



AGENCY SCOPING

Summary of Agency Comments

(Received as of 24 July 2002)

On 1 March 2002, VDOT distributed a letter inviting federal, state, and local agencies along with political representatives to attend an Agency Scoping Meeting scheduled for 20 March 2002. A March 2002 color brochure titled "Tri-County Parkway Location Study Scoping Information Document" accompanied the 1 March 2002 letter. The letter and brochure was distributed to the three representatives from the U.S. Congress, the two representatives of the U.S. Senate, 12 federal agencies (including their various divisions and field offices), 21 state agencies (including their various divisions and field offices), nine regional agencies, 66 agencies of the four local jurisdictions affected by the project, and two other uncategorized agencies. Parties to who the invitation letter and information brochure were sent are listed in the "Distribution List" section of the March 2002 information brochure. A week prior to the Agency Scoping Meeting, similar material was sent to each of the County Board of Supervisor Chairpersons and Supervisors representing districts impacted by the project in Prince William, Fairfax and Loudoun Counties.

As of 24 July 2002, written responses had been received from nine agencies. These agencies along with the date of their correspondence are as follows:

U.S. Department of the Interior, Fish and Wildlife Service	22 April 2002
U.S. Department of the Interior, National Park Service	27 March 2002
U.S. Department of Transportation, Federal Highway Administration	19 March 2002
U.S. Environmental Protection Agency, Region III	29 March 2002
Virginia Department of Agriculture and Consumer Services	15 March 2002
Virginia Department of Conservation and Recreation	14 March 2002
Virginia Marine Resources Commission	13 March 2002
Fairfax County Park Authority	25 April 2002
Fairfax County Police Department	8 March 2002

This document summarizes only those comments set forth in the aforementioned comment letters. Oral comments received and responded to during the 20 March 2002 Agency Scoping Meeting are summarized in a separate document titled "Tri-County Parkway Location Study Agency Scoping Meeting Minutes" prepared by Parsons Brinckerhoff on 25 March 2002.

SUMMARY OF COMMENTS:

U.S. Department of the Interior, Fish and Wildlife Service (FWS):

Federal Endangered Species Act. FWS-compiled lists of species with federal status and species of concern are provided for Loudoun, Fairfax, and Prince William counties. FWS recommends that surveys be conducted for dwarf wedgemussel (*Alasmidonta hertodoni*) and small whorled pogonia (*Isotria medeoloides*). General survey requirements and a list of qualified surveyors are provided.

State Endangered Species Act. FWS points out that the bald eagle is protected under the Virginia Endangered Species Act and recommends that coordination be initiated with the Virginia Department of Game and Inland Fisheries. FWS points out that the small whorled pogonia is also protected under the Virginia Endangered Plant and Insects Act and recommends that coordination be initiated with the Virginia Department of Conservation and Recreation, Division of Natural Heritage.

Wetlands: FWS recommends avoidance of wetland impacts and adherence to the FWS's Mitigation Policy for unavoidable impacts. Compensation ratios of 1.5:1 for emergent wetlands and 2:1 for scrub/shrub and forested wetlands are recommended. Generic recommendations for habitat compensation are provided. Items to be addressed in a detailed compensation plan are listed. FWS states that detailed compensation plans should be published in the Record of Decision.

Floodplains: FWS states that floodplain impacts should be mitigated to the maximum extent possible. Compensation for unavoidable impacts should be provided using the same general recommendations that FWS listed for wetlands. Information to be provided for each alternative is listed.

Indirect, Secondary, and Cumulative Impacts: FWS states that indirect, secondary, and cumulative impacts to both upland and wetland habitat types should be assessed and discussed.

Forested Habitat and Farmland: FWS states (1) that forested habitat and farmland are valuable to fish and wildlife, (2) that candidate build alternatives would adversely impacts these areas, and (3) that "the Service does not support the expenditure of federal funds that results in unmitigated destruction of fish and wildlife habitat".

Migratory Birds: FWS recommends habitat restoration/enhancement to offset adverse impacts to migratory birds, other fish and wildlife resources, and wildlife-related recreation. Suggested options include restoration/reforestation of riparian/floodplain habitat and establishment of vegetated corridors between two or more larger blocks of habitat.

Publicly-Owned Park Property: FWS notes that the project may affect publicly-owned park property and recommends that the National Park Service be contacted.

U.S. Department of the Interior, National Park Service (NPS), Philadelphia Support Office:

Based on the information provided them, the Philadelphia Support Office of NPS states that the proposed Tri-County Parkway does not appear to be within one mile of a National Park or any known resource protected under legislation applicable to NPS responsibilities. Based on their determination, NPS states that they "continue to have no interest in being a cooperating agency or designating others". NPS refers FHWA to State Historic Preservation Officer, H. Alexander Wise, regarding impacts to resources protected under the Historic Preservation Act of 1966.

U.S. Department of Transportation, Federal Highway Administration (FHWA):

In response to the 27 March 2002 letter from NPS's Philadelphia Support Office stating that NPS would not be interested in serving as a cooperating agency, FHWA points out that the alignment for the Tri-County Parkway would impact Bull Run Regional Park and that Bull Run Regional Park has been the recipient of (federal) funds under the Land and Water Conservation Fund Act. FHWA further points out that Mr. Robert Sutton, Superintendent of the Manassas National Battlefield, has been invited to represent the park as a cooperating agency and that Ms. Susan Hinton of the Washington Office of NPS is involved in the development of the project as a member of the Technical Advisory Committee. FHWA requested that NPS's Philadelphia Support Office consider whether representation by these individuals appropriately represents

NPS interests and to reiterate its position in writing if it still feels that there is no need for their office to be involved.

U.S. Environmental Protection Agency (EPA), Region III:

Study Area: EPA states that the study area should be expanded to include the area west of Dulles Airport, north to the Dulles Greenway, and east to Route 28. Reasons given by EPA for expanding the study area include: (1) statements in the purpose and need suggesting that one aspect of the project is to improve access to Dulles Airport, (2) the fact that several related projects are planned or underway in the area west and south of Dulles Airport, and (3) the need to document cumulative effects of the Parkway and other related projects.

Purpose and Need: EPA recommends a thorough analysis of the purpose and need and the development of alternative locations. EPA states that the analysis should document in detail (1) the safety and carrying capacity of current roads, (2) future conditions of roads predicted under build-out scenarios that include high, medium, and low growth scenarios, and (3) the impact of “the many other proposed roadway improvements in the area” on the purpose and need.

Alternatives: EPA states that the corridors of several other north-south transportation improvements proposed in the approximately 10-mile-wide study corridor (including the Western Transportation Study, Route 659 improvements, the Route 234 Bypass, and “potentially others”) should be studied as alternative corridors for the Tri-County Parkway to assess how they could individually or in combination address the purpose and need. EPA also states that an alternative that avoids Bull Run Park should be assessed as required under Section 4(f).

Cumulative Effects: EPA states that a fully developed cumulative effects analysis will be required. EPA recommends that the cumulative effects analysis include (1) the effects of the Parkway as well as other transportation projects in the vicinity, (2) an assessment of effects to natural resources, open space, traffic, and congestion, (3) the effects of past and future road projects, commercial and residential development, mining, and other activities on Valued Environmental Components (VEC’s). Some VEC’s suggested by EPA for inclusion in the cumulative effects analysis include: wetlands; forest area and block size; open space; parkland; historic resources and affects; farms and farmlands, and; streams and rivers.

EPA recommends that the spatial and temporal boundaries of the cumulative effects analysis be determined by a team of agencies involved in the development or review of the DEIS and other potentially interested parties. EPA recommends that the spatial boundary for the cumulative effects analysis be expanded beyond the current study area to include the area west of Dulles Airport, north to the Dulles Greenway, and east to Route 28. EPA recommends that the temporal boundaries of the analysis be chosen to disclose long-term trends associated with past and reasonably foreseeable future projects.

The EPA comments provide further guidance regarding types of effects and significance of effects. EPA recommends that the Cumulative Effects portion of the Fredericksburg Outer Connector SDEIS be considered as a potential template for the Tri-County Parkway project.

Virginia Department of Agriculture and Consumer Services (VDACS):

VDACS expressed a general concern over the protection of agricultural lands and protection of endangered plant and insect species. VDACS stated that Mr. Keith Tignor of the Office of Plant and Pest Services would conduct review of the EIS.

Virginia Department of Conservation and Recreation (VDCR):

VDCR stated that they would be unable to provide representation during the 20 March 2002 scoping meeting. VDCR identified the Urban Compliance Engineer from the Potomac Watershed Office, Mr. Gary Switzter, as VDCR's contact person for the Tri-County Parkway project.

Virginia Marine Resources Commission (VMRC):

VMRC stated that Environmental Engineer, Mr. Jay Woodward, would serve as VMRC's contact person for the Tri-County Parkway project. VMRC stated its responsibility for permitting encroachments over state-owned subaqueous beds where the upstream drainage area of the waterway is five square miles or greater and reminded readers that alternatives resulting in the encroachment over jurisdictional streams would require a permit from VMRC. VMRC stated that further comments would be provided upon their receipt of the Scoping Information Document.

(It should be noted that VMRC appears on the distribution list included within the March 2002 color brochure titled "Tri-County Parkway Location Study Scoping Information Document".)

Fairfax County Park Authority (FCPA):

FCPA states that the Tri-County Parkway shown on the adopted Fairfax County Transportation Plan may impact FCPA properties at two locations: (1) the Cub Run Stream Valley and (2) the northern portion of the Hunter-Hacor tract. FCPA states that Cub Run Stream Valley consists of natural resource areas and trails. FCPA states that the Hunter-Hacor tract contains one of Virginia's largest stands of globally rare oak-hickory forest on diabase soils (that is protected by a conservation easement) and that the tract covers a significant portion of the Occoquan watershed that drains to the Occoquan reservoir (the drinking water source for the majority of Fairfax County).

FCPA conducted an analysis of potential impacts to archeological resources and presented their analyses in several memoranda attached to their 25 April 2002 master letter. Issues addressed under each of these memoranda are summarized as follows:

19 April 2002 Memorandum from FCPA, Resource Management Division (RMD), Resource Stewardship Section (RSS), County Archeological Services (CSA), County Archeologist, Mike Johnson:

Mr. Johnson provided an assessment of archeological resources potentially affected along a 2,000-foot-wide corridor for the preliminary Tri-County Parkway centerline provided to Mr. Johnson by the Fairfax County Department of Transportation. Results of the analysis are presented in a series of annotated maps and explanatory tables; however, findings are not summarized in the memorandum. Mr. Johnson recommends that VDOT staff and VDOT consultants use CSA's archives and that they consult with CSA staff. Mr. Johnson also

recommends that the analysis and recommendations be forwarded to the Virginia Department of Historic Resources (DHR).

18 April 2002 Memorandum from FCPA, Cultural Resource Protection Group (CRP), County Representative, John Rutherford:

Mr. Rutherford states that an (archeological) assessment was conducted within a 1,000-foot buffer and a 2,000-foot buffer along the proposed location of the "Tri-County Connector" in western Fairfax County. Mr. Rutherford states that 23 known archeological sites were found within the 1,000-foot buffer and that 37 known archeological sites were found within the 2,000-foot buffer, none of which are within Fairfax County Park Authority property. Mr. Rutherford also states that the only FCPA property affected by the proposed corridor is the westernmost portion of the newly acquired Hunter-Hacor tract and that no archeological sites are known to exist within the affected portion of the tract. Mr. Rutherford states that CRP would recommend a survey of that portion of the FCPA property prior to any ground disturbance associated with the proposed project.

Fairfax County Police Department (FCPD):

FCPD acknowledged invitation to the 20 March 2002 Agency Scoping Meeting and stated that Master Police Officer, William Knost, will be representing FCPD as VDOT Liaison Officer.