



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
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Stephen C. Brich, P.E.
COMMISSIONER

November 2, 2018

Mr. Mack Frost
Federal Highway Administration, Virginia Division
400 North 8th Street, Suite 750
Richmond, Virginia 23219-4825

SUBJECT: Rappahannock River Crossing: I-95 Northbound Collector Distributor Lanes - Re-Evaluation of the Environmental Assessment

State Project No.: 0095-111-270, P101; VDOT UPC No.: 105510

Federal Project No.: NHPP-095-2(531)

EA Date: June 08, 2015

Finding of No Significant Impact (FONSI) Date: November 17, 2015

Dear Mr. Frost:

This letter and attachments constitute the Re-Evaluation of the Environmental Assessment (EA) for the subject project, pursuant to 23 CFR 771.129(c). Based on these documents, the Virginia Department of Transportation (VDOT) recommends and requests that the Federal Highway Administration (FHWA) concur with VDOT's conclusion that the proposed project as described in this Re-Evaluation would not result in environmental impacts not already evaluated in the EA.

As discussed in the EA, I-95 is the primary north-south interstate serving traffic traveling between Richmond, Fredericksburg, and Washington, D.C. and serves local, commuter, and regional traffic. The existing I-95 facility within the study limits between the Route 17 and Route 3 interchanges includes three northbound and three southbound travel lanes. Within the study area, I-95 suffers from recurring congestion during peak commuter periods that extends for several hours during the morning and evening peak periods. The peak period congestion is caused by a combination of through traffic along I-95 and traffic utilizing the Route 17 and Route 3 interchanges including a large portion of the traffic traveling along I-95 between Route 17 and Route 3. Population in the George Washington Region is forecasted to nearly double by 2040 and daily traffic volumes on I-95 are projected to increase from 150,000 in 2013 to 244,000 in 2040. This continued growth in population and traffic volumes will result in a further degradation of traffic operating conditions and increase both the severity and duration of daily congestion.

In July 2016, FHWA approved an Interchange Modification Report (IMR) for Improvements to I-95 from Exit 133 to Exit 130. The proposed access modifications included in the IMR were the result of many years of

planning by the Fredericksburg Area Metropolitan Planning Organization (FAMPO) and VDOT to develop a long range comprehensive plan and strategy to address the capacity and safety deficiencies along the I-95 corridor between the Route 17 and Route 3 interchanges. The preferred alternative approved in the IMR included the following major components:

- Two-lane collector-distributor (CD) roads between Route 3 and Route 17 parallel to both the northbound and southbound I-95 mainline lanes;
- New two-lane parallel structures over the Rappahannock River along both northbound and southbound I-95 serving the CD roads;
- Interchange improvements at Route 17 including braided ramps along northbound and southbound I-95 between the CD roads and the mainlines lanes;
- Interchange improvements at Route 3; and
- Improvements to the Virginia Welcome Center.

Concurrently with the development of the IMR, VDOT, in cooperation with FHWA, evaluated alternatives to improve transportation conditions along the I-95 corridor between Exit 133 (Route 17) in Stafford County and Exit 130 (Route 3) in the City of Fredericksburg. Pursuant to the National Environmental Policy Act of 1969, as amended (NEPA), and in accordance with FHWA regulations¹, an EA was prepared to analyze the potential social, economic, and environmental effects associated with the proposed improvements in addition to the no build alternative. In June 2015, FHWA approved the EA and in November 2015, signed a FONSI for the I-95 Rappahannock River Crossing project. The EA documentation covered the full study area from Route 17 to Route 3 interchanges, see attached **Figure 1**.

The purpose and need identified in the EA included the following:

- Improve the level of service (LOS) on I-95 by providing additional capacity and improving mobility; and
- Improve safety by reducing conflict points between local and through traffic.

The preferred alternative outlined in the IMR formed the basis of the build alternative evaluated in the EA. This alternative was advanced in the EA because it provided the best and most cost-effective solution for meeting the project's stated purpose and need while maximizing the benefits and minimizing the impacts. Since approval of the EA and issuance of the FONSI, VDOT has proposed the following design modifications consistent with the stated purpose and need of the project:

- Relocating the three existing northbound general purpose (GP) lanes to the median and repurposing the three existing northbound GP lanes as CD lanes between the Exit 130 Route 3 interchange and the Exit 133 Route 17 interchange;
- Extending the 2015 EA Study area approximately 1.3 miles to the south (southern extension) and 1.9 miles to the north (northern extension). Descriptions of each extension area are discussed below:
 - **Southern Extension** – 1.3 miles south of the Route 3 (Plank Road) bridge over I-95 to the Plank Road bridge over I-95

¹ NEPA and FHWA's regulations for Environmental Impact and Related Procedures can be found at 42 USC § 4332(c), as amended, and 23 CFR § 771, respectively.

- Begin the development of the new northbound CD lanes approximately 1.0 mile south of Plank Road bridge over I-95; and
- Add two new CD lanes by diverging from the three existing northbound GP lanes approximately 0.55 miles south of the Plank Road bridge over I-95.
- **Northern Extension** – 1.9 miles from north of Route 17 to the Route 627, Enon Road bridge over I-95
 - Added auxiliary lane adjacent to three GP lanes from 0.30 miles south of Route 652, Truslow Bridge to Route 627, Enon Road bridge. This will provide a continuous auxiliary lane between the terminus of the new CD lanes and Centreport Parkway; and
 - Added ramp to provide direct connection between the northbound CD lanes and the proposed I-95 Express Lanes Fredericksburg Extension (ties into Express Lanes approximately 0.30 miles north of Route 652, Truslow Bridge via flyover connection).
- Revising the proposed modifications to the Route 3 and Route 17 interchanges to accommodate the GP and CD lane modifications and provide improved safety conditions to address the high traffic volumes, heavy weaving, and merging volumes in these areas.

Consistent with the key points outlined in the November 2015 FONSI request, conditions in the project corridor have changed little since June 2015, when the EA was published. The attached **Table 1 (EQ203 Re-Evaluation Form)** summarizes the environmental studies conducted and documents the changes that are anticipated from the project and its impacts and includes additional discussion on the following findings:

- **Public Outreach** - Since approval of the EA and issuance of the FONSI, VDOT has held multiple community meetings. The outreach conducted to date has not resulted in any new environmental issues or concern. The public has generally supported the project. Additionally, no changes in the proposed action and mitigation measures have resulted from these meetings. An additional public meeting is anticipated in early 2019.
- **Historic Properties** - The 2015 EA concluded that the project will have No Adverse Effect on historic properties provided (1) VDOT designs and constructs the project in a manner that avoids impacts to the Rappahannock Navigation System and its contributing elements, the Rappahannock Canal and Canal Lock #1/Minor's Lock; and (2) VDOT affords the Virginia Department of Historic Resources (DHR) and other consulting parties the opportunity to review the construction plans for the project as they progress for the purpose of verifying that the Rappahannock Navigation System will not be impacted. As part of the Re-Evaluation, supplemental archaeological and architectural analyses were completed for the extension areas. Four archaeological resources and 27 architectural resources were identified; however, with one exception, these resources were determined not eligible for listing in the National Register of Historic Places (NRHP) in consultation with the Virginia State Historic Preservation Officer (VA SHPO). The Fredericksburg and Gordonsville Railroad/Fredericksburg, Orange, and Charlottesville Railroad is the only historic property within the expanded Area of Potential Effects (APE) of the Northbound CD Lanes, but the VA SHPO has concurred that the Northbound CD Lanes will not alter any of the characteristics of the railroad that may contribute to the resource's potential eligibility for the NRHP. The VA SHPO concurred on October 23, 2018, that the September 2015 determination that the project will have No Adverse Effect on historic properties remains applicable to the project as modified by the proposed design of the Northbound CD Lanes, with the same conditions described above.

- ***Waters of the U.S. Including Wetlands*** - The EA reported 6,408 linear feet of stream impacts. The Northbound CD Lanes are anticipated to impact approximately 1,281 linear feet of streams. The EA reported impacts to 2.4 acres of wetlands, including 0.9 acre of palustrine forested (PFO) wetland, 1.1 acres of palustrine emergent wetland, and 0.4 acre of palustrine shrub wetland. The Northbound CD Lanes are anticipated to impact 0.51 acres of wetlands, all PFO. As design is further refined during the final design and coordinated through the permitting process, unavoidable impacts to wetlands would be compensated for in consultation with permitting agencies.
- ***Threatened and Endangered Species*** - The EA identified six threatened and endangered (T&E) or special status species: dwarf wedgemusel (*Alasmidonta heterodon*), harperella (*Ptilimnium nodosum*), small whorled pogonia (*Isotria medeoloides*), green floater (*Lasmigona subviridis*), northern long-eared bat (*Myotis septentrionalis*), and a bald eagle (*Haliaeetus leucocephalus*) nest (Nest Code ST1301) within two miles of the build alternative footprint. The Re-Evaluation for the Northbound CD Lanes identifies five species that were previously identified in the EA: dwarf wedgemusel, harperella, green floater, a bald eagle nest, and habitat for northern long-eared bat. The Re-Evaluation did not identify one species that was previously identified in the EA: small whorled pogonia. The Re-Evaluation identifies three new species that were not previously identified in the EA: yellow lance (*Elliptio lanceolata*), Atlantic sturgeon (*Acipenser oxyrinchus*), Shortnose sturgeon (*Acipenser brevirostrum*), and anadromous fish. No impacts are anticipated for state or federally listed T&E species. Prior to construction, additional Section 7 coordination will be conducted as part of the 404/401 permitting process. Presence/absence surveys will be conducted, as necessary. If these species are identified within the potential area of impact, coordination with state and federal agencies will occur to implement conservation measures to avoid or mitigate impacts to these species. Examples of conservation measures may include time-of-year restrictions for in-stream work.
- ***Floodplains*** - The EA reported approximately 13.4 acres of 100-year floodplain impacts. The Northbound CD Lanes are anticipated to impact 3.6 acres of 100-year floodplains.
- ***Section 4(f) De Minimis Finding*** – Section 4(f) of the US Department of Transportation Act of 1966, as amended, pertains to uses of land from public parks and recreation areas, including recreational trails. Section 6009 of SAFETEA-LU provides that Section 4(f) requirements are satisfied if it is determined that the proposed project would have a de minimis impact on the Section 4(f) property. The 2015 EA anticipated that any impacts to Section 4(f) resources within the project study area would be considered de minimis. The Re-Evaluation does not identify any additional Section 4(f) resources impacts; therefore, the project and the revised design is consistent with the previous 2015 EA findings.
- ***Relocation Impacts*** – The land use surrounding the I-95 corridor remains primarily mixed use (consisting of business/commercial, and residential) development. The EA reported an estimated 32.7 acres of right of way acquisition, including the potential for eight displacements (five commercial and three residential properties). The Northbound CD Lanes requires an estimated 12.06 acres of right of way acquisition, including the potential for two relocations (one commercial and one residential property). Both of these properties, located adjacent to the Route 17 interchange, were previously identified in the EA as requiring relocation.
- ***Noise Impacts*** – The EA Preliminary Noise Analysis predicted, under the 2040 Build Condition, traffic noise impacts to 45 receptors (81 noise sensitive sites), representing 77 residences, two playgrounds, an

outdoor activity area, and a hotel patio area. Based on the updated noise analysis, the revised design is predicted to create future noise impacts that were not previously identified. In addition to the previously identified impacts, the project is predicted to impact 76 residences, one clubhouse patio, a tennis court, 2 community pools, and 2 playgrounds, an outdoor seating area, eight representative receptors at a baseball field, and 12 representative receptors at Chichester Park. This increase in traffic noise impacts can be attributed to the addition of noise sensitive receptors between the 2014 study and the September 7, 2017 Date of Public Knowledge, as well as the expansion of the study area to the south and north expanding the project study area to include overlap areas with the I-95 Safety Improvements at Route 3, the I-95 Express Lanes Fredericksburg Extension Project, the RRC CD Lanes Southbound Analysis, and the modeling of two additional noise sensitive areas along US 17, east of I-95. In addition to noise barriers evaluated in the Rappahannock River Crossing Preliminary Noise Analysis, two additional noise barriers were found to be feasible and reasonable. The conclusions from the noise reports for the portions that overlap with the current project remain valid. A final design noise analysis will be prepared during the design phase of the project to determine the final location and dimensions of any noise barriers found to be feasible and reasonable.

- **Hazardous Materials Sites** – The EA reported three hazardous materials sites. None of these sites are within the potential area of impact of the Northbound CD Lanes; however, three new sites (Tires and More, Inc., Fox Motors, and Quicks Bus Line) were identified. All of these sites have documented regulatory cases associated with historical petroleum releases and/or spills. Two of the sites have received case closure (with no further corrective action required) by the Virginia Department of Environmental Quality (VDEQ). The Tires and More, Inc. site is currently undergoing corrective action/site remediation. Petroleum concentrations within soil and groundwater have not been cleaned up to a level to receive case closure by VDEQ. Further investigations later in detailed design may be necessary to determine if migration of materials are present. These activities would occur prior to construction

A review of NEPA-related laws and regulations determined that no major regulatory changes have occurred since the FONSI was issued that would alter the findings or validity of the EA and FONSI or in this Re-Evaluation. Based on the studies and reviews in this Re-Evaluation, VDOT has concluded that the project will not result in environmental impacts not already considered in the previously approved EA and FONSI. In addition, there is no new information and there are no new circumstances relevant to environmental concerns and bearing on the proposed action or its impacts that would result in significant environmental impacts.

With this submission, VDOT is seeking FHWA concurrence. Should you have questions, please contact me at Jennifer.Salyers@vdot.virginia.gov or by phone at (804) 371-6706.

Thank you for your attention to this matter.

Sincerely,



Jennifer Salyers
Locations Studies Project Manager
VDOT – Central Office

Attachment

The Federal Highway Administration concurs with VDOT's conclusion that the proposed project described in this Re-Evaluation would not result in significant environmental impacts. In addition, there is no new information or new circumstances relevant to environmental concerns and bearing on the proposed action or its impacts that would result in significant environmental impacts.

John Dinkins

Federal Highway Administration
Virginia Division

12/4/2018

Date

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