



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
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Charles A. Kilpatrick, P.E.
Commissioner

May 8, 2015

Ms. Irene Rico
Division Administrator
Federal Highway Administration
400 North 8th Street, Suite 750
Richmond, Virginia 23219-4825

SUBJECT: Request for Record of Decision
Interstate 64 Peninsula Study Environmental Impact Statement
From: Approximately Exit 247 in the City of Newport News
To: Approximately Exit 242 in York County
State Project No 0064-M11-002, P101; UPC 92212
Federal Project Number: NHS-064-3(479)
FEIS Date: November 26, 2013

Dear Ms. Rico:

The Federal Highway Administration (FHWA), in accordance with provisions of the National Environmental Policy Act of 1969, as amended, (NEPA) and 23 CFR 771, approved a Final Environmental Impact Statement (FEIS) on November 26, 2013 for the proposed project, which involves the construction of additional general purpose lanes along Interstate 64 (I-64) between the City of Richmond and the City of Hampton (Attachment 5). The FEIS covered the full 75 miles of the study corridor.

The FEIS identified the preferred alternative as Alternative 1. At full build conditions, the preferred alternative would add one to three additional general purpose lanes along the corridor, depending on the identified capacity needs (Attachment 5). The FEIS also prescribed a means by which Alternative 1 could be implemented in operationally independent sections, as funding is identified. Operationally independent sections can be built and function as a viable transportation facility even if the rest of the work described in the FEIS is never built. As stated in the FEIS, the decision to widen to the outside or inside of the existing corridor would be made on a section by section basis.

The FEIS goes on to state that a Record of Decision (ROD) would be issued for each operationally independent section that is identified along the 75 mile corridor. The FEIS does not place any restrictions on the phasing for construction purposes for the operationally independent sections. As an operationally independent section is advanced, the environmental analysis in the FEIS would be updated as necessary and, provided that the section has met the transportation planning and air quality requirements, FHWA would issue a ROD for that section. This information was presented at VDOT's February 2014 federal partnering meeting, and the partners had no objections or substantive comments.

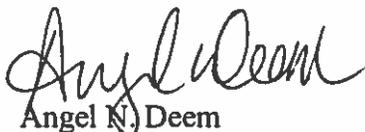
In September 2014, the Hampton Roads Transportation Planning Organization amended its 2034 Long Range Transportation Plan to include Section II for construction. This proposed section is approximately seven miles with termini located east of Exit 247 (Yorktown Road/Route 238) in the east and west of Exit 242 (Marquis Parkway/State Highway 199) in the west. These locations provide logical termini, as improvements will tie back into the existing facility. Exits 247, 243, and 242 exist along the proposed section. No modifications to these interchanges are proposed. Attachment 1 demonstrates the proposed section meets the definition of an operationally independent section. The attachment also documents VDOT's intent to generally widen to the inside median. The attachments also demonstrate that the proposed operationally independent section has met the transportation planning and air quality requirements (Attachment 2).

Given the limited amount of time that has passed since the approval of the FEIS¹, our offices have concurred that providing this letter and attachments meet the required needs for updated environmental analyses. This Request for Record of Decision (Request) has been prepared in accordance with the guidance prescribed in the FEIS. While the FEIS assessed environmental consequences at a study corridor level, this Request assesses the environmental consequences resulting from implementing the proposed section to determine if those environmental consequences result in significant environmental impacts not already considered in the FEIS (Attachment 2). Overall, conditions in the study corridor have changed very little since November 2013 when the FEIS was approved. Based on the reviews of existing data, VDOT has concluded that the implementation of the proposed section would not result in additional significant impacts not already considered in the previously approved FEIS.

With this submission, VDOT is requesting a Record of Decision for this operationally independent section from FHWA. If you have any questions or need any further information, please contact Scott Smizik at 804-371-4082 or by email at Scott.Smizik@VDOT.Virginia.gov.

Thank you for your attention to this matter.

Sincerely,
VIRGINIA DEPARTMENT OF TRANSPORTATION



Angel N. Deem
VDOT Environmental Division Director

¹ Previous NEPA documentation is available at http://www.virginiadot.org/projects/hamptonroads/i-64_peninsula_study.asp.

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cc: John Simkins, FHWA
Mack Frost, FHWA
Jim Utterback, VDOT
Jim Long, VDOT
Janet Hedrick, VDOT
Scott Smizik, VDOT

Attachments

- 1) Description of the Proposed Section
- 2) Issues Evaluation Checklist
- 3) Indirect and Cumulative Effects Analysis
- 4) Relevant Communication Following the FEIS
- 5) Figures

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Attachment 1: Description of the Proposed Section

This proposed section is approximately seven miles long, with the termini located east of Exit 247 (Yorktown Road/Route 238) in the east and west of Exit 242 (Marquis Parkway/State Highway 199) in the west. Exits 247, 243, and 242 exist along the proposed section. No modifications to these interchanges are proposed.

This section also meets the definition of an operationally independent section. As noted in the FEIS and defined in FHWA guidance *Operational Independence and Non-concurrent Construction*², an operationally independent section can be built and function as a viable transportation facility even if the rest of the work described in the FEIS is never built. The proposed improvements would add one (1) additional general purpose lane eastbound and one (1) additional general purpose lane westbound to I-64. This would achieve the full build condition recommended in the FEIS.

These recommendations are based on analysis included in the Traffic Technical Report associated with the FEIS, which found the need for one additional lane to initiate at Exit 247 and extend beyond Exit 242. This section would contribute to this defined need by adding the required capacity within the limits of the section before transitioning transition back into existing mainline conditions. To further fulfill the definition of an operationally independent section, the environmental commitments made in the FEIS, specifically those documented in Appendix L, would be adhered to for this section.

VDOT proposes to generally widen the interstate to the inside median. Widening to the inside of the median was selected for the proposed section based on the following:

- Reduces property impacts; and,
- Reduces impacts to natural and cultural resources.

In some locations; however, it may be necessary to widen to the outside. This would be done to provide room in the median for necessary stormwater management features and avoid any property impacts to Naval Weapons Station Yorktown. The outside widening would not impact Naval Weapons Station Yorktown property.

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The Hampton Roads Transportation Planning Organization (HRTPO) and Hampton Roads Transportation Accountability Commission (HRTAC) have taken the following actions to include this proposed section in the appropriate planning documents:

- 1) June 20, 2013 – HRTPO passed a resolution endorsing six-lane options to provide immediate congestion relief between Exit 255 (Jefferson Avenue) and Exit 242 (Humelsine Parkway).
- 2) October 17, 2013 – HRTPO identified nine priority projects for funding. This listing included a section from Exit 255 to Exit 250 and a second section from Exit 250 to Exit 242.
- 3) September 18, 2014 – HRTPO included the proposed section in the 2034 Long-Range Transportation Plan
- 4) April 16, 2015 – HRTPO voted to modify its 2034 Long-Range Transportation Plan (LRTP) to meet fiscal constraint requirements. The proposed section was already included in the LRTP.
- 5) April 16, 2015 – HRTAC approved \$6 million for the next subsequent phase of the project.
- 6) On May 6, 2015 the HRTPO Transportation Technical Advisory Committee recommended that the HRTPO board amend the Hampton Roads Fiscal Year 2015-2018 Transportation Improvement Program to include the \$6 million to fund the next subsequent phase. The HRTPO Board is expected to approve this amendment in its May 2015 meeting.

Attachment 2: Issues Evaluation Checklist

Issue/Resource	New Information? ³	Method of Review	Have the Impacts Changed?	Comment
Transportation				
Traffic Volumes/Patterns/Time	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	Implementation of the proposed section would improve traffic conditions to Level of Service C and would contribute to the purpose and need of the FEIS. More detailed traffic analysis would be developed as part of the final design to confirm LOS C would be achieved. See Attachment 1 for updates to transportation planning documents.
Transportation Plan	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A			
Socioeconomics and Land Use				
Land Use Conversion	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation, aerial photo mapping, planning corridor drawings for the proposed section, and City of Newport News Comprehensive Plan.	No	Land use has not changed within the study area that extends 500 feet from existing pavement. Land use within Newport News that surrounds the eastern end of the proposed section is currently vacant or dedicated open space. In the middle of the proposed section, land use within James City County consists of residential and industrial uses. At the far western end of the proposed section, land use within York County consists of vacant land and some limited conservation areas. Naval Weapons Station Yorktown also abuts the proposed section in York and James City counties.
Development	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
Consistent with Area's Comprehensive Plan	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The James City County Comprehensive Plan (2009), the York County Comprehensive Plan, <i>Charting the Course to 2035</i> (2013), and the City of Newport News Comprehensive Plan, <i>Framework for the Future 2020</i> , acknowledge congestion, failing conditions, and/or the need for the widening of Interstate 64. None of these plans have been updated since the publication of the FEIS.

³ New information consists of data that was not included in the FEIS. This may include new information or the presentation of data for the proposed section that was not discussed in the FEIS.

Issue/Resource	New Information? ³ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Method of Review	Have the Impacts Changed?	Comment
Populations	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The 2010 Census documented a population of 180,719 for the City of Newport News. The census tract that the proposed section passes through is one of the highest populated tracts in the city (3,339). In James City County, the 2010 population was 67,009. The census tract that the proposed section passes through is the least populated census tract within the FEIS study area for the county (1,458). Finally, the Census documented a 2010 population of 434,972 in York County. The census tract that the proposed section passes through is one of the least populated census tracts within the FEIS study area for the county (703). See Attachment 3 for more details on populations.
Emergency Services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	There are no emergency service facilities located within the 500 foot planning corridor considered in the FEIS. As projected in the FEIS, improvements to the proposed section could assist in improving response times for emergency services.

Issue/Resource	New Information? ³ <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Method of Review	Have the Impacts Changed?	Comment
Potential Relocations	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	Yes – Impacts in the FEIS were defined for the length of the corridor. For this Request, VDOT has focused on those properties identified in the FEIS that are located within the proposed section.	The FEIS reported 214 residential, 80 business, and 11 rural impacted parcels for the preferred alternative. This assumed widening to the outside. By widening to the inside, these figures were reduced to 212 residential, 80 business, and 11 rural impacted parcels. Within the proposed section, the FEIS identified one rural parcel (a VDOT storage facility), seven residential parcels, and six business parcels that could be impacted by the proposed section. These impacts are conservative and anticipated to change upon the development of detailed project design. If project design advances, and the right-of-way impacts are better understood, VDOT will develop a detailed relocation plan for all displaced residents, businesses, and non-profit organizations. The acquisition of property and any necessary relocations will be conducted in accordance with all applicable federal laws, regulations and requirements, including but not limited to 23 CFR §710, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended and its implementing regulations found in 49 CFR §24. All persons displaced on federally-assisted projects will be treated fairly, consistently, and equitably so that they do not experience disproportionate effects as a result of projects that are designed for the benefit of the public as a whole. VDOT will provide relocation resources to all residences, businesses, and non-profit organizations potentially impacted by the proposed improvement without discrimination in accordance with current VDOT Right-of-Way Manual procedures

Issue/Resource	New Information? ³ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Method of Review	Have the Impacts Changed?	Comment
Environmental Justice Populations	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The proposed section passes through or is adjacent to census tracts with environmental justice populations that are higher than that of the surrounding jurisdiction. As noted in the FEIS, the proposed general purpose lanes would be constructed along an existing corridor and, as such, improvements are not expected to have a disproportionately high and adverse effect on minority or low-income populations. The additional lanes would be constructed in the median, thereby minimizing any impacts on Environmental Justice populations as compared to constructing lanes on the outside of the existing roadway. The potential property impacts described above, as well as the construction impacts discussed later in this attachment, would impact environmental justice populations. These impacts would not be disproportionately high or represent adverse effects to minority and low-income populations. See Attachment 3 for additional information on environmental justice populations.
Farmlands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	An estimated 5.30 acres of Prime Farmland and 4.15 acres of Farmland of Statewide Importance exist within the area of potential right of way for the proposed section. Final impacts to these resources would be determined through final design.
Energy				
Energy	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	As stated in the FEIS, traffic volumes and capacity are projected to result in increased traffic on I-64. However, much of that is expected to be traffic that would still exist under the No-Build conditions because traffic would use other roads to avoid a severely congested I-64. The total amount of vehicles, and vehicle-miles traveled, in the region would not substantially change. In addition, the capacity of I-64 would be improved. Therefore, there would be less idling and/or reduced speeds for drivers on I-64, which in turn would result in less fuel being burned during their trip as compared to the No-Build conditions.
Air Quality				
Air Quality Criteria	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	There have been no changes to air quality criteria since the publication of the FEIS.

Issue/Resource	New Information? ³	Method of Review	Have the Impacts Changed?	Comment
Conformity	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of regional financially constrained long-range transportation plans.	No	The region is in attainment of the national ambient air quality standards (NAAQS) for all criteria pollutants. Transportation conformity requirements therefore do not apply.
Air Quality Impacts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	Yes – regulations have been modified since the publication of the FEIS.	Effective April 6, 2015, with the revocation (80 FR 12264) by EPA of the 1997 national ambient air quality standards (NAAQS) for ozone, the region is in attainment of the NAAQS for all criteria pollutants. Transportation conformity requirements, which previously applied for the region as it was in maintenance for the 1997 ozone standard, no longer apply.
Regional Compliance with the PM Standards	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The study area is located in Attainment Area for PM ₁₀ and PM _{2.5} NAAQS.
Regional Compliance with the Ozone Standards	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The study area is located in an Attainment Area for ozone.
Air Toxic Analysis	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The results of the analysis completed for the FEIS are consistent with the national mobile source air toxics (MSAT) emission trends as predicted by MOBILE6.2 from 1999-2050. The results of the analysis indicate that no meaningful increases in MSAT have been identified and are not expected to cause an adverse effect on the human environment.
Noise				
Noise Criteria Existing Noise Conditions Noise Impacts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	Yes – Impacts in the FEIS were defined for the length of the corridor. For this Request, VDOT has focused on those properties identified in the FEIS that are located within the proposed section.	Individual receptor sites that exceeded the Noise Abatement Criteria (NAC) were documented in the FEIS and are assumed to remain the same for the purposes of this Request. The FEIS identified a total of 11 residences and one golf course that would be impacted in the proposed section by the maximum decibel level that would be produced at the design year (2040). The analysis identified feasible and reasonable barriers that would mitigate a high percentage of these impacts. These mitigation measures would be further analyzed and incorporated into the final design of the proposed section, as appropriate.

Issue/Resource	New Information? ³	Method of Review	Have the Impacts Changed?	Comment
Natural Resources				
Wildlife and Wildlife Habitat	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	Yes – Impacts in the FEIS were defined for the length of the corridor. For this Request, VDOT has focused on those properties identified in the FEIS that are located within the proposed section.	As reported in the FEIS, the proposed section consists of widening along an existing corridor in a developed area. Therefore, the proposed activities would not affect any substantial forest resource and impacts to terrestrial habitat would be limited to the displacement of small sections of remaining, often disjunct, non-contiguous tracts of forests within the existing median of I-64. The existing interstate highway poses a barrier to wildlife movements that would not be substantially altered. The extension of culverts could lead to the direct loss of fish and macroinvertebrates within the construction zone and would permanently alter the available habitat in the impacted areas. However, these areas would likely be colonized again, following the construction activities.
Threatened and Endangered Species and Critical Habitat	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation, planning corridor drawings for the proposed section, and online review of U.S. Fish and Wildlife Service (USFWS) Information, Planning, and Consultation (IPaC) system.	No	<p>To meet the commitments outlined in Appendix L of the FEIS, the USFWS IPaC was consulted to document any threatened or endangered species along the proposed section. As illustrated in Attachment 4, the small whorled pogonia (<i>Isotria medeoloides</i>) may occur along the proposed section. A small whorled pogonia habitat assessment was conducted as part of the FEIS; however, the assessment did not address the proposed section. The FEIS committed VDOT and FHWA to a pedestrian survey of all forested areas within the project corridor, prior to design/ construction, to identify suitable habitat and to determine presence or absence of small whorled pogonia. Such a survey would be conducted during the design phase to facilitate agency coordination, permitting, and design.</p> <p>In addition, the northern long-eared bat (<i>Myotis septentrionalis</i>) may occur along the corridor. This species may become federally listed in 2015.</p>
Wildlife and Waterfowl Refuges	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	Federal wildlife refuges exist within the bounds of Naval Weapons Station Yorktown to the north of the proposed section. These properties would not be impacted by the proposed section.

Issue/Resource	New Information? ³	Method of Review	Have the Impacts Changed?	Comment
Surface Waters	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	Yes	The proposed section is located in the Lower James River basin. The existing interstate includes three water crossings within this section: King Creek/Whiteman Swamp, Skiffes Creek, and Blows Mill Run. The first is located at the western terminus. Skiffes Creek and Blows Mill Run flow south of the interstate into Skiffes Creek Reservoir. The reservoir is located south of the interstate corridor. As stated in the FEIS, impacts to this resource would be similar to all downstream impacts. These impacts would be reduced and/or avoided through the implementation of required erosion and sediment control structures and stormwater management best management practices.
Public Water Supply	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A		Yes – Impacts in the FEIS were defined for the length of the corridor. For this Request, VDOT has focused on those properties identified in the FEIS that are located within the proposed section.	The proposed section crosses Skiffes Creek which flows into the Skiffes Creek Reservoir. The reservoir is a drinking water source for the City of Newport News. As stated in the FEIS, impacts to this resource would be similar to all downstream impacts. These impacts would be reduced and/or avoided through the implementation of required erosion and sediment control structures and stormwater management best management practices.
Submerged Aquatic Vegetation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and VIMS interactive SAV map	No	There is no submerged aquatic vegetation within the proposed section.
Floodplains	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The FEIS identified 100-year floodplains adjacent to the western terminus of the proposed section.

Issue/Resource	New Information? ³	Method of Review	Have the Impacts Changed?	Comment
Wetlands	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	Yes – Impacts in the FEIS were defined for the length of the corridor. For this Request, VDOT has focused on those properties identified in the FEIS that are located within the proposed section.	Within the proposed section, current estimates suggest the potential for 958 linear feet of stream impacts and 1.18 acres of palustrine forested wetland impacts.
Visual Quality				
Visual and Aesthetics	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	Yes – Impacts in the FEIS were defined for the length of the corridor. For this Request, VDOT has focused on those properties identified in the FEIS that are located within the proposed section.	Implementation of the proposed section would include basic improvements along an existing interstate highway functioning at capacity. As documented in the FEIS, the visual effects are expected to be minimal. The view of the interstate and from the interstate would not be dramatically altered since viewers already see the existing interstate. The introduction of new sound barriers could alter some views and widening to the median would result in the partial removal of established stands of trees.
Historic Properties				
Architectural Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	<p>The Battle of Williamsburg (DHR 099-5282; VA010) occupies much of the land surrounding the western terminus of the proposed section. As documented in the FEIS, the Virginia Department of Historic Resources (DHR) has concurred that there would be no adverse effect to this resource under the Preferred Alternative.</p> <p>On November 20, 2013, FHWA, DHR, the National Park Service, and VDOT executed a Section 106 Programmatic Agreement (PA) regarding the I-64 Peninsula Study corridor. The PA acknowledges special conditions that must be taken to account for two resources associated with the Battle of Williamsburg: Redoubt 8 and Redoubt 9. The conditions included in the PA would be followed in the planning, design, and construction of the proposed section.</p>

Issue/Resource	New Information? ³	Method of Review	Have the Impacts Changed?	Comment
Archaeological Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The PA acknowledges that studies and consultation with the SHPO have been completed for buildings, structures, nonarchaeological districts, and objects meeting the criteria for listing on the NHPR; however, to address outstanding issues associated with archaeological resources, the PA sets forth a process whereby survey, assessment, and possible treatment of areas within the corridor would occur. VDOT is currently conducting an archaeological investigation of the land contained within the proposed section. DHR has concurred that any archaeological sites that may be present within the proposed section would be important chiefly for the information they contain. Therefore, pursuant to 23 CFR 774.13(b), the archaeological sites would not be Section 4(f) resources.
Section 4(f) Resources				
Section 4(f)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	<p>The City of Newport News Park borders the eastern edge of the proposed section. In the DEIS, the site was identified as a 4(f) resource. Between the publication of the DEIS and FEIS, the City of Newport News concurred that the impact to the park would be de minimis and this finding was documented in the FEIS. On January 30, 2015, the city again concurred that the impact would be de minimis (Attachment 4).</p> <p>The Battle of Williamsburg is adjacent to the proposed section. As documented in the FEIS, DHR concurred that the improvements would have no adverse effect to this resource. DHR also concurred with the potential de minimis finding under Section 4(f). DHR confirmed its position that the impact would be de minimis on March 27, 2015.</p>
Contaminated Sites				
Hazardous Waste Sites	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	Naval Weapons Station Yorktown is identified in the FEIS as a Site of Potential Concern. Naval Weapons Station Yorktown is adjacent to the proposed section.
Indirect & Cumulative Impacts				
Socioeconomic Impacts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			See Attachment 3
Natural Resource Impacts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			See Attachment 3.

Issue/Resource	New Information? ³	Method of Review	Have the Impacts Changed?	Comment
Construction Impacts				
Construction & Operations Employment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The Hampton Roads Transportation Planning Organization has programmed \$213.6 million dollars into its constrained long-range transportation plan for the proposed section. This level of investment is anticipated to have measurable benefit to construction and operations employment.
Air Quality	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The FEIS provides specific guidance to help minimize potential construction-related air quality and this guidance will be adhered to for the implementation of the proposed section.
Noise	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The FEIS provides specific guidance to help minimize potential construction-related noise and this guidance will be adhered to for the implementation of the proposed section.
Water Quality	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The FEIS provides specific guidance to help minimize potential construction-related water quality and this guidance will be adhered to for the implementation of the proposed section.
Maintenance & Control of Traffic	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The FEIS provides specific discussions of maintenance of traffic, include a maintenance of traffic plan, public communications plan, and transportation operations plan. This guidance will be adhered to for the implementation of the proposed section.
Health & Safety	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The FEIS recommends that the maintenance of traffic plan be designed to provide for the health and safety of the public and construction workers.
Pollution Control	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	Appendix H of the FEIS documents VDOT's commitments to pollution control.

Issue/Resource	New Information? ³	Method of Review	Have the Impacts Changed?	Comment
Permits				
Section 404 Permits	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	<p>The FEIS suggests these permits may be required and this assumption remains valid for the proposed section. Permits would be obtained during the final design process. There is reasonable assurance that the Section 404 permit will be obtained based on 1) the U.S. Army Corps of Engineers supporting Alternative 1 in their comments on the FEIS, and 2) their lack of objections at the February 12, 2014 partnering meeting.</p> <p>According to Virginia Department of Game and Inland Fisheries mapping, there are no navigable waters within or immediately adjacent to the proposed section Therefore, Section 10 and/or Coast Guard permits are not anticipated.</p> <p>The proposed section is located within the Virginia Coastal Zone. As stated in the FEIS, compliance with coastal zone requirements would be accomplished through the Joint Permit Application process.</p>
Section 10 Permits	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	
Virginia Water Protection Permit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	
Subaqueous Bed Permit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	
Coast Guard Permit	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	
Coastal Barriers & Coastal Zone	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and DEQ web site.	No	

Issue/Resource	New Information? ³	Method of Review	Have the Impacts Changed?	Comment
Mitigation Measures				
Relocations	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	As discussed above, the FEIS identified one rural parcel (a VDOT storage facility), seven residential parcels, and six business parcels that could be impacted by the proposed section. All relocations and real property acquisition would be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Displaced property owners would be provided relocation assistance advisory services together with the assurance of the availability of decent, safe, and sanitary housing. Relocation resources would be made available to all who are displaced without discrimination.
Farmlands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	An estimated 5.30 acres of Prime Farmland and 4.15 acres of Farmland of Statewide Importance exist within the area of potential right of way for the proposed section.
Noise	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The FEIS identified feasible and reasonable barriers that would mitigate a high percentage of the predicted noise impacts. The noise analysis is considered preliminary, and mitigation decisions will be reconsidered in the design phase when better geometric data becomes available.
Threatened & Endangered Species	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Review of previous NEPA documentation, planning drawings for the proposed section, and online review of USFWS IPaC system.	No	Based on current site conditions and project plans, coordination with the U.S. Fish and Wildlife Service would be required to determine if habitat surveys were required for the small whorled pogonia and/or the northern long-eared bat
Floodplains	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The FEIS identified 100-year floodplains adjacent to the western terminus of the proposed section.

Issue/Resource	New Information? ³	Method of Review	Have the Impacts Changed?	Comment
Wetlands	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	Wetland permits and mitigation are anticipated. The mitigation measures for stream and wetland impacts would be determined as part of the permitting process during final design in consultation with the regulatory agencies. The current compensatory mitigation to impact ratios for non-tidal forested, scrub-shrub and emergent wetlands are 2:1, 1.5:1 and 1:1, respectively. The typical compensatory mitigation to impact ratio for tidal emergent wetlands is 2:1.
Water Quality	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	Stormwater management facilities will be designed in accordance with specifications set forth in Section 3.14 of the Virginia Erosion and Sediment Control Handbook (1992) and VDOT's Annual Erosion and Sediment Control and Stormwater Management Standards and Specifications, as approved by VDCR.
Aquatic Resources	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	<p>Wetland permits and mitigation are anticipated. The mitigation measures for stream and wetland impacts would be determined as part of the permitting process during final design in consultation with the regulatory agencies. The current compensatory mitigation to impact ratios for non-tidal forested, scrub-shrub and emergent wetlands are 2:1, 1.5:1 and 1:1, respectively. The typical compensatory mitigation to impact ratio for tidal emergent wetlands is 2:1.</p> <p>VDOT will minimize effects to aquatic resources by following Best Management Practices (BMPs) and implementing appropriate erosion and sediment control practices in accordance with VDOT's Road and Bridge Specifications, state, and local regulations.</p>
Historic Properties	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	The executed Programmatic Agreement for this study provides agreed upon levels of mitigation.

Issue/Resource	New Information? ³ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Method of Review	Have the Impacts Changed?	Comment
Hazardous Waste Sites	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	<p>Any additional hazardous materials discovered during construction of the proposed section or during demolition of existing structures will be removed and disposed of in compliance with all applicable federal, state, and local regulations. All necessary remediation would be conducted in compliance with applicable federal, state, and local environmental laws and would be coordinated with the EPA, the DEQ, and other federal or state agencies as necessary.</p> <p>The selection of mitigation measures for specific sites would include avoidance and/or minimization of impacts through redesign or alignment shift, and remediation/closure by responsible parties prior to state acquisition of contaminated properties.</p>
Maintenance & Control of Traffic	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	Maintenance of traffic along the interstate and existing secondary routes is a part of final design and will be duly considered by VDOT.
Pollution Control	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	Review of previous NEPA documentation and planning corridor drawings for the proposed section.	No	Appendix H of the FEIS documents VDOT's commitments to pollution control.

Attachment 3: Indirect and Cumulative Effects Analysis

Appendix L of the FEIS includes a commitment to review and update the systematic process utilized to analyze indirect and cumulative effects in the Final Environmental Impact Statement (FEIS). This attachment to the Request is designed to satisfy this commitment.

Indirect Effect Analysis

The indirect effect analysis was conducted in accordance with the *Desk Reference for Estimating the Indirect Effects of Proposed Transportation Projects*, (National Cooperative Highway Research Program (NCHRP), Report 466, 2002). This report specifies an eight-step process for determining indirect effects and used as a guide to assess the potential for indirect effects for this Request. The eight steps followed are:

- 1) Initial Scoping
- 2) Identify Study Area Direction and Goals
- 3) Inventory Notable Features
- 4) Identify Impact-Causing Activities
- 5) Identify Potentially Significant Indirect Effects for Analysis
- 6) Analyze Indirect Effects
- 7) Evaluate Analysis Results

These steps, and the actions taken to fulfill these requirements, are described below.

1) Initial Scoping

The first step in the indirect effects analysis includes the initial scoping activities and the identification of the study area in order to set the stage for the remaining steps. An extensive scoping process was undertaken at the onset of the EIS. Given the limited time that has passed since the publication of the FEIS, and the fact that the proposed section is within the corridor of the Preferred Alternative in the FEIS, no formal scoping was necessary for this Request.

As part of the scoping process for the EIS, the study areas for each resource/feature were proposed in order to analyze a full range of potential direct and also indirect effects. Descriptions of the scoping process and the scoping meetings that were held with the resource and regulatory agencies along with the public can be found in the FEIS. In addition, in accordance with the FEIS Coordination Plan, participating agencies were given the opportunity to comment on the impact methodologies during the scoping process and none of them submitted any comments on the indirect or cumulative effect analysis impact methodologies.

Socioeconomic study areas were established to analyze neighborhoods and community facilities; environmental justice; displacements and relocations; economic activity; land use; and parks, recreation areas and open space within the proposed section. The socioeconomic study area for this Request is made up of the three census tracts that border the proposed section.

Multiple resource boundaries were reviewed to assess the effects the proposed section would have on natural and physical resources. Based on readily available data from federal, state and local sources, the resources were analyzed to determine the potential for indirect effects created by the proposed section. The resources include: Waters of the United States including wetlands; surface and groundwater supply; floodplains, threatened and endangered species; wildlife and habitat; historic properties; and Section 4(f) resources. The study area for indirect effects to these resources also extends beyond the direct impact study area, in order to identify impacts occurring “downstream” from the proposed section.

2) Identify Study Area Direction and Goals

This second step in the indirect effects analysis focuses on assembling information regarding general trends and goals within the study area. The trends and goals in question are independent of the proposed transportation project and typically concern social, economic, ecological, and/or growth-related issues.

According to the NCHRP Report 466, evidence indicates that transportation investments result in major land use changes only in the presence of other factors. These factors include supportive local land use policies, local development incentives, availability of developable land, and a good investment climate. An understanding, therefore, of community goals, combined with a thorough knowledge of demographic, economic, social, and ecological trends is essential in understanding the dynamics of project-influenced changes in development location. Later in the process, it will be important to compare study area goals with potential impacts. Conflict between impacts and goals is a key determinant of impact significance and an indicator of effects that merit further analysis. The following sections describe the proposed section, along with the existing and planned land use in the immediate areas in order to provide insight as to the direction and goals for the area.

a. Proposed Section

The proposed section is approximately seven miles with the termini located east of Exit 247 (Yorktown Road/Route 238) in the east and west of Exit 242 (Marquis Parkway/State Highway 199) in the west. Exits 247, 243, and 242 exist along the proposed section. No modifications to these interchanges are proposed (Attachment 1).

In addition to possessing logical termini, this section also meets the definition of an operationally independent section. As noted in the FEIS and defined in FHWA guidance *Operational Independence and Non-concurrent Construction*⁴, an operationally independent section can be built and function as a viable transportation facility even if the rest of the work described in the FEIS is never built. The proposed improvements would add one (1) additional general purpose lane eastbound and one (1) additional general purpose lane westbound to I-64. As documented in the FEIS, this is the recommended full build condition for the proposed section (Attachment 5). These recommendations are based on analysis included in the FEIS Traffic Technical Report. To further fulfill the definition of an operationally independent section, the environmental commitments made in the FEIS, specifically those documented in Appendix L, would be adhered to for this section.

b. Demographics

Due to changes in Census boundaries in the last couple of decades, information is unavailable to provide a detailed history of population in the socioeconomic study area. Table 1 provides a summary of the historic population changes in the socioeconomic study area and the surrounding area. Between 1990 and 2010, the City of Newport News population increased by approximately 7%, while James City County and York County populations increased by approximately 92% and 54%, respectively. This trend reveals that the rural areas are growing more quickly than the urban areas, which are already more densely developed. The estimated population growth illustrated in Table 2 further supports this finding.

⁴ http://www.fhwa.dot.gov/ipd/project_delivery/resources/operational_construction/guidance_operational_independence.htm.

Table 1: Historic Population Trends, 1990-2010

Area	1990	2000	2010	Percent Change from 1990 to 2010 (%)
James City County	34,859	48,102	67,009	92.2
City of Newport News	170,045	180,697	180,719	6.3
York County	42,422	56,297	65,464	54.3
Socioeconomic Study Area	N/A	N/A	9,518	N/A
Virginia	6,187,358	7,079,030	8,001,024	29.3
United States	248,709,873	281,421,906	308,745,538	24.1

Table 2: Projected Population, 2010-2030

Area	2010	2020	2030	Percent Change from 2010 to 2030 (%)
James City County	67,009	82,781	100,294	49.7
York County	65,464	76,376	86,823	32.6
City of Newport News	180,719	182,415	183,372	1.5
Socioeconomic Study Area	9,518	11,105*	12,624*	32.6
Virginia	8,001,024	7,079,030	9,825,019	29.3
United States	308,745,538	281,421,906	363,584,435	24.1

* Extrapolated from York County data by using same percent change between each decade. York County data was used as it represents the median data set for the three localities.

c. Employment

The main industries in socioeconomic study area are listed in Table 3.

Table 3: Major Employers	
Area	Employers
James City County	Busch Entertainment Corp., Williamsburg James City County Public Schools, James City County, Eastern State Hospital
City of Newport News	Northrop Grumman Shipbuilding, Inc., Riverside Regional Medical Center, Newport News Public Schools, U.S. Department of Defense, Canon, Ferguson Enterprises Inc.
York County	York County Schools, York County, Wal-Mart, U.S. Department of Defense

The U.S. Department of Defense and Busch Entertainment Corp. both have properties adjacent to the proposed section.

d. Land Use Patterns and Plans

Land use within the socioeconomic study area is dictated by the respective locality’s comprehensive plan. These plans are discussed below.

James City County

The James City 2009 Comprehensive Plan includes the 2009 Comprehensive Map which illustrates existing land use within the study area. Land use includes low and moderate density residential development, limited and general industry, and Federal land associated with naval weapons station. There is some land designated for open space that exists away from the proposed section, along the James River.

City of Newport News

The City of Newport News Comprehensive Plan, *Framework for the Future 2030*, breaks down existing land use by type. The land use adjacent to the proposed section is classified as residential and commercial, with small areas of planned open space.

York County

The York County Comprehensive Plan identifies land uses within the study area. The designated land uses include low density residential, high density residential, economic opportunity/commercial, and general industrial.

e. Environmental Regulations

There are many federal regulations intended to protect, enhance, and/or rehabilitate the natural and human environments. A number of the most pertinent regulations are summarized below.

Section 404, Clean Water Act: Section 404 regulates the discharge of dredged, excavated, or fill material in wetlands, streams, rivers, and other U.S. waters. The United States Army Corps of Engineers is the federal agency authorized to issue Section 404 Permits for certain activities conducted in wetlands or other U.S. waters. The proposed section will most likely require a Section 404 permit. This permit would require the discussion of the measures employed throughout planning and design in order to avoid/minimize effects to

“Waters of the U.S.” The Section 404 permit application also could include a compensatory mitigation proposal, which outlines the plan to provide compensation to offset permanent losses of Waters of the U.S. *Coastal Zone Management Act*: This act preserves, protects, develops, and (where possible) restores and enhances resources of the coastal zone. It is applicable to all projects significantly affecting areas under the control of the State Coastal Zone Management Agency for which a plan is approved. Projects must comply with federal consistency regulations, management measures, and the appropriate approved state plan for Coastal Zone Management Programs. The proposed section is located within the Coastal Zone.

Safe Drinking Water Act: Ensures public health and welfare through safe drinking water. The Safe Drinking Water Act regulates actions which may have a significant impact on an aquifer or wellhead protection area which is the sole or principal drinking water.

National Historic Preservation Act: Section 106 of the National Historic Preservation Act requires federal agencies to consider the effects of their actions on districts, sites, buildings, structures, and objects significant in American architecture, archeology, and culture. It also requires that the Advisory Council on Historic Preservation be given an opportunity to comment.

State

The Commonwealth of Virginia has a series of environmental plans that are implemented at both the state and local levels. These include:

Waste Management: The Division of Land Protection and Revitalization (DLPR) is responsible for implementing the Virginia Waste Management Act, as well as meeting Virginia’s Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) obligations as mandated by federal policy. Under these directives, the DLPR regulates solid and hazardous waste; oversees cleanup of contaminated sites; facilitates revitalization of environmentally distressed properties; monitors groundwater resources; conducts inspections of aboveground and underground storage tank systems; etc.

Air Pollution: The Department of Environmental Quality’s Air Division oversees implementation of the Virginia Air Pollution Control Law, as well as ensuring federal obligations of the Clean Air Act are met. These two regulations ensure that projects conform to state and federal requirements, covering things such as industrial facilities and mobile sources (vehicle emissions).

Stormwater Management: Virginia’s Stormwater Management Program requires that erosion and sediment control, as well as stormwater, be controlled during land disturbing activities and that appropriate permits be acquired. While the State provides oversight, erosion and sediment control permits are typically administered by the local municipality, and stormwater permits are administered by the Virginia Department of Environmental Quality.

3) Inventory Notable Features

The environmental screening conducted as part of this Request can be used as a tool to identify notable features, or specific valued, vulnerable, or unique elements of the environment. The study area contains notable human and natural environment features that were inventoried and described in more detail in the FEIS. The objective of this step of the process is to identify specific environmental issues within the indirect effects analysis study area against which the proposed section may be assessed. The following sections discuss the notable features that were identified as part of this Request.

a. Socioeconomics and Land Use

Neighborhoods and Community Facilities

Neighborhoods occur in various locations within the socioeconomic study area. The FEIS did not document any community facilities within the socioeconomic study area for the proposed section.

Environmental Justice

Based on 2010 Census data, all three of the census tracts in the socioeconomic study area have a minority population of 29% or greater⁵. None of the census tracts within the study area had a median household income below the U.S. Department of Health and Human Services poverty guidelines for 2013 (\$23,550).

b. Natural Resources

Waters of the United States, Including Wetlands

The FEIS *Natural Resources Technical Memorandum* is the source of information for the natural resources identified in this Request. The proposed section is located in the Lower James River basin. The existing interstate includes three water crossings within this section: King Creek/Whiteman Swamp, Skiffes Creek, and Blows Mill Run. The first crossing is located at the western terminus. Skiffes Creek and Blows Mill Run flow south of the interstate into Skiffes Creek Reservoir. The reservoir is located south of the interstate corridor.

A number of wetlands and non-tidal and tidal surface water systems (including both wetlands and stream channels) are located along the study area, as well. Additional detail on these resources is provided in Attachment 2 of this Request.

Water Quality

There are no impaired waters or fish consumption advisories in place within the study area.

Floodplains

The FEIS identified 100-year floodplains adjacent to the western terminus of the proposed section.

Threatened and Endangered Species

To meet the future commitments outlined in Appendix L of the FEIS, the USFWS IPaC was consulted to document any threatened or endangered species along the proposed section. As illustrated in Attachment 4, the small whorled pogonia (*Isotria medeoloides*) may occur along the proposed section. A habitat assessment was conducted as part of the FEIS; however, the assessment did not address this portion of the corridor. In addition, the northern long-eared bat (*Myotis septentrionalis*) may occur along the corridor. This species may become federally listed in 2015.

c. Section 4(f) Resources

The City of Newport News Park borders the eastern edge of the proposed section. As documented in the FEIS, the City of Newport News concurred with a potential de minimis finding under Section 4(f) for potential impacts to the park. On January 30, 2015, the city reconfirmed this concurrence related to the proposed section.

The Battle of Williamsburg is adjacent to the proposed section. As documented in the FEIS, DHR concurred that the improvements would have no adverse effect to this resource. DHR also concurred with the potential de minimis finding under Section 4(f).

⁵ 2012 Census data indicates that 29% of Virginia's population identifies as minority

On November 20, 2013, FHWA, DHR, the National Park Service, and VDOT executed a Section 106 Programmatic Agreement (PA) regarding the I-64 Peninsula Study corridor. The PA acknowledges special conditions that must be taken to account for two resources associated with the Battle of Williamsburg: Redoubt 8 and Redoubt 9. The conditions included in the PA would be followed in the planning, design, and construction of the proposed section.

4) Identify Impact Causing Activities

Steps 2 and 3 of the indirect effects analysis focus on the identification of trends, goals, and notable features. The next steps involve identification and assessment of impacts that may come into conflict with these goals and features. Gaining an understanding of project design features and the range of impacts they may cause is the first step toward the identification of indirect effects. Project impact-causing activities are relevant to two of the three types of indirect effects identified in the *Desk Reference for Estimating the Indirect Effects of Proposed Transportation Projects*, (NCHRP, Report 466, 2002):

1. Encroachment-Alteration Effects – Effects that alter the behavior and functioning of the physical environment are related to project design features but are indirect in nature because they can be separated from the project in time or distance.
2. Access-Alteration Effects (Project-Influenced Effect) – Changes in traffic patterns and the alteration of accessibility attributable to the design of the project can influence the location of residential and commercial growth in the study area.

Induced growth-related effects, the third type of indirect effect, are attributable to induced growth itself not project design features.

An assessment of known project design features and their impact-causing activities has been included in Table 4; additional features and activities may be identified and refined during final design. The terms included in these columns come from similar listings in the *Desk Reference for Estimating the Indirect Effects of Proposed Transportation Projects*, (NCHRP, Report 466, 2002).

Table 4: Impact-Causing Activities and Design Features			
Impact-Causing Activities*	Design Features*	Present? (Yes/No/Unknown)	If Yes, General Types of Impacts
Modification of Regime	Introduction of Exotic Flora	No	
	Modification of Habitat	No	
	Alteration of Ground Cover	Yes	Groundcover within the proposed section, including the areas within the interchange improvements, would be removed to accommodate the construction of the proposed section. The precise areas and limits of removal would be determined in the final design phase of the proposed section
	Alteration of Groundwater Hydrology	No	

Table 4: Impact-Causing Activities and Design Features

Impact-Causing Activities*	Design Features*	Present? (Yes/No/Unknown)	If Yes, General Types of Impacts
	Alteration of Drainage	Yes	Additional impervious areas would be created due to the additional roadway/shoulder area and drainage patterns may be altered but would be designed in accordance with VDOT's Road and Bridge Specifications and VDOT's Erosion and Sediment Control Plan
	River Control and Flow Modification	No	
	Channelization	Yes	Channelization of water resources may be necessary to accommodate the proposed section construction and would be designed in accordance with VDOT's Road and Bridge Specifications; mitigation would be approved by the resource and regulatory permitting agencies
	Noise and Vibration	Yes	Noise levels would be altered along proposed section and interchange areas as a result of new roadway and future traffic volumes. Noise assessment was conducted and preliminary abatement measures were evaluated as part of the EIS. A more detailed evaluation would be completed during final design in accordance with VDOT's Highway Traffic Noise Impact Analysis Guidance Manual
Land Transformation and Construction	New or Expanded Transportation Facility	Yes	The widening of the I-64 mainline would be designed in accordance with VDOT's Road and Bridge Specifications
	Service or Support Sites and Buildings	No	
	New or Expanded Service or Frontage Roads	No	
	Ancillary Transmission Lines, Pipelines and Corridors	No	
	Barriers, Including Fencing	Yes	Barriers and fencing such as limited access fencing and noise abatement barriers would be placed where necessary and would not limit or interfere with the safety of the traveling public
	Channel Dredging and Straightening	No	
	Channel Revetments	No	
	Canals	No	
Bulkheads or Seawalls	No		

Table 4: Impact-Causing Activities and Design Features

Impact-Causing Activities*	Design Features*	Present? (Yes/No/Unknown)	If Yes, General Types of Impacts
	Cut and Fill	Yes	Cut and fill activities would occur along the proposed section and interchange areas as a result of new roadway. A more detailed evaluation would be completed during final design in accordance with VDOT's Road and Bridge Specifications and VDOT's Erosion and Sediment Control Plan
Resource Extraction	Surface Excavation	Yes	Excavations would be conducted in accordance with VDOT's Road and Bridge Specifications
	Subsurface Excavation	Yes	Excavations would be conducted in accordance with VDOT's Road and Bridge Specifications
	Dredging	No	
Processing	Product Storage	No	
Land Alteration	Erosion Control and Terracing	Yes	Erosion control would be designed in accordance with VDOT's Road and Bridge Specifications and VDOT's Erosion and Sediment Control Plan
	Mine Sealing and Waste Control	No	
	Landscaping	Yes	Landscaping would be designed and implemented in accordance with VDOT's Road and Bridge Specification and would serve to reduce runoff and improve aesthetics along the proposed section.
	Wetland or Open Water Fill and Drainage	Yes	Wetland impacts would occur as a result of proposed section construction within the proposed section and interchange areas. Impacts would be avoided and minimized during the final design phase. Mitigation would be approved by the resource and regulatory permitting agencies.
	Harbor Dredging	No	
Resource Renewal	Reforestation	No	
	Groundwater Recharge	No	
	Waste Recycling	No	
	Site Remediation	No	
Changes in Traffic (including adjoining facilities)	Railroad	No	
	Transit (Bus)	No	
	Transit (Fixed Guideway)	No	
	Automobile	Yes	As an existing interstate highway, automobile travel would continue within the proposed section. The proposed section would result in improved travel times and automobile movements within the I-64 mainline and at the interchanges

Table 4: Impact-Causing Activities and Design Features

Impact-Causing Activities*	Design Features*	Present? (Yes/No/Unknown)	If Yes, General Types of Impacts
	Trucking	Yes	As an existing interstate highway, truck travel would continue within the proposed section. The proposed section would result in improved travel times and truck movements within the I-64 mainline and at the interchanges
	Aircraft	No	
	River and Canal Traffic	No	
	Pleasure Boating	No	
	Communication	No	
	Operational or Service Charge	No	
Waste Emplacement and Treatment	Landfill	No	
	Emplacement of Spoil and Overburden	Yes	In cut and fill areas with borrow and spoil, there may be changes to the existing topography and natural environment, which would be assessed during the permitting process
	Underground Storage	No	
	Sanitary Waste Discharge	No	
	Septic Tanks	No	
	Stack and Exhaust Emission	No	
Chemical Treatment	Fertilization	Yes	Proper Erosion and Sediment Controls would be utilized in accordance with VDOT's Road and Bridge Specifications in order to minimize runoff of chemicals
	Chemical Deicing	No	
	Chemical Soil Stabilization	Yes	Proper Erosion and Sediment Controls would be utilized in accordance with VDOT's Road and Bridge Specifications in order to minimize runoff of chemicals
	Weed Control	Yes	Proper weed control measures would be utilized in accordance with VDOT's Road and Bridge Specifications in order to minimize runoff of chemicals
	Pest Control	No	
Access Alteration	New or Expanded Access to Activity Center	No	

Table 4: Impact-Causing Activities and Design Features

Impact-Causing Activities*	Design Features*	Present? (Yes/No/ Unknown)	If Yes, General Types of Impacts
	New or Expanded Access to Undeveloped Land	No	
	Alter Travel Circulation Patterns	No	
	Alter Travel Times between Major Trip Productions and Attractions	Yes	Improved travel times would benefit the region and the economy by encouraging travel and tourism
	Alter Travel Costs between Major Trip Productions and Attractions	Yes	Improved travel times would decrease the travel costs, therefore benefiting the region and the economy by encouraging travel and tourism

5) Identify Potentially Significant Indirect Effects for Analysis

The objective of this step is to compare the list of project impact-causing actions with the lists of goals and notable features to explore potential cause-effect relationships and establish which effects are potentially significant and merit subsequent detailed analysis (or, conversely, which effects are not potentially significant and require no further assessment). The following describes the potential indirect effects of the implementation of the proposed section on the notable resources/features identified through the previous steps of this analysis.

a. Socioeconomics and Land Use

The proposed section would increase traffic volumes on I-64 due to the increased capacity within the proposed section. The proposed section would achieve the full build condition recommended in the FEIS and is anticipated to improve traffic conditions to Level of Service C (Attachment 2). Because additional lanes generally would be constructed in the existing median and no new interchanges are proposed as part of the proposed section, improvements are unlikely to induce development. These findings were supported by communication with the localities (Attachment 4). York County noted that they already have developments in place that would occur with or without the proposed transportation improvements. The improvements, however, would facilitate these planned developments. The City of Newport News has similar forecasts, while James City County and the City of Williamsburg did not identify any indirect growth or development that would occur as a result of the implementation of the proposed section.

Neighborhoods and Community Facilities

Indirect effects on neighborhoods and community facilities are often seen when a project makes important community resources, such as grocery stores, social facilities, schools, or places of worship, less accessible. In this case, the proposed section would be confined to the median of an existing interstate and not physically impact existing interchanges. As noted in the Attachment 4, the City of Newport News and York County agreed with the findings of the FEIS that improvements to the interstate could reduce regional traffic on local roads. James City County and the City of Williamsburg noted that increased traffic on Route 199 could be anticipated during the construction of the proposed section. This could have an indirect impact on local neighborhoods and community facilities; however, these same impacts are anticipated as traffic volumes continue to grow on the local road network.

Neighborhoods and neighborhood leaders have been and would continue to be provided with opportunities to review and comment on study and design material. FHWA and VDOT held numerous meetings and comment periods throughout the development of the FEIS. Several of these events were held in close proximity to the proposed section. Table 5 lists these opportunities.

None of the comments received during these events expressed concern over neighborhood and community facilities within or adjacent to the proposed section. As noted in Attachment 4, VDOT will continue to coordinate with the City of Newport News, James City County, the City of Williamsburg, and York County.

Table 5: Public Involvement Opportunities in Proximity to the Proposed section

Citizen Information Meeting	March 23, 2011	City Center Conference Room 700 Town Center Drive Newport News
Citizen Information Meeting	April 25, 2012	City Center Conference Room 700 Town Center Drive Newport News
Location Public Hearing	December 11, 2012	Bruton High School 185 East Rochambeau Drive Williamsburg, VA 23188
Location Public Hearing	December 12, 2012	City Center Conference Room 700 Town Center Drive Newport News
Design Public Hearing	April 30, 2015	Double Tree Hotel 50 Kingsmill Road Williamsburg, VA 23185

Environmental Justice

Because the proposed section occurs on an existing interstate and does not include any interchange improvements, existing minority or low-income populations would not be disproportionately impacted by the proposed section. By widening to the inside of the existing median, impacts are further reduced. The minority populations adjacent to the proposed section were provided opportunities to review and comment on study and design material. Table 5 lists the dates and locations of these opportunities. The location of these meetings was selected, in part, due to the public transportation options that could meet the needs of low-income populations. None of the comments received during these events expressed concern over environmental justice populations within or adjacent to the proposed section. As noted in Attachment 4, VDOT and the localities will remain in close communication to ensure unanticipated impacts to communities are avoided.

b. Natural Resources

Waters of the United States, Including Wetlands

Because the Request proposes the widening of an existing interstate, it is anticipated that the proposed section would impact Waters of the United States, including wetlands. Total direct impacts are estimated in Attachment 2 of this Request. Most of the systems being impacted have already been altered and affected by the original construction of the interstate and surrounding development.

As noted in Appendix H of the FEIS, VDOT is committed to meeting stormwater management requirements along the proposed section. By meeting these requirements, indirect impacts to wetlands outside of the area of direct impact should be beneficial, through the reduction in stormwater volume and pollutant loads. Because the proposed section would include widening of existing bridges over wetlands and streams, indirect effects due to shading are possible. While it is possible that the original construction of I-64 years ago may have disrupted hydrology of wetlands and stream systems, it is unlikely that further disruptions in the hydrology of these systems would occur.

Water Quality

Implementation of the proposed section would result in increased impervious surface and subsequent stormwater runoff. However, a number of Stormwater Management (SWM) facilities would be included in the design and VDOT would perform downstream channel improvements to meet the technical criteria Part IIB of the current Virginia Stormwater Management Program Regulations (Section 4VAC50-60-62 et. seq.). The water quality requirements would be addressed by the proposed SWM facilities and offsite nutrient credit purchases. A large portion of the water quantity (channel and flood protection) requirements would be addressed by the SWM facilities (i.e. “controlled” SWM areas). The remaining “uncontrolled” areas flowing directly into the existing receiving channels will be analyzed for downstream erosion and improvements would be made accordingly. All new and existing pervious and/or impervious areas draining into or through the study area would need to meet the Part IIB requirements.

In its letter dated January 28, 2015, the City of Newport News stated that the proposed section would improve access to the Newport News Waterworks facilities and the proposed stormwater management facilities would provide greater protection to the reservoir than the current system of ditches. For these reasons, it is anticipated that indirect effects to surface and groundwater resources would be minimal.

Floodplains

Impacts to floodplains could come through the widening of the interstate over these resources. The use of appropriate bridging over these resources would avoid indirect effects to downstream resources during flood events and would not result in the loss of any floodplain resources upstream or downstream of the required crossings.

Threatened and Endangered Species

As noted previously, the small whorled pogonia (*Isotria medeoloides*) and the northern long-eared bat (*Myotis septentrionalis*) may occur along the proposed section. Future coordination with USFWS would be required to determine if these species are present and if they could be impacted by the proposed section.

c. Section 4(f) Resources

The City of Newport News Park borders the eastern edge of the proposed section. In the DEIS, the site was identified as a 4(f) resource. Between the publication of the DEIS and FEIS, the City of Newport News concurred that the impact to the park would be de minimis and this finding was documented in the FEIS. On January 30, 2015, the city again concurred that the impact would be de minimis (Attachment 4).

As part of the FEIS, the Virginia Department of Historic Resources (DHR) concurred that roadway improvements would have no adverse effect to the Battle of Williamsburg. DHR also concurred with the potential de minimis finding for this resource under Section 4(f).

d. Summary

As presented in the analysis completed for Step 5, the proposed section is not expected to make more than minor changes or alterations in the behavior and function of the affected environment caused by proposed section encroachment or induced growth. The proposed section should experience some growth and development in the study time frame with or without the proposed section, as evidenced by population and employment projections; however, this growth would be consistent with local comprehensive plans. Additionally, only minor changes to traffic patterns and accessibility are anticipated, as I-64 is an existing corridor, no new interchanges are proposed as part of the proposed section and any improvements to I-64 would be largely within the existing right of way.

The indirect effects of the proposed section to natural resources, specifically Waters of the United States, including wetlands and water quality would not be significant. These resources are regulated under permits and/or approval processes by state and federal agencies, therefore limiting the potential for any indirect effects to be allowed to occur without requiring coordination of any impacts or required mitigation to resources. In addition, direct and indirect impacts on resources protected by other environmental laws (e.g., Waters of the United States) would be further assessed and mitigated in the future final design and permitting stages. Overall, based on this analysis, the indirect effects are not considered potentially significant.

6) Analyze Indirect Effects

The objective of this step is to analyze potentially significant effects identified in Step 5 by determining magnitude, probability of occurrence, timing and duration, and degree to which the effect can be controlled or mitigated. As noted in Step 5, no potentially significant effects were identified for the proposed section. Notwithstanding, qualitative techniques were employed to estimate the magnitude of the effects identified in Step 5 and describe future conditions with and without the proposed transportation improvement. Descriptions of future conditions are included in Step 5.

As previously described in Step 5, the potential for growth and land use changes as a result of the proposed section was analyzed. The proposed section is urban or suburban in nature, and the proposed section is not likely to cause a substantial change in type or intensity of land use. The proposed section should experience growth and development in the study time frame with or without the proposed section, as evidenced by population and employment projections; however, this growth would be consistent with the local comprehensive plan. The implementation of the proposed section is not likely to influence if growth would occur in the I-64 corridor.

As described in Step 5, the indirect effects to natural resources, specifically Waters of the United States, including wetlands; water quality; floodplains; and threatened and endangered species would not be significant. These resources are regulated under permits and/or approval processes by state and federal agencies, therefore limiting the potential for any indirect effects to be allowed to occur without requiring coordination of any impacts or required mitigation to resources.

In addition to the socioeconomic and natural resources, indirect impacts also were considered for Section 4(f) resources. As a result of the Section 4(f) analysis and coordination with the officials with jurisdiction, de minimis impact findings are likely for the two resources within the proposed section, indicating that the magnitude of the impact would be minimal on each of these resources (Attachment 2).

7) Evaluate Analysis Results

Assessing the magnitude of indirect effects, which was the goal of the previous two steps, involved making several types of assumptions regarding the nature of the impact-causing activities, the nature of the cause-effect relationships, and how the environment would be affected by the impacts. The objective of Step 7 is to evaluate the potential for uncertainty in these assumptions in order to better understand the indirect effects.

However, since no potentially significant indirect effects were anticipated in Step 6, according to NCHRP Report 466, it is not necessary to apply more detailed sensitivity or risk analysis techniques suggested for Step 7, even if detailed techniques have been used in other steps in the analysis. The key criteria in assessing the need for detailed evaluation are (1) whether the analysts or stakeholders believe that there is any level of uncertainty regarding the underlying assumptions used to estimate the indirect effects, and (2) whether changes in the underlying assumptions can be expected to result in significant changes in the findings.

Based on this analysis, there is minimal uncertainty regarding the assumptions made, and the likelihood of variation in the assumptions is unlikely to significantly alter the findings. However, direct and indirect impacts on resources protected by other environmental laws (e.g., Waters of the United States) would be further assessed and mitigated in the future final design and permitting stages of the proposed section.

8) Assess Consequences and Develop Mitigation

The purpose of estimating indirect effects of proposed transportation projects is to contribute to the body of information that will support a decision about whether to proceed with the plan or project, as proposed; to formulate a revised plan or project; or to otherwise mitigate adverse indirect effects associated with the proposed plan or project. The objective of this step is to assess the consequences of the analyzed indirect effects in the context of the full range of effects and to develop strategies to address unacceptable indirect effects.

As demonstrated in the FEIS and attachments to this Request, there has been no substantial controversy identified over the proposed section or its impacts. No potentially significant indirect effects were identified and no indirect effects have been determined to be unacceptable to the agencies or the public. However, direct and indirect impacts on resources protected by other environmental laws would be further assessed and mitigated in the future final design and permitting stages of the proposed section.

Cumulative Effect Analysis

In accordance with Council on Environmental Quality (CEQ) regulations, cumulative impact is defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time” (40 CFR § 1508.7). A cumulative impact includes the total effect on a natural resource, ecosystem, or human community due to past, present, and future activities or actions of Federal, non-Federal, public, and private entities. Cumulative impacts may also include the effects of natural processes and events, depending on the specific resource in question. Cumulative impacts include the total of all impacts to a particular resource that have occurred, are occurring, and would likely occur as a result of any action or influence, including the direct and reasonably foreseeable indirect impacts of a Federal activity. Accordingly, there may be different cumulative impacts on different environmental resources. However, not all of the resources directly impacted by a project will require a cumulative impact analysis. The resources subject to a cumulative impact assessment are determined on a case-by-case basis.

Methodology

In determining cumulative effects for this Request, the analysis followed the five-part evaluation process outlined in *Fritiofson v. Alexander*, 772 F.2d 1225 (5th Cir. 1985), as described in FHWA's Guidance: *Questions and Answers Regarding the Consideration of Indirect and Cumulative Impacts in the NEPA Process* (<http://www.environment.fhwa.dot.gov/projdev/qaimpact.asp>):

1. What is the geographic area affected by the project?
2. What are the resources affected by the project?
3. What are the other past, present, and reasonably foreseeable actions that have impacted these resources?
4. What were those impacts?
5. What is the overall impact on these various resources from the accumulation of the actions?

Each of these parts of the evaluation process is outlined below.

1) Geographic Area

The geographic limits for the cumulative effects analysis were determined to go beyond those used for the direct impact analysis (See Attachment 5). Therefore, the geographic limits for the analysis for cumulative effects reach beyond the defined study area. Multiple boundaries such as political/geographic boundaries (i.e., planning corridor districts and census tracts or block groups) were reviewed to determine the appropriate areas for the cumulative effects analysis. Study area boundaries for each resource were individually determined based on study requirements and available data. The study areas for the resources and socioeconomic features as well as the temporal boundaries for the timeframe of the cumulative impact analysis are described below.

Resources Study Areas

Multiple resource boundaries were reviewed to assess the effects of each resource for the proposed section. Based on readily available data from federal, state and local sources, the resources were mapped using GIS mapping techniques, and analyzed to determine the potential for cumulative effects created by the proposed section.

Socioeconomic Study Area

Socioeconomic study areas were established to analyze neighborhoods and community facilities; environmental justice; displacements and relocations; economic activity; land use; and parks, recreation areas and open space within proposed section. The socioeconomic study area for this proposed section is made up of the three census tracts that border the proposed section.

Timeframe for Analysis

The analysis of cumulative effects must consider past, present, and reasonably foreseeable future actions. The temporal boundary used for the time frame for this cumulative effects assessment spans from the 1960s, when construction of I-64 within the study corridor began, to 2040 which is the modeled design year for the FEIS.

2) Affected Resources

During the indirect effects analysis, an inventory and assessment of notable features and/or resources was performed. These resources were reviewed for potential cumulative effects. Existing conditions information for these resources is contained under Step 3 of the pervious section of this attachment. Other affected

resources that were not notable and therefore were not included in the cumulative effects analysis can be found described in the FEIS and associated technical documents.

3) Past, Present, and Reasonably Foreseeable Actions

As discussed under Step 4 of the previous section, there are a number of development activities and actions that have occurred and/or are planned to occur that could contribute to cumulative effects on resources affected by the proposed section. In addition to those previously mentioned a number of others are described below.

Past Actions

Traditional development patterns have generally followed a relatively sprawling land use pattern. Low-density residential uses have developed in isolation from employment centers and shopping centers. Office parks, shopping centers, apartments and single-family subdivisions generally creep further and further from urban areas into the more suburban or rural areas of the corridor.

In addition to general growth patterns, several past transportation improvement projects have occurred within the vicinity of the proposed section. These projects have occurred since the construction of I-64 was initiated in the early 1960s, including:

- Construction of Interstate 64 (1960s)
- Major bridge reconstruction at Route 143 (Jefferson Avenue) near Exit 247 (1981)
- A Major Investment Study (June 1999),
- Widening projects (various projects between 1979 and 2006),
- Interchange upgrades (various projects between 1981 and 2001),
- A contraflow lane reversal system from Interstate 295 (I-295) to Route 60 east of the Hampton Roads Bridge Tunnel (2006).

In addition to these transportation studies, several other notable developments have shaped the region surrounding the proposed section. In 1918, the Navy acquired the land that would become Yorktown Naval Weapons Station. This development shaped local residential development and employment. Following the transfer of local property to the Navy, Colonial National Historical Park was established in the 1930s. The Colonial Parkway was constructed in segments in the 1930s and 1950s. These developments further shaped land use, employment, tourism, and travel in the region. Although Colonial National Historical Park and the portion of the Colonial Parkway that passes beneath the interstate are located west of the proposed section, traffic levels on the Colonial Parkway have been shown to be influenced by congestion on the interstate. The final notable development that is proximal to the proposed section was Busch Gardens. Busch Gardens opened in 1975, less than a decade after the interstate was completed. While Busch Gardens is located just west of the western terminus of the proposed section, the proposed section provides access to Busch Gardens via Exit 242. The development and growth of Busch Gardens has served as a major source of employment and as a tourist destination adjacent to the proposed section.

Present and Reasonably Foreseeable Future Activities and Actions

The City of Newport News Comprehensive Plan states that less than 9% of its land area was vacant in the year 2000. Therefore, future development will rely on redevelopment of existing parcels. This goal is highlighted by the City's planned regional, community, and employment centers which are to be developed in existing commercial or industrial areas. These areas are designed to revitalize the city, bring in new jobs,

and improve the quality of life. The portion of the City that surrounds the eastern terminus has been identified for future residential development.

In its Comprehensive Plan, York County estimates that 17% of the county land is vacant. While the Comprehensive Plan includes direction for future growth to occur along previous developed corridors/parcels, such as Route 17, there also is direction for future development to occur on previous undeveloped lands. Several of these areas are located adjacent to Exit 242 at the western terminus of the proposed section. Google Earth images illustrate that since the publication of the Comprehensive Plan in 2005, a number of these parcels already have been developed. There appears, however, to be space for additional growth and/or infill development within the area surrounding the western terminus.

The James City County Comprehensive Plan identifies at least 19,200 parcels that are available for development. This includes vacant lots and undeveloped residential parcels. The lands adjacent to the proposed section have been identified as capable of supporting future residential growth, as well as some light industry. This potential growth is limited to the southern side of the interstate, as the northern portion is part of Naval Weapons Station Yorktown. A review of current Google Earth images suggests that while some of this planned development has occurred, there is the potential for additional growth and/or infill development.

In addition to this general focus on future development, Table 6 lists the reasonably foreseeable projects through the FEIS design year 2040 planning horizon. Although most of the projects listed in the table below are outside the study area for the proposed section, they were identified in the FEIS as contributing to regional traffic and transportation conditions that may affect the proposed section.

Table 6: Reasonably Foreseeable Future Projects within the Project Study Area		
Project Name	Approximate Location	Project Description
Interstate 64 Peninsula Study Segment I	Exit 255 to Exit 247	Widen the interstate by adding an additional lane in each direction. Widening would occur to the median and would not achieve the full build prescribed in the FEIS.
Skiffes Creek Connector Exit 247; James City County	Skiffes Creek Connector Exit 247; James City County	Skiffes Creek Connector Exit 247; James City County
Hampton Roads Bridge-Tunnel	Hampton Roads Harbor	Improvements to existing bridge-tunnel
Patriot's Crossing/Third Crossing	Hampton Roads Harbor	New bridge-tunnel
Midtown/Downtown Tunnel	Hampton Roads Harbor	Improvements to existing bridge-tunnel
Norfolk International Terminals	Hampton Roads Harbor	Ongoing expansions and improvements
Craney Island Eastward Expansion	City of Portsmouth	Expansion of the dredged material placement area
Craney Island Marine Terminal	Hampton Roads Harbor	Construction of a new port terminal
Craney Island Road and Rail	City of Portsmouth	Multimodal link to provide road

Table 6: Reasonably Foreseeable Future Projects within the Project Study Area		
Project Name	Approximate Location	Project Description
Connector		and rail access to the marine terminal
US 460 Corridor Improvements	Southeastern Virginia between Petersburg and Chesapeake	Proposed toll road paralleling existing US 460
CSX Peninsula Line	Hampton Roads Peninsula Area	Addition of a second track
Richmond-Hampton Roads Passenger Rail	From Richmond through Petersburg to Norfolk	New rail service
Southeast High Speed Rail	Washington, DC to Charlotte, NC	New rail line with connections in Richmond

4) Impacts

The potential cumulative impacts that would result through the implementation of the proposed section are described in the following paragraphs.

Socioeconomic and Land Use

Transportation projects affect existing and future land use in several ways. These include directly converting land from its existing use to transportation use, limiting or precluding planned future developments from occurring, and indirectly inducing unplanned development as well as supporting and enhancing planned development. However, because the proposed section would involve acquiring right of way along an existing interstate corridor, would focus improvements within the existing median, and would not involve any interchange modifications; these usual impacts would be limited. While the proposed section may result in conversion of land use and potential displacements, the proposed section is anticipated to have an overall positive impact on the regional economy by improving mobility. These findings were supported by communication with the City of Newport News and York County. James City County and the City of Williamsburg do not foresee any impact on economic development or induced growth (Attachment 4).

Neighborhoods and Community Facilities

Since the proposed improvements would be focused within the existing interstate median, substantial impacts to existing neighborhoods and community facilities are not anticipated. Property impacts reported in the FEIS would be reduced, as widening would occur on the inside of the median. The estimates included in the FEIS are conservative estimates and the actual calculation of relocations is expected to decrease as the proposed section final design is developed and more detailed roadway right of way requirements are determined.

In examining the cumulative effects of the proposed section with past, present and reasonably foreseeable future actions, it was determined that as a result of these federal and state regulations, along with local planning efforts, a substantial contribution of effects from the proposed section to neighborhoods and community facilities is not anticipated.

Environmental Justice

Based on 2010 Census data, all three of the census tracts in the socioeconomic study area have a minority population of 29%⁶ or greater. None of the census tracts within the study area had a median household income below the U.S. Department of Health and Human Services poverty guidelines for 2013 (\$23,550). As stated previously, minority and low-income populations are often identified in close proximity to major road networks. There are several studies and/or construction projects occurring along I-64 in the region that would have the potential to impact these populations. However, because I-64 is an existing transportation facility, the individual populations do not bear a disproportionate burden from these projects, including the proposed section. In examining the cumulative effects of the proposed section with past, present and reasonably foreseeable future actions, it was determined that there would be no disproportionately high or adverse effects to minority and low-income populations as a result of the proposed section. .

Natural Resources

Waters of the United States, Including Wetlands

As identified FEIS, many of the systems have been heavily manipulated through past ditching or filling activities associated with the road development and previous transportation improvements. Despite the high degree of previous disturbance, these systems may still provide ecological functions such as wildlife habitat, flood control and water quality benefits such as nutrient uptake and sediment trapping. Federal and state regulations and permit requirements would reduce impacts to these resources and provide for appropriate mitigation. The proposed section also would include stormwater management and erosion and sediment control features that are consistent with current regulations. These standards exceed those that were in place when the existing interstate highway was constructed. Therefore, by reducing the stormwater volume and pollutant load, these projects would have beneficial cumulative effects on Waters of the United States.

In examining the cumulative effects of the proposed section with past, present and reasonably foreseeable future actions, it was determined that these federal and state regulations and the permitting process would limit temporary and permanent effects to jurisdictional wetland and stream systems within the study area, and thus a substantial contribution to effects on from the proposed section on Waters of the United States is not anticipated.

Water Quality

Cumulative impacts to water quality are as described in the previous section.

Floodplains

There are 100-year floodplains located around the western terminus of the proposed section. By confining the majority of the widening to the existing median, impacts would be limited. Unavoidable impacts to floodplains would occur to previously disturbed resources. The limited nature of the potential impacts would not measurably affect the previously disturbed floodplains. In examining the cumulative effects of the proposed section with past, present and reasonably foreseeable future actions, it was determined that a substantial contribution of effects from the proposed section to floodplains is not anticipated.

Threatened and Endangered Species

As noted previously, the small whorled pogonia (*Isotria medeoloides*) and the northern long-eared bat (*Myotis septentrionalis*) may occur along the proposed section. Future coordination with USFWS would be required to determine if these species are present and if they could be impacted by the proposed section.

⁶ 2012 Census data indicates that 29% of Virginia's population identifies as minority

Section 4(f) Resources

The City of Newport News Park borders the eastern edge of the proposed section. In the DEIS, the site was identified as a 4(f) resource. Between the publication of the DEIS and FEIS, the City of Newport News concurred that the impact to the park would be de minimis and this finding was documented in the FEIS. On January 30, 2015, the city again concurred that the impact would be de minimis (Attachment 4).

The Battle of Williamsburg falls within the study area for the proposed section. As part of the FEIS, DHR concurred that roadway improvements would have no adverse effect on the Battle of Williamsburg. Cumulative effects are part of the overall assessment of effects under Section 106. In examining the cumulative effects of the proposed section with past, present and reasonably foreseeable future actions, it was determined that substantial cumulative effects to Section 4(f) resources are not anticipated.

5) Overall Impact

The purpose of this cumulative analysis was to assess substantial effects on resources within the study area that result from past, present, and reasonably foreseeable future projects, in addition to the proposed section. Overall, implementation of the proposed section is not expected to substantially alter development patterns within the proposed section and is not anticipated to substantially contribute to the cumulative impacts of resources evaluated as part of this study.

Ms. Irene Rico
Federal Highway Administration
May 8, 2015
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Ms. Irene Rico
Federal Highway Administration
May 8, 2015

Attachment 4: Relevant Communication Following the FEIS

Ms. Irene Rico
Federal Highway Administration
May 8, 2015

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**AGENDA ITEM #7: FY 2015-2018 TIP AMENDMENT: I-64 PENINSULA WIDENING
SEGMENT 2**

During its meeting on April 16, 2015, the Hampton Roads Transportation Accountability Commission (HRTAC) passed a resolution (attached) to enter into an Interim Project Agreement with VDOT for Preliminary Engineering (PE) work related to the following project:

- UPC 106665 – I-64 Peninsula Widening – Segment 2 (0.54 mile east of Route 238 (Exit 247) to 1.05 miles west of Route 199 east of Williamsburg (Exit 242))

By way of the resolution, the HRTAC allocated \$6 million for initial PE work for the project. The current estimate for the total cost of the project is approximately \$214 million.

The amendment request is to add the project to the Hampton Roads FY 2015-2018 Transportation Improvement Program (TIP) as a PE Only project with an allocation of \$6 million from the Hampton Roads Transportation Fund (HRTF) in FY 2015 to start PE work.

This TIP amendment request has been made available for public review and comment. The public review period began on April 29, 2015 and runs through May 13, 2015.

Attachment 7

RECOMMENDED ACTION:

Recommend HRTPO Board approval of the TIP amendment.



HRTAC RESOLUTION 2015-01

RESOLUTION ON THE INTERSTATE 64 PENINSULA SEGMENT 2 PROJECT

WHEREAS, the I-64 Peninsula Segment 2 construction project (the "I-64 Peninsula Segment 2 Project" or "Project"), which will widen I-64 from Route 238 (Exit 247) to Route 199 East of Williamsburg (Exit 242), was one of the initial construction projects included in the funding plan presented at the Commission's November 5, 2014 public hearing (the "Funding Plan");

WHEREAS, the Funding Plan projected that the I-64 Peninsula Segment 2 Project would cost approximately \$214 million (using year of expenditure figures);

WHEREAS, the Virginia Department of Transportation ("VDOT") has presented the Commission a timeline for completing the Project and identified significant milestones, including issuing a request for qualifications during April 2015 and potentially awarding a construction contract by October 2015; and

WHEREAS, in order to continue its development activities while the Commission assesses its financing alternatives for the Project as well as the overall package of projects identified in the Funding Plan, VDOT has proposed an Interim Project Agreement by which the Commission will engage VDOT to commence initial preliminary engineering for the Project at an estimated cost of \$6 million (the "PE Work");

NOW, THEREFORE, BE IT RESOLVED, that the Commission reaffirms its interest in completing the I-64 Peninsula Segment 2 Project; and

BE IT FURTHER RESOLVED, that the Commission (i) approves the Commission entering into an Interim Project Agreement with VDOT for PE Work relating to the Project, in substantially the form presented with the Agenda for today's meeting subject to such modifications, if any, as the Chair may deem necessary and appropriate, and (ii) authorizes the Chair to finalize, execute and deliver on behalf of the Commission such Interim Project Agreement.

APPROVED and ADOPTED by the Hampton Roads Transportation Accountability Commission at its meeting on the 16th day of April, 2015.



Alan Krasnoff
Chair

Hampton Roads Transportation
Accountability Commission



Frank Wagner
Vice-Chair

Hampton Roads Transportation
Accountability Commission



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
HAMPTON ROADS DISTRICT
1700 NORTH MAIN STREET
SUFFOLK, VIRGINIA 23434

Charles A. Kilpatrick, P.E.
Commissioner

April 14, 2015

Project: Interstate 64 Capacity Improvements – Segment II
VDOT Project Number: 0064-965-264, P101, R201, C501
Federal Project Number: IM-965-5(086)
UPC: 106665

Bryan J. Hill
County Administrator
101-D Mounts Bay Road
P.O. Box 8784
Williamsburg, VA 23187

Dear Mr. Hill:

Thank you for your support and interest in this project. Your comments on our PFI plans for the proposed I-64 Capacity Improvements Project – Segment II will help us focus the Request for Proposal (RFP) to better address your concerns. We are looking forward to the successful completion of this project with James City County to increase capacity on Interstate I-64 and provide immediate congestion relief to the traveling public.

In response to your concerns our VDOT Landscape Architect, Al Bryan, has provided the following responses to comments regarding Landscaping Soundwalls and Storm Water / Bio-Retention facilities. As part of the Design/Build RFP for Segment II of the I-64 Corridor, VDOT will include requirements for the successful Design Builder (DB) to follow in order to address the following issues:

Landscaping/Aesthetics (General):

The DB will engage a professional Landscape Architect to develop a planting plan and tree preservation plan that works in concert with stormwater management and bioretention facilities. Preservation of the existing tree canopy will be considered where the exposure and proximity of the trees to the roadway does not present a future hazard or maintenance concern considering high winds or winter storms. Once the extent of grading and limits of construction are known, particularly in areas such as the Busch Gardens interchange, the DB Landscape Architect and the Department will determine what trees should be preserved or removed and replanted with new vegetation. Forested edges that are exposed will be planted with native flowering and evergreen trees and native grasses where space allows. A list of preferred species and spacing will be provided to the DB.

Raised Planted Medians:

In addition to the above requirements, the DB Landscape Architect will develop a median planting plan for the raised concrete median areas based upon schematic diagrams, preferred species and plant spacing provided in the RFP. A drought, pollution and salt tolerant plant list is currently being developed for this purpose. While the size of the raised medians will most likely preclude the use of trees, the intent will be to provide an aesthetically pleasing visual buffer from the opposite travel lane that contains a variety of textures, colors and sizes of plant material.

Storm Water / Bioretention facilities:

The DB will be required to use the available Right-of-Way to develop any necessary storm water and/or bioretention facilities, swales, etc. to meet the current environmental requirements. The locations currently shown on the plans are schematic only and may differ from the final location, shape and size developed by the DB. To that end, the DB will be instructed to develop designs for visually prominent basins that are more natural or organic in shape and to conform, in as much as possible, to the existing topography. As bioretention will be the most efficient means of meeting the environmental requirements, those basins will be developed in accordance with very stringent planting design requirements issued by the Department of Environmental Quality (DEQ). Areas between proposed basins and preserved woodlands will be planted as described above under “Landscaping/Aesthetics”. The DB will also be instructed to screen sensitive or unsightly areas that are exposed to view (such as the regional jail) as a result of the location of storm water basin facilities or other grading operations.

Criteria will also be developed to address any bioretention swales the DB may elect to construct in the median. For this area we will propose a combination of turf and native ornamental grasses on the surface of the median areas.

Sound Barrier Walls:

The DB will conduct an independent noise impact analysis; however, it is fairly certain that a sound wall will be required in the vicinity of the Williamsburg Golf Course based upon the current criteria. If the owners of the facility are opposed to the construction of a sound barrier wall, then none will be required. If a sound barrier wall is to be constructed, the DB will utilize the department’s Aesthetic Guideline for Sound Barrier walls from which a variety of textures and designs may be chosen. We believe that these guidelines, with input from the County on a specific design aesthetic, are compatible with the County’s “Sound Wall Design Guide”. The Department’s guideline, and available designs, textures, etc., may be viewed at:

<http://www.extranet.vdot.state.va.us/locdes/electronic%20pubs/Bridge%20Manuals/Sound/VolumeV-part12.pdf>.

Due to the proximity of the proposed wall location to the roadway, planting behind the guardrail in front of the wall will not be possible. Thus, particular attention to selecting options for architectural treatment will be addressed during development of the RFP.

Our Transportation Planner, Ray Hunt, has provided the following response regarding an Operational Analysis of Exit 243 and the resulting impact on the Route 199 corridor:

As part of the I-64 Segment II Operational Analysis, an evaluation of the interchange of I-64 at Route 199 (Exit 242) was conducted. This analysis found an adequate Level of Service (LOS) within the areas of connection between I-64 and Route 199. The volumes used were interpolated from those developed as a

April 14, 2015
Interstate 64 Capacity Improvements – Segment II, James City County

part of the I-64 Peninsula Final Environmental Impact Statement (FEIS). While the analysis did not specifically evaluate operations on Route 199, a comparison of proposed land use developments and the FEIS volumes were found to be consistent with the following identified studies: Riverside Health System Traffic Analysis for Quarterpath at Williamsburg (2006), Traffic Impact Analysis for the Marquis (2007), and Community Impact Study for Xanterra Kingsmill, LLC Master Plan Amendment (2014). If the county is aware of other studies that document potential deficiencies, please bring those to the Department's attention as soon as possible.

Subsequently the major objective of the I-64 Segment II Operational Analysis focused on the LOS in the immediate footprint of the interchange. It was determined that no significant impacts were noted from the studies based upon proposed development. The implementation of indicated development phases may require specific evaluation of the Route 199 corridor and should be monitored with respect to traffic conditions.

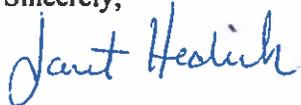
I have provided your letter and this response to our Design Consultants, AECOM, and our Hydraulic Engineer, Andrew Scott, P.E. We will work together to ensure that all concerns are addressed in the development of the RFP.

One of the concerns of James City County is the potential impact that the project's SWM basin design may have on the Skiffs Creek Connector Project. We have made some minor changes in this area, including shifting basin 64-21, which was the primary concern. We have coordinated with the project designers on the Skiffs Creek Connector Project and have been assured that our latest design does not negatively impact the project.

Finally, the Design Build team will be required to meet all applicable requirements for permitting (VESCP/VSMP), erosion and sediment control plans/design, stormwater pollution prevention plans and stormwater management design, including meeting the Part IIB requirements. VDOT will be reviewing the design developed by the design-build team to ensure compliance with all regulations and requirements.

Should you have any questions, you may contact me by phone at (757) 494-5478 or by e-mail at janet.hedrick@vdot.virginia.gov.

Sincerely,



Janet Hedrick, P.E.
Project Manager

Smizik, Scott (VDOT)

From: Holma, Marc (DHR)
Sent: Friday, March 27, 2015 4:34 PM
To: Opperman, Antony F. (VDOT); 'john.simkins@dot.gov'; 'mack.frost@dot.gov'
Cc: Stuck, Kenneth E. (VDOT); Smizik, Scott (VDOT); Hodges, Mary Ellen N. (VDOT)
Subject: RE: I-64, Segment 2 Archaeology and 4(f); VDOT UPC 10665; VDHR File No. 2008-1573

DHR has no objection.

Marc

From: Opperman, Antony F. (VDOT)
Sent: Friday, March 27, 2015 3:58 PM
To: 'john.simkins@dot.gov'; 'mack.frost@dot.gov'
Cc: Stuck, Kenneth E. (VDOT); Smizik, Scott (VDOT); Hodges, Mary Ellen N. (VDOT); Holma, Marc (DHR)
Subject: I-64, Segment 2 Archaeology and 4(f); VDOT UPC 10665; VDHR File No. 2008-1573

John, Mack -

In accordance with the Section 106 Programmatic Agreement executed for the proposed I-64 improvements, VDOT has performed an archaeological survey in areas of potential construction disturbance for Segment 2 and has submitted the documentation to the Virginia SHPO. The majority of identified sites will not be affected or are recommended as not eligible for listing in the National Register of Historic Places (NRHP). Two sites, however, will require additional (Phase II) study to conclusively determine NRHP-eligibility (44NN0348 and 44NN0350). If those two sites are found to be NRHP-eligible, VDOT believes that both of those would be considered important chiefly because of what can be learned by data recovery and have minimal value for preservation in place pursuant to 23 CFR 774.13(b)(1). I am copying this opinion to the Virginia SHPO to allow that official with jurisdiction over the 4(f) resource an opportunity to object pursuant to 23 CFR 774.13(b)(2).

Please let me know if you have any questions.

Tony Opperman
Cultural Resources Program Manager

From: [Lunsford, Andy](#)
To: [Smizik, Scott \(VDOT\)](#)
Cc: [Hedrick, Janet P.E. \(VDOT\)](#); [Mack Frost - DOT \(mack.frost@dot.gov\)](#)
Subject: RE: I-64 Segment II
Date: Friday, January 30, 2015 2:05:48 PM

Scott,

Yes I am in agreement with the Section 4(f) de minimis finding.

Andy Lunsford, Park Operations Superintendent
Newport News Parks, Recreation & Tourism
13560 Jefferson Avenue
Newport News, VA 23603
(757)886-7912

From: Smizik, Scott (VDOT) [mailto:Scott.Smizik@vdot.virginia.gov]
Sent: Friday, January 30, 2015 11:32 AM
To: Lunsford, Andy
Cc: Hedrick, Janet P.E. (VDOT); Mack Frost - DOT (mack.frost@dot.gov)
Subject: I-64 Segment II
Importance: High

Good morning Andy –

This morning I received a copy of the letter signed by your city manager in response to our meeting with the City a few weeks ago to discuss Section II of the I-64 peninsula study. The letter was very thorough and will support our Request for a Record of Decision from FHWA. In order to complete our Request, however, I need to confirm with you that you are still in agreement with the potential Section 4(f) de minimis finding documented in the Final EIS.

You may recall that we went through a similar process when we were preparing to request a Record of Decision for Section I last year. I have attached our communication regarding that action for your reference.

If you have any questions, please do not hesitate to call or email. If you are prepared to reconfirm your agreement with a de minimis finding, please “reply all” to this email so that we may keep the appropriate team members informed.

Thank you again for your support in this effort. Have a great weekend.

Scott Smizik
Location Studies Project Manager
Virginia Department of Transportation



City of Newport News

Virginia 23607

2400 Washington Avenue
(757) 926-8411
Fax (757) 926-3503

Office Of The City Manager

January 28, 2015

Virginia Department of Transportation - Hampton Roads District
District Manager - Project Management Office
Attn: Bruce Duvall, P.E.
1992 South Military Highway
Chesapeake, VA 23320

Re: I-64 Peninsula Widening Project, Segment II (UPC 106665)

Dear Mr. Duvall:

The City of Newport News is in support of the VDOT project to widen I-64 from Yorktown Road (0.5 miles east of Route 238 Exit 247) to Rt. 199 (1.11 miles west of Humelsine Parkway Exit 242) at a cost of \$214 million. It is understood that project elements include fifth and sixth travel lanes installed in the median with full width shoulders, bridge widening within the median, development of a landscaped median where possible, adding appropriate stormwater management facilities, and other infrastructure improvements. The City further understands that there will be limited right of way and easement acquisitions and that the existing pavement will only be rehabilitated should funds allow.

In 2004 City Council passed a resolution of support for the future eight lane configuration for I-64 on the Peninsula of which the Segment II project is an intermediate step. The resolution requested landscaping within the median and it is understood that there are provisions included in the design for landscaping similar to those included in the first segment of the I-64 Peninsula Widening. As Segment II contains the primary western entrance to the City an attractive gateway is needed to foster a positive first impression. The current roadside views are of forest and the City requests that these vistas be left as undisturbed as possible.

The City feels that there will be indirect effects from the project and the following effects are noted:

1. The increased capacity of an improved I-64 should ease daily congestion on parallel routes for commuters travelling within the region. It is not expected to adversely affect land use, population density, or growth rates.
2. Segment 2 starts at the northwestern tip of Newport News Park Watershed property and while there is very limited recreation in this area, it is requested that the project limit the

impacts to the passive recreation activities (geocaching, hiking, wildlife watching, etc.) in this area.

3. The section of the Skiffe's Creek Watershed property (between I-64 and Route 143) has limited recreational opportunities and there are no plans to provide additional recreation on that portion of the Skiffe's Creek Watershed.
4. Newport News Waterworks which provides drinking water to five jurisdictions sees this widening project as providing improved access to their regional customer base, improved access and subsequent operational efficiencies related to their facilities located east and west of their consolidated operational facilities located near Fort Eustis Blvd. and an opportunity for growth of the regional water system.
5. With a portion of Lee Hall Reservoir watershed and much of the Skiffe's Creek Reservoir watershed located within the project limits, we believe the addition of stormwater management basins associated with the project will improve the ability to contain and react to vehicular spills or other emergencies that the current ditch/drainage system does not provide.
6. We are confident that our coordination with VDOT and your Design-Build team will ensure that adequate temporary and permanent protection will be provided the Lee Hall Reservoir and Skiffe's Creek Reservoir and associated tributary crossings.

Thank you for the opportunity to provide input to this vital infrastructure project that serves both the City of Newport News and the Hampton Roads region.

Sincerely,


James M. Bourey
City Manager

JMB:CDR:cno

From: Mack.Frost@dot.gov
To: paul.haebler@navy.mil
Cc: [Deem, Angel N. \(VDOT\); Smizik, Scott \(VDOT\)](mailto:Deem, Angel N. (VDOT); Smizik, Scott (VDOT))
Subject: RE: Interstate 64 Widening ROD Section II
Date: Thursday, January 08, 2015 1:41:08 PM

Captain Haebler,

Thanks for your response.

If you have any questions, please feel free to contact me.

Mack Frost
Planning and Environmental Specialist
Federal Highway Administration
400 North 8th Street, Room 750
Richmond, VA 23219
Office: (804) 775-3352
Fax: (804) 775--3356
Email: Mack.frost@dot.gov

-----Original Message-----

From: Haebler, Paul C CAPT Commanding Officer, N00
[\[mailto:paul.haebler@navy.mil\]](mailto:paul.haebler@navy.mil)
Sent: Thursday, January 08, 2015 1:37 PM
To: Frost, Mack (FHWA)
Subject: RE: Interstate 64 Widening ROD Section II

Thanks Mack! Sorry for the delayed response, but I just now realized that my previous reply to you had gotten stuck in my outbox!

No questions right now - all looks good!

V/r Paul
CAPT Paul Haebler
Commanding Officer, Naval Weapons Station Yorktown
(M) 757-651-3594
(W) 757-887-4981

-----Original Message-----

From: Mack.Frost@dot.gov [<mailto:Mack.Frost@dot.gov>]
Sent: Monday, December 01, 2014 3:07 PM
To: Haebler, Paul C CAPT Commanding Officer, N00
Cc: Bruce.duvall@vdot.virginia.gov; James.utterback@vdot.virginia.gov;
Janet.hendrick@vdot.virginia.gov; angel.deem@vdot.virginia.gov;
Scott.Smizik@vdot.virginia.gov
Subject: Interstate 64 Widening ROD Section II

Afternoon Captain Haebler,

Please see the attached letter in reference to the Interstate 64 Widening

project. If you have any questions, please don't hesitate to contact me.

Thanks,

Mack Frost

Planning and Environmental Specialist

Federal Highway Administration

400 North 8th Street, Room 750

Richmond, VA 23219

Office: (804) 775-3352

Fax: (804) 775--3356

Email: Mack.frost@dot.gov

Consider Environment before printing



U.S. Department
of Transportation

**Federal Highway
Administration**

Virginia Division
(804)775-3320

December 1, 2014

P.O. Box 10249
400 N. 8th Street Rm. 750
Richmond, Virginia 23240
<http://www.fhwa.dot.gov/vadiv/>

IN REPLY REFER TO:

Interstate 64 Peninsula Study
Record of Decision: Section Number
II

Captain Paul Haebler
Commanding Officer
Naval Weapons Station Yorktown
U.S. Navy
160 Main Road
Yorktown, VA 23691-0160

Dear Captain Haebler:

The Federal Highway Administration (FHWA), in accordance with provisions of the National Environmental Policy Act of 1969, as amended, (NEPA) and 23 CFR 771, approved a Final Environmental Impact Statement (FEIS) on November 26, 2013 for the Interstate 64 Peninsula Study. The FEIS documents the preferred alternative for the construction of additional general purpose lanes along Interstate 64 between the City of Richmond and the City of Hampton. The FEIS includes correspondence submitted by Naval Weapons Station Yorktown and a response to these comments from FHWA1.

At full build conditions, the preferred alternative would add one to three additional general purpose lanes along the corridor, depending on the identified capacity needs. The FEIS prescribes a means by which the preferred alternative could be implemented in operationally independent sections, as funding is identified. Operationally independent sections can be built and function as a viable transportation facility even if the rest of the work described in the FEIS is never built. As stated in the FEIS, the decision to widen to the outside or inside of the existing corridor would be made on a section by section basis.

The FEIS goes on to state that a Record of Decision (ROD) would be issued for each operationally independent section that is identified along the 75 mile corridor. On April 21, 2014, FHWA issued a ROD for Project Number 1. Project Number 1 will add one additional lane in each direct from approximately Exit 255 in the east to approximately Exit 247 in the west, a distance of

1 NEPA documentation is available at http://www.virginiadot.org/projects/hamptonroads/i-64_peninsula_study.asp.

approximately eight miles. Widening will occur in the median within this first section, with stormwater best management practices (BMPs) placed outside of the interstate corridor.

Recently, the Virginia Department of Transportation (VDOT) has informed FHWA of its intention to request a ROD for Project Number 2. The proposed limits of Project Number 2 extend from approximately Exit 247 in the east to Exit 242 in the west. The proposed improvements would achieve the full build recommendation for this section, by adding one additional lane and improved shoulders in each direction of the interstate. Like Project Number 1, widening would generally occur in the median. Some of the proposed widening, however, may need to occur outside existing interstate corridor to provide space in the median for necessary BMPs. By placing BMPs in the median, the design would avoid impacts to U.S. Department of Defense property at Naval Weapons Station Yorktown. The attached presentation provides additional information on this proposed project, as well as Project Number 1 and what is anticipated to be Project Number 3.

Appendix L of the FEIS describes the steps that must be followed prior to the issuance of a ROD for an operationally independent section of the preferred alternative. These steps include coordination with federal, state, and local agencies that are adjacent to a proposed section. With this letter, FHWA would like to formally open communications with Naval Weapons Station Yorktown regarding the proposed Project Number 2. FHWA anticipates receiving an official Request for Record of Decision for Project 2 from VDOT in late January or early February of 2015. At that time, the Request will be made available for public comment on the VDOT study web site. If you have any comments regarding the ROD Request prior to its public review, please contact:

Mr. Mack Frost
Planning and Environmental Specialist
Federal Highway Administration
400 North 8th Street, Room 750
Richmond, VA 23219
(804) 775-3352
Mack.Frost@dot.gov

For more details regarding VDOT's design and construction plans, please contact the VDOT Project Manager:

Ms. Janet Hedrick
Project Manager
VDOT Hampton Roads District
1992 South Military Highway
Chesapeake, VA 23320
(757) 494-5478
Janet.Hedrick@VDOT.Virginia.gov

Thank you for your attention to this matter. We look forward to working with you on this project.

Sincerely,

Irene Rico
Division Administrator

Mack Frost 12/11/2012

By: Mack Frost
Planning and Environmental Specialist

Attachments:

Interstate 64 Widening Presentation

Cc:

Robert Clark, Captain, U.S. Navy
Mack Frost, FHWA
Jim Utterback, VDOT
Bruce Duvall, VDOT
Janet Hedrick, VDOT
Angel Deem, VDOT
Scott Smizik, VDOT

From: [Smizik, Scott \(VDOT\)](#)
To: [Mack Frost - DOT \(mack.frost@dot.gov\)](#)
Cc: [Deem, Angel N. \(VDOT\)](#); [Duvall, Bruce L. P.E. \(VDOT\)](#); [Hedrick, Janet P.E. \(VDOT\)](#); [Reilly, Peter, P.E. \(VDOT\)](#); ["rnestor@williamsburgva.gov"](#); ["dclayton@williamsburgva.gov"](#); ["jctuttle@williamsburgva.gov"](#)
Subject: FW: I-64 ROD Request Coordination - Wmbg
Date: Thursday, January 08, 2015 10:48:30 AM
Attachments: [I-64 Segment II Presentation.pdf](#)
[106665 Williamsburg Sign In 1 7 15.pdf](#)

Good morning Mack –

On Wednesday January 7th, VDOT staff met with representatives from the City of Williamsburg to brief them on the proposed improvements to be implemented from the Interstate 64 Peninsula Study Final Environmental Impact Statement (FEIS). Specifically the meeting included an update on Section I, discussion of the proposed Section II, and a briefing on the third section which could be implemented in the future. As you know, this meeting also served to inform VDOT's forthcoming Request for a Record of Decision for Section II. I have attached a copy of the presentation and sign-in sheet from the meeting and provided meeting notes below. I have confined my notes to issues related directly to the ROD Request. Staff from VDOT and the City also spent time discussing design considerations and future opportunities for the two sides to meet during the design process.

Thank you again to the City of Williamsburg for meeting with us. If anyone has any additional comments or would like to concur with these notes, please "reply all".

Scott Smizik, AICP
Location Studies Project Manager
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219
Desk: (804) 371-4082
Cell: (804) 338-7083
Fax: (804) 786-7401
Scott.Smizik@VDOT.Virginia.gov

Indirect effects on tourism

- Loss of trees in median and construction of sound walls could change the appearance of the interstate corridor as visitors approach regional tourist destinations. The City prefers to see a complete clearing/replanting of the median rather than creating a disjointed layout of stormwater management facilities and original vegetation. This will create a new but appropriate appearance for the interstate corridor.

Indirect effects on local travel

- There are no foreseeable issues/changes in local traffic as a result of the proposed

improvement. Congestion on Rt 199 will be an issue as demand in the region grows.

Indirect effects on economic development

- Economic development and tourism in the City are tied more closely to connectivity with Richmond/I-95/the northeast corridor than with Newport News/Virginia Beach. Therefore, future efforts to improve the interstate between Richmond and Williamsburg will have more measurable effects on the City than the proposed sections

From: [Smizik, Scott \(VDOT\)](mailto:Smizik.Scott@VDOT)
To: [Mack Frost - DOT \(mack.frost@dot.gov\)](mailto:mack.frost@dot.gov)
Cc: [Deem, Angel N. \(VDOT\)](mailto:Deem.Angel.N@VDOT); [Duvall, Bruce L. P.E. \(VDOT\)](mailto:Duvall.Bruce.L.P.E@VDOT); [Hedrick, Janet P.E. \(VDOT\)](mailto:Hedrick.Janet.P.E@VDOT); [Reilly, Peter, P.E. \(VDOT\)](mailto:Reilly.Peter.P.E@VDOT); [Gibson, Anthony J \(VDOT\)](mailto:Gibson.Anthony.J@VDOT); ["tammy.rosario@jamescitycountyva.gov"](mailto:tammy.rosario@jamescitycountyva.gov); [Paul Holt](mailto:Paul.Holt); [Bryan Hill \(bryan.hill@jamescitycountyva.gov\)](mailto:Bryan.Hill@jamescitycountyva.gov); ["aj.murphy@jamescitycountyva.gov"](mailto:aj.murphy@jamescitycountyva.gov); ["russel.seymour@jamescitycountyva.gov"](mailto:russel.seymour@jamescitycountyva.gov); [Shannon, Kenneth \(VDOT\)](mailto:Shannon.Kenneth@VDOT)
Subject: I-64 ROD Request Coordination - JCC
Date: Thursday, January 08, 2015 8:35:19 AM
Attachments: [106665 James City County 1 6 15.pdf](#)
[I-64 Segment II Presentation.pdf](#)

Good morning Mack –

On Tuesday January 6th, VDOT staff met with representatives from James City County to brief them on the proposed improvements to be implemented from the Interstate 64 Peninsula Study Final Environmental Impact Statement (FEIS). Specifically the meeting included an update on Section I, discussion of the proposed Section II, and a briefing on the third section which could be implemented in the future. As you know, this meeting also served to inform VDOT's forthcoming Request for a Record of Decision for Section II. I have attached a copy of the presentation and sign-in sheet from the meeting and provided meeting notes below. I have confined my notes to issues related directly to the ROD Request. Staff from VDOT and the county also spent time discussing design considerations and future opportunities for the two sides to meet during the design process.

Thank you again to James City County for meeting with us. If anyone has any additional comments or would like to concur with these notes, please "reply all".

Scott Smizik, AICP
Location Studies Project Manager
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219
Desk: (804) 371-4082
Cell: (804) 338-7083
Fax: (804) 786-7401
Scott.Smizik@VDOT.Virginia.gov

Indirect effects from construction

- There could be some construction overlap between Section I and Section II of I-64, as well as Fort Eustis improvements (not related to I-64)

Indirect effects on tourism

- Loss of trees in median and construction of sound walls could change the appearance of the interstate corridor as visitors approach to regional tourist destinations. Future design considerations will mitigate/determine the level of impact that may occur

Indirect effects on local travel

- These “much needed improvements” will help regional travelers. During construction; however, local roads (like Rt 199) would be expected to experience an increase in congestion as vehicles detoured away from the interstate. Local drivers would be impacted by these detours and most likely would not benefit from the improved interstate capacity in the future.
- Potential lane closures would occur late in the evening to avoid conflicting with Busch Gardens traffic. County and VDOT can continue to communicate about other events that may require special consideration.

Indirect effects on economic development

- Economic development in James City County is largely based on access TO the interstate. So while interstate capacity would be expanded, it would take other projects to improve connections to this improved interstate to influence the County’s economic development.

From: [Smizik, Scott \(VDOT\)](#)
To: [Mack Frost - DOT \(mack.frost@dot.gov\)](#)
Cc: [Deem, Angel N. \(VDOT\)](#); ["Carterm@yorkcounty.gov"](#); [Hedrick, Janet P.E. \(VDOT\)](#); [Duvall, Bruce L. P.E. \(VDOT\)](#); [Reilly, Peter, P.E. \(VDOT\)](#); ["paynej@yorkcounty.gov"](#); ["jnoel@yorkcounty.gov"](#); ["olsen@yorkcounty.gov"](#); ["tcross@yorkcounty.gov"](#)
Subject: I-64 Section II ROD Request
Date: Monday, December 29, 2014 2:31:50 PM
Attachments: [Sign_in.pdf](#)
[VDOT Presentation.pdf](#)

Good afternoon Mack –

On Friday December 19th, VDOT staff met with representatives from York County to brief them on the proposed improvements to be implemented from the Interstate 64 Peninsula Study Final Environmental Impact Statement (FEIS). Specifically the meeting included an update on Section I, discussion of the proposed Section II, and a briefing on the third section which could be implemented in the future. As you know, this meeting also served to inform VDOT's forthcoming Request for a Record of Decision for Section II. I have attached a copy of the presentation and sign-in sheet from the meeting and provided meeting notes below.

Thank you again to York County for meeting with us. If anyone has any additional comments or would like to concur with these notes, please "reply all".

Scott Smizik, AICP
Location Studies Project Manager
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
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Desk: (804) 371-4082
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Fax: (804) 786-7401
Scott.Smizik@VDOT.Virginia.gov

- Economic Development
 - The County is built out to the south. The area surrounding the Marquis Parkway interchange (western terminus of the proposed Section II) represents a primary location of future commercial/business development in the County
 - Improvements along the interstate will make these areas more accessible for current/potential workers and customers
 - Therefore, improving interstate access to/from the Marquis Parkway is vital for the County's future growth and development.
 - The areas identified for growth along/adjacent to the Marquis Parkway already have been impacted/initially developed, so there would be limited/no environmental impact associated with growth
 - These development goals and locations for potential development are generally

documented in the County's existing comprehensive plan. Therefore, this growth would happen with/without the interstate improvements but would be greatly enhanced by the proposed improvements.

- Continued congestion/difficulty accessing the region could lead to a reduction in military jobs/personnel stationed in York County resulting in a loss of tax base and local spending.
- Tourism
 - Recent visitor research indicates that traffic/congestion is the "least liked" issue related to tourism in York County. This is the first time traffic/congestion was the least liked issue.
 - York County has 65,000 timeshares that attract visitors for extended stays in the summers. These visitors often leave a day early to avoid weekend traffic from the Outer Banks/Virginia Beach. This costs the county an extra night of restaurants, shopping, etc. Improvements to the interstate could alleviate weekend traffic and reduce the number of visitors leaving the County early.
- Emergency Management
 - It is important that the crossovers located along the interstate be maintained during and following construction
 - VDOT suggested the RFP could include requirements to maintain these crossovers throughout the process
 - County concurred with statements made in the FEIS that improvements to the interstate could reduce the use of local roads by regional travelers. This would improve safety and accessibility on local roads.

I-64 SEGMENT II

DEC. 19, 2014

BRUCE DUNN	VDOT PMO	494-5480
TIM CROSS	YORK COUNTY PLANNING	890-3496
MARK CARTER	INTERIM COUNTY ADMINISTRATOR	890-3337
Kristi Olsen	Tourism Dev. Manager	890-3525
Jim Noel	Economic Development Director	890-3318
Jeff Payne	Fire & Life Safety	890-3619
Scott Smizik	VDOT CO ENV	804-371-4082
PETE REILLY	VDOT ADA PE	757 925-2415
JANET HEDRICK	VDOT- PROJECT MANAGER	757-444-547

From: Smizik, Scott (VDOT)
To: [Mack Frost - DOT \(mack.frost@dot.gov\)](mailto:mack.frost@dot.gov); John.Simkins@dot.gov
Cc: ["Dorothy Geyer"](mailto:Dorothy.Geyer@nps.gov); [Jonathan Connolly](mailto:Jonathan.Connolly@nps.gov); ["McLean, Timothy"](mailto:McLean.Timothy@nps.gov); ["Steven Williams@nps.gov"](mailto:Steven.Williams@nps.gov); [Duvall, Bruce L. P.E. \(VDOT\) \(Bruce.Duvall@VDOT.Virginia.gov\)](mailto:Duvall.Bruce.L.P.E@VDOT.Virginia.gov); [Hedrick, Janet P.E. \(VDOT\)](mailto:Hedrick.Janet.P.E@VDOT.Virginia.gov); [Deem, Angel N. \(VDOT\) \(Angel.Deem@VDOT.Virginia.gov\)](mailto:Deem.Angel.N@VDOT.Virginia.gov)
Subject: I-64 Peninsula Study - NPS Meeting 11.13.14
Date: Thursday, November 13, 2014 2:37:00 PM
Attachments: [I-64 Segment II NPS.pdf](#)

Good afternoon Mack –

As part of our forthcoming Request for Record of Decision (ROD) on Section II of the Interstate 64 Peninsula Study, VDOT met with staff from Colonial National Historical Park (NPS) this morning at park headquarters in Yorktown. Attendees from the NPS included: Dorothy Geyer, Steven Williams, Tim McLean, and Jonathan Connolly. I was accompanied by Janet Hedrick and Bruce Duvall, both from VDOT's Hampton Roads District Office.

Bruce and Janet walked us through the attached presentation. Questions/discussions included:

- Median/shoulder width: Page 11 of the attached presentation illustrates a typical section with bifurcation greater than 6". There was some question/discussion about why this is required (different elevation between eastbound and westbound) and how safety in this type of section is similar to more typical medians.
- Bridge design: Questions were raised about how bridge heights were being set relative to potential sea level rise. Because the interstate is being widened, bridges in Section I and II are assumed to remain at their existing height. The group also discussed how VDOT was determining what level of rehabilitation is required for bridges during construction. VDOT is conducting ongoing/future testing of all structures to inform design requirements. It was noted that the bridges over Queens Creek will most likely be replaced as part of Section III.
- Stormwater management: Questions were raised about runoff from Section II draining into Section III. The NPS has property within Section III and there are stipulations in the Programmatic Agreement (PA) regarding stormwater management near NPS property. There are no known drainages that lead from Section II to Section III, VDOT intends to capture all stormwater from Section II within the boundaries of the section, and additional hydrologic analysis will be conducted to finalize the stormwater management plans.
- Schedule: VDOT reviewed the schedule included in the attached presentation, as well as the anticipated timeline for HRTPO/HRTAC to approve funding for the different sections and how this fiscal constraint requirement dictates the timing of VDOT's official ROD Request for Section II. VDOT intends to make the Request available for a two week public review, as it did with Section I. The group discussed the limited comments received on the first Request.
- Redoubt 8 & 9: The group discussed the location of Redoubt 8 and 9 relative to Section II and III and the commitments made in the PA to these resources. The attached presentation illustrates how Section II could extend to Redoubt 8 but that Redoubt 9 would not be encountered until Section III. Per the PA, Redoubt 8 will be avoided and VDOT anticipates conducting Phase III archaeological investigations to fully excavate Redoubt III prior to initiating Section III.
- Detours/Traffic Management: As traffic management along the Parkway is addressed in the

PA, the group discussed anticipated traffic patterns during construction. VDOT is requiring the design-builder to maintain closed work zones within the median, to keep two lanes of traffic open in both directions during peak hours, and to provide a tow truck on site at all times. The emergency access points within the median also will be maintained throughout construction. There could be some nighttime lane closures and VDOT anticipates there could be 24/7 working conditions during certain times of the construction process. Meeting attendees agreed that the logical detours most drivers would take would be Route 60 and 143; however, congestion on the interstate also often leads to increased traffic on the Parkway. The NPS has traffic counters on the Parkway and will monitor traffic volumes as construction begins.

The following action items were agreed upon:

- The NPS requested an opportunity to review the public hearing/30% design drawings for Section II. VDOT will provide these plans shortly before/following the public hearing.
- The NPS will provide VDOT with a 2005 drainage study done near the I-64/Colonial Parkway boundary

If any of the meeting attendees have anything else to add to this report, please “reply all” for the project record. Thanks again to the NPS for their continued support in this effort.

Scott Smizik, AICP
Location Studies Project Manager
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219
Desk: (804) 371-4082
Cell: (804) 338-7083
Fax: (804) 786-7401
Scott.Smizik@VDOT.Virginia.gov



I-64 Capacity Improvements

VDOT Hampton Roads District
Project Management Office

I-64 Peninsula Widening



I-64 Segment I

Exit 247 to Exit 255

Begin project

Exit 247
Rte. 238 Yorktown Rd

248.35

Bridge Widening at
Lee Hall Reservoir

250

Bridge Widening at
Fort Eustis Blvd

Exit 250
Rt. 105 Fort Eustis Blvd

Bridge Widening at
Industrial Park Dr and CSX

251

252

End project

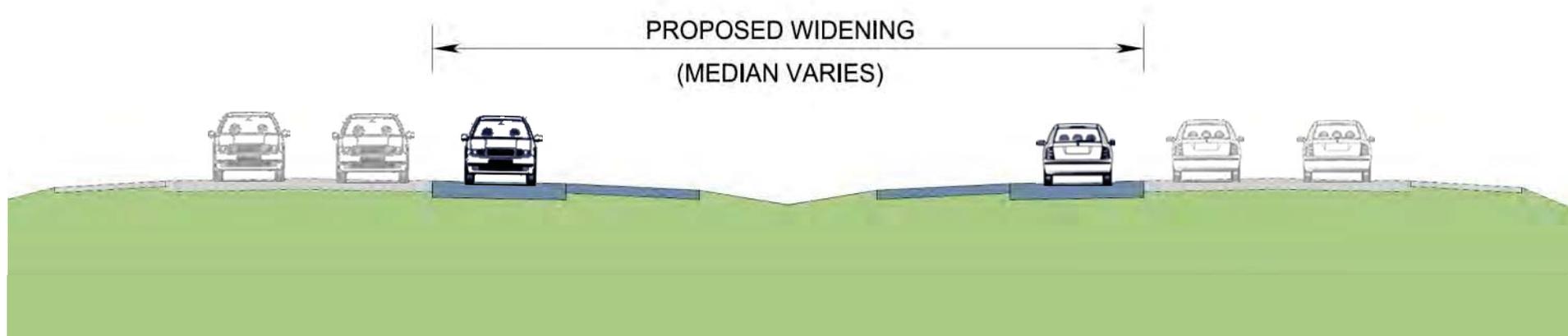
253.7

Exit 255
Jefferson Ave

I-64 Capacity Improvements

Segment I Overview

- **Segment I: Yorktown Rd (Exit 247) to Jefferson Ave (Exit 255)**
- **One additional 12-ft lane; one 12-ft shoulder in each direction**
- **Widening to occur in the median:**
 - ✓ **Limiting the RW required to construct the project**
 - ✓ **Avoiding impacts on interchanges and other existing facilities**
 - ✓ **Incorporating context sensitive design where appropriate**



I-64 Capacity Improvements Segment I Overview

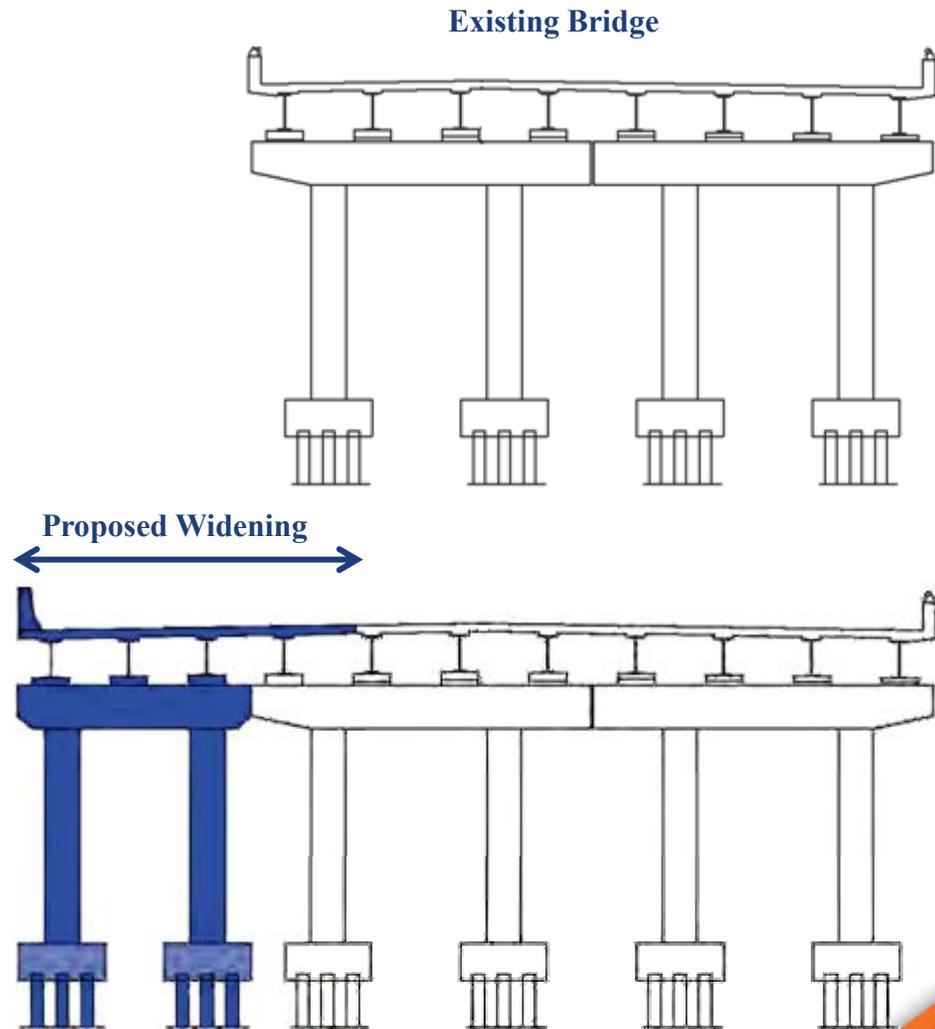
- **Length: 5.6 Miles**
- **Widening six bridges**
 - I-64 over Industrial Park Dr and CSX
 - I-64 over Rt. 105 Fort Eustis Blvd
 - I-64 over Lee Hall Reservoir
- **City of Newport News Park**
 - Section 4(f) property
- **SWM Facilities: Approx. 17**
- **Sound Barrier Under Consideration: 2.5 miles**
- **Stream Impacts: 4,000 LF**
- **R/W and Easements: Approx. 33 acres**
- **Estimated Cost: \$144 M**



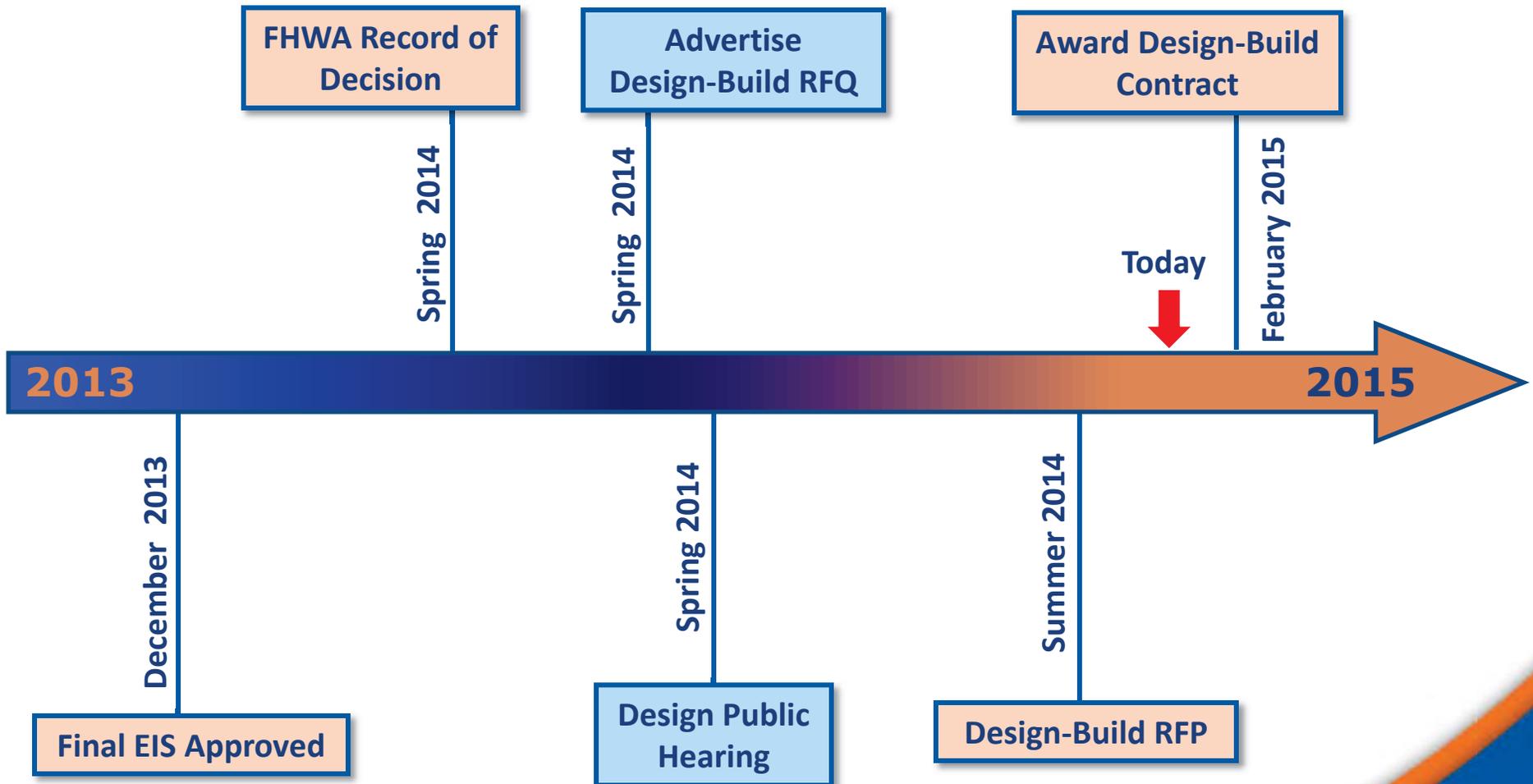
I-64 Capacity Improvements

Segment I Overview

- Six (6) bridges on the corridor
- Bridges will be widened to the inside to provide one additional 12' lane and 12' shoulder
- Existing structures to remain



Segment I Schedule



I-64 Segment II

Exit 242 to 247

Proposed Limits
1.11 miles west
of Humelsine Pkwy
MM 241.23

Exit 242
Rt. 199 Humelsine Parkway

Exit 243
US 60/Rt. 143 Busch Gardens

**Yorktown Naval
Weapons Station**

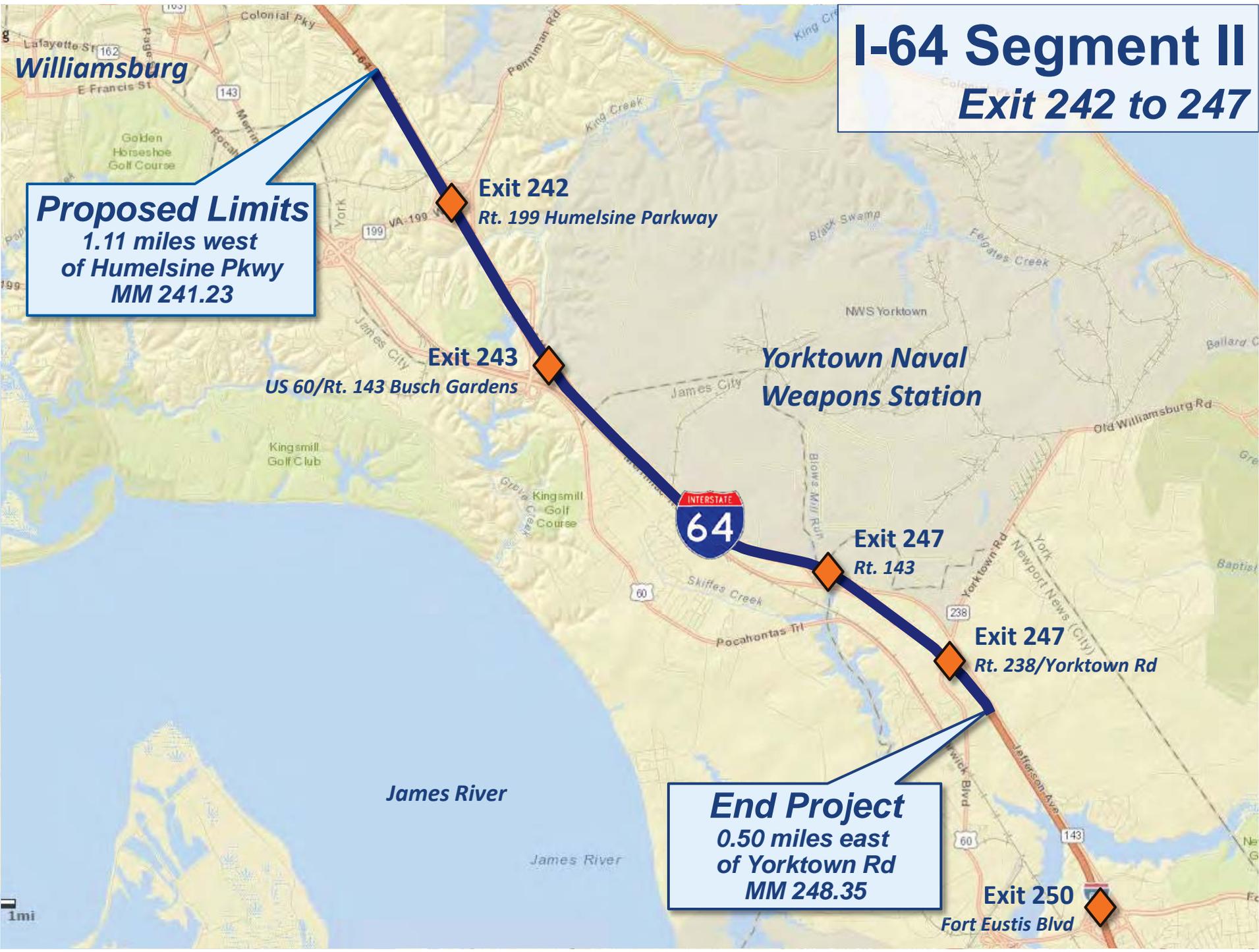
64
INTERSTATE

Exit 247
Rt. 143

Exit 247
Rt. 238/Yorktown Rd

End Project
0.50 miles east
of Yorktown Rd
MM 248.35

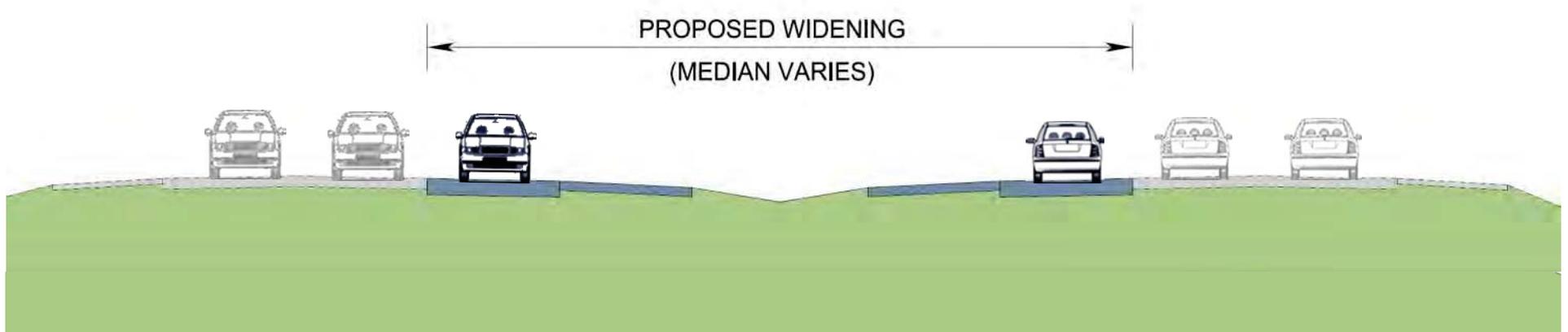
Exit 250
Fort Eustis Blvd



I-64 Capacity Improvements

Segment II Overview

- Segment II: Humelsine Pkwy (Exit 242) to Yorktown Rd (Exit 247)
- One additional 12-ft lane; one 12-ft shoulder in each direction
- Widening to occur in the median:
 - ✓ Limiting the RW required to construct the project
 - ✓ Avoiding impacts on interchanges and other existing facilities
 - ✓ Incorporating context sensitive design where appropriate



I-64 Capacity Improvements Segment II Overview

- **Length: 7.1 Miles**
- **Widening nine bridges**
- **City of Newport News Park**
 - Section 4(f) property
- **Yorktown Naval Weapons Station**
 - Borders 3.5 miles of project corridor
 - Considering underground detention to avoid property impacts
- **SWM Basins: Approx. 32**
- **R/W and Easements: Approx. 15.5 acres**
- **Estimated Cost: \$213.6 M**



I-64 Capacity Improvements Segment II Overview



This typical section applies to existing sections with a 64' median and bifurcation greater than 6"

Bridge Locations



Legend

 I-64 Mainline Bridges

Bridge Widening Concept

Widen each bridge ~18-20' towards the median

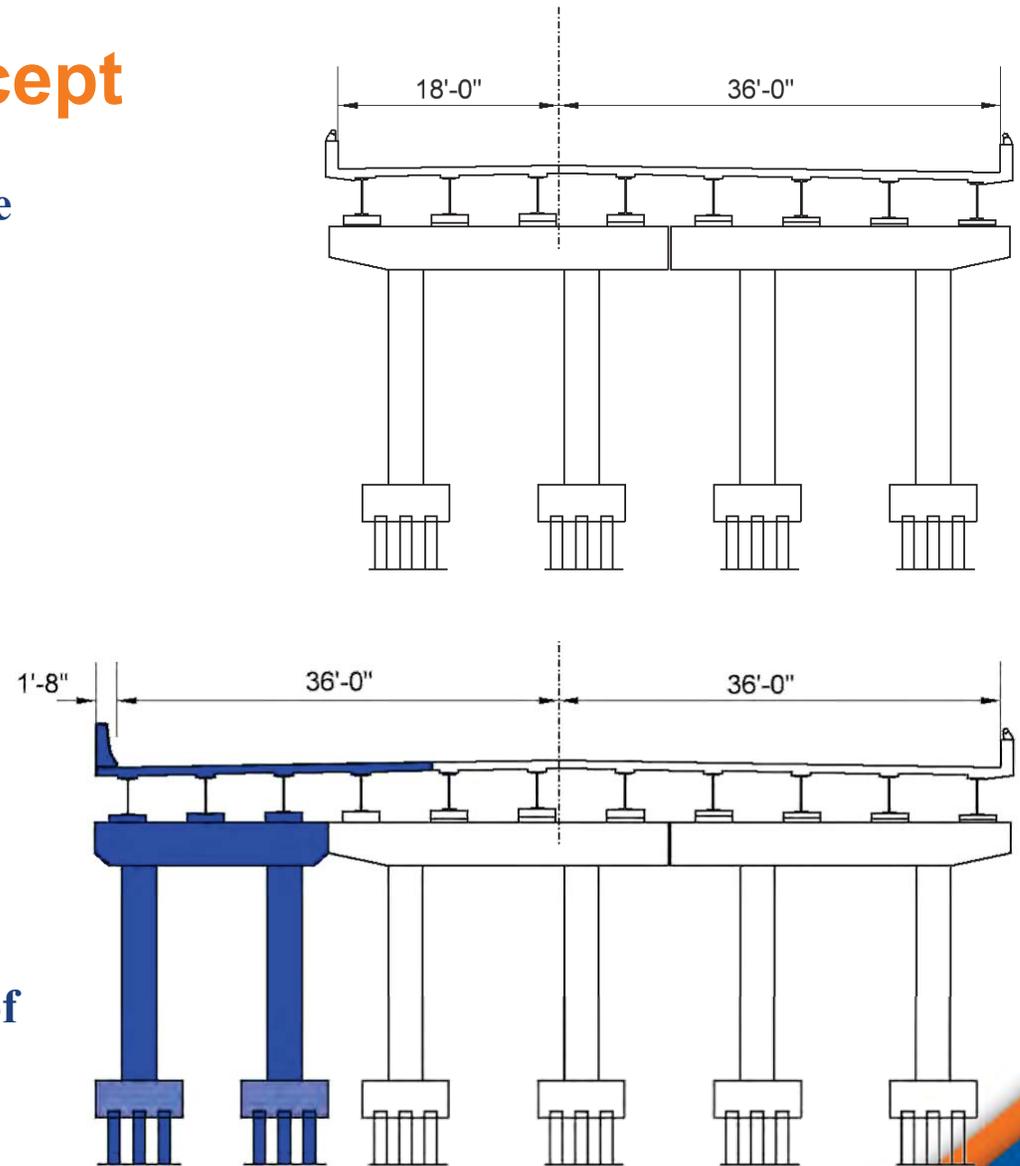
Match existing columns at piers where possible

Deck Extensions at Abutments and closure of expansion joints at bridge piers

Overlay bridge deck (epoxy or latex concrete) and make repairs to existing structures

Deck Evaluations to verify feasibility of widening/rehab

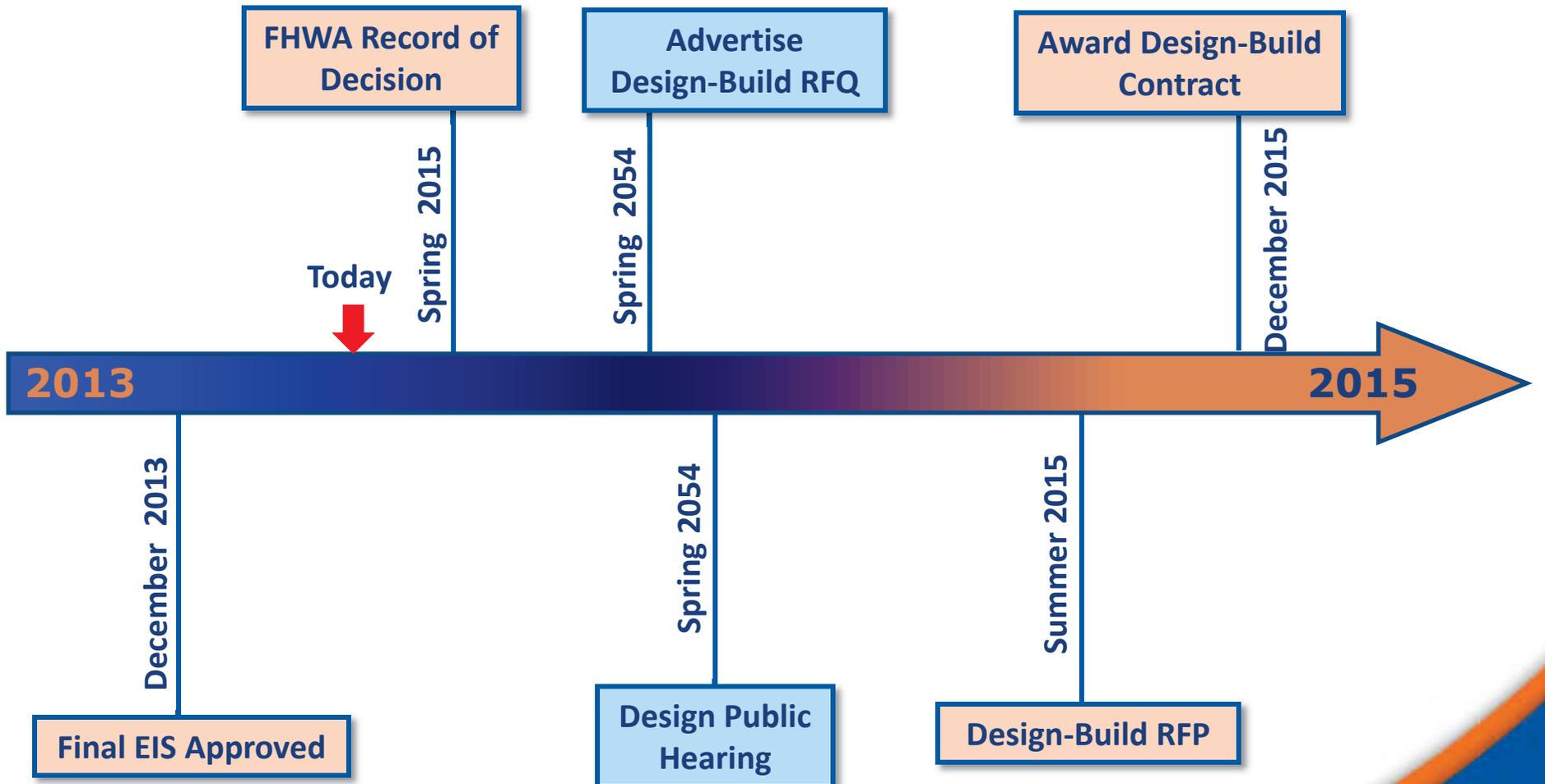
Design waiver for vertical clearance at Route 143



I-64 Capacity Improvements Segment II Overview



Segment II Schedule



I-64 Segment III

Exit 234 to 242

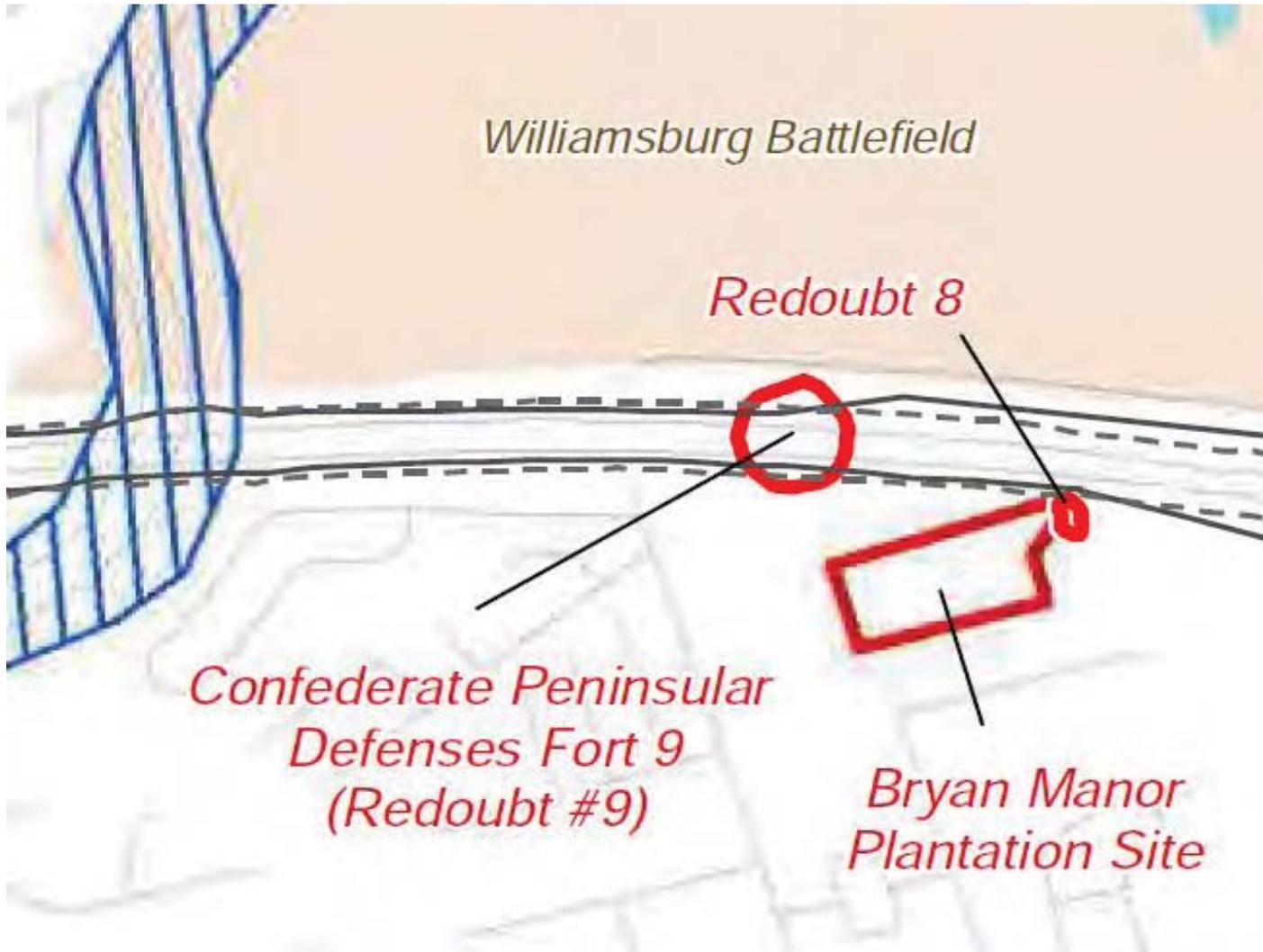


I-64 Capacity Improvements

Segment III Overview

- **Widening four bridges**
 - I-64 over Colonial Parkway and Route 1314 Lakeshead Drive
- **Replacing two overpass bridges**
 - Route 716 Queens Creek Drive and Route 143 at Camp Peary
- **I-64 bridges over Queens Creek: 900'+ length**
- **Camp Peary**
 - Borders 3 miles of project corridor
- **Historic / archaeological sites**
 - Avoid or minimize project effects
 - Avoid above-ground historic sites
- **Coordination with National Park Service**
 - SWM facilities located outside of view sheds
 - Aesthetic properties of existing bridges maintained
- **Estimated Cost: \$311.3 M**
(Listed in HRTAC Initial Financial plan; funding from 2018 to 2022)

I-64 Historical Sites per FEIS (Segment III)



I-64 Historical Sites

Battle of Williamsburg

Segment II

Confederate
Peninsular
Defenses
(Redoubt #9)

I-64 WB

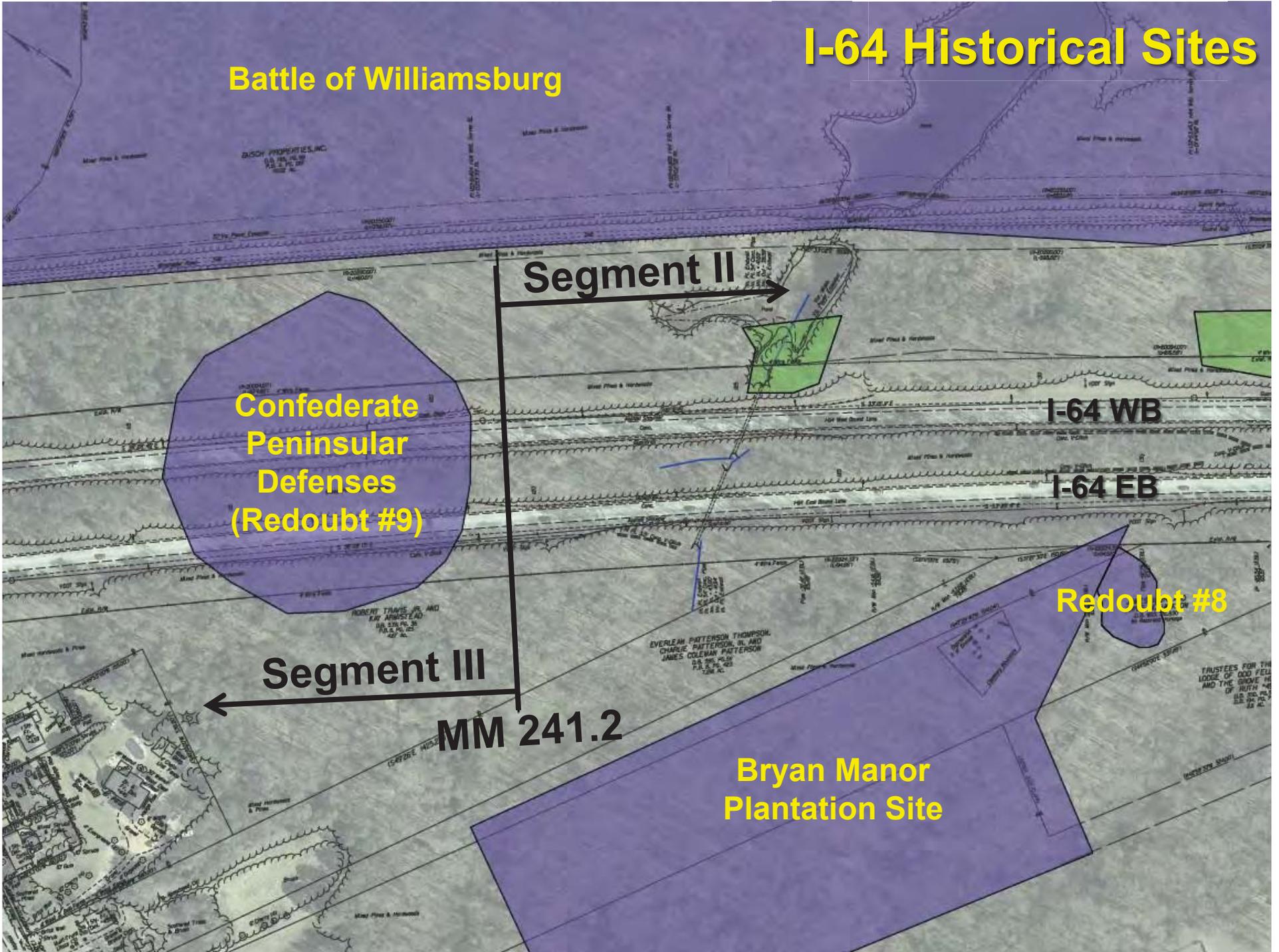
I-64 EB

Redoubt #8

Segment III

MM 241.2

Bryan Manor
Plantation Site



Moving Forward

- **Segment 1 (Exit 255 to Exit 250)**
 - Record of Decision Issued April 2014
 - DB RFP Advertised
 - Award Design-Build Contract Feb. 2015
- **Segment 2 (Exit 250 to Exit 242)**
 - Advance preliminary engineering
 - Advance to Public Hearing April 2015
- **Segment 3 (Exit 242 to Exit 234)**
 - Pre-scoping evaluations
 - Risk assessment
 - Refine cost estimate
 - Perform survey





Questions



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 SHORT LANE
GLOUCESTER, VA 23061
PHONE: (804)693-6694 FAX: (804)693-9032
URL: www.fws.gov/northeast/virginiafield/

Consultation Tracking Number: 05E2VA00-2015-SLI-0040

October 07, 2014

Project Name: I64 Section II

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project.

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having

similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior
Fish and Wildlife Service

Project name: I64 Section II

Official Species List

Provided by:

Virginia Ecological Services Field Office

6669 SHORT LANE

GLOUCESTER, VA 23061

(804) 693-6694

<http://www.fws.gov/northeast/virginiafield/>

Consultation Tracking Number: 05E2VA00-2015-SLI-0040

Project Type: Transportation

Project Description: I64 Section II ROD Request



United States Department of Interior
Fish and Wildlife Service

Project name: I64 Section II

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-76.5746011 37.2048349, -76.5912522 37.2137215, -76.6013802 37.2157653, -76.6152848 37.2226002, -76.6291894 37.2347648, -76.6506471 37.259908, -76.6465272 37.2611444, -76.6360558 37.2456977, -76.6254815 37.2340883, -76.6118516 37.2238372, -76.5991572 37.2178295, -76.5845574 37.2127645, -76.5732278 37.2074463, -76.5746011 37.2048349)))

Project Counties: James City, VA | Newport News, VA | York, VA



United States Department of Interior
Fish and Wildlife Service

Project name: I64 Section II

Endangered Species Act Species List

There are a total of 2 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Flowering Plants	Status	Has Critical Habitat	Condition(s)
Small Whorled pogonia (<i>Isotria medeoloides</i>)	Threatened		
Mammals			
northern long-eared Bat (<i>Myotis septentrionalis</i>)	Proposed Endangered		



United States Department of Interior
Fish and Wildlife Service

Project name: I64 Section II

Critical habitats that lie within your project area

There are no critical habitats within your project area.

VaFWIS Search Report Compiled on 10/7/2014, 3:42:08 PM

[Help](#)

Known or likely to occur within a 3 mile radius around point 37,13,56.3 -76,37,28.6
in 095 James City County, 181 Surry County, 199 York County, 700 Newport News City,
830 Williamsburg City, VA

[View Map of
Site Location](#)

637 Known or Likely Species ordered by Status Concern for Conservation
(displaying first 51) (51 species with Status* or Tier I** or Tier II**)

BOVA Code	Status*	Tier**	Common Name	Scientific Name
040228	FESE	I	Woodpecker, red-cockaded	Picoides borealis
010032	FESE	II	Sturgeon, Atlantic	Acipenser oxyrinchus
040183	FESE	IV	Tern, roseate	Sterna dougallii dougallii
030074	FESE		Turtle, Kemp's ridley sea	Lepidochelys kempii
030075	FESE		Turtle, leatherback sea	Dermodochelys coriacea
050112	FESE		Puma (= cougar), eastern	Puma concolor cougar
030071	FTST	I	Turtle, loggerhead sea	Caretta caretta
040120	FTST	I	Plover, piping	Charadrius melodus
010347	SE	I	Sunfish, blackbanded	Enneacanthus chaetodon
040110	SE	I	Rail, black	Laterallus jamaicensis
050034	SE	I	Bat, Rafinesque's eastern big-eared	Corynorhinus rafinesquii macrotis
020052	SE	II	Salamander, eastern tiger	Ambystoma tigrinum
030013	SE	II	Rattlesnake, canebrake	Crotalus horridus
040096	ST	I	Falcon, peregrine	Falco peregrinus
040129	ST	I	Sandpiper, upland	Bartramia longicauda
040293	ST	I	Shrike, loggerhead	Lanius ludovicianus
040379	ST	I	Sparrow, Henslow's	Ammodramus henslowii
020044	ST	II	Salamander, Mabee's	Ambystoma mabeei
020002	ST	II	Treefrog, barking	Hyla gratiosa
040292	ST		Shrike, migrant loggerhead	Lanius ludovicianus migrans
040144	FP	IV	Knot, red	Calidris canutus rufa
050022	FP		Bat, northern long-eared	Myotis septentrionalis
010038	FC	IV	Alewife	Alosa pseudoharengus
010045	FC		Herring, blueback	Alosa aestivalis
040093	FS	II	Eagle, bald	Haliaeetus leucocephalus

100003	FS	II	Skipper, rare	Problema bulenta
070105	FS	III	Crayfish, Chowanoke	Orconectes virginienis
100002	FS	III	Skipper, Duke's (or scarce swamp)	Euphyes dukesi
100001	FS	IV	fritillary, Diana	Speyeria diana
030067	CC	II	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin
030063	CC	III	Turtle, spotted	Clemmys guttata
010077		I	Shiner, bridge	Notropis bifrenatus
040372		I	Crossbill, red	Loxia curvirostra
040225		I	Sapsucker, yellow-bellied	Sphyrapicus varius
040319		I	Warbler, black-throated green	Dendroica virens
040306		I	Warbler, golden-winged	Vermivora chrysoptera
020063		II	Toad, oak	Anaxyrus quercicus
040038		II	Bittern, American	Botaurus lentiginosus
040052		II	Duck, American black	Anas rubripes
040029		II	Heron, little blue	Egretta caerulea caerulea
040036		II	Night-heron, yellow-crowned	Nyctanassa violacea violacea
040213		II	Owl, northern saw-whet	Aegolius acadicus
040114		II	Oystercatcher, American	Haematopus palliatus
040105		II	Rail, king	Rallus elegans
040192		II	Skimmer, black	Rynchops niger
040381		II	Sparrow, saltmarsh sharp-tailed	Ammodramus caudacutus
040186		II	Tern, least	Sterna antillarum
040187		II	Tern, royal	Sterna maxima maximus
040320		II	Warbler, cerulean	Dendroica cerulea
040304		II	Warbler, Swainson's	Limnothlypis swainsonii
040266		II	Wren, winter	Troglodytes troglodytes

To view All 637 species [View 637](#)

* FE=Federal Endangered; FT=Federal Threatened; SE=State Endangered; ST=State Threatened; FP=Federal Proposed; FC=Federal Candidate; FS=Federal Species of Concern; CC=Collection Concern

** I=VA Wildlife Action Plan - Tier I - Critical Conservation Need;
 II=VA Wildlife Action Plan - Tier II - Very High Conservation Need;
 III=VA Wildlife Action Plan - Tier III - High Conservation Need;
 IV=VA Wildlife Action Plan - Tier IV - Moderate Conservation Need

Anadromous Fish Use Streams (5 records)

[View Map of All Anadromous Fish Use Streams](#)

Stream ID	Stream Name	Reach Status	Anadromous Fish Species			View Map
			Different	Highest	Highest	

			Species	TE *	Tier **	
C92	James River 1	Confirmed	6	FC	IV	Yes
P11	Black Swamp	Potential	0			Yes
P170	Unnamed Tr. of Black Creek	Potential	0			Yes
P58	Felgates creek	Potential	0			Yes
P86	King Creek	Potential	0			Yes

Impediments to Fish Passage (5 records)

[View Map of All Fish Impediments](#)

ID	Name	River	View Map
411	BREWERY ROAD DAM	GROVE CREEK	Yes
410	CONFERENCE CENTER DAM	TR-JAMES RIVER	Yes
409	KINGSMILL DAM	HALFWAY CREEK	Yes
666	POND #11 DAM	TR-KING CREEK	Yes
668	WILLIAMSBURG COUNTRY CLUB DAM	KING CREEK	Yes

Threatened and Endangered Waters

N/A

Managed Trout Streams

N/A

Bald Eagle Concentration Areas and Roosts

are present. [View Map of Bald Eagle Concentration Areas and Roosts](#)

(5 records)

BECAR ID	Observation Year	Authority	Type	Comments	View Map
10		Bryan Watts (Center for Conservation Biology)	Roost	Count 15	Yes
24	2009	Jeannette Parker (VDGIF)	Roost	Count 8	Yes
47	2006 - 2007	Center for Conservation Biology at the College of William and Mary/Virginia Commonwealth University	Summer Concentration Area	Eagle_use High	Yes
49	2006 - 2007	Center for Conservation Biology at the College of William and Mary/Virginia Commonwealth University	Summer Concentration Area	Eagle_use Moderate	Yes

52	2006 - 2007	Center for Conservation Biology at the College of William and Mary/Virginia Commonwealth University	Winter Concentration Area	Eagle_use Moderate	Yes
----	-------------	---	---------------------------	--------------------	---------------------

Bald Eagle Nests (13 records)

[View Map of All Query Results](#)
[Bald Eagle Nests](#)

Nest	N Obs	Latest Date	DGIF Nest Status	View Map
JC0304	7	Apr 26 2007	HISTORIC	Yes
JC0401	15	Apr 18 2011	RECENTLY ACTIVE	Yes
JC0703	10	Apr 18 2011	RECENTLY ACTIVE	Yes
JC1107	2	Apr 18 2011	RECENTLY ACTIVE	Yes
JC1108	2	Apr 18 2011	UNKNOWN	Yes
JC8703	20	May 10 1999	HISTORIC	Yes
JC9802	9	Jan 1 2002	HISTORIC	Yes
YK0204	17	Apr 19 2011	RECENTLY ACTIVE	Yes
YK0301	16	Apr 19 2011	RECENTLY ACTIVE	Yes
YK1104	1	Apr 19 2011	RECENTLY ACTIVE	Yes
YK8601	5	Jan 1 1990	HISTORIC	Yes
YK9101	1	Jan 1 1991	HISTORIC	Yes
YK9401	19	Jan 1 2005	HISTORIC	Yes

Displayed 13 Bald Eagle Nests

Habitat Predicted for Aquatic WAP Tier I & II Species

N/A

Habitat Predicted for Terrestrial WAP Tier I & II Species (4 Species)

[View Map of Combined Terrestrial Habitat Predicted for 4 WAP Tier I & II Species](#)
[Listed Below](#)

ordered by Status Concern for Conservation

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
040110	SE	I	Rail, black	Laterallus jamaicensis	Yes
040379	ST	I	Sparrow, Henslow's	Ammodramus henslowii	Yes
020044	ST	II	Salamander, Mabee's	Ambystoma mabeei	Yes
030067	CC	II	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin	Yes

Virginia Breeding Bird Atlas Blocks (5 records)

[View Map of All Query Results
Virginia Breeding Bird Atlas Blocks](#)

BBA ID	Atlas Quadrangle Block Name	Breeding Bird Atlas Species			View Map
		Different Species	Highest TE [*]	Highest Tier ^{**}	
58075	Clay Bank, SW	101	FS	II	Yes
57064	Hog Island, CE	56		II	Yes
57062	Hog Island, NE	105	FS	II	Yes
57076	Williamsburg, SE	38		IV	Yes
58063	Yorktown, CW	1			Yes

Public Holdings: (3 names)

Name	Agency	Level
Colonial National Historical Park	National Park Service	Federal
Cheatam Annex Naval Supply Center	U.S. Dept. of Navy	Federal
Yorktown Naval Weapons Station	U.S. Dept. of Navy	Federal

Summary of BOVA Species Associated with Cities and Counties of the Commonwealth of Virginia:

FIPS Code	City and County Name	Different Species	Highest TE	Highest Tier
095	James City	420	FESE	I
181	Surry	445	FESE	I
199	York	431	FESE	I
700	Newport News City	416	FESE	I
830	Williamsburg City	361	FPSE	I

USGS 7.5' Quadrangles:

Hog Island
Williamsburg
Yorktown
Clay Bank

USGS NRCS Watersheds in Virginia:

N/A

USGS National 6th Order Watersheds Summary of Wildlife Action Plan Tier I, II, III, and IV

Species:

HU6 Code	USGS 6th Order Hydrologic Unit	Different Species	Highest TE	Highest Tier
JL34	College Creek	73	FPSS	II
JL35	James River-Skiffes Creek	95	FESE	I
JL38	Warwick River	81	FPSE	II
YO67	Queen Creek	68	FPSS	II
YO68	York River-Carter Creek	77	FESE	I

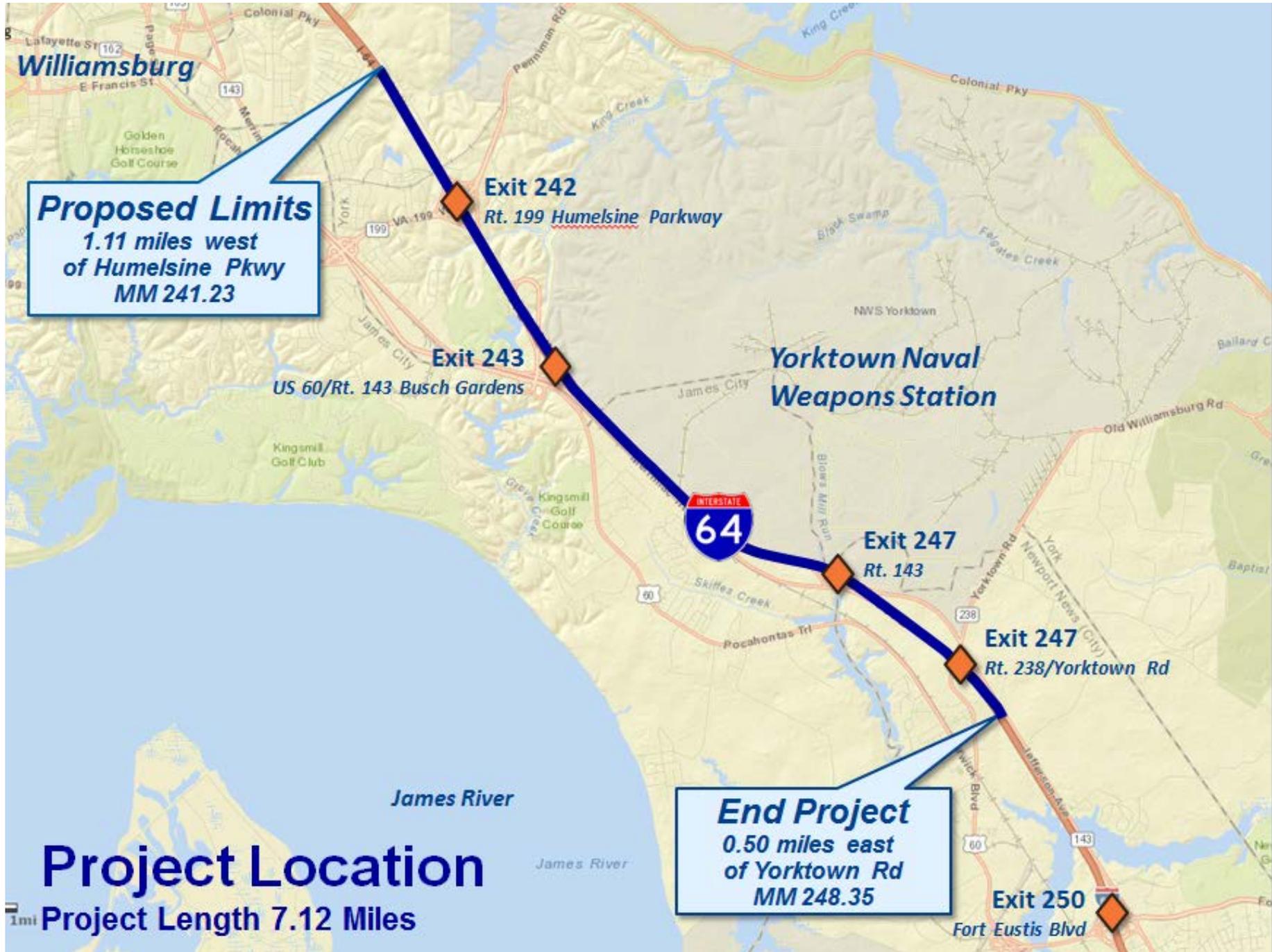
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Ms. Irene Rico
Federal Highway Administration
May 8, 2015

Attachment 5: Figures

Ms. Irene Rico
Federal Highway Administration
May 8, 2015

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Proposed Limits
1.11 miles west
of Humelsine Pkwy
MM 241.23

End Project
0.50 miles east
of Yorktown Rd
MM 248.35

Project Location

Project Length 7.12 Miles

Ms. Irene Rico
Federal Highway Administration
May 8, 2015

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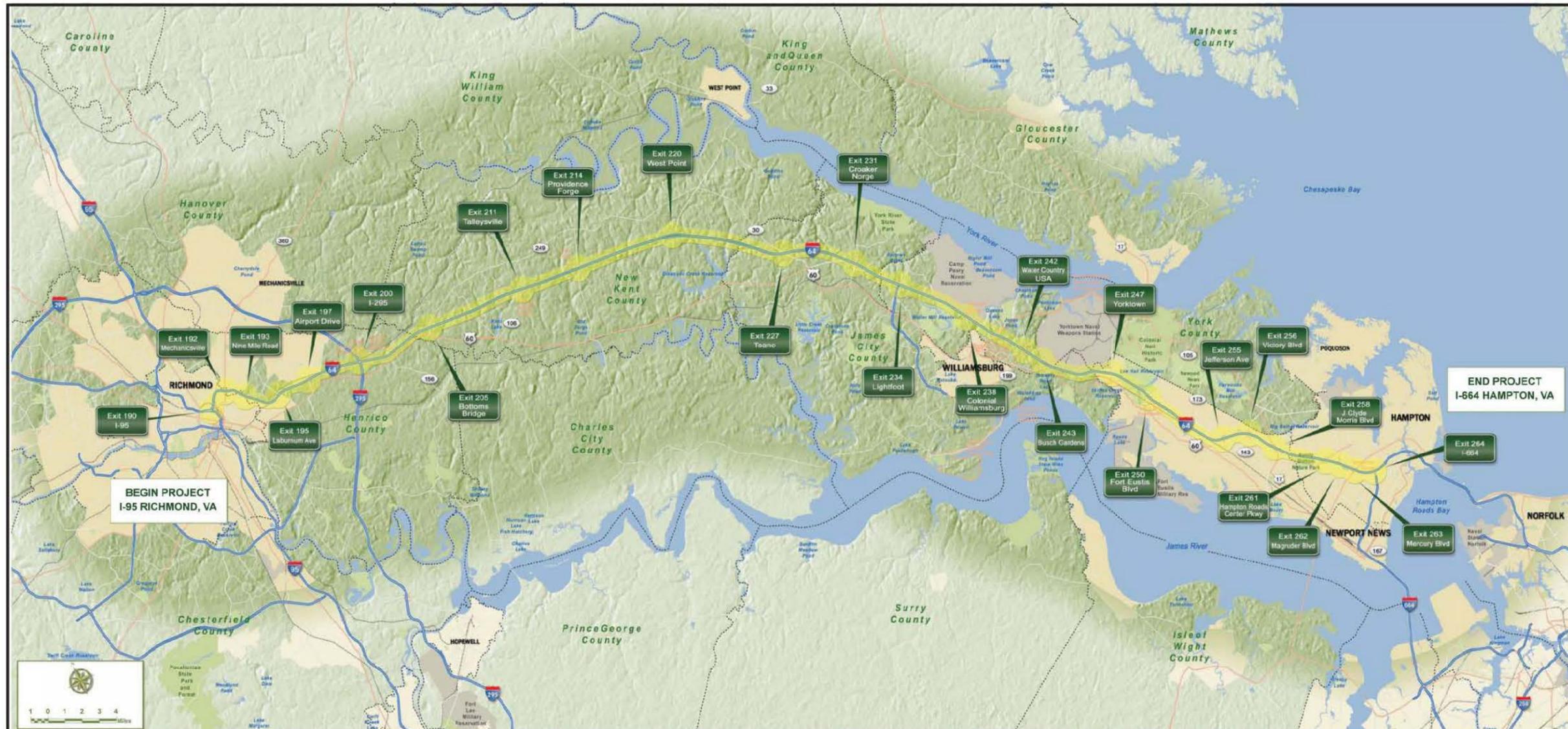


Figure I.1
Project Location



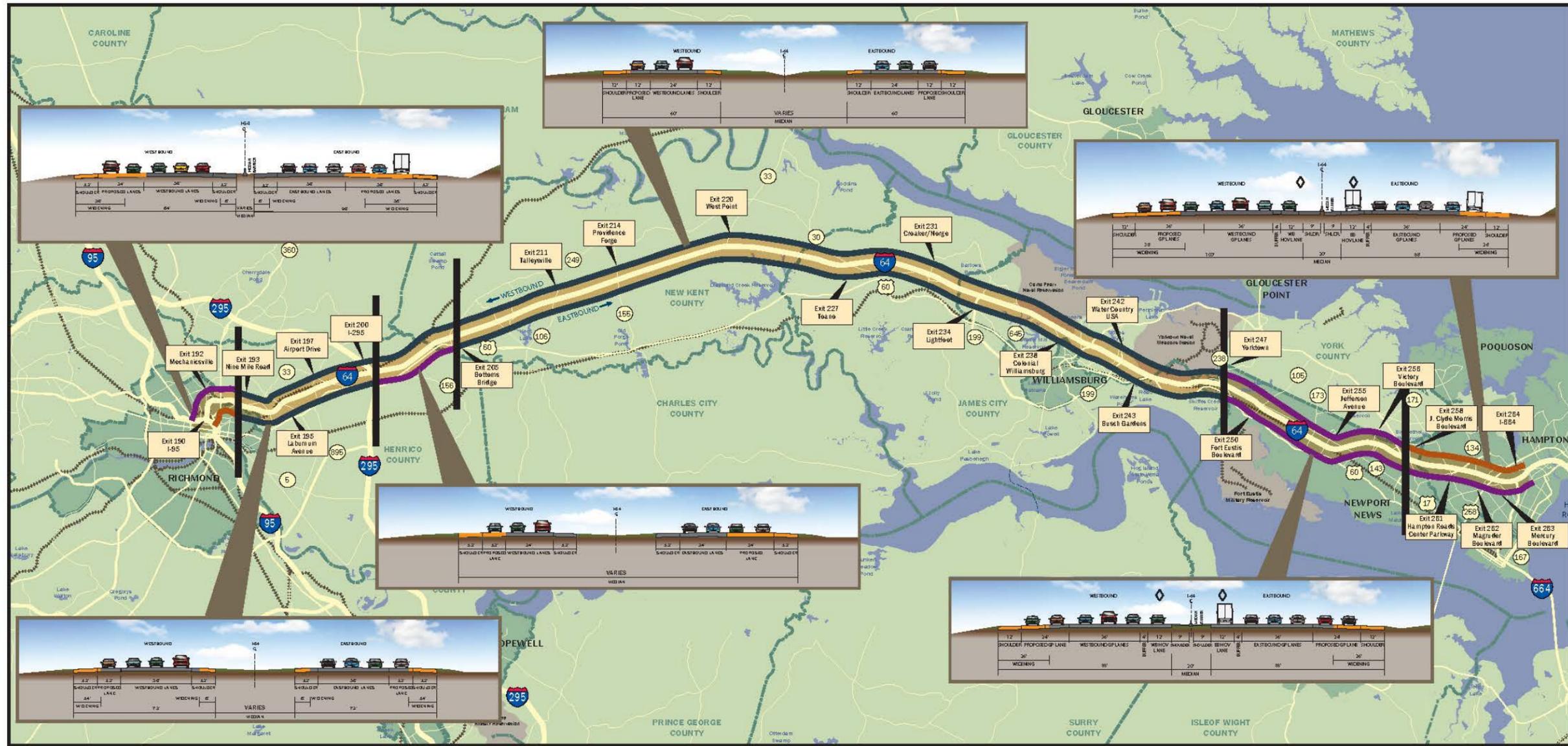


Figure II.3
 Proposed Number of Additional Lanes for
 Build Alternatives 1A and 2A



- LEGEND**
- = One Additional Lane
 - = Two Additional Lanes
 - = Three Additional Lanes

