE RESEARCH AND DEVELOPMENT OF SYSTEMS AND EQUIPMENT THAT PROTECT AGAINST CHEMICAL AND BIOLOGICAL THREATS.

THIS WORK IS CARRIED OUT BY THE NAVAL SURFACE WARFARE CENTER DAHLGREN DIVISION, THE LARGEST SUPPORTED COMMAND ON BOARD NAVAL SUPPORT FACILITY DAHLGREN. FOR A NUMBER OF REASONS, THE FACILITIES REQUIRED FOR THIS WORK CANNOT BE RELOCATED ON THE BASE. THIS WORK IS NOT DUPLICATED ELSEWHERE, AND IS CRITICAL TO THE MISSION OF U.S. ARMED FORCES ON A DAY-TO-DAY BASIS.

HENCE, ANY ENCROACHMENT ONTO NAVAL SUPPORT FACILITY DAHLGREN, AT THE JUNCTURE OF THE BASE'S PROPERTY LINE WITH THE NICE BRIDGE AND HIGHWAY 3-0-1, HAS THE POTENTIAL TO HALT THIS IMPORTANT WORK, CUT OFF THE FLOW OF FUNDING FOR THIS EFFORT, AND ULTIMATELY AFFECT JOBS.

IN SUMMARY, AND IN VIEW OF ALL THE ISSUES I HAVE HIGHLIGHTED, I AM FULLY SUPPORTIVE OF ALTERNATES FOUR, FIVE AND SEVEN CURRENTLY UNDER CONSIDERATION FOR THE NICE BRIDGE PROJECT. EACH OF WHICH PROVIDE FOR FOUR LANES OF TRAFFIC ACROSS THE POTOMAC RIVER.

5 FURTHERMORE, I WOULD ADVOCATE FOR ALTERNATE SEVEN AS A PREFERRED ALTERNATE. THIS OPTION PROVIDES FOR CONSTRUCTION OF A NEW FOUR-LANE BRIDGE NORTH OF THE EXISTING NICE BRIDGE. I BELIEVE THIS OPTION WILL BEST SATISFY EXISTING AND PROJECTED TRANSPORTATION NEEDS FOR THE HIGHWAY 3-0-1 CORRIDOR, AND WILL AVOID FUTURE COSTLY MAINTENANCE REQUIREMENTS ASSOCIATED WITH KEEPING THE ORIGINAL NICE BRIDGE STRUCTURE IN SERVICE.

I APPRECIATE THIS OPPORTUNITY TO COMMENT, AND LOOK FORWARD TO CONTINUING MY SUPPORT OF THE NICE BRIDGE IMPROVEMENT PROJECT.

- END OF REMARKS -

[Captain Catie Hanft also provided these comments at the  
September 24, 2010 Public Hearing held in Virginia]

Refer to the preceding page for the response to Comment 4.

**Response to Comment 5:**

As summarized in Section I.B, the purpose of the project includes providing a crossing of the Potomac River that is geometrically compatible with the US 301 approach roadways, providing sufficient capacity to carry projected vehicular traffic volumes in 2030, improving traffic safety, and providing the ability to maintain two-way traffic flow during maintenance and incidents. Modified Alternate 7 satisfies each of these needs with the installation of four, twelve-foot wide travel lanes, two in each direction, with median separation and full width shoulders, along with reduced grade slopes. As detailed in Section II.C, the identification of the Preferred Alternate was determined based on which alternate best meets the project purpose and need, would not impact the critical missions at NSFD, addresses the majority of comments received, has lower construction costs, minimizes delay impacts to motorists, and eliminates the need for repeated impacts to aquatic habitat. An additional element of Modified Alternate 7 includes removal of the existing bridge, thus avoiding future maintenance cost requirements (see Appendix C for the Section 106 Programmatic Agreement).

**Virginia Public Hearing  
Private Testimony, 9-24-09**

MR. KOLAKOWSKI:

Good evening. My name is Peter Kolakowski. I am here with Mr. Stuart A. Koch who is our Acting Technical Director as well as our Division Deputy Technical Director. We are here to provide comments that would be given by our commander, Captain Sheila Patterson. She is unable to be here this evening because of a death in the family, so we are here to present remarks from Naval Surface Warfare Center Dahlgren Division.

Good evening, everyone. As Commander and speaking on behalf of the Commander of the Naval Surface Warfare Center, Dahlgren Division. We are the largest tenant at the Naval Support Facility South Potomac, which is also the tenant that is the most greatly impacted by the Harry Nice Bridge Expansion Project.

Representatives from NSWC Dahlgren have coordinated closely with Captain Hanft, and she has addressed impacts to our command as well as those of our sister tenants. We are in full agreement that a fundamental concern is the compromise of our unique and specialized laboratories and facilities in closest proximity to the Harry Nice Bridge.

Captain Hanft has represented our concerns and we appreciate her help in making sure the Maryland Transportation Authority understands our concerns.

We all understand the need for the bridge expansion and commend the Maryland Transportation Authority for their impressive studies and continued efforts to resolve the growing traffic and safety concerns regarding the Harry Nice Bridge.

We appreciate their extending to us the opportunity to provide input to their development of alternates. Of these alternates, however, we stand firm that any alternate that requires expansion to the south of the existing bridge would be detrimental to the work performed by NSWC Dahlgren.

In particular, moving the roadway closer would violate minimum standoff distance to safely operate the facilities in the northwestern corner of NSF South Potomac and would disrupt infrastructure, e.g. the main artery to several NSWC Dahlgren facilities including the Herb Bateman Building, and our Warfare Systems facilities. From an anti-terrorism force protection standpoint, the bridge cannot come south of the current footprint.

**Response to Comment 1:**

Refer to the Naval Support Activity South Potomac letter from Captain Catie Hanft, response to Comment 4, in this *Federal Agency Comments* section.

**Response to Comment 2:**

Refer to the Naval Support Activity South Potomac letter from Captain Catie Hanft, responses to Comments 1 and 3, in this *Federal Agency Comments* section.

↑ Alternates requiring movement to the south would therefore require relocation of facilities necessary for Mission-Critical support. Such a move would be extremely difficult, for there are essentially no building sites available due to the need of these facilities to be adjacent to the water and looking down river.

1

Moreover, such moves are cost prohibitive. Reconstruction would cost tens of millions of dollars. For example, the existing Bateman building is approximately 54,000 square feet. The minimum cost to build a replacement building is 54,000 square feet times \$400 a square foot which equals \$21.6 million and could easily climb to \$30 million when you add laboratory capabilities such as what would be required to support the mission.

3

Another consideration is the cost to the community for the relocation has the potential to cause an interruption of jobs.

Then there is the impact to the infrastructure that Captain Hanft has addressed, which would all have to be relocated from the shoreline to the point where the new highway would blend back into the existing highway.

1

This includes the fence line, security system, perimeter roadway, various underground utilities, communication building and the drainage ditch.

The bottom line, however, is that we cannot afford to interrupt the work performed at these facilities. This work is critical to our national defense and homeland security and our support of our warfighters. Construction of new facilities could take years and the Navy just cannot afford to be without these facilities for that long. The result would be a huge gap in critical mission support.

4

I encourage and recommend we work closely with our King George County officials on the alternative approaches North of the bridge. In conclusion, thank you for the opportunity to provide our comments. We appreciate MTA working with us and look forward to continuing our dialogue with you throughout the next steps of this project.

**Response to Comment 3:**

Refer to the Naval Support Activity South Potomac letter from Captain Catie Hanft, response to Comment 2, in this *Federal Agency Comments* section.

**Response to Comment 4:**

Throughout the life of the project, MDTA has coordinated closely with elected officials, including King George County (see Section V.B). A Memorandum of Agreement (MOA) has been executed, with King George County as a signatory, for impacts to parkland north of the existing bridge by Modified Alternate 7 (Appendix B).

From: DeGeorgia, Alaina@epamail.epa.gov (mailto:DeGeorgia,Alaina@epamail.epa.gov)  
Sent: Tuesday, October 13, 2009 3:46 PM  
To: Megan Blum  
Cc: Rudnick, Barbara@epamail.epa.gov; Glen Smith  
Subject: RE: Nice Bridge EA

Megan,

Thank you for extending the deadline for comments until today. Your answers to my questions were very helpful, as were the some of the technical reports you directed me to last week on the phone. After reviewing the Nice Bridge EA, EPA has the following comments, which can be found below.

Thanks,

Alaina

Alaina DeGeorgia  
ORISE Intern  
EPA Region III  
1650 Arch St.  
Philadelphia, PA  
(215) 814-2741

1. At the completion of the Phase 1 archeological study, please include the results in the EA. Please give more information on possible UXO in the study area. Are UXO expected in the area of disturbance? Is there a plan for how they will be dealt with if they are encountered?
2. No stormwater management facilities designs or locations were given, include any available information. Is there any anticipated potential impact from SW on wetlands and streams? Please consider including the use of low impact development techniques (LID) into the plans for this project. LID is a natural approach to land development (or re-development) and stormwater management designed to reduce impacts on watershed hydrology and aquatic resources. Enhancements to site designs can result in significant reductions in stormwater quantity and quality impacts prior to the development of any structural stormwater practices on a site. In addition to the implementation of LIDs, the stormwater treatment and management structures for the project should not be placed in wetland areas. For additional and more comprehensive information on LID information, please refer to the following website: <http://www.epa.gov/nps/lid/>
3. Estimate the amount of material to be dredged for this project. Has a disposal area been identified? Does the amount of dredged material vary between alternatives? To what depths will dredging occur? It would be helpful to provide a map or figure showing the current depths in the Potomac and the proposed new depths.
4. It would be helpful to include total wetland size and total stream footage column to Table 6-Waterway and Wetland Impacts by Alternate found in Appendix D. This information would provide perspective as to the amount of impacts as well as efforts to avoid and minimize impacts. Please include a figure showing clearly total aquatic resources and resources to be impacted. Although the table does give detail on the impact areas, there is no visual to link them to.
5. Discuss and identify possible noise impacts and impacts to aquatic resources resulting from construction and demolition activities. Note if information is going to be included in a later document.
6. Clarify reasoning for stream impacts. This will be helpful in determining whether these impacts are unavoidable and if all possibilities to avoid and minimize have been considered. Discuss impacts of stream shading in EA, expanding on NETR Section II.G3
7. Has imperviousness been taken into account? What is the current percentage of impervious surface and how will the proposed project alternatives impact amount?
8. Indirect and cumulative impacts are thoroughly analyzed in the ICE technical report. However, the document does not fully convey into the EA. Consider adding additional information from the ICE that would strengthen this portion of the EA, like a summary of current, past and near future development.

### Response to Comment 1:

Phase I archeology study results are summarized in Section IV.B. One site in Maryland and one site in Virginia would be affected by the Nice Bridge project. As per the Section 106 Programmatic Agreement (see Appendix C), additional archeological surveys will be performed during final design for both sites to determine National Register of Historic Places (NRHP) eligibility data recovery will be conducted, if required.

Land-based unexploded ordnance (UXO)/Munitions and Explosives of Concern (MEC) investigations have been conducted during invasive activities and did not identify any MEC. MEC investigations in the Potomac River will occur prior to construction, and if discovered, safe handling and disposal procedures will be followed as outlined in an approved *Work Plan for Site Specific Munitions and Explosives of Concern* to protect the people residing and working in the vicinity of the site.

### Response to Comment 2:

Stormwater management (SWM) plans will be developed during final design. To the extent practicable, the design of SWM measures will avoid aquatic resources. The use of low impact development techniques (LID) will be considered for this project.

### Response to Comment 3:

Estimated temporary dredging impacts from the alternates ranged from 61 to 89 acres; with Modified Alternate 7 requiring 65 acres (see Table S-1). During design, further minimization efforts will focus on limiting the amount of dredging required for barge access, and the disturbance of the river bottom for pier placement. The study team is coordinating with US Fish and Wildlife Service to potentially reserve space for storing dredge spoil material at Barren Island. Due to the proximate time frame of construction, current depths of the Potomac will be determined during final design. This, along with more accurate knowledge of actual construction methods, will better determine the required dredging depths and dredge material volume.

### Response to Comment 4:

Wetland and stream (Waters of the US) impacts are shown in Table 2, which is a worst-case assessment including all streams and wetlands located within the limits of disturbance (LOD). The anticipated impacts to streams, which are ditch-type systems with very little flow except following precipitation events, would result from fill needed for roadway embankments and construction of bridge abutments (see Section IV.C). See Preferred Alternate mapping in Appendix A for locations.

Refer to page E-7 for responses to Comments 5, 6, and 7, and page E-8 for response to Comment 8.

**Response to Comment 5:**

Potential impacts to the natural environment from construction and demolition noise are discussed in Section II.E. of the Noise Quality Technical Report, which indicates potential short-term noise levels between 78 and 83 dBA within 100 feet of construction equipment. Discussions on possible impacts to aquatic resources from construction and demolition activities by Modified Alternate 7 are summarized in Section III.C. of the FONSI and presented in Section II.H.2.nof the Natural Environmental Technical Report.

Construction impacts to aquatic habitat by Modified Alternate 7 may include increased turbidity due to sedimentation from erosion or dredging activities, pollution from disturbed sediments, and runoff from impervious surfaces (see Sections IV. C. and IV.G). Impacts to aquatic resources resulting from construction and demolition activities will be avoided and/or minimized through implementation of dredging and blasting time-of-year restrictions (see Table III-1). These restrictions will be revisited with the resource agencies during final design.

**Response to Comment 6:**

Refer to response to Comment 4 above.

Shading impacts are not anticipated as there are no wetlands, streams, or submerged aquatic vegetation located beneath the proposed structure. The quantification of impacts is a worst-case assessment, which includes all streams and wetlands located within the LOD depicted on the mapping of the Preferred Alternate (Appendix A). During final design, additional methods to avoid and minimize impacts will be explored

**Response to Comment 7:**

As part of the preliminary stormwater management analysis, estimated new impervious surface from the build alternates ranged from approximately 138,000sf to 288,500sf in Maryland, and approximately 89,700sf to 214,700sf in Virginia. Minimization techniques for direct effects on waters due to increased impervious surface are presented in Section III.C. and long-term impacts will be minimized through implementation of best management practices based on Maryland and Virginia stormwater management regulations.

*Refer to page E-8 for response to Comment 8.*

The Indirect and Cumulative Effects (ICE) analysis summary, provided in Section IV.G, provides information regarding current, past and near future land use in conjunction with planned development, as depicted on Figures X-X. Based on coordination with county planners in Maryland and Virginia, no approvals for major developments are contingent upon Modified Alternate 7. The Maryland Department of Planning and the Virginia Employment Commission projects populations in Charles and King George counties to increase through the year 2020 regardless of improvements to the Nice Bridge. Therefore, development pressures are not predicted to result from the construction of any build alternate.

U.S. Department of the Interior  
Taylor, Willie R.  
October 16, 2009



United States Department of the Interior

OFFICE OF THE SECRETARY  
Washington, DC 20240



TAKE PRIDE  
IN AMERICA

9043.1  
PEP/NRM

OCT 16 2009

ER 09/860

Mr. Glen Smith, Project Manager  
Maryland Transportation Authority  
2310 Broening Highway, Suite 125  
Baltimore, Maryland 21224

Dear Mr. Smith:

This is in response to a request for the Department of the Interior's (Department) review and comment on the Draft Environmental Assessment and Section 4(f) Evaluation for the **Governor Harry W. Nice Memorial Bridge (Bridge) Improvement Project, Charles County, Maryland, and King George County, Virginia**. We offer the following comments on this project for your consideration.

The Department appreciates the level of detail presented in the draft document regarding public recreation and historic resources within the project planning area and the effect of the various project alternatives on those resources.

Three recreation facilities, Barnesfield Park, Dahlgren Wayside Park, and Potomac Gateway Visitor Center, and one historic site, the Bridge (determined eligible for the National Register of Historic Places), are identified as possibly being affected by this project. These properties are considered potential Section 4(f) properties because they may be used by various project alternatives. Dahlgren Wayside Park is important to the Department because it provides canoe- and raft-launching access to the Potomac and the Captain John Smith Chesapeake National Historic Trail.

In 1972, two adjacent parcels of the Naval Weapons Laboratory in Dahlgren, Virginia, were conveyed in perpetuity, at no cost by the Department, for public parks and public recreation purposes under the Federal Lands to Parks Program. A 160-acre parcel was conveyed in perpetuity to King George County and developed into Barnesfield Park. A 10.5-acre parcel was conveyed in perpetuity to the Virginia Department of Highways for use as a public park and for recreation purposes. This 10.5-acre parcel was later conveyed to King George County in 1984, as an addition to Barnesfield Park with the approval of the Department. In 2008, King George County's request to transfer 2 acres of land for use as a Welcome Center was approved by the Department. In 1985, King George County received a \$240,000 grant for Barnesfield Park improvements from the Land and Water Conservation Fund. The Bridge was constructed between 1938 and

No comments on this page.

1940, and determined eligible for listing on the National Register of Historic Places for its association with historic events as well as its distinctive method of construction.

#### Section 4(f) Comments

The Draft Environmental Assessment and Section 4(f) Evaluation for Bridge Improvement identifies four potential Section 4(f) resources that may be used by various project alternatives under study, seven of which have been retained for detailed study.

- 1 The Department's review suggests that alternatives 2, 3, and 6, involving construction south of the existing Bridge, are not feasible and prudent due to security requirements of existing facilities at Naval Support Facility Dahlgren. Alternative 4 appears to minimize the project's use of the park and recreation facilities as well as impacts to the National Register-eligible Nice Bridge through rehabilitation. A *de minimis* impact determination for the use of Barnesfield Park seems appropriate due to the minimal impacts this project would have on the park, facilities, and their use. Although alternative 5 appears to define similar use of park properties, its impact on the Bridge is greater than that of alternative 4. Alternative 7 involves use of more acreage from Barnesfield Park and Dahlgren Wayside Park and includes removing the current Bridge from use. It is noted that although the Bridge may or may not be immediately scheduled for demolition, the outcome is likely to be demolition due to the continuing cost of maintaining the Bridge.

#### Section 6(f) Comments

- 2 Barnesfield Park is subject to Section 6(f) requirements due to a 1985 grant by the Land and Water Conservation Act of 1965(16 USC 460) as noted in the evaluation. Conversion of the use of portions of the park for this transportation project will require replacement lands of equal acreage, appraised value, and recreational usefulness as mitigation. The conversion process is to be initiated through the Virginia Department of Conservation and Recreation and requires National Park Service approval.

#### Mitigation Measures

- 3 Conversion from public recreation use of portions of Barnesfield Park, Dahlgren Wayside Park, and/or the Potomac Gateway Visitor Center is counter to the purposes for which these properties were transferred to the local and state governments. However, the Department will consider approval of converting sections of the three parks for the transportation project as long as the provisions of Section 4(f) are followed: the uses and impacts are minimized; and mitigation includes replacement lands of equal acreage, appraised value, and recreation usefulness. Section 4(f) Mitigation for the use of the Bridge shall be the same as that required under Section 106 of the National Historic Preservation Act and will probably include recordation of the Bridge as stipulated by the Virginia State Historic Preservation Officer.

#### Response to Comment 1:

As discussed in Section VII of the Final Section 4(f) Evaluation, the study team determined Alternates 2, 3 and 6 are infeasible, since NSFDF cannot agree to an easement on NSFDF property, and a state agency cannot condemn federal land.

#### Response to Comment 2:

Prior to issuance of the Environmental Assessment in 2009, King George County agreed that the Alternates Retained for Detailed Study would likely have no adverse effect to Barnesfield Park, and agreed with the MDTA's intent to pursue a *de minimis* finding for impacts to this resource. As stated in Section III.A and the Final Section 4(f) Evaluation, FHWA has determined Modified Alternate 7 would have a *de minimis* impact on Barnesfield Park. (See Section IV.A).

#### Response to Comment 3:

Although Modified Alternate 7 does not result in the least amount of park impact when compared to the other northern alternates evaluated (Alternates 4 and 5), Alternate 4 does not best meet the project's purpose and need, and Alternate 5 requires increased construction time and travel delays, as well as increased overall impacts to the natural environment, particularly the impact to aquatic resources two times as a new bridge is first installed, then a replacement bridge is installed.

Minor modifications were made to Alternate 7 to create a more cost-effective and less environmentally impactful solution. This was accomplished by the consolidation of the two one-way bike/ped paths on both sides of the new bridge proposed with Alternate 7, into a single two-way path on the south side only, resulting in Modified Alternate 7. This modification allows the opportunity for further minimization of project parkland impacts during design and construction.

#### Response to Comment 4:

An element of Modified Alternate 7 includes removal of the existing bridge, thus avoiding future maintenance cost requirements (see Appendix C for the Section 106 Programmatic Agreement).

Refer to following page for responses to Comments 5, 6, and 7



**Response to Comment 5:**

As documented in the Parks MOA (see Appendix B) executed by King George County (KGC), Virginia Department of Conservation and Recreation (DCR), and National Park Service (NPS), among others, mitigation for unavoidable impacts to Barnesfield Park from the project will be carried out consistent with Section 6(f) of the Federal Land and Water Conservation Fund (LWCF) Act (16 USC 460). Stipulation II. of the MOA calls for parkland replacement to be provided for impacts to Barnesfield Park. It will be KGC's responsibility to determine which of the potential replacement parklands identified in the Parkland Replacement Site Search would be most beneficial to its needs. The replacement parkland must meet conditions of the Section 6(f) of the LWCF Act, which will be of equal acreage and recreational value, and will be approved by Virginia Department of Conservation and Recreation and National Park Service prior to any acquisition of replacement parkland.

**Response to Comment 6:**

The Final Section 4(f) Evaluation provides a thorough analysis of avoidance and minimization alternatives in an effort to reduce impacts to Section 4(f) resources in the project area. FHWA concluded in the Final Section 4(f) Evaluation that there is no feasible and prudent alternative to the use of parkland, and the project includes all possible planning to minimize harm (see Section III.A and the Final Section 4(f) Evaluation). Impacts to Section 4(f) resources will be mitigated through stipulations outlined in the Parks Memorandum of Agreement (MOA) (see Appendix B)

**Response to Comment 7:**

Refer to Response to Comment 6 above.

Per Section 106 of the National Historic Preservation Act (NHPA), adverse effects to the existing historic bridge and original Administration Building will be minimized and mitigated through measures stipulated in a Programmatic Agreement (PA) (see Appendix C) among (FHWA, MDTA, Maryland Historical Trust (MHT), Virginia Department of Transportation (VDOT), and Virginia Department of Historic Resources (DHR). The PA includes measures such as documentation and photographic records, interpretive signage and displays, electronic information resources, review of the new bridge design, and treatment of terrestrial and underwater archeological resources.

**Points of Contact**

Points of Contact for the National Park Service Land and Water Conservation Fund Program and the Federal Lands to Parks Program follow. Please contact these program managers for any additional information needed.

Roy Cortez  
Land and Water Conservation Program  
Northeast Regional Office, National Park Service  
200 Chestnut Street  
Philadelphia, Pennsylvania 19106  
215-597-2334

William H. Huie  
Federal Lands to Parks Program  
Southeast Regional Office, National Park Service  
1924 Building, 100 Alabama Street, SW  
Atlanta, Georgia. 30303-8701  
404-507-5689

We appreciate the opportunity to provide these comments. We look forward to working with your agency on completion of planning for this important transportation project.

Sincerely,



Willie R. Taylor  
Director, Office of Environmental  
Policy and Compliance

No comments on this page.

**STATE AGENCY COMMENTS**

**&**

**MDTA RESPONSES**



Chesapeake Bay Critical Area Commission  
Roberts, Julie  
August 28, 2009

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



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/

Margaret G. McHale  
Chair  
Ren Seely  
Executive Director

August 28, 2009

Mr. Glen Smith, Project Manager  
Maryland Transportation Authority  
2310 Broening Highway, Suite 125  
Baltimore, MD 21224

Re: Nice Bridge Environmental Assessment/Draft Section 4(f) Evaluation

Dear Mr. Smith,

Thank you for forwarding the Environmental Assessment/Draft Section 4(f) Evaluation package for the Nice Bridge Improvement Project. As the provided Assessment indicates, it is anticipated that 14.2 to 24.5 acres within the Critical Area will be impacted by the build alternatives, which includes areas noted for the presence of Federal and State listed species and a waterbird colony. In addition, there are aquatic resources including submerged aquatic vegetation (SAV), and other aquatic resources. I see that my letter and the checklist of items needed for Commission review have been included along with the other agency comments in the binder.

The only comment I have at this stage, and this was brought up in the field on a site visit as well, is in regards to mitigation. The mitigation options currently provided for this project are for impacts to open water and impacted aquatic resources. Several of the alternatives for mitigation offer shoreline stabilization and marsh creation. While this office supports mitigation measures such as these in the appropriate locations, specific consideration of the use of the Buffer for this purpose is needed. If approved, mitigation would be necessary should there be any disturbance to areas above Mean High Water (MHW) and the 100-foot Buffer, at a ratio of 1:1. We urge the applicants to coordinate with this office early and often in this process to calculate any associated Critical Area mitigation for upland impacts, as the monetary and environmental costs will need to be considered in your choice of alternatives.

I look forward to working with you as the project progresses. Please contact me with any questions at 410-260-3476.

Sincerely,

Julie Roberts  
Natural Resources Planner

Cc: 59-07

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

**Response to Comment 1:**

As discussed in Section IV.C., any earth disturbance either as a result of project construction or mitigation of impacts within the 100-foot Buffer of the Potomac River in Maryland will be mitigated with reforestation equal to three times the acreage disturbed.

**Response to Comment 2:**

In Section IV.C., it is recognized that reforestation requirements for Modified Alternate 7 in Maryland will comply with Chesapeake Bay Critical Area Commission requirements in effect at the time they are expected to occur.

**From:** Peters, John (VOF) [mailto:jpeters@vofonline.org]  
**Sent:** Friday, September 04, 2009 2:31 PM  
**To:** MdTA Nice Bridge Study  
**Subject:** Nice Bridge

1 Thank you for submitting the Nice Bridge Improvement Project Environmental Assessment. VOF currently holds an open-space easement on a property approximately 1.5-miles north of the proposed location in King George County and fronting on the Potomac River. The proposed project (including all alternatives) does not currently impact this easement. Please let me know if any changes to the proposed plans should occur. Also, new easements may be recorded in the future within the study area.

John Peters  
Stewardship Specialist  
Virginia Outdoors Foundation  
1108 East Main Street, Suite 700  
Richmond, VA 23219  
Phone: 804.786.0801  
Cell: 804.221.1922  
Fax: 804.225.3236  
Email: [jpeters@vofonline.org](mailto:jpeters@vofonline.org)  
Web: [www.vofonline.org](http://www.vofonline.org)

**Response to Comment 1:**

Additional coordination will be undertaken with the Virginia Outdoors Foundation (VOF) to determine whether VOF has subsequently acquired any property or easements that could be affected by the project during the design phase of Modified Alternate 7.



COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221-0311

L. Preston Bryant, Jr.  
Secretary of Natural Resources

8 September 2009

Mr. Glen Smith  
Maryland Transportation Authority  
2310 Broening Highway  
Suite 150  
Baltimore, Maryland 21224

Kathleen S. Kilpatrick  
Director

Tel: (804) 367-2559  
Fax: (804) 367-2341  
TDD: (804) 367-2386  
www.dhr.virginia.gov

Re: Environmental Assessment (EA) for the Governor Harry W. Nice Memorial Bridge Improvement Project  
King George County, Virginia  
DHR File # 2006-1393

Dear Mr. Smith:

The Department of Historic Resources (DHR) has received for our review and comment, the Environmental Assessment (EA) and Section 4(f) Evaluation for the proposed Governor Harry W. Nice Memorial Bridge improvement project prepared by the Maryland Transportation Authority (MTA) for the Federal Highway Administration (FHWA). The EA discusses the environmental impacts, including to historic properties, resulting from each of six build alternatives and a No Build alternative for the planned improvements to the Governor Harry W. Nice Memorial Bridge which crosses the Potomac River between the state of Maryland and the Commonwealth of Virginia.

With respect to historic properties within the undertaking's Area of Potential Effects (APE) that are located in Virginia, the only architectural resources identified as listed or eligible for the National Register of Historic Places are up to four historic districts at Naval Support Facility Dahlgren. These historic districts are collectively identified by the DHR under our survey number 048-0104. The EA states on page III-21 that the Navy is currently reassessing the resources on base and that the MTA "will continue to coordinate with NSF Dahlgren staff regarding potential effects to historic districts at the facility." We remind the MTA that such coordination with respect to resources eligibility and effect also has to be done with the DHR pursuant to Section 106. We also understand that the MTA anticipates concluding a Phase I archaeological report on the preferred alignment. We look forward to reviewing this report once it is available.

If you have any questions regarding our comments, please call me at (804) 367-2323, Ext. 114.

Sincerely,

  
Marc Holma, Architectural Historian  
Office of Review and Compliance

Administrative Services  
10 Courthouse Avenue  
Richmond, VA 23203  
Tel: (804) 862-6416  
Fax: (804) 662-6198

Capital Region Office  
2801 Kensington Ave.  
Richmond, VA 23221  
Tel: (804) 367-2323  
Fax: (804) 367-2391

Tidewater Region Office  
14115 100 Commerce Way, 2<sup>nd</sup> Floor  
Newport News, VA 23606  
Tel: (757) 896-2097  
Fax: (757) 896-2998

Roanoke Region Office  
1010 Panama Ave., 8<sup>th</sup>  
Roanoke, VA 24013  
Tel: (540) 857-2533  
Fax: (540) 857-2584

Northern Region Office  
3153 Main Street  
PO Box 319  
Stephens City, VA 22686  
Tel: (540) 968-7029  
Fax: (540) 968-5033

**Response to Comment 1:**

As discussed in Section IV.B., a Section 106 Programmatic Agreement (PA) has been developed among MDTA, FHWA, Virginia Department of Historic Resources (DHR) and Maryland Historical Trust (MHT) to reduce adverse effects to historic properties by Modified Alternate 7. The PA, which was executed as a result of coordination with DHR, is included as Appendix C.

**Response to Comment 2:**

The Phase I archaeological report has been shared with DHR. A summary of the report's findings are included in Section IV.B. One site in Maryland and one site in Virginia would be affected by the Nice Bridge project. As per the Section 106 PA (see Appendix C), additional archeological surveys will be performed during final design for both sites to determine National Register of Historic Places (NRHP) eligibility data recovery will be conducted, if required.

**Maryland Public Hearing  
Public Testimony, 9-17-09**

MR. SWIFT:

Hi, everybody. I am Jim, J-I-M, Swift, S-W-I-F-T. I am at 23308 Holly Hill Lane, California, Maryland. That is St. Mary's County.

I am with the Maryland Bicycle, Pedestrian Advisory Committee, MBPAC. I happen to be the Southern Maryland rep and the Chairman of the outfit.

MBPAC is a 21-member committee appointed by the Governor to advise all the state agencies about bicycles and pedestrian issues. Thanks for having this thing today. Thank you, Glen and the staff. This is a great open meeting and we appreciate what you have done here. All the displays are great.

In any case, MBPAC on February 28 of 2008 voted unanimously to – the legislation that we see for the General Assembly to repeal the prohibition of bicycle and pedestrian use of toll facilities

Currently our Community and Transportation subcommittee is proposing a Draft resolution in support of the bicycling and pedestrian options on all the alternatives. I have submitted a Draft, a very rough draft to Glen and I am not going to read this thing because it has got a lot of whereas's and stuff like that, but I just want Glen to know that this is a rough and it has not yet been approved by the committee, but I am sure that it will be because of the votes that we had in the past. So we hope to get this for you by the first of October, Glen.

In any case, the therefore part of it is the Maryland Bicycle and Pedestrian Advisory committee strongly recommends that the alternatives selected for replacement of the Governor Nice Bridge include the optional barrier separated bicycle and pedestrian path. That's all I have.

**Response to Comment 1:**

Modified Alternate 7 includes a single, two-way bicycle/pedestrian (bike/ped) path on the south side of the new bridge, providing an amenity that does not currently exist at the crossing. As described in Section II.A., the path will cross beneath each end of the structure to direct bicyclists/pedestrians to the appropriate outside shoulder of US 301 without users having to cross the highway. The bike/ped path will provide a connection along US 301 between recreational facilities in Maryland (i.e., Aqua-Land Campground and Marina) and Virginia (i.e., Barnesfield Park and Dahlgren Wayside park), and additional crossing of the Potomac for long-distance cyclists traveling the east coast. In addition, the bike/ped path will provide an alternate transportation mode for daily commuters to major area employers, such as the Naval Support Facility Dahlgren.





Jim Swift,  
Chairperson

Steven H. Allen

Vincent J. Browne Jr.

Richard A. Cushwa

Judith Gille

Sgt. Janet Harrison

Gregory W. Hinchliffe

Michael Mason

Susan Welle

Carl Rebele

Kevin Racine

Marol Ross

Patrick Sheehan

Jeff Springer

Beverley Swalm-Staley

James G. Titus

Ann Walsh

Carl Walrus

Neal Welch

John Z. Weimore

September 30, 2009

Mr. Glen Smith  
Project Manager  
Maryland Transportation Authority  
2310 Brooking Highway  
Suite 125  
Baltimore MD 21224

Dear Mr. Smith:

Attached is a resolution by the Maryland Bicycle and Pedestrian Advisory Committee (MBPAC) supporting the inclusion of a bicycle and pedestrian facility as part of all new or substantially renovated Governor Harry W. Nice Bridge improvement projects. MBPAC has been established by State law to provide guidance to State agencies in matters directly affecting bicyclists and pedestrians.

Thank you for your inclusion of this resolution into the public comment record. Please feel free to contact Mr. Michael Jackson, MBPAC staff member at 410-865-1237 or via email at [mjackson3@mdot.state.md.us](mailto:mjackson3@mdot.state.md.us) if there are any questions regarding this matter.

Sincerely,

Jim Swift, Chairperson  
Maryland Bicycle and Pedestrian Advisory Committee

Attachment


cc: Michael E. Jackson, Director of Bicycle and Pedestrian Access, Maryland  
Department of Transportation

**Response to Comment 1:**

Refer to the September 17, 2009 public testimony from Jim Swift (page F-16), response to Comment 1, in this *State Agency Comments* section.

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



<p>Jim Swift, Chairperson</p>	
<p>Steven H. Allan</p>	<p>A Resolution by the Maryland Bicycle and Pedestrian Advisory Committee:</p>
<p>Vincent J. Browne Jr.</p>	<p>That,</p>
<p>Richard A. Cushman</p>	<p>Whereas it is the policy of the State of Maryland, as prescribed in the Annotated Code of Maryland (Section 2-602(1)) that: "Access to and use of transportation facilities by pedestrians and bicycle riders shall be considered and best engineering practices regarding the needs of bicycle riders and pedestrians shall be employed in all phases of transportation planning, including highway design, construction, reconstruction, and repair as well as expansion and improvement of other transportation facilities;" and,</p>
<p>Judith Grillo</p>	
<p>Sgt. Janet Harrison</p>	
<p>Gregory W. Hinchliffe</p>	<p>Whereas rivers form major barriers to bicyclists and pedestrians, and;</p>
<p>Michael Mason</p>	<p>Whereas the Governor Nice Bridge is fifty miles from the next available Potomac River crossing, requiring a one-hundred-mile detour for bicyclists traveling between southern Maryland and central Virginia, and;</p>
<p>Susan Mele</p>	<p>Whereas any new bridge may last seventy five to one hundred years or more, and;</p>
<p>Carl Rebele</p>	
<p>Kevin Racine</p>	<p>Whereas Section 21-1405 of the Annotated Code of Maryland was amended in 2008 to grant the Chairman of the Maryland Transportation Authority, the authority to allow bicyclists and pedestrians access to any vehicular crossing.</p>
<p>Marci Ross</p>	<p>Therefore,</p>
<p>Patrick Sheehan</p>	<p>The Maryland Bicycle and Pedestrian Advisory Committee strongly recommends that the Alternative selected for the replacement Governor Nice Bridge include the optional barrier-separated bicycle and pedestrian path.</p>
<p>Jeff Springer</p>	
<p>Beverley Swain-Staley</p>	
<p>James G. Tittus</p>	<p>1</p>
<p>Ann Walsh</p>	
<p>Cari Watrous</p>	<p>Jim Swift, Chair</p>
<p>Noel Welch</p>	<p>September 25, 2009</p>
<p>John Z. Wetmore</p>	

**Response to Comment 1:**  
 Refer to the September 17, 2009 public testimony from Jim Swift (page F-16), response to Comment 1, in this *State Agency Comments* section.

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

L. Preston Bryant, Jr.  
Secretary of Natural Resources



Joseph H. Munson  
Director

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street  
Richmond, Virginia 23219-2010  
(804) 786-6124

MEMORANDUM

Date: September 18, 2009  
To: Glen Smith, MDTA  
From: Robert S. Munson, Planning Bureau Manager, DCR-DPRR  
Subject: DCR 09-096, Maryland Transportation Authority Harry W. Nice  
Bridge Memorial EA, King George CO

Division of Planning and Recreational Resources

Based on the information in the EA draft, section 4 (f) evaluation, the proposed project will impact 2.2 acres at Barnesfield Park. Barnesfield Park is under the protection of section 6 (f) of the Land & Water Conservation Act. The impact to the protected area will constitute a conversion of use under the Land & Water Conservation Act. In order for the conversion to take place, King George County must undergo the Conversion of Use process with DCR and the National Park Service.

In DCR's previous conversations with the MDTA, the conversion steps have been outlined. Section 6 (f) requires that the impact area of the protected park be replaced with property that has equal or greater value and equivalent recreation usefulness. In addition, the replacement property must constitute a viable recreation area. Replacement of land and facilities need not be the same type of recreational facilities but must meet recreational needs that are identified in the Virginia Outdoors Plan. The replacement property must be approved by DCR prior to submission to the NPS for approval on the conversion. It is highly recommended that the conversion process be started early to avoid delay in construction schedules. Conversions must be approved prior to any land disturbing activity on the 6 (f) protected area. As a general rule, the sponsor should anticipate the conversion process to take at least a year for completing all of the requirements.

Division of Natural Heritage

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

**Response to Comment 1:**  
Refer to the US Department of Interior's letter from Willie R. Taylor, response to Comment 5, in the *Federal Agency Comments* section.

According to the information currently in our files, many Bald Eagle nest sites (*Haliaeetus leucocephalus*, G5/S253B,S3N/NL/L/T) have been documented in the project vicinity. Bald Eagle nest sites are often found in the midst of large wooded areas near marshes or other bodies of water (Byrd, 1991). Bald Eagles feed on fish, waterfowl, seabirds (Campbell et al., 1990), various mammals and carrion (Terres, 1980). Threats to this species include human disturbance of nest sites (Byrd, 1991), habitat loss, biocide contamination, decreasing food supply and illegal shooting (Herkert, 1992). Please note that this species is currently classified as threatened by the Virginia Department of Game and Inland Fisheries (VDGIF).

2

Due to the legal status of the Bald Eagle, DCR recommends coordination with the VDGIF to ensure compliance with protected species legislation.

In addition, our files indicate the presence of Chotank Creek State Natural Area Preserve under DCR's jurisdiction in the project vicinity. However, due to the scope of the activity and the distance to the resources, we do not anticipate that this project will adversely impact Chotank Creek State Natural Area Preserve.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

3

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vaifwis.org/fwis/> or contact Shirl Dressler at (804) 367-6913.

#### Division of Soil and Water Conservation

##### Erosion & Sediment Control:

Virginia Department of Transportation (VDOT) projects that undertake land-disturbing activities of greater than 2,500 square feet must comply with the most current version of the VDOT erosion and sediment control (ESC) annual specifications approved by DCR. All regulated land-disturbing activities must have a project specific ESC plan developed in accordance with the DCR approved VDOT ESC annual specifications. However, the project specific ESC plan need not be submitted to DCR for approval since VDOT has DCR approved annual specifications. All regulated land-disturbing activities associated with the project, including on and off site access roads, staging areas, borrow areas, stockpiles, and soil intentionally transported from the project must be covered by the project specific ESC plan. Annual specifications must be prepared in accordance with the Virginia Erosion & Sediment Control Law (VESCL) and Regulations (VESCR) and the most current version of the *Virginia Erosion & Sediment Control Handbook*. [Reference: VESCL §10.1-560, §10.1-564; VESCR §4VAC50-30-30, VESCR §4VAC50-30-40, §4VAC50-30-100]

4

##### Stormwater Management:

VDOT projects that undertake land-disturbing activities equal to or greater than 2,500 square feet must comply with the most current version of the VDOT stormwater management (SWM) annual specifications approved by DCR. All regulated land-disturbing activities must have a project specific SWM plan developed in accordance with the DCR approved VDOT SWM annual specifications. However, the project specific SWM plan need not be submitted to DCR for approval since VDOT has

5

#### **Response to Comment 2:**

As presented in Section IV.C., construction activities for Modified Alternate 7 will be conducted in compliance with DGIF's latest Bald Eagle Protection Guidance for Virginia. Currently no nests were identified within 330 feet of the limits of disturbance and prohibitions to dredging and blasting will be instituted to minimize disruption during the bald eagle nesting season.

#### **Response to Comment 3:**

The Virginia Department of Game and Inland Fisheries (DGIF) will be contacted during the design phase to obtain data updates regarding wildlife resources under DGIF's jurisdiction within the vicinity of the project, including within the expanded limits of disturbance and proposed mitigation sites.

#### **Response to Comment 4:**

Section IV.C. notes during construction of Modified Alternate 7, releases of sediment from land-disturbing activities will be minimized through erosion and sediment controls. Section VI.C. further commits that during design of Modified Alternate 7, a sediment and erosion control plan will be developed for land-disturbing activities in Virginia that is consistent with the requirements of the Virginia Erosion and Sediment Control Handbook.

#### **Response to Comment 5:**

Section IV.C. notes during construction of Modified Alternate 7, stormwater will be managed to limit downstream erosion and impairment of water quality. Section V.C. further commits that during design of Modified Alternate 7 stormwater management plans will be developed and to the extent practicable, the design of stormwater management measures will avoid aquatic resources. Approvals of stormwater management plans will be obtained pursuant to obtaining NPDES permits.

DCR approved annual specifications. Annual specifications must be prepared in accordance with the Virginia Stormwater Management Act (VSMA) and the Virginia Stormwater Management Program (VSMP) Permit Regulations. [Reference: VSMA §10.1-603.5; VSMP Permit Regulations §4VAC50-60-160]

General Permit for Discharges of Stormwater from Construction Activities in CBPA.  
The operator or owner of construction activities involving land disturbing activities equal to or greater than 2,500 square feet in areas designated as subject to the Chesapeake Bay Preservation Area Designation and Management Regulations adopted pursuant to the Chesapeake Bay Preservation Act are required to register for coverage under the General Permit for Discharges of Stormwater from Construction Activities and develop a project specific stormwater pollution prevention plan (SWPPP). The SWPPP must be prepared prior to submission of the registration statement for coverage under the general permit and the SWPPP must address water quality and quantity in accordance with the Virginia Stormwater Management Program (VSMP) Permit Regulations. General information and registration forms for the General Permit are available on DCR's website at [http://www.dcr.virginia.gov/soil\\_and\\_water/index.shtml](http://www.dcr.virginia.gov/soil_and_water/index.shtml) [Reference: Virginia Stormwater Management Law Act §10.1-603.1 et seq.; VSMP Permit Regulations §4VAC-50 et seq.]

Division of Dam Safety and Flood Plain Management

The Flood Plain Management Program of DCR has reviewed the subject project, and has the following comments: this project is in a designated floodplain on the flood map: a VE zone with a base flood elevation (BFE) of 9.2 feet, and an AE zone with a BFE of 7.2 feet. The project is the improvement of the Harry W. Nice bridge, which carries U.S. Route 301 over the Potomac River between Maryland and Virginia.

The project will have no affect on the BFE of the Potomac River River.

The Flood Plain Management Program of DCR has no objection to this project. According to Executive Order 11988, 44 CFR 60.12, and 44 CFR 60.3(c) the project needs to comply with the floodplain ordinance of the local community (King George County), which is responsible for the proper management of any development in its floodplain areas.

The remaining DCR divisions have no comments regarding the scope of this project. Thank you for the opportunity to comment.

CC: Amy Ewing, VDGIF

Refer to the preceding page for the response to Comment 5.

**Response to Comment 6:**

As Section IV.C. notes, Modified Alternate 7 is consistent with applicable local floodplain protection standards. Section VI.F. commits to conducting a hydrologic and hydraulic study during final design of Modified Alternate 7 to determine what effect the construction of the new bridge will have on Potomac River flood elevations.

Literature Cited

- Byrd, M.A. 1991. Bald eagle. In Virginia's Endangered Species: Proceedings of a Symposium. K. Terwilliger ed. The McDonald and Woodward Publishing Company, Blacksburg, Virginia. Pp. 499-501.
- Campbell, R.W., N.K. Dawe, I. McTaggart-Cowan, J.M. Cooper, G.W. Kaiser, and M.C.E. McNall. 1990. The Birds of British Columbia, Vol. 1, Nonpasserines: Introduction and loons through waterfowl. Royal British Columbia Museum, Victoria, British Columbia, Canada.
- Herkert, J. R., editor. 1992. Endangered and threatened species of Illinois: status and distribution. Vol. 2: Animals. Illinois Endangered Species Protection Board. iv + 142 pp.
- Terres, J.K. 1980. The Audubon Society encyclopedia of North American birds. Alfred A. Knopf, New York.

No comments on this page.

Glenn/Megan,

Thank you for the opportunity to review the Governor Harry W. Nice Bridge Improvement Project Environmental Assessment (EA). The Maryland Department of Transportation (MDOT) appreciates the opportunity to review this document. Just to let you know, the State Highway Administration (SHA) will also be forwarding comments to you directly. Our comments/thoughts are as follows:

1 • An expansion of the Nice Bridge to 4 lanes to reduce traffic congestion is a priority to the Charles County Commissioners as indicated in their June 8, 2009 transportation priority letter to MDOT. They are also concerned that the bridge is a limiting factor in the path of evacuation should a natural disaster or homeland security issue occur. In addition, the County's 2006 Comprehensive Plan recommends increasing the capacity of the bridge.

• Consistency with the Southern Maryland Transportation Needs Assessment

We reviewed the Nice Bridge for consistency with the recently completed and heavily coordinated Southern Maryland Transportation Needs Assessment (TNA), which recommends the expansion of the Nice Bridge to facilitate the flow of traffic at the toll facilities and improve access between Maryland and Virginia. Each of the alternatives retained for detailed study within the EA, with the exception of the "No Build" alternative, are consistent with this recommendation. Furthermore, the TNA recommends that bicycle and pedestrian facilities should be integrated into roadway development projects. This recommendation is supported by the bicycle/pedestrian path options within the EA.

3

Overall the EA is consistent with the recommendations of the TNA with the exception of the "No Build" alternative and the options that do not include bicycle/pedestrian facilities.

• Issues Related to Multi-modalism and Transportation – Land Use Connections

We support any opportunities to advance some of the recommendations in the TNA, particularly those related to highway projects, access management, land use, operations, bicycle and pedestrian strategies, and transit in Southern Maryland.

Access Management and Land Use

The TNA recommends that access controls be implemented on US 301 from south of LaPlata to the Potomac River. Implementing access controls before development pressure builds is easier and less expensive than waiting until after development has occurred; therefore, it is important to move forward on this TNA recommendation concurrently with the planning and construction of the Nice Bridge expansion. This can be an opportunity for MDOT, MDTA, SHA, and Charles County to strengthen their partnership and ensure that county land use plans and arterial access management plans are coordinated and that State and County elected leaders and policy makers are aware of the importance of access management to traffic flow and safety.

4

**Response to Comment 1:**

As summarized in Section I.B, the purpose of the project includes providing a crossing of the Potomac River that is geometrically compatible with the US 301 approach roadways, providing sufficient capacity to carry projected vehicular traffic volumes in 2030, improving traffic safety, and providing the ability to maintain two-way traffic flow during maintenance and incidents. Modified Alternate 7 satisfies each of these needs with the installation of four, twelve-foot wide travel lanes, two in each direction, with median separation and full width shoulders, along with reduced grade slopes, which will assist in reducing traffic congestion, minimizing queues, and providing more predictable travel times at the crossing.

**Response to Comment 2:**

As discussed in Section I, the need for the project recognizes this crossing as part of a critical evacuation route for Southern Maryland and the Washington D.C. area to points south. Modified Alternate 7 will double the existing travel lane capacity, along with providing full width shoulders at this crossing, thereby improving this evacuation route.

**Response to Comment 3:**

Refer to the September 17, 2009 public testimony from Jim Swift, response to Comment 1, in this *State Agency Comments* section.

**Response to Comment 4:**

Decisions to further control access along US 301 in Maryland are under the jurisdiction of the State Highway Administration (SHA). Modified Alternate 7 would not preclude any access revisions along US 301 north to La Plata.

**Operations**

5 | Once the project starts to look at implementing a build alternate, MDTA should look at deployment of dynamic message signs, closed circuit television cameras, roadway weather information systems, and traffic speed detectors at appropriate locations in Southern Maryland. MDTA should coordinate with the Coordinated Highways Action Response Team (CHART) to review deployment plans for these items considering the expansion of the Nice Bridge.

6 | Since additional vehicles may use the US 301 Corridor once the Nice Bridge is expanded, any signal timing and coordination efforts along US 301 should be reviewed by SHA and MDTA in light of the new traffic flow.

**Bicycle/Pedestrian**

3 | MDOT encourages MDTA to construct bicycle and pedestrian facilities over the bridge and link to the existing transportation facilities (shoulders or separate bicycle/pedestrian facility).

I hope you find these comments to be helpful. If you have any questions or concerns, please do not hesitate to contact me at 410-865-1282 or via email at [hmurphy@mdot.state.md.us](mailto:hmurphy@mdot.state.md.us).

Heather Murphy, Deputy Director  
Office of Planning and Capital Programming

**Response to Comment 5:**

As the project progresses into the construction phase, detailed maintenance of traffic plans will be prepared and opportunities to work with the Coordinated Highways Action Response Team (CHART) to provide traveler information will be explored. Modified Alternate 7 will not preclude undertaking this coordination.

**Response to Comment 6:**

The operation of traffic control signals along US 301 is under the jurisdiction of the Maryland SHA and Virginia Department of Transportation (VDOT). Modified Alternate 7 will not preclude modification to these systems. As the project progresses into the construction phase, coordination with these agencies will continue, to ensure appropriate signal timing adjustments are made to changing traffic volumes.



**From:** Ewing, Amy (DGIF) [mailto: Amy.Ewing@dgif.virginia.gov]  
**Sent:** Tuesday, October 06, 2009 2:59 PM  
**To:** MdTA Nice Bridge Study  
**Cc:** Cooper, Jeff (DGIF); Norman, Mitchell (DGIF)  
**Subject:** ESSLog# 22977\_Nice Memorial Bridge Improvement Project

We have reviewed the Environmental Assessment (EA) for the subject project. It appears that there are still a number of alternatives being considered. We do not necessarily prefer one alternative over another. However we do encourage the Maryland Transportation Authority (MDTA) to choose an alternative that avoids and minimizes impacts upon wetlands, streams, forests, and listed species to the greatest extent possible.

The data we provided to you regarding the study area is now a few years old. We continually update our data and recommend that the MDTA request a data update from us. This may be achieved in two ways. First, you may request access to our Wildlife Environmental Review Map Service (WERMS) through Dave Morton, VDGL GIS Coordinator at 804-367-6772 or [Dave.Morton@dgif.virginia.gov](mailto:Dave.Morton@dgif.virginia.gov). This will require signing a data use agreement, but will allow you to perform data updates on a continuous basis. Second, you may contact me to request a re-review of the project area for wildlife resources under our jurisdiction. I would be happy to search our data for you again, but cannot do this automatically in the future, you would need to request updates as the project moves forward.

**Protection of state Threatened bald eagle:**

Please note that we do not currently have access to the bald eagle nest survey data from the 2009 nesting season. To ensure protection of this listed species, please contact the Center for Conservation Biology at 757-221-2247 to determine if any new bald eagle nests were detected during the 2009 surveys. If a new nest was documented within 0.25 mile (1,320 feet) of the project area, please contact us to facilitate further consultation regarding the new nest(s). Hopefully by next year, we will once again be able to provide these data to you. Also note that although the bald eagle has been delisted federally, it is still listed Threatened in Virginia and is protected under the Virginia Endangered Species Act. However, since its federal delisting, we have amended our protection guidelines for the species. Pertinent changes are below:

1. The management zone (protection zone) around the nest has been reduced from 1,320 ft (includes primary and secondary management zone) to 660 ft around the nest. We need to coordinate with you closely on any proposed impacts within 660 ft of a documented bald eagle nest in Virginia.
2. The management zone (protection zone) for concentration areas has been reduced from 750 ft outward or landward of the shoreline to 660 ft outward or landward of the shoreline. We need to coordinate with you closely on any proposed impacts within 660 ft of the Potomac River shoreline upstream of the existing bridge.

**Protection of Potomac River and Gambo Creek Anadromous Fish Use Areas:**

We continue to support the recommendations we provided, and which are included in the EA, regarding the protection of these important fisheries resources.

**General:**

We recommend continued coordination with our agency regarding the protection of bald eagles nests, bald eagle roosts, bald eagle concentration areas, and anadromous fish use areas. Once an alternative has been chosen and specific project activities can be reviewed, we can be very specific in our recommendation to avoid minimize, and/or mitigate impacts upon listed wildlife resources under our jurisdiction.

Thanks, Amy  
Amy M. Ewing  
Environmental Services Biologist  
Virginia Dept. of Game and Inland Fisheries  
4010 West Broad Street  
Richmond, VA 23230  
804-367-2211  
[amy.ewing@dgif.virginia.gov](mailto:amy.ewing@dgif.virginia.gov)

**Response to Comment 1:**

Refer to the Naval Support Activity South Potomac letter from Captian Catie Hanft, response to Comment 5, as well as the US Department of Interior letter from Willie R. Taylor, response to Comment 3, in the *Federal Agency Comments* section.

**Response to Comment 2:**

Refer to Virginia Department of Conservation and Recreation letter from Robert Munson, response to Comment 3, in the *State Agency Comments* section.

**Response to Comment 3:**

Prior to construction, bald eagle nests will be surveyed, and further coordination undertaken with DGIF, Maryland Department of Natural Resources (DNR), and the US Fish and Wildlife Service (FWS). Bridge construction activities will be managed to comply with the FWS' May 2007 *National Bald Eagle Management Guidelines*, and DGIF's current protection guidelines for the species. Compliance with these guidelines may result in time-of-year restrictions, or activity modifications, for some construction operations such as tree clearing, grading, and blasting.

**Response to Comment 4:**

Refer to responses to Comment 3 above.

Time-of year restrictions for work in the Potomac River will be imposed to protect aquatic species (see Table III-1). During design, additional coordination will be undertaken with the National Marine Fisheries Service (NMFS) offices in Annapolis, MD and Gloucester, MD to establish construction techniques for pile driving and subaqueous blasting to protect anadromous fish and the possible presence of overwintering shortnose sturgeon.

---

**From:** Cooper, Jeff (DGIF) [mailto:Jeff.Cooper@dgif.virginia.gov]  
**Sent:** Tuesday, October 06, 2009 5:32 PM  
**To:** Ewing, Amy (DGIF); MDTA Nice Bridge Study  
**Cc:** Norman, Mitchell (DGIF)  
**Subject:** RE: ESSLog# 22977\_Nice Memorial Bridge Improvement Project

1 | FYI - The Maryland shore near the bridge is a bald eagle concentration area as well, however, I do not think the MDNR officially recognizes the designation. We have 4 years of data for the Maryland shoreline above Rt. 301. The cliffs above the bridge on the Maryland side are one of the highest use shoreline segments on the Potomac.

Jeff Cooper  
Nongame Bird Projects Coordinator  
Virginia Department of Game and Inland Fisheries  
1320 Belman Rd., Fredericksburg, VA 22401  
Office: (540)899-4169  
Cell: (540)5381021  
Fax: (540)899-4381

**Response to Comment 1:**  
Refer to Virginia Department of Game and Inland Fisheries letter from Amy Ewing, response to Comment 3, in this *State Agency Comments* section.



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

Rickland Elberhart Hahn  
Secretary  
Matthew J. Power  
Deputy Secretary

October 22, 2009

Mr. Glen Smith, Project Manager  
Maryland Transportation Authority  
2310 Broening Highway, Suite 125  
Baltimore, MD 21124

Re: The Environmental Assessment (EA) for the Governor Harry W. Nice Memorial Bridge Improvement Project, Charles County, Maryland & King George County, Virginia

Dear Mr. Smith,

Thank you for providing the Maryland Department of Planning (MDP) with the opportunity to review the Environmental Assessment prepared for the Governor Harry W. Nice Memorial Bridge Improvement Project. We have reviewed the document and would like to offer the following comments.

MDP is pleased that each retained build alternate provides a barrier separated bicycle and pedestrian path option which will safely accommodate bicycles and pedestrians crossing the Nice Bridge in the future. We note that the proposed bicycle and pedestrian options would cost approximately \$85 million if the one path option is selected, or \$170 million if the two-path option is selected. Currently, Alternate 3, 5, 6, or 7 is designed with the two-path option. Concerning the high cost of building two 10-foot bicycle/pedestrian paths for these alternates, we suggest MDTA assess the necessity of providing two 10-foot paths for these alternates, and consider the one 10-foot path option for all built alternates.

One concern that we have over the environmental impact study for the project is the lack of recognition of the potential indirect land use and growth impacts of the project on southern Maryland. As indicated in the EA document, both the weekday peak hour and daily traffic volumes at the Nice Bridge are projected to more than double between 2004 and 2030; and on an average weekday, about 80% of the trips are made by daily workers or commuters. Most of these commuting trips would come from southern Maryland and the project influence area in Virginia. As we commented on the preliminary EA in December 2008, MDP views that a wider bridge, as the build alternates would provide, would better accommodate and facilitate such a commuting trend; and it will bring growth pressure to these fast growing areas of both states. If the current growth trend continues in southern Maryland, particularly in Charles County, over 40% of the residential growth and 85% of the newly developed land could occur outside the Priority Funding Areas where the State does not support for growth. The growth trend

**Response to Comment 1:**

Refer to the September 17, 2009 public testimony from Jim Swift, response to Comment 1, in this *State Agency Comments* section.

**Response to Comment 2:**

As discussed in Section IV.A.5., Modified Alternate 7 will not substantially affect the overall land use in the study area since it will not increase the capacity of the corridor as a whole, nor will development patterns be affected by the project because no new access to the corridor will result. Local master plans influence the amount of development, while local permitting processes control the rate of building. The project is consistent with county master plans and Maryland Priority Funding Areas Act and will not encourage sprawl development.

- 2 demonstrates that the current local land use policies and regulations as well as the State's Smart Growth Policies so far haven't been able to effectively manage growth in southern Maryland.
- 3 To support the State's Smart Growth Policies, MDTA could help to minimize the adverse impacts of sprawl development in both states' rural areas. For instance, MDTA could consider using toll mechanisms effectively to discourage single-occupancy-vehicle (SOV) travel crossing the Nice Bridge. In coordination with related public and/or private entities, MDTA could also help to support transit service, carpooling, and park & ride lots along US 301 if such needs are identified in the future.
- 4

We look forward to continuing to participate in the Nice Bridge project planning study. Should you have any questions with regard to the above comments, please do not hesitate to contact me at 410-767-4567 or by email, [bxu@mdp.state.md.us](mailto:bxu@mdp.state.md.us).

Sincerely,  
  
Bihui Xu, AICP  
Manager  
Transportation Planning

cc: Dennis N Simpson, Director, DCP, MDTA  
Megan Blum, MDTA  
Michael Jackson, Bicycle/Pedestrian Director, MDOT  
Ian Cavanaugh, Area Engineer, FHWA  
Pat Goucher, Director, Infrastructure Planning, MDP  
David Whitaker, Deputy Director, Infrastructure Planning, MDP

Refer to the preceding page for response to Comment 2.

**Response to Comment 3:**

As summarized in Section I.B., the purpose of the project includes providing a crossing of the Potomac River that is geometrically compatible with the US 301 approach roadways, and providing sufficient capacity to carry projected vehicular traffic volumes in 2030. Modified Alternate 7 fully meets these project needs. Providing additional capacity for non-single occupancy vehicles (SOVs) without a supporting network of non-SOV lanes on the approach roadway may result in additional expenditure of scarce resources for a minor portion of the vehicle mix and would not be consistent with local master plans. Instituting restricted use lanes on the US 301 approach roadways would reduce the capacity of these roadways and require the installation of merge and diverge ramps to and from the bridge, complicating access to roadways along US 301 in the proximity of the bridge.

**Response to Comment 4:**

Opportunities to incorporate Travel Demand Management (TDM) elements and accommodations for transit will continue to be investigated. The Nice Bridge facility has not been identified as a candidate, nor do local master plans call for a Park and Ride lot at this location. TDM elements, such as park and Ride lots, as a stand-alone alternate will not meet the project purpose and need, yet they are not precluded by Modified Alternate 7.

**LOCAL AGENCY AND ELECTED OFFICIAL COMMENTS**  
**&**  
**MDTA RESPONSES**



WAYNE COOPER, President  
EDITH J. PATTERSON, Ed D., Vice President  
REUBEN B. COLLINS, II  
SAMUEL N. GRAVES, Jr.  
GARY V. HODGE



REBECCA B., BRIDGETT, Ed D.  
County Administrator  
JOYCE A. SCHMIDT  
Chief of Staff

## County Commissioners of Charles County

P.O. BOX 2150 • LA PLATA, MARYLAND 20646  
www.charlescounty.org  
(301) 645-0550 • METRO 870-3000 • TOLL FREE (877) 807-8750  
TDD 1-800-735-2258 or 7-1-1 • FAX (301) 645-0560

September 17, 2009

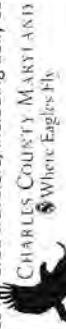
Mr. Glen Smith  
Project Manager  
Gov. Harry W. Nice Bridge Improvement Project  
Maryland Transportation Authority  
Division of Capital Planning  
2310 Broening Highway, Suite 125  
Baltimore, Maryland 21224

Re: Public Hearing Testimony, September 17, 2009

Dear Mr. Smith:

The County Commissioners of Charles County, Maryland unanimously support the replacement and expansion of the Governor Harry W. Nice Bridge to provide a greatly needed capacity improvement for the region. The expansion of this bridge will alleviate the bottle-neck currently created by the four-lane approaches in both Maryland and Virginia tapering to two lanes. This expansion is needed on several accounts. With Charles County being located only 20 miles from the District of Columbia, US 301 would serve as a primary evacuation route for citizens as well as a primary access route for emergency support personnel and first responders to an incident. Second, the convergence of the 4-lanes of traffic into two lanes creates miles of crawling vehicle congestion and travel delays. Finally, the existing bridge is severely antiquated, with substandard travel lane widths, the lack of adequate shoulders for emergency pull-offs, the lack of bicycle and pedestrian accommodations, and the inability to maintain two lanes of travel in the event of accidents and during the performance of maintenance activities.

When the existing bridge was built in 1940, the approaching roads on each side were both two-lane roads. As both roads have been expanded over the last 69 years, the bridge has remained the same creating great issues for area travelers, including daily commuters to points north and



SAY NO TO DRUGS - EQUAL OPPORTUNITY COUNTY

### Response to Comment 1:

As discussed in Section 1, one of the project purposes is to provide sufficient capacity for projected traffic volumes, while one of the project needs is to address the capacity limitations of the existing bridge. Modified Alternate 7 will address the project purpose and need with the installation of four twelve foot wide travel lanes with a median barrier and full width shoulders, which will assist in reducing traffic congestion, minimizing queues, and providing more predictable travel times at the crossing.

### Response to Comment 2:

Refer to Maryland Department of Transportation letter from Heather Murphy, response to Comment 2, in the *State Agency Comments* is section.

### Response to Comment 3:

Refer to the Naval Support Activity South Potomac letter from Captain Catic Hanft, response to Comments 3 and 5, in the *Federal Agency Comments* section.

Refer to following page for response to Comment 4.

4 south. As traffic volumes have substantially increased over the last 20 years, there have been no bridge capacity improvements to accommodate this increase, resulting in back-ups that have extended over a mile in length. During the housing boom from 2002 to 2006, northern King George County experienced a substantial wave of residential development that commutes over the bridge daily to get to jobs in the Metropolitan Washington area. Much like the trends seen in other Washington D.C. suburbs, the commuting population continues to travel from points further from their destination, increasing traffic volumes being carried over this bridge.

5 Based on the Environmental Assessment and 4(f) documents presented by the Maryland Transportation Authority, impacts by any of the alternatives are minimal to Charles County. The County Commissioners appreciate the history and architecture of the existing Harry W. Nice Bridge, however, we recommend an alternative that replaces the existing structure in order to provide our citizens with a bridge that affords state-of-the-art safety in its design and lasting integrity in its construction. We believe replacement of the existing bridge will be a more prudent investment in limited state funds then to invest in a substandard facility that continues to need more frequent maintenance and significant rehabilitation. We understand the concern of impacts is greater to our neighbors in King George County, Virginia, both to the Dahlgren Naval Base as well as the adjacent Park Lands. While Charles County does not have a preference of a four lane Alternative to recommend based on impacts to our County, we recommend that the Authority select a four lane alternative that satisfies the parties affected on the Virginia side.

6 Following the selection of a four lane Alternative and the completion of the final environmental document for the project, it is paramount that the State allocate the necessary funds to move this project to final engineering design and construction. While we wish to share our sincere appreciation for the Authority's efforts to bring this project forward and complete the planning phase of this much needed project, it would be a wasted effort to place this work on the shelf and lose the investment and momentum generated by this progress. The Commissioners understand that competition for these funds is significant, including the recent addition of the Inter-County Connector (ICC) in Montgomery County. However, there is no single more significant piece of roadway infrastructure in Charles County for interstate travel, commerce, and safety than this bridge replacement. Aside from routine maintenance of the Nice Bridge, there has been no significant additional investment by the Maryland Transportation Authority in Charles County since 1940. To that point, we strongly urge the Authority to fund the next phases of this project and complete this crucial piece of interstate infrastructure improvement.

**Response to Comment 4:**

As discussed in Section II.A., Modified Alternate 7 will reduce traffic delays, provide more predictable travel times and improve mobility for residents, recreational travelers, and business commerce, which in turn, will help support economic growth in Maryland and Virginia.

**Response to Comment 5:**

With the implementation of Modified Alternate 7 there would no longer be a transportation need for the existing bridge and the existing bridge would be removed (see Section II.A. for rationale for removing the existing bridge).

Refer to US Department of Interior letter from Willie R. Taylor, response to Comment 7, in the *Federal Agency Comments* section.

**Response to Comment 6:**

Modified Alternate 7 would not result in direct impact to Naval Support Facility Dahlgren (NSFD). In Section I.C., it is noted the selection of Modified Alternate 7 included recognition of the property, resource, employment, and mission impacts from the southern alternatives that would result on the NSFD.

**Response to Comment 7:**

This project is currently funded through the planning phase only. Upon approval of this final environmental document by the Federal Highway Administration (FHWA), the Selected Alternate for the project will become eligible to compete with other Maryland Transportation Authority (MDTA) funding needs for the subsequent project phases of final engineering design, right-of-way acquisition, and construction.



Charles County Commissioners  
Cooper, Wayne (Charles County Commissioner, President)  
September 17, 2009

Should you have any questions please contact Mr. Jason Groth, Chief of Resource and Infrastructure Management by calling (301) 396-5814 or by email to [grothj@charlescounty.org](mailto:grothj@charlescounty.org).

Very truly,

COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

  
Wayne Cooper, President

  
Edith J. Patterson, Vice President

  
Reuben B. Collins, II

  
Samuel N. Graves, Jr.

  
Gary V. Hodge

cc: Dr. Rebecca Bridgett, County Administrator  
Mr. Roy Hancock, Assistant County Administrator  
Mr. Chuck Beall, Director of Planning & Growth Management  
Mr. Steven Ball, Planning Director  
Mr. Jason Groth, Chief of Resource & Infrastructure Mgmt

No comments on this page.

Virginia Public Hearing  
Public Testimony, 9-24-09

MR. GRZEIKA:

Good evening. I'm Joseph Grzeika and I'm here as Chairman of the King George Board of Supervisors and am presenting the position of the board.

The Nice Bridge is a critical link for our community. It is a vital link for commerce and has a substantial impact on our economy. Our residents use it to travel north to jobs in the DC Metro area as well as to avail themselves of services in Maryland. It is also a vital link for the base at Dahlgren. It is critical to their mission and ability for their Staff and sponsors to come and go to the Metro DC area as well.

1

The Route 301 corridor also serves as a defacto bypass for Route 95 traffic wishing to avoid the capital traffic. My board recommends and supports either of the new four-lane options being considered. We have no bias for either the north or south placement, each having impacts but due to the criticality of this project, we would accept either placement of a new four-lane structure.

2

The other options which pose various two-lane structures or no change we feel would not address the future needs as we look 30 to 40 years in the future.

We would also like to note that it is critical that this project be continued at a minimum the next phrase of the project engineering and design phase be funded immediately.

3

Thank you for allowing us to provide our comments and recommendations on this critical project.

**Response to Comment 1:**

Refer to Charles County Commissioners letter from Wayne Cooper, response to Comment 4, in this *Local Agency and Elected Officials Comments* section.

**Response to Comment 2:**

Refer to Charles County Commissioners letter from Wayne Cooper, response to Comment 1, in this *Local Agency and Elected Officials Comments* section.

**Response to Comment 3:**

Refer to Charles County Commissioners letter from Wayne Cooper, response to Comment 7, in this *Local Agency and Elected Officials Comments* section.

Virginia Public Hearing  
Public Testimony, 9-24-09

MR. SISSON:

Good evening. I'm Dale Sisson. I'm the at large member of the King George County board of supervisors.

Mr. Grzeika has very appropriately represented the position of the board in general and I wanted to amplify the comments that he has made and then speak some on behalf of my personal feelings as well.

I have had the privilege of participating in the focus group for this project since it was kicked off and I have had an opportunity to contribute. I thank Glen Smith and his team for how they have led this project and look forward to moving into the engineering phase as Mr. Grzeika has mentioned.

From a King George County standpoint, we do feel strongly that the four-lane alternatives are really where we need to go. I personally understand the practicality of needing to land the bridge on the north side. We understand the impacts of landing on the southerly side at the Naval Support Center and the Naval Support Activity South Potomac there. So we understand that due to the complexity of the park property on the north, it may happen with some of that and that led to our former position. We understand certainly the practicality and the impacts on the southerly side.

From a support perspective, Mr. Grzeika and I had the opportunity to sit with then Senator Allen in his office in Washington and I believe it was in 2004. At that time we had just had a holiday weekend and we had about a 14-mile backup on 301 north into King George County. So that really led to our heavy interest in pushing this project forward and seeing some momentum behind a new bridge project.

That is a significant safety concern and a traffic concern for us here as a locality and one that we really don't want to have to deal with. So this project is really critical from that standpoint.

Another factor that we would ask you all to consider, the Maryland Transportation Authority will be in the process of planning a redecking of the existing structure similar to the project that happened in the early to mid 80s with significant lane closures on the existing bridge. So as we consider the impacts of that, that is the time to be thinking about the replacement bridge and making an investment in the new project.

So again, I wanted to reiterate my support for the project in going forward and certainly the four-lane option is the way to go. Thank you.

**Response to Comment 1:**

Refer to Charles County Commissioners letter from Wayne Cooper, response to Comment 7, in this *Local Agency and Elected Officials Comments* section.

**Response to Comment 2:**

Refer to Charles County Commissioners letter from Wayne Cooper, responses to Comments 1 and 6, in this *Local Agency and Elected Officials Comments* section.

The project would require the use of public park properties that are protected by Section 4(f) of the US Department of Transportation Act. Therefore, a Section 4(f) Evaluation was prepared pursuant to 23 CFR 774. In the Final Section 4(f) Evaluation, FHWA concluded that there is no feasible and prudent alternative to the use of parkland, and the project includes all possible planning to minimize harm.

Minor modifications were made to Alternate 7 to create a more cost-effective and less environmentally impactful solution. This was accomplished by the consolidation of the two one-way bike/ped paths on both sides of the new bridge proposed with Alternate 7, into a single two-way path on the south side only, resulting in Modified Alternate 7. This modification allows the opportunity for further minimization of project parkland impacts during design and construction.

Barnesfield Park is also protected by Section 6(f) of the Federal Land and Water Conservation Fund (LWCF) Act (16 USC 460). For consistency with this act, mitigation for unavoidable parkland impacts from the project will be carious out as documented in the Memorandum of Agreement (MOA) provided in Appendix X. Mitigation of parkland impact associated with Modified Alternate 7 will include providing replacement parkland and implementing a landscape plan for portions of Barnesfield Park, Dahlgren Wayside Park, and the Potomac Gateway Welcome Center property.

**Response to Comment 3:**

Refer to the Naval Support Activity South Potomac letter from Captain Catie Hanft, response to Comment 3, in the *Federal Agency Comments* section.

**Response to Comment 4:**

During the construction of Modified Alternate 7, the existing bridge will remain in service, minimizing construction impacts to traffic flow along US 301. Maintenance of Traffic plans will be developed during the design of Modified Alternate 7, which will require access to all connecting streets in the project area be maintained throughout the construction process. These plans are required for construction in Maryland by MDTA (east of the bridge abutment on the western shore of the Potomac) and in Virginia by VDOT (including US 301 intersection with Roseland Road). Modified Alternate 7 will also minimize impacts to traffic during future bridge redecking/maintenance activities.



## Bicycle & Trail Advisory Group

Prince George's County  Founded January 1998

September 27, 2009

Mr. Glen Smith  
Project Manager  
Maryland Transportation Authority  
Division of Capital Planning  
2310 Broening Highway, Suite 125  
Baltimore, Maryland 21224

Dear Mr. Smith,

The Prince George's County Bicycle and Trails Advisory Group (BTAG) is writing in favor of including the barrier-separated bicycle/pedestrian path as part of the Governor Harry W. Nice Memorial Bridge Improvement Project. BTAG supports providing this path regardless of which alternative is chosen to improve the bridge. BTAG has supported trails, walkable communities, and bicycle-compatible roadway improvements since it was founded in 1998, and continues to support the provision of accommodations for bicyclists and pedestrians as new road improvement projects are designed and constructed.

The Nice Bridge Improvement Project provides a unique opportunity to link Southern Maryland with Virginia and to provide a regional multi-modal trail connection. The recent opening of the Woodrow Wilson Bridge Trail has illustrated the widespread desire for this type of facility. The June 2009 opening of the Woodrow Wilson Bridge Trail was extremely well attended by elected officials, bicycle advocates, and recreational bicyclists from around the region. Since the opening the trail has been heavily used as a bicycle connection between northern Virginia and Maryland, as well as the National Harbor development. BTAG supports and strongly encourages a similar connection along the Nice Bridge.

Thank you for your continuing outreach to the community and local jurisdictions to make the Nice Bridge improvement the best project possible. If you have any questions, please contact me at (301) 952-3661 or [fred.shaffer@pnd.mnccppc.org](mailto:fred.shaffer@pnd.mnccppc.org). BTAG is the citizen advisory committee on trails related issues established by the Prince George's County Executive in 1998. It is chaired by members of the M-NCPPC Planning Department and facilitates interaction between trail and community groups with



c/o M-NCPPC Transportation Planning  
14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772  
301-952-3661 Fax: 301-952-3749 [btag@mnccppc.state.md.us](mailto:btag@mnccppc.state.md.us)



### Response to Comment 1:

Refer to the September 17, 2009 public testimony from Jim Swift, response to Comment 1, in the *State Agency Comments* section.

the various implementing agencies responsible for trails and bikeway improvements in the County.

Sincerely,



Fred Shaffer  
M-NCPPC Trails Coordinator  
Co-Chair, Bicycle and Trails  
Advisory Group

*No comments on this page.*



**PUBLIC COMMENTS**

**&**

**MDTA RESPONSES**





## Appendix E: Response to Public Comments

### Comment Themes

The MDTA provided written responses to all individuals, agencies, and organizations that submitted oral and/or written comments on the project during the public comment period (August 14, 2009 – October 9, 2009). When initial responses were developed to the comments, a Preferred Alternate had not been identified. Recognizing the range of possible preferred alternates, the initial responses were general in nature. The general responses noted more detailed responses to comments received would be provided in the final environmental document (i.e., this FONSI) after the Preferred Alternate was identified.

Comments received during the comment period were grouped into nineteen common themes. This section of the document provides more detailed responses, with a focus on Modified Alternate 7, to each of these common comment themes. Under each response, the individuals who submitted a comment on that theme are identified.

#### 1. Include Bicycle/Pedestrian Option

C-07: Mary Lewis, Charlotte Hall, MD	W-22: Anonymous
C-11: Shermanda Williams, Newberg, MD	W-23: David Bono
C-18: Jane Hudnall, Fort Washington, MD	W-24: Anonymous
C-20: Dave and Carol Jones, King George, VA	W-25: Anonymous
C-22: Betty Grigg, King George, VA	W-26: Shelley Picott, White Plains, MD
C-30: James P. Lynch, King George, VA	W-27: Willis Alfred, Silver Spring, MD
E-02; C-32: Walter Roscello, La Plata, MD	W-28: Casey Anderson, Silver Spring, MD
E-10: Matt and Pam Brennan	W-29: Steve Mohr, Silver Spring, MD
E-12: Chris Maloney	W-30: Alex Loker, Alexandria, VA
E-13: John Bik, Bethesda, MD	W-31: Anonymous
E-14: John Z. Wetmore, Bethesda, MD	W-32: Anonymous
E-17: James P. Lynch, King George, VA	W-33: Christian Clough, Takoma Park, MD
W-02: TL Davis	W-34: Claire Weaver, Springfield, VA
W-04: Richard Reis, Silver Spring, MD	W-35: Marti Scheel, Greenbelt, MD
W-08: John Early, Clinton, MD	W-36: Nancy Seibel, Silver Spring, MD
W-09: Sam Felis	W-37: Jeffery Marks, Baltimore, MD
W-10: Randy Swart, Arlington, VA	W-39: Anonymous, VA
W-11: Tom Huff, Leonardtown, MD	W-40: Peter Henry, Alexandria, VA
W-12: Anonymous	W-41: James Rorick, Upper Marlboro, MD
W-14: Bruce Johnson, Herndon, VA	W-42: Kathy Collins, Arlington, VA
W-15: Polly Choate, Washington DC	W-43: Louis Martino, Clarksville, MD
W-16: Kristen Watts	W-44: Anonymous
W-17: Joseph Collins, Dunkirk, MD	W-45: Louis Hostler, Wheaton, MD
W-18: Elizabeth Caldwell, Accokeek, MD	W-46: Stephen Lorenzetti
W-19: Joshua Caldwell, Accokeek, MD	W-47: Mark Nensel, Rockville, MD
W-20: Bill Kelly, Ellicott City, MD	W-48: Harvey Chaplin, Arlington, VA
W-21: John Pickett, Alexandria, VA	W-49: Bob Spousta

W-50: Tom McLaughlin, Burke, VA  
 W-51: Shane LaBrake, Accokeek, MD  
 W-52: Arvind Solanki, Laurel, MD  
 W-53: Ken McCaughey  
 W-54: Andrew Mueller, Arlington, VA  
 W-55: Trish Wakeham, Fairfax, VA  
 W-56: Frank Hartman, New Carrollton, MD  
 W-57: Jennifer Loss, Takoma Park, MD  
 W-58: Michael Pearson, North Bethesda, MD  
 W-59: James Crist, Fort Washington, MD  
 W-60: Kevin Macready, Annapolis, MD  
 W-61: Anonymous  
 W-63: Mark Carter, Owings, MD  
 W-64: Anonymous  
 W-65: Anonymous

W-66: Anonymous  
 W-67: Anonymous  
 W-68: Carole Gardiner, Laurel, MD  
 W-70: Warren Veazey, King George, VA  
 W-71: Michael McGraw, King George, VA  
 W-72: Anonymous  
 W-73: Anonymous  
 W-74: Anonymous  
 PUB-03-MD: James Hudnall, Fort Washington, MD  
 PUB-04-MD: Jim Swift, California, MD  
 PUB-07-MD: George Martin, Oxon Hill, MD  
 PUB-05-VA: Jim Lynch, King George, VA  
 PUB-07-VA; John LoBuglio, King George, VA

The most frequent comment received during the public hearing comment period (89 of 158 commenters) requested incorporation of provisions for bicycles and pedestrians into the Preferred Alternate. Support for bicycle and pedestrian provisions was echoed by organizations such as Maryland Department of Transportation (MDOT), Charles County Commissioners, Maryland Bicycle and Pedestrian Advisory Committee, Prince George's County Bicycle and Trails Advisory Group, Oxon Hill Bike & Trail Club, and Friends of Dahlgren Heritage Trail.

In response to these comments and as allowed by Maryland Senate Bill 492, Modified Alternate 7 includes a single, two-way bicycle/pedestrian path on the south side of the new bridge, providing an amenity that does not currently exist at the crossing. As described in Section II.A, the path will cross beneath each end of the structure to direct bicyclists/pedestrians to the appropriate outside shoulder of US 301 without users having to cross the highway. The bicycle/pedestrian path will provide a connection along US 301 between recreational facilities in Maryland (i.e., Aqua-Land Campground and Marina) and Virginia (i.e., Barnesfield Park and Dahlgren Wayside Park), and additional crossing of the Potomac for long-distance cyclists traveling the east coast. In addition, the bicycle/pedestrian path will provide an alternate transportation mode for daily commuters to major area employers, such as the Naval Support Facility (NSF) Dahlgren.

## **2. Support a Build Alternate**

C-01: Jean Tierney, Newburg, MD  
 C-03: Robert Hardesty, Jr., Newburg, MD  
 C-06: Neil McGrath, Cobb Island, MD  
 C-07: Mary Lewis, Charlotte Hall, MD  
 C-08: Beth Dickey, Faulkner, MD  
 C-09: Harold Ray Mertz, Newburg, MD  
 C-12: Calvin Compton, Port Tobacco, MD  
 C-13: Tracy Travers, King George, VA  
 C-14: Michael Brawner, Newburg, MD  
 C-15: Jim Edelen, Newburg, MD

C-17: Carl Steinhauser, Newburg, MD  
 C-18: Jane Hudnall, Fort Washington, MD  
 C-19: Larry Patterson, King George, VA  
 C-20: Dave and Carol Jones, King George, VA  
 C-21: Scott Hill, Port Tobacco, MD  
 C-24: Richard Rowland, King George, VA  
 C-25: Bill & Susan Willis, King George, VA  
 C-28: William Shield, King George, VA  
 C-30: James P. Lynch, King George, VA

E-04: Dave and Carol Hubbard	W-49: Bob Spousta
E-06: Tom Gay, Richmond, VA	W-50: Tom McLaughlin, Burke, VA
E-07: Chester M. Seaborn, Jr., Mechanicsville, MD	W-51: Shane LaBrake, Accokeek, MD
E-08: Sharon Canigilia, MD	W-52: Arvind Solanki, Laurel, MD
E-09: Janet Michael, Mystic, CT	W-55: Trish Wakeham, Fairfax, VA
E-14: John Z. Wetmore, Bethesda, MD	W-59: James Crist, Fort Washington, MD
E-18: Karen Hanson, White Plains, MD	W-63: Mark Carter, Owings, MD
L-03: Joan Farley, King George, VA	W-64: Anonymous
L-09: Deanna Joswiak, La Plata, MD	W-68: Carole Gardiner, Laurel, MD
W-08: John Early, Clinton, MD	W-69: Jack Hammond, Aquasco, MD
W-09: Sam Felis	W-70: Warren Veazey, King George, VA
W-18: Elizabeth Caldwell, Accokeek, MD	W-71: Michael McGraw, King George, VA
W-27: Willis Alfred, Silver Spring, MD	P-01: Larry English, Fredersburg, VA
W-28: Casey Anderson, Silver Spring, MD	PRV-01-MD; PUB-09-MD: Jay Bala, Waldorf, MD
W-29: Steve Mohr, Silver Spring, MD	PRV-02-MD: Thomas L. Higdon, Jr., La Plata, MD
W-31: Anonymous	PUB-01-MD: Harold Hayes, La Plata, MD
W-32: Anonymous	PUB-03-MD: James Hudnall, Fort Washington, MD
W-33: Christian Clough, Takoma Park, MD	PUB-05-MD: James Vandergrift, Newburg, MD
W-34: Claire Weaver, Springfield, VA	PUB-06-MD: John Wesley Gardner, Newburg, MD
W-35: Marti Scheel, Greenbelt, MD	PUB-08-MD: Michael A. Callahan, Newburg, MD
W-36: Nancy Seibel, Silver Spring, MD	PUB-03-VA: Alton Taylor, King George, VA
W-37: Jeffery Marks, Baltimore, MD	PUB-07-VA; John LoBuglio, King George, VA
W-39: Anonymous, VA	
W-42: Kathy Collins, Arlington, VA	
W-43: Louis Martino, Clarksville, MD	
W-44: Anonymous	
W-45: Louis Hostler, Wheaton, MD	
W-47: Mark Nensel, Rockville, MD	

As summarized in Section I.B, the purpose of the project includes providing a crossing of the Potomac River that is geometrically compatible with the US 301 approach roadways, providing sufficient capacity to carry projected vehicular traffic volumes in 2030, improving traffic safety, and providing the ability to maintain two-way traffic flow during maintenance and incidents. Modified Alternate 7 satisfies each of these needs with the installation of four twelve-foot wide travel lanes, two in each direction, with median separation and full width shoulders, along with reduced grade slopes. As detailed in Section II, the selection of the Preferred Alternate was determined based on which alternate best meets the project purpose and need, would not impact the critical missions at NSF Dahlgren, addresses the majority of comments received, has lower construction costs, minimizes delay impacts to motorists, and reduces impacts to environmental resources including aquatic habitat.

### **3. Accelerate Project / Funding**

C-06: Neil McGrath, Cobb Island, MD  
C-15: Jim Edelen, Newburg, MD  
C-19: Larry Patterson, King George, VA  
C-21: Scott Hill, Port Tobacco, MD  
E-18: Karen Hanson, White Plains, MD  
L-03: Joan Farley, King George, VA  
E-07: Chester M. Seaborn, Jr., Mechanicsville, MD  
W-71: Michael McGraw, King George, VA  
PRV-01-MD; PUB-09-MD: Jay Bala, Waldorf, MD  
PRV-02-MD: Thomas L. Higdon, Jr.,  
La Plata, MD  
PUB-01-MD: Harold Hayes, La Plata, MD  
PUB-05-MD: James Vandergrift, Newburg, MD  
PUB-07-MD: George Martin, Oxon Hill, MD  
PUB-06-VA: Ted Levay, Montross, VA  
PUB-07-VA; John LoBuglio, King George, VA

This project is currently funded through the planning phase only. Upon approval of this final environmental document by the Federal Highway Administration (FHWA) Modified Alternate 7 will become eligible to compete with other MDTA funding needs for the subsequent project phases of final engineering design, right-of-way acquisition, and construction.

### **4. Reduce Traffic Congestion and Queues**

C-08: Beth Dickey, Faulkner, MD  
C-23: Francis Levay, Jr., Montross, VA  
E-08: Sharon Caniglia, MD  
E-18: Karen Hanson, White Plains, MD  
E-04: Dave and Carol Hubbard  
W-06: Donald French, Lanexa, VA  
W-07: Anonymous  
P-01: Larry English, Fredersburg, VA  
PUB-01-MD: Harold Hayes, La Plata, MD  
PUB-05-MD: James Vandergrift, Newburg, MD  
PUB-06-MD: John Wesley Gardner, Newburg, MD  
PUB-03-VA: Alton Taylor, King George, VA  
PUB-06-VA: Ted Levay, Montross, VA  
PUB-07-VA; John LoBuglio, King George, VA

As discussed in Section I, one of the project purposes is to provide sufficient capacity for projected traffic volumes, while one of the project needs is to address capacity limitations of the existing bridge. Modified Alternate 7 will address the project purpose and need with the installation of four twelve-foot wide travel lanes with a median barrier and full width shoulders,

which will assist in reducing traffic congestion, minimizing queues, and providing more predictable travel times at the crossing.

## **5. Improve Safety**

C-06: Neil McGrath, Cobb Island, MD  
C-20: Dave and Carol Jones, King George, VA  
E-06: Tom Gay, Richmond, VA  
E-10: Matt and Pam Brennan  
E-18: Karen Hanson, White Plains, MD  
L-09: Deanna Joswiak, La Plata, MD  
W-06: Donald French, Lanexa, VA  
W-69: Jack Hammond, Aquasco, MD  
P-01: Larry English, Fredersburg, VA  
PUB-05-MD: James Vandergrift, Newburg, MD  
PUB-10-MD: Johnnie Degiorgi, Nanjemoy, MD  
PUB-06-VA: Ted Levay, Montross, VA

One of the purposes of the project is to improve traffic safety on the bridge and roadway approaches (Section I.B). Modified Alternate 7 meets this need by providing a continuous physical median barrier separation of opposing traffic across the bridge, which eliminates the risk of head-on collisions; two twelve-foot wide lanes of travel in each direction, which eliminates the current merge area from two to one lane of traffic on each roadway approach to the bridge; and full width shoulders, which provide needed recovery and refuge area for vehicles. Modified Alternate 7 also includes a ten-foot wide bicycle/pedestrian path along the south side of the new bridge. To increase the safety of path users, fencing and railing will be installed, and the path will be barrier-separated from the travel lanes. Additionally, the path crosses beneath the structure on each shore to direct bicyclists/pedestrians to the appropriate outside shoulder of US 301 eliminating the need to cross the highway.

## **6. Improve Evacuation Route**

C-17: Carl Steinhauser, Newburg, MD  
E-06: Tom Gay, Richmond, VA  
E-08: Sharon Caniglia, MD  
E-18: Karen Hanson, White Plains, MD  
E-07: Chester M. Seaborn, Jr., Mechanicsville, MD  
PRV-01-MD; PUB-09-MD: Jay Bala, Waldorf, MD  
PUB-01-MD: Harold Hayes, La Plata, MD  
PUB-07-VA; John LoBuglio, King George, VA  
L-09: Deanna Joswiak, La Plata, MD

As discussed in Section I, the need for the project recognizes this crossing as part of a critical evacuation route for Southern Maryland and the Washington DC area to points south. Modified Alternate 7 will double the existing travel lane capacity, along with providing full width shoulders at this crossing, thereby improving this evacuation route.

## **7. Consider Economic Impact**

C-18: Jane Hudnall, Fort Washington, MD  
E-06: Tom Gay, Richmond, VA  
E-07: Chester M. Seaborn, Jr., Mechanicsville, MD

As discussed in Section II.A, Modified Alternate 7 will reduce traffic delays, provide more predictable travel times and improve mobility for residents, recreational travelers, and business commerce, which in turn, will help support economic growth in Maryland and Virginia. The inclusion of a bicycle/pedestrian path will also encourage bicycle tourism along the corridor. By avoiding encroachment of NSF Dahlgren, employment at the base will not be impacted by the project.

## **8. Retain Existing Bridge**

C-17: Carl Steinhauser, Newburg, MD  
C-21: Scott Hill, Port Tobacco, MD  
C-28: William Shield, King George, VA  
C-29: Alton T. Taylor, Jr., King George, VA  
W-71: Michael McGraw, King George, VA  
P-01: Larry English, Fredersburg, VA  
PUB-01-MD: Harold Hayes, La Plata, MD  
PUB-03-VA: Alton Taylor, King George, VA  
PUB-06-VA: Ted Levay, Montross, VA

While the existing bridge is structurally sound, it is functionally obsolete due to capacity limitations. The frequency and cost of required repairs, and resulting disruption of traffic flow, continue to increase. With the implementation of Modified Alternate 7 there would no longer be a transportation need for the existing bridge and the existing bridge would be removed (See Section II.A for rationale for removing the existing bridge).

Project impacts to the historic features of the existing bridge (see Section III.B) can be avoided with Alternates 1, 2, and 6 that retain the existing bridge and the original bridge Administration Building within the existing campus facilities. These alternates would not fully meet the project purpose and need, and in the case of Alternates 2 and 6, would have detrimental effects to the Nation's defense efforts and the regional economy and, therefore, cannot be supported.

Per Section 106 of the National Historic Preservation Act, adverse effects to the existing historic bridge and original Administration Building will be minimized and mitigated through measures stipulated in a Programmatic Agreement (PA) (see Appendix C) among the Federal Highway Administration (FHWA), Maryland Transportation Authority (MDTA), Maryland State Historic Preservation Officer (MD SHPO), Virginia Department of Transportation (VDOT), and Virginia State Historic Preservation Officer (VA SHPO). The PA includes measures such as documentation and photographic records, interpretive signage and displays, electronic

information resources, review of the new bridge design, and treatment of terrestrial and underwater archeological resources.

**9. Avoid/Minimize Natural Environmental Impacts**

C-02: Al Jackson, Newburg, MD  
C-05: Lauren Wanzer, Bel Alton, MD  
C-09: Harold Ray Mertz, Newburg, MD  
C-13: Tracy Travers, King George, VA  
C-23: Francis Levay, Jr., Montross, VA  
PUB-08-MD: Michael A. Callahan, Newburg, MD  
PUB-06-VA: Ted Levay, Montross, VA

Planning level design for Modified Alternate 7 was conducted using standard industry guidelines, such as American Association of State Highway and Transportation Officials (AASHTO), for roadways on the National Highway System (NHS) and Strategic Highway Network (STRAHNET). The projected limits of disturbance (LOD) from the project were determined by applying of these guidelines. To reduce project impacts, avoidance and minimization efforts were applied in the design of each build alternate (i.e., use of retaining walls and barriers). As discussed in Section II.A, Modified Alternate 7 was identified because it fully meets the project purpose and need, would result in less impacts to aquatic resources and motorist travel times as compared to the construction of two new bridges, would not impact critical missions at NSF Dahlgren, and is less expensive and has a shorter construction timeframe than constructing two new bridges.

The planning study for this project has included coordination with the Environmental Protection Agency along with the Maryland Department of Natural Resources Critical Area Commission, Maryland Department of the Environment and Virginia Department of Environmental Quality. A draft compensatory mitigation plan for impacts to aquatic resources was included in the Environmental Assessment. As the project progresses into design, additional minimization and mitigation measures will be considered. Prior to beginning construction of the project, applications for required permits from agencies in Maryland and Virginia responsible for the protection of water quality will be submitted.

**10. Avoid Impacts to Dahlgren**

P-01: Larry English, Fredersburg, VA  
PUB-07-VA; John LoBuglio, King George, VA

Modified Alternate 7 would not result in direct impact to the NSF Dahlgren facility. In Section II, it is noted the selection of Modified Alternate 7 included recognition of property, resource, employment, and mission impacts from the southern alternates that would result on the NSF Dahlgren.

## 11. Minimize Impacts to/Preserve Parkland

C-05: Lauren Wanzer, Bel Alton, MD  
C-13: Tracy Travers, King George, VA  
C-22: Betty Grigg, King George, VA  
C-25: Bill & Susan Willis, King George, VA  
C-27: Jean Graham, King George, VA  
W-01: Nancy Delaplane, La Plata, MD  
E-09: Janet Michael, Mystic, CT

The project would require the use of public park properties that are protected by Section 4(f) of the US Department of Transportation Act. Therefore, a Section 4(f) Evaluation was prepared pursuant to 23 CFR 774. In the Final Section 4(f) Evaluation, FHWA concluded that there is no feasible and prudent alternative to the use of parkland, and the project includes all possible planning to minimize harm.

Project impacts to parkland (see Section IV.A.6 and the Final Section 4(f) Evaluation) could be avoided with alternates that include installation of a new bridge south of the existing Nice Bridge (i.e., southern alternates). As a result of coordination with regulatory agencies and NSF Dahlgren, it has been determined impacts to NSF Dahlgren by a southern alternate would have detrimental effects to the Nation's defense efforts and the regional economy and, therefore, cannot be supported. Although Alternate 7 (and Modified Alternate 7) does not result in the least amount of park impact when compared to the other northern alternates evaluated (Alternates 4 and 5), Alternate 4 does not best meet the project's purpose and need, and Alternate 5 requires increased construction time and travel delays, as well as increased overall impacts to the natural environment. In particular, impact to aquatic resources would occur twice, first when a new bridge installed, then when a replacement bridge is installed.

Minor modifications were made to Alternate 7 to create a more cost-effective and less environmentally impactful solution. This was accomplished by the consolidation of the two one-way bicycle/pedestrian paths on both sides of the new bridge proposed with Alternate 7, into a single two-way path on the south side only, resulting in Modified Alternate 7. This modification allows the opportunity for further minimization of project parkland impacts during design and construction.

Barnesfield Park is also protected by Section 6(f) of the Federal Land and Water Conservation Fund (LWCF) Act (16 USC 460). For consistency with this act, mitigation for unavoidable parkland impacts from the project will be carried out as documented in the Memorandum of Agreement (MOA) provided in Appendix B. Mitigation of parkland impact associated with Modified Alternate 7 will include providing replacement parkland and implementing a landscape plan for portions of Barnesfield Park, Dahlgren Wayside Park, and the Potomac Gateway Welcome Center property.



## **12. Issues with Toll / E-ZPass**

C-19: Larry Patterson, King George, VA  
C-24: Richard Rowland, King George, VA  
E-06: Tom Gay, Richmond, VA  
L-03: Joan Farley, King George, VA  
P-01: Larry English, Fredersburg, VA  
PRV-02-MD: Thomas L. Higdon, Jr., La Plata, MD

Revenues from all the MDTA's facilities are pooled to create financial strength and diversity, to maintain, preserve, and expand the existing facilities and to support new transportation facilities such as the implementation of Modified Alternate 7. The MDTA's Toll Revenue Bond Trust Agreement for the benefit of its bondholders prohibits the agency from suspending toll-collection operations, such as instituting "toll holidays." Eliminating the toll would seriously limit the MDTA's ability to generate the revenues necessary to meet its obligations under the Trust Agreement and to operate its toll facilities. Modified Alternate 7 includes electronic toll collection, which will allow toll collection from vehicle travelling at highway speeds. This technology provides the ability of toll collection from vehicles without transponders, similar to E-ZPass, via license plate image capture. Members of the MDTA Board have adopted a forward-looking revenue policy for regular toll-rate reviews (every two years) to help ensure the means to meet Maryland's transportation needs with a solid financial standing. The collection of tolls by non-vehicular bridge users is permitted, although an appropriate toll collection methodology has not been identified.

## **13. Consider Cost**

C-09: Harold Ray Mertz, Newburg, MD  
C-26: W.B. Rollins, Dahlgren, VA  
E-01; E-02; C-32: Walter Roscello, La Plata, MD  
L-09: Deanna Joswiak, La Plata, MD

The planning level cost estimates are not based on detailed final design engineering. Major construction item quantities (e.g. right-of-way, grading, paving, structure, etc.) are estimated, recent unit prices are considered, and contingencies are included. These estimates will be refined during the final design phase of the project. While the estimated project cost was a factor in identifying the Preferred Alternate, initial screening of the Alternates Retained for Detailed Study (ARDS) focused on those that best met the project's purpose and need, avoided NSF Dahlgren, and addressed the most frequent stakeholder comment (i.e., include bicycle/pedestrian provisions on bridge). As discussed in Section II.A, Alternate 7 was identified as the Preferred Alternate after an evaluation of costs, including life cycle costs associated with maintaining the existing bridge under Alternates 4 and 5. A project cost reduction of approximately seven percent is realized with the consolidation of the two one-way bicycle/pedestrian paths proposed with Alternate 7 into a single two-way path on the south side only of the new bridge, resulting in Modified Alternate 7.

**14. Maintain Traffic during Maintenance and Construction**

C-04: John Gardner, Newburg, MD  
C-08: Beth Dickey, Faulkner, MD  
C-27: Jean Graham, King George, VA  
E-06: Tom Gay, Richmond, VA

During the construction of Modified Alternate 7, the existing bridge will remain in service, minimizing construction impacts to traffic flow along US 301. Maintenance of Traffic plans will be developed during the design of Modified Alternate 7, which will require access to all connecting streets in the project area be maintained throughout the construction process. These plans are required for construction in Maryland by MDTA (east of the bridge abutment on the western shore of the Potomac) and in Virginia by VDOT (including the US 301 intersection with Roseland Road). Modified Alternate 7 will also minimize impacts to traffic during future bridge redecking/maintenance activities.

**15. Sprawl Concerns**

C-23: Francis Levay, Jr., Montross, VA  
PUB-03-VA: Alton Taylor, King George, VA  
PUB-06-VA: Ted Levay, Montross, VA

As discussed in Section IV.A.5, Modified Alternate 7 will not substantially affect the overall land use in the study area since it will not increase the capacity of the corridor as a whole, nor will development patterns be affected by the project because no new access to the corridor will result. Local master plans influence the amount of development, while local permitting processes control the rate of building. The project is consistent with county master plans and Maryland Priority Funding Areas Act and will not encourage sprawl development.

**16. Waldorf Bypass would be Useful**

W-06: Donald French, Lanexa, VA

The Maryland State Highway Administration (SHA) is conducting a project planning study for the US 301 Waldorf Area Transportation Improvement Project to improve local traffic operation along US 301 in the Waldorf area. For information regarding the US 301 Waldorf Area Transportation Improvement Project, please visit the project webpage at [www.us301waldorf.org](http://www.us301waldorf.org). Modified Alternate 7 does not affect improvements under analysis for by the US 301 Waldorf Area Transportation Improvement Project.

**17. Input from Environmental Justice Populations**

C-10: A.T. Jackson, Newburg, MD

As discussed in Section IV.A.2, the campground at Aqua-Land was identified as a potential Environmental Justice (EJ) (low-income and/or minority) community. This community was

provided all project mailings and a project briefing, and was invited to public workshops and hearings. None of the comments received on the project were directly associated with the EJ community. Modified Alternate 7 would not result in disproportionately high and adverse human health or environmental effects to EJ communities.

**18. Consider DC Freight Realignment Study**

W-70: Warren Veazey, King George, VA

The District Department of Transportation (DDOT) and National Capital Planning Commission (NCPC) have been coordinating with the MDOT on the Railroad Realignment Study. The purpose and need of the realignment study is separate from and would not be met by the Nice Bridge Improvement Project. During future development phases of the Nice Bridge Improvement project, MDTA, via MDOT, will ensure neither project will prohibit the other. Modified Alternate 7 will not preclude options under consideration for the Freight Railroad Study.

**19. Design Suggestions**

Several comments included suggestions for consideration in the design of the project improvements. These suggestions have been sorted into specific actions and responses have been provided for each below.

– **Provide more than four travel lanes**

C-06: Neil McGrath, Cobb Island, MD  
PRV-01-MD; PUB-09-MD: Jay Bala, Waldorf, MD  
PUB-01-MD: Harold Hayes, La Plata, MD  
PUB-05-MD: James Vandergrift, Newburg, MD

As summarized in Section I.B, the purpose of the project includes providing a crossing of the Potomac River that is geometrically compatible with the US 301 approach roadways, and providing sufficient capacity to carry projected vehicular traffic volumes in 2030. Modified Alternate 7 fully meets these project needs. Forecasting traffic volumes beyond the horizon year of 2030 has increased uncertainty as household, employment and population projections have not been estimated beyond 2030. Providing capacity for unknown travel demand volumes may result in the unnecessary expenditure of scarce resources and would not be consistent with local master plans.

– **Install a wall to protect the Dahlgren Base**

W-70: Warren Veazey, King George, VA

Modified Alternate 7 will not decrease the security setbacks between the base property and US 301; therefore, no additional security protection measures for the base are necessary.

– **Install a noise barrier along north side of bridge**

E-09: Janet Michael, Mystic, CT

As discussed in Section IV.D, a noise impact is anticipated at Dahlgren Wayside Park with Modified Alternate 7. While a sound barrier is feasible and reasonable to mitigate the noise impact, final decisions on construction of noise abatement will occur during final engineering for the project after coordination with VDOT and King George County.

– **Implement access controls along US 301 north to La Plata**

PUB-06-MD: John Wesley Gardner, Newburg, MD

Decisions to further control access along US 301 in Maryland are under the jurisdiction of the State Highway Administration. Modified Alternate 7 would not preclude any access revisions along US 301 north to La Plata.

– **Consider 3-lane span with reversible flow**

C-01: Jean Tierney, Newburg, MD

C-14: Michael Brawner, Newburg, MD

C-16: James Andy Vandegrift, Newburg, MD

As summarized in Section I.B, the purpose of the project includes providing a crossing of the Potomac River that is geometrically compatible with the US 301 approach roadways, and providing sufficient capacity to carry projected vehicular traffic volumes in 2030. Modified Alternate 7 fully meets these project needs. Converting the existing bridge to three-lanes would not meet the purpose and need of the project nor would it address the current maintenance requirements at the existing bridge (e.g., need for replacing the existing bridge deck). This action would also result in a substantial impact to existing traffic flow during construction and the shifting of the median barrier to reverse traffic flow in the center lane. Installation of a parallel three-lane bridge would better address the project purpose and need, but would also require substantially higher operational and maintenance costs as compared to Modified Alternate 7 and would not be consistent with local master plans.

– **Review traffic signal timing along US 301 with new traffic flows**

C-04: John Gardner, Newburg, MD

PUB-06-MD: John Wesley Gardner, Newburg, MD

The operation of traffic control signals along US 301 is under the jurisdiction of the Maryland State Highway Administration and Virginia Department of Transportation. Modified Alternate 7 will not preclude modification to these systems. As the project progresses into the construction phase, coordination with these agencies will continue, to ensure appropriate signal timing adjustments are made to changing traffic volumes.

– **Include roadway heating elements in the new bridge**

W-47: Mark Nensel, Rockville, MD

As the project progresses into the engineering phase, feasible, proven and cost-effective technologies that provide a safer transportation facility will be considered. Modified Alternate 7 will not preclude consideration of these technologies.

– **Consider parking lots similar to Cooper River Bridge in South Carolina**

L-10: Don Askew, Sumerduck, VA

Opportunities to incorporate Travel Demand Management (TDM) elements and accommodations for transit will continue to be investigated, the Nice Bridge facility has not been identified as a candidate, nor do local master plans call for a Park and Ride lot at this location. TDM elements, such as Park and Ride lots, as a stand-alone alternate will not meet the project purpose and need, yet they are not precluded by Modified Alternate 7.

– **Place new bridge across Potomac at Nanjemoy, Maryland**

PUB-10-MD: Johnnie Degiorgi, Nanjemoy, MD

As summarized in Section I.B, the purpose of the project includes providing a crossing of the Potomac River that is geometrically compatible with the US 301 approach roadways, providing sufficient capacity to carry projected vehicular traffic volumes in 2030, improving traffic safety at the approaches to and on the bridge, and providing the ability to maintain two-way traffic flow across the bridge. Modified Alternate 7 fully meets these project needs. A new crossing of the Potomac at Nanjemoy does not meet the project purpose and need, is not consistent with local master plans, and would result in greater environmental impacts.

– **Improve access to Roseland Road**

C-06: Neil McGrath, Cobb Island, MD

C-31: C. Carlton Griffin, King George, VA

E-09: Janet Michael, Mystic, CT

Due to the proximity of the US 301 intersection with Roseland Road with the bridge, there is a lack of sufficient distance for an adequate acceleration lane for left turns out of Roseland Road along northbound US 301 before the bridge. Turning movements at this intersection are constrained with Modified Alternate 7 to right and left turns into Roseland Road and only right turns out of Roseland Road. Evaluation of the installation of a traffic control signal may be undertaken during the engineering phase in coordination with VDOT.

– **Extend EZ Pass lane**

C-14: Michael Brawner, Newburg, MD

Improvements at the existing toll plaza that included extending the approach on the EZ Pass lane have recently been completed. Under Modified Alternate 7, the toll plaza would be removed and toll collection would occur at highway speeds using electronic toll collection methods.

– **Modify alignment of bridge to reduce sun glare**

PUB-06-VA: Ted Levay, Montross, VA

Setting the alignment of the bridge to eliminate sun glare would require a substantial shift in the US 301 approach to the crossing. The required revisions to the alignment of US 301 would be inconsistent with local master plans and result in increased impacts to environmental resources and a substantially higher project cost, as the length of the bridge structure would be increased. As summarized in Section I.B, the purpose of the project includes providing a crossing of the Potomac River that is geometrically compatible with the US 301 approach roadways, which Modified Alternate 7 would accomplish.

– **Build bridge for commercial traffic only**

PUB-06-VA: Ted Levay, Montross, VA

Recent vehicle classification counts at the Nice Bridge indicate commercial traffic, e.g., heavy vehicles, account for a peak of about 14 percent of the vehicles using the crossing during an average weekday. This level of demand, approximately 2,400 daily trips, does not justify the designation of a separate structure for commercial vehicles. Instituting restricted use lanes on the US 301 approach roadways would reduce the capacity of these roadways and require the development of merge and diverge ramps to and from the bridge. This suggestion would not result in a crossing of the Potomac River that is geometrically compatible with the US 301 approach roadways, which Modified Alternate 7 would accomplish. In addition, by providing two travel lanes and full width shoulder in each direction, Modified Alternate 7 will reduce traffic delays, provide more predictable travel times and improve mobility for commercial traffic.

– **Build two lanes initially then expand to four**

E-18: Karen Hanson, White Plains, MD

As discussed in Section II.A, delaying the installation of two of the ultimate lanes for Modified Alternate 7 would increase the project costs due to conducting required rehabilitation of the existing bridge to keep it in service, higher costs for mobilization, labor and materials by a contractor to install the final two lanes, and a second period of time of traffic and aquatic habitat disruption.

- **Would new bridge need to be as high as existing bridge?**

E-06: Tom Gay, Richmond, VA

Per the recommendation by the US Coast Guard, Modified Alternate 7 includes the installation of a new bridge that would maintain the existing horizontal and vertical clearances for the navigational channel in the Potomac River. This would result in the main span of the new bridge being as high as the existing bridge.

- **There is a need for a full movement signal at the US 301 intersection with MD 257**

C-04: John Gardner, Newburg, MD

The Maryland State Highway Administration (SHA) is the agency with jurisdiction of the operation of the US 301 intersection with MD 257. MDTA has forwarded concerns expressed about this intersection to the SHA District Engineer. Modified Alternate 7 will not preclude modification of the traffic control devices used at this intersection.

- **Install bicycle path under new bridge**

PUB-06-MD: John Wesley Gardner, Newburg, MD

The US Coast Guard requires minimum vertical clearances be maintained over US navigable waters. The placement of the bicycle/pedestrian path under the bridge would require the mainspan to be raised. This would result in either a steeper slope along the bridge travelway or extending the bridge further onto the shore in Maryland. Each of these actions would increase the bridge structure costs. Modified Alternate 7 includes a two-way bicycle path along the south side of the new bridge and maintaining the existing bridge travelway elevation over the navigation channel in the Potomac.

- **Build two-lane bridges north and south of existing bridge, use existing bridge for bicycles/pedestrians to provide redundancy if vessel collision occurs**

C-28: William Shield, King George, VA

Maintenance costs to retain the existing bridge for exclusive bicycle/pedestrian service are substantial, and would increase if conducted at a level that allowed temporary use of the bridge for vehicle passage. Modified Alternate 7 would be designed and constructed in a manner to minimize the risk of damage from vessel collisions.

- **Consider piers under bridge for park access**

C-06: Neil McGrath, Cobb Island, MD

Access to Barnesfield Park will not be affected by the project. With Modified Alternate 7, access to Dahlgren Wayside Park will be maintained via Roseland Road. Mitigation for impacts

to this park from Modified Alternate 7 is reflected in a Memorandum of Agreement presented in Appendix B.

– **Extend bridge to reduce fill in floodplains**

C-05: Lauren Wanzer, Bel Alton, MD

The location of the bridge abutments for Modified Alternate 7 will be designed to minimize the placement of fill for approach roadway embankment in the floodplain.

– **Consider a fly-over on the Maryland side**

C-30: James P. Lynch, King George, VA

Modified Alternate 7 includes a two-way, barrier separated bicycle/pedestrian path with crossings beneath the bridge on each shore to enable path users to transition to the correct shoulder of US 301 without crossing the roadway, and also provides a vehicle travelway that is consistent with the US 301 approach roadway. Therefore, eliminating any need for fly-over ramps. The installation of a fly-over ramp for vehicles or bicycles/pedestrians would increase the construction and maintenance cost of the project. In addition, fly-over ramps limit the locations of at-grade connections, possibly increasing traveler's distance to destination points.

– **Provide exit to southbound US 301 from Maryland Visitor's Center**

C-07: Mary Lewis, Charlotte Hall, MD

The Maryland State Highway Administration (SHA) is the agency with jurisdiction of access along US 301 in the vicinity of the Maryland Visitor's Center. MDTA has forwarded concerns expressed about access at the Visitor's Center to the SHA District Engineer. Modified Alternate 7 will not preclude modification of access along US 301 north of Orland Park Road.

– **Make bicycle/pedestrian path 12 feet wide for emergency vehicle use and snow removal**

C-18: Jane Hudnall, Fort Washington, MD

C-20: Dave and Carol Jones, King George, VA

Emergency access to the bicycle/pedestrian path will be accomplished via the proposed 12 foot wide outside shoulder along the vehicle travelway with Modified Alternate 7. Access points in the safety fence along the barrier would be provided at appropriate locations. The 10-foot wide bicycle/pedestrian path is sufficient to provide two-way bicycle and pedestrian travel and for snow removal maintenance. Increasing the path width would substantially increase the construction cost of the project.



**– Install adequate bicycle/pedestrian paths on each approach to the bridge**

C-18: Jane Hudnall, Fort Washington, MD

E-13: John Bik, Bethesda, MD

The proposed two-way bicycle/pedestrian path with Modified Alternate 7 will cross beneath each end of the structure to direct bicyclists/pedestrians to the existing 10-foot wide outside shoulder of US 301 in Maryland without users having to cross the highway. The Virginia Department of Transportation is in the process of initiating a program to provide sufficient shoulders on roadways to accommodate bicycle use. The path will provide a connection along US 301 between recreational facilities in Maryland (i.e., Aqua-Land Campground and Marina) and Virginia (i.e., Barnesfield Park and Dahlgren Wayside Park). In addition, both King George and Charles County master plans discuss planned trails that could connect to the proposed bicycle/pedestrian path along Modified Alternate 7.

