# Department of Legislative Services

2013 Session

## FISCAL AND POLICY NOTE

Senate Bill 93 (Senators Astle and Pipkin)
Finance

**Transportation - Chesapeake Bay Bridge Crossing - Environmental Impact Study for a Third Span**

This bill requires the Maryland Transportation Authority (MDTA), in collaboration with specified State and federal agencies, to commence an environmental impact study by January 1, 2014, addressing construction of a new bridge spanning the Chesapeake Bay in specified areas.

## Fiscal Summary

**State Effect:** Nonbudgeted expenditures increase by $5.0 million in FY 2014 and by $7.5 million annually in FY 2015 through 2018 for required studies. Revenues are not affected.

| (in dollars) | FY 2014 | FY 2015 | FY 2016 | FY 2017 | FY 2018 |
|---|---|---|---|---|---|
| Revenues | $0 | $0 | $0 | $0 | $0 |
| NonBud Exp. | 5,000,000 | 7,500,000 | 7,500,000 | 7,500,000 | 7,500,000 |
| Net Effect | ($5,000,000) | ($7,500,000) | ($7,500,000) | ($7,500,000) | ($7,500,000) |

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

**Current Law:** The State Roads Commission (now part of the State Highway Administration) has the authority to construct, maintain, and operate bridges, tunnels, and motorways, including a crossing across the Chesapeake Bay generally parallel to the existing Chesapeake Bay Bridge between Sandy Point and Kent Island, a northern

crossing of the bay between Millers Island in Baltimore County and a point in Kent County, a southern crossing of the bay between Calvert County and Dorchester County, and an additional crossing across the Baltimore Harbor.

The State Roads Commission may perform preliminary engineering for such a crossing, acquire a right-of-way for the crossing, and issue revenue bonds to fund such a crossing.

A State agency, including MDTA, must get the approval of the majority of affected governments to construct a toll road, toll highway, or toll bridge in Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester counties.

MDTA has general supervision over all transportation facilities projects (including the Chesapeake Bay Bridge) and may do anything necessary and convenient to carry out its powers.

**Background:**

*Chesapeake Bay Bridge*

The Chesapeake Bay Bridge connects Maryland's Eastern Shore recreational regions with the metropolitan areas of Baltimore, Annapolis, and the District of Columbia. The original two-lane bridge was constructed in 1952, and the second three-lane bridge was constructed in 1973. The existing bridge is the only roadway crossing of the Chesapeake Bay in Maryland; 27.1 million vehicles crossed the bridge in 2011. Traffic congestion on the bridge can be particularly severe, due in part to factors such as a lack of shoulder room to perform maintenance.

The 2004 *Bay Bridge Transportation Needs Report* estimates that, by 2025, traffic will increase on the bridge by at least 41% over 2001 levels on both weekdays (61,000 vehicles in 2001, increasing to 86,000 in 2025) and summer Saturdays (95,000 on an August Saturday in 2001, set to increase to 135,000 in 2025).

The Task Force on Traffic Capacity Across the Chesapeake Bay, established in 2004, examined issues surrounding the construction of a new bay crossing, regardless of site location. The task force released its final report in 2006 but reached no definitive conclusion as to the location of a new bay crossing. At this time, MDTA continues to collect data and information about the environment and transportation system needs in the region and evaluate the legal and process issues that could affect the direction, scope, and constraints of a study of feasible solutions. This information will serve as a starting point for more detailed future engineering and environmental studies of a new bay crossing.

*Environmental Impact Study Process*

For major transportation projects, the National Environmental Policy Act (NEPA) requires a range of alternatives to be considered and the environmental impacts of each alternative to be analyzed. This type of study is required prior to the commitment of federal funds to any major project, or prior to any action taken by a federal agency that might cause a significant impact on the environment. Some of the basic steps in this process include a public scoping process, data collection, analysis of policy alternatives, and preparation of draft and final documents. The process involves numerous federal, state, and local partners; can take several years; and costs millions of dollars.

**State Fiscal Effect:** MDTA spent approximately $25.0 million on NEPA studies for the InterCounty Connector construction project. Taking into consideration inflation and assuming a similar project scope, MDTA nonbudgeted expenditures increase by $5.0 million in fiscal 2014 and by $7.5 million annually in fiscal 2015 through 2018 for preliminary technical studies and NEPA studies.

## Additional Information

**Prior Introductions:** SB 818 of 2012 received a favorable report from the Senate Finance Committee, but failed on the Senate floor. SB 520 of 2011 received a hearing in the Senate Finance Committee, but no further action was taken. SB 648 of 2010 received an unfavorable report from the Senate Finance Committee. SB 476 of 2009 received an unfavorable report from the Senate Finance Committee; its cross file, HB 888, received an unfavorable report from the House Environmental Matters Committee.

**Cross File:** None.

**Information Source(s):** Maryland Department of Transportation, Maryland Transportation Authority, Department of Legislative Services

**Fiscal Note History:** First Reader - January 11, 2013
mc/lgc

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