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Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in Maryland

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice of limitation on claims for judicial review of actions by FHWA.

SUMMARY: This notice announces action taken by FHWA that are final. The actions relate to the proposed improvements along U.S. 50/301 and proposed replacement of the Chesapeake Bay Bridges (Bay Bridge) across the Chesapeake Bay. Those actions grant licenses, permits, or approvals for the Project. The Tier 2 Combined Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) under the National Environmental Policy Act (NEPA) and other documents in the Project file provide details on the Project and FHWA's actions.

DATES: By this notice, FHWA is advising the public of final agency actions subject to 23 U.S.C. 139(*l*)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before [INSERT DATE 150 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For FHWA: Valeriya Remezova, Division Administrator, Federal Highway Administration, 31 Hopkins Plaza, Suite 1520, Baltimore, MD 21201, Telephone (410) 962-4440, valerirya.remezova@dot.gov. The FHWA Maryland Division's normal business hours are 8:00 a.m. to 4:30 p.m. (EST). For MDTA: Bruce Gartner, Executive Director, Maryland Transportation Authority, 2310 Broening Highway Baltimore, MD 21224, Telephone (410) 537-1001,

bgartner@mdta.state.md.us. The MDTA's normal business hours are 8:00 a.m. to 5:00 p.m. (EST).

SUPPLEMENTARY INFORMATION: Notice is hereby given that FHWA has taken final agency actions subject to 23 U.S.C. 139(*l*)(1) by issuing approvals and initiating consultation for the proposed improvements along U.S. 50/301, the proposed replacement of the Bay Bridge, and the proposed demolition of the current Bay Bridge in Maryland.

FHWA's actions and the laws under which such actions were taken, are described in the Tier 2 Combined FEIS and ROD and other documents in the project records. The FEIS, ROD, supporting technical reports and other project records are available by contacting FHWA at the address provided above and can also be viewed and downloaded from the project website at: https://baycrossingstudy.com/.

This notice applies to all Federal agency decisions that are final as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. General: National Environmental Policy Act (NEPA) [42 U.S.C. 4321 *et. seq*.]; Federal-Aid Act (FAHA) [23 U.S.C. 109, 139, and 128].

2. Air: Clean Air Act [42 U.S.C. 7401-7671(q)].

3. Noise: Noise Control Act of 1972 [42 U.S.C. 4901 et seq.].

4. Land: Section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 303; 23 U.S.C. 138]; Land and Water Conservation Fund Act of 1965 [16 U.S.C. 4601-4604].

5. Wildlife: Endangered Species Act (ESA) [16 U.S.C. 1531-1544 and 1536]; Fish and Wildlife Coordination Act [16 U.S.C. 661-667(d)]; Migratory Bird Treaty Act [16 U.S.C. 703-712]; Bald and Golden Eagle Protection Act [16 U.S.C. 668-668c].

6. Historic and Cultural Resources: Section 106 of the National Historic Preservation Act of 1966, as amended [54 U.S.C. 306108].

7. Social and Economic: Farmland Protection Policy Act [7 U.S.C. 4201-4209]; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 [42 U.S.C. 4601 et seq.]; Americans with Disabilities Act of 1990, as amended (ADA) [42 U.S.C. 12101].

8. Wetlands and Water Resources: Clean Water Act (Section 404, Section 401, Section 402, Section 319) [33 U.S.C. 1251-1387]; Safe Drinking Water Act (SDWA) [42 U.S.C. 300(f)-300(j)(26)].

9. Hazardous Materials: Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) [42 U.S.C. 9601 et. seq.]; Resource Conservation and Recovery Act (RCRA) [42 U.S.C. 6901-6992(k)].

10. Executive Orders: The analysis pertaining to any applicable Executive Order considered during the environmental review process to the extent such analysis may be challenged in court. Such Executive Orders may include: Executive Order 11990 Protection of Wetlands; Executive Order 11988 Floodplain Management; Executive Order 11593 Protection and Enhancement of the Cultural Environment; Executive Order 13007 Indian Sacred Sites; Executive Order 13287 Preserve America; Executive Order 13175 Consultation and Coordination with Indian Tribal Governments; Executive Order 13112 Invasive Species, as amended by Executive Order 13751 Safeguarding the Nation from the Impacts of Invasive Species.

(Authority: 23 U.S.C. 139(*l*)(1))

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Division Administrator,

Maryland Division,

Federal Highway Administration.

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