COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

April 10, 2017

Ms. Julie V. Langan, Director
ATTN: Mr. Marc Holma
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Project Number: 0064-965-081, P101
UPC: 106724; DHR File No. 2015-0783
City/County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk
Project Description: Hampton Roads Crossing Study, Supplemental EIS

Dear Ms. Langan:

On November 22, 2016, the Virginia Department of Transportation provided you with the agency's assessments of the effects of Alternative A of the Hampton Roads Crossing Study on historic properties. You concurred with these findings on December 29, 2016. Among the twenty properties included in VDOT's assessment were the Battle of Hampton Roads (DHR Inventory No. 114-5471) and the Battle of Sewell's Point (DHR Inventory No. 122-5426). For each battlefield property VDOT determined that Alternative A would have no adverse effect. The purpose of this letter is to notify you that the Federal Highway Administration intends to make a *de minimis* impact determination based on your concurrence with VDOT's findings for these two battlefield properties pursuant to the requirements of Section 4(f) of the Department of Transportation Act (49 U.S.C. 303, 23 U.S.C. 138) and its implementing regulations (23 C.F.R. 774).

If you have any questions, please don't hesitate to contact me by email at me.hodges@vdot.virginia.gov, or by phone at (804) 786-5368. Thank you.

Sincerely,

Mary Ellen N. Hodges

Mary Ellen N. Hodges
Environmental Specialist II

cc. Mr. Ed Sundra, FHWA
Mr. Scott Smizik, VDOT

Preserving America's Heritage

February 27 2017

Ms. Mary Ellen N. Hodges
Archaeologist
Virginia Department of Transportation
Environmental Division
1401 E. Broad Street
Richmond, VA 23219

Ref: *Proposed Hampton Roads Crossing Study*
Cities of Hampton and Norfolk, Virginia

Dear Ms. Hodges:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Programmatic Agreement (PA), developed in consultation with the Virginia State Historic Preservation Office (SHPO) and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the PA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact MaryAnn Naber at (202) 517- 0218 or via e-mail at mnaber@achp.gov.

Sincerely,

LaShavio Johnson

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

Virginia Division
(804)775-3320

400 N. 8th Street Rm. 750
Richmond, Virginia 23219-4825

U.S. Department
of Transportation

Federal Highway Administration

February 22, 2017

IN REPLY REFER TO:
Hampton Roads Crossing Study
Route Number: I-64, I-664, I-564
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783
City/County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk

Bonnie Halda
Chief, Preservation Assistance Division
NPS Northeast Regional Office, 3rd floor
200 Chestnut Street
Philadelphia, PA 19106

Dear Ms. Halda:

On January 18, 2016, pursuant to 36 CFR §800.10(c), the Federal Highway Administration (FHWA) notified the Secretary of the Interior of the presence of the Hampton Institute National Historic Landmark within the Area of Potential Effects (APE) for indirect effects of Alternative A of the Hampton Roads Crossing Study (HRCS). The purpose of this letter is to notify you of a second National Historic Landmark (NHL), Fort Monroe, located within the APE for indirect effects of Alternative A and of the consultation that has occurred to date among the FHWA, the VDOT, the Virginia State Historic Preservation Officer (VA SHPO) (Director of the Virginia Department of Historic Resources), and other consulting parties regarding the potential effects of the project on this historic property.

Fort Monroe, located in the City of Hampton, was designated a NHL in 1960 and was listed on the National Register of Historic Places (NRHP) in 1966. In 2011 President Obama designated approximately 325 acres of the property a National Monument within the National Park Service system. In March 2015 a boundary increase and additional documentation on the historic property was accepted by the Keeper of the NRHP.

Fort Monroe is located east of the HRBT, and all transportation improvements associated with Alternative A in the vicinity of Fort Monroe will be constructed either between the existing HRBT infrastructure or on the west side of and in close proximity to the existing HRBT infrastructure. The attached letter from VDOT to the VA SHPO, dated November 22, 2016 (Attachment 1: see Page 11 and Figure 24, Page 43), describes the FHWA's and the VDOT's

assessment that Alternative A will have no effect on Fort Monroe. The VA SHPO concurred with this determination on December 29, 2016 (Attachment 1, last page).

The FHWA and the VDOT have proposed to the VA SHPO to develop a project programmatic agreement for the HRCS in accordance with 36 CFR 800.14(b)(3). Because the design for adding capacity to the HRBT under Alternative A has not been finalized, the FHWA and the VDOT included the following stipulation in a draft programmatic agreement they provided for review and comment to the VA SHPO and other consulting parties on February 1, 2017:

> Once VDOT has developed revised design plans for adding capacity to the HRBT, VDOT shall apply the criteria of adverse effect to the design to determine if the effect is consistent with the assessment it conveyed to the SHPO and other parties on November 22, 2016, and with which the SHPO concurred on December 29, 2016. VDOT shall coordinate its updated findings with the SHPO and the Consulting Parties in accordance with 36 CFR 800.5 and shall consult with the SHPO and the Consulting Parties to resolve any adverse effects in accordance with 36 CFR 800.6.

If you have any questions about this notification or would like additional information about the HRCS, please contact me by phone at 804-775-3357 or by email at Ed.Sundra@dot.gov.

Thank you in advance for your consideration.

Sincerely,

Jessie Yung
Division Administrator

By: Edward Sundra
Director of Program Develop.

Attachments

cc: Julia V. Langan, Virginia Department of Historic Resources (ATTN: Marc Holma)
Scott Smizik, Virginia Department of Transportation
Mary Ellen N. Hodges, Virginia Department of Transportation

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

February 10, 2017

Ms. Elizabeth Vehmeyer
Archaeology and Grants Specialist
American Battlefield Protection Program
National Park Service
1849 C Street, N.W.
Washington, D.C. 20240

Route Number: I-64, I-664, I-564
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783
City/County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk
Project Description: Hampton Roads Crossing Study, Supplemental EIS

Dear Ms. Vehmeyer:

The Virginia Department of Transportation (VDOT) is in receipt of your letter, dated December 21, 2016 (delivered December 28, 2016 via email), in which you provided comments on VDOT's assessment of the effects of Alternative A, examined under the Hampton Roads Crossing Study (HRCS), on the Hampton Roads (VA008) and Sewell's Point (VA001) Civil War battlefields. To summarize your comments, the American Battlefield Protection Program (ABPP) believes the terrestrial portions of the two battlefields no longer contain sufficient integrity to contribute to the significance of the resources; however, the surface water and underwater portions of the battlefields still contribute to their National Register of Historic Places (NRHP) eligibility, and Alternative A will have an adverse effect on the historic properties.

While respectfully acknowledging the views of the ABPP, VDOT continues to believe that Alternative A will have no adverse effect on the non-archaeological characteristics/components of Hampton Roads and Sewell's Point battlefields. Our two agencies differ in our assessments of the integrity of historic setting and feeling associated with surface water and shoreline components of the battlefields, which the VDOT believes have already been significantly compromised by modern development. Additionally, the improvements under Alternative A that will add capacity to the Hampton Roads Bridge Tunnel (HRBT) will be positioned either

between the existing approach bridges of the HRBT or immediately to the west of these structures. Given the scale and present condition of the battlefield landscapes, VDOT believes the addition of the new structures to the surface waters should not further diminish the integrity of the battlefields.

As you know from having received the Archaeological Assessment report VDOT prepared last year for the HRCS and from the information I exchanged with Elizabeth Marlowe in your office in an email dated December 19, 2016, VDOT has always intended to complete the archaeological investigations necessary to identify any underwater archaeological sites eligible for listing on the NRHP that might be affected by construction of improvements to the HRBT. VDOT staff has recently been discussing in-house the scope of these investigations, and we agree with the ABPP that it likely will be best to resurvey the areas of the Area of Potential Effects examined in 1998 along with any additional underwater areas that might be impacted by proposed construction. The ABPP recently should have received a copy of VDOT's letter of February 1, 2017, to the Virginia State Historic Preservation Officer forwarding a draft Section 106 programmatic agreement for the HRCS. Stipulation II of the agreement document details the process VDOT would follow in advance of construction to complete efforts to identify both terrestrial and underwater archaeological historic properties potentially affected by the Alternative A, assess the undertaking's effects on those sites, and identify measures that would resolve any adverse effects through avoidance, minimization, or mitigation.

Thank you for your interest in the HRCS. We look forward to receiving any comments you may have on the draft programmatic agreement and would ask that they be submitted by February 28, 2017.

Sincerely,

Mary Ellen N. Hodges

Mary Ellen N. Hodges
Environmental Specialist II

c. Mr. Marc Holma, Virginia Department of Historic Resources
Mr. Ed Sundra, Federal Highway Administration
Mr. Scott Smizik, VDOT Location Studies Manager

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

January 23, 2017

Mr. Scott Smizik
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, VA 23219

Re: Hampton Roads Crossing Study, VDOT Project: 0064-965-081, P101; UPC 106724

Dear Mr. Smizak:

On November 16, 2016, the cooperating agencies for the Hampton Roads Crossing Study met with you to concur on a preferred alternative to be recommended to the Commonwealth Transportation Board (CTB). During our meeting, cooperating agencies concurred that Alternative A, as described in the Draft Supplemental Environmental Impact Statement (DSEIS) should be recommended to the CTB as the preferred alternative because it represents the least environmentally damaging practicable alternative that meets the purpose and need of the project. The actions of the Hampton Roads Transportation Planning organization (HRTPO) and the Hampton Roads Transportation Accountability Commission (HRTAC) to endorse Alternative A and commit to its implementation with a series of other projects in the HRTPO 2040 Long Range Transportation Plan was a factor in this concurrence, as was the dedication of funding for the continued study of a new crossing of the Elizabeth River in the vicinity of Craney Island.

As we commented during the meeting, our concurrence is based on the planning level information that has been provided in the DSEIS. However, we are unable to provide substantive recommendations until the means, methods and materials for construction of various project elements have been determined. Therefore, as project planning and design advance, we reserve the right to provide conservation recommendations in the future under the Magnuson-Stevens Fishery Conservation and Management Act to protect essential fish habitat (EFH) designated for federally managed species. We also work to protect anadromous species from impacts under the Fish and Wildlife Coordination Act. Because federally listed threatened and endangered species may also occur within the project area, coordination under Section 7 of the Endangered Species Act may also be required as this project moves forward. Your responsibilities for EFH, anadromous fish and ESA-listed species consultation with our agency are outlined in our letter to you dated August 6, 2015.

Thank you for the opportunity to participate as a cooperating agency for the Hampton Roads Crossing Study (HRCS). We look forward to continuing to be an active partner as the planning

and design of the project moves forward. Please contact Mr. David O'Brien of our Virginia field office at david.l.o'brien@noaa.gov or 804-684-7828 if you have any questions.

Sincerely,

Karen M. Greene
Mid –Atlantic Field Offices Supervisor
Habitat Conservation Division

cc: M. Murray-Brown NMFS GARFO PRD

Virginia Division
(804)775-3320

400 N. 8th Street Rm. 750
Richmond, Virginia 23219-4825

U.S. Department
of Transportation

**Federal Highway
Administration**

January 18, 2017

IN REPLY REFER TO:
Hampton Roads Crossing Study
Route Number: I-64, I-664, I-564
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783
City/County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk

Bonnie Halda
Chief, Preservation Assistance Division
NPS Northeast Regional Office, 3rd floor
200 Chestnut Street
Philadelphia, PA 19106

Dear Ms. Halda:

The Federal Highway Administration, Virginia Division, with the cooperation of the Virginia Department of Transportation is in the process of conducting cultural resources consultation pursuant to Section 106 of the National Historic Preservation Act (*54 U.S.C. 300101 et seq.*) for the Hampton Roads Crossing Study (HRCS). The purpose of the HRCS has been to identify transportation alternatives that would relieve congestion at the Interstate 64 (I-64) Hampton Roads Bridge Tunnel (HRBT) in a manner that would improve accessibility, transit options, emergency evacuation, and the movement of the military and freight along the primary transportation corridors in the Hampton Roads region of Virginia, including the I-64, Interstate 664 (I-664), Interstate 564 (I-564), and VA Route 164 corridors. The Commonwealth of Virginia's Transportation Board (CTB) approved Alternative A as the location of the project by resolution dated December 7, 2016. The purpose of this letter is to notify the Secretary of the Interior, pursuant to 36 CFR §800.10(c) of the presence of the Hampton Institute National Historic Landmark within the Area of Potential Effects for indirect effects of Alternative A and of the consultation that has occurred to date among the FHWA, the VDOT, the Virginia State Historic Preservation Officer (VA SHPO) [Director of the Virginia Department of Historic Resources (VDHR)], and other consulting parties regarding the potential effects of the project on the historic property.

The Hampton Institute Historic District (VDHR Inventory No.114-0006) is located near the mouth of the Hampton River immediately southwest of Interstate 64 on approximately 201 acres presently associated with Hampton University. The district was listed on the National Register

of Historic Places in 1969 under Criteria A and C for its importance in history and its architecture. A smaller area of about 15 acres that includes only the core historic buildings associated with the Institute, along with the college cemetery and the Emancipation Oak, was designated a National Historic Landmark (NHL) in May 1974 (Exhibits A and B).

The attached letter from VDOT to the VA SHPO dated November 22, 2016, details the consideration FHWA and VDOT have given to the Hampton Institute NHL in the development of the Hampton Roads Crossing Study and the measures the two agencies have proposed for minimizing any potential harm to the historic property from the implementation of Alternative A. The VA SHPO concurred on December 29, 2016, that Alternative A will have no adverse effect on the Hampton Institute NHL provided these measures are implemented (attached). FHWA and VDOT have proposed to include the minimization measures as commitments in a legally binding programmatic agreement prepared pursuant to 36 CFR §800.4 and §800.14b.

If you have any questions about this notification or would like additional information about the HRCS, please contact me by phone at 804-775-3357 or by email at Ed.Sundra@dot.gov.

Thank you in advance for your consideration.

Sincerely,

Jessie Yung
Division Administrator

By: Edward Sundra
Director of Program Develop.

Attachments

cc: Julia V. Langan, Virginia Department of Historic Resources (ATTN: Marc Holma)
Scott Smizik, Virginia Department of Transportation
Mary Ellen N. Hodges, Virginia Department of Transportation

United States Department of the Interior

NATIONAL PARK SERVICE
1849 C Street, N.W.
Washington, D.C. 20240

IN REPLY REFER TO:

H36(2287)

December 21, 2016

Mary Ellen Hodges
Virginia Department of Transportation
1401 E. Broad Street
Richmond, VA 23219

RE: Hampton Roads Crossing Study
VDOT Project 0064-965-081, P101 (UPC 106724)
Assessment of Effects

SENT VIA EMAIL. NO HARD COPY.

Dear Ms. Hodges,

Thank you for contacting the National Park Service's American Battlefield Protection Program (ABPP) concerning the Section 106 Coordination Process due to an U.S. Army Corps of Engineers permit for the above referenced project in Virginia. The ABPP reviewed the materials sent by you via mail and received on December 1, 2016 for the project's potential effects on Battlefields in the project's area.

Historic Properties
As acknowledged on the VDHR Coordination Form, ABPP recognizes that the proposed project's AOI falls within the study area for two Civil War Battlefields, as identified by the Civil War Sites Advisory Commission (CWSAC): Hampton Roads (VA 008) and Sewell's Point (VA 001); see attached maps. In addition, a battlefield from the War of 1812 is within the study area: Hampton Battlefield (VA401); see attached maps. Hampton Battlefield is listed as a Battlefield Commemorative Opportunity and the site is not intact enough to warrant any effect to the battlefield. Hampton Roads (VA008) is listed as Preservation Priority II.2, as determined by the 1993 Civil War Sites Advisory Commission (CWSAC) Report on the Nation's Civil War Battlefields. Sewell's Point (VA001) is listed as a Priority IV.2. Both Priorities I and II refer to battlefields in critical need of preservation action. Additionally, the presence or integrity of archeological remains (terrestrial nor underwater) was not taken into consideration when determining preservation priorities. This consideration must be made in regard to the potential effects within the AOI of the proposed project.

On March 8, 1862, from berth at Norfolk, the Confederate ironclad *Virginia* steamed into Hampton Roads where it sank *Cumberland* and ran *Congress* aground. On March 9, the Union ironclad *Monitor*, having fortuitously arrived to do battle, initiated the first engagement of ironclads in history. The two ships fought each other to a standstill, but *Virginia* retired. The AOI additionally lies within a Potential National Register Area for Hampton Roads (VA008) and

Sewell's Point (VA 001) is in the vicinity of many other historic properties, as noted in your November 22, 2016 letter.

Potential Effects- Direct and Indirect
The ABPP believes that the battlefields mentioned above, no longer retain terrestrial integrity (excepting Fort Monroe and Fort Wool), and agree with the "No Effect" finding for the terrestrial portions of the proposed project. However, the portions of the battlefields which retain integrity are essentially on and underwater, and in particular Hampton Roads (VA008) has the potential of being affected by this project. The proposed project has the potential of affecting the historic integrity of these battlefield landscapes through the construction and expansion of the existing roadways, tunnel, and associated infrastructure related to the project. The construction could damage or destroy underwater archeological resources and military terrain in the area, in particular, those associated with the Hampton Roads.

In review of the project proposal and location, at this time the American Battlefield Protection Program cannot agree with VDOT's determination of "No Adverse Effect" for the portions of the Battles of Hampton Roads and Sewell's Point which are on or under water. The ABPP recommends a Phase I Remote Sensing Survey [side scan sonar and magnetometer] of the full extent of the APE, including the resurvey of any targets previously identified in the 1998 Hampton Roads Bridge Tunnel survey, and Phase II investigations of any targets in the APE which are warranted to be conducted to fully determine the direct and indirect effects this proposed project will have on the identified battlefields.

Please keep the ABPP informed of the Section 106 process due to the potential effects to Civil War battlefield landscapes. If you have any further questions about these battlefields, please contact me at 202-354-2215 or elizabeth_vehmeyer@nps.gov.

Sincerely,

Elizabeth Vehmeyer

Archeologist and Grants Specialist
American Battlefield Protection Program

Enclosures

cc: Julie Langan, Virginia Department of Historic Resources
Matt Jagunic, National Park Service, Chesapeake Bay Office
Terry E. Brown, Fort Monroe National Monument
Clyde Cristman, Virginia Department of Conservation and Recreation

COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Aubrey L. Layne, Jr.
Chairman

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

Agenda Item #1

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

December 7, 2016

MOTION

Made By: Mr. Malbon, Seconded By: Mr. Williams
Action: Motion Carried, Unanimously

Title: Revised Location Approval for the Hampton Roads Crossing Study

WHEREAS, by resolution dated July 20, 2000 and entitled *Location: I-64 Hampton Roads Third Crossing,* the Commonwealth Transportation Board (CTB) approved Candidate Build Alternative 9 as the proposed location (2000 Approved Alternative) of the Hampton Roads Crossing Study (HRCS) project; and

WHEREAS, for varying reasons, the 2000 Approved Alternative did not advance, and a Draft Supplemental Environmental Impact Statement (Draft SEIS) was developed in accordance with the National Environmental Policy Act and approved by the Federal Highway Administration (FHWA) on July 25, 2016 for the consideration of alternatives to the approved location for the HRCS project; and

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the CTB, Location Public Hearings were held in the City of Hampton on September 7, 2016 at the Hampton Roads Convention Center and in the City of Norfolk on September 8, 2016 at the Quality Suites Lake Wright for the purpose of considering additional alternatives and their potential impacts as documented in the Draft SEIS; and

WHEREAS, proper notice was given in advance, and all those present were given a full opportunity to express their opinions and recommendations on the alternatives under consideration, and their statements have been duly recorded and considered by the CTB; and

WHEREAS, the economic, social, and environmental effects of the evaluated alternatives have been examined and given proper consideration and this evidence, along with all other, has been carefully reviewed; and

WHEREAS, on October 20, 2016 the Hampton Roads Transportation Planning Organization (HRTPO) and Hampton Roads Transportation Accountability Commission (HRTAC) both voted unanimously to endorse Alternative A, as identified in the Draft SEIS, as the Preferred Alternative to be included in a series of other projects implemented in the region's 2040 Long Range Transportation Plan; and

WHEREAS, based on the documentation supporting decisions by the HRTPO and HRTAC it appears the proposed capacity improvements will include managed lanes in either the form of High Occupancy Vehicle (HOV) or High Occupancy Toll (HOT) lanes; and

WHEREAS, collaboration among VDOT, FHWA, the U.S. Army Corps of Engineers (USACE), the U.S. Environmental Protection Agency, the Federal Transit Administration, the U.S. National Oceanic and Atmospheric Administration, the U.S. Navy (Navy), and the U.S. Coast Guard resulted in the recommendation for Alternative A to be identified as the Preferred Alternative; and

WHEREAS, USACE has concurred that Alternative A can be considered to be the preliminary Least Environmentally Damaging Practicable Alternative; and

WHEREAS, VDOT is committed to minimizing impacts along the I-64 corridor by confining the improvements of Alternative A to largely within the existing right of way; and

WHEREAS VDOT is committed to avoiding permanent acquisition of property owned by Hampton University and to having this commitment documented in FHWA's decision document; and

WHEREAS VDOT may have instances during project construction where temporary access to Hampton University property will be necessary; and

NOW, THEREFORE, BE IT RESOLVED that the location of this project be approved as presented under Alternative A in the Draft SEIS.

BE IT FURTHER RESOLVED that the CTB will be briefed on and have the opportunity to endorse the managed lane concept should it be identified and the appropriate analysis and financial plans are in place.

BE IT FURTHER RESOLVED that Alternative A will not include any permanent acquisition of property from Hampton University and will request this be documented in FHWA's Record of Decision.

BE IT FURTHER RESOLVED that VDOT is directed to work with Hampton University by June 30, 2017 to develop a mutually agreeable memorandum outlining the terms should temporary access to University property be necessary.

BE IT FURTHER RESOLVED that the Virginia Department of Transportation continue to work with HRTPO, HRTAC, USACE, Navy, the Port of Virginia, and other parties to advance separate studies to identify appropriate access options around Craney Island to include I-564/I-664 Connectors, I-664/MMMBT and VA 164/164 Connector.

BE IT FURTHER RESOLVED that the Virginia Department of Transportation continue to work with HRTPO, HRTAC, USACE, and other parties to advance a separate study of the Bowers Hill Interchange at I-664 and I-264 in Chesapeake.

BE IT FURTHER RESOLVED that the resolution of this Board dated July 20, 2000, entitled *Location: I-64 Hampton Roads Third Crossing*, and approval of the 2000 Approved Alternative granted therein for the HRCS project are hereby rescinded.

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DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011 D

December 2, 2016

Eastern Virginia Regulatory Section
Hampton Roads Crossing Study
VDOT Project: 0064-965-081, P101; UPC 106724
Corps of Engineers Project NAO-1994-1166

Ms. Angel Deem
VDOT Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

Dear Ms. Deem:

This letter provides the comments of the Norfolk District U.S. Army Corps of Engineers (USACE) in response to the letter from the Virginia Department of Transportation (VDOT) dated November 14, 2016 and a cooperating agency meeting which was held on November 16, 2016. At that meeting, USACE concurred with VDOT's recommendation that Alternative A is the VDOT-preferred alternative for the Hampton Roads Crossing Study. USACE based this concurrence on the material presented in the Draft Supplemental Environmental Impact Study (DSEIS) which shows that Alternative A adequately meets the project purpose and has less environmental impacts than the other alternatives, including Alternative B.

In your November 14, 2016 letter you requested USACE concurrence that Alternative A is the preliminary Least Environmentally Damaging Practicable Alternative (LEDPA). We understand that additional information will be presented in the Final SEIS, including the hydrodynamic study conducted by the Virginia Institute of Marine Science. However, based on the information currently available, we find no reason to disagree that Alternative A appears to be the preliminary LEDPA. This letter does not constitute a final LEDPA determination, nor is it a Section 404 or Section 10 permit decision. Any request for a Section 404 or Section 10 permit authorization will need to go through the joint permit review process. If plans change or new information is discovered during the permit review (including during the public comment period), VDOT may be required to provide additional information. You will also need to explore all practicable methods for avoiding and minimizing impacts to waters of the U.S., as well as practicable compensation measures.

Thank you for your cooperation on this SEIS. We look forward to continuing to work with you on the next phases of this project. You may contact the USACE Regulatory project manager George Janek at george.a.janek@usace.army.mil or 757-201-7135 if you have any questions.

Sincerely,

Kimberly A. Prisco-Baggett

Kimberly A. Prisco-Baggett, MBA
Deputy Chief, Norfolk District Regulatory Branch

cc:
Environmental Protection Agency, Philadelphia, ATTN: Ms. Barbara Okorn
U. S. Fish and Wildlife Service, Gloucester, ATTN: Troy Andersen
National Oceanic and Atmospheric Administration, Gloucester Point, ATTN: Mr. David O'Brien
NAVFAC Mid-Atlantic Region, Norfolk, ATTN: Ms. Rhonda P. Murray

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

November 22, 2016

Ms. Julie V. Langan, Director
ATTN: Mr. Marc Holma
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Route Number: I-64, I-664, I-564
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783
City/County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk
Project Description: Hampton Roads Crossing Study, Supplemental Environmental Impact Statement
Proposed Action: Assessment of Effects

Dear Ms. Langan:

Since June 2015, the Virginia Department of Transportation (VDOT), on behalf of the Federal Highway Administration (FHWA), has been coordinating with your office the Hampton Roads Crossing Study (HRCS), a federally-funded transportation project subject to Section 106 of the National Historic Preservation Act (54 U.S.C. 300101 et seq.). The project will require a permit from the U.S. Army Corps of Engineers (Corps), pursuant to Section 10 of the Rivers and Harbors Act of 1899, and the Corps has designated FHWA lead federal agency for the Section 106 process as provided for in Stipulation I.A of the Programmatic Agreement for transportation undertakings subject to Section 106 executed by your agency, FHWA, the Corps, the Advisory Council on Historic Preservation, and VDOT in August 2016. VDOT will soon be recommending to the Commonwealth Transportation Board (CTB) its preferred alternative from the Hampton Roads Crossing Study. The purpose of this letter is to provide for your review and concurrence VDOT's assessment of the effects of this alternative on historic properties.

As you are aware, in August 2016 the VDOT and FHWA made available a Draft Supplemental Environmental Impact Statement (Draft SEIS) for the HRCS for a 45-day public comment period that concluded on September 19. As part of the public review, VDOT hosted two Location

Public Hearings on September 7 and 8. In the time since, VDOT has been reviewing the comments received on the Draft SEIS in an effort to identify a preferred alternative from among the one no-build and four build alternatives examined in the Draft SEIS (Figure 1). On October 20, the Hampton Roads Transportation Planning Organization and the Hampton Roads Transportation Accountability Commission unanimously endorsed Alternative A as the preferred alternative for the HRCS, along with approving a series of other independent projects. On November 16, VDOT reviewed Alternative A as the preferred alternative with the six federal agencies cooperating with FHWA on the Draft SEIS for the HRCS: the Corps; the U.S. Environmental Protection Agency; Naval Station Norfolk; the U.S. Department of Homeland Security, U.S. Coast Guard; the National Oceanic and Atmospheric Administration, National Marine Fisheries Service; and the U.S. Department of Transportation, Federal Transit Administration. None of the cooperating agencies had any objections to the selection of Alternative A. VDOT will soon be providing its recommendation to the CTB, and we anticipate that the CTB will take action to identify Alternative A as the preferred alternative during its action meeting on December 7, 2016. The HRCS project schedule calls for completion of the Final SEIS by spring/summer 2017.

Alternative A

Alternative A would provide improvements to I-64, and the Hampton Roads Bridge-Tunnel (HRBT), beginning at the I-64/I-664 interchange in Hampton and ending at the I-64/I-564 interchange in Norfolk (Figure 2). I-64 is presently a four to six-lane facility in Hampton and a four-lane facility in Norfolk. Alternative A would create a consistent six-lane facility on the I-64 mainline. As described in the Draft SEIS, the proposed improvements would potentially provide three additional lanes of capacity to the HRBT by constructing a parallel bridge-tunnel just west of the existing HRBT. Interchange improvements would include adjustments to the ramps to accommodate the widened mainline. No major interchange reconfigurations are proposed at the following exits:

- Exit 267 – US60/VA 143 Settlers Landing Road
- Exist 268 – VA 169 South Mallory Street
- Exit 273 – US 60/4th View Street
- Exit 274 – West Bay Avenue
- The westbound entrance ramp from Granby Street to I-64 just north of Norfolk Naval Station Gate 22 and Forest Lawn Cemetery
- The eastbound entrance ramp from Norfolk Naval Station Gate 22 to I-64

Since the initiation of the present SEIS, VDOT and FHWA have committed that any improvements to the I-64 corridor would be largely confined to existing right-of-way. Further, the Commonwealth's Secretary of Transportation has recently directed VDOT to accomplish the proposed improvements without acquiring any right of way from property owned by Hampton University either in the area of the Hampton Institute Historic District or the university's property at Strawberry Banks.

Between Exit 267 – US 60/VA 143 Settlers Landing Road and Exit 268 – VA 169 South Mallory Street in Hampton, eastbound I-64 currently narrows to two travel lanes, with three travel lanes westbound. Under Alternative A, one additional through lane would extend along I-64 eastbound

between the two interchanges to maintain lane continuity. To meet the Secretary of Transportation's directive regarding Hampton University property comprising the Hampton Institute Historic District, the typical section for this stretch of highway as presented in the Draft SEIS has recently been revised. In order to keep all improvements within existing highway right of way and outside of the historic property boundaries of the Hampton Institute Historic District, VDOT would employ a retaining wall and implement a design waiver to reduce the widths of the shoulders on the eastbound lanes from the standard of 12-14 feet. The width of the inside shoulder would be 8 feet and the width of the outside shoulder would be 6 feet. The typical section also includes an auxiliary lane that functions as the eastbound on-ramp from the Settlers Landing Road interchange and the eastbound off-ramp to South Mallory Street.

The Secretary's directive regarding Hampton University property at Strawberry Banks would also require VDOT to re-examine the preliminary design presented in the Draft SEIS for adding capacity to the HRBT. VDOT is just initiating this effort, but we know at present that because of the additional constraint provided by Fort Wool, located immediately east of the HRBT, any additional structure necessary to provide three additional lanes of capacity would be constructed either between the existing east- and westbound HRBT structures or just west of the existing eastbound structure.

Identification of Historic Properties

In April 2016, VDOT coordinated with you and other consulting parties to the Section 106 process the results of VDOT's efforts to identify cultural resources listed on or eligible for listing on the National Register of Historic Places (NRHP) that might be affected by the four build alternatives examined in the HRCS Draft SEIS. Earlier this month we submitted to your office revisions to our original technical reports, *Architectural Survey: Management Summary, HRCS SEIS* and *Archaeological Assessment, HRCS SEIS*, but none of the changes made in the revised reports are associated with Alternative A.

For our studies we had defined the Section 106 Area of Potential Effects (APE), where historic properties might experience direct impacts from the undertaking, as a 500-foot-wide Study Area Corridor associated with each build alternative (along with expanded areas at the locations of potential interchange improvements). As work on the SEIS has proceeded, more realistic and narrower Limits of Disturbance (LOD) have been delineated for Alternative A based on early preliminary engineering. We defined the APE in which indirect effects (e.g., visual or auditory effects) might occur to historic properties in undeveloped area as extending 500 feet beyond each side of the 500-foot Study Area Corridor. In developed areas where the build alternatives would involve improvements to existing highways, the indirect effects APE extended across tax parcels directly abutting the 500-foot Study Area Corridor and across any parcels immediately adjacent to the abutting properties. Our original APE for direct effects, the narrower LOD which presently defines the direct effects APE, and the indirect effects APE are shown in Figures 3a and 3b.

As a result of our identification efforts, your department has previously concurred with VDOT's findings that there are fourteen architectural (above-ground or non-archaeological) historic properties that are listed on or eligible for listing on the NRHP within the direct and indirect

effects APE for Alternative A. For the purposes of assessing effect, VDOT is also assuming the NRHP eligibility of an additional five architectural resources (Table 1).

Table 1: Architectural historic properties within the direct (LOD) and indirect effects APE for Alternative A (listed in order of location from west to east along the alternative).

DHR Inventory No.	City	Resource Name	NRHP Status	Direct APE (LOD)	Indirect APE
114-5600	Hampton	Hampton Coliseum	Assumed NRHP-eligible	No	Yes
114-0155	Hampton	Elmerton Cemetery	Assumed NRHP-eligible	No	Yes
114-0118	Hampton	Pasture Point Historic District	NRHP-listed 2012	No	Yes
114-0006	Hampton	Hampton Institute Historic District	NRHP-listed 1969; NHL-1974	No	Yes
114-0148	Hampton	Hampton National Cemetery	NRHP-listed 1996	No	Yes
114-0101	Hampton	Hampton Veterans Affairs Medical Center Historic District	Federal Determination of eligibility 1981 by Keeper of NRHP	No	Yes
114-5002	Hampton	Phoebus-Mill Creek Terrace Neighborhood Historic District	NRHP-listed 2006	Yes	Yes
114-0002	Hampton	Fort Monroe	NHL 1960; NRHP-listed 1966	No	Yes
114-0114	Hampton	Chamberlain Hotel	NRHP-listed 2007	No	Yes
114-0021	Hampton	Old Point Comfort Lighthouse	NRHP-listed 1973	No	Yes
114-0041	Hampton	Fort Wool	NRHP-listed 1969	No	Yes
114-5471	Hampton	Battle of Hampton Roads	DHR NRHP-eligible 2007	Yes	Yes
122-5426	Norfolk	Battle of Sewell's Point	DHR NRHP-eligible 2007	Yes	Yes
None	Hampton, Newport News, Norfolk, Portsmouth, Suffolk	Captain John Smith Chesapeake National Historic Trail	Assumed NRHP-eligible	Yes	Yes
None	Hampton, Newport News, Norfolk, Portsmouth, Suffolk	Washington-Rochambeau Revolutionary Route National Historic Trail	Assumed NRHP-eligible	Yes	Yes
122-0410	Norfolk	Norfolk Naval Base Historic District	DHR NRHP-eligible 1997	No	Yes
122-5930	Norfolk	Willoughby Elementary School	Assumed NRHP-eligible	No	Yes
122-0954	Norfolk	Ocean View Elementary School	DHR NRHP-eligible 1998	No	Yes
122-5434	Norfolk	Merrimack Landing Apartment Complex/Merrimack Park Historic District	DHR NRHP-eligible 2012	No	Yes
122-0531	Norfolk	Forest Lawn Cemetery	DHR NRHP-eligible 2012	No	Yes

VDOT has not completed efforts to identify all archaeological resources on or eligible for the NRHP that might be affected by Alternative A. Archaeological survey conducted previously by

VDOT and others has already identified eight archaeological sites within or in the near vicinity of the direct effects APE for Alternative A (Table 2). In the assessment report we coordinated with you in April we took into consideration the geographic coverage and findings of these previous surveys, along with present land use conditions, to determine where Phase I level archaeological survey would still be necessary to ensure that all potentially significant archaeological sites are identified. Phase II level investigation may also be necessary to assess the NRHP-eligibility of known, previously unevaluated and newly identified sites. The assessment report's summary of the archaeological sites presently known to be located within the HRCS direct effects APE, and report's review of the potential of Alternative A's LOD to contain additional sites, has lead VDOT to conclude that, in relation to their historical significance, any archaeological historic properties that might be affected by the HRCS would meet the regulatory exception to the requirements of Section 4(f) approval: the sites would likely be important chiefly for the information they contain, which can be retrieved through data recovery, and would have minimal value for preservation in place [23 CFR §774.13(b)(1)].

Table 2. Archaeological sites previously identified within or near the direct effects APE (LOD) for Alternative A.

DHR Inventory No.	**City**	**Description**	**NRHP Status**
44HT0009	Hampton	Woodland Period Native American; Late 19th into 20th Century Roseland Manor dwelling (located within 44HT0089)	DHR potentially eligible 2012
44HT0031	Hampton	Indeterminate function; 18th and 19th century	Not evaluated; likely destroyed
44HT0033	Hampton	Indeterminate function; Late Archaic Native American; 2nd half 19th century	Not evaluated; likely destroyed
44HT0034	Hampton	Indeterminate function; 19th century	Not evaluated; likely destroyed
44HT0062	Hampton	Refuse scatter; 19th century	Not evaluated; likely destroyed
44HT0089	Hampton	Woodland Period Native American; 2nd half 19th into 20th century (see also 44HT0009)	Not evaluated
44HT0090	Hampton	Mid 19th to early 20th century dwelling	DHR potentially eligible 2012
44NR0015	Norfolk	Shipwreck, tentatively identified as U.S. torpedo boat launched in 1899 and sold for scrap in 1923	Not evaluated

Assessment of Effects

Under the regulations implementing Section 106, an "effect" is an "alteration to the characteristics of a historic property qualifying it for the National Register" [36 CFR §800.16(i)]. An effect is adverse when it alters a qualifying characteristic of the property "in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association" [36 CFR §800.5(a)(1)]. VDOT has applied the criteria of adverse effect as follows to the twenty architectural, battlefield, and historic trail resources recognized as

historic properties that are located within the direct and indirect effects APE for Alternative A.[1] The historic properties are discussed in order of location from west to east along I-64.

Hampton Coliseum (DHR #114-5600) **(Figure 4) (No Effect)** was constructed in 1970, after initial construction of I-64 in this area of Hampton Roads, and was the first large-scale arena of its type built as a multi-purpose building in Hampton Roads as well as in the state. The building features 96 triangular-shaped concrete wall panels on the exterior to create a unique design. This study assumes that Hampton Coliseum is eligible for listing on the NRHP under Criterion C for its architectural design as it embodies distinctive characteristics of a type and method of construction as well as possesses high artistic value. The assumed historic property boundary coincides with the tax parcel boundary. The proposed HRCS LOD in this area of Alternative A is confined within the present right-of-way limits associated with I-64, but the property is located within the APE for indirect effects. The *HRCS Noise Analysis Technical Report* (2016: Table 4-2, CNE AC; Table 4-6, CNE AC; Figure 4-1, Sheet 1) showed 2040 predicted noise levels under Alternative A (45-72 dBA Leq) only slightly above existing (44-70 dBA Leq) and predicted No-Build Alternative (45-71 dBA Leq) levels. Therefore, Alternative A should not affect on any of the characteristics of the property that contribute to its historic significance, including any features of its viewshed that may still contribute to its historic setting and feeling.

Elmerton Cemetery (DHR NO.114-0155) **(Figure 4) (No Effect),** located in Hampton along N. King Street, has been recommended potentially eligible for listing on the NRHP, and VDOT has assumed the cemetery is NRHP-eligible for the purposes of applying the requirements of Section 106 of the NHPA to the HRCS. The assumed historic property boundaries define a property measuring roughly 475 feet by a maximum of roughly 400 feet. The cemetery contains the grave of Mary S. Peake, the first African-American teacher of free blacks at Fort Monroe, and has been a burial ground for African-Americans since the Emancipation Proclamation. The proposed LOD in this area of the HRCS is confined to the existing I-64 highway right-of-way limits, but the cemetery lies within the indirect effects APE. The historic setting along the north side of Elmerton Cemetery has already been greatly altered by existing I-64. Further, all of Elmerton Cemetery lies outside the 66 dBA Leq noise contour modeled under the *HRCS Noise Analysis Technical Report* (2016: Figure 4-1, Sheet 5) for the loudest Build Alternative in each area. Cemeteries are defined as Category C land uses under FHWA's noise abatement criteria, and for Category C properties, a noise impact is assumed to occur when predicted exterior noise levels approach or exceed 67 dBA Leq. Alternative A should have no effect on any of the

[1] The method VDOT employed in assessing whether a historic property will be affected by noise resulting from implementation of Alternative A utilized data from the *Noise Analysis Technical Report* (July 2016) VDOT prepared for the HRCS SEIS (http://www.hamptonroadscrossingstudy.org/learn_more/hrcs_draft_seis.asp); however, the criteria we used in assessing whether there is a noise effect pursuant to Section 106 were different than the criteria VDOT employs when determining whether, under FHWA and VDOT noise regulations and policy, noise abatement would be considered. Under the latter regulations and policy, for a Type I project such as HRCS, noise abatement must be considered if existing noise levels approach within 1 decibel or exceed FHWA Noise Abatement Criteria (*Highway Traffic Noise: Analysis and Abatement Guidance*. Federal Highway Administration. December 2011: Table 5, Page 26) even if noise analysis predicts the project would not result in a substantial increase in noise. In our Section 106 assessment of effects we have considered only any predicted increase over existing noise levels attributable to implementation of the project. It should be noted that an increase of 3 dB is typically the smallest change in noise levels that is perceptible to the human ear.

characteristics that presently contribute to the historic significance of the cemetery, including any features of its viewshed that may still contribute to its historic setting and feeling.

Pasture Point Historic District (DHR NO.114-0118) **(Figure 4) (Conditioned No Adverse Effect)** is a late nineteenth/early twentieth-century neighborhood located north of the central business district in Hampton and listed on the NRHP in 2012 under Criterion A as an example of an early suburb driven by local transportation developments. The district is also eligible under Criterion C as a collection of significant residential architectural styles with characteristic urban design composition and grid pattern street layout. The period of significance is 1885-1938, when streetcars and trolleys dominated local transportation. The proposed LOD is restricted to the existing I-64 right-of-way and does not encroach on the district, but the district is located within the APE for indirect effects. The *HRCS Noise Analysis Technical Report* (2016: Table 4-2, CNE AJ; Figure 4-1, Sheet 5) found that the small changes to existing noise levels (58-68 dBA Leq) predicted to occur within the historic property under Alternative A, are no different that the levels predicted for the No-Build Alternative (59-69 dBA Leq).

Although the historic district would not experience a noise effect under Section 106 as a result of the HRCS, the noise technical study did indicate that construction of a noise barrier along the eastbound lanes of the I-64 in the vicinity of the Pasture Point Historic District would be feasible and reasonable, and would benefit the single family residences within the district and other receptors nearby by an average noise reduction of 8.3 decibels. The potential noise barrier would be 15 feet high for sections on structure and 20 feet high for those on the ground (for comparison, the average height of a tractor trailer is on the order of 14 feet). To determine what effect the proposed noise wall might have on the historic setting of the Pasture Point Historic District, VDOT modeled what a noise wall would look like, in terms of mass and height, from five different views within the historic district using photographs taken on November 2, 2016 (Figures 5-11). Based on these visualizations, we have concluded that the historic setting and feeling along the north side of the Pasture Point Historic District has already been greatly altered by existing I-64, and the proposed noise barrier should have no adverse effect on the district, provided the aesthetic features of the barrier (e.g., color, surface treatment) are designed to be compatible with the historic property.

Hampton Institute Historic District (DHR NO.114-0006) **(Figure 12) (Conditioned No Adverse Effect)** is located near the mouth of the Hampton River immediately southwest of Interstate 64 on approximately 201 acres now associated with Hampton University. The district was listed on the NRHP in 1969 under Criteria A and C for its importance in history and its architecture. A smaller area of about 15 acres that includes only the core historic buildings associated with the Institute, along with its cemetery and the Emancipation Oak, was designated a National Historic Landmark (NHL) in 1974.

The roots of the first historically African-American college in the country are associated with the "Grand Contraband Camp" established to house slaves who had escaped bondage to reach Fort Monroe after Union General Benjamin Butler in 1861 declared that escaped slaves reaching Union lines would be considered contrabands of war. Mary Peake, a free Negro, was enlisted to teach the refugee slaves in this community and held her first class under a Live Oak (*Quercus virginiana*). That tree still stands on the Hampton University grounds and is now known as the

Emancipation Oak, because it was the site of the first reading of the Emancipation Proclamation in the South in 1863. In 1868, Brigadier General Samuel Armstrong, Superintendent of the Freedmen's Bureau of the Ninth District of Virginia, using funds acquired from the American Missionary Association, established the Hampton Normal and Agricultural Institute to train Negro youth. A program of Native American education ran at the Normal School from 1878 to 1923. Following an expansion of the school's curriculum to meet college requirements, Hampton Normal and Agricultural Institute became Hampton Institute in 1930. In 1984, following continued growth and development, Hampton Institute was renamed Hampton University.

VDOT has recently completed thorough deed research to establish the boundaries of highway right of way associated with I-64 in the vicinity of Hampton University as of 1957 (Figure 13). We believe it is reasonable to assume that the 1969 NRHP boundaries of the Hampton Institute Historic District along I-64, as depicted in the Geographical Information System (GIS) in DHR's Virginia Cultural Resources Information System (V-CRIS) and in NRHP documentation DHR prepared in 1974, correspond to the 1957 highway right of way line. The Draft SEIS showed 1.1 acres of the historic district located within the LOD, including narrow strips of ground adjacent to I-64 located west of the US60/VA 143 Settlers Landing Road interchange and east of the University baseball field. However, in compliance with the recent directive of the Secretary of Transportation, the LOD has since been narrowed and will not extend beyond the 1957 highway right of way line into the historic district's NRHP property boundaries. As described earlier, the LOD will be reduced by employing a retaining wall on the south side of I-64 east of the baseball stadium and implementing design waivers to reduce the widths of the shoulders on the I-64 eastbound lanes from the standard of 12-14 feet.

Although the Hampton Institute Historic District no longer lies within the LOD, it still lies within the APE for indirect effects for Alternative A. The results of the *HRCS Noise Analysis Technical Report* (2016: Table 4-2, CNE AQ, CNE AR; Figure 4-1, Sheet 7) indicate no diminishment of the existing historic setting and feeling of the property due to traffic noise from Alternative A. Existing noise levels within two defined Common Noise Environment (CNE) areas within Hampton University are 61-70 and 70-74 dBA Leq, respectively. Predicted 2040 levels are 62-71 and 71-75 dBA Leq under the No-Build and 62-70 and 71-75 dBA Leq under Alternative A. We also do not anticipate any adverse visual effects on the historic setting of the Hampton Institute Historic District since Alternative A will involve improvements to an existing interstate highway within existing right of way. No noise barriers are presently proposed for the south side of I-64 along the historic property boundaries of the district; however, if final design noise analysis indicates that noise abatement should be considered, a barrier could be proposed if it is found to the feasible and reasonable and fifty percent of benefitted receptors are in favor of it. Should this occur, any potential adverse effects of a barrier on the historic setting of the Hampton Institute Historic District could be minimized by ensuring through consultation with your department and Hampton University that the barrier design is compatible with the district and will not result in a diminishment of the integrity of its historic setting or feeling. In the absence of a barrier, should project construction within VDOT's existing right of way require the removal of existing trees east of the baseball field, that currently provide a partial visual buffer between Hampton University and I-64, VDOT would be open to working with Hampton University to replace this vegetation.

VDOT's assessment of the effects of Alternative A has also taken into account potential effects on the Emancipation Oak. In 2012, in relation to its transportation study of the HRBT, VDOT enlisted a certified arborist and tree risk assessor to conduct a condition assessment and site survey of the Emancipation Oak for the purpose of setting construction restrictions with a minimum Tree Limit of Disturbance (Tree LOD) boundary. The arborist defined the Tree LOD along the I-64 side of the open area containing the oak as the line of an existing chain link fence that runs between a row of loblolly pines and the interstate and noted that existing trees surrounding the oak contribute to its current condition by creating a micro climate, including shading, wind protection, moisture distribution, and nutrients from fallen leaves, to which the oak has acclimated.. In the vicinity of the Emancipation Oak, the proposed Alternative A LOD does not breach the Tree LOD, involves no encroachment on Hampton University property, and maintains the existing highway right-of-way line along the existing I-64 access ramp directly east of the tree. To further ensure that the Emancipation Oak is not adversely affected by Alternative A, VDOT will erect and maintain barrier fencing along the Tree LOD while the highway improvements are under construction and, in consultation with Hampton University, monitor the condition of the Oak and other trees in its vicinity during construction so that any problems can be addressed immediately.

Hampton National Cemetery (DHR NO.114-0148) **(Figure 14) (Conditioned No Adverse Effect)** presently comprises two noncontiguous parcels. The older portion of the cemetery, established in 1866, is located roughly 0.25 mile west of I-64 and outside of the direct and indirect APEs for Alternative A. The Phoebus Section, purchased in 1891, is located on Cemetery Road at Marshall Avenue east of I-64. The northwest corner of the Phoebus Section parcel directly abuts the I-64 highway right-of-way, while further east along the interstate a view of the highway is obscured by a deep wooded parcel. Hampton National Cemetery was listed on the NRHP in 1996 under Criterion A with a period of significance of 1866 to 1940, and is included in the Multiple Property Document *Civil War Era National Cemeteries.* While the Phoebus Section of the cemetery is located within Alternative A's APE for indirect effect, the LOD on the east side of I-64 in the vicinity of the cemetery maintains the existing interstate right-of-way line.

The *HRCS Noise Analysis Technical Report* (2016: Table 4-2, CNE AT; Figure 4-1, Sheet 7) indicates that there will be no Section 106 noise effects on the cemetery as a result of the HRCS project. Existing noise levels measured within the Phoebus Section are 59-75 dBA Leq; predicted 2040 noise levels under the No-Build Alternative and Alternative A are 60-76. Preliminary noise analysis, however, does call for a potential sound barrier along westbound I-64 extending from the South Mallory Street/I-64 WB on-ramp to the I-64 WB/Woodland Road off-ramp, because the location of the cemetery and nearby single-family residences meets FHWA and VDOT criteria for noise abatement. The most cost-effective barrier that meets the 7-decibel noise reduction design goal for all receptors would be 15 feet high. To determine what effect the proposed noise wall might have on the historic setting and feeling of the Hampton National Cemetery, VDOT modeled what a noise wall would look like, in terms of mass and height, from seven different views within the historic property using photographs taken on November 2, 2016 (Figures 15-22). Based on these visualizations, we have concluded that the historic setting along the northwest side of the cemetery has already been altered by existing I-64, and the proposed noise barrier and other highway improvements to I-64 proposed under Alternative A

should have no adverse effect on the Hampton National Cemetery, provided the aesthetic features of the barrier (e.g., color, surface treatment) are designed to be compatible with the historic property. VDOT would also be open to discussing with the Department of Veterans Affairs other actions that we could take to further minimize the potential effects of Alternative A on the cemetery, such as reconstruction of several segments of brick cemetery wall to extend their height in the corner closest to the interstate where the wall presently follows a dip in elevation.

Hampton Veterans Affairs Medical Center Historic District (DHR NO.114-0101) **(Figure 14) (No Effect)** is located west of I-64 near Mallory Street in Hampton and comprises approximately 266 acres of land on a peninsula immediately south of Hampton University. The historic district is owned and managed by the US Department of Veterans Affairs. The hospital began operations in 1872 and is the fourth oldest military-run hospital in the country. The Hampton Veterans Affairs Medical Center Historic District is a complete medical complex with 82 resources on the campus, 34 of which contribute to the historic district. The district was determined eligible for listing on the NRHP by the Keeper of the National Register in 1981 under Criteria A and C. In the vicinity of the medical center the LOD for Alternative A is contained within the footprint of existing highway infrastructure and does not extend into the historic property boundaries, but the property is located within the APE for indirect effects. The *HRCS Noise Analysis Technical Report* (2016: Table 4-2, CNE AS; Figure 4-1, Sheet 7) found that the small changes to existing noise levels (60-60 dBA Leq) predicted to occur within the historic property under Alternative A (61-61 dBA Leq) and are no different that the level predicted for the No-Build Alternative (61-61 dBA Leq). For these reasons, Alternative A should have no effect on the historic property.

Phoebus–Mill Creek Terrace Neighborhood Historic District (DHR NO.114-5002) **(Figure 14) (Conditioned No Adverse Effect)** is situated in the City of Hampton along Mill Creek. The community was formally incorporated in 1874 when it was named Chesapeake City. In 1900 the name was changed to Phoebus, in honor of Harrison Phoebus, who developed the well-known Hygeia Hotel as a resort adjacent to the town. The town is laid out in a gridiron pattern that was developed in 1874 upon incorporation. The area developed as a stopover point between Hampton and Norfolk due to its close proximity to Old Point Comfort and the ferry crossing. The historic district was listed on the NRHP in 2006 under Criteria A and C for its association with the development of Elizabeth City County and for its town planning and architectural character from the period 1874 to 1957, when the HRBT opened.

The southwest border of the district boundary extends in places to the eastern side of I-64 right-of-way and the direct and indirect effects APEs associated with Alternative A extend into the district. The LOD for Alternative A reaches a maximum of approximately 50 feet into the district at Mallory Street, at the west end of South Hope Street, west of the 100 block of Segar Street, and along a portion of National Avenue; however, the LOD does not extend into any of the tax parcels associated with buildings or lots considered contributing elements of the historic district (Figure 23). It appears that the structure (DHR NO. 114-5002-0241) at 121 National Avenue would need to be demolished to construct Alternative A, but this ca. 1960 VDOT administration building is not considered a contributing element of the historic district. A noise barrier presently runs between the shoulder of the I-64 travel lanes and the southwest border of the district boundary; the barrier is expected to be replaced under Alternative A. The *HRCS Noise Analysis*

Technical Report (2016: Table 4-2, CNE AW; Figure 4-1, Sheet 8) found that the small changes to existing noise levels (52-67 dBA Leq) predicted to occur within the historic district under Alternative A (53-68 dBA Leq) are no different than the changes predicted under the No-Build Alternative (53-68 dBA Leq). In light of these considerations, and the fact that Alternative A involves only changes to an existing interstate highway, it is believed the alternative would alter but not result in a diminishment of the integrity of any of the characteristics that presently contribute to the significance of the Phoebus–Mill Creek Terrace Neighborhood Historic District, including any features of its viewshed that may still contribute to its historic setting and feeling, provided that the aesthetic features of the replacement barrier (e.g., color, surface treatment) are designed to be compatible with the historic property..

Fort Monroe (DHR NO.114-0002) **(Figure 24) (No Effect)**, located in Hampton southeast of the community of Phoebus and east of the HRBT, was conceived as an element of the Third System of coastal defenses outlined by Congress in the aftermath of the War of 1812. The facility guarded the navigational channel between Hampton Roads and Chesapeake Bay. The property, which includes a seven-sided stone fort, was designated a National Historic Landmark (NHL) in 1960 because of its historical significance and the integrity of the associated architecture. The property was listed on the NRHP in 1966. In 1973, the Secretary of the Interior expanded the boundary of the NHL district to include the entirety of Fort Monroe within the floodwall, and in 2011 President Obama designated approximately 325 acres of the property a National Monument within the National Park Service system.

Fort Monroe lies outside the direct effects APEs associated with Alternative A. The indirect APE was specifically extended to include the historic property; however, all transportation improvements in the vicinity of Fort Monroe proposed under Alternative A will be constructed between the existing HRBT infrastructure or on the west side of and in close proximity to the existing HRBT infrastructure. Thus, the proposed improvements should not alter any of the characteristics that contribute to the significance of Fort Monroe, including any features of its viewshed that may still contribute to its historic setting and feeling. The *HRCS Noise Analysis Technical Report* (2016: Table 4-2, CNE AX; Figure 4-1, Sheet 9) predicts that under both the No-Build and the Build Alternatives 2040 noise levels would increase only slightly over existing levels in areas of Fort Monroe immediately east of proposed above-water improvements to the west end of the HRBT. Existing noise levels are 55-58 dBA Leq. Under the No-Build, 2040 noise levels are predicted to be 56-59 dBA Leq, while under Alternative A they are predicted to be 57-59 dBA Leq.

Chamberlin Hotel (DHR NO.114-0114) **(Figure 24) (No Effect),** constructed in 1928, is located at #2 Fenwick Road within the bounds of Fort Monroe and was listed on the NRHP in 2007 under Criterion C for its architecture. Architect Marcellus Wright's building design reflects the colonial heritage of the Peninsula as well as the influence of prominent early twentieth-century Beaux-Arts architects of the firm Warren and Wetmore. The Chamberlin served primarily as a resort hotel but also accommodated WWII officers and their families in the 1940s. The building is nine stories tall, U-shaped, and fronts on the Hampton Roads. The Chamberlain is located approximately 650 feet northeast of the island at the west entrance to the HRBT, outside the direct effects APEs associated with Alternatives A. The indirect effects APEs was specifically extended to include the historic property; however, all transportation improvements proposed

under Alternative A will be constructed between the existing HRBT infrastructure or on the west side of and in close proximity to existing HRBT infrastructure and should not alter any of the characteristics that contribute to the significance of Chamberlain Hotel, including any features of its viewshed that may still contribute to its historic setting and feeling. The findings of the *HRCS Noise Analysis Technical Report* (2016) discussed earlier in reference to Fort Monroe indicate that only a very small increase above existing noise levels would occur under Alternative A and those levels would not differ appreciably from those predicted for the No-Build Alternative.

Old Point Comfort Lighthouse (DHR NO.114-0021) **(Figure 24) (No Effect) ,** located within the current bounds of Fort Monroe on Fenwick Road, was constructed at the southern edge of Old Point Comfort at the northern entrance to the Hampton Roads harbor. The lighthouse was constructed in 1802 and is the second oldest lighthouse on the Chesapeake Bay. The Old Point Comfort Lighthouse was listed on the NRHP in 1973 under Criteria A and C. The lighthouse lies roughly 3,000 feet northeast of the HRBT and is well outside the direct effects APEs associated with Alternative A. The indirect effects APEs associated Alternative A was specifically extended to include the historic property; however, all transportation improvements proposed under the alternative will be constructed between the existing HRBT infrastructure or on the west side of and in close proximity to the existing HRBT infrastructure and should not alter any of the characteristics that contribute to the significance of Old Point Comfort Lighthouse, including any features of its viewshed that may still contribute to its historic setting. As discussed previously in in reference to Fort Monroe, the lighthouse should experience little to no increase in traffic noise levels under Alternative A.

Fort Wool (DHR NO.114-0041) **(Figure 24) (No Effect)** was listed on the NRHP in 1969 under Criteria A and C for its military significance and architecture. Construction of Fort Wool was initiated in 1819 as part of a coastal fortification plan and the fort played a role in the defense of Hampton Roads during the Civil War, World War I, and World War II. The fort is located on a 15-acre island constructed of granite blocks approximately one-mile south of Fort Monroe and immediately east of the eastern entrance to the west-bound HRBT tunnel. Despite its proximity to the existing HRBT, Fort Wool lies outside the direct effects APE associated with Alternative A. The indirect effects APE was specifically extended to include the historic property; however, all transportation improvements proposed under Alternative A will be constructed either between the existing HRBT infrastructure or on the west side of and in close proximity to the existing HRBT infrastructure and should not alter any of the characteristics that contribute to the significance of Fort Wool, including any features of its viewshed that may still contribute to its historic setting and feeling. The *HRCS Noise Analysis Technical Report* (2016: Table 4-2, CNE AY; Figure 4-1, Sheet 10) predicts under both the No-Build and Alternative A that 2040 noise levels would increase only slightly over existing levels on Fort Wool. Existing noise levels are 56-56 dBA Leq. Under the No-Build Alternative and Alternative A noise levels are predicted to be 57-57 dBA Leq.

The Battle of Hampton Roads (DHR NO.114-5471; ABPP #VA008) **(Figure 25) (No Adverse Effect)** was a Civil War naval engagement in which the Confederacy attempted to break the Union blockade of Hampton Roads. The battle, which took place over two days, March 8-9, 1862, is also known as the *Battle of the Ironclads* and is significant in the development of navies as it was the first meeting in combat of ironclad warships. After destroying two conventional

Union ships, one of which was the USS Cumberland, on the first day of the battle, the ironclad CSS Virginia faced the ironclad USS Monitor on the second day. The ensuing three-hour battle ended inconclusively with neither ship sustaining significant damage.

The National Park Service's American Battlefield Protection Program (ABPP) has defined a Study Area of approximately 46,000 acres associated with the engagement within which they have identified an area covering approximately 35,000 acres as Potentially Eligible for the National Register (PotNR). For the purposes of this study, the ABPP's PotNR is assumed NRHP-eligible. Portions of both the direct and indirect effects APE for Alternative A are located within the ABPP's PotNR boundary, but it is not believed that the alternative will diminish the integrity of any non-archaeological components of the battlefield that contribute to its significance, including any features that may still contribute to its historic setting and feeling. The battlefield is located within what is now a highly industrialized and developed area in which few remnants of the historic landscape survive. Additionally, much of the construction associated with Alternative A involves improvements of or improvements immediately adjacent to existing HRBT infrastructure. The underwater archaeological remains of the USS Cumberland (44NN0073) have been identified and are located roughly one mile northwest of the Monitor-Merrimac Memorial Bridge-Tunnel, where it leaves Newport News. The underwater archaeological survey conducted to date for Alternative A has identified no significant archaeological resources, but these studies are still incomplete. If any significant underwater resources associated with the Battle of Hampton Roads are eventually identified within the LOD for Alternative A, they are likely to meet the regulatory exception to the requirements of Section 4(f) approval: i.e., the sites likely would be important chiefly for the information they contain, which can be retrieved through data recovery, and would have minimal value for preservation in place [23 CFR §774.13(b)(1)].

The Battle of Sewell's Point (DHR NO.122-5426; ABPP #VA001) **(Figure 25) (No Adverse Effect)** was among the first naval battles between Union and Confederate forces during the Civil War, taking place May 18, 19, and 21, 1861. The battle was inconclusive but involved exchanges of cannon fire between the USS Monticello, supported by the USS Thomas Freeborn, and Confederate batteries on Sewell's Point. The ABPP has defined a Study Area of 11,500 acres for the battle, 10,000 acres of which the ABPP has identified as Potentially Eligible for the National Register (PotNR). For the purposes of this study, the ABPP's PotNR is assumed NRHP-eligible. Portions of both the direct and indirect effects APEs for Alternative A in the vicinity of the HRBT are located within the ABPP's PotNR boundary, but it is not believed that the alternative will diminish the integrity of any non-archaeological components of the battlefield that contribute to its significance, including its historic setting and feeling. The battlefield is located within what is now a highly industrialized and developed area in which few remnants of the historic landscape survive. Additionally, construction associated with Alternative A within the PotNR boundary involves improvements to the existing transportation infrastructure of the HRBT. Underwater archaeological investigations in the portions of the LOD adjacent to the HRBT are still incomplete; however, if any significant underwater resources associated with the Battle of Sewell's Point are eventually identified within the LOD, they are likely to meet the regulatory exception to the requirements of Section 4(f) approval: the sites likely would be important chiefly for the information they contain, which can be retrieved through data recovery, and would have minimal value for preservation in place [23 CFR §774.13(b)(1)].

The Captain John Smith Chesapeake National Historic Trail **(CAJO) (No Adverse Effect)** (Cities of Hampton, Newport News, Norfolk, Portsmouth, and Suffolk) is the first water trail designated under the National Trails System Act [16 U.S.C. 1244(a)]. The trail route extends throughout the Chesapeake Bay and its purpose, as defined by the National Park Service in a draft interpretive plan prepared in 2006, is "to commemorate the exploratory voyages of Captain Smith on the Chesapeake Bay and its tributaries in 1607-1609; to share knowledge about the American Indian societies and cultures of the seventeenth century; and to interpret the natural history of the Bay (both historic and contemporary)." For the purposes of this study, the portion of the CAJO within the vicinity of Alternative A is assumed eligible for the NRHP. Although Alternative A crosses one or more water pathways taken by Smith on his voyages, the alternative is not expected to diminish any non-archaeological components of the CAJO that may contribute to its significance, including its historic setting and feeling. The CAJO is located within what is now a highly industrialized and developed area in which few remnants of the historic landscape survive. Additionally, much of the construction associated with Alternative A involves improvements of or improvements immediately adjacent to existing HRBT transportation infrastructure. Archaeological survey of the LOD associated with Alternative A is incomplete, but if any significant archaeological sites associated with the CAJO are eventually identified within the LOD, they are likely to meet the regulatory exception to the requirements of Section 4(f) approval: the sites likely would be important chiefly for the information they contain, which can be retrieved through data recovery, and would have minimal value for preservation in place [23 CFR §774.13(b)(1)].

The Washington-Rochambeau Revolutionary Route National Historic Trail **(W-RNHT) (No Adverse Effect)** (Cities of Hampton, Newport News, Norfolk, Portsmouth, and Suffolk) was designated a National Historic Trail under the National Trails System Act [16 U.S.C. 1244(a)] in March 2009. The W-RNHT comprises over 680 miles of land and water trails in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and Washington, D.C. The trail segments follow the routes taken by General Washington and General Rochambeau to and from the Siege of Yorktown during the Revolutionary War. The purpose of the W-RNHT, as defined by the National Park Service in a draft strategic plan prepared in 2010, is to "identify, preserve, interpret, and celebrate the American and French Alliance in the War for Independence." For the purposes of this study, the portion of the W-RNHT within the vicinity of Alternative A is assumed eligible for the NRHP. Although Alternative A crosses the water routes taken by American and French forces, the alternative is not expected to diminish any non-archaeological components of the W-RNHT that may contribute to its significance, including its historic setting and feeling. The W-RNHT is located within what is now a highly industrialized and developed area in which few remnants of the historic landscape survive. Additionally, much of the construction associated Alternative A involves improvements of or improvements immediately adjacent to existing HRBT transportation infrastructure. Archaeological survey of the LOD associated with Alternative A is incomplete, but if any significant archaeological sites associated with the W-RNHT are eventually identified within the HRCS LOD, they are likely to meet the regulatory exception to the requirements of Section 4(f) approval: the sites likely would be important chiefly for the information they contain, which can be retrieved through data recovery, and would have minimal value for preservation in place [23 CFR §774.13(b)(1)].

Norfolk Naval Base Historic District (DHR NO.122-0410) **(Figure 26) (Conditioned No Adverse Effect)** is bounded by Hampton Roads to the west, Willoughby Bay to the north, and the Elizabeth River to the southwest and encompasses two distinct installations – Naval Station Norfolk and Naval Support Activity Hampton Roads -- comprising nearly 5,000 acres and the largest naval installation in the world. The installation was originally commissioned in 1917. The district is recognized as eligible for listing on the NRHP by the DHR. I-64 runs generally along the east boundary of the historic district although portions of the two naval installations extend east of the interstate. VDOT, however, holds the right of way associated with I-64 and the LOD for Alternative A is confined to the existing right of way. The historic district is located within the Alternative A APE for indirect effects. The *HRCS Noise Analysis Technical Report* (2016: Table 4-2, CNEs BI, BJ, BK, BS, BT; Figure 4-1, Sheets 14-18) predicts that under Alternative A that 2040 noise levels would increase only slightly over existing levels. Predicted noise levels under Alternative A for CNEs BI, BJ, BK, BS, and BT, respectively, as compared to existing noise levels, are 60-67 dBA Leq (59-66 existing), 61-75 dBA Leq (60-73 existing), 42-70 dBA Leq (41-69 existing), 60-67 dBA Leq (60-67 existing), 60-67 dBA Leq (61-67 existing). Although the historic district would not experience a noise effect under Section 106 as a result of the HRCS, the noise technical study did indicate that construction of four noise barriers along the eastbound side of the I-64 right-of-way in the vicinity of the Norfolk Naval Base Historic District would be feasible and reasonable. I-64 is already a major element of the historic setting of these areas of the district and the proposed noise barriers and other highway improvements associated with Alternative A should have no adverse effect on Norfolk Naval Base Historic District, provided the aesthetic features of the barriers (e.g., color, surface treatment) are designed to be compatible with the historic property.

Willoughby Elementary School (DHR NO.122-5930) **(Figure 26) (No Effect)**, located at 9500 4th View Street in Norfolk, is a one-story, L-shaped brick building constructed in the International style and retaining a high degree of architectural integrity. Opened in 1967 by the City of Norfolk, the Willoughby Elementary School was one of at least two schools built in rapid succession in response to explosive growth in Norfolk's post-WWII population of school-age children. The building's form embodies the latest in educational theory and practice for its day, with a one-size-fits-all approach to the accommodation of learning. For the purposes of this study, the property is assumed eligible for listing on the NRHP under Criteria A and C for its historical associations and architecture. The historic property boundaries are assumed to comprise three tax parcels together measuring a total of roughly 1,000 feet by a maximum of roughly 425 feet. The property lies outside the direct effects APE for Alternative A, but within the indirect effects APE; however, Alternative A should not affect any of the characteristics of the property that contribute to its significance, including any features of its viewshed which may still contribute to its historical setting and feeling. The property is located east of I-64 and is separated from the interstate mainline by an exit ramp leading to 4th View Street from the interstate. Under Alternative A, any improvements to this exit ramp will be confined to its existing footprint. Along the mainline, the proposed LOD on the east side of the interstate does not extend beyond the existing edge of pavement. The *HRCS Noise Analysis Technical Report* (2016: Table 4-2: CNE BL; Figure 4-1, Sheet 14) also indicates that the vast majority of the historic property lies outside the 66 dBA Leq noise contour. Under Alternative A (38-38 dBA Leq) noise levels are predicted to rise only slightly over existing levels (36-36 dBA Leq).

Ocean View Elementary School (DHR NO.122-0954) **(Figure 26) (No Effect),** located at 9501 Mason Creek Road in Norfolk, is a 1939 Art Deco style building constructed in two parts and features a long, rectangular main school building and a perpendicular auditorium wing. The school was determined eligible for listing on the NRHP by DHR in 1998 at a local level of significance under Criteria A for its role in education and under Criterion C for its architectural merit. The historic property boundaries include an area approximately 420 feet by 700 feet containing the main academic building on the educational complex. The historic property lies outside the direct effects APE for Alternative A, but within the indirect effects APE. The Alternative A LOD will extend eastward from an existing exit ramp off of I-64 roughly 30 feet beyond an existing highway sound barrier, but the barrier will remain and a residential development lies between the NRHP-eligible boundary of the school property and the interstate. The historic property will lie approximately 750 feet from the footprint of the proposed improvements to the existing interstate. The *HRCS Noise Analysis Technical Report* (2016: Table 4-2, CNE BM; Figure 4-1, Sheet 14) predicts little change at the school's baseball field from existing noise levels (53-59 dBA Leq) under Alternative A and the No-Build (54-60 dBA Leq). In sum, Alternative A should have no effect on the characteristics that contribute to the significance of Ocean View Elementary School, including any features of its viewshed that may still contribute to its historic setting and feeling.

Merrimack Landing Apartment Complex/Merrimack Park Historic District (DHR NO.122-5434) (**Figure 26) (No Effect)** is the first planned, government-funded, low-cost defense housing project in the City of Norfolk specifically designed and built to provide military housing during WWII for Navy personnel stationed at Naval Station Norfolk (NSN). The complex retains its curvilinear street pattern, green spaces, and building stock, with no modern in-fill present. Merrimack Park Historic District was determined eligible by the DHR in 2012 for listing on the NRHP under Criterion A for broad patterns in history as a purpose-built affordable military housing project sponsored in part by the Federal government during WWII and the first such community built in the City of Norfolk to serve the military personnel at NSN. The historic district is also eligible under Criterion C for community planning and development as well as landscape architecture.

The property is located within the indirect effects APE for Alternative A, but outside the direct effects APE. The LOD extends approximately 60 feet west of the existing edge of pavement on I-64 and will be located a minimum of approximately 170 feet east of the boundary of the historic district in the northeast corner of the housing development, where there is open space lacking any structures. All improvements associated with Alternative A in this area are to an existing roadway, and there is a buffer of trees within the historic district that lines Mason Creek and presently obscures the view of the interstate from the neighborhood. The *HRCS Noise Analysis Technical Report* (2016: Table 4-2, CNE BP; Figure 4-1, Sheet 16) indicates all residences within the historic district lie outside the predicted 66 dBA Leq noise contour, and noise levels under Alternative A (52-64 dBA Leq) are predicted to rise only slightly over existing levels (50-63 dBA Leq), comparable to the increase under the No-Build Alternative (51-64 dBA Leq). The *HRCS Noise Analysis Technical Report* shows a potential noise barrier (BQ) along the eastbound I-64 on-ramp at Bellinger Boulevard; but, in light of its cost, this barrier would benefit too few receptors in the neighborhood on the opposite side of Mason Creek from the district to be considered reasonable. In sum, Alternative A should have no effect to any of the

characteristics contributing to the significance of the Merrimack Landing Apartment Complex/Merrimack Park Historic District, including any features of its viewshed that may still contribute to its historic setting and feeling.

Forest Lawn Cemetery (DHR NO.122-0531) **(Figure 26) (No Effect)** is located in the City of Norfolk east of Granby Street at the I-64/I-564 interchange. The initial, early twentieth century (1906 - c. 1935) portion of Forest Lawn Cemetery, including the associated mausoleum and gatehouse, was determined by the DHR in 2012 to be eligible for listing on the NRHP under Criterion A, Criteria Consideration D, for its significant association with broad patterns in history. The property reflects the "rural" cemetery movement and embodies the principals of early twentieth-century cemetery planning and design, and professional management and caretaking, while including a diverse but sectioned interment population. The cemetery is also eligible under Criterion C for its architectural merit and integrity of design. The cemetery is located within the indirect effects APE for Alternative A; however, Granby Street runs between the cemetery and I-64. The proposed LOD for Alternative A does not extend east of Granby Street and partially preserves a line of trees running between the two roadways. The *HRCS Noise Analysis Technical Report* (2016: Table 4-2, CNE BW; Figure 4-1, Sheets 17 and 18) predicts little change from existing noise levels (61-69 dBA Leq) under Alternative A (62-69 dBA Leq) and the No-Build (62-69 dBA Leq). Thus, Alternative A should have no effect on any of the characteristics that presently contribute to the significance of the cemetery, including any features of its viewshed that may still contribute to its historic setting and feeling.

Completion of the Section 106 Process

The Section 106 regulations [§800.4(b)(2)] allow a federal agency to use a phased approach to identify historic properties when alternatives under consideration consist of corridors or large land areas. The regulations also allow identification and evaluation efforts to be deferred if specifically provided for in a programmatic agreement executed pursuant to §800.14(b)(3). VDOT wishes to defer completion of the additional survey and evaluation efforts needed to ensure identification of all archaeological sites eligible for the NRHP that might be affected by the HRCS until after the CTB's selection of a Preferred Alternative. We propose to develop an agreement document pursuant to §800.4 and §800.14b in the form of a Programmatic Agreement that would stipulate the process VDOT would follow to complete efforts to identify archaeological historic properties potentially affected by Alternative A, assuming it is the selected alternative, assess the undertaking's effect on those sites, and identify measures that would resolve any adverse effects by avoiding, minimizing, or mitigating for them. The Programmatic Agreement would also stipulate the measures we have described above that VDOT would implement to ensure that the project will have no adverse effect on the Pasture Point Historic District, Hampton Institute Historic District, Hampton National Cemetery (Phoebus Section), the Phoebus–Mill Creek Terrace Neighborhood Historic District, and the Norfolk Naval Base Historic District.

VDOT welcomes receiving any comments your department or other consulting parties to the Section 106 process for the HRCS may have on our assessment of the potential effects of Alternative A on the twenty architectural, battlefield, and trail historic properties described above and our proposal to development a Programmatic Agreement to conclude the Section 106

process. We also invite your department to signify your concurrence with VDOT's effects assessments and our findings in regard to the archaeological historic properties potentially affected by Alternative A by completing the signature block below. We would appreciate your response and the responses of other consulting parties within 30 calendar days of receipt of this letter.

Thank you for your assistance. If you or other consulting parties have any questions or comments about the HRCS, please don't hesitate to contact me by mail at the address on the first page of this letter, by email at me.hodges@vdot.virginia.gov, or by phone at 804-786-5368.

Sincerely,

Mary Ellen N. Hodges

Mary Ellen N. Hodges
Environmental Specialist II

c. Mr. Ed Sundra, FHWA
Mr. Scott Smizik, VDOT Locations Study Manager
Ms. Britta Ayers, City of Newport News
Mr. Scott Mills, City of Suffolk
Ms. Mae Breckenridge-Haywood, African American Historical Society of Portsmouth
Mr. Patrick R. Jennings, American Battlefield Protection Program
Ms. Martha F. Morris, Buckroe Historical Society
Mr. Mark Perreault, Citizens for a Fort Monroe National Park
Mr. J. Brewer Moore
Mr. Matt Jagunic, National Park Service, Chesapeake Bay Office
Ms. Peggy McPhillips, Norfolk Historical Society
Mr. Carter B. S. Furr, Norfolk Preservation Alliance
Mr. James R. Turner, Partnership for a New Phoebus, Inc.
Mr. John Haynes, U.S. Army Corps of Engineers
Captain Brenda Kerr, U.S. Coast Guard Base, Portsmouth
Mr. Rob Reali, Army Caretaker, Fort Monroe
Mr. W. Keith Cannady, City of Hampton, Community Development Department
Mr. Josh Gillespie, Fort Monroe Authority (copy to Samantha Henderson)
Dr. Bill Thomas, Hampton Institute (copy to Ms. Shontia Faulkner)
Mr. Terry E. Brown, Fort Monroe National Monument
Mr. Clyde Cristman, Virginia Department of Conservation and Recreation (Fort Wool)
Ms. Luci Talbot Cochran, Hampton History Museum
Mr. Hunter D. Smith, Smith/Packett (The Chamberlin) (c/o Justin Newman)
Mr. Glenn Madderom, U. S. Department of Veterans Affairs (copy to Ms. Caitlin Cunningham)
Ms. Heather Robbins, NAVFAC
Mr. Chuck Poland, Society of the War of 1812 in Virginia

HAMPTON ROADS CROSSING STUDY
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783

The Department of Historic Resources concurs with the following findings of the Virginia Department of Transportation (VDOT) regarding Alternative A of the HRCS:

- The following assessments of the potential effects of the project on the twenty architectural, battlefield, and trail historic properties within the Area of Potential Effects for Alternative A

DHR Inventory No.	Resource Name	VDOT Effects Assessment
114-5600	Hampton Coliseum	No Effect
114-0155	Elmerton Cemetery	No Effect
114-0118	Pasture Point Historic District	Conditioned No Adverse Effect
114-0006	Hampton Institute Historic District	Conditioned No Adverse Effect
114-0148	Hampton National Cemetery	Conditioned No Adverse Effect
114-0101	Hampton Veterans Affairs Medical Center Historic District	No Effect
114-5002	Phoebus-Mill Creek Terrace Neighborhood Historic District	Conditioned No Adverse Effect
114-0002	Fort Monroe	No Effect
114-0114	Chamberlain Hotel	No Effect
114-0021	Old Point Comfort Lighthouse	No Effect
114-0041	Fort Wool	No Effect
114-5471	Battle of Hampton Roads	No Adverse Effect
122-5426	Battle of Sewell's Point	No Adverse Effect
None	Captain John Smith Chesapeake National Historic Trail	No Adverse Effect
None	Washington-Rochambeau Revolutionary Route National Historic Trail	No Adverse Effect
122-0410	Norfolk Naval Base Historic District	Conditioned No Adverse Effect
122-5930	Willoughby Elementary School	No Effect
122-0954	Ocean View Elementary School	No Effect
122-5434	Merrimack Landing Apartment Complex/Merrimack Park Historic District	No Effect
122-0531	Forest Lawn Cemetery	No Effect

- Any archaeological sites located within the direct effects APE for Alternative A likely would be potentially important chiefly for the information they may contain (which can be retrieved through data recovery) and have minimal value for preservation in place.

for Julie V. Langan, Director
Virginia Department of Historic Resources
Virginia State Historic Preservation Officer

29 Dec 16
Date

2015-0783

Figure 1: Four HRCS Build Alternatives Examined in the Draft SEIS.

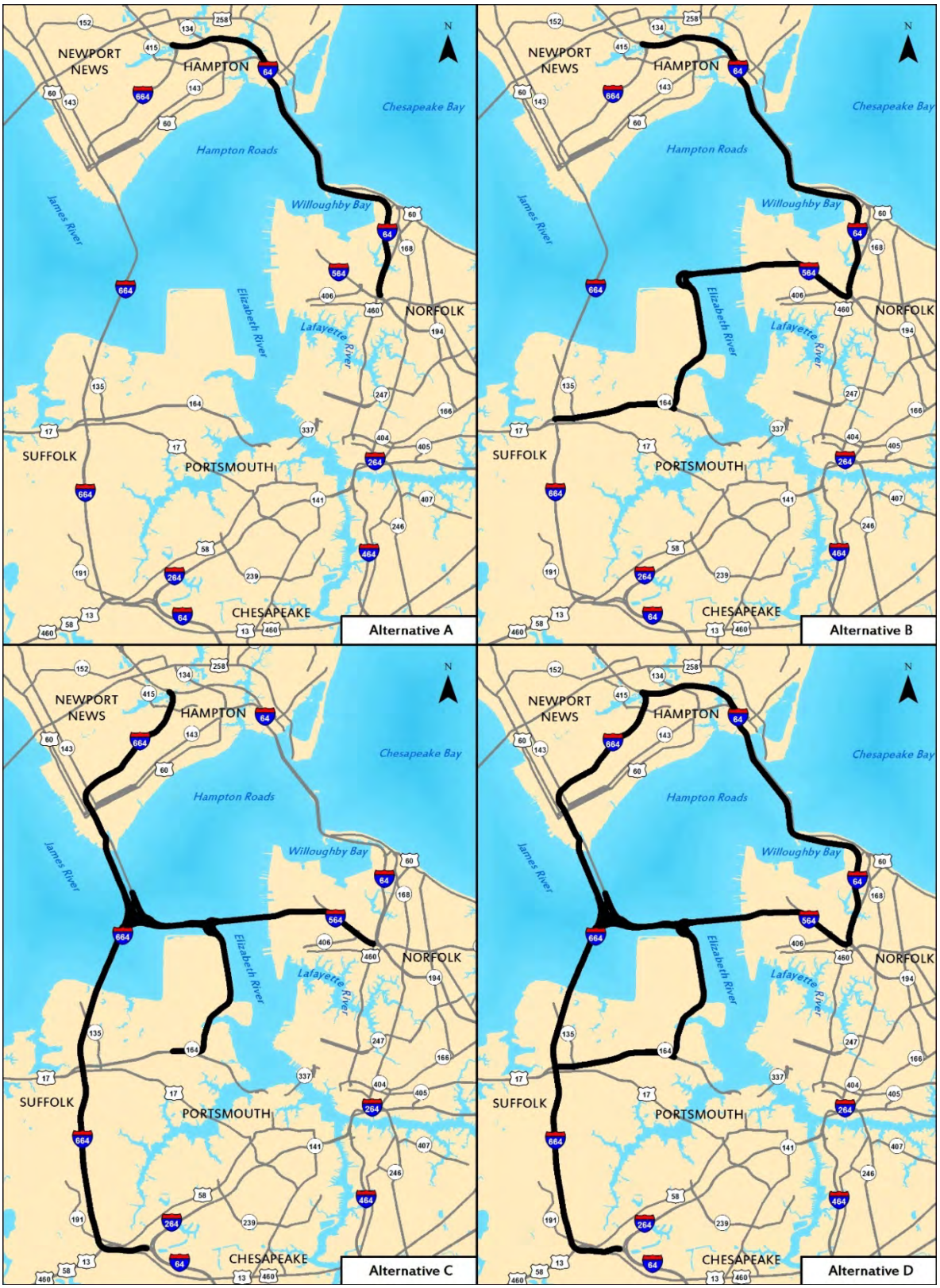


Figure 2: Alternative A Lane Configurations.

Figure 3a. Original APE for direct effects (pink), the narrower LOD which presently defines the direct effects APE (yellow), and the indirect APE (blue) for Alternative A, Hampton. Changes to the LOD made recently to remove any direct impacts to property owned by Hampton University at the Hampton Institute Historic District and at Strawberry Banks are not reflected in this rendering.

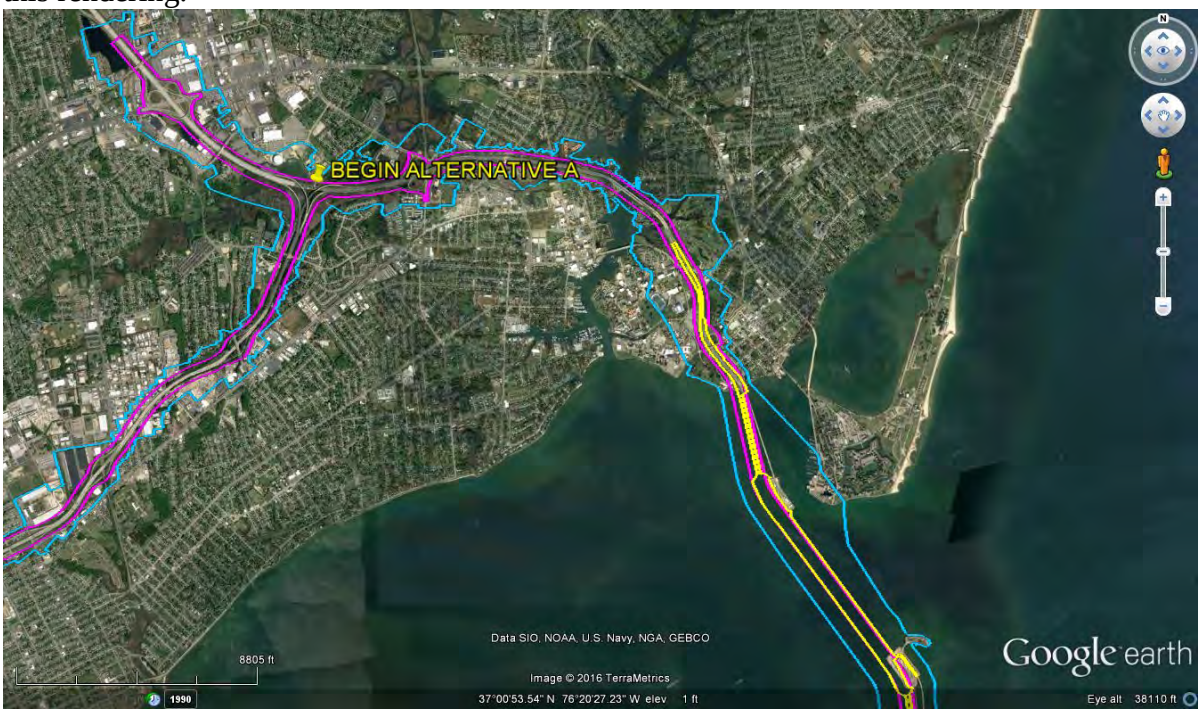


Figure 3b. Original APE for direct effects, the narrower LOD which presently defines the direct effects APE, and the indirect APE for Alternative A, Norfolk.

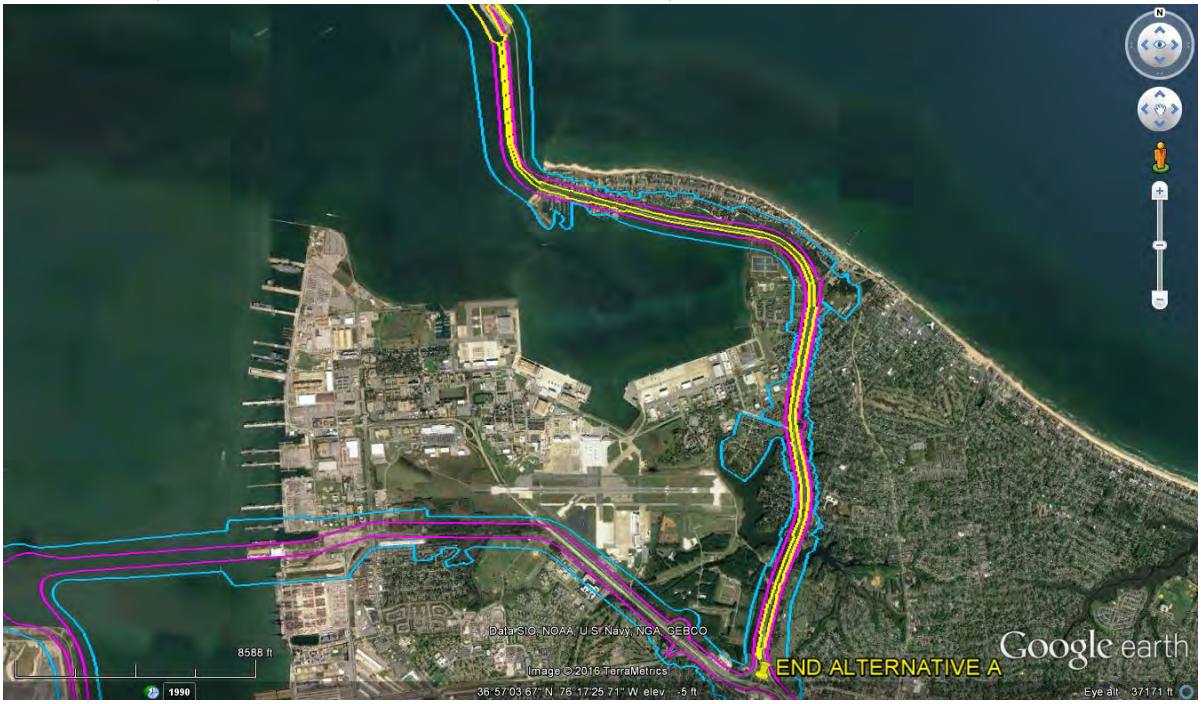


Figure 4. Locations of Hampton Coliseum, Elmerton Cemetery, and Pasture Point Historic District in relation to I-64, Hampton.

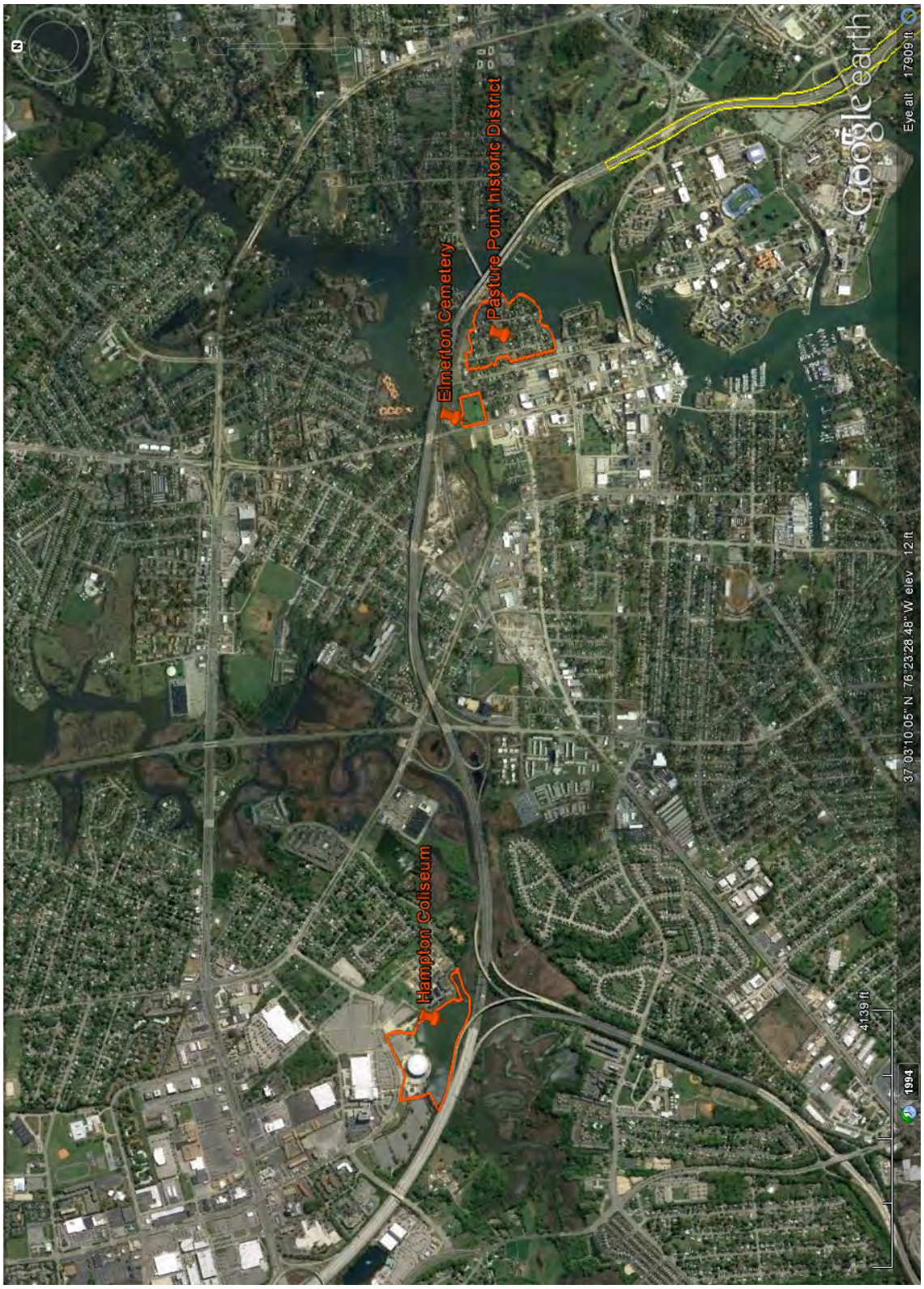


Figure 5. Views within the Pasture Point Historic District depicted in the modeled visualizations of a noise barrier that is proposed to run along the south side of I-64 north of the district.

Figure 6a. View looking north-northwest along Washington Street within the Pasture Point Historic District toward I-64. Tractor trailer shown traveling west on I-64.

Figure 6b. Same view as 6a with proposed sound wall modeled.

Figure 7a. View looking north-northwest from Poplar Avenue within the Pasture Point Historic District toward I-64. Tractor trailer shown traveling east on I-64.

Figure 7b. Same view as 7a with proposed sound wall modeled.

Figure 8a. View looking eastward from the intersection of Marshall Street and Elm Avenue within the Pasture Point Historic District toward I-64. Tractor trailer shown traveling on I-64.

Figure 8b. Same view as 8a with proposed sound wall modeled.

Figure 9a. View along East Pembroke Avenue within Pasture Point Historic District looking eastward toward I-64. Tractor trailer shown traveling east on I-64.

Figure 9b. Same view as 9a with proposed sound wall modeled.

Figure 10a. View looking north-northwest along River Street within the Pasture Point Historic District toward I-64. Tractor trailer shown traveling east on I-64.

Figure 10b. Same view as 10a with proposed sound wall modeled.

Figure 11a. View looking north-northwest from intersection of East Pembroke Avenue and Marshall Street within the Pasture Point Historic District toward I-64.

Figure 11b. Same view as 7a with proposed sound wall modeled.

Figure 12. Location of Hampton Institute Historic District in relation to I-64, Hampton.

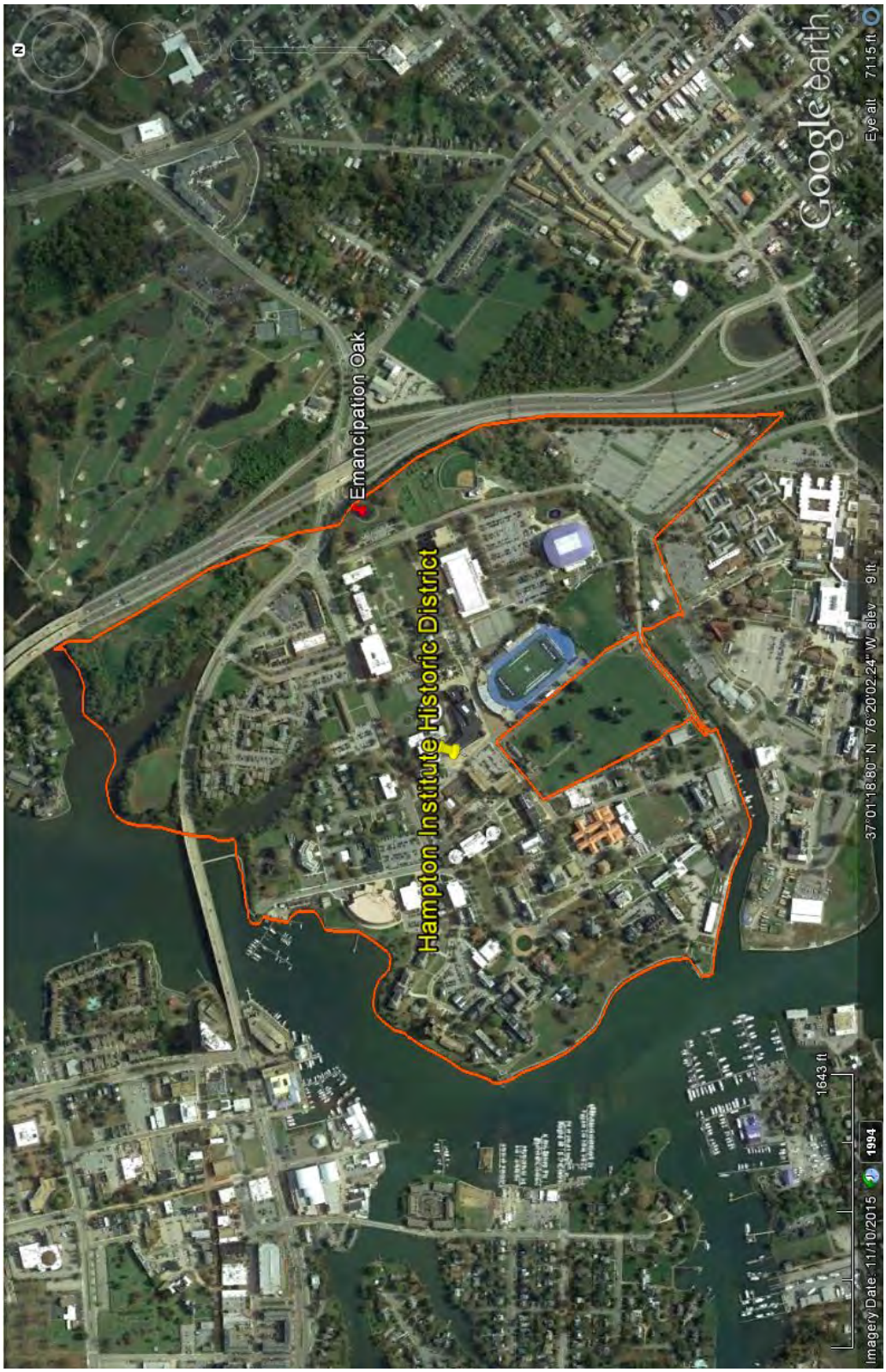


Figure 13: Alternative A LOD revised and minimized since the publication of the Draft SEIS to avoid any encroachment on the historic property boundaries of Hampton Institute Historic District. VDOT has assumed the 1969 historic property boundary coincides with the 1957 VDOT right of way line. The historic property boundary as mapped in the DHR's V-CRIS is shown in orange.

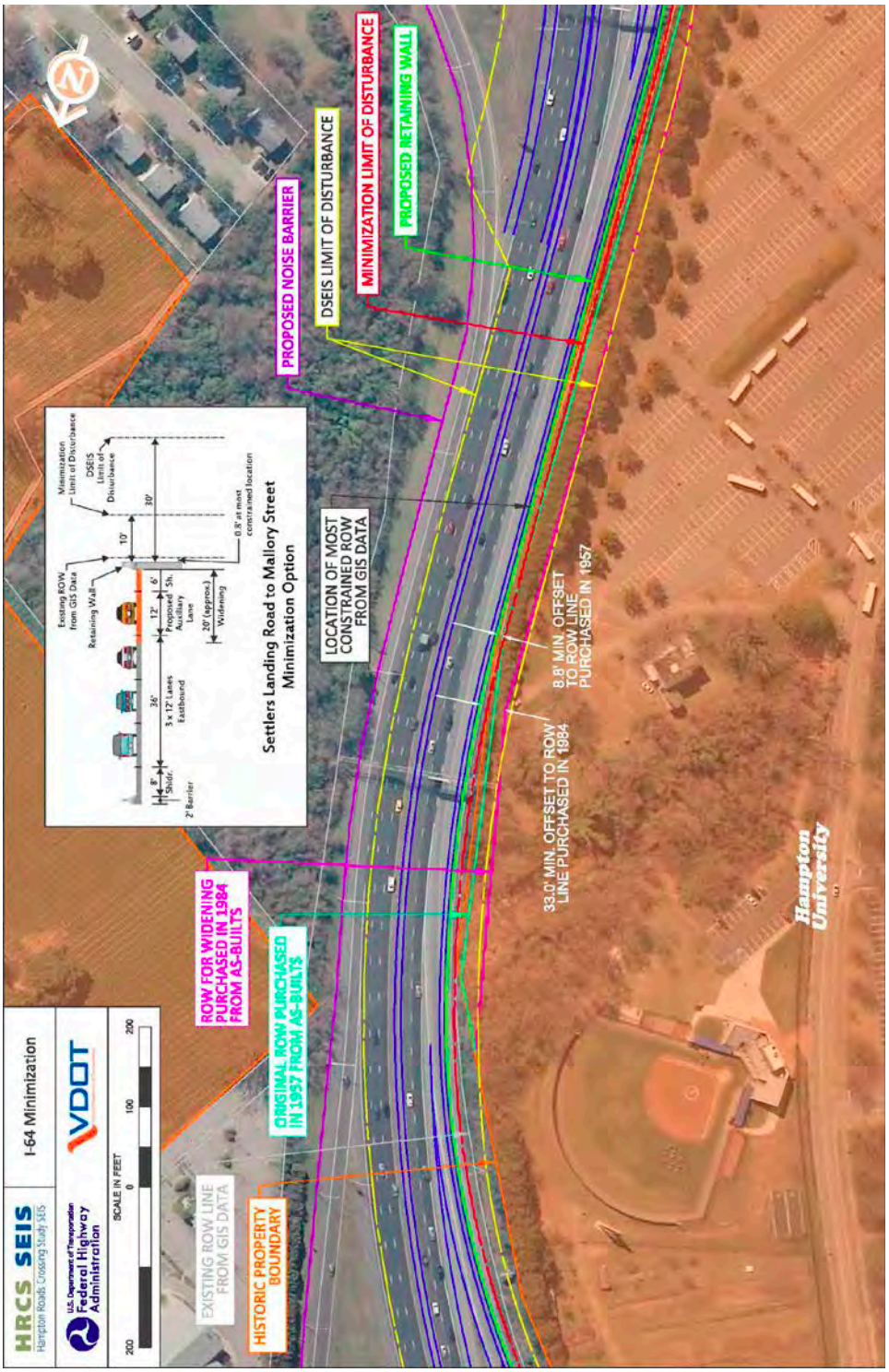
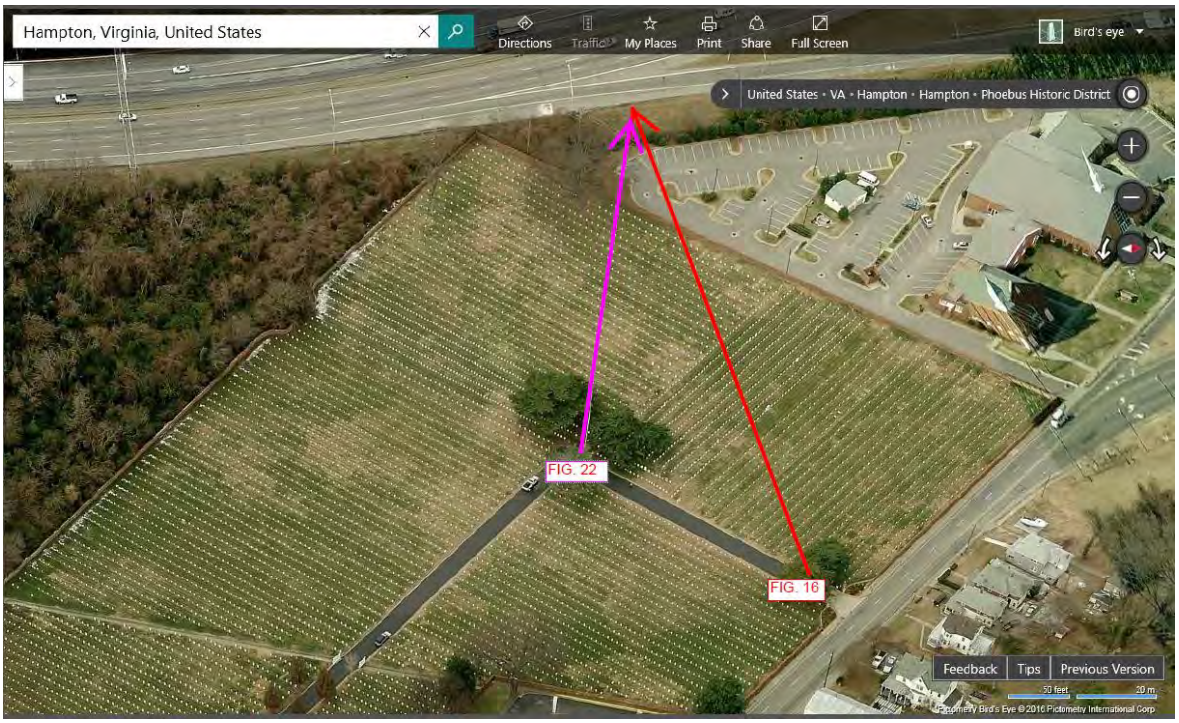


Figure 14: Locations of Hampton National Cemetery, Veterans Affairs Medical Center Historic District, and Phoebus Historic District in relation to I-64, Hampton.

Figure 15. Views within Hampton National Cemetery, Phoebus Section, depicted in the modeled visualizations of a noise barrier that is proposed to run along the westbound lane of I-64.



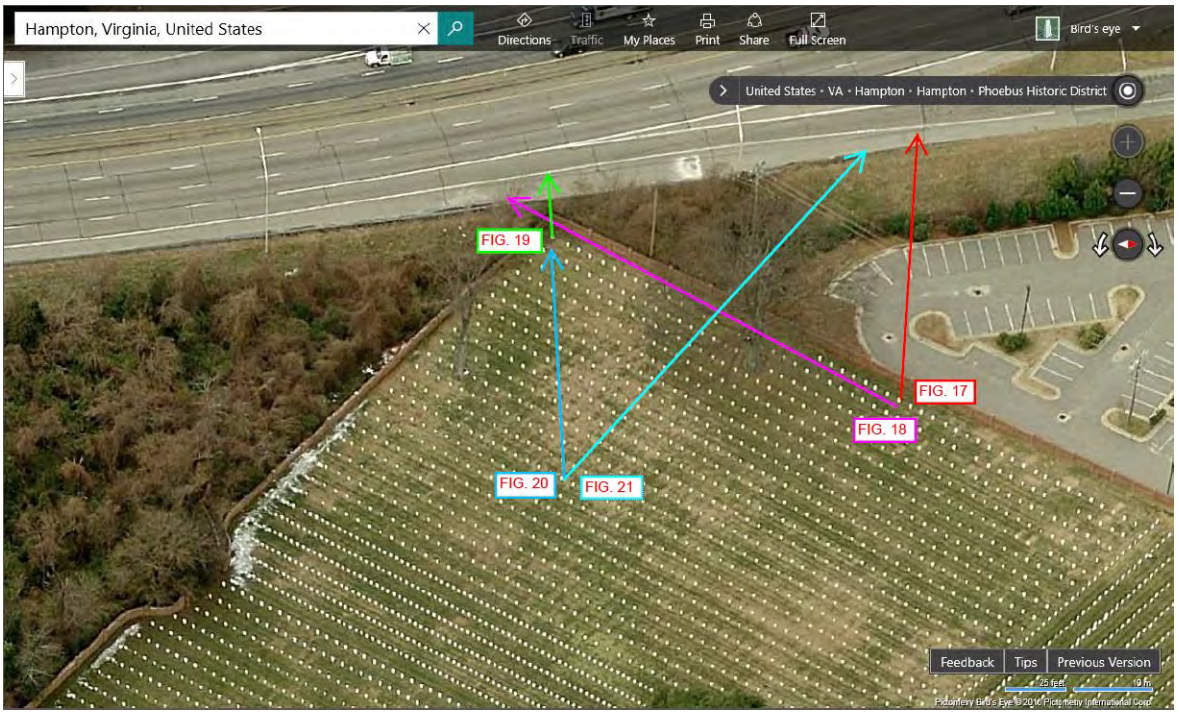


Figure 16a. View from within Hampton National Cemetery, Phoebus Section, looking toward I-64.

Figure 16b. Same view as 16a with proposed sound wall modeled.

Figure 17a. View from within Hampton National Cemetery, Phoebus Section, looking toward I-64 with tractor trailer in eastbound lane.

Figure 17b. Same view as 17a with proposed sound wall modeled.

Figure 18a. View from within Hampton National Cemetery, Phoebus Section, looking toward I-64 with tractor trailer in westbound lane.

Figure 18b. Same view as 18a with proposed sound wall modeled.

Figure 19a. View from within Hampton National Cemetery, Phoebus Section, looking toward I-64.

Figure 19b. Same view as 19a with proposed sound wall modeled.

Figure 20a. View from within Hampton National Cemetery, Phoebus Section, looking toward I-64 with tractor trailer in eastbound lane.

Figure 20b. Same view as 20a with proposed sound wall modeled.

Figure 21a. View from within Hampton National Cemetery, Phoebus Section, looking toward I-64.

Figure 21b. Same view as 21a with proposed sound wall modeled.

Figure 22a. View from within Hampton National Cemetery, Phoebus Section, looking toward I-64 with Coca Cola truck in westbound lane.

Figure 22b. Same view as 22a with proposed sound wall modeled.

Figure 23. The LOD for Alternative A (yellow) at the Phoebus Historic District (historic property boundary in red) with non-contributing parcels and structures within the district shaded in green.

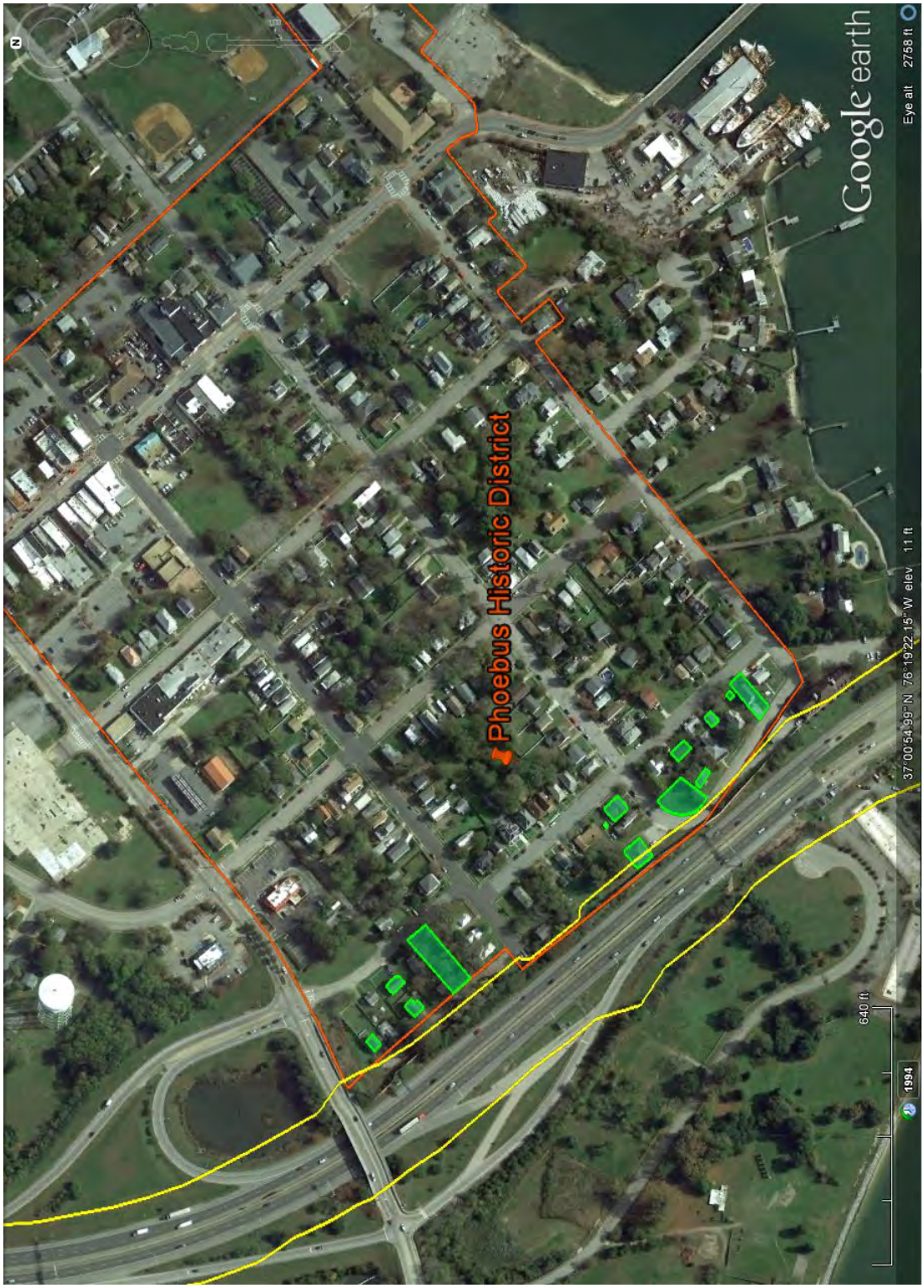


Figure 24. The locations of Fort Monroe, Old Point Comfort Lighthouse, the Chamberlain Hotel, and Fort Wool in relation to I-64 and the HRBT. The LOD depicted (yellow) is as shown in the Draft SEIS. In order to address the Secretary of Transportation's directive to avoid any acquisition of Hampton University property at Strawberry Banks, it is now unknown whether adding capacity to the HRBT crossing will be accomplished by building on the west side of and in close proximity to the existing HRBT infrastructure (as shown) or building between the existing HRBT infrastructure.

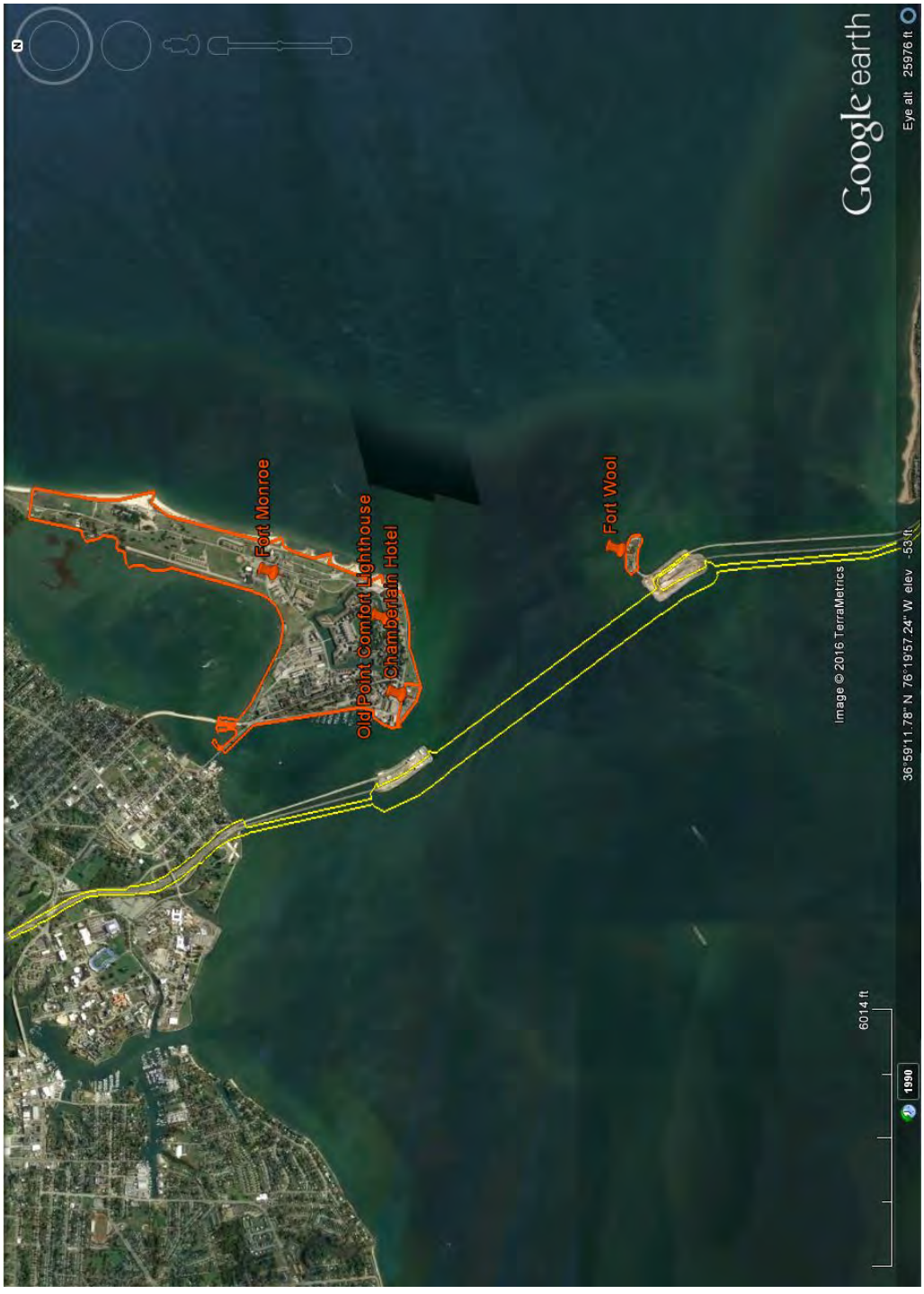


Figure 25. Historic property boundaries for the Battle of Hampton Roads and the Battle of Sewell's Point in relation to I-64 and the HRBT. The LOD depicted (yellow) is as shown in the Draft SEIS. In order to address the Secretary of Transportation's directive to avoid any acquisition of Hampton University property at Strawberry Banks, it is now unknown whether adding capacity to the HRBT crossing will be accomplished by building on the west side of and in close proximity to the existing HRBT infrastructure (as shown) or building between the existing HRBT infrastructure.

Figure 26. The locations of Norfolk Naval Base Historic District, Willoughby Elementary School, Ocean View Elementary School, Merrimack Landing Historic District, and Forest Lawn Cemetery in relation to I-64, Norfolk, and the LOD (yellow) for Alternative A.

COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Aubrey L. Layne, Jr.
Chairman

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

November 18, 2016

Dr. William R. Harvey
President
Hampton University
Hampton, Virginia 23868

Dear Dr. Harvey,

Thank you for your letter of November 17, 2016 regarding the expansion of I-64 and the Hampton Roads Bridge Tunnel. I recognize the importance of Hampton University, its history and its future growth. I also understand the importance of avoiding acquisition of property at Hampton University for the widening of Interstate 64. To that end, I have discussed this situation with Commissioner of VDOT, Charlie Kilpatrick. I have asked him to direct his team to further refine the construction limits to avoid any permanent acquisition of university property. To ensure these commitments can be memorialized beyond this administration, we are taking the following steps:

1) The location decision resolution that will be presented to the Commonwealth Transportation Board on December 7, 2016 will include a provision that states there will be no permanent acquisition of property form Hampton University.

2) This commitment will also be incorporated in the final environmental document and submitted to Federal Highway for inclusion in their Record of Decision. We anticipate this decision in the summer of 2017.

3) While we will attempt to have no impacts, there may be instances where we need temporary access to University property. To that end, I have directed Commissioner Kilpatrick to work with Hampton University officials to prepare a mutually agreeable memorandum that would outline the terms should temporary access be necessary. I have directed this memorandum be executed by June 30, 2017.

While it is important to expand the Hampton Roads Bridge Tunnel, it is hoped that these provisions will provide Hampton University a level of comfort that their property will not be directly impacted or accessed without its permission.

Sincerely

Aubrey L. Layne, Jr.
Secretary of Transportation

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

November 14, 2016

Mr. Gregory Steele
Chief, Water Resources Division
U.S. Army Corps of Engineers, Norfolk District
803 Front Street
Norfolk, VA 23510

Re: Hampton Roads Crossing Study Supplemental Environmental Impact Statement
Project: 0064-965-081, P101; UPC#106724

Dear Mr. Steele:

On September 27, 2016 the Virginia Department of Transportation (VDOT) recommended to the U.S. Army Corps of Engineers (USACE) a preferred alternative for the Hampton Roads Crossing Study Supplemental Environmental Impact Statement (HRCS SEIS). Per the Coordination Plan for the study, VDOT recommended Alternative B be considered relative to the preliminary Least Environmentally Damaging Practicable Alternative (LEDPA). Following considerations of both the USACE letter of October 13, 2016 and subsequent actions described herein, VDOT is updating the recommendation for a preferred alternative. This letter documents VDOT's recommendation that Alternative A be considered the preferred alternative for the HRCS SEIS, seeks USACE's concurrence relative to preliminary LEDPA, and responds to questions raised in the USACE letter of October 13, 2016.

On October 20, 2016, the Hampton Roads Transportation Planning Organization (HRTPO) and Hampton Roads Transportation Accountability Commission (HRTAC) boards voted unanimously to endorse Alternative A from the HRCS SEIS as their preferred alternative. The two boards refer to the alternative as "Alternative A Modified", as their actions also commit to funding and constructing a series of other projects already documented in the region's Long Range Transportation Plan (LRTP). These other projects would take place outside of the HRCS SEIS through independent studies, permits, and construction activities. Therefore, for purposes of the HRCS SEIS the actions of these boards to endorse "Alternative A Modified" means they are supporting the selection of Alternative A.

The HRTPO's action is important. First, it informs the Commonwealth Transportation Board's (CTB) identification of a preferred alternative for the HRCS SEIS, which is expected to occur in December 2016. It also provides guidance to VDOT and the Federal Highway Administration (FHWA) as to which alternative/projects can complete the National Environmental Policy Act (NEPA) process. FHWA will

only issue a Record of Decision (ROD) to complete the NEPA process for alternatives, or operationally independent sections of alternatives, that are fully funded for construction in the region's LRTP. HRTPO's action makes clear that Alternative A is the only alternative identified in the HRCS SEIS that can receive a ROD from FHWA. The HRTPO's decision was supported by a similar decision by the HRTAC, which has set aside funding in the HRTPO LRTP for a preferred alternative from the HRCS SEIS. The funding (currently shown as $4.8 billion) is sufficient to demonstrate full funding for the construction of Alternative A without jeopardizing funding for the region's other priority projects.

In its October action, HRTPO also set aside funding to continue to study the crossing of the Elizabeth River and improvements to other study area corridors considered in the HRCS SEIS (e.g. I-664, I-564 and VA-164). Given the uncertainty of how USACE and the U.S. Navy would prefer a proposed crossing to interact with the Craney Island Dredged Material Management Area (CIDMMA) and the funding limitations discussed above, these future decisions will be the subject of separate studies and projects.

The focus by VDOT and regional leaders on Alternative A or Alternative B is informed by the USACE letter of September 19, 2016 which stated, "*If Alternatives A and B also meet the project purpose and need, have less adverse impacts on the aquatic ecosystem, and do not significantly impact other natural ecosystems, then USACE may determine that it can only permit one of these less damaging options as the LEDPA.*" Based on this statement and recent developments described above, VDOT is now recommending that Alternative A be identified as the preferred alternative. Per the Coordination Plan for the HRCS SEIS, we have scheduled a meeting to provide the federal agencies the opportunity to concur on this recommendation. Given this change in course since our previous correspondence and the limited wetland impacts and associated Section 408 concerns associated with Alternative A, VDOT also would request USACE concurrence and/or comment that Alternative A can be considered the preliminary LEDPA.

We also provide responses to the statements and questions you raised in your October 13, 2016 letter. The sections below correspond to the lettered sections in that letter:

a. **Accommodate travel demand**: As documented in the HRCS SEIS, improvements along the I-64/HRBT corridor have been confined largely to existing right of way to avoid unacceptable levels of impact to historic properties and other resources to the greatest extent practicable. Given this constraint, Alternative A provides similar capacity improvements along the I-64/HRBT corridor as Alternative B. The original purpose of the HRCS, as identified in 1991, was to relieve congestion along the I-64/HRBT corridor. Relative to this corridor, Alternative A meets this element of the Purpose and Need. VDOT's original recommendation of Alternative B was meant to satisfy the overall purpose statement, included in the HRCS SEIS to support future USACE permit considerations under Section 404(b)(1), which sought to provide similar improvements to the other study area corridors. As stated above, consideration of the needs of these other study area corridors will now be documented under separate study.

b. **Improve transit access**: Similar to travel demand, Alternative A would improve transit access between the cities of Hampton and Norfolk along the I-64/HRBT corridor. As noted in the Draft SEIS, if a managed lane scenario is implemented in the future, such as high occupancy vehicle

(HOV) or high-occupancy toll lane (HOT) lanes, transit access would be further improved. In its action on October 20, 2016, the HRTPO board indicated a preference for some type of managed lane scenario to benefit transit. The alternative does not improve transit access across the other study area corridors, as the purpose statement sought to do. As stated above, consideration of the needs of the other study area corridors will now be documented under separate study.

c. **Increase regional accessibility**: USACE asked for clarity on the region this element was meant to address. Based on previous discussion, VDOT understands that the purpose statement USACE helped develop was intended to seek improvements on all study area corridors and therefore constitutes the region under consideration. This led VDOT to recommend Alternative B as a means of improving access to existing and proposed corridors in a portion of this region while balancing the cost and environmental impacts of alternatives that addressed the balance of the corridors in the identified region. As noted in your letter, Alternative A improves regional access along the main crossing of Hampton Roads between the cities of Hampton and Norfolk. Considering costs, impacts, and the ability to advance the alternative (i.e.; funding, Section 408 issues), Alternative A sufficiently addresses regional accessibility.

d. **Address geometric deficiencies**: We agree that most of the geometric deficiencies identified along the HRCS SEIS study area corridors occur along the I-64/HRBT corridor. Alternative A, therefore, addresses these needs.

e. **Improve military connectivity**: During Cooperating Agency meetings in support of the development of the Draft SEIS, the Navy stated that Alternative A would not meet this need element. Alternative A does, however, provide additional capacity along the Strategic Highway Network (STRAHNET) for the military. Given the previously discussed unknowns about how future road corridors interact with the area surrounding CIDMMA, significant additional study by USACE, Navy, and VDOT/FHWA is required to understand how to address access, security concerns, and Section 408 issues. As you know, our agencies continue to meet to discuss these issues to determine how improvements to military connectivity will be considered under future study.

f. **Enhance emergency evacuation**: USACE asked for clarity on the region this element was meant to address. As stated above the study's purpose statement points to all study area corridors and comprises the region under consideration. VDOT recommended Alternative B as a means of improving emergency evacuation across a portion of the study area corridors, while considering cost and environmental impacts. As noted in your letter, Alternative A improves evacuation along the main crossing of Hampton Roads between the Southside and the Peninsula. As stated above, consideration of the needs of the other study area corridors will now be documented under separate study and Alternative A is considered to sufficiently meet this element of need.

g. **Increase access to port facilities**: As you know, during Participating Agency meetings in support of the development of the Draft SEIS, the Port of Virginia stated Alternative A did not meet this need element. Alternative A does improve capacity along a major route leading from Hampton

Roads Southside to the Peninsula. Like other need elements, the uncertainty surrounding access around CIDMMA makes it difficult to fully resolve access to port facilities at this time. Given the previously discussed unknowns about how future road corridors interact with the area surrounding CIDMMA, significant additional study by USACE, Navy, the Port of Virginia, and VDOT/FHWA is required to understand how to address access, security concerns, and Section 408 issues. Our agencies continue to meet to discuss these issues to determine how access to port facilities will be considered under future study.

The data you present in your letter regarding travel time improvements under Alternative A is accurate. Travel time, however, is not included in the Purpose and Need for the HRCS SEIS and therefore was not given the same weight as meeting the study's need elements in VDOT's recommendation.

Thank you again for your agency's active and supportive role in the HRCS SEIS. We look forward to your upcoming participating in concurring on a recommended preferred alternative and response to our request for concurrence/comment relative to preliminary LEDPA.

Sincerely,

Angel N. Deem
Environmental Division Director

cc: Jim Utterback, VDOT Hampton Roads District Administrator
Ed Sundra, Federal Highway Administration
George Janek, U.S. Army Corps of Engineers
Hal Pitts, U.S. Coast Guard
Barb Okorn, U.S. Environmental Protection Agency
Ryan Long, Federal Transit Administration
Lynn Allsbrook, City of Hampton
Dave O'Brien, National Marine Fisheries Service
Rhonda Murray, U.S. Navy
Bryan Stilley, City of Newport News
Ron Williams, City of Norfolk
James Wright, City of Portsmouth
Brian Solis, City of Virginia Beach

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

November 9, 2016

Ms. Julie V. Langan, Director
ATTN: Mr. Marc Holma
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Route Number: I-64, I-664, I-564
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783
City/County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk
Project Description: Hampton Roads Crossing Study, Supplemental Environmental Impact Statement

Dear Ms. Langan:

This is to follow up on my email of August 11, 2016, sent to you and other consulting parties to the Section 106 process for the Hampton Roads Crossing Study (HRCS). In that email I shared a link to revised versions of technical reports originally coordinated with you via letter on April 1, 2016: *Architectural Survey: Management Summary, HRCS SEIS* and *Archaeological Assessment, HRCS SEIS*, both prepared by Stantec Consulting Services, Inc. (Stantec), a subcontractor to the Virginia Department of Transportation's (VDOT) consultant Rummel Klepper and Kahl, LLP, and posted on the HRCS project website.

The original architectural survey report documented the Phase I field survey VDOT conducted to identify all "architectural" (i.e., non-archaeological) historic properties that would be 50 or more years of age as of 2026 located within the direct and indirect Areas of Potential Effects (APE) for the four build alternatives examined in the Draft Supplemental Environmental Impact Statement (Draft SEIS) for the HRCS. These included resources already listed on the National Register of Historic Places (NRHP), previously determined by your department to be eligible for listing, or, in VDOT's opinion, resources potentially eligible for listing. The original archaeological assessment report reviewed the geographic coverage and findings of previous archaeological

studies of the direct effects APEs of the four build alternatives, along with present land use conditions, to determine where archaeological investigations would still need to be conducted for completing efforts to identify any significant archaeological sites that might be affected by the HRCS project. The revisions to the original reports were prepared to reflect slight shifts VDOT made to the alignments of some of the build alternatives in the time since the original reports were prepared. Although the revised reports have been available on the HRCS public website since early August, I am enclosing for your department's use two paper copies and one copy in PDF format of each report. One copy of each report in PDF format is also being provided to each of the other consulting parties.

Listed below are the substantive differences between the revised reports and the original reports:

Architectural Survey: Management Summary, HRCS

- Map No. Appendix C-8: Shift westward in the alignment of Alternatives B, C, and D in the vicinity of the Craney Island Fuel Depot.

- Map No. Appendix C-9: Modification to the direct effects APEs associated with Alternatives B, C, and D along the Western Freeway (Rt. 164) west of Coast Guard Boulevard. As a result of this change, 19 resources in Portsmouth that have previously been recorded and determined by your department within the past five years as not eligible for the National Register of Historic Places are now included in the survey and listed in Table B-4.

- Map No. Appendix C-12: Direct Effects APE decreased in size along Alternatives C and D in Newport News along I-664 in vicinity of 29-38th streets. Commensurate decrease in the indirect effects APE.

- Map No. Appendix D-11: Revised mapping for DHR Inventory No. 124-5238, a cemetery located in the City of Portsmouth.

- Table C-8, Map C-14, Alternatives C and D: One resource overlooked in the original survey was added to the survey. The original 1987 survey data for the Nansemond Ordnance Depot Historic District (also known as the Tidewater Community College Historic District) (DHR Inventory No. 133-5038) was updated and expanded by Stantec for the HRCS project. VDOT concurs with the recommendation of our consultant that the non-archaeological aspects of the property are not eligible for the National Register of Historic Places. We have enclosed with this letter two paper and one PDF copy of a short survey report on the resource, a copy of the updated V-CRIS form, and photographic documentation of the resource. PDF copies of this documentation are also being provided to the other Section 106 consulting parties on this project.

Archaeological Assessment, HRCS SEIS

- Page 54, first full paragraph, and Figure 7: Shift westward in the alignment of Alternatives B, C, and D in the vicinity of the Craney Island Fuel Depot. As a result of

this shift, now not all of the APE in this area has been surveyed for archaeological resources at the Phase I level. Figure 7 shows areas that, consequently, are now recommended for archaeological survey, even though this section of the alignment is located primarily in Udorthents-Dumps and within a known landfill.

- Page 55, 3rd full paragraph, Figure 7: The direct effects APE has been reduced on the west side of the I-664/Route 17 (Bridge Road interchange) on Alternatives B, C, and D. Consequently, it is no longer recommended that additional archaeological survey is needed in the vicinity of site 44SK0194.

- Page 55, Paragraph 5.1.5, Figure 4: Because of shifts in the alignments or an increase in size of the direct effects APE to accommodate the proposed Limits of Disturbance, Phase I underwater survey now is recommended for the overwater portions of Alternatives C and D from the shoreline in Newport News southeast for a distance of approximately 0.54 mile and near the overwater interchange with the Monitor-Merrimac Memorial Bridge-Tunnel where the APE for direct effects has extended beyond the area covered by previous underwater investigations conducted in 1998.

The VDOT invites your department to concur with the new or revised recommendations presented in these reports by completing the signature block below.

Another purpose of my email of August 11, 2016, was to notify consulting parties of the availability of the HRCS Draft SEIS for public review. Public hearings on the Draft SEIS were held September 7 in Hampton and September 8 in Norfolk. In response to the Draft SEIS VDOT received comments on the project's potential effects on historic properties from eight parties, including your own department. I have enclosed those comments for your review and review by other consulting parties to the Section 106 process.

Thank you for your assistance. If you or other consulting parties have any questions or further comments about the HRCS, please don't hesitate to contact me by email at me.hodges@vdot.virginia.gov or by phone at 804-786-5368.

Sincerely,

Mary Ellen N. Hodges

Mary Ellen N. Hodges
Environmental Specialist II
Enclosures

c. Mr. Ed Sundra, FHWA
Mr. Scott Smizik, VDOT Locations Study Manager
Ms. Britta Ayers, City of Newport News
Mr. Scott Mills, City of Suffolk
Ms. Mae Breckenridge-Haywood, African American Historical Society of Portsmouth
Mr. Patrick R. Jennings, American Battlefield Protection Program

Ms. Martha F. Morris, Buckroe Historical Society
Mr. Mark Perreault, Citizens for a Fort Monroe National Park
Mr. J. Brewer Moore
Mr. Matt Jagunic, National Park Service, Chesapeake Bay Office
Ms. Peggy McPhillips, Norfolk Historical Society
Mr. Carter B. S. Furr, Norfolk Preservation Alliance
Mr. James R. Turner, Partnership for a New Phoebus, Inc.
Mr. John Haynes, U.S. Army Corps of Engineers
Captain Brenda Kerr, U.S. Coast Guard Base, Portsmouth
Mr. Rob Reali, Army Caretaker, Fort Monroe
Mr. W. Keith Cannady, City of Hampton, Community Development Department
Mr. Josh Gillespie, Fort Monroe Authority (copy to Samantha Henderson)
Dr. Bill Thomas, Hampton Institute (copy to Ms. Shontia Faulkner)
Mr. Terry E. Brown, Fort Monroe National Monument
Mr. Clyde Cristman, Virginia Department of Conservation and Recreation (Fort Wool)
Ms. Luci Talbot Cochran, Hampton History Museum
Mr. Hunter D. Smith, Smith/Packett (The Chamberlin) (c/o Justin Newman)
Mr. Glenn Madderom, U. S. Department of Veterans Affairs (copy to Ms. Caitlin Cunningham)
Ms. Heather Robbins, NAVFAC
Mr. Chuck Poland, Society of the War of 1812 in Virginia

HAMPTON ROADS CROSSING STUDY
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783

The Department of Historic Resources (DHR) concurs with the following findings of the Virginia Department of Transportation (VDOT):

- The non-archaeological aspects of the Nansemond Ordnance Depot Historic District (also known as the Tidewater Community College Historic District) (DHR Inventory No. 133-5038) are not eligible for the National Register of Historic Places; and

- VDOT's findings that survey within the areas described in Section 5.1 of the report, *Archaeological Assessment, HRCS SEIS*, revised July 2016, and prepared by Stantec for VDOT, would be sufficient for completing efforts to identify, at the Phase I level, all archaeological sites within the HRCS direct effects Area of Potential Effects (APE) that may be eligible for the NRHP.

Julie V. Langan, Director
Virginia Department of Historic Resources
Virginia State Historic Preservation Officer

29 Dec 16
Date

2015-0783

the heartbeat of HAMPTON ROADS TPO
TRANSPORTATION PLANNING ORGANIZATION

Linda T. Johnson, Chair, Thomas G. Shepperd, Jr., Vice Chair
Robert A. Crum, Jr., Executive Director

October 28, 2016

The Honorable Aubrey L. Layne, Jr.
Virginia Secretary of Transportation
1111 E. Broad Street
Richmond, Virginia 23219

Re: Hampton Roads Transportation Planning Organization (HRTPO) Recommended Preferred Alternative – Hampton Roads Crossing Study (HRCS) Draft Supplemental Environmental Impact Statement (SEIS)

Dear Secretary Layne:

I am pleased to inform you that on October 20, 2016, the HRTPO Board took action to select and recommend its Preferred Alternative for the HRCS to the Commonwealth Transportation Board (CTB). Acting on a motion by Virginia Delegate David Yancey, the HRTPO Board voted unanimously to submit a modified version of Alternative A (Alt A Modified) as the Preferred Alternative of the HRTPO.

As you know, Alternative A involves widening I-64 to six lanes from the I-664 interchange in Hampton to the I-564 interchange in Norfolk, including the Hampton Roads Bridge-Tunnel (HRBT). This improved corridor will provide the opportunity for delivery of an HOV-3 lane in each direction that could accommodate transit, including Bus Rapid Transit. Alt A Modified also includes improvement of the I-64/I-264/I-664 interchange at Bowers Hill. In addition, the HRTPO Board approved the construction of other important regional projects according to the timeline provided in the attached Table.

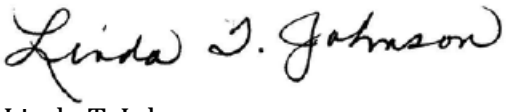
Furthermore, the HRTPO Board agreed that Alternative D of the HRCS-SEIS continues to represent the long term vision of the region. The Board has directed components of the SEIS alternatives not included in Alt A Modified to be incorporated into the Hampton Roads 2040 Regional Transportation Vision Plan. Upon recommendation of the HRTPO Board, the Hampton Roads Transportation Accountability Commission (HRTAC) later passed a resolution allocating up to $7 million to be applied toward the cost of further study of those components – specifically the I-564/I664 Connectors, I-664/MMMBT, and VA 164/164 Connector.

The HRTPO appreciates this opportunity to submit the HRTPO's recommendation for consideration as the Commonwealth Transportation Board selects its Preferred Alternative on December 7, 2016. As Chair of the HRTPO, I am very pleased that our region was able to

reach this decision unanimously. We strongly believe this recommended Alternative will ensure economic vitality and a better quality of life for our citizens and visitors.

If you have any questions or would like to discuss this topic further, please do not hesitate to contact me or HRTPO Executive Director, Mr. Bob Crum at 757-420-8300 or by email at rcrum@hrtpo.org.

Sincerely,



Linda T. Johnson
HRTPO Chair

Attachment: Regional Projects: Fiscal-Constraint

MK/CR

Copy: HRTPO Board Members
Mayor William Sessoms, HRTAC Chair
John Malbon, CTB – Hampton Roads Representative
Charles Kilpatrick, VDOT
Jennifer Mitchell, DRPT
Jim Utterback, VDOT
Robert A. Crum, Jr., HRTPO
Kevin Page, HRTAC

Regional Projects: Fiscal-Constraint

YEAR	PROJECT	YOE COST ($M)
2018-2022	I-64 Peninsula – Segments 1, 2, and 3	$624
2019-2021	I-64/I-264 Interchange – Phases I & II	$347
2020	I-64 Southside/High-Rise Bridge – Phase I	$600
2019	US 460/58/13 Connector – PE	$5
2024	HRBT	$4,031
2031	I-64 Southside/High-Rise Bridge – Phase II	$1,493
2031	Bowers Hill Interchange	$568
2035	US 460/58/13 Connector	$368
2035	I-64/Fort Eustis Blvd Interchange	$297
Vision Plan	I-564/I-664 Connectors (Patriots) I-664/MMMBT VA 164/164 Connector	

Attachment

COMMONWEALTH of VIRGINIA

Department of Historic Resources

Molly Joseph Ward
Secretary of Natural Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
www.dhr.virginia.gov

19 September 2016

Ms Mary Ellen Hodges
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

Re: Draft Supplemental Environmental Impact Statement for Hampton Roads Crossing Study
Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach, and Isle of Wight County
DHR File # 2015-0783

Dear Ms Hodges:

The Department of Historic Resources (DHR) has received for our review and comment the draft Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study (HRCS) Final Environmental Impact Statement (FEIS). The SEIS identifies five alternatives under consideration, one of which is a No-Build Alternative while four (Alternatives A, B, C, and D) are Build Alternatives.

While DHR believes that all the Build Alternatives have the potential to impact historic properties listed in or eligible for the National Register of Historic Places, it appears that Alternative A would have the least impacts since it does not constitute any new roadway construction on new alignment as do the other three build alternatives do, and Alternative A is the modest in its scope compared to the other possibilities. This does not mean that Alternative A would not present significant historic preservation challenges. For instance, this alternative proposes to widen I-64 from four travel lanes to six travel lanes near Fort Monroe and Hampton University, both of which are National Historic Landmarks. Additionally, the existing bridge across Hampton Roads, which is immediately adjacent to Fort Wool, a property listed in the National Register of Historic Places, will be widened from four lanes to six lanes.

Please continue to consult with DHR on the development of a preferred alternative for this project.

If you have any questions regarding our comments, please contact me at (804) 482-6090.

Sincerely,

Marc Holma, Architectural Historian
Review and Compliance Division

Eastern Region Office
2801 Kensington Avenue
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

Western Region Office
962 Kime Lane
Salem, VA 24153
Tel: (540) 387-5443
Fax: (540) 387-5446

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033

Smizik, Scott (VDOT)

From: JOANN.HAYSBERT@HAMPTONU.EDU
Sent: Monday, September 19, 2016 3:50 PM
To: HRCSSEIS (VDOT)
Cc: Harvey, William; BILL.THOMAS@HAMPTONU.EDU
Subject: Hampton Roads Public Crossing Public Comment

Dear Mr. Smizik:

On February 12, 2013, Dr. Rodney D. Smith, Vice President for Administrative Services, wrote to express the Hampton University position on the Draft Environmental Impact Statement. Specifically, we were strongly opposed to any project which negatively impacted any University-owned property, including Strawberry Banks and all historical sites related to the life, death, struggles, successes, community and culture of African Americans, both slave and free, who lived, learned, worked, fought, raised families, and died in the Hampton, Virginia area. The reasons related to our opposition are detailed in the February correspondence.

This public comment statement is written to reiterate our opposition to any transportation improvement project offered to date or others recommended in the future, that would desecrate any of the world-renowned historical sites located on the grounds of Hampton University. Please know that of the four alternatives being considered, we are vehemently opposed to Alternative A and B**. However**, we support Alternative C with Alternative D as an option.

We appreciate the opportunity to express the position of Hampton university during this public comment period!

Sincerely,

JoAnn W. Haysbert
Chancellor and Provost
Hampton University
Hampton, Virginia 23668
757-727-5201
joann.haysbert@hamptonu.edu

HAMPTON UNIVERSITY
HAMPTON, VIRGINIA 23668

OFFICE OF THE VICE PRESIDENT FOR
ADMINISTRATIVE SERVICES
(757) 727-5580
FAX (757) 727-5544

February 8, 2013

VIA EMAIL (angel.deem@vdot.va.gov)
AND OVERNIGHT DELIVERY

Ms. Angel Deem, Project Manager
Commonwealth of Virginia
Department of Transportation
1401 East Broad Street
Richmond, VA 23219-2000

Re: Draft Environmental Impact Statement
I-64 Hampton Roads Bridge-Tunnel
Project: 0064-965-004, P101; UPC 99037
Cities of Hampton and Norfolk, Virginia

Dear Ms. Deem:

I am writing on behalf of Hampton University in response to your December 20, 2012 letter regarding the Draft Environmental Impact Statement as referenced above. Hampton University strongly opposes and will vigorously fight all attempts to implement any project which negatively impacts any University-owned property, including Strawberry Banks and all historical sites regarding the life, death, struggles, successes, community and culture of African Americans, both slaves and free, who lived, learned, worked, fought, raised families, and died in the Hampton, Virginia area. The reasons related to our opposition are detailed below.

First of all, the recommended Build-8 Alternative depicts major right-of-way acquisitions on the Hampton University campus at the Settlers Landing Interchange and on the university's property at Strawberry Banks for the Mallory Street Interchange. Both of these encroachments are significant and unacceptable. In the case of both interchanges, we believe if any right-of-way acquisition is required; it should focus on the north side of I-64.

Secondly, Hampton University is deeply disappointed in the manner in which the Virginia Department of Transportation conducted what was referred to as "Public Hearings" on January 23, 2013 (in Norfolk) and January 24, 2013 (in Hampton) and concerned about the fallacious information presented there.

Misleading the Public:

After repeatedly expressing concern to you in your capacity as the Project Director, verbally and in writing, regarding the direction of VDOT Project Number: 0064-965-004, P101; UPC 99037 (the Draft EIS) and the use of inadequate and/or misinformation at both "hearings" you presented data to the public that implied that Hampton University is of considerably less acreage than it actually is (2013). As the Virginia Department of Transportation Project Director, you publicly displayed maps dated January 2013, but deliberately only displayed marked areas that were federally designated as a historic landmark district in 1969 and re-affirmed in 1978. To further mislead the public, bold lettering was printed over this area on the map indicating that even this designation was currently "Pending Review." Justification for the accusation of misleading the public lies in the fact that there were no maps on display at these "public hearings" that indicated the true acreage of the Hampton University property, which includes the historic Emancipation Oak, the property formerly known as Strawberry Banks, among others.

Ms. Deem, you and the entire VDOT project team are very aware that earlier attempts to reduce the historic integrity of Hampton University's 201 Historic Landmark District acres down to 15 were denied by the Keeper of the National Register. The series of most recent events were as follows:

- **In 1969**: The National Register nominated the 201 acre campus. It was approved.
- **July 28, 1976**: Corrine S. Pelligrin, Registrar, Virginia Historic Landmarks Commission sent a letter to Dr. William J. Murtagh, Keeper of the National Register, National Register of Historic Places, indicating that "at its April 20, 1976 meeting of the Virginia Historic Landmarks Commission, the boundaries of the Hampton Institute were reduced .. to 15 acres"; requesting that the same be reflected in the Hampton Institute nomination to the National Register to Historic Places.
- **June, 1977**: William J. Murtagh, Keeper of the National Register, sent a letter to Mr. Tucker Hill, Executive Director, Virginia Historic Landmarks Commission, in which he emphasized the need "to be certain that the historic integrity of Hampton Institute has been identified and preserved..."
- **January, 1978**: In a letter from William J. Murtagh, Keeper of the National Register, to Mr. Tucker Hill, Executive Director, Virginia Historic Landmarks Commission, Dr. Murtagh states "After careful consideration we cannot concur with your request for a revision of the boundaries of Hampton Institute."

- **February 17, 1978**: Mr. Tucker Hill, Executive Director, Virginia Historic Landmarks Commission, sent a letter to Mr. Robert L. Hundley, Environmental Quality Division, Virginia Department of Highways and Transportation. This letter states as follows:

  "Dear Bob:

  Here is the letter which we received in response to our request for a change in the Boundaries of the Hampton Institute register listing. I hope that you realize the lengths to which we have gone to convince the National Register people but apparently to no avail."

Hampton University has copies of documents that verify these transactions. They occurred around the same time that the Virginia Department of Transportation was attempting to acquire additional land from Hampton University along Settlers Landing Road, which was originally University property. The February 17, 1978 document clearly indicates that the Virginia Department of Highways and Transportation (Virginia Department of Transportation) instigated attempts to reduce the historic integrity of the Hampton University Historic Landmark District from 201 acres down to 15 acres in order to satisfy its own needs.

It is also clear that now, in 2013, the Virginia Department of Transportation (VDOT), is once again interested in pursuing its attempt to reduce the historic value of Hampton University and destroy its historic integrity even further by implication of a "Pending Review" and the inclusion of the iconic Emancipation Oak within the proposed Build options in the EIS draft report.

Further Facts:

Thirdly, Hampton University is also very concerned about the I-64 studies for the Hampton Roads Bridge-Tunnel (HRBT) and the impacts to our University. Historically, VDOT has invested considerable time and money to study the Third river Crossing and the Patriot's Crossing to address the anticipated traffic demand between the Southside, the Peninsula, and Suffolk/I-664 corridor. The Third Crossing and/or Patriot's Crossing address this future demand, especially for heavy truck traffic from the terminals in the Cities of Norfolk and Portsmouth. They will also reduce the amount of traffic on I-64 in the area of the HRBT by approximately 15%, according to the studies prepared for those alternatives.

VDOT is now studying the widening of the HRBT and the recommended alternative of eight (8) lanes within the existing right-of-way except near the HRBT. Here the study shows property is proposed to be taken from Hampton University. This project is proposed to meet the future traffic demand of 130,000 vehicles per day (vpd) shown in the *Hampton Roads Planning District Commission, Year 2030 Plan. The VOT Year 2011 average annual daily traffic*

count was 87,000 vpd in this area. This anticipated growth of 49% by the year 2030, assumes all traffic is assigned to the I-64/HRBT corridor while the Third Crossing and/or the Patriot's Crossing are not constructed. This is simply not realistic planning and represents too much traffic for I-64/HRBT.

Historic Emancipation Oak:

Finally, Hampton University vehemently opposes any plan that will negatively impact the historic Emancipation Oak tree on our campus.

Emancipation Oak Marker, W-98 reads as follows:

> "To the West, on the grounds of Hampton University, stands the Emancipation Oak. Under its sheltering limbs, protected and encouraged by the occupying Union army and prominent local church leaders, Mary Smith Kelsey Peake (1823-22 Feb. 1862) taught her fellow African Americans to read and write as the Civil War began. She founded the first black school in Hampton at Brown Cottage in September 1861; it was a forerunner of Hampton University. In 1863, following the issuance of the Emancipation Proclamation by President Abraham Lincoln, Hampton residents gathered beneath the Oak to hear the text read aloud."

It should be noted that this marker, was replaced under the Replacement Marker Program using Transportation Equity Act for the 21st Century (TEA-21) Funds, a Federal program enacted into law in 1998. It is located on Settler's Landing Road, almost adjacent to the Emancipation Oak and less than 1/5 of a mile west of the intersection of Settlers Landing Road and I-64, within the proposed EIS Build options.

Hampton University engaged Erinn Otterson, ISA Certified Arborist with Chesapeake Bay Tree, Inc. to evaluate the effects of any expansion of I-64 on the Emancipation Oak located in the vicinity of the Settlers Landing interchange. The following is a summary of his report:

a) The Emancipation Oak is one of the largest living live oaks in the tidewater region. The tree dates back to 1863 where the Emancipation Proclamation was first read to the southern states under the shadow of its limbs. The tree has long stood as a symbol of freedom and education in this country. Throughout the years historic individuals like Booker T. Washington have also studied and taught underneath the massive canopy. Cuttings of this tree have even been transported and presented to the President of the United States as a gift and planted in the gardens of the White House. [The oak is also the National Tree of the United States of America]. Aside from the great historical significance, potential risks loom as the threat of expansion of I-64 grows near. The

Settlers Landing ramp onto I-64 south and its drainage ditch have already encroached on the critical room zone of the live oak. The chain link fence on the 25' easement sits only 86 ft. away from the center of the trunk. As live oaks are notorious for their wide spreading, shallow root systems, these roots are almost certainly growing into the VDOT easement. Four (4) major concerns for potential risks to the tree are:

1. Root damage and soil compaction within the critical root zone
2. Grade changes in new construction and surface runoff
3. Physical damage to the tree from debris off the interstate or passing vehicles
4. Disturbing the microclimate surrounding the tree

b) The Emancipation Oak has been established for over 150 years. Any construction or sudden changes to its habitat can easily have an adverse effect on the tree. The oak and its surroundings need to be preserved and protected from any potential expansion to I-64.

As evident from the report, the proposed Build-8 Alternative would be detrimental to the Emancipation Oak. This finding is also strongly supported in the Tree Report prepared by Dick Ratcliff of Outdoor Design Group, LLC, which was prepared for the Virginia Department of Transportation, and dated November 26, 2012. To quote Mr. Ratcliff:

> "Old trees are very sensitive to changes to their environment. Roots can extend out 2-4 times the drip line. Even surrounding trees and vegetation plays an integral part to the health and should not be disturbed."

It would be unwise for the state to take any action that would disturb this natural historic landmark.

Conclusion:

While this letter is a response to your December 20, 2012 request for comments on the Draft EIS, we wish to reiterate what was indicated in our letter of January 6, 2012, that Hampton University will strongly oppose and vigorously fight all attempts to implement any project which negatively impacts any University-owned property, including Strawberry Banks and all historical sites regarding the life, death, struggles, successes, community and culture of African Americans, both slaves and free, who lived, learned, worked, fought, raised families, and died in the Hampton, Virginia area.

Insofar as we are aware, all the affected localities are in support of the Patriot's Crossing rather than an HRBT expansion, and we further understand that the process for the Patriot's

Crossing is further along than the widening of I-64. We also support the Patriot's Crossing as the appropriate resolution of any interstate traffic concerns in the area.

We appreciate the opportunity to express the position of Hampton University regarding the Draft EIS Report. Again, we do not agree with its recommendations and we will not allow any further encroachment of our property.

Sincerely,

Rodney D. Smith
Vice President for Administrative Services
Hampton University

From:	perreault3@cox.net
To:	HRCSSEIS (VDOT)
Cc:	Peggy; carter; secins@cavtel.net; butlers.va@jluno.com; Chris Melhuish; Steve
Subject:	Comments re Hampton Roads Crossing Draft SEIS
Date:	Monday, September 19, 2016 10:42:57 PM

Please accept the following comments upon the Draft SEIS for the Hampton Roads Crossing from The Norfolk Historical Society, Norfolk Preservation Alliance and Citizens for a Fort Monroe National Park, all consulting parties to the undertaking involved here:

1. We strongly disagree with FHWA's and VDOT's conclusory statement that Alternatives B, C and D "would not diminish the historic characteristics of the [Craney Island] battlefield property."

2. We likewise strongly disagree with FHWA's and VDOT's conclusory statement "that none of the Build Alternatives would adversely affect the Battle of Craney Island property".

3. It is almost self evident that a multi-lane expressway passing along the eastern shore of Craney Island would have a significant (and not de minimis) adverse impact on a historic battlefield that, while no doubt altered since i813, retains at least some of its character and view shed, at least by virtue of the Elizabeth River and its western shoreline remaining, and battlefield fabric remaining to the west. The battlefield is far more than "any archeological resources .. eventually identified" but includes the land, water and view sheds that most definitely remain.

4. It is incumbent on FHWA and VDOT, should Alternatives, B, C or D be selected, to design the project to minimize any adverse effect on the Battle of Craney Island Battlefield and mitigate any adverse effects which cannot be avoided.

Respectfully submitted,

THE NORFOLK HISTORICAL SOCIETY

NORFOLK PRESERVATION ALLIANCE

CITIZENS FOR A FORT MONROE NATIONAL PARK

Southern Environmental Law Center

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Richmond, VA 23219-2431
804-343-1090
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SouthernEnvironment.org

September 19, 2016

Mr. Scott Smizik
VDOT Project Manager
HRCSSEIS@VDOT.Virginia.Gov

VIA EMAIL

Re: Comments on the Hampton Roads Crossing Study Draft SEIS

Dear Mr. Smizik:

The Southern Environmental Law Center would like to provide the following comments on the Draft Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study (HRCS). SELC is a non-partisan, non-profit organization that works throughout Virginia to promote transportation and land use decisions that protect our natural resources, strengthen our communities, and improve our quality of life.

The Draft SEIS shows—as did the recent VTrans Multimodal Transportation Plan (VMTP) 2025 Needs Assessment—that Hampton Roads currently faces considerable traffic congestion, and that changes to the existing system are needed to prevent these conditions from deteriorating in the future. These reviews have also made it clear that an effective solution to address these issues must include significant improvements to the region's multimodal system to provide residents with greater transportation options and help reduce the number of vehicles traveling along the region's major highways.

As shown in prior environmental documents for the HRCS and the Hampton Roads Bridge Tunnel (HRBT), making large-scale improvements to the highway system in this area has the potential to cause severe adverse impacts. This includes direct impacts to aquatic resources, wildlife habitat, and historic sites, as well as indirect effects from induced growth spurred by expanded highway capacity. Thus, it is critical that these impacts are carefully reviewed and remain a central consideration in the evaluation of alternatives in this review.

We appreciate the considerable work that has gone into the preparation of this Draft SEIS, and the extensive analysis included therein. In the comments below, we highlight a number of key findings from this analysis regarding impacts to environmental and community resources and the relative merits of alternatives being considered. However, we also identify a number of areas where important considerations are missing from the Draft SEIS's analysis, where additional information may be needed to better inform the public and decision-makers' review of the project, and concerns about the proposed process for consultation under the Endangered Species Act.

I. PURPOSE AND NEED

The Draft SEIS's updated purpose and need statement covers a broad range of transportation issues relevant to this review. In particular, we applaud the inclusion in this Draft SEIS of a specific element related to the critical need to "improve transit access" in the vicinity

of the Hampton Roads crossings.[1] The recent VMTP 2025 Needs Assessment for the Hampton Roads Region found that connectivity problems at the region's water crossings are "exacerbated by limited mode choice," and that many of the region's key activity centers lack adequate access to public transit.[2] The Draft SEIS likewise notes that "[w]ith the expected increase in population and travel demand, mass transit across Hampton Roads will become even more important in mitigating congestion and travel delay."[3] While there are various options to improve transit access (discussed further in Section III below), there is no doubt that substantial transit improvements must be included for any alternative to effectively meet the transportation needs of this area.

In contrast, we are disappointed that the Draft SEIS's purpose and need statement has eliminated an element specific to environmental protection that was listed in previous reviews for the HRCS. After identifying needs related to improving traffic conditions and accessibility, the 2001 Final EIS stated that "[o]f equal importance in planning for transportation needs in the Hampton Roads area is environmental protection and enhancement."[4] Since that time, the importance of environmental stewardship in planning for this region has only increased, with the recent enactment of the historic Chesapeake Bay Total Maximum Daily Load, continuing deterioration of wildlife habitat and aquatic resources from new development, and increasing recognition of the threat posed by a changing climate. We urge you to add this element back into the project's purpose and need, and to ensure that it continues to guide this review.

II. ENVIRONMENTAL IMPACTS

The Draft SEIS indicates, once again, that making substantial improvements to the highway system in the vicinity of the Hampton Roads crossings could have considerable negative impacts on the region's natural environment and communities. It is therefore imperative that the avoidance and minimization of these impacts are a central consideration in the evaluation of alternatives for this project. This is particularly important in the review of the designated "Operationally Independent Sections," some of which are reported to have far greater impacts than others.

A. Aquatic Resources

Aquatic resources are a particular concern for this project, given that each of the Build Alternatives would require a major new or expanded crossing and considerable dredging of Hampton Roads. The Draft SEIS reports that each of the major waterbodies in the project area (including Hampton Roads, the James River, the Elizabeth River, and the Chesapeake Bay) are impaired—failing to meet multiple water quality standards.[5] It also notes the various water quality impacts that may result from construction of the Build Alternatives, including increased erosion and sedimentation and the release of contaminated soils from dredging activities.[6]

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[1] Draft SEIS at 1-1.
[2] VMTP 2025 Needs Assessment, Hampton Roads Region at 57-58, *available at* http://www.vtrans.org/resources/vmtp_oct2015/DRAFT_HamptonRoadsNeedsProfile_093015.pdf.
[3] Draft SEIS at 1-31.
[4] 2001 Final EIS at 8.
[5] *See* Draft SEIS at 3-93.
[6] *Id.* at 3-94; *see also* 3-105 to 3-106.

These impacts are likely to vary widely by alternative. For example, Alternatives C and D (involving new crossings parallel to the Monitor Merrimac Memorial Bridge Tunnel (MMMBT) and connecting to I-564 in Norfolk) are anticipated to require the dredging of *over five times* the amount of sediment as Alternative A (limited to the vicinity of the existing HRBT crossing).[7] The Draft SEIS reports a similar discrepancy between these alternatives regarding the total acreage of disturbance from construction.[8]

There is also considerable variation in the level of impacts to wetlands, particularly for the proposed "Operationally Independent Sections" (OIS). The Draft SEIS identifies large contiguous wetland areas in the area of Craney Island and U.S. Coast Guard Base Portsmouth, as well as along I-664 south of the MMMBT (in Suffolk and Chesapeake).[9] Wetlands in these areas would be heavily impacted by two OISs in particular—OIS I and OIS X. The Draft SEIS's *Natural Resources Technical Report* estimates that OIS I (a small segment in the vicinity of the I-664/US 58 interchange at Bowers Hill, included in Alternatives C and D) would alone impact 23.6 acres of wetlands.[10] Even more problematic, it estimates that OIS X (the "VA 164 Connector" running along Craney Island, included in Alternatives B, C, and D) would impact 61.6 acres of wetlands in an area that has been designated as a high priority for conservation.[11] The severe impacts that would result from building either of these two OISs cannot be justified based on the relatively limited benefits they would provide, particularly in light of their additional impacts on important wildlife habitat, as discussed further below.

B. Habitat and Endangered Species

The Draft SEIS also indicates that the Build Alternatives have the potential to impact significant wildlife habitat, including suitable habitat for many threatened and endangered species, such as the Canebrake rattlesnake and various shorebirds and bats.[12] Much of this habitat is included within the "Craney Island" and "Great Dismal Swamp: Northwest Section" Conservation Sites.[13] The Draft SEIS estimates that the most significant impacts to habitat for threatened and endangered species would occur through construction of OIS X (the VA 164 Connector) in the vicinity of Craney Island and the U.S. Coast Guard base, with substantial impacts also anticipated from building OIS I in the I-664/US 58 interchange area.[14] As noted above, it is difficult to justify construction of either of these two segments given the significant

[7] *See id.* at 3-105 (reporting that Alternative A would require the dredging of 1.2 million cubic yards, compared to 4.1 million for Alternative B, 7.1 million for Alternative C, and 6.1 million for Alternative D).
[8] *See id.* at 3-95 to 3-96 (reporting 291 total acres of disturbance for Alternative A, 708 acres for Alternative B, 1,568 acres for Alternative C, and 1,748 acres for Alternative D).
[9] *See, e.g.*, Draft SEIS at 3-87 to 3-88.
[10] Draft SEIS, *Natural Resources Technical Report* at A-9 (hereinafter "*Natural Resources Technical Report*"). The relevant table refers to "Alignment Segments" rather than "OISs," but in comparing the Alignment Segment and OIS maps, "Alignment Segment 1" basically corresponds to "OIS I" and "Alignment Segment 13" corresponds to "OIS X." In some of the Build Alternatives, OIS X is encompassed within larger OISs. *See* Draft SEIS at 2-53.
[11] *Natural Resources Technical Report* at A-9; *see also* Draft SEIS at 3-114 (noting that wetlands in the Craney Island Conservation Site have a "wetlands conservation prioritization ranking" of 3 ("high")).
[12] *See* Draft SEIS at 3-132 to 3-133.
[13] *See, e.g., Natural Resources Technical Report* at 71-73.
[14] *See id.* A-9 (estimating that "Alternative Segment 13"—corresponding to OIS X—would impact 101.7 acres of threatened and endangered species habitat, with the next highest being "Alternative Segment 1"—corresponding to OIS I—at 22.2 acres).

(and disproportionate) impacts they would have on important natural resources. Further, we have concerns with the process outlined in the Draft SEIS for consultation with the U.S. Fish and Wildlife Service and National Marine Fisheries Service regarding impacts to threatened and endangered species, as discussed further in Section IV below.

C. Induced Growth

In addition to direct impacts, the proposed Build Alternatives have the potential to cause substantial *indirect* impacts through induced growth encouraged by adding significant new highway capacity. Under NEPA, agencies are required to consider a project's "growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems."[15]

The Draft SEIS identifies "induced growth study areas" as generally encompassing "feeder roads a distance of 1 mile from existing interchanges on all study corridors and a 1,000-foot buffer either side of the feeder roads," with this distance extending to 2 miles along I-664 in Southside (which is less-developed today).[16] Within these areas, the Draft SEIS identifies considerable additional natural resources that could be impacted by future induced growth from the project, especially within the induced growth areas of Alternative C (encompassing 490 acres of wetlands and 167,048 linear feet of streams) and Alternative D (encompassing 511 acres of wetlands and 211,837 linear feet of streams).[17]

While the potential indirect effects identified by the Draft SEIS are considerable, it is likely that the document significantly underestimates the induced growth potential of this project. The interstates and highways implicated by this project are major commuter routes, and the proposed Build Alternatives would substantially expand the capacity of these roadways, and according to the Draft SEIS, substantially increase travel speeds along a number of these corridors.[18] Given the long distances frequently traveled by commuters in the region, the assumption that induced growth from the project will be limited to one or two miles from existing interchanges is unreasonably limited, particularly in the case of Southside localities in the vicinity of I-664, which the Draft SEIS notes are less-developed today.[19]

D. Climate Change

Another important issue related to the HRCS is the project's climate change-related effects, given the project's potential to substantially increase vehicle miles traveled (VMT) along the region's highways, as well as the impact of climate change on the project given threats of sea level rise and storm-related flooding facing Hampton Roads—one of the nation's most vulnerable coastal areas. While we appreciate the Draft SEIS's inclusion of a section on climate

[15] 40 C.F.R. § 1508.8(b).
[16] Draft SEIS at 3-186.
[17] *Id.* at 3-211 and 3-216.
[18] *See, e.g., id.* at 2-44 to 2-50.
[19] *See id.* at 3-187; *see also Senville v. Peters*, 327 F. Supp. 2d 335, 365-69 (D. Vt. 2004) (finding FHWA's NEPA review inadequate in part due to its failure to adequately consider induced growth effects on outlying towns not directly adjacent to a proposed highway).

change, there are a number of areas where this discussion should be strengthened to more fully address the issues related to this project, and better comply with the Council on Environmental Quality's (CEQ) recent final guidance on the inclusion of climate change issues in the review of projects under the National Environmental Policy Act (NEPA).[20]

In its final guidance, CEQ recommends using estimated greenhouse gas (GHG) emissions as a proxy for the estimated climate change impacts of a project,[21] and provides that "an agency should compare the anticipated levels of GHG emissions from each alternative—including the no-action alternative—and mitigation actions to provide information to the public and enable the decision maker to make an informed choice."[22] While the Draft SEIS includes some discussion of estimated VMT (and related GHG) increases from the project, its evaluation is limited to a general comparison of the Build Alternatives as a group compared to the No-Build scenario.[23] This provides little guidance as to the relative GHG contributions of the Build Alternatives, which seem likely to vary based on the wide range of projected VMT increases between these alternatives.[24] A more direct comparison of alternatives based on their relative impacts on VMT (and by extension, GHG emissions) should be included in this SEIS, particularly as the relevant VMT figures are readily available in the Draft SEIS document.

Also relevant to the evaluation of alternatives is the relative resiliency of the options under consideration. While the Draft SEIS includes a lengthy discussion on recent risk management analyses completed for the Hampton Roads region, it includes little on potential mitigation measures or avoidance options to address these issues. In relation to alternatives, it simply notes that "[i]t is expected that Build Alternatives could be developed to adapt to the effects of climate change," and that additional study will be completed in final design to inform refinements to the Preferred Alternative.[25] This is another area where comparison of the Build Alternatives relative to each other would be helpful for decision-makers and the public to make an informed decision regarding which option to advance. As noted by CEQ, "[a]gency decisions are aided when there are reasonable alternatives that allow for comparing…the risk from—and resilience to—climate change inherent in a proposed action and its design."[26] Once a Preferred Alternative is selected, many avoidance and mitigation options have already been foreclosed.

In addition, an important missing element from the Draft SEIS's discussion is the Build Alternatives' potential impacts on environmental resources that contribute to the natural resilience of the region to the effects of climate change. As discussed above, the direct and indirect impacts of some of the Build Alternatives—and certain OISs in particular—include the destruction of large wetland areas. The Build Alternatives could also have substantial impacts

[20] CEQ, "Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews," 81 Fed. Reg. 51866 (Aug. 5, 2016) (hereinafter "CEQ Final Guidance").
[21] *Id.* at 10.
[22] *Id.* at 15.
[23] *See, e.g.*, Draft SEIS at 3-54 to 3-55.
[24] *See, e.g.*, *id* at 3-53 to 3-54 (estimating in Table 3-24 that building Alternative A would result in an increase of 124.2 million annual vehicle miles traveled over the No-Build, whereas the more comprehensive Alternative D would result in an increase of 413 million).
[25] *Id.* at 3-59 to 3-60.
[26] CEQ Final Guidance at 15.

on forested habitat, eliminating carbon sinks that help to mitigate the region's GHG pollution. Discussion of the relative impacts of the Build Alternatives on these natural resources is clearly relevant to the public and decision-makers, and should be included in the analysis of climate change.

E. Historic Resources

The Draft SEIS also identifies important historic and cultural resources in the vicinity of the Build Alternatives, including many historic schools, cemeteries, and battlefields, as well as a number of historic districts and national historic trails.[27] While we recognize that much of the project area is already well-developed, the substantial highway expansions being proposed nonetheless have the potential to exacerbate existing impacts on many of these resources. We therefore urge you to continue to carefully consider the additional direct and indirect effects that the Build Alternatives may have on these resources, as well as measures to effectively avoid these negative impacts, such as keeping any improvements along I-64 north of the HRBT (which runs alongside the Hampton Institute, the Hampton National Cemetery, and multiple historic districts) within the existing right-of-way.

III. ALTERNATIVES ANALYSIS

It is critical that the alternative that is ultimately selected for this project includes substantial and effective improvements to the region's public transit system, and that serious consideration is given to the potentially-significant environmental and community impacts of each proposed alternative and individual segment relative to its anticipated benefits.

A. Public Transit

The importance of expanding modal options in addressing congestion problems in the Hampton Roads region has been highlighted in a number of recent transportation studies, and is reiterated once again in the Draft SEIS. In addition to the recent VMTP 2025 Needs Assessment discussed above, the 2011 *Hampton Roads Regional Transit Vision Plan* found that greater multimodal transit options will be needed to address future traffic conditions, including light and commuter rail, as well as bus rapid transit.[28] It also recommended that "any new harbor or river crossings include dedicated facilities for transit," specifically referring to a potential new Third Crossing of Hampton Roads or upgrades to the HRBT in this respect.[29] Along these lines, each of the Candidate Build Alternatives evaluated in the HRCS's 2001 Final EIS incorporated a dedicated multimodal tube to accommodate HOV, passenger rail, or bus facilities.[30]

With these considerations in mind, we are disappointed that the Draft SEIS only incorporates dedicated multimodal facilities into one of the four proposed Build Alternatives (Alternative C), and that light and passenger rail have been eliminated from consideration—leaving only high-capacity bus rapid transit (BRT) and enhanced bus service for potential

[27] *See* Draft SEIS at 3-139 to 3-140.
[28] DRPT et al., *Hampton Roads Regional Transit Vision Plan* at ES-8 (2011); *see also* Draft SEIS at 1-31.
[29] *Hampton Roads Regional Transit Vision Plan* at ES-7; *see also* Draft SEIS at 1-31.
[30] 2001 Final SEIS at 32-37.

inclusion in the project.[31] We urge you to give greater consideration to options that would incorporate dedicated multimodal facilities into each of the Build Alternatives, including alternatives in which the proposed additional lanes on the HRBT (in Alternatives A, B, and D) would be dedicated solely for multimodal use. While dedicated facilities would clearly be more effective in addressing the region's transit needs, we also urge you to evaluate options that would incorporate HOT lanes into each alternative, which would at the very least make public transit a more competitive option for commuters.

B. Congestion Pricing

In addition, reiterating our comments included in a December 21, 2015 letter on the scope of alternatives for this Draft SEIS,[32] we continue to urge you to consider congestion pricing as a stand-alone alternative and in combination with multimodal improvements. Charging drivers a toll during peak travel periods at the HRBT and MMMBT has been discussed for over a decade, and previous studies have indicated that tolls could virtually eliminate congestion by shifting the behavior of only 10% of drivers during peak periods.[33] Tolls could be imposed only during peak travel periods (with the facilities left free-of-charge the remainder of the time), and be set at the level required to relieve congestion by inducing enough drivers to travel at less congested times. Imposing tolls on the existing facilities could be a far more cost-effective, and far less environmentally damaging, alternative than building the multi-billion dollar bridge-tunnel expansions now being considered. It would also provide an opportunity to gauge the traveling public's willingness to pay the tolls that may well be required to fund the type of large-scale improvements proposed in the Build Alternatives.

C. Relative Impacts, Costs, and Benefits

In comparing the environmental impacts, costs, and anticipated benefits of the Draft SEIS's proposed Build Alternatives and OISs, it is apparent that some proposed Build Alternatives and individual segments are difficult to justify. As noted above, the environmental impacts of the four proposed Build Alternatives vary widely, with Alternatives B, C, and D anticipated to cause far greater impacts in nearly every category than Alternative A (which would focus only on the HRBT crossing area).[34] This includes anticipated impacts from induced growth, as Alternative A is less likely to spur additional development in Southside localities in the western reaches of the region that remain largely undeveloped today. Anticipated project costs are similarly skewed, with Alternative A estimated to cost $3.3 billion, compared to $6.6 billion for Alternative B and upwards of $12 billion for Alternatives C and D.[35] Yet traffic analyses completed for the HRCS indicate that much of the travel time savings expected to be achieved from the Build Alternatives at both the HRBT and the MMMBT would be captured by

[31] *See* Draft SEIS at 2-11.
[32] Letter from Trip Pollard & Travis Pietila, SELC to Scott Smizik, VDOT (Dec. 21, 2015).
[33] *See* Presentation by Dwight Farmer & Molly Ward, Hampton Roads Transportation Planning Organization (HRTPO) to the Commonwealth Transportation Board (Apr. 17, 2013); *see also* James Bacon, "Congestion Tolls Coming to Hampton Roads?" (Apr. 17, 2013), *available at* http://www.baconsrebellion.com/2013/04/congestion-tolls-coming-to-hampton-roads.html (summarizing and quoting from HRTPO's presentation).
[34] *See id.* at S-6, Table S-1 ("Impact Matrix").
[35] *Id.* at S-8.

building Alternative A alone,[36] raising serious questions about the reasonableness of pursuing the more expansive Build Alternatives.

The discrepancy between environmental impacts and expected benefits is even more striking at the OIS level. As mentioned above, two OISs located outside of the main MMMBT and HRBT crossing areas—OIS I representing a small segment at the I-664/US 58 interchange, and OIS X representing the proposed VA 164 Connector—would result in far greater impacts to wetlands and habitat for threatened endangered species than all of the other proposed OISs combined. Based on the considerable impacts that would result from building either of these two segments and the limited benefits they would provide in meeting the project's purpose and need, we recommend excluding them from further consideration. And with these examples in mind, we urge you to carefully review the relative impacts, costs, and benefits of each individual OIS to help limit unnecessary impacts on valuable natural and community resources.

IV. CONSULTATION UNDER THE ENDANGERED SPECIES ACT

Lastly, we have serious concerns with the process outlined in the Draft SEIS for consultation with the U.S. Fish and Wildlife Service and National Marine Fisheries Service under Section 7 of the Endangered Species Act (ESA). Section 7 consultation is required when a proposed action is likely to have adverse effects on endangered or threatened species.[37] This section further provides that once the consultation process is initiated, the federal agency or applicant "shall not make any irreversible or irretrievable commitment of resources with respect to the agency action which has the effect of foreclosing the formulation or implementation of any reasonable and prudent alternative measures" that would avoid adverse effects to the relevant threatened or endangered species.[38] Federal courts have noted that Congress enacted this requirement to ensure that large financial investments are not used to improperly "steamroll" an activity to completion regardless of its impacts on protected species.[39]

Instead of completing the consultation process in connection with the Draft SEIS, the document includes a list of "commitments" for the process going forward,[40] the first two of which are particularly problematic under the Section 7 standards cited above. The first states that "Section 7 consultation will be completed before any irreversible or irretrievable commitments of resources are made *expressly for construction activities*."[41] While we agree that construction should not begin before consultation is complete, this commitment should include many pre-construction activities as well. As written, it would apparently allow unlimited

[36] *See id.* at 2-44 to 2-50.
[37] 16 U.S.C. § 1536(a)(3).
[38] *See id.* at § 1536(d); *see also* 50 C.F.R. § 402.09; *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 603 (1992) (Blackmun, J., dissenting).
[39] *See North Slope Borough v. Andrus*, 486 F. Supp. 332, 356 (D.D.C. 1980) (stating further that "Congress enacted § 7(d) to preclude the investments of large sums of money in any endeavor if (1) at the time of the investment there was a reasonable likelihood that the project, at any stage of development, would violate § 7(a)(2), and (2) that investment was not salvageable (i.e. it could not be applied to either an alternative approach to the original endeavor or to another project"), *aff'd in part, rev'd in part*, 642 F.2d 589 (D.C. Cir. 1980); *see also Nat'l Wilderness Inst. v. U.S. Army Corps Eng'rs*, 2005 WL 691775 at *16 (D.C. Cir. Mar. 23, 2005).
[40] Draft SEIS at 1-131.
[41] *Id.* (emphasis added).

spending on activities such as final design and the purchase of right-of-way for a particular alignment before consultation is completed. These costs could easily reach tens of millions of dollars for a project of this scale, which would put significant pressure on proceeding to construction and effectively foreclose the genuine consideration of less harmful options developed during the consultation process. This commitment should be modified.

Similarly, the second commitment states that "FHWA's anticipated location decision represented by its NEPA approval *would not change* based on the results of the Section 7 consultation."[42] Careful review of "reasonable and prudent alternative measures" to avoid impacts to threatened and endangered species is a key component of the consultation process, and for a highway project such as this, the review of alternative locations and alignments would undoubtedly be a major part of this analysis. As such, foreclosing the option of reconsidering FHWA's location decision could seriously undermine the consultation process, as well as the intent of the ESA. We urge you to remove this commitment from the SEIS.

CONCLUSION

Similar to past environmental reviews for the HRCS, this Draft SEIS indicates that expanding major highways in the vicinity of Hampton Roads could result in considerable adverse effects on the region's communities and environmental resources. These impacts are clearly greatest in the larger-scale Build Alternatives under consideration (Alternatives B, C, and D), and are particularly troubling in the case of two proposed individual highway segments (OIS I and OIS X) whose impacts far outweigh their limited potential benefits. We urge you to not pursue improvements to these segments further. In addition, we have identified a number of areas where greater analysis is needed in this SEIS, including the project's potential induced growth and climate change-related effects, as well as alternatives that would incorporate dedicated transit facilities or implement tolls on existing crossings during peak periods. We also strongly recommend that the proposed process for consultation under the Endangered Species Act be modified.

Thank you for your consideration of our comments, and we look forward to continuing to participate in this environmental review process as it moves forward.

Sincerely,

Trip Pollard
Senior Attorney

Travis Pietila
Staff Attorney

[42] *Id.* (emphasis added).

cc: Edward Sundra, FHWA Virginia Division
Colonel Jason Kelly, Norfolk District, U.S. Army Corps of Engineers
Barbara Rudnick, U.S. EPA Region III
Karen Greene, NOAA
Sarah Nystrom, USFWS
Jennifer Mitchell, DRPT
David Paylor, DEQ
Robert Crum, HRTPO
Dr. John Wells, VIMS

From:	Madderom, Glenn
To:	Hodges, Mary Ellen N. (VDOT); Smizik, Scott (VDOT)
Cc:	Cunningham, Caitlin (CFM); Elliott, Glenn (CFM); Schamel, Kathleen (CFM); Carcanague, Michael; Hill, Janice M.; Schattel, Jill; Pulak, Douglas D. (CFM); Engel, Vanessa A; de Leon, Joshua
Subject:	VA/NCA review comments- HRCS Draft SEIS Hampton Roads Crossing Study - Hist Properties Consulting Parties
Date:	Wednesday, August 17, 2016 2:04:50 PM

Ms. Hodges/Mr. Smizik;
Department of Veterans Affairs National Cemetery Administration (VA/NCA) hereby submits the following review comments for the Hampton Roads Crossing Study Draft Supplemental Environmental Impact Statement (HRCS SEIS) published on August 5, 2016;

VA/NCA Review Comment: VA/NCA does not fully agree with the VDOT analysis stating "*Draft SEIS does not project any impacts to Hampton National Cemetery as a result of these improvements"*. VA/NCA believes the increased traffic flow occurring due to each of the Alternatives will produce adverse visual impact and increased noise impact to visitors and staff within historic Hampton National Cemetery. Additionally, the closer proximity of the active traffic lanes under each of the Alternatives could result in highway debris being thrown and/or snow removal being pushed onto nearby historic gravesites located within the national cemetery grounds. Accordingly, VA/NCA requests that a sound/visual barrier wall be included in the project to mitigate those adverse effects where this proposed intestate traffic improvement project will occur adjacent and in close proximity to the historic national cemetery property.

Thanks, Glenn
Glenn Madderom
Chief, Cemetery Development & Improvement Service
National Cemetery Administration
575 N. Pennsylvania St. Room 495
Indianapolis, IN 46204
Phone; 317-409-1634

From: Hodges, Mary Ellen N. (VDOT) [mailto:ME.Hodges@VDOT.Virginia.gov]
Sent: Thursday, August 11, 2016 4:33 PM
To: Brenda.K.Kerr@uscg.mil; Britta Ayers (bayers@nnva.gov); Cunningham, Caitlin (CFM); Cannady, Keith; Carter B. S. Furr (CBSFURR@att.net); Chuck Poland; Cristman, Clyde (DCR); Dr. Bill Thomas; Gary Rothfeld (Gary.Rothfeld@va.gov); Madderom, Glenn; Holma, Marc (DHR); Hunter D. Smith (Justin Newman) (jnewman@smithpackett.com); J. Brewer Moore (joanbrew@verizon.net); James R. Turner (director@phoebus.info); John Haynes (john.h.haynes@usace.army.mil); Josh Gillespie (heritage_assets@fmauthority.com); Luci Talbot Cochran (lcochran@hampton.gov); Mae Breckenridge-Haywood (maehaywood@msn.com); Mark Perreault (FortMonroeUpdate@yahoo.com); Martha F. Morris (thebuckroehistoricalsociety@aol.com); Matt Jagunic (matt_jagunic@nps.gov); Patrick R. Jennings (patrick_jennings@nps.gov); Peggy McPhillips (peggy.haile-mcphillips@norfolk.gov); Rob Reali (robert.s.reali@army.mil); Scott Mills (deputycitymanager@suffolkva.us); Shonita Faulkner; Terry E. Brown (Terry_E_Brown@nps.gov)
Cc: Ed.Sundra@dot.gov; Smizik, Scott (VDOT)
Subject: [EXTERNAL] Hampton Roads Crossing Study - Draft SEIS - Historic Properties Consulting Parties

HAMPTON ROADS CROSSING STUDY

SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

Route Number: I-64, I-664, I-564

Project Number: 0064-965-081, P101

UPC: 106724

DHR File No. 2015-0783

City/County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk

To: Mr. Marc Holma, Virginia Department of Historic Resources (SHPO)
Ms. Britta Ayers, City of Newport News
Mr. Scott Mills, City of Suffolk
Ms. Mae Breckenridge-Haywood, African American Historical Society of Portsmouth
Mr. Patrick R. Jennings, American Battlefield Protection Program
Ms. Martha F. Morris, Buckroe Historical Society
Mr. Mark Perreault, Citizens for a Fort Monroe National Park
Mr. J. Brewer Moore
Mr. Matt Jagunic, National Park Service, Chesapeake Bay Office
Ms. Peggy McPhillips, Norfolk Historical Society
Mr. Carter B. S. Furr, Norfolk Preservation Alliance
Mr. James R. Turner, Partnership for a New Phoebus, Inc.
Mr. John Haynes, U.S. Army Corps of Engineers
Captain Brenda Kerr, U.S. Coast Guard Base, Portsmouth
Mr. Rob Reali, Army Caretaker, Fort Monroe
Mr. W. Keith Cannady, City of Hampton, Community Development Department
Mr. Josh Gillespie, Fort Monroe Authority (copy to Samantha Henderson)
Dr. Bill Thomas, Hampton Institute (copy to Ms. Shontia Faulkner)
Mr. Terry E. Brown, Fort Monroe National Monument
Mr. Clyde Cristman, Virginia Department of Conservation and Recreation (Fort Wool)
Ms. Luci Talbot Cochran, Hampton History Museum
Mr. Hunter D. Smith, Smith/Packett (The Chamberlin) (c/o Justin Newman)
Mr. Glenn Madderom, U. S. Department of Veterans Affairs (copy to Ms. Caitlin Cunningham)
Ms. Heather Robbins, NAVFAC
Mr. Chuck Poland, Society of the War of 1812 in Virginia

In light of your status as a consulting party (or potential consulting party) to the Section 106 process (54 U.S.C. 306108, 36 CFR 800) for the Hampton Roads Crossing Study (HRCS), I am writing to inform you that the Federal Highway Administration (FHWA) and the Virginia Department of Transportation (VDOT) have completed a Draft Supplemental Environmental Impact Statement (Draft SEIS) and have made the document available for public review. The Draft SEIS analyzes the potential social, economic, and environmental impacts associated with the proposed transportation improvements evaluated in the

HRCS. VDOT is holding two Location Public Hearings at which the Draft SEIS will be reviewed:

Wednesday, September 7, 2016
5:00 pm – 7:00 pm
Hampton Roads Convention Center
1610 Coliseum Drive
Hampton, VA 23666
(Inclement Weather Date: September 14, 2016)

And

Thursday, September 8, 2016
5:00 – 7:00 pm
Quality Suites (Lake Wright)
6280 Northampton Boulevard
Norfolk, VA 23502
(Inclement Weather Date: September 15, 2016)

Information about the HRCS can be found on the study website: http://www.hamptonroadscrossingstudy.org/.

By letter dated April 1, 2016, I shared with the Virginia State Historic Preservation Officer (SHPO) and other consulting parties the results of VDOT's efforts to identify above-ground (e.g., architectural, battlefields) historic properties that might be affected by the proposed transportation improvements evaluated in the HRCS and VDOT's assessment of the additional technical studies that will need to be conducted to identify all archaeological historic properties that might be affected. I have attached a copy of the April 2016 conveyance letter, which now incorporates a copy of a revised signature page completed by the SHPO to indicate its concurrence with VDOT's findings. The SHPO preferred not to comment on VDOT's preliminary assessment of effect on the three battlefield and two historic trails located within the project's Area of Potential Effects at this stage of the review process. Also in response to the April 1, 2016, letter VDOT received a letter from Citizens for a Fort Monroe National Park, the Norfolk Historical Society, and the Norfolk Preservation Alliance, and a letter from the Society of the War of 1812, each expressing concern over the potential effects of Alternatives B, C, and D on landscapes associated with the Battle of Craney Island.

The Draft SEIS and supporting technical reports can be found on this page of the HRCS website: http://www.hamptonroadscrossingstudy.org/learn_more/hrcs_draft_seis.asp. Historic properties are discussed in Chapter 3.9 of the Draft SEIS in relation to Section 106 of the National Historic Preservation Act and in Chapter 3.12 and Appendix E in relation to Section 4(f) of the Department of Transportation Act. In addition to identifying the above-ground historic properties in the Area of Potential Effects of the four HRCS build alternatives, the Draft SEIS provides VDOT's preliminary assessments of the effects of the build alternatives on the properties. The architectural and archaeological technical reports posted on the project website are revised versions of the reports I shared with you in April. The revised versions (July 2016) incorporate some changes in the geographic limits of the Area of Potential Effects that resulted from a few slight shifts in the alignments of the build alternatives made since the original studies were conducted. I will be coordinating these

revised reports further with the SHPO and you in the near future.

VDOT invites you to provide written or verbal comments on the Draft SEIS at either of the public hearings. You may also provide written comments by September 19, 2016, by sending them to Mr. Scott Smizik, Virginia Department of Transportation, Environmental Division, 1401 E. Broad Street, Richmond, VA 23219; emailing them to HRCSSEIS@VDOT.Virginia.Gov; or submitting them online at http://hamptonroadscrossingstudy.org/comment/default.asp.

Following the close of the public comment period on the Draft SEIS on September 19, 2016, VDOT will re-evaluate our preliminary assessments of effect on historic properties in light of the comments you have already provided, any additional comments you may wish to provide in response to the Draft SEIS, and any comments submitted by other parties. All final assessments of effect will be coordinated with the SHPO and your organizations.

Thank you for your continuing interest in the HRCS.

Mary Ellen

Mary Ellen N. Hodges
Preservation Program District Coordinator

Virginia Department of Transportation
Environmental Division
1401 E. Broad Street, Richmond, VA 23219
Tele: 804-786-5368

From: Smizik, Scott (VDOT)
To: Sundra Ed; Hodges, Mary Ellen N. (VDOT); Maggie Berman; Gibson, Anthony J (VDOT)
Subject: Fwd: VA National Cemetery Administration review comments- HRCS Draft SEIS
Date: Wednesday, August 17, 2016 2:03:26 PM

Begin forwarded message:

From: "Madderom, Glenn" <Glenn.Madderom@va.gov>
Date: August 17, 2016 at 1:59:51 PM EDT
To: "Smizik, Scott (VDOT)" <Scott.Smizik@vdot.virginia.gov>
Cc: "Cunningham, Caitlin (CFM)" <Caitlin.Cunningham@va.gov>, "Elliott, Glenn (CFM)" <Glenn.Elliott@va.gov>, "Schamel, Kathleen (CFM)" <Kathleen.Schamel2@va.gov>, "Carcanague, Michael" <Michael.Carcanague@va.gov>, "Hill, Janice M." <Janice.Hill@va.gov>, "Schattel, Jill" <Jill.Schattel@va.gov>, "Pulak, Douglas D. (CFM)" <Douglas.Pulak@va.gov>, "Engel, Vanessa A" <Vanessa.Engel@va.gov>, "de Leon, Joshua" <Joshua.DeLeon@va.gov>
Subject: VA National Cemetery Administration review comments- HRCS Draft SEIS

Mr. Smizik;
Department of Veterans Affairs National Cemetery Administration (VA/NCA) hereby submits the following review comments for the Hampton Roads Crossing Study Draft Supplemental Environmental Impact Statement (HRCS SEIS) published on August 5, 2016;

> VA/NCA Review Comment: VA/NCA does not fully agree with the VDOT analysis stating "*Draft SEIS does not project any impacts to Hampton National Cemetery as a result of these improvements*". VA/NCA believes the increased traffic flow occurring due to each of the Alternatives will produce adverse visual impact and increased noise impact to visitors and staff within historic Hampton National Cemetery. Additionally, the closer proximity of the active traffic lanes under each of the Alternatives could result in highway debris being thrown and/or snow removal being pushed onto nearby historic gravesites located within the national cemetery grounds. Accordingly, VA/NCA requests that a sound/visual barrier wall be included in the project to mitigate those adverse effects where this proposed intestate traffic improvement project will occur adjacent and in close proximity to the historic national cemetery property.

Thanks, Glenn
Glenn Madderom
Chief, Cemetery Development & Improvement Service
National Cemetery Administration
575 N. Pennsylvania St. Room 495

Third Crossing Craney Island VDOT reply

P 1 of 1, August 15, 2016

Mary Ellen N. Hodges, Preservation Program Coordinator, VDOT
1401 East Broad Street, Richmond, Va. 23219

Re: THE BATTLE OF CRANEY ISLAND, yours of June 7, 2016 ; [22 June 1813]

Dear Ms. Hodges,

Virginian Pilot readers too often find PORTSMOUTH featured on Page ONE! Adventures describing municipal mismanagement, wrong doing by elected and career City officials; and mounting racial tensions within a Colonial-era seaport as it transitions to a majority black population governed by black officials. This mounting ferment prevailed in year 2010.

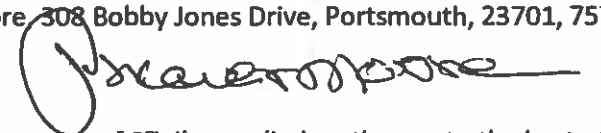
The Virginia General Assembly in year 2010 embarked upon a Statewide 200th anniversary celebration of America's victory over England in the War of 1812. However, Portsmouth turned its back on this historic commemoration when black slavery was law of the land. To celebrate a period when Virginia sided with slavery lacked interest and support from the majority of those elected to Portsmouth City Council. Portsmouth history prior to emancipation reflected this municipal posture. Richmond called for a statewide celebration which invited Portsmouth participation, an invitation met with silence.

'Portsmouth Flag Associates' responded by nominating its "HISTORIAN" for membership on the Virginia War of 1812 Bicentennial Commission's 'ADVISORY COUNCIL', an individual serving on the Portsmouth City Planning Commission. Amid rising City Hall racial rancor, I did my best to represent Portsmouth.

> The Norfolk Historical Society and the Norfolk Preservation Alliance are to be commended for their report attached to your letter of 7 June 2016! It should not surprise you when I say that the Cities of Norfolk and Portsmouth do not always find themselves historically on the same page! When the Virginian Pilot on Sunday, May 13, 2012, front paged **"THE BATTLE OF CRANEY ISLAND" in a stirring essay by Kate Wiltrout, many in Portsmouth took pride. This essay was incorporated in a published document WAR OF 1812 which included an essay WORLD'S STRONGEST NAVY IS BORN by then Admiral John C. Harvey who now in retirement serves as Virginia's Secretary of Veterans Affairs. The account by Kate Wiltrout was widely acclaimed!**

Suffice it to say that all are in agreement that 'THE BATTLE OF CRANEY ISLAND" is an historic event of importance to Portsmouth, Norfolk, Hampton Roads and the Commonwealth of Virginia. The sands of time now cover the site as 21st Century progress creates Virginia's greatest asset, its modern port. As motorists travel the Craney Island freeway component from Virginia 264 to Interstates 664 & 564, they can be reminded of history, two centuries ago, when young America right here again defeated England.

Sincerely, jBrewer Moore, 308 Bobby Jones Drive, Portsmouth, 23701, 757-488-5239



Ms. Hodges: at the ripe young age of 87, I've replied on the run to the best of my ability. You're doing a great job and can overlook this 'olde' volunteer from Portsmouth who in 1979 chaired the Continuing Transportation Study Committee for the Southeastern Virginia Planning District. jBrewer

Indianapolis, IN 46204
Phone; 317-409-1634

From: Smizik, Scott (VDOT) [mailto:Scott.Smizik@vdot.virginia.gov]
Sent: Friday, August 05, 2016 8:24 AM
To: 'bsolis@vbgov.com'; 'bstilley@nnva.gov'; daniel.koenig@dot.gov; 'david.l.o'brien@noaa.gov'; 'DeProfio, Brian'; Ed.Sundra@dot.gov; 'george.a.janek@usace.army.mil'; James Wright; 'lallsbrook@hampton.gov'; Murray, Rhonda P CIV NAVFAC MIDLANT, AM; 'okorn.barbara@epa.gov'; 'Pitts, Hal R CIV'; 'rmatthia@vbgov.com'; ron.williams@norfolk.gov; 'ryan.long@dot.gov'; Thelma Drake; Woodward, Justine CIV NAVFAC MIDLANT, EV; akrasnoff@cityofchesapeake.net; Allen-Grimes, Alice; Baird, Alice (DCR); Amand Ciampolilo; amoye@vamaritime.com; Aschenbach, Ernie (DGIF); Aulbach, John (VDH); Baker, James E.; Baker, Stewart (VDEM); Baxter, Sharon (DEQ); Brian Fowler (brian.fowler@norfolk.gov); Briley; Britton, Nick (DRPT); Bunting, Mary; carrie schmidt; ceverett@cbf.org; Charles Hunt; city.manager@nofolk.gov; city@nnva.gov; citymanager@suffolkva.us; cmoffice@vbgov.com; Coe, Stephen (DEQ); council@nnva.gov; cravanbakht@hrpdcva.gov; Cunningham, Caitlin (CFM); Daniels Jr., George (VSP); Davenport, Melanie (DEQ); 'david.l.o'brien@noaa.gov'; Davis, Dave (DEQ); DmmeInfo (DMME); dtuck@hampton.gov; eahein@vims.edu; Evans, Gregory (DOF); Fernald, Ray (DGIF); fomr_superintendent@nps.gov; Frank Hays; 'george.a.janek@usace.army.mil'; Elliott, Glenn (CFM); Madderom, Glenn; Glymph, Brett (VOF); Haring, Ray (VDEM); Harrington, Rusty N. (DOAV); Harvey, William; Holma, Marc (DHR); Jack Bricker; Hill, Janice M.; DRPT Jennifer Public; jharris@portofvirginia.com; JMALBON@NOR.IDC.VIRGINIA.GOV; Joe Rieger; jreinhart@portofvirginia.com; Julie Navarrete; Kevin Page; 'kimberly.a.baggett@usace.army.mil'; 'King, Michael S CIV NAVFAC MIDLANT, AM'; Kym Hall; Levine, Marissa (VDH); Marcus Jones; maryjosie_blanchard@ios.doi.gov; matt j; Mayor Fraim; mayor@norfolk.gov; mayor@portsmouthva.gov; mayor@suffolkva.us; Mike Caldwell; mmayfield@elizabethriver.org; Narasimhan, Kotur (DEQ); Nold, Maria (DEQ); 'okorn.barbara@epa.gov'; Paylor, David (DEQ); planning@isleofwightus.net; planningemail@suffollkva.us; pres@vapilotassn.com; ProjectReview (DGIF); 'Raliski, Jeffrey'; Owen, Randy (MRC); Ray Amoruso; Reed, William (VSP); Ring, Bettina (DOF); RMatthia@vbgov.com; Rhur, Robbie (DCR); Robert Brown (rob.brown@norfolk.gov); Robert Crum; Robert Williams; Rudnick, Barbara; Adams, Sandy (VDACS); sarah feinberg; Schulz Cindy (cindy_schulz@fws.gov); Shelton, Bill (DHCD); Smith, Shawn (DEQ); Spears, David (DMME); Sterling, Bruce (VDEM); steven_williams@nps.gov; Sullivan, Bettina (DEQ); superintendent; terry_e_brown@nps.gov; Thompson, Chris (DHCD); virginiadirector@tnc.org; wells@vims.edu; Willie Taylor; wsessoms@vbgov.com
Cc: Gibson, Anthony J (VDOT); Miller, Paula (VDOT); Cromwell, James R. (VDOT)
Subject: [EXTERNAL] HRCS Draft SEIS Available

Good morning –

This morning, a Notice of Availability was published in the Federal Register to announce the public availability and 45-day review period for the Hampton Roads Crossing Study Draft Supplemental Environmental Impact Statement (HRCS SEIS). To access the documentation, learn more about the upcoming Location Public Hearings, or to comment online, please visit the study web site: www.hamptonroadscrossingstudy.org.

Thank you for your continued support.

Scott Smizik

Location Studies Project Manager
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219
Desk: (804) 371-4082
Cell: (804) 306-0920
Fax: (804) 786-7401
Scott.Smizik@VDOT.Virginia.gov

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

July 8, 2016

Ms. Julie V. Langan, Director
ATTN: Mr. Marc Holma
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Project Description: Hampton Roads Crossing Study, SEIS
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783
City/County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk

Dear Ms. Langan:

On April 1, 2016, the Virginia Department of Transportation (VDOT) conveyed to your department the results of our efforts to identify historic properties within the Area of Potential Effects for the Hampton Roads Crossing Study. In that documentation we noted a few properties that were not surveyed for the project because the property owners had denied access.

Since April, VDOT's consultant has surveyed two of these properties and associated structures:

- 121-0084 Pier 15, located on Harbor Road, City of Newport News, and
- 122-0334 Sewell's Point Docks, City of Norfolk
  - 122-0334-0001 (Pump House)
  - 122-0334-0002 (Gear House)
  - 122-0334-0003 (Office Building)
  - 122-0334-0004 (Warehouse G)
  - 122-0334-0005 (Pier B)
  - 122-0334-0006 (Pier A)
  - 122-0334-0008 (Grain Elevator)
  - 122-5947 (Washroom/Locker House)
  - 122-5948 (Ejector Station)
  - 122-5949 (Pump House)
  - 122-5950 (Utility Building)

- 122-5951 (Guard House)

Ms. Sarah Clarke will be hand-delivering for your review the documentation our consultant has prepared on these resources, including hard copies of the V-CRIS forms prepared or updated by our consultant, black and white photographic prints, and electronic copies of the V-CRIS forms and photographic documentation.

VDOT has reviewed the results of our consultant's survey and agrees with the consultant's recommendation that none of these architectural resources, either individually or collectively, are eligible for listing on the National Register of Historic Places under Criteria A, B, or C. Criterion D was not considered applicable to these architectural properties. VDOT invites your department to indicate you concurrence with this finding within 30 days of receipt of this letter by completing the signature block below.

Thank you for your assistance. Please don't hesitate to contact me at ME.Hodges@VDOT.Virginia.gov or by telephone at 804-786-5368 if you have any questions about these resources or the HRCS project as a whole.

Sincerely,

Mary Ellen N. Hodges

Mary Ellen N. Hodges
District Preservation Program Coordinator

Enclosures (hand-delivered)

Project Description: Hampton Roads Crossing Study, SEIS
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783

The Virginia Department of Historic Resources concurs with the Virginia Department of Transportation's determination that the following resources are not eligible for listing on the National Register of Historic Places either individually or collectively:

- 121-0084 Pier 15, located on Harbor Road, City of Newport News, and
- 122-0334 Sewell's Point Docks, City of Norfolk
  - 122-0334-0001 (Pump House)
  - 122-0334-0002 (Gear House)
  - 122-0334-0003 (Office Building)
  - 122-0334-0004 (Warehouse G)
  - 122-0334-0005 (Pier B)
  - 122-0334-0006 (Pier A)
  - 122-0334-0008 (Grain Elevator)
  - 122-5947 (Washroom/Locker House)
  - 122-5948 (Ejector Station)
  - 122-5949 (Pump House)
  - 122-5950 (Utility Building)
  - 122-5951 (Guard House)

Julie V. Langan, Director
Virginia Department of Historic Resources
Virginia State Historic Preservation Officer

Date

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1096

Executive Office

JUN 29 2016

Ms. Angel Deem
Environmental Division Director
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219-2000

Dear Ms. Deem:

I am replying to your letter, dated April 29, 2016, regarding the Hampton Roads Crossing (HRC) Study Supplemental Environmental Impact Statement (SEIS), which the Virginia Department of Transportation (VDOT) is preparing in conjunction with the Federal Highway Administration (FHWA) and other agency and stakeholder partners. In your letter, you request comments from the U.S. Army Corps of Engineers (USACE), Norfolk District, in accordance with our role as a National Environmental Policy Act (NEPA) "cooperating agency" for the SEIS. Specifically, you have requested comments on how the USACE might evaluate, pursuant to Section 14 of the Rivers and Harbors Act of 1899, 33 USC 408 (Section 408), the impacts of the proposed HRC project alternatives on USACE federally authorized civil works projects.

As interpreted by agency policy, Section 408 prohibits the alteration of federally authorized USACE civil works projects unless the acting party obtains USACE permission prior to making the alteration. The USACE may grant such permission where it determines that the proposed alteration will neither impair the usefulness of the civil works project nor be injurious to the public interest. The USACE has published Section 408 guidance in Engineer Circular (EC) 1165-2-216, "Policy and Procedural Guidance for Processing Requests to Alter US Army Corps of Engineers Civil Works Projects Pursuant to 33 USC 408," which provides the policy and procedural guidance for Section 408 requests.

The four proposed HCR project alternatives, identified in the Alternatives Technical Report (ATR) as "A," "B," "C," and "D," would have varying impacts on the federally authorized Norfolk Harbor and Channels Federal Navigation Project (the Norfolk Harbor Project). The Norfolk Harbor Project includes the channel elements of Channel to Newport News, Sewells Point Anchorage, Newport News Anchorage, and the Craney Island Dredged Material Management Area (CIDMMA).

While the enclosed document provides our preliminary Section 408-related comments and concerns in accordance with our role as a NEPA cooperating agency, we stress that the ATR for the HRC Project does not provide sufficient detail and information to make a Section 408 determination. Section 408 review can be

accomplished for this project once the plans have been developed to a sufficient level for our assessment of potential effects to our operation of Craney Island. EC 1165-2-216 indicates that plans should be developed to at least 60% completion in order to provide the level of detail necessary for Section 408 review of a proposal.

A copy of this letter, with enclosure, has been provided to Mr. Jim Utterback and Mr. Scott Smizik, with VDOT and Mr. Ed Sundra, with FHWA.

My staff will be happy to continue coordination on this project to assist in addressing these concerns for potential impacts to federally authorized civil works projects. If you require further information, please do not hesitate to contact Mr. Gregory C. Steele, P.E., Chief, Water Resources Division, at (757) 201-7764.

Sincerely,

Jason E. Kelly, PMP
Colonel, U.S. Army
Commanding

Enclosure

Norfolk District Corps of Engineers
Comments on the Hampton Roads Crossing Study (HRCS)
Alternatives Technical Report

1. Alternatives C and D for the HRCS surround and traverse Craney Island Dredged Material Management Area (CIDMMA) and alter the facility in the following manner:

a. The alternatives obstruct and restrict navigation to the CIDMMA. Obstructed or restricted navigable access will impair the ability of the Corps to maintain and operate CIDMMA and federal navigation channels and anchorages. Proposed alterations to the project will impact facility operation and maintenance, facility construction, contract performance periods, and result in increased costs to the Federal government and users of CIDMMA through increased tolls to deposit dredged material.

b. The proposed vertical clearance will restrict navigable access to the facility. The HRCS Supplemental Environmental Impact Statement (SEIS) Alternatives Technical Report provided to the Corps, indicates a vertical clearance for all bridge crossings of 18-feet relative to North American Vertical Datum of 1988 (NAVD 88). Restricted vertical clearance will prohibit delivery of construction materials and equipment and limit the type of vessels calling on the facility including Corps vessels and contractor vessels (i.e., tugs, derricks, barges, and cranes). The Corps will require continued unconstrained navigable access to the CIDMMA.

2. Alternatives B, C, and D traverse the east side of the CIDMMA. Proposed vertical clearance of bridge crossings on the facility will restrict access for vessels using the Craney Island Rehandling Basin (CIRB) bulkhead facility and construction lay-down area. As currently proposed cranes and similar equipment would be required to break-down and re-erect to clear the Virginia Port Authority rail and the proposed Hampton Roads Crossing (HRC) bridge structures. Proposed alterations to the project will impact facility operation and maintenance, facility construction, contract performance periods, and result in increased costs to the Federal government and users of CIDMMA through increased tolls to deposit dredged material.

3. Alternatives B, C, and D traverse the east side of the CIDMMA and propose to take land in the existing south containment cell. Relocation and reconstruction of the containment dike to the west will impair and reduce the long-term capacity of the CIDMMA. It is anticipated that the reduction of acreage within the containment cell will result in significant loss of capacity and associated lifespan of the south cell containment area. Any proposed excavation and re-deposit of south cell dredged material into containment cells from site work in the area will further reduce long-term capacity. Redeposit of excavated dredged material located in the south containment cell will require an evaluation to determine if the material may be redeposited at the CIDMMA. Additionally, any excavated material proposed for redeposit into CIDMMA may require evaluation and testing to insure the material meets Clean Water Act (CWA) and facility requirements. Additionally, relocation and reconstruction of the containment dike to the west may render the cell unable to accept dredged material for many years.

4. Alternatives B, C, and D will restrict dredge pipeline alignments for dredged material placement operations during maintenance of Federal navigation channels. Access for pipelines and tender vessels will be required at multiple locations under bridge structures. Perpetual easements for dredge pipelines will be required for alignments along proposed bridge structures. Constraining dredge pipeline alignments for dredged material placement operations at CIDMMA will result in increased costs to the Federal government and users of CIDMMA. Construction methods for the HRC project will need to be performed in a manner that minimizes impacts to Corps contractor's ability to install and maintain submerged and floating pipelines and ancillary equipment supporting maintenance dredging of Federal navigation channels and anchorages.

5. Alternatives B, C, and D will eliminate contractor lay-down area located at the CIRB bulkhead. Loss of the contractor lay-down area will require an alternate location for contractor access and lay-down area. It should be noted that lay-down areas provided to the north of the CIRB will require significant maintenance due to elevated land subsidence of the areas northward. This will result in increased costs to the Federal government through additional maintenance and to contractors who will not have access or lay-down areas proximate to operations at the bulkhead facility.

6. Alternatives B, C, and D will have impacts to United States Government property. Real estate coordination and real estate instruments will be required to construct the project on government property. Perpetual easements will need to be provided to support maintenance dredging, dredged material placement operations, and facility maintenance and construction.

7. Alternatives A, B, C, and D will each have tunnel elements that impact multiple Federal navigation channels and anchorages. Tunnel clearances in the Federal navigation channels will need to meet or exceed the clearance of the existing Hampton Roads Bridge Tunnel (HRBT). Tunnels will need to be protected to withstand all potentially foreseen impacts from navigational emergencies and dredging operations. Tunnel armament and depth must consider spud and anchor embedment depths and potential vessel strikes.

8. Alternatives A, B, C, and D will have impacts to designated Federal project anchorages. Construction methods and scheduling for project construction including any proposed use of Federal navigation anchorages during construction will need to be performed in a manner that minimizes impacts to navigation to a level acceptable to the navigation community. Loss of anchorage areas will reduce anchorage capacity, availability, and reduce vessel scheduling, access, and maneuverability.

9. Alternatives B, C, and D will have impacts to navigation and operations during construction of the project. Construction methods and scheduling for the project, especially features crossing navigation channels and facilities, will need to be performed in a manner that minimizes impacts to navigation to a level acceptable to the navigation community.

10. Alternatives B, C, and D will have impacts to maintenance and construction on the CIDMMA facility. Construction methods and scheduling for the HRC project will need to be performed in a manner to minimize impacts to dredging, dredged material placement operations, facility maintenance, and construction to a level that accommodates timely dredged material placement by the Corps and other stakeholders using the facility. HRC construction on CIDMMA will need to be performed to not interfere with containment dike raising, dredged material borrow operations, and construction and maintenance of other facility infrastructure.

11. Alternatives B, C, and D propose to construct a roadway adjacent to an existing utility corridor on CIDMMA. The project design and construction will need to be performed to ensure the stability and differential loading and movement that may result on the utilities (i.e., Virginia Natural Gas pipeline, U.S. Navy JP-5 line).

12. Impacts to navigation for the selected alternative (A, B, C, or D) must be vetted and approved by the U.S. Coast Guard (USCG) Sector Hampton Roads.

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

April 1, 2016

Ms. Julie V. Langan, Director
ATTN: Mr. Marc Holma
Office of Review and Compliance
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221

Route Number: I-64, I-664, I-564
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783
City/County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk
Project Description: Hampton Roads Crossing Study, Supplemental Environmental Impact Statement
Proposed Action: Coordination of Efforts to Identify Historic Properties

Dear Ms. Langan:

The Virginia Department of Transportation (VDOT), in cooperation with the Federal Highway Administration (FHWA), is preparing a Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study (HRCS), a federally-funded transportation project subject to Section 106 of the National Historic Preservation Act (54 U.S.C. 300101 et seq.). On behalf of the FHWA, VDOT last wrote you about the HRCS on February 16, 2016, to update you on the alternatives that will be examined in the SEIS and solicit your comments regarding VDOT's definition of the project's Area of Potential Effects. The purpose of this letter is to coordinate with your office the results of VDOT's efforts to identify above-ground ("architectural") historic properties located within the Area of Potential Effects for the HRCS and to share our assessment of the additional technical studies that will be needed to complete efforts to identify the archaeological historic properties.

Background

The purpose of the HRCS is to relieve congestion at the I-64 Hampton Roads Bridge Tunnel in a manner that improves accessibility, transit, emergency evacuation, and military and goods movement along the primary transportation corridors in the Hampton Roads region, including the I-64, I-664, I-564, and Route 164 corridors (Figure 1). The four build alternatives (A, B, C, and D) that have been retained for full analysis in the SEIS were described in detail in our February 2016 letter. The location and configuration of each is shown in Figure 2.

Figure 3 depicts the 500-foot-wide Study Area Corridors associated with each build alternative (along with expanded areas at the locations of potential interchange improvements) which, for the purposes of Section 106, constitute the Area Potential Effects (APE) for direct effects. We would like to emphasize that the 500-foot Study Area Corridors are so-called "worst-case scenarios" for direct impacts. As work on the SEIS proceeds, more realistic and presumably narrower Limits of Disturbance will be delineated for each alternative based on early preliminary engineering. For example, VDOT and FHWA have already agreed that improvements proposed in the HRCS SEIS to the I-64 corridor largely would be confined to existing highway right-of-way.

In general, in undeveloped areas or in areas where alternatives cross water, VDOT defined the APE for indirect effects (e.g., visual or auditory effects) as extending 500 feet beyond each side of the 500-foot Study Area Corridor. In developed areas where the build alternatives would involve improvements to existing highways, the indirect effects APE extends across tax parcels directly abutting the 500-foot Study Area Corridor and across any parcels immediately adjacent to the abutting properties.

Architectural Resources

VDOT has recently completed background research and Phase I field survey to identify all architectural properties that would be 50 or more years of age as of 2026 located within the direct and indirect APE for the HRCS that are already listed on the National Register of Historic Places (NRHP), have previously been determined eligible for listing, or, in our opinion, are potentially eligible for listing. The results of this effort are presented in the report, *Architectural Survey: Management Summary, HRCS SEIS*, prepared by Stantec Consulting Services, Inc. (Stantec), a subcontractor to VDOT's consultant Rummel Klepper and Kahl, LLP. Two paper copies of this report and one copy in Portable Document Format (PDF) on compact disc are enclosed for your department's review. One copy in PDF format is also being provided to each of the other consulting parties.

As discussed in further detail in the architecture management summary, the direct and indirect effects APE for the HRCS contain the following resources:

- 12 properties previously listed on the NRHP (two of which—Hampton Institute Historic District and Fort Monroe--are also National Historic Landmarks) (Table 1)

- 8 properties previously determined by your department to be eligible for listing on the NRHP, or considered eligible for listing by Commander Navy Region Mid-Atlantic (CNRMA) (Table 2)

- 2 National Historic Trails designated by Congress which VDOT is assuming are eligible for the NRHP for the purposes of assessing the effects of the HRCS on historic properties pursuant to Section 106 of the National Historic Preservation Act (Table 2)

- 505 previously surveyed resources, recorded in your department's Virginia Cultural Resources Information System (V-CRIS) between 2010 and 2015, and previously determined by your department not to be eligible for the NRHP

- 170 previously surveyed resources, recorded in V-CRIS more than five years ago, and re-surveyed for the HRCS

    - 3 of these properties are recommended on the basis of the present HRCS survey to be eligible for the NRHP; the remainder (167) are recommended not to meet NRHP eligibility criteria (Table 3)

- 628 newly surveyed resources recorded in V-CRIS for the HRCS

    - 2 of these properties are recommended on the basis of the present HRCS survey to be eligible for the NRHP; the remainder (626) are recommended not to meet NRHP eligibility criteria (Table 3)

Hard copies of the forms Stantec has completed in V-CRIS, associated property sketches, and photographic documentation for the 170 properties that Stantec resurveyed and the 628 properties they surveyed for the first time are being provided to your department under separate cover. If any of the other consulting parties so request, VDOT would happy to provide them a PDF copy of this detailed documentation.

It should be noted that property access refusals prevented Stantec from examining eight additional structures in the HRCS APE that meet the age criteria VDOT established for the architectural study. Two of the five dwellings on the tax parcel at 2300 Jolliff Road (located outside the direct but inside the indirect APE in the City of Chesapeake) could not be examined (Figure 4); however, VDOT believes it is unlikely that these two buildings meet NRHP eligibility criteria based on their similarity to the other three ca. 1960, one-story, concrete block dwellings on the property (VDHR File Nos. 131-5787, 131-5829, 131-5830). Four properties in the City of Newport News (DHR Nos. 121-0055, 121-0057, 121-0058, 121-0059) and one property in the City of Norfolk (DHR No. 122-0334) had previously been recorded in V-CRIS, but access was denied for Stantec's planned re-survey. The locations of these properties are depicted in Maps D-26 and D-27 in the enclosed management summary. Two of the properties are within the HRCS direct effects APE, and VDOT will likely attempt again to gain access for the purpose of assessing the NRHP eligibility of the structures.

Archaeological Resources

Also enclosed for your department's review and review by other consulting parties is the report, *Archaeological Assessment, HRCS SEIS*, prepared by Stantec for VDOT. Two paper copies of this report and one copy in PDF on compact disc are enclosed for your department's review. One copy in PDF format is also being provided to each of the other consulting parties.

The direct effects APE for the HRCS has been the subject of several previous terrestrial and underwater archaeological technical studies conducted by VDOT to support the 2001 HRCS Final Environmental Impact Statement and 2011 Re-evaluation and the 2012 Draft Environmental Impact Statement prepared for the Hampton Roads Bridge Tunnel study. The purpose of the archaeological assessment was to consider the geographic coverage and findings of these and other previous studies in relation to the present HRCS APE, along with present land use conditions, to determine where within the direct effects APE survey still needs to be conducted to complete efforts to identify potentially significant archaeological sites at the Phase I level of investigation. Section 5 of the assessment report identifies several areas of the APE not examined sufficiently in previous surveys where additional survey is warranted. VDOT proposes to defer this additional Phase I level survey (as well as any Phase II level investigations that also might be needed to identify the archaeological sites eligible for the NRHP potentially affected by the HRCS) until after a build alternative has been selected. The assessment report review of the archaeological sites presently known to be located within the HRCS direct effects APE, and the review of the APE's potential to contain additional sites, has lead VDOT to conclude that, in relation to their historical significance, any archaeological historic properties that might be affected by the HRCS would meet the regulatory exception to the requirements of Section 4(f) approval: the sites would be important chiefly for the information they contain, which can be retrieved through data recovery, and would have minimal value for preservation in place [23 CFR §774.13(b)(1)].

Preliminary Assessment of Effects on Battlefield and Historic Trail Resources

Each of the proposed build alternatives for the HRCS traverses extensive historic resources that have been identified by sub-units of the National Park Service as being potentially eligible for the NRHP. These resources include one War of 1812 battlefield – Battle of Craney Island (DHR Inventory No. 124-5267) – two Civil War battlefields – Battle of Hampton Roads (114-5471) and Battle of Sewell's Point (122-5426) – and two national historic trails -- Captain John Smith Chesapeake National Historic Trail and Washington-Rochambeau Revolutionary Route National Historic Trail. Alternatives B, C, and D cross land associated with the Battle of Craney Island and identified by the American Battlefield Protection Program (ABPP) as potentially eligible for the NRHP (PotNR). All four build alternatives cross the two national historic trails and the ABPP-defined PotNR for the battles of Hampton Roads and Sewell's Point.

The current condition of each of these five battlefield and trail resources and their historic settings are reviewed in detail in the enclosed architecture management summary and archaeological assessment reports. In sum, these resources are located within what is now a highly industrialized and developed area in which few remnants of the historic landscape survive. Additionally, much of the construction associated with the four proposed build

alternatives for the HRCS would involve improvements of or improvements immediately adjacent to existing infrastructure, such as the Monitor-Merrimac Memorial Bridge-Tunnel and the Hampton Roads Bridge Tunnel. Given the limited design and engineering that has been developed for the build alternatives to date it would be premature for VDOT to definitively assess the effect of the HRCS on these battlefield and trail resources; however, we do believe the effect is not likely to be adverse. In comments submitted to VDOT by letter of January 4, 2016, the National Park Service's Chesapeake Bay Office has expressed a similar conclusion in regard to the effects of the HRCS on the Captain John Smith Chesapeake National Historic Trail (CAJO): "While there may be significant CAJO resources currently known or potentially to be discovered within the still-developing APE of the proposed project alternatives, the integrity of many CAJO resources within this particular area has been diminished over time by the impacts of extensive existing development and infrastructure. All project alternatives of the HRCS appear to propose actions that are generally consistent with the existing conditions in the area." The FHWA may use VDOT's findings in regard to the battlefield and historic trail resources to make preliminary *de minimis* impact determinations in the Draft SEIS pursuant to the requirements of Section 4(f) of the Department of Transportation Act [23 CFR §774.3(b)].

VDOT has summarized our present findings in the signature block below, and we invite your agency to indicate your concurrence with these determinations by completing the signature block and returning your original signature to my attention. We would appreciate receiving any comments you or other consulting parties may have within thirty (30) calendar days of receipt of this letter.

Thank you for your assistance. If you or other consulting parties have any questions about the HRCS, please don't hesitate to contact me by email at me.hodges@vdot.virginia.gov or by phone at 804-786-5368.

Sincerely,

Mary Ellen N. Hodges

Mary Ellen N. Hodges
District Preservation Program Coordinator
Enclosures

c. Mr. Ed Sundra, FHWA
Mr. Scott Smizik, VDOT Locations Study Manager
Ms. Britta Ayers, City of Newport News
Mr. Scott Mills, City of Suffolk
Ms. Mae Breckenridge-Haywood, African American Historical Society of Portsmouth
Mr. Patrick R. Jennings, American Battlefield Protection Program
Ms. Martha F. Morris, Buckroe Historical Society
Mr. Mark Perreault, Citizens for a Fort Monroe National Park
Mr. J. Brewer Moore
Mr. Matt Jagunic, National Park Service, Chesapeake Bay Office
Ms. Peggy McPhillips, Norfolk Historical Society

Mr. Carter B. S. Furr, Norfolk Preservation Alliance
Mr. James R. Turner, Partnership for a New Phoebus, Inc.
Mr. John Haynes, U.S. Army Corps of Engineers
Captain Brenda Kerr, U.S. Coast Guard Base, Portsmouth
Mr. Rob Reali, Army Caretaker, Fort Monroe
Mr. W. Keith Cannady, City of Hampton, Community Development Department
Mr. Josh Gillespie, Fort Monroe Authority
Dr. Rodney Smith, Hampton University
Ms. Kirsten Talken-Spalding, Fort Monroe National Monument
Mr. Clyde Christman, Virginia Department of Conservation and Recreation (Fort Wool)
Ms. Luci Talbot Cochran, Hampton History Museum
Mr. Hunter D. Smith, Smith/Packett (The Chamberlin)
Ms. Jacqueline Post, U. S. Department of Veterans Affairs

HAMPTON ROADS CROSSING STUDY
Project Number: 0064-965-081, P101
UPC: 106724
DHR File No. 2015-0783

The Department of Historic Resources (DHR) concurs with the following findings of the Virginia Department of Transportation (VDOT):

- VDOT's National Register of Historic Places (NRHP) eligibility determinations for the architectural resources listed in Appendices B, C, and D of the report, *Architectural Survey: Management Summary, HRCS SEIS*, dated April 1, 2016 and prepared by Stantec for VDOT;

- VDOT's findings that survey within the areas described in Section 5.1 of the report, *Archaeological Assessment, HRCS SEIS*, dated April 1, 2016, and prepared by Stantec for VDOT, would be sufficient for completing efforts to identify, at the Phase I level, all archaeological sites within the HRCS direct effects Area of Potential Effects (APE) that may be eligible for the NRHP;

- Any archaeological sites located within the direct effects APE for the HRCS likely would be potentially important chiefly for the information they may contain (which can be retrieved through data recovery) and have minimal value for preservation in place.

Julie V. Langan, Director
Virginia Department of Historic Resources
Virginia State Historic Preservation Officer

28 April 16
Date

2015-0783

Figure 1. HRCS roadway alignments.

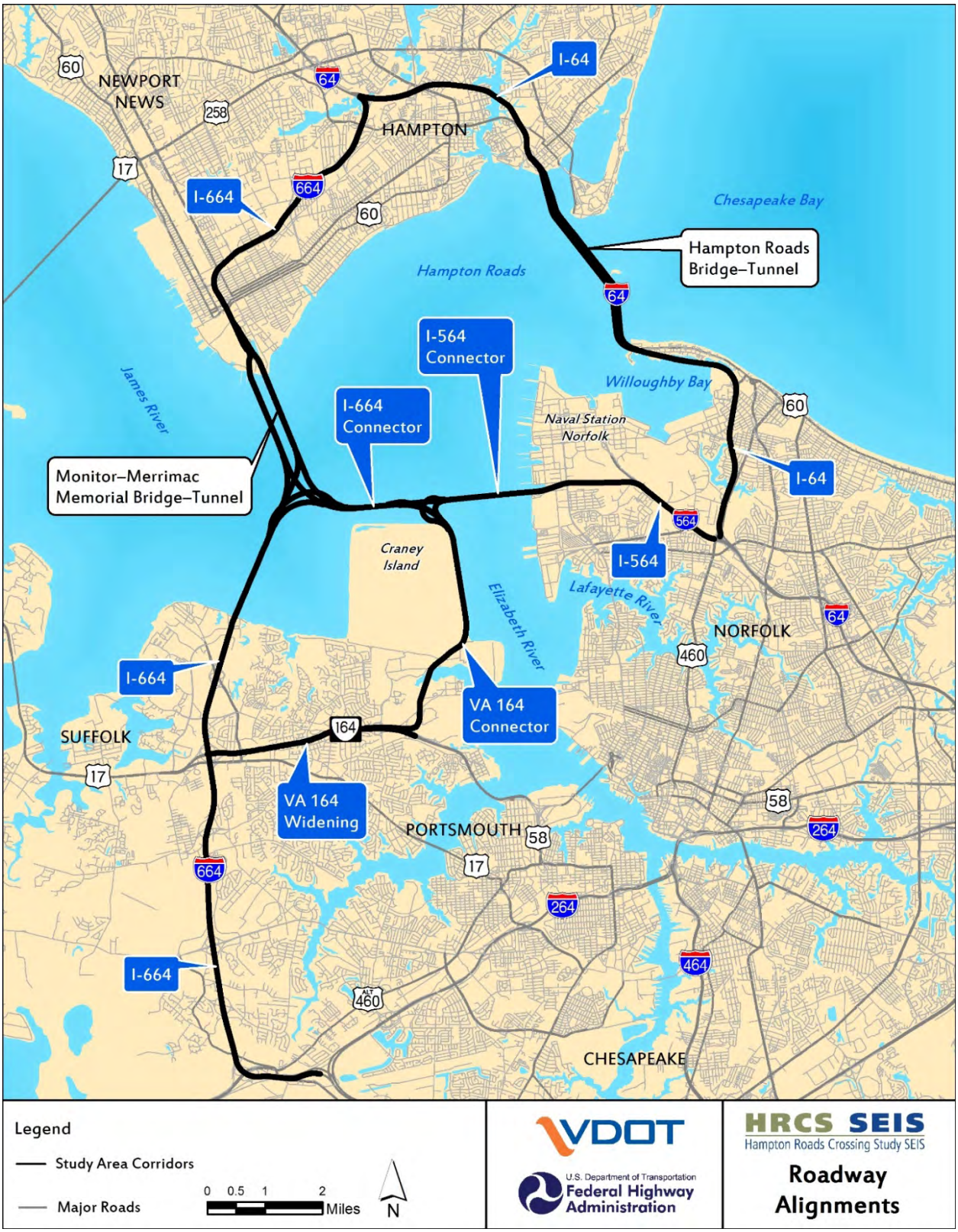


Figure 2. The four build alternatives for the HRCS.

Figure 3. Study Area Corridors associated with the four HRCS build alternatives.

Figure 4. Location of the two dwellings (circled with a pink line) at 2300 Jolliff Road for which access to survey was denied. The adjacent dwellings, labeled with DHR File Nos., were surveyed.

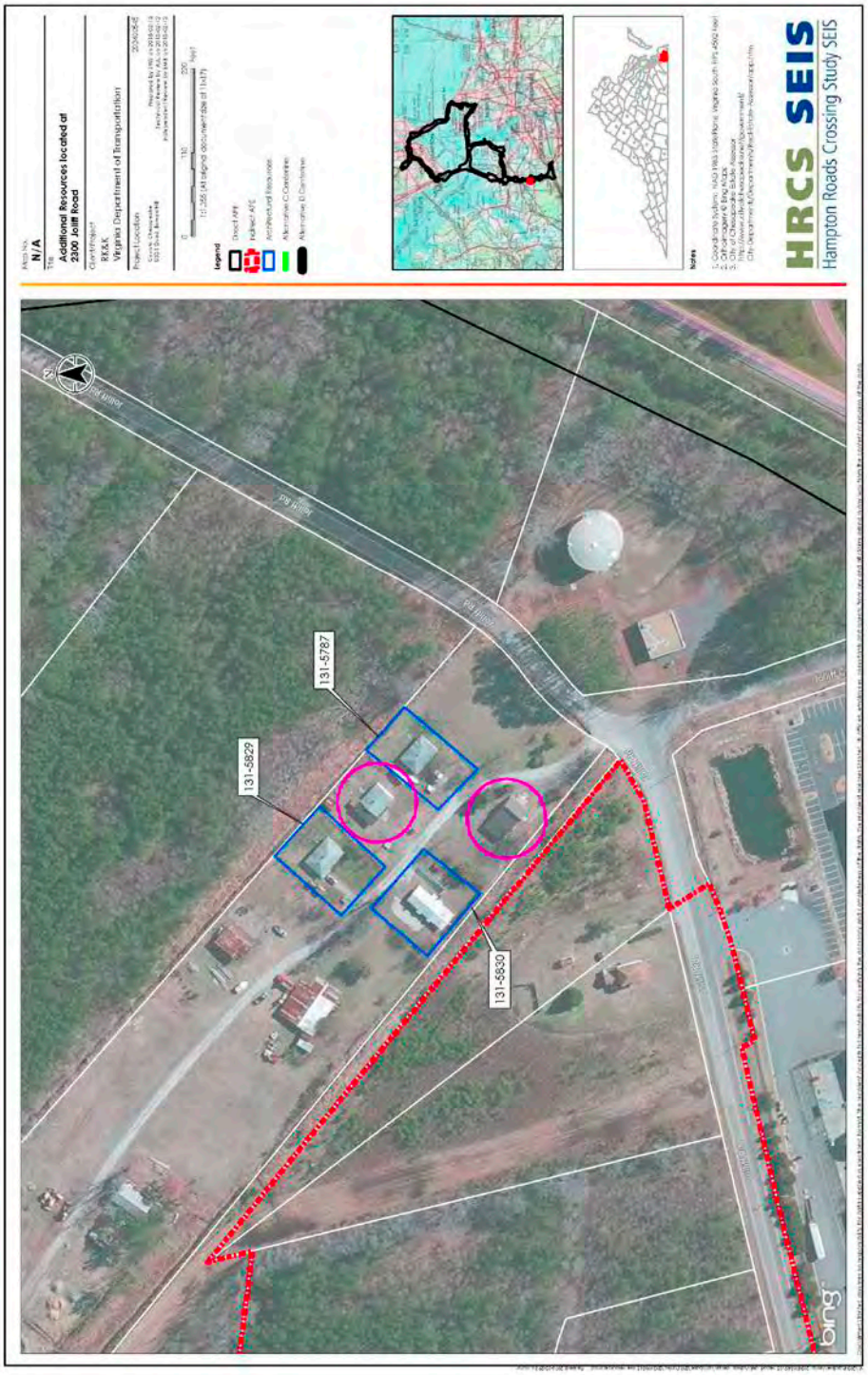


Table 1. Architectural properties previously listed on the National Register of Historic Places

VDHR No.	City	Resource	NRHP Status	SEIS Alternative	Direct APE	Indirect APE
114-0002	Hampton	Fort Monroe	NHL 1960; NRHP-listed 1966	A, B, & D		Yes
114-0006	Hampton	Hampton Institute Historic District	NRHP-Listed 1969; NHL 1974; NHL Boundary Revised 1976	A, B, & D	Yes	Yes
114-0021	Hampton	Old Point Comfort Lighthouse	NRHP-Listed 1973	A, B, & D		Yes
114-0041	Hampton	Fort Wool	NRHP-Listed 1969	A, B, & D		Yes
114-0101	Hampton	Hampton Veterans Affairs Medical Center Historic District	Federal Determination of Eligibility 1981 by the Keeper of the NRHP	A, B, & D	Yes	Yes
114-0114	Hampton	Chamberlin Hotel	NRHP-Listed 2007	A, B, & D		Yes
114-0118	Hampton	Pasture Point Historic District	NRHP-Listed 2012	A, B, & D		Yes
114-0148	Hampton	Hampton National Cemetery	NRHP-Listed 1996	A, B, & D		Yes
114-5002	Hampton	Phoebus-Mill Creek Terrace Neighborhood Historic District	NRHP-Listed 2006	A, B, & D	Yes	Yes
121-0032	Newport News	St. Vincent de Paul Catholic Church	NRHP-Listed 2005	C & D		Yes
121-0299	Newport News	Noland Company Building	NRHP-Listed 2010	C & D	Yes	Yes
131-5325	Chesapeake	Sunray Agricultural Historic District	NRHP-Listed 2008	C & D		Yes

Table 2. Architectural properties previously determined eligible for the National Register of Historic Places or assumed eligible for the purposes of this study.

VDHR No.	City	Resource	NRHP Eligibility Status	SEIS Alternative	Direct APE	Indirect APE
114-5471	Hampton	Battle of Hampton Roads (ABPP VA008)	NRHP-Eligible (DHR 2007)	A, B, C, & D	Yes	Yes
122-0410	Norfolk	Norfolk Naval Base Historic District	Portions Considered NRHP-Eligible by the CNRMA	A, B, & D	Yes	Yes
122-0531	Norfolk	Forest Lawn Cemetery	NRHP-Eligible (DHR 2012)	A, B, & D	Yes	Yes
122-0954	Norfolk	Ocean View Elementary School	NRHP-Eligible (DHR 1998)	A, B, & D		Yes
122-5045	Norfolk	Norfolk Naval Base Golf Club Historic District	NRHP-Eligible (DHR 1997)	B, C, & D	Yes	Yes
122-5426	Norfolk	Battle of Sewell's Point (VA001)	NRHP-Eligible (DHR 2007)	A, B, C, & D	Yes	Yes
122-5434	Norfolk	Merrimack Landing Apartment Complex/Merrimack Park Historic District	NRHP-Eligible (DHR 2012)	A, B, & D		Yes
124-5267	Portsmouth	Battle of Craney Island	NRHP-Eligible (ABPP 2007)	B, C, and D	Yes	Yes
Not assigned	Hampton, Newport News, Norfolk, Portsmouth, Suffolk	Captain John Smith Chesapeake National Historic Trail	Assumed Eligible for the Purposes of this Study	A, B, C, & D	Yes	Yes
Not assigned	Hampton, Newport News, Norfolk, Portsmouth, Suffolk	Washington-Rochambeau Revolutionary Route National Historic Trail	Assumed Eligible for the Purposes of this Study	A, B, C, & D	Yes	Yes

Table 3. Architectural properties recommended potentially eligible for the National Register of Historic Places.

VDHR No.	City	Resource	NRHP Eligibility Status	SEIS Alternative	Direct APE	Indirect APE
114-0155	Hampton	Elmerton Cemetery	Recommended Potentially Eligible 2016	A, B, & D		Yes
114-5600	Hampton	Hampton Coliseum	Recommended Potentially Eligible 2016	A, B, C, & D	Yes	Yes
121-0033	Newport News	Brown Manufacturing, Coca-Cola Bottling Works, Daily Press Building	Recommended Potentially Eligible 2016	C & D		Yes
121-0157	Newport News	Peninsula Catholic High School/St. Vincent's School for Girls	Recommended Potentially Eligible 2016	C & D	Yes	Yes
122-5930	Norfolk	Willoughby Elementary School	Recommended Potentially Eligible 2016	A, B, & D		Yes

City of Virginia Beach

VBgov.com

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MUNICIPAL CENTER
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VIRGINIA BEACH, VA 23456-9001

March 31, 2016

U.S. Department of Transportation
Federal Highway Administration
Attention: Mr. Jose Granado, P.E.

Subject: City of Virginia Beach Participating Agency Status – Hampton Roads Crossing Study Supplemental Environmental Impact Statement

Dear Mr. Granado:

This letter is to acknowledge and accept that the City of Virginia Beach has been granted participating agency status as part of the Hampton Roads Crossing Study Supplemental Environmental Impact Statement.

The City organization appreciates the opportunity to be involved in this critical regional transportation project as a participating agency.

Respectfully,

David L. Hansen,
City Manager

c: Jim Utterback, PMP, VDOT Hampton Roads Administrator

City of Virginia Beach Management Leadership Team
Phillip A. Davenport, Director of Public Works
Robert R. Matthias, Assistant to the City Manager
Brian Solis, Interim Strategic Growth Areas Manager

DEPARTMENT OF THE NAVY
COMMANDER
NAVY REGION MID-ATLANTIC
1510 GILBERT STREET
NORFOLK VA 23511-2737

5090
N4
February 24, 2016

Ms. Irene Rico
Division Administrator
U.S. Department of Transportation
Federal Highway Administration – Virginia Division
400 N. 8th Street Room 750
Richmond, VA 23219-4825

SUBJECT: Hampton Roads Crossing Study, Supplemental Environmental Impact Statement: Invitation to Serve as a Cooperating Agency

Dear Ms. Rico:

Thank you for your letter requesting that the United States Navy (USN) participate as a cooperating agency in the preparation of the Supplemental Environmental Impact Statement (SEIS) to reevaluate the Hampton Roads Crossing Study. We reaffirm our support of VDOT's and FHWA's decision to re-examine the three alternatives retained for analysis in the original study, as well as other alternatives that may be identified during the initial scoping process. Because of the Navy's substantial presence in the region, we remain interested in initiatives that improve transportation connections and reduce congestion, and agree to be a cooperating agency.

Doing so will materially further the Navy's interest in increasing the safety and quality of life for tens of thousands of military personnel accessing both Naval Station Norfolk (NSN) and Naval Support Activity Hampton Roads (NSAHR). The Crossing Study initiative is consistent with our view that transportation is a military readiness issue, and we support efforts that contribute to the overall strategy to expand the region's transportation system capacity, reduce congestion, and increase access to Hampton Roads. Consequently, we support efforts to improve harbor-crossing capability because of the significant benefit to our military mission and the welfare of our personnel.

As a cooperating agency, the Navy will, as resources permit:

- Provide meaningful and early input in defining the purpose and need, determining the range of alternatives to be considered, and identify the methodologies and level of detail needed in the assessment of impacts;
- Participate in coordination meetings, study team meetings, and joint field reviews, when warranted and to the extent agency resources allow; and

- Provide timely review and comments on environmental documentation as it is being prepared.

It is important to note, however, that certain bridge and tunnel designs could adversely affect Navy port and air operations. Accordingly, the Navy will work in partnership with VDOT/FHWA to find mutually beneficial solutions that are most compatible with the needs of all users, including the Navy.

We look forward to continued efforts to identify and implement timely solutions to the Harbor crossing challenge. Accordingly, the Navy will continue to work with Federal and state agencies in support of regional solutions, that, in total, resolve traffic congestion, promote Fleet readiness, and offer Navy families options that make living in Hampton Roads even more attractive than it is today.

If you need additional information, please contact either Ms. Rhonda Murray at (757) 341-0232, rhonda.p.murray@navy.mil or Ms. Justine Woodard at (757) 341-0496, justine.woodward@navy.mil.

Sincerely,

R. L. WILLIAMSON
Rear Admiral, U.S. Navy

DEPARTMENT OF THE NAVY
COMMANDER
NAVY REGION MID-ATLANTIC
1510 GILBERT STREET
NORFOLK VA 23511-2737

5090
N4
February 24, 2016

Mr. Scott Smizik
Virginia Department of Transportation
Environment Division
1401 East Broad Street
Richmond, VA 23219

SUBJECT: Hampton Roads Crossing Study, Supplemental Environmental Impact Statement: Invitation to Serve as a Cooperating Agency

Dear Mr. Smizik:

Thank you for your letter requesting that the United States Navy (USN) participate as a cooperating agency in the preparation of the Supplemental Environmental Impact Statement (SEIS) to reevaluate the Hampton Roads Crossing Study. We reaffirm our support of VDOT's and FHWA's decision to re-examine the three alternatives retained for analysis in the original study, as well as other alternatives that may be identified during the initial scoping process. Because of the Navy's substantial presence in the region, we remain interested in initiatives that improve transportation connections and reduce congestion, and agree to be a cooperating agency.

Doing so will materially further the Navy's interest in increasing the safety and quality of life for tens of thousands of military personnel accessing both Naval Station Norfolk (NSN) and Naval Support Activity Hampton Roads (NSAHR). The Crossing Study initiative is consistent with our view that transportation is a military readiness issue, and we support efforts that contribute to the overall strategy to expand the region's transportation system capacity, reduce congestion, and increase access to Hampton Roads. Consequently, we support efforts to improve harbor-crossing capability because of the significant benefit to our military mission and the welfare of our personnel.

As a cooperating agency, the Navy will, as resources permit:

- Provide meaningful and early input in defining the purpose and need, determining the range of alternatives to be considered, and identify the methodologies and level of detail needed in the assessment of impacts;
- Participate in coordination meetings, study team meetings, and joint field reviews, when warranted and to the extent agency resources allow; and
- Provide timely review and comments on environmental documentation as it is being prepared.

5090
N4
February 24, 2016

It is important to note, however, that certain bridge and tunnel designs could adversely affect Navy port and air operations. Accordingly, the Navy will work in partnership with VDOT/FHWA to find mutually beneficial solutions that are most compatible with the needs of all users, including the Navy.

We look forward to continued efforts to identify and implement timely solutions to the Harbor crossing challenge. Accordingly, the Navy will continue to work with Federal and state agencies in support of regional solutions, that, in total, resolve traffic congestion, promote Fleet readiness, and offer Navy families options that make living in Hampton Roads even more attractive than it is today.

If you need additional information, please contact either Ms. Rhonda Murray at (757) 341-0232, rhonda.p.murray@navy.mil or Ms. Justine Woodard at (757) 341-0496, justine.woodward@navy.mil.

Sincerely,

R. L. WILLIAMSON
Rear Admiral, U.S. Navy

City of Newport News

Virginia 23607

Office Of The City Manager

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

December 21, 2015

Mr. Wayne Fedora
U.S. Department of Transportation
Federal Highway Administration
400 N. 8th Street, Room 750
Richmond, Virginia 23219-4825

Re: Hampton Roads Crossing Study - Confirmation as a Cooperating Agency
State Project Number: 0064-965-081, P101, UPC 106724

Dear Mr. Fedora:

Thank you for extending cooperating agency status to the City of Newport News for the preparation of the Supplemental Environmental Impact Study (SEIS) for the Hampton Roads Crossing Study (HRCS). The City welcomes the opportunity to be an active participant in the SEIS as the project has the potential for significant impact to Newport News. Bryan Stilley of the Department of Engineering will serve as the point of contact for the City and may be contacted by email at bstilley@nnva.gov or at (757) 926-8699.

Sincerely,

James M. Bourey
City Manager

JMB:KBS:wjr

cc: Cynthia Rohlf, Assistant City Manger
Everett P. Skipper, Director of Engineering
Scott Smizik, VDOT Location Studies Project Manager

From: "Wright, James" <wrightj@portsmouthva.gov>
Date: December 15, 2015 at 10:31:54 AM EST
To: "Gibson, Anthony J (VDOT)" <Anthony.Gibson@VDOT.Virginia.gov>
Subject: RE: HRCS

Mr. Gibson,

I am pleased to accept the invitation on behalf of the City of Portsmouth to become a cooperating agency in the development of the SEIS for the Hampton Roads Crossing Study. Please ensure that I am copied on all correspondence as it relates to this project. If you need additional information, do not hesitate to contact me.

Once again, thank you for consideration.

JW

U.S. Department
of Transportation
**Federal Transit
Administration**

REGION III
Delaware, District of
Columbia, Maryland,
Pennsylvania, Virginia,
West Virginia

1760 Market Street
Suite 500
Philadelphia, PA 19103-4124
215-656-7100
215-656-7260 (fax)

December 4, 2015

Mr. Wayne Fedora
Acting Division Administrator
Federal Highway Administration
400 North 8th Street, Room 750
Richmond, VA 23219-4825

Re: Invitation to Serve as a Cooperating Agency on the Hampton Roads Crossing Study – VDOT Project Number 0064-965-081, P101; UPC 106724

Dear Mr. Fedora:

The Federal Transit Administration (FTA) is in receipt of the Federal Highway Administration's (FHWA) letter of November 24, 2015 requesting that FTA become a cooperating agency for the above-referenced project located in the cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk, Virginia. FTA understands this Supplemental Environmental Impact Statement (SEIS) will re-examine the three alternatives that were retained for analysis in the original Hampton Roads Crossing Study, as well as other alternatives that may be identified during the initial scoping process. The original study was documented in a Final Environmental Impact Statement (FEIS) and Record of Decision (ROD), both issued by FHWA in 2001.

On July 29, 2015, FTA accepted FHWA's invitation to be a participating agency for the same study; however, FTA now understands that the above-referenced SEIS could include transit improvements and access across the Hampton Roads waterway meriting a higher degree of authority and involvement as it relates to public transportation. Based on the inclusion of conceptual transit elements in this SEIS, FTA accepts FHWA's invitation to become a cooperating agency pursuant to 23 CFR 771.111(d).

Please contact Mr. Ryan Long, Community Planner, at (215) 656-7051 or ryan.long@dot.gov, if you have any further questions.

Sincerely,

Terry Garcia Crews
Regional Administrator

cc: Ed Sundra, FHWA
Scott Smizik, VDOT
Dan Koenig, FTA

From:	Bunting, Mary
To:	Smizik, Scott (VDOT)
Cc:	"Ed.Sundra@dot.gov"; Gibson, Anthony J (VDOT); Allsbrook, Lynn; DeProfio, Brian
Subject:	Hampton Roads Crossing Study Cooperating Agency Response
Date:	Wednesday, November 18, 2015 6:48:27 PM

Mr. Smizik,

I am responding to the November 9, 2015 letter from Ed Sundra of FHWA regarding the City of Hampton's designation as a cooperating agency in the Hampton Roads Crossing Study. First please accept my apology for responding late and the City not being in attendance at the November 16, 2015 cooperating agency meeting. The City of Hampton accepts the offer to be a Cooperating Agency and looks forward to actively participating in the study moving forward.

I am designating Lynn Allsbrook, Director of Public Works (lallsbrook@hampton.gov) and Brian DeProfio, Director of Budget and Strategic Priorities (bdeprofio@hampton.gov) as the City's representatives.

Mary Bunting
City Manager

COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

Charles A. Kilpatrick, P.E.
Commissioner

November 18, 2015

Project Description: Hampton Roads Crossing Study
Route Number: I-64, I-664, I564
Project Number: 0064-965-081, P101
UPC: 106724
Cities/Counties: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk

Matt Jagunic
Outdoor Recreation Planner
National Park Service, Chesapeake
410 Severn Avenue, Suite 314
Annapolis, MD 21403

Dear Mr. Jagunic:

The Federal Highway Administration (FHWA), Virginia Division, has shared with the Virginia Department of Transportation (VDOT) the comments of Cheryl Sams O'Neill, Interagency Review Coordinator, National Park Service (NPS), Northeast Region, provided to Edward Sundra by letter dated July 22, 2015, in response to FHWA's notice of intent to prepare a Supplemental Environmental Impact Statement for the Hampton Roads Crossing Study. We have also received your own email dated July 23, 2015, indicating that the NPS, Chesapeake Bay Office, wishes to participate in consultation for the Hampton Roads Crossing Study pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. 306108; 36 CFR Part 800). It is implied in Ms. O'Neill's letter that the NPS considers the Captain John Smith Chesapeake National Historic Trail (CAJO) eligible for the National Register of Historic Places (NRHP) since Ms. O'Neill stated that potential Section 106 impacts to the CAJO should be considered as the Hampton Roads Crossing Study progresses.

VDOT is familiar with NPS descriptions of the CAJO that can be found in NPS planning documents for the trail available online (http://www.nps.gov/cajo/getinvolved/planning.htm). We are also aware of the Keeper of the National Register of Historic Places's August 14, 2015, determination, in relation to Dominion Virginia Power's proposed Surrey-Skiffes Creek-Whealton aerial transmission line project, that a section of the CAJO extending from just west of Jamestown Island downstream to the Pagan River near Smithfield, VA, is eligible for the NRHP

as a contributing element of a larger historic district encompassing, at a minimum, this length of the James River and extending inland several thousand feet from the river's shoreline. Within this larger historic district, the Keeper defined the boundary of the CAJO itself as extending "from shore to shore of the James River."

VDOT is still in the process of defining the Area of Potential Effects (APE) for the alternatives that will be examined under the Hampton Roads Crossing Study. We anticipate, however, that the water-based areas of the APE will include those areas encompassed by the bright pink line on the attached map. We appreciate the offer you extended in your email to provide VDOT with information about the CAJO, particularly in light of the NPS' special expertise and knowledge of the resource through its administration. As we continue to define the APE and initiate the studies necessary to identify historic properties that might be affected by alternatives considered in the Hampton Roads Crossing Study, it would be helpful for us to understand better how NPS views the CAJO in this area, and we would appreciate your answering the following questions:

- Would you please confirm whether NPS believes the portion of the CAJO within the area depicted on the attached map is eligible for the NRHP.

- If the NPS believes the portion of the CAJO in this area is NRHP-eligible, please provide a description of its significance, including the period of significance, under each applicable NRHP criteria (A-D).

- What are the geographic boundaries of the NRHP-eligible CAJO in this area as defined by NPS?

- What individual buildings, structures, sites, districts, or objects has NPS identified within this area that NPS believes comprise the CAJO or contribute to its significance.

Although not mentioned in the correspondence from NPS referred to above, VDOT has noted that some information on NPS web pages shows that the Washington-Rochambeau National Historic Trail also passes through Hampton Roads (http://www.nps.gov/waro/planyourvisit/directions.htm), while other available information does not (link from proceeding webpage to the Virginia portion of the trail shown on Google Maps, https://www.google.com/maps/d/viewer?mid=zq4NrDAQGD2E.k8PkioR-C8QY&msa=0&ie=UTF8&z=8). VDOT would appreciate NPS confirming whether a section of this trail does indeed pass through the water-based section of the APE associated with the Hampton Roads Crossing Study shown on the attached map and, if so, responding to these additional questions regarding the Washington-Rochambeau National Historic Trail:

- Would you please indicate whether NPS believes the portion of the Washington-Rochambeau National Historic Trail within the area depicted on the attached map is eligible for the NRHP.

- If the NPS believes the portion of the Washington-Rochambeau National Historic Trail in this area is NRHP-eligible, please provide a description of its significance, including the period of significance, under each applicable NRHP criteria (A-D).

- What are the geographic boundaries of the NRHP-eligible Washington-Rochambeau National Historic Trail in this area as defined by NPS?

- What individual buildings, structures, sites, districts, or objects has NPS identified within this area that NPS believes comprise the Washington-Rochambeau National Historic Trail or contribute to its significance.

We would appreciate receiving your response within 30 days. Thank you for your assistance.

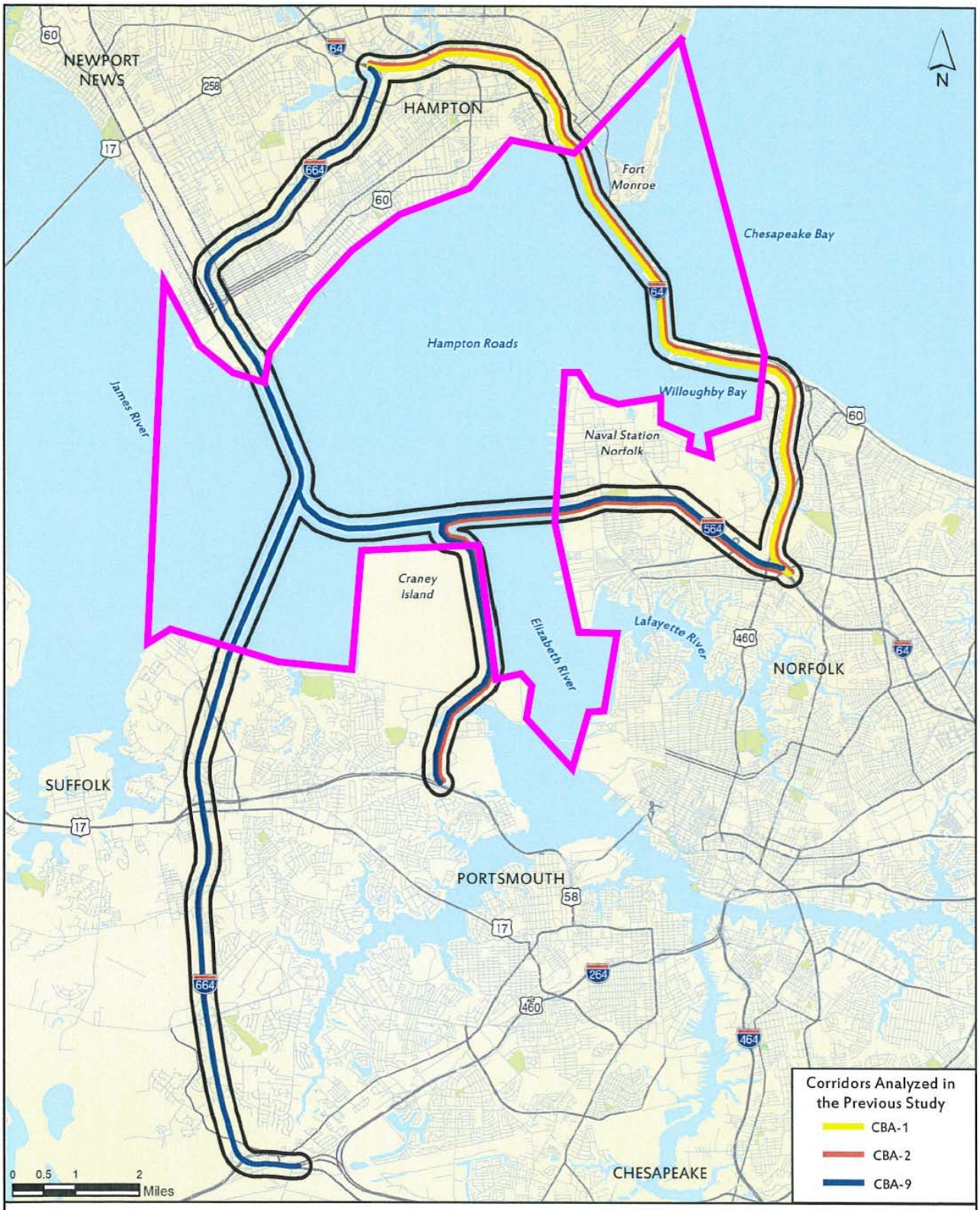
Sincerely,

Mary Ellen N. Hodges

Mary Ellen N. Hodges
Assistant Cultural Resources Program Manager

Attachment

c. Mr. Marc Holma, Division of Review and Compliance, Virginia Department of Historic Resources
Mr. Scott Smizik, Location Study Manager, VDOT



Study Corridors - NOT TO SCALE

HRCS SEIS

Hampton Roads Crossing Study SEIS

Study Location Map

VDOT PROJECT NUMBER 0064-965-081, P101
UPC: 106724

COMMONWEALTH of VIRGINIA

Jennifer L. Mitchell
Director

DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION
600 EAST MAIN STREET, SUITE 2102
RICHMOND, VA 23219-2416

(804) 786-4440
FAX (804) 225-3752
Virginia Relay Center
800-828-1120 (TDD)

November 16, 2015

Scott Smizik
Location Studies Project Manager
Virginia Department of Transportation
1401 E. Broad Street
Richmond, VA 23219

Dear Mr. Smizik:

Enclosed is Virginia Department of Rail and Public Transportation's (DRPT) "Transit Patronage Forecasting for Hampton Roads Crossing Study SEIS" report, dated November 13, 2015. This report details the travel forecasting methodology and modeling results by AECOM on behalf of DRPT for potential future ridership on a rapid transit network across the river crossings being evaluated by the Virginia Department of Transportation (VDOT) in the Hampton Roads region.

In September 2015, DRPT was asked by VDOT to provide estimated ridership data for potential future rapid transit across Hampton Roads using alternatives advanced in the 2001 study. This data would be incorporated into VDOT's modeling efforts as part of the Hampton Roads Crossing Study Supplemental Environmental Impact State (HRCS SEIS).

As the report notes, the schedule for DRPT's analysis was very time constrained and there are a number of limitations that resulted from the high-level adjustments and assumptions used to complete the study. A significant limitation is that this study was performed in advance of VDOT's technical analysis and it therefore does not reflect future assumptions, such as tolling, which may have significant impacts on transit ridership. The report provides recommendations for future transit forecasting that will allow for enhanced technical analysis.

Given the results of the forecasting, DRPT makes the following recommendations for all alternatives being advanced in the study:

1. The alternative selected at the conclusion of the HRCS SEIS should include dedicated transit facilities. Based on the forecasting results in the attached report, continued exploration of dedicated light rail transit (LRT) facilities are not warranted. However, the results do support high frequency bus rapid transit (BRT) service either in a fixed guideway or in shared high occupancy vehicle (HOV) or high occupancy toll (HOT) lanes.
2. Further transit ridership forecasting should be undertaken once VDOT has established assumptions regarding tolling (or any other components that will have an impact on transit ridership). DRPT believes that more detail on the crossing facilities will provide additional support for dedicated transit facilities.
3. From an environmental justice perspective, a reliable transit option with dedicated facilities between the Peninsula and South Hampton Roads is key to offsetting impacts that tolling may have on low income residents and commuters.
4. A final decision regarding the transit component of the HRCS SEIS should not be made until further analysis is undertaken. DRPT's recommendations are based on preliminary assumptions and given the compressed timeline of this modeling effort, a more robust and enhanced modeling effort may give a better indication of the importance of transit in this study.

Thank you for providing DRPT with the opportunity to participate in the HRCS SEIS and to provide recommendations for its transit component.

If you have any questions, please direct them to Nick Britton, Statewide Manager of Transit Planning, at nick.britton@drpt.virginia.gov or (804) 786-7425.

Sincerely,

Jennifer Mitchell

Jennifer Mitchell

Encl.: "Transit Patronage Forecasting for HRCS SEIS" report

CC: Chris Arabia, DRPT
Nick Britton, DRPT

INTRODUCTION

The Hampton Roads Crossing Study Supplemental Environmental Impact Study (SEIS) is re-examining the three alternatives that were retained for analysis in the original Hampton Roads Crossing Study FEIS which includes the Locally Preferred Alternative CBA-9 (an additional tube and expansion of the Monitor-Merrimac Bridge Tunnel) selected in the Record of Decision, as well as other alternatives that may be identified during the initial scoping process. AECOM has been retained by the Virginia Department of Rail and Public Transportation (DRPT) to prepare transit ridership forecasts for the alternatives under consideration to support the analysis.

This document describes the travel forecasting methodology and results for the transit forecasts for the Hampton Roads Crossing SEIS as follows:

- Travel Forecasting Methodology
- Service Planning Assumptions
- Travel Forecasting Results
- Limitations and Recommendations

TRAVEL FORECASTING METHODOLOGY

Given the aggressive completion date of November 13, 2015 and an extremely streamlined schedule, existing travel models with high level adjustments were used to prepare the forecasts. VDOT via its consultant provided the latest version of HRTPO's travel forecasting model. Hampton Roads Transit provided a version of the HRTPO travel forecasting model that was used in the Virginia Beach Transit Extension Study (VBTES) as well as its 2014 transit On-Board Survey.

Key to generating reasonable forecasts is the ability of the model to reasonably replicate existing travel patterns. Thus a high level corridor validation was completed so that the travel forecasts more or less agree with observed behavior. Validation comparisons include:

- Relevant Transit travel times/speeds compared with travel times from schedules
- District-to-District person trips compared with the 2009 National Highway Travel Survey (NHTS) Add On data set for Hampton Roads. This data set served as the "household survey" for the development of the current HRTPO model
- District-to-District transit person trips compared with the 2014 On-Board survey data
- Route level summaries compared with the 2014 On-Board survey data
- Tide Light Rail station level boardings compared with 2014 On-Board Survey data

A backcast of 2009 trips on 2034 networks was used for expediency because the 2034 HRTPO No Build transit network was more representative of current HRT service than the 2009 network. Table 1 shows the daily person trips from the NHTS household survey compared to the person trips used in the 2009 "backcast" model run. In addition to overall person trips, trips by purpose (Home-Based Work, Home-Based Other, and Non-Home Based) and time period (peak and off-peak) were compared. For 2009 the person trip tables appeared to generate reasonable trip flows between and within the districts though Northside-Southside flows (and

vice versa) a little low compared to observed flows. Adjustment for these flows are discussed later.

Table 1 - Daily Person Trips

	NHTS			2009 Backcast Model		
District	Northside	Southside	Total	Northside	Southside	Total
Northside	2,436,608	94,697	2,531,305	2,073,349	82,849	2,156,198
Southside	108,500	4,476,044	4,584,544	82,241	4,908,702	4,990,943
Total	2,545,108	4,570,741	7,115,849	2,155,590	4,991,552	7,147,141

Daily linked transit trips were also checked. From the 2014 On-Board Survey, trip origins and destinations were aggregated by Northside and Southside. Records that showed travel between the Northside and Southside but not using transit to make the crossing were counted as traveling within the destination district. This allowed for the proper assessment of the travel market that depends on transit to make the crossing. The On-Board Survey indicated that the MAX Route 961 served as the primary crossing route, with MAX Routes 967, and 965 (and I-64 via the James River Bridge) also carrying some riders across. The run times of crossing transit were compared to current schedules and appeared to generally be consistent.

In order to validate the Northside to Southside and Southside to Northside transit trips, headway adjustments were applied to trips using the 961 route. From the initial 30 minute peak and 60 minute off-peak headways in both directions, for mode choice skims these were discounted to 10 minute peak and 15 minute off-peak headways in the southbound direction and 5 minute peak and 7.5 minute off-peak headways in the northbound direction. The MAX Route 961 also was coded as a mode 11 route, which gave it the same in vehicle time discounts as Light Rail Transit (LRT) in order to attract more ridership shown in the survey. No adjustments were made to the MAX 965 and 967 since those routes make a few commute trips each day and carry few riders compared to the MAX 961. In the forecast runs the proposed new service and the MAX 961 were again coded with the same headway discounts and as mode 11.

Table 2 shows the daily linked transit trips before and after the validation process. Table 3 shows the daily route ridership before and after the validation process.

Table 2 - Daily Linked Transit Trips

	2014 On-Board Survey			Backcast 2009 Before Validation Model			Backcast 2009 After Validation Model		
District	Northside	Southside	Total	Northside	Southside	Total	Northside	Southside	Total
Northside	10,592	518	11,110	11,886	221	12,107	12,188	481	12,669
Southside	420	27,128	27,548	129	29,505	29,634	336	30,854	31,191
Total	11,011	27,646	38,657	12,015	29,726	41,741	12,524	31,335	43,859

Table 3 - Daily Route Ridership Before and After Validation

Bus Route	Peak				Offpeak			
	Survey '12	Survey '14	2009 Backcast Before Validation	2009 Backcast After Validation	Survey '12	Survey '14	2009 Backcast Before Validation	2009 Backcast After Validation
Chesapeake								
6	513	642	392	435	352	419	224	262
12	208	312	439	490	141	251	424	465
13	593	653	645	694	489	750	612	659
15	1,544	1,372	1,555	1,636	1,380	1,521	1,510	1,680
44	260	271	248	262	190	305	305	322
57	239	252	234	242	111	251	274	278
58	214	164	122	132	129	124	120	127
Subtotal	3,571	3,665	3,635	3,891	2,792	3,622	3,469	3,793
Hampton								
101	586	560	357	386	697	702	347	455
102	98	132	86	91	95	97	70	75
103	611	535	469	506	696	611	433	522
104	470	439	334	352	505	595	358	381
105	532	433	285	291	433	401	283	293
109	122	159	90	99	115	126	92	110
110	279	381	318	325	328	430	285	309
111	318	380	345	346	385	355	350	350
114	685	605	622	659	644	827	522	598
115	373	215	667	741	434	252	652	772
117	171	155	24	29	136	169	16	25
118	277	379	83	84	285	476	76	82
120	121	103	78	87	112	100	75	94
Subtotal	4,643	4,476	3,758	3,996	4,865	5,142	3,559	4,066
Newport News								
64	94	48	36	38	0	37	34	37
106	737	615	697	726	728	768	694	736
107	580	335	510	537	664	690	508	550
112	1,168	872	685	695	1,117	1,177	687	708
116	339	126	341	340	472	154	353	354
119	49	65	30	30	32	68	35	36
Subtotal	2,967	2,060	2,299	2,366	3,013	2,895	2,311	2,421
Portsmouth								
41	144	255	209	214	97	234	269	269
45	604	816	490	534	537	1,086	440	488
47	318	452	548	558	232	501	654	666
50	175	182	97	99	151	139	126	127
Subtotal	1,241	1,706	1,344	1,405	1,017	1,961	1,489	1,550

Table 3 (cont'd) - Daily Route Ridership Before and After Validation

Bus Route	Peak				Offpeak			
	Survey '12	Survey '14	2009 Backcast Before Validation	2009 Backcast After Validation	Survey '12	Survey '14	2009 Backcast Before Validation	2009 Backcast After Validation
Norfolk								
1	1,417	1,649	1,577	1,754	1,073	1,502	503	641
2	575	575	651	691	495	594	685	780
3	622	1,170	991	1,048	444	1,266	1,044	1,235
4	118	102	236	239	124	87	280	345
5	123	155	98	106	72	161	128	153
8	891	671	692	736	771	875	671	750
9	294	503	558	587	201	567	641	686
11	227	106	106	123	130	69	94	185
18	49	104	10	10	22	136	12	12
23	828	852	636	660	806	1,017	649	681
Subtotal	5,144	5,887	5,555	5,954	4,138	6,276	4,707	5,468
Virginia Beach								
20	2,018	2,299	3,000	3,156	1,683	2,280	1,677	1,780
25	216	265	636	657	145	308	584	600
26	44	121	219	227	57	121	227	233
27	197	243	190	201	122	187	152	157
29	222	198	455	467	171	159	448	455
33	253	264	39	40	160	234	36	36
36	161	484	484	494	281	418	432	436
Subtotal	3,111	3,875	5,023	5,242	2,619	3,708	3,556	3,697
VB Wave								
30	688	0	144	146	2,372	0	194	197
31	404	0	156	160	897	0	165	167
32	82	0	94	95	189	0	99	97
34	29	0	0	0	30	0	0	0
Subtotal	1,203	0	394	401	3,488	0	458	461
MAX/Express Routes								
960	103	163	6	8	45	105	3	3
961	385	470	212	484	231	377	25	264
962	69	0	76	95	11	0	0	0
963	32	0	33	31	0	0	56	75
967	116	90	32	46	8	97	0	0
919	162	152	188	189		55	0	0
922	95	102	79	79		64	0	0
Express/MAX Routes	962	977	626	932	295	699	84	342

Table 3 (cont'd) - Daily Route Ridership Before and After Validation

	Peak				Offpeak			
	Survey '12	Survey '14	2009 Backcast Before Validation	2009 Backcast After Validation	Survey '12	Survey '14	2009 Backcast Before Validation	2009 Backcast After Validation
14		213	0	0		275	0	0
16		223	0	0		185	0	0
17		267	1,654	319		336	279	326
21		941	0	0		1,375	0	0
22		150	0	0		108	0	0
28		148	0	0		29	0	0
43		76	0	0		88	0	0
108		197	0	0		283	0	0
121		44	2	4		0	0	1
403		14	0	0		26	0	0
405		38	0	0		1	0	0
414		77	0	0		50	0	0
427		0	0	0		5	0	0
430		22	0	0		36	0	0
918		19	11	12		7	0	0
965		23	0	0		13	0	0
Ferry		402	95	100		514	68	75
Subtotal		2,855	1,762	435	0	3,332	347	402
The Tide Light Rail								
800		2,257	2,353	2,672		2,398	1,856	2,003
Subtotal		2,257	2,353	2,672	0	2,398	1,856	2,003
Total Boardings On 2014 Surveyed Routes								
TOTAL	**23,056**	**27,758**	**26,749**	**27,294**	**22,227**	**30,030**	**21,836**	**24,203**

Table 4 shows the daily ridership on the Tide LRT after validation compared to previous and current year observed data. The model projects the overall boardings fairly closely, however there exists some discrepancy at the station level, in particular at Harbor Park. With additional time and resources the trip distribution could be adjusted to provide more accurate station level boardings, but it was determined for this project that this task was not relevant.

Table 4 - Tide LRT Daily Boardings by Station

Stations	Observed Boardings (Aug '11-March'12) (M-F)	Observed Boardings (On-Board Survey 2014) (M-F)	Observed Boardings (FY 15) (M-F)	2009 Backcast After Validation
EVMC	600	561	459	631
Freemason	140	139	118	200
Monticello	470	485	450	848
MacArthur	700	586	547	257
Civic Plaza	375	529	474	268
Harbor Park (P)	130	216	222	1,064
NSU	370	353	302	208
Ballantine (P)	310	337	311	123
Ingleside	70	91	83	114
Military Hwy (P)	425	536	452	429
Newtown Road (P)	1,010	1,017	957	531
Total	***4,600***	***4,852***	***4,375***	***4,674***

Table 5 shows the MAX 961 boardings from the 2014 on-board survey compared to the model before and after validation. As this was the primary route focused on for validation for the crossing, it was important to get boarding locations to closely replicate those seen in the on-board survey. By discounting the headways as mentioned above, boardings on the route reasonably adjusted to resemble the boarding patterns from the survey.

Table 5 – MAX Route 961 Daily Boardings

Route 961 BOARDING_LOCATION	2014 On-Board Survey	2009 Backcast Model Before Validation	2009 Backcast Model After Validation
NEWPORT NEWS TRANSFER CENTER	247	49	140
HAMPTON TRANSFER CENTER (HTC)	151	60	182
SETTLERS LANDING & HAMPTON HARBOR	39	22	57
WARDS CORNER TRANSFER	109	28	98
DOWNTOWN NORFOLK	301	79	271
Total	848	236	747

Some additional “soft calibration” adjustments were made to the 2034 trip tables only (in the interest of time) to address the low Northside to Southside (and vice versa) flow found in the 2009 backcast. When comparing 2034 person trip tables to the 2009 person trip tables, it was seen that Northside to Southside district growth did not grow at the same 25-30% rate as the

other district pairings, so person trips from Northside to Southside were multiplied by a factor of 1.83 for home-based trip purposes. Additionally, due to the 2009 modeled trips from the Southside to Northside being lower than the survey data, Southside to Northside home-based person trips were multiplied by a factor 1.25. Final person trip tables used for 2034 forecasting can be seen in Table 6. An additional post-mode choice trip table modification was made to Southside to Northside transit trips by multiplying by a factor of 1.25 to account for the lower modeled transit trips in the 2009 backcast compared to the survey.

Table 6 - 2034 Daily Modeled Person Trips

	2034 Model Before Soft Calibration			2034 Model After Soft Calibration		
District	Northside	Southside	Total	Northside	Southside	Total
Northside	2,699,434	64,104	2,763,538	2,699,434	105,834	2,805,269
Southside	103,104	6,383,768	6,486,872	119,169	6,383,768	6,502,937
Total	2,802,538	6,447,872	9,250,410	2,818,603	6,489,602	9,308,206

Several high level adjustments were determined to be made to the 2034 network for the No Build alternative. The background bus network used in the VBTES was used as it incorporates in numerous complimentary buses to the TIDE and Virginia Beach extension not present in the original networks received. Additional 2034 adjustments made include adding a park and ride at Witchduck Station and extending the Town Center max drive time to PnR from 30 minutes to 45 minutes in the model.

SERVICE PLANNING ASSUMPTIONS

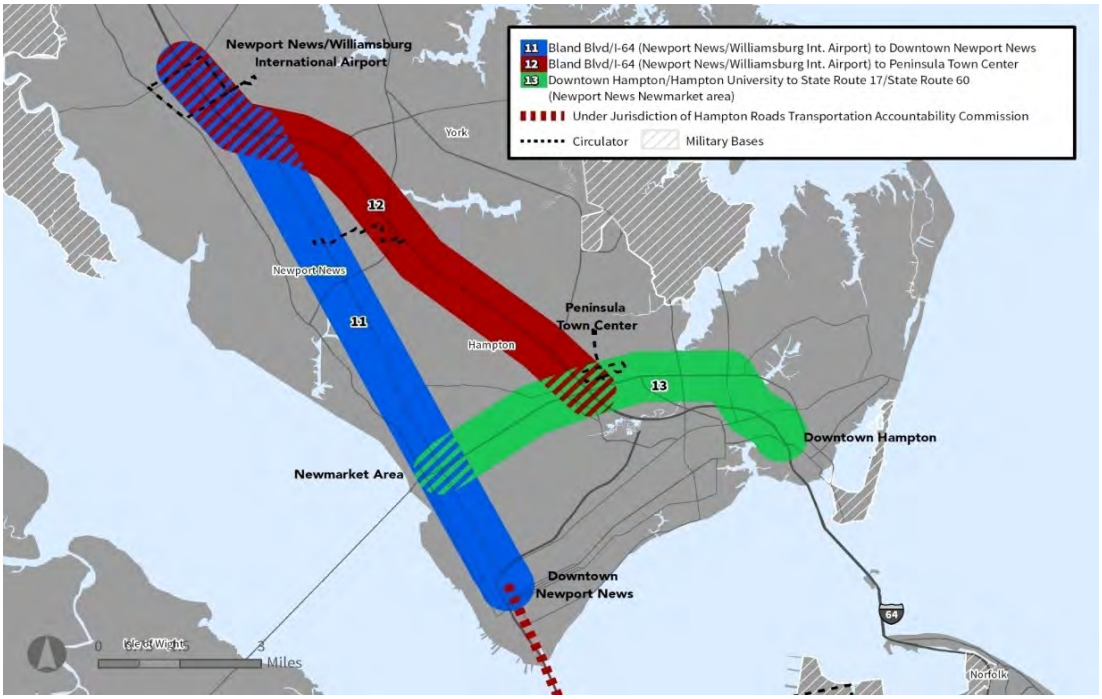
Potential service planning assumptions for the Project No Build Alternative and the two Candidate Build Alternatives (CBA 1 and CBA 9) were discussed on the initial conference call with VDPRT and HRT staff.

The project No Build alternative is assumed to have service plan assumptions in HRTPO's 2034 transit network along with specific modifications to incorporate the Locally Preferred Alternative (LPA) from the VBTES. The LPA assumes an extension of the Tide LRT from Newtown Road to Witchduck Road and then on to the Virginia Beach Town Center with related bus route changes.

There were no current existing service planning assumptions for the transit components of the two Candidate Build Alternatives (CBA 1 and CBA 9). Thus a set of broad working assumptions were developed specifically for this study that were based on an HRT presentation from October 2, 2015 to brief senior staff at both the cities of Newport News and Hampton about the upcoming Peninsula Corridor Study, and assumptions from past studies. These assumptions include potential high capacity corridors on the Northside and an LRT extension utilizing an alignment in or near Military Highway on the Southside serving Naval Station Norfolk .

Figure 1 shows the potential high capacity corridors on the Northside. Figure 2 shows the potential LRT alignment along with some of the proposed stations for this study.

Figure 1 - Northside High Capacity Corridors



These concepts were further refined on the Northside as Bus Rapid Transit (BRT) service that would operate in each new tube depending on the Candidate Build Alternative (Hampton Roads Bridge Tunnel in CBA 1, Monitor-Merrimac Bridge Tunnel in CBA 9). Figure 3 shows the Northside BRT service and Figures 4-5 shows the Southside LRT (and connecting BRT service to the Northside) depending on the Candidate Build Alternative. In addition the existing MAX Route 961 would continue to operate and utilize the BRT stations and travel lanes depending on the alternative. MAX Routes 965 and 967 would also continue to operate (and use portions of the new tube in CBA 9).

Figure 2 - Southside Potential LRT Stations and Alignments

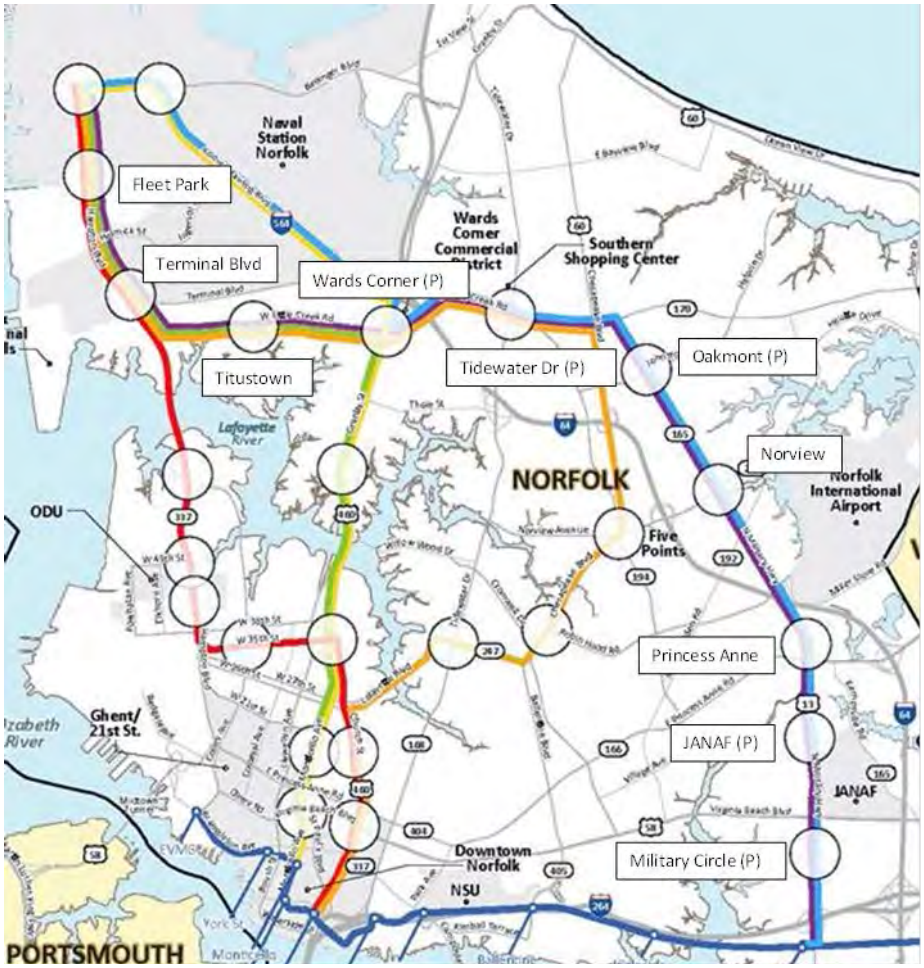


Figure 3 - Northside Service Plan

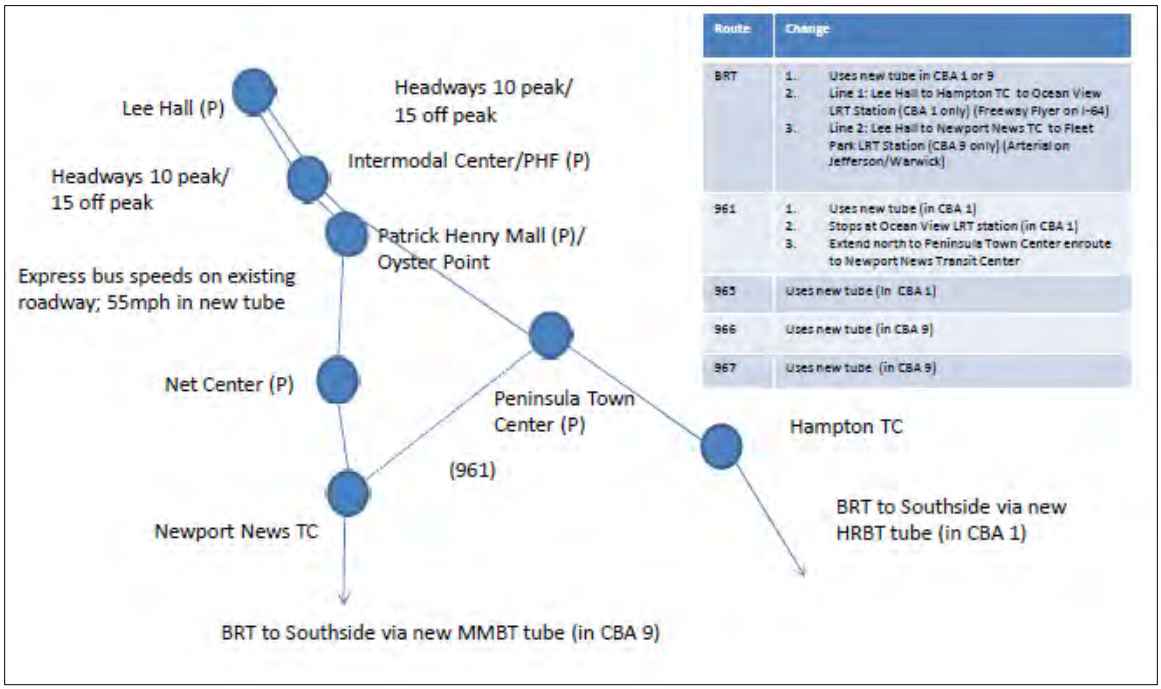


Figure 4 - CBA 1 Southside LRT Service Plan

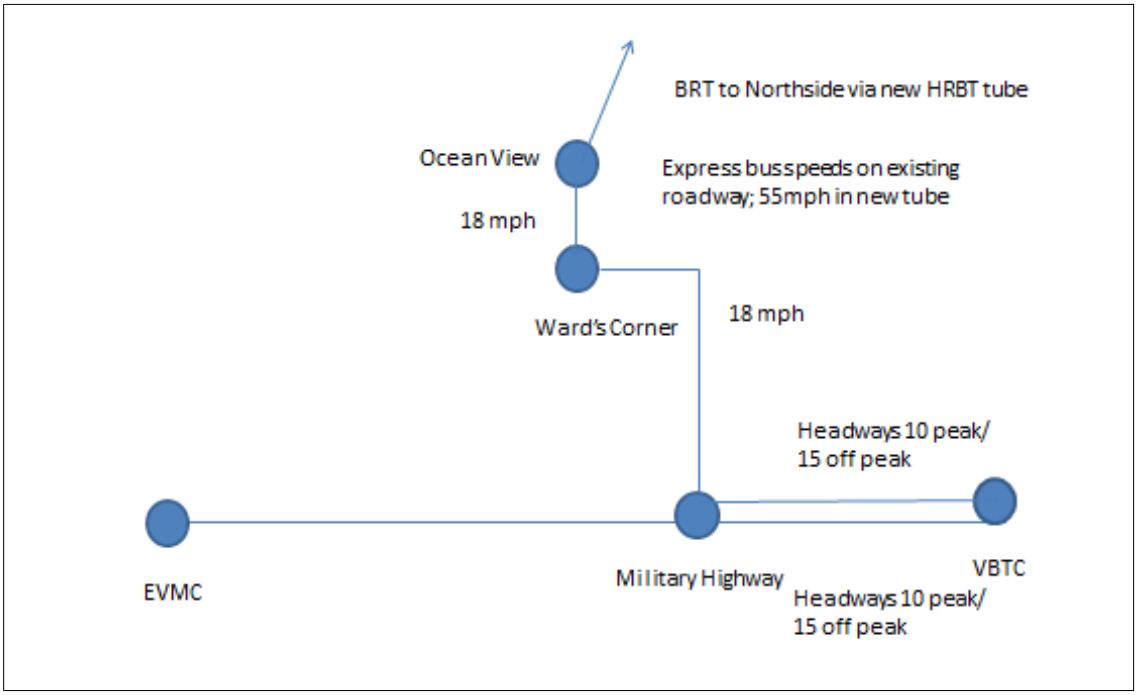


Figure 5 - CBA 9 Southside LRT Service Plan

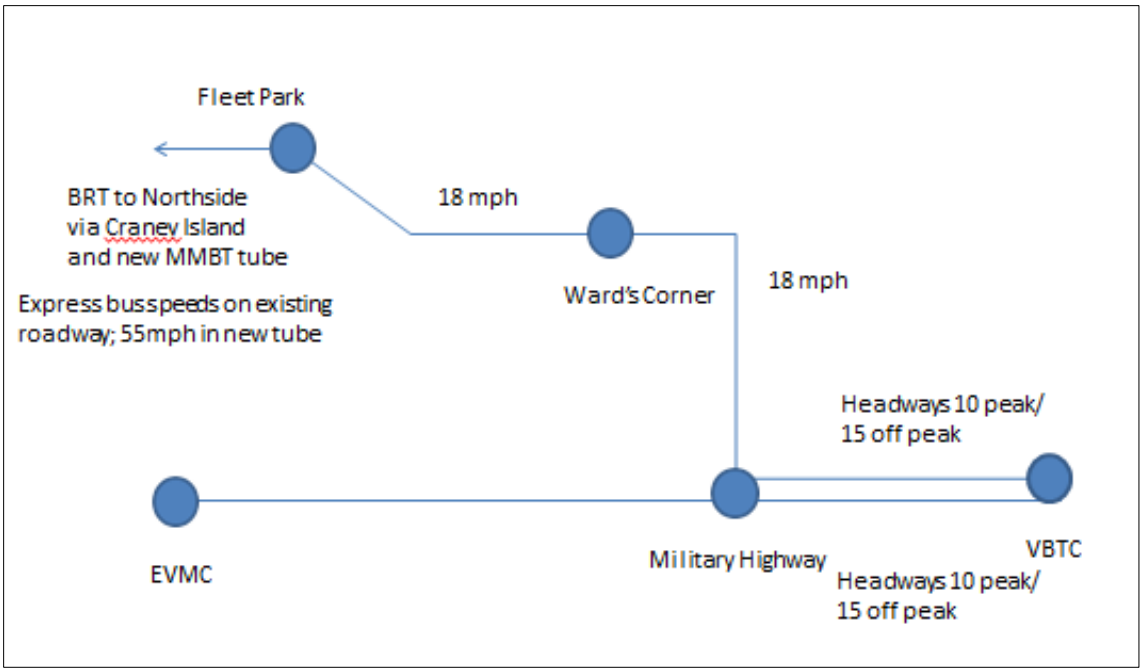


Table 7 summarizes the BRT and LRT assumptions for CBA 1 and CBA 9

Table 7-Route Assumptions for CBA 1 and CBA 9

Alternative	Line	Headway	Speed	Route Description
CBA 1	LRT	10 minute peak/ 15 minute off-peak	18 mph average between stations	Virginia Beach Town Center to Military Highway to Ward's Corner to Ocean View LRT Station
	BRTE	10 minute peak/ 15 minute off-peak	55 mph on new tube, express bus on rest of route	Lee Hall to Hampton TC to Ocean View LRT Station(Freeway Flyer on I-64)
	BRTW	10 minute peak/ 15 minute off-peak	express bus on route	Lee Hall to Newport News TC (Arterial on Jefferson/Warwick)
CBA 9	LRT	10 minute peak/ 15 minute off-peak	18 mph average between stations	Virginia Beach Town Center to Military Highway to Ward's Corner to Fleet Park LRT Station
	BRTE	10 minute peak/ 15 minute off-peak	express bus on route	Lee Hall to Hampton TC (Freeway Flyer on I-64)
	BRTW	10 minute peak/ 15 minute off-peak	55 mph on new tube, express bus on rest of route	Lee Hall to Newport News TC to Fleet Park LRT Station (Arterial on Jefferson/Warwick)

TRAVEL FORECASTING RESULTS

The following section shows the 2034 forecasted results of the No Build, CBA 1, and CBA 9 alternatives. Forecasts were based on the methodology described in the Travel Forecasting Methodology section with high level and soft calibration adjustments incorporated, using the service planning assumptions described in the previous section.

Table 8 shows the forecasted 2034 average daily transit trips for the No Build, CBA 1, and CBA 9 alternatives.

Table 8 - 2034 Daily Linked Transit Trips

	2034 No Build			2034 CBA 1			2034 CBA 9		
District	Northside	Southside	Total	Northside	Southside	Total	Northside	Southside	Total
Northside	17,681	570	18,251	19,334	1,125	20,459	19,320	1,068	20,388
Southside	313	43,811	44,124	397	46,547	46,944	438	47,363	47,801
Total	17,994	44,381	62,375	19,731	47,671	67,403	19,758	48,431	68,189

Tables 9-11 show the forecasted 2034 average daily LRT station boardings for the No Build, CBA 1, and CBA 9 alternatives.

Table 9 - 2034 No Build Daily LRT Station Boardings

	2034 No Build LRT Station Boardings					
Station Location	Station	Walk Peak	Drive Peak	Walk Off-Peak	Drive Off-Peak	Total
Tide Stations	EVMC	379	-	487	-	866
	Freemason	148	-	184	-	332
	Monticello	347	-	488	-	835
	MacArthur	330	-	201	-	531
	Civic Plaza	341	-	274	-	615
	Harbor Park (P)	71	701	63	472	1,307
	NSU	269	-	311	-	579
	Ballantine (P)	62	81	97	60	300
	Ingleside	87	-	113	-	200
	Military Hwy (P)	386	186	397	89	1,058
	Newtown Road (P)	532	141	477	81	1,232
VBTES Stations	Witchduck (P)	182	221	220	183	806
	Town Center (P)	581	65	602	35	1,283
LRT Station Total	**Total**	**3,716**	**1,394**	**3,912**	**920**	**9,942**

Table 10 - 2034 CBA 1 Daily LRT Station Boardings

	2034 LRT Station Boardings With CBA 1 Alignment					
Station Location	Station	Walk Peak	Drive Peak	Walk Off-Peak	Drive Off-Peak	Total
Tide Stations	EVMC	403	-	515	-	918
	Freemason	155	-	193	-	348
	Monticello	374	-	517	-	891
	MacArthur	326	-	219	-	545
	Civic Plaza	287	-	251	-	538
	Harbor Park (P)	72	631	65	422	1,189
	NSU	247	-	304	-	551
	Ballantine (P)	62	80	98	60	300
	Ingleside	92	-	121	-	213
	Military Hwy (P)	351	314	597	142	1,404
	Newtown Road (P)	738	35	709	48	1,530
VBTES Stations	Witchduck (P)	266	267	404	241	1,179
	Town Center (P)	789	81	916	44	1,831
Tide Station Subtotal	**Total**	**4,163**	**1,410**	**4,908**	**957**	**11,438**
CBA 1/ CBA 9 Stations	Military Circle (P)	167	42	129	33	371
	JANAF (P)	115	67	160	32	374
	Princess Anne	126	-	142	-	268
	Norview	85	-	160	-	245
	Oakmont (P)	156	16	221	17	410
	Tidewater Dr (P)	218	108	308	79	713
	Wards Corner (P)	381	113	340	63	897
CBA 1 Stations	Ocean View (P)	311	83	205	21	620
CBA 1 Station Subtotal	**Total**	**1,558**	**429**	**1,666**	**245**	**3,898**
LRT Total	**Total**	**5,721**	**1,839**	**6,574**	**1,202**	**15,335**

Table 11 - 2034 CBA 9 Daily LRT Station Boardings

	2034 LRT Station Boardings With CBA 9 Alignment					
Station Location	Station	Walk Peak	Drive Peak	Walk Off-Peak	Drive Off-Peak	Total
Tide Stations	EVMC	399	-	483	-	882
	Freemason	154	-	192	-	346
	Monticello	379	-	510	-	889
	MacArthur	327	-	206	-	533
	Civic Plaza	288	-	238	-	526
	Harbor Park (P)	72	629	64	411	1,177
	NSU	247	-	302	-	549
	Ballantine (P)	62	80	98	59	300
	Ingleside	93	-	121	-	214
	Military Hwy (P)	363	310	524	132	1,330
	Newtown Road (P)	734	35	721	48	1,538
VBTES Stations	Witchduck (P)	264	267	406	241	1,178
	Town Center (P)	784	82	921	44	1,831
Tide Station Subtotal	**Total**	**4,166**	**1,403**	**4,786**	**937**	**11,292**
CBA 1/ CBA 9 Stations	Military Circle (P)	166	42	134	33	375
	JANAF (P)	116	67	165	31	379
	Princess Anne	127	-	144	-	271
	Norview	89	-	167	-	256
	Oakmont (P)	174	16	255	17	461
	Tidewater Dr (P)	229	115	363	67	774
	Wards Corner (P)	398	176	431	127	1,133
CBA 9 Stations	Titustown	145	-	294	-	439
	Terminal Blvd	62	-	163	-	225
	Fleet Park	339	-	337	-	676
CBA 9 Station Subtotal	**Total**	**1,845**	**417**	**2,453**	**274**	**4,990**
LRT Total	**Total**	**6,011**	**1,820**	**7,239**	**1,211**	**16,281**

Tables 12 and 13 show the average daily BRT station boardings from the two new BRT lines as well as the 961 on the Northside (and Ocean View in CBA 1).

Table 12 - 2034 CBA 1 Daily BRT Station Boardings

		2034 BRT Stop Boardings With CBA 1 Alignment				
Stop Location	Station	Walk Peak	Drive Peak	Walk Off-Peak	Drive Off-Peak	Total
BRTE/W Stops	Lee Hall (P)	19	16	23	6	64
	PHF (P)	198	108	284	95	685
	Intermodal Center	77	-	55	-	132
	Patrick Henry Mall (P)	293	60	418	32	803
BRTW Stops	Net Center (P)	51	94	62	52	259
	Newport News TC	251	-	144	-	395
	Fleet Park	-	-	-	-	-
BRTE Stops	Peninsula TC (P)	203	181	188	92	664
	Hampton TC	350	-	352	-	702
	Ocean View (P)	287	47	180	18	532
BRT Total	**Total**	**1,728**	**505**	**1,706**	**296**	**4,235**

Table 13 - 2034 CBA 9 Daily BRT Station Boardings

		2034 BRT Stop Boardings With CBA 9 Alignment				
Stop Location	Station	Walk Peak	Drive Peak	Walk Off-Peak	Drive Off-Peak	Total
BRTE/W Stops	Lee Hall (P)	18	14	23	6	60
	PHF (P)	194	102	281	93	671
	Intermodal Center	77	-	55	-	132
	Patrick Henry Mall (P)	253	43	390	24	711
BRTW Stops	Net Center (P)	141	169	202	103	615
	Newport News TC	390	-	399	-	789
	Fleet Park	270	-	233	-	504
BRTE Stops	Peninsula TC (P)	104	100	92	53	348
	Hampton TC	102	-	94	-	196
	Ocean View (P)	-	-	-	-	-
BRT Total	**Total**	**1,548**	**429**	**1,768**	**279**	**4,024**

Tables 14 shows the average daily route ridership for the 2034 No Build, CBA 1, and CBA 9.

Table 14 - 2034 Route Boardings

Bus Route	Peak			Off-Peak		
	2034 No Build	2034 CBA 1	2034 CBA 9	2034 No Build	2034 CBA 1	2034 CBA 9
Chesapeake						
6	600	636	630	535	606	613
12	1,077	1,083	1,080	519	529	529
13	530	530	530	556	573	569
15	1,682	1,490	1,479	1,136	959	978
44	260	264	263	248	259	258
57	305	311	311	342	346	346
58	186	196	195	180	188	188
Subtotal	4,640	4,510	4,488	3,516	3,460	3,481
Hampton						
101	482	673	651	515	731	731
102	70	84	75	73	81	67
103	541	801	754	531	842	810
104	454	437	461	494	469	516
105	327	334	347	325	369	364
109	83	89	86	89	101	97
110	472	554	555	444	552	591
111	700	728	694	653	750	718
114	828	872	860	703	853	865
115	778	825	784	818	879	833
117	42	57	54	36	57	53
118	208	282	245	178	238	216
120	119	127	122	123	136	131
Subtotal	5,104	5,863	5,688	4,982	6,058	5,992
Newport News						
64	106	106	109	0	0	0
106	1,163	1,172	1,220	1,183	1,194	1,262
107	1,020	1,037	1,069	1,040	1,076	1,122
112	967	843	875	909	847	878
116	464	482	464	459	550	535
119	60	96	81	54	93	77
Subtotal	3,780	3,736	3,818	3,645	3,760	3,874
Portsmouth						
41	142	146	146	175	175	175
45	1,054	1,121	1,100	1,030	1,110	1,119
47	678	689	689	768	780	778
50	96	96	96	119	120	120
Subtotal	1,970	2,052	2,031	2,092	2,185	2,192

Table 14 (Cont'd) – 2034 Route Boardings

Bus Route	Peak			Off-Peak		
	2034 No Build	2034 CBA 1	2034 CBA 9	2034 No Build	2034 CBA 1	2034 CBA 9
Norfolk						
1	1,199	1,508	1,507	592	1,012	1,055
2	933	939	996	1,116	1,107	1,328
3	1,259	1,194	1,236	881	1,025	1,044
4	86	85	84	91	133	132
5	94	102	103	129	154	166
8	743	759	760	840	935	955
9	640	566	565	810	744	742
11	29	27	26	25	33	33
18	83	73	73	81	77	77
23	780	740	732	975	959	953
Subtotal	5,846	5,993	6,082	5,540	6,179	6,485
Virginia Beach						
20	3,094	3,084	3,067	2,065	2,106	2,113
25	887	912	912	467	513	518
26	860	891	890	457	483	483
27	366	405	405	183	230	233
29	709	717	717	386	392	392
33	307	309	309	152	152	152
36	1,428	1,516	1,516	744	809	818
Subtotal	7,651	7,834	7,816	4,454	4,685	4,709
VB Wave						
30	348	351	351	367	370	370
31	46	46	46	52	52	52
32	41	41	41	126	126	126
34	399	408	407	192	198	198
Subtotal	834	846	845	737	746	746
MAX/Express Routes						
960	35	17	17	25	20	19
961	1,524	529	490	1,663	99	126
962	33	45	45	0	0	0
963	0	0	0	0	0	0
967	85	54	45	0	0	0
919	67	66	61	0	0	0
922	471	458	421	0	0	0
Express/MAX Routes	2,215	1,169	1,079	1,688	119	145

Table 14 (Cont'd) – 2034 Route Boardings

	Peak			Off-Peak		
	2034 No Build	2034 CBA 1	2034 CBA 9	2034 No Build	2034 CBA 1	2034 CBA 9
14	326	332	332	310	316	316
16	356	439	443	433	552	559
17	109	191	185	185	266	274
21	1,085	1,144	758	496	509	281
22	713	749	746	468	557	562
28	174	240	235	0	0	0
43	52	54	54	74	75	75
108	0	0	0	0	0	0
121	11	17	17	7	9	9
403	0	0	0	0	0	0
405	0	0	0	0	0	0
414	0	0	0	0	0	0
427	0	0	0	0	0	0
430	0	0	0	0	0	0
918	14	13	15	0	0	0
965	0	0	2	0	2	0
Ferry	69	69	70	79	84	80
Subtotal	2,909	3,248	2,857	2,052	2,370	2,156
The Tide Light Rail						
800	4,922	4,168	4,169	4,660	4,420	4,283
Subtotal	4,922	4,168	4,169	4,660	4,420	4,283
Ocean View LRT						
CBA 1	0	3,394	0	0	3,353	0
Subtotal	0	3,394	0	0	3,353	0
Fleet Park LRT						
CBA 9	0	0	3,663	0	0	4,166
Subtotal	0	0	3,663	0	0	4,166
Northside BRT						
BRTE	0	1,520	387	0	1,558	397
BRTW	0	446	1,469	0	389	1,642
Subtotal	0	1,966	1,856	0	1,947	2,039
Total Boardings On Routes						
TOTAL	**39,871**	**44,779**	**44,392**	**33,366**	**39,282**	**40,268**

Table 15a shows the average daily auto trips removed from the network and tables 16a and 17a show the average daily VMT and VHT saved from those vehicles for CBA 1 and CBA 9 as compared to the No Build. Tables 15b, 16b, and 17b show the annualized auto trips removed, VMT saved, and VHT saved. The annualization factor from the VBTES (305) was used.

Table 15a - 2034 Daily Auto Trips Removed

	2034 CBA 1			2034 CBA 9		
District	Northside	Southside	Total	Northside	Southside	Total
Northside	1,653	554	2,208	1,640	498	2,137
Southside	84	2,736	2,820	124	3,553	3,677
Total	1,737	3,290	5,028	1,764	4,050	5,814

Table 15b - 2034 Annual Auto Trips Removed

	2034 CBA 1			2034 CBA 9		
District	Northside	Southside	Total	Northside	Southside	Total
Northside	504,165	168,970	673,440	500,200	151,890	651,785
Southside	25,620	834,480	860,100	37,820	1,083,665	1,121,485
Total	529,785	1,003,450	1,533,540	538,020	1,235,250	1,773,270

Table 16a - 2034 Daily VMT Savings

	2034 CBA 1			2034 CBA 9		
District	Northside	Southside	Total	Northside	Southside	Total
Northside	9,806	15,226	25,032	9,282	12,314	21,596
Southside	2,417	15,850	18,267	3,101	20,713	23,814
Total	12,223	31,076	43,299	12,383	33,027	45,410

Table 16b - 2034 Annual VMT Savings

	2034 CBA 1			2034 CBA 9		
District	Northside	Southside	Total	Northside	Southside	Total
Northside	2,990,830	4,643,930	7,634,760	2,831,010	3,755,770	6,586,780
Southside	737,185	4,834,250	5,571,435	945,805	6,317,465	7,263,270
Total	3,728,015	9,478,180	13,206,195	3,776,815	10,073,235	13,850,050

Table 17a - 2034 Daily VHT Savings

	2034 CBA 1			2034 CBA 9		
District	Northside	Southside	Total	Northside	Southside	Total
Northside	273	433	706	262	335	598
Southside	59	472	530	75	604	679
Total	332	905	1,237	338	939	1,277

Table 17b - 2034 Annual VHT Savings

	2034 CBA 1			2034 CBA 9		
District	Northside	Southside	Total	Northside	Southside	Total
Northside	83,373	132,065	215,438	80,046	102,281	182,327
Southside	17,878	143,920	161,798	22,981	184,075	207,056
Total	101,251	275,986	377,237	103,027	286,356	389,383

Table 18a shows the average daily trips on the project as defined as trips that use one or more of the new LRT Stations or rides on one of the BRTs or MAX 961 at a BRT stop. Crossing trips for CBA 9 only include those that cross on the new BRT, while CBA 1 includes trips on the BRT and 961 as they both use the new crossing tube in that scenario. Table 18b shows the annual trips on the project using the VBTES annualization factor (305).

Table 18a - 2034 Daily Trips on the Project

	2034 CBA 1			2034 CBA 9		
District	Northside	Southside	Total	Northside	Southside	Total
Northside	2,757	1112	3,869	2,731	732	3,463
Southside	346	3,784	4,130	276	5,186	5,462
Total	3,103	4,896	7,999	3,007	5,918	8,925

Table 18b - 2034 Annual Trips on the Project

	2034 CBA 1			2034 CBA 9		
District	Northside	Southside	Total	Northside	Southside	Total
Northside	840,885	339,160	1,180,045	832,955	223,260	1,056,215
Southside	105,530	1,154,120	1,259,650	84,180	1,581,730	1,665,910
Total	946,415	1,493,280	2,439,695	917,135	1,804,990	2,722,125

LIMITATIONS AND RECOMMENDATIONS

Given the streamlined schedule and completion date of November 13, 2015 a number of high level adjustments and assumptions were used to prepare the forecasts. Some of these adjustments/assumptions are listed below as limitations along with recommendations for further enhancement if this technical analysis continues at a later date:

- HRTPO's 2034 land use and modeling assumptions were used as they were immediately available. Consideration should be given to a 2040 forecast horizon year for future work.
- The headway discounts assumed for Northside-Southside (and vice versa) transit trips were an expedient measure to account for unmeasured attributes in the transit market as shown in HRT's current On-Board Survey. The headway discounts may overstate Northside-Northside and Southside-Southside ridership on the BRT service. In future work if schedule and budget permit they should be replaced with constants in the mode choice model or travel discounts in path building for just Northside-Southside (and vice versa) travel.
- The "soft calibration" adjustments assumed for Northside-Southside (and vice versa) person trips were a way to account for too few trips in certain Northside-Southside (and vice versa) zone pairs which resulted in low mode shares compared to what was observed in HRT's On Board survey . In future work if schedule and budget permit they should be replaced with either adjustments to Northside-Southside (and vice versa) trip distribution and/or transit access coding.
- The changes made to the HRTPO model after the VBTES resulted in differing trip distribution assumptions. This new set of person trips tables resulted in very high boardings at the Harbor Park Tide station. While this anomaly did not affect the travel markets in this study it should be corrected if this model set will be used for future HRT rail planning efforts.
- The forecasts in this study were prepared in advance of VDOT's technical analysis and thus do reflect any tolling or other assumptions for either new tube in CBA 1 or CBA 9 beyond what was already coded in HRTPO's 2034 highway network. Additional analysis is recommended with the updated highway assumptions for CBA 1 and CBA 9 are available as changes to highway cost (e.g., tolls) and travel time (e.g., more capacity) could impact ridership on parallel transit service.

U.S. Department
of Transportation

**Federal Highway
Administration**

Virginia Division
(804)775-3320

400 N. 8th Street Rm. 750
Richmond, Virginia 23219-4825

November 9, 2015

Dr. L. Pettis Patton, City Manager
City of Portsmouth
801 Crawford Street
Portsmouth, Virginia 23704

Mr. Marcus D. Jones, City Manager
City of Norfolk
810 Union Street
Norfolk, Virginia 23510

Mr. James M. Bourey, City Manager
City of Newport News
2400 Washington Avenue
Newport News, Virginia 23607

Ms. Mary Bunting, City Manager
City of Hampton
22 Lincoln Street, 8th Floor
Hampton, Virginia 23669

Mr. James K. Spore, City Manager
City of Virginia Beach
2401 Courthouse Drive
Virginia Beach, Virginia 23456

Subject: Hampton Roads Crossing Study
Request to be a Cooperating Agency
State Project Number: 0064-965-081, P101, UPC 106724

Dear City Managers:

The Federal Highway Administration (FHWA) is in receipt of letters dated October 13, 2015 and October 22, 2015 from your Mayors requesting cooperating agency status for the Hampton Roads Crossing Study (HRCS). FHWA and the Virginia Department of Transportation (VDOT) have agreed to extend cooperating agency status to the Cities of Norfolk, Portsmouth, Hampton, Newport News and Virginia Beach on the basis that the Cities possess special expertise related to assessing the accessibility, land use and economic impacts that the project may have on the "core cities" of Hampton Roads. As a cooperating agency, we respectfully request that each jurisdiction designate an individual that can represent and speak on behalf of the local government at HRCS cooperating agency meetings.

As a cooperating agency, the Cities will be afforded the opportunity, along with the other recognized cooperating agencies, to review and comment on:

- alternatives carried forward
- draft technical reports
- the preliminary draft Supplemental Environmental Impact Statement (SEIS) or individual sections as they are made available, and
- the preferred alternative

If the study continues after the draft SEIS, cooperating agencies will be afforded additional opportunities related to the development of the final SEIS. The Cities, just like the other cooperating agencies, are expected to provide comments within the comment period provided (usually 30 days). Accordingly, the Cities need to ensure that any internal coordination that may be necessary before they can submit comments occurs within the prescribed comment period.

It is noted that the federal resource and regulatory agencies serving in a cooperating agency capacity are being asked to concur (i.e. sign off) on key milestones of the HRCS including the purpose and need, alternatives carried forward, and the preferred alternative/preliminary least environmentally damaging practicable alternative (LEDPA). This role is not a function of their cooperating agency status but the result of a programmatic merged NEPA/404 process agreement currently being developed between VDOT, FHWA, and federal agencies that may have jurisdiction by law on FHWA/VDOT projects. While this agreement is still being developed, FHWA and VDOT agreed to subject the HRCS to the intent of the agreement. Accordingly, only the federal resource and regulatory agencies are being asked to concur at these three milestones. It is noted, however, that funding managed by the Hampton Roads Transportation Accountability Commission (HRTAC) will likely be used to implement any alternative that comes out of the HRCS. Therefore, HRTAC and its member jurisdictions will play a significant role in the decision to identify the preferred alternative.

Finally, as you are aware, the HRCS has been progressing since July and some reviews have already been conducted and decisions already made. For example, the existing cooperating agencies have reviewed the impact assessment methodologies and they have concurred in the elements of the purpose and need. The Cities' role as a cooperating agency due to its special expertise related to impacts the project may have on the core Cities of Hampton Roads will apply moving forward in the project development process; we do not intend to revisit the methodologies or elements of the purpose and need which would effectively put the HRCS on hold for two to four months. On November 16th, we were scheduled to request that the existing cooperating agencies concur on the alternatives to be carried forward for detailed study. To allow the Cities to participate in that discussion as cooperating agencies, we will put that milestone on hold and use that opportunity to bring the Cities up to date on the discussions that have been occurring regarding alternatives.

Based on input received from several of the Cities during recent meetings with VDOT management, we understand that some may no longer wish to participate at the level required of a cooperating agency. Instead, you would prefer to continue to remain involved as participating

agencies but be more involved in project discussions and be kept apprised of developments as they occur. To this end, VDOT has committed to enhancing its communication plan and increasing its outreach to the Cities. Accordingly, you are invited to attend the November 16th cooperating agency meeting to be held in the VDOT Hampton Roads District Auditorium from 9:00 – 11:00 AM, whether you ultimately elect to participate in that capacity or not.

We look forward to working more closely with each of you on this important project for the region. If you have any questions on the role of cooperating agencies, you can contact me at (804) 775-3357 or Ed.Sundra@dot.gov. If you would like to confirm that you or your designee will be attending the November 16th meeting, please contact Scott Smizik, VDOT Location Studies Project Manager at (804) 371-4082 or Scott.Smizik@VDOT.Virginia.gov.

Sincerely,

Wayne Fedora
Acting Division Administrator

By: Edward Sundra
Acting Assistant Division Administrator

cc: Mr. Rick Walton, VDOT
Mr. Jim Utterback, VDOT
Ms. Angel Deem, VDOT
Mr. Scott Smizik, VDOT

City of Virginia Beach

VBgov.com

WILLIAM D. SESSOMS, JR.
MAYOR

MUNICIPAL CENTER
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2401 COURTHOUSE DRIVE
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wsessoms@vbgov.com

October 22, 2015

Mr. Wayne Fedora
Acting Division Administrator
Federal Highway Administration Virginia Division
400 North 8th Street, Suite 750
Richmond, Virginia 23219

Dear Mr. Fedora:

The City of Virginia Beach is vitally interested in the Supplemental Environmental Impact Statement (SEIS) for an additional water crossing of the Hampton Roads. As you know, this analysis has been underway since the 1990's, and the former process ended with an Environmental Impact Statement (EIS) being approved for the "so called" Third Crossing. I understand that the current effort will also examine the Hampton Roads Bridge Tunnel. The HRBT was also considered as an alternative, but rejected, during the previous work.

As the Mayor of the largest city in the Commonwealth, and the destination of over 3 million overnight visitors a year who use both the Hampton Roads Bridge and the Monitor-Merrimac Bridge Tunnels, I respectfully request that Virginia Beach be a cooperating agency rather than a participating agency.

The outcome of this project will have far reaching affects for not only Virginia Beach, but also the cities of Hampton, Newport News, Norfolk, Portsmouth, and Chesapeake. The outcome of the SEIS and the projects that it will allow to be built is vital to the future of the largest city in the Commonwealth, and those cities directly affected.

As you know, Virginia Beach is the cul-de-sac for I-64 as it begins in Richmond. It's also the terminus for I-264 between Portsmouth, Norfolk, and Virginia Beach.

I greatly appreciate your positive consideration of our request for Virginia Beach to be designated a cooperating agency in the SEIS process.

Sincerely,

William D. Sessoms, Jr.
Mayor

cc: Aubrey Layne, Secretary of Transportation
Charles Kilpatrick, Commissioner of VDOT
Jim Utterback, Hampton Roads Engineer for VDOT

October 13, 2015

Mr. Wayne Fedora
Acting Division Administrator
Federal Highway Administration Virginia Division
400 North 8th Street Suite 750
Richmond, Virginia 23219

Dear Mr. Fedora:

As you are aware, VDOT and FHWA are currently engaged in a Supplemental Environmental Impact Statement (SEIS) for an additional water crossing in Hampton Roads between Norfolk, Portsmouth, Hampton, and Newport News. This work has been ongoing since the mid 1990's. Unfortunately, the region did not have the funding to advance the 2001 EIS Locally Preferred Alternative that included constructing the Third Crossing. The funding for this SEIS is from the new regional transportation taxes authorized by the Virginia General Assembly's House Bill 2313 and managed by the Hampton Roads Transportation Accountability Commission.

The outcome of this project will have far-reaching regional impacts, but the impacts to the "core cities" of Hampton Roads, touched by the other Hampton Roads and Elizabeth River crossings connecting the Peninsula to the "South Side", are deeply tied to the futures of these cities. The "special expertise" that these cities will bring cannot be sufficiently culled from a few studies and plans. The complexity of accessibility, land use and economic impacts are only understood by those professionals and practitioners that deal with these issues on a daily basis and have dealt with them for years. Additionally, a new or expanded crossing will result in traffic that will impact our regional transportation system beyond the study area, which will not be studied in detail.

Local transportation and planning professionals can provide sound input regarding those impacts, or put another way, how well each alternative integrates with the rest of the local and regional systems. The expertise of the local professionals is irreplaceable and should be considered early in all phases of the project in concert with the knowledge brought to bear by the Federal agencies. Without such inclusion, the study may suffer unneeded re-thinking and delays.

For these reasons, we write to you today to request that we as highly impacted local governments be classified as cooperating agencies, rather than participating agencies.

Thank you for your consideration to this important issue. We look forward to hearing from you.

Sincerely,

Paul D. Fraim
Mayor, City of Norfolk

Kenneth I. Wright
Mayor, City of Portsmouth

George Wallace
Mayor, City of Hampton

McKinley L. Price
Mayor
City of Newport News

cc: Charles Kilpatrick
Commissioner, VDOT

CITY OF POQUOSON

500 City Hall Avenue, Poquoson, Virginia 23662-1996

Office of the Mayor

(757)868-3000 Fax (757)868-3101

September 8, 2015

Mr. Scott Smizik
Project Manager
Virginia Department of Transportation
1401 E. Broad Street
Richmond, Virginia 23219

Dear Mr. Smizik:

The purpose of this letter is to amplify the verbal comments that I provided to Ms. Angel Deem, VDOT Environmental Division Director, following her recent presentation to the Hampton Roads Transportation Accountability Commission (HRTAC) regarding the Hampton Roads Crossing Study SEIS. As a member of HRTAC, the Hampton Roads Transportation Planning Organization and the Mayor of the City of Poquoson, I sincerely appreciate and support the work currently being undertaken by the Federal Highway Administration and the Virginia Department of Transportation to reexamine the alternatives that were retained for analysis in the original crossing study, as well as other alternatives that may be identified during the initial scoping process.

At the July 16, 2015 HRTAC meeting I shared with Ms. Deem that in my view both Candidate Build Alternative (CBA) 2 the Hampton Roads Bridge-Tunnel (HRBT)+ Craney Island Connector and CBA 9 Monitor-Merrimac Bridge-Tunnel (MMBT)+ Patriot's Crossing would be greatly enhanced by including improvements to I-164 as part of the project scope and with respect to CBA 9, may potentially allow for modification to the scope to reduce or eliminate a portion of the proposed bridge and allow the point of connection to the improved MMBT system to an improved I-164/I-664 intersection rather than over the river.

I addition to asking that you give consideration on how an improved I-164 could improve both CBA 2 and CBA 9, I would be remiss if I did not also share my concern and opinion that I do not see improvements to the HRBT and the MMBT as mutually exclusive. In fact, given the state of present and projected transportation needs and congestion in Hampton Roads, it is my opinion that any detailed study of long-term transportation improvements must include an analysis of the entire transportation network as a single system and planned for accordingly.

Thank you in advance for your consideration of my comments. If you would like to discuss this matter or if there is anything else that I can do to be of assistance to you in this regard, please do not hesitate to contact me at 757-868-3000.

Sincerely,

W. Eugene Hunt, Jr.
Mayor, City of Poquoson

CITIZENS FOR A FORT MONROE NATIONAL PARK

P. O. Box 3526
Hampton, VA 23663

August 21, 2015

Mary Ellen N. Hodges
Preservation Program District Coordinator
Commonwealth of Virginia
Department of Transportation
1401 East Broad Street
Richmond, VA 23219-2000

Re: Route Number: I-64, I-664, I-564
Project Number: 0064-965-081, P101
UPC: 106724
County: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth and Suffolk
Project Description: Hampton Roads Crossing Study Supplemental Environmental Impact Statement
Proposed Action: Identification of Consulting Parties

Dear Ms. Hodges:

On behalf of Citizens for a Fort Monroe National Park, in response to your letter of July 17, 2015, received on August 20, 2015, I wish to convey our group's desire to participate as a consulting party in the Section 106 process for the above described undertaking.

Very sincerely,

Mark Perreault
President

cc: CFMNP Board

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

August 18, 2015

Water Resources Division

Ms. Mary Ellen N. Hodges
Preservation Program District Coordinator
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219-2000

Dear Ms. Hodges:

I am replying to your letter to Mr. Mike Darrow, dated July 17, 2015, inviting the U.S. Army Corps of Engineers, Norfolk District (Corps), to participate as a consulting party in the National Historic Preservation Act (NHPA) Section 106 coordination for the Hampton Roads Crossing project. I appreciate this opportunity, and the Corps would like to have appropriate staff participate.

The Corps' overall involvement with this project stems from several different roles and authorities. As you correctly note, this project will likely require authorization from the Corps pursuant to Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act. Related to these direct authorities, the Corps is also a cooperating agency in the preparation of the Supplemental Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). The Norfolk District, Regulatory Branch, will conduct all NEPA and permitting coordination and all formal input on project aspects (alternatives, impact assessment, etc.) will occur through this coordination. Mr. George Janek is the Regulatory project manager for this project, and you may reach him at (757) 201-7135 or george.a.janek@usace.army.mil.

Additionally, because this project has the potential to adversely affect Corps sponsored federal projects, including the Norfolk Harbor Federal Navigation Project and Craney Island Dredged Material Management Area, the applicant will have to gain approval from the Corps pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408). As part of this review, the applicant will need to demonstrate that the proposed construction work does not impair the usefulness of the federal project nor harm the public interest. The 408 review will be conducted by the Norfolk District Operations Branch.

With regard to NHPA Section 106 coordination, the Federal Highway Administration is the lead federal agency for ensuring this project complies with NHPA. However, the Corps would like to participate in the consulting party coordination. In this capacity, our interest is limited to resources within Corps properties that may be affected by the

proposed project. Mr. John Haynes will be the Corps point of contact for NHPA Section 106 consulting party coordination. You may reach Mr. Haynes at (757) 201-7008 or john.h.haynes@usace.army.mil.

Again, thank you for this opportunity. Should you have any further questions, please feel free to contact me at (757) 201-7764 or Messrs. Haynes or Janek as appropriate.

Sincerely,

Gregory C. Steele, P.E.
Chief, Water Resources Division

HAMPTON ROADS TRANSIT

August 13, 2015

Mr. Scott Smizik
VDOT Project Manager
1401 E. Broad St.
Richmond, VA 23219

Dear Mr. Smizik:

Thank you for including Hampton Roads Transit in the kickoff for the Hampton Roads Crossing Study Supplemental Environmental Impact Statement. We are hopeful that this project will one day improve the mobility of all the citizens of Hampton Roads.

In January of 2014 Hampton Roads Transit's Commission adopted a resolution supporting the inclusion of a dedicated multimodal tube in any selected alternative of the HRCS. A multimodal crossing of Hampton Roads is vital to the economic development and mobility of the region, as it provides the only reliable means of crossing the water for those that do not have the option to drive. We hope that fair consideration will be given to the inclusion of a dedicated multimodal right-of-way and would be happy to provide any data or assistance that could aid your analysis.

Please let me know if Hampton Roads Transit can be of any assistance. We look forward to the completion of the study and to increasing the mobility of travelers in Hampton Roads.

Sincerely,

Ray Amoruso
Chief Planning & Development Officer

Cc: William Harrell, HRT – President & CEO
Julie Navarrete, HRT – Transit Development Officer

Document Control: EX440-GS-19 10037

HAMPTON ROADS TRANSIT

RESOLUTION 05-2014

Affirming the Importance of Regional Mobility and Endorsing Connect Hampton Roads

WHEREAS, mobility is a cornerstone for the quality of life and the economic vitality of Hampton Roads, Virginia; and

WHEREAS, citizens, businesses and institutions of Hampton Roads require a robust multimodal transportation system to enhance regional mobility; and

WHEREAS, cities and regions around the United States are aggressively competing with Hampton Roads for ways to expand and improve their transportation options to meet public demand and to be economically competitive; and

WHEREAS, congestion and the lack of mobility alternatives other than driving are a real threat to achieving the transportation system necessary to retain existing businesses and to attract new businesses and visitors, to effectively support our military communities and diversify the regional economy, and to retain a quality workforce and attract talented individuals to start new businesses and help support regional prosperity; and

WHEREAS, investments in the region's transportation system have not satisfied the increasing demand for more robust public transit alternatives; and

WHEREAS, regional residential and economic development patterns increasingly reflect a shift to mixed-use and higher density developments in urban areas that compliment public transit, making investments in mass transit desirable to provide viable alternative modes of transportation; and

WHEREAS, it is essential to take forward thinking approaches to regional planning that consider the fundamental need to build communities that current and future generations of Hampton Roads will embrace; and

WHEREAS, Connect Hampton Roads is an initiative to explore a new program of critical investments in support of regional mobility, complimenting the existing network of roads, bridges, and tunnels but with a renewed emphasis on more accessible and dependable transit services including express bus, light rail, pedestrian and bicycle pathways, new park-and-ride options, regular bus service, and passenger rail; and

WHEREAS, in its support of the Connect Hampton Roads effort, Hampton Roads Transit is committed to openness, public involvement, rigorous planning and financial analysis, and coordination with regional stakeholders in developing and implementing a bold new mobility agenda;

NOW, THEREFORE, BE IT RESOLVED BY THE TRANSPORTATION DISTRICT COMMISSION OF HAMPTON ROADS VIRGINIA:

Endorses the Connect Hampton Roads initiative with the goal of supporting a comprehensive plan for integrated regional transportation options, based on broad public input and supported by a phased approach to implementation and financing; and

BE IT FURTHER RESOLVED BY THE TRANSPORTATION DISTRICT COMMISSION OF HAMPTON ROADS:

That the President and CEO is hereby directed to communicate this resolution through correspondence to legislative and executive branches of government with involvement in the planning, funding, or construction of transportation assets in Hampton Roads.

ATTEST:

Commission Secretary, Luis Ramos

TRANSPORTATION DISTRICT COMMISSION OF HAMPTON ROADS

Chairman, Kenneth I. Wright

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

AUG 0 6 2015

Mr. Scott Smizik
Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 23219

Re: Hampton Roads Crossing Study;
VDOT Project 0064-965-081, P101; UPC 106724

Dear Mr. Smizik:

Thank you for the opportunity to provide our preliminary comments as the Virginia Department of Transportation (VDOT) and Federal Highway Administration (FHWA) develop a supplemental environmental impact statement (SEIS) for the Hampton Roads Crossing Study (HRCS) The HRCS was undertaken to develop and to analyze intermodal transportation alternatives to improve accessibility, mobility, and goods movement in the Hampton Roads metropolitan area of Virginia, including the cities of Chesapeake, Hampton, Poquoson, Newport News, Norfolk, Suffolk, and Virginia Beach, as well as the counties of Isle of Wight and York, and to help relieve the congestion that occurs at the existing I-64 Hampton Roads Bridge Tunnel. We understand the purpose of the new study conducted under the National Environmental Policy Act (NEPA) is to re-evaluate information previously gathered and to evaluate new information regarding impacts to human and natural resources based on the alternatives described in the March 200 FEIS and the June 2001 Record of Decision (ROD). You have specifically requested comments on resources under our purview within the project area as defined by the study location map included in your letter of June 19, 2015.

As you know, the Magnuson-Stevens Fishery Conservation and Management Act requires all federal agencies to consult with us on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect essential fish habitat (EFH). Hampton Roads is designated as EFH for 14 federally managed species. In addition to EFH, we protect anadromous species under the Fish and Wildlife Coordination Act. Hampton Roads is designated a confirmed anadromous fish use area by the Virginia Department of Game and Inland Fisheries (DGIF). These anadromous species include alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), striped bass (*Morone saxatilis*), American shad (*Alosa sapidissima*), hickory shad (*Alosa mediocris*), and yellow perch (*Perca flavescens*) as well as the federally endangered Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus).*

As the HRCS project area may overlap with areas known to support several ESA-listed species, including four species of sea turtles including leatherback sea turtle (*Dermochelys coriacea*), green sea turtle (*Chelonia mydas),* Kemp's ridley sea turtle (*Lepidochelys kempi*), and the Northwest Atlantic Ocean Distinct Population Segment (DPS) of loggerhead sea turtle (*Caretta caretta*)), as well as five DPSs of Atlantic sturgeon , we encourage you to consider the effects of the alternatives on ESA-listed species. As you may know, any discretionary federal

action, such as the authorization or funding of a project by a Federal agency, that may affect a listed species must undergo consultation pursuant to Section 7 of the ESA. As the lead federal agency for the HRCS project, FHWA will be responsible for determining whether the proposed action is likely to affect listed species. When a preferred alternative has been selected and plans are complete, FHWA should submit their determination of effects, along with justification for the determination, and a request for concurrence to our Greater Atlantic Regional Fisheries Office, Protected Resources Division (PRD). After reviewing this information, PRD would then be able to conduct consultation under section 7 of the ESA. If you have any questions about threatened or endangered species or the section 7 consultation process Brian Hopper at 410-573-4592 or brian.d.hopper@noaa.gov.

As with impacts to threatened and endangered species, FHWA will need to identify both temporary and permanent impacts to EFH, anadromous fish and other aquatic resources resulting from each project alternative and conduct an EFH consultation during either the NEPA or permitting process prior to construction of the project. The means, methods and materials used during construction of any roadway, bridge or tunnel can have tremendous influence on the type and severity of impacts to marine habitats and fishery resources. Measures that mitigate adverse impacts to NOAA trust resources should be identified, evaluated, and incorporated into all phases of the project, i.e. feasibility, design and construction. As a cooperating agency for this project, we are available to assist you in indentifying construction materials, methodologies and other measures to help avoid and minimize impacts to our trust resources. Examples include the use of time of year restrictions on certain in-water construction activities, environmental buckets during dredging and vibratory versus impact hammer for pile installation. We understand that the ultimate selection of the preferred alternative will be based on many factors including technical feasibility, cost/benefit and how well the preferred alternative addresses the stated purpose and need for the project. It is our hope that consideration during the decision-making process is also given to the least environmentally damaging practical alternative.

Thank you for the opportunity to provide preliminary comments as VDOT and FHWA prepare the SEIS for the HRCS. We look forward to working with you in the future as the project alternatives are identified and evaluated for impacts to the environment including aquatic resources. If you have any questions please feel free contact Dave O'Brien at 804-684-7828 or david.l.o'brien@noaa.gov to discuss project alternatives and the EFH consultation process.

Sincerely,

Karen M. Greene
Field Offices Supervisor
Habitat Conservation Division

Ec: O'Brien, NMFS/HCD
Hopper, NMFS/PRD

Southern Environmental Law Center

530 East Main Street, Suite 620
Richmond, VA 23219-2431
804-343-1090
Fax 804-343-1093
SouthernEnvironment.org

August 6, 2015

Mr. Scott Smizik
VDOT Project Manager
HRCSSEIS@VDOT.Virginia.Gov

VIA EMAIL

Re: Scoping Comments for Hampton Roads Crossing Study Supplemental EIS

Dear Mr. Smizik:

The Southern Environmental Law Center would like to provide the following comments on scoping for the Hampton Roads Crossing Study (HRCS) Supplemental Environmental Impact Statement (EIS). SELC is a non-partisan, non-profit organization that works throughout Virginia to promote transportation and land use decisions that protect our natural resources, strengthen our communities, and improve our quality of life.

We recognize the significant congestion issues in Hampton Roads, highlighted most recently in the draft needs assessment for the VTrans Multimodal Transportation Plan. However, as this draft needs assessment and prior environmental documents for the HRCS have made clear, any solution for this region must incorporate multimodal transportation components and must adequately protect the sensitive environmental resources of this area. It is essential that this Supplemental EIS incorporate multimodal transportation options such as rail and transit into each of the build alternatives under consideration, and that it carefully consider and minimize the adverse impacts that would result from this project. This includes the potential for substantial impacts to aquatic resources such as wetlands, streams, and the Chesapeake Bay, as well as air pollution, climate change, and other impacts resulting from the project's potential to induce significant additional traffic and land development in the region.

Alternatives Analysis

For the Peninsula-Southside Crossing, the VTrans draft needs assessment notes that congestion and connectivity issues in the region are exacerbated by limited mode choice, and it identifies the need for crossings to provide dedicated transit access and better access to regional transit networks, as well as the need for additional transit options such as light rail, bus rapid transit, and/or rapid ferry service in the area.[1] This need for expanded travel options has long been recognized. The HRCS's initial 2001 Record of Decision (ROD) incorporated a multimodal tube in its preferred Candidate Build Alternative 9 ("CBA 9"),[2] and in its comments on the 1999 Draft EIS, Hampton Roads Transit identified the inclusion of a multimodal tube to accommodate high-occupancy vehicle, bus, and passenger rail service as a "critical element" of the project and an "integral part of any Phase I construction."[3]

[1] *See* VTrans Multimodal Transportation Plan, Hampton Roads Region Draft Needs (July 28, 2015), *available at* http://vtrans.org/vtrans_multimodal_transportation_plan_2025_needs_assessment.asp.
[2] 2001 Record of Decision at 3.
[3] Letter from Michael Townes, Hampton Roads Transit to J.C. Cleveland, VDOT (Mar. 15, 2000).

In light of the continuing importance of alternative travel modes in alleviating traffic congestion and improving accessibility in the region, it is imperative that the Supplemental EIS incorporate dedicated multimodal facilities (such as the multimodal tube identified in the 2001 ROD's preferred alternative) into each build alternative. In addition, given the potential of alternative modes to substantially reduce the environmental impacts of this project, the Supplemental EIS should also evaluate expanded freight rail, passenger rail, bus, and bus rapid transit service individually and in combination as alternatives to expanded highway capacity that may satisfy all or a substantial part of the purpose and need of the project.

Environmental Impacts

The Supplemental EIS must also include a thorough analysis of the substantial effects this project would have on both natural and community resources in the study area, including impacts on various types of aquatic resources, endangered species, and historic and community resources, as well as the potential traffic and growth-inducing effects that a significant expansion in highway capacity would have. Recognizing the potential extent of these effects, the HRCS's original EIS stated in its list of needs for the project that "[o]f equal importance in planning for transportation needs in the Hampton Roads area is environmental protection and enhancement,"[4] and it is crucial that this principle be carried forward into the purpose and need and scope for the Supplemental EIS as well, and rigorously applied in conducting the analysis for this document.

I. Aquatic Resources

Previous environmental documents for the HRCS and Hampton Roads Bridge Tunnel (HRBT) projects have made clear that significant damage to aquatic resources would result from constructing any of the build alternatives. This includes the loss of substantial wetland habitat, potentially over ten miles of water crossings, and significant dredging of the Elizabeth River. In comments on the 1999 Draft EIS, a number of state and federal agencies (including the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Institute of Marine Science) raised concerns about the extent of these dredging activities, such as potential negative effects on aquatic life and in stirring up contaminated sediments that could further degrade water quality in this area.[5]

These considerations are especially important today, given that the project is adjacent to the Chesapeake Bay and could impact the historic Total Maximum Daily Load (TMDL) designed to restore the Bay. This Supplemental EIS must include a thorough, updated evaluation of impacts to aquatic resources in the area, measures to mitigate and minimize these impacts, and the project's compliance with relevant water quality protection standards and safeguards such as the Chesapeake Bay TMDL. In addition, this analysis must assess the cumulative effects of the

[4] 2001 Final EIS at 8.

[5] *See, e.g.*, Letter from Thomas Slenkamp, EPA to Earl Robb, VDOT (Mar. 15, 2000); Letter from Robert Hume III, Corps of Engineers to Ken Wilkinson, VDOT (Apr. 14, 2000); Letter from Ellen Gilinsky, DEQ to Ken Wilkinson, VDOT (Oct. 17, 2000); Letter from Thomas Barnard Jr., VIMS to Ken Wilkinson, VDOT (Feb. 4, 2000).

project with other "reasonably foreseeable" activities in the area, such as the construction of the Craney Island Eastward Expansion and the Craney Island Marine Terminal.[6]

II. Endangered Species

Previous environmental documents identified potential habitat for a number of threatened and endangered species in the project area, including the Loggerhead Sea Turtle, Kemp's Ridley Sea Turtle, and the Piping Plover. It may be necessary as part of this Supplemental EIS to update previous Biological Assessments and/or reinitiate consultation for these species and others identified in the project area, and the SEIS must consider measures to minimize any potential effects to threatened and endangered species, such as the time of year restrictions on dredging that were incorporated into the 2001 ROD to avoid impacts on sea turtle populations.

III. Historic and Community Resources

The Supplemental EIS must also include an updated analysis of historic and community resources that may be affected. Of particular significance, the HRBT 2012 Draft EIS indicated that the build proposals for that project have the potential to impact numerous community facilities, parks and recreation areas, and historic sites (including Hampton Institute, Hampton National Cemetery, two battlefields, and a number of designated historic districts).[7] To ensure that impacts to these and other important community resources in the region are adequately considered and minimized, the Supplemental EIS should incorporate updated Section 4(f), Section 106, and other necessary historic and cultural resource reviews.

IV. Induced Traffic and Development

Given that each of the HRCS build alternatives proposed thus far would add significant capacity to highly-traveled roadways, the Supplemental EIS must evaluate and compare the potential traffic- and growth-inducing effects of these proposals. For instance, the 2001 Final EIS projected that its preferred CBA 9 would add roughly 42,000 trips per day between the Peninsula and Southside, representing a 17% increase over the no-build scenario.[8] As EPA noted in their comments on the Draft EIS, this substantial increase in highway capacity may increase pressure to convert farmlands, wetlands, and forests in the study area to residential and commercial use,[9] and these secondary effects warrant careful consideration in the SEIS.

V. Air Quality and Climate Change

The potential increase in traffic and land conversion from the proposed project is also likely to impact air quality and greenhouse gas emissions. Not only is the projected increase in

[6] Although the 2001 Final EIS acknowledged these future projects, it excluded them from its impacts analysis as not yet being "reasonably foreseeable" at that time. 2001 Final EIS at 274. However, as noted in the 2011 Environmental Assessment (EA) Reevaluation, construction of these projects is now underway, and thus they appear to clearly qualify as reasonably foreseeable projects that must be included in the HRCS analysis. 2011 EA Reevaluation at 39.
[7] *See* HRBT 2012 Draft EIS at S-9; HRBT Draft Section 4(f) Evaluation at 17.
[8] 2001 Final EIS at Table 4-2.
[9] Letter from Thomas Slenkamp, EPA to Earl Robb, VDOT (Mar. 15, 2000).

traffic volume likely to increase emissions, but it is likely that a greater proportion of these future vehicles will be heavy, more polluting trucks due to the expansion of nearby port facilities that a number of the build alternatives are designed to help facilitate. These impacts must be studied. In addition, the project has the potential to further increase greenhouse gas emissions by spurring the conversion of important carbon sinks such as wetlands for development. These resources also serve the important function of providing natural resiliency to the impacts of climate change. These climate change-related issues are especially important for the Hampton Roads area, which is among the areas most threatened by future sea level rise in the world. Governor McAuliffe has recognized the urgent need to address these issues, recently reconvening the Governor's Climate Change Commission to help "prepare Virginia's coastal communities to deal with the growing threat of climate change."[10] It is therefore imperative that the Supplemental EIS include a thorough analysis of these impacts, as well as potential mitigation measures.

Conclusion

Again, we recognize the need to address congestion in Hampton Roads and the importance of this study in helping to identify solutions. However, to be effective and improve quality of life in the region, any solution should incorporate multimodal elements and adequately protect the area's considerable natural and community resources. We urge you to incorporate the recommendations above in the scope of the upcoming Supplemental EIS, and we look forward to continuing to participate in this environmental review process as it moves forward.

Sincerely,

Trip Pollard
Director, Land and Community Program

Travis Pietila
Staff Attorney

cc: Edward Sundra, FHWA Virginia Division
Colonel Jason Kelly, Norfolk District, U.S. Army Corps of Engineers
Barbara Rudnick, U.S. EPA Region III
Jeffrey Lapp, U.S. EPA Region III
Jennifer Mitchell, DRPT
David Paylor, DEQ
Robert Crum, HRDPC
Dr. John Wells, VIMS

[10] *See* Press Release, Governor McAuliffe Signs Executive Order Convening Climate Change and Resiliency Update Commission (July 1, 2014), *available at* https://governor.virginia.gov/newsroom/newsarticle?articleId=5342.

From:	Eric Almquist
To:	andrew griffey
Subject:	FW: Scoping Comments on the SEIS Hampton Roads Crossing Study
Date:	Thursday, August 06, 2015 9:52:20 PM

Andrew – please add to the scoping agency comment package. Sierra Club is in the "other" category.

Thanks, Eric

From: Smizik, Scott (VDOT) [mailto:Scott.Smizik@vdot.virginia.gov]
Sent: Thursday, August 6, 2015 3:53 PM
To: Eric Almquist <ealmquist@rkk.com>; Deem, Angel N. (VDOT) <Angel.Deem@VDOT.Virginia.gov>
Subject: FW: Scoping Comments on the SEIS Hampton Roads Crossing Study

Eric –

Please add to the comment record. Note the email change and their collaboration.

From: Glen Besa [mailto:glen.besa@sierraclub.org]
Sent: Thursday, August 06, 2015 3:40 PM
To: Smizik, Scott (VDOT); Ed.Sundra@dot.gov
Subject: Scoping Comments on the SEIS Hampton Roads Crossing Study

Scott Smizik and Ed Sundra

We look forward to having an opportunity to comment more extensively on the Draft SEIS. Could you tell us the time line for the the NEPA and project approval process and when we can expect to see the Draft SEIS?

As to matters we'd like to see addressed in the SEIS, please accept these comments in this scoping process:

- It is critically important that transit be incorporated in any third crossing. Any configuration must provide a dedicated lane to accommodate rail or dedicated bus rapid transit
- We are concerned with increased air pollution from increased traffic especially in communities adjacent to this infrastructure project. As these improvements are linked to a major port expansion, the air pollution from increased truck traffic is a special concern.
- We are also concerned with wetlands impacts and dredging associated with this infrastructure project would like to see these impacts minimized and mitigated as much as possible.

These are the three major concerns we would like to see addressed in the Draft SEIS. Thank you for the opportunity to comment.

Glen Besa, Director
Sierra Club-Virginia Chapter
422 E. Franklin St, Suite 302
Richmond, VA 23219
glen.besa@sierraclub.org
P-804-387-6001
F-804-225-9114

http://vasierraclub.org/

On Thu, Aug 6, 2015 at 1:50 PM, Trip Pollard <tpollard@selcva.org> wrote:

Glen,

Thanks for sending.
As i mentioned in earlier email, we are drafting some brief comments as well. On quick read, largely hitting similar points. Hope to circulate shortly.
As for deadline, it was not in Register notice but was in VDOT notice of public meetings so we are planning file today
(http://www.virginiadot.org/newsroom/hampton_roads/2015/citizen_information_meetings_planned84574.asp)

From: Glen Besa [mailto:glen.besa@sierraclub.org]
Sent: Thursday, August 06, 2015 12:56 PM
To: Stewart Schwartz; Trip Pollard; Eileen Levandoski; Douglas Stewart; Skip Stiles; Bill Penniman
Subject: Stewart, Trip, Skip, Douglas - DRAFT Comments on the SEIS Hampton Roads Crossing Study

Folks,
Here is my draft on scoping comments on the 3rd crossing--best I could do with no real time to work on this. Please offer edits and advise if CSG and SELC would like to sign on or send a similar letter. Should I conceded possible bus rapid transit of just mention rail?

We are under the impression that the comments are due today but the DOT official just said to get them in ASAP. I never found a formal scoping notice with a deadline for comments-- did any of you see it? Thanks, Glen

Ed Sundra and Scott Smizik

Perhaps we missed a subsequent federal register notice after June 23, 2015, but we didn't see a formal notice with a deadline for comments on the SEIS scoping process for the Hampton Roads Crossing.

We look forward to having an opportunity to comment more extensively on the Draft SEIS. Could you tell us the time line for the the NEPA and project approval process and when we can expect to see the Draft SEIS?

As to matters we'd like to see addressed in the SEIS, please accept these comments in this scoping process:

- It is critically important that transit be incorporated in any third crossing. Any configuration must provide a dedicated lane to accommodate rail or dedicated bus rapid transit
- We are concerned with increased air pollution from increased traffic especially in communities adjacent to this infrastructure project. As these improvements are linked to a major port expansion, the air pollution from increased truck traffic is a special concern.
- We are also concerned with wetlands impacts and dredging associated with this infrastructure project would like to see these impacts minimized and mitigated as much as possible.

These are the three major concerns we would like to see addressed in the Draft SEIS. Thank you for the opportunity to comment.

Glen Besa, Director
Sierra Club Virginia Chapter

Glen Besa, Director

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Mae Breckenridge-Haywood

3704 Greenwood Drive

Portsmouth, VA 2370l

African American Historical Society of Portsmouth, INC, President

August 6, 2015

RE: Project Number: 0064-965-081, P101

Proposed Action: Identification of Section 106 Contributing Parties

TO: Mary Ellen N. Hodges

Preservation Program District Coordinator

Dear Ms. Hodges:

I am in receipt of your letter of July 17, 2015 requesting that the society respond to identify the appropriate means to avoid, minimize, or mitigate any adverse effects of historical properties regarding historical properties near what we locals call, MLK Highway extension and many other names. I can assure you that the historical society has some very profound concerns about this project because it is the second round since the eighties that the Mt. Calvary Cemetery Complex/ Mt. Calvary, Mt. Olive, Fisher's Hill and Potter's Field have had very serious, continuous, and on-going effects.

As you may not know the society is of the fifth decade of a community group that has protested about the effects of the highway, Interstate, building, turmoil, etc. that has disturbed the peaceful resting place of the notable and historical ancestors that are interred in this historical cemetery in Portsmouth, VA. If some of the issues the society speaks to can be addressed the society and the ancestors will be singing praise for this good fortune.

I have sent your message to a city cemetery group to send me ideas about the adverse effect of the project to the historical property of the cemetery. I am attaching the few responses which all pertain to the major issue of **drainage** by this project which is really 30 years old and has not been fixed. There were other issues that the representative from VDOT spoke of which has not been done also. That issue was that Mr. Ken Stuck said that VDOT would provide an historical marker for the cemetery. Other issues the society spoke of which may not be in the range of adverse effect but would certainly improve the cemetery image was additional signage and being listed on the National Register of Historic places and the VA Landmark Register. There is just so much a small community organization as AAHSP can do , but with the wealth of professionals and people tied to this project some of the perks of a new project should give to the historical property and should/could be something VDOT and others

involved in this project could provide. This would certainly be good partnership for the community and the region.

I am attaching the comments from the cemetery group to answer your request.

Regards,

Mae Breckenridge Haywood

Mae Breckenridge-Haywood, President

African American Historical Society

3704 Greenwood DR

Portsmouth, VA 23701

PS: Please use my home address in reference to the museum, cemetery and society

CITY OF SUFFOLK

P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858 PHONE: (757) 514-4012

CITY MANAGER

August 5, 2015

Ms. Mary Ellen N. Hodges
Preservation Program District Coordinator
Commonwealth of Virginia
Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219-2000

Re: Project Number: 0064-965-081, P101
UPC: 106724
Identification of Section 106 Consulting Parties

Dear Ms. Hodges:

In response to your letter dated July 17, 2015, in regard to the above referenced project, please be advised that the City of Suffolk desires to participate in the Hampton Roads Crossing Study as a consulting party to the Section 106 process. Thank you for your invitation to participate. Scott Mills, Interim Deputy City Manager will be the City of Suffolk's point of contact in regard to this matter. He can be reached at (757) 514-4070.

Sincerely,

Patrick Roberts
Interim City Manager

pc: Scott Mills, Interim Deputy City Manager

CARTER B. S. FURR
Attorney at Law
333 West Freemason Street
Suite 100
Norfolk, Virginia 23510
Telephone: (757) 622-2258
Fax: (757) 622-2259
E-mail: CBSFURR@att.net
August 4, 2015

Ms. Mary Ellen N. Hodges
Preservation Program District Coordinator
Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 23219-2000

Re: Section 106 Consulting Party Invitation
Hampton Roads Crossing Study
Project: 0064-965-081, P101; UPC 106724
Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, and Suffolk Virginia

Dear Ms. Hodges:

Thank you for your letter advising that the Norfolk Preservation Alliance may request status as a consulting party to this project. On behalf of the Norfolk Preservation Alliance, we do request to be a consulting party under the Section 106 regulations I hope you will take care to list us as such.

The official address of the Norfolk Preservation Alliance is P. O. Box 3338, Norfolk, VA 23514, but since I will be the point of contact, you may list me at my office address noted on this correspondence. We look forward to receiving further information, especially any concerning properties of historical significance that may be affected by this project.

Thanking you for your attention, I am
Sincerely yours,

Carter B. S. Furr
Vice President, Norfolk Preservation Alliance.

Virginia Beach
Hotel Association

August 4, 2015

Mr. Scott Smizik
VDOT Project Manager
1401 East Broad Street
Richmond, Virginia 23219

Dear Mr. Smizik,

The Virginia Beach Hotel Association, representing approximately 80 hotels, appreciates the opportunity to offer our thoughts on the Supplemental Environmental Impact Statement (SEIS) regarding the re-evaluation of the Hampton Roads Crossing Study. By far, the number one traffic concern for Virginia Beach tourists is the Hampton Roads Bridge Tunnel. We understand that the SEIS, among other things, will evaluate the Patriot's Crossing project and an additional tunnel. In our opinion, both projects are needed.

The Patriot's Crossing will help alleviate truck traffic on Hampton Boulevard, provide some relief to the HRBT situation, and allow the port to grow and flourish. Another tunnel project at the HRBT will go even further to relieve the unbelievable congestion that occurs daily, and allow for much needed maintenance work on the existing tunnels which are showing their age.

We are also in support of a tolling strategy in order to build these projects. This is an issue of great concern to our industry, and we are ready to participate in any way necessary as the SEIS process moves forward.

Sincerely,

Joseph DaBiero
President

cc: VBHA Board of Directors

1023 Laskin Road, Suite 111 • Virginia Beach VA 23451
757-428-8015 • Fax: 757-425-3760
VirginiaBeachHotelAssociation.com
facebook.com/VirginiaBeachHotelAssociation

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

August 3, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

RE: Scoping comments for the Hampton Roads Crossing Study Supplemental Environmental Impact Statement, the Cities of Chesapeake, Hampton, Newport-News, Norfolk, Portsmouth, Suffolk, Virginia Beach, and Isle of Wright County

Dear Mr. Smizik:

The U.S. Environmental Protection Agency (EPA) has received and reviewed Virginia Department of Transportation's (VDOT) June 19, 2015 letter regarding the scoping of the Hampton Roads Crossing Study's Supplemental Environmental Impact Statement (SEIS). EPA has reviewed your letter and information provided at the July 21, 2015 Agency Scoping meeting in conjunction with our responsibilities under the National Environmental Policy Act (NEPA), the Clean Water Act (CWA) and Section 309 of the Clean Air Act. As limited information is provided in your letter, we are able to provide only general recommendations at this time.

Information regarding the purpose and need, alternatives analyzed, avoidance and minimization of resources, indirect and cumulative effects for the proposed project should be included in the SEIS. The SEIS should include a clear and robust justification of the underlying purpose and need for the proposed action. The purpose and need statement is important because it helps explain why the proposed action is being undertaken and what objectives the project intends to achieve. The purpose of the proposed action is typically the specific objective of the activity. The need should explain the underlying problem for why the project is necessary. Alternatives analysis should include the suite of other activities or solutions that were considered and the rationale for not carrying these alternatives forward for detailed study. Up-to-date data to support project need and identification of current environmental conditions is important to the assessment.

The document should describe potential impacts to the natural and human environment. Existing resources should be identified and EPA encourages that adverse impacts to natural resources, especially wetlands and other aquatic resources, be avoided and minimized wherever possible. Stormwater ponds, best management practices (BMPs) and staging areas should not be located in wetlands and streams. EPA recommends the SEIS contain a level of information and analysis adequate to document compliance with the Clean Water Act § 404(b)(1) Guidelines, including characterization of the chemical, physical, and biological features of aquatic resources, alternatives and mitigation sequencing: first avoid, next minimize, then compensate for impacts that cannot be avoided or minimized. Direct, indirect, and cumulative impacts should be included. If a

mitigation bank is proposed, details should be included in the proposed SEIS. EPA suggests coordinating with other appropriate federal, state and local resource agencies on possible impacts to wetlands, streams and/or rare, threatened and endangered species.

The SEIS should be consistent with Executive Order (EO) 11988 Floodplain Management. Though the EO is new, it is clear that the intent is for the Federal government to be cognizant in planning of the changes that have been observed associated with climate and the potential for increased flood occurrence and intensity. It would be prudent to evaluate alternatives in relation to the 500 year flood plan (or other approach), which is typically identified on mapping. If any alternatives are particularly vulnerable or impactive of the larger floodplain area, we recommend to assess and disclose as part of alternatives analysis.

In addition, we recommend that climate change issues be analyzed consistent with the Council on Environmental Quality's (CEQ) December 2014 revised draft guidance for Federal agencies' consideration of greenhouse gas (GHG) emissions and climate change impacts when conducting environmental assessments under NEPA. Accordingly, we recommend the Draft EIS include an estimate of the GHG emissions associated with the project, qualitatively describe relevant climate change impacts, and analyze reasonable alternatives and/or practicable mitigation measures to reduce project-related GHG emissions. In addition, we recommend that the NEPA analysis evaluate alternative designs to incorporate resilience to foreseeable climate change. The Draft and Final EIS should make clear whether commitments have been made to ensure implementation of design or other measures to reduce GHG emissions or to adapt to climate change impacts. More specifics on GHG and climate change considerations are provided in the enclosure.

Relevant studies that have evaluated potential climate change and flood risk issues in the Norfolk area should be reviewed. It is our understanding that the Norfolk District of the Army Corps of Engineers performed such a study recently (2013) and prepared a report of findings. Plans were considered to reduce flood risk to public, health, safety and property in Norfolk associated with coastal flooding from storm events. Consideration was given to land subsidence and sea level rise forecasts for a 50-year planning horizon. The information should be reviewed to determine if data or findings from the report are transferable to the current project.

Based on the setting of the proposed project, there may be fewer natural resource impacts and greater potential impacts to surrounding community. EPA suggests that an evaluation of community impacts, including noise, vibration, light and possible traffic impacts be included in the document. This analysis is particularly important as this type of facility could be disruptive to surrounding communities and sensitive receptors. Description of communication methods to keep the community informed on progress and phases of the project should be included in the EIS. Potential air impacts and general conformity should be included in the SEIS. The SEIS should also include an analysis of any hazardous sites or materials, and the status of any ongoing or past remediation efforts in the project area. Environmental Justice (EJ) should also be evaluated, including the identification of potential communities of concern, and meaningful and timely community involvement, public outreach, and access to information. It appears that methodology is consistent with revisions made for the Route 460 project. We would be pleased to review approaches and findings with VDOT and our EJ expert analyst. Consideration should also be given to all potential impacts to at-risk populations, as well as consideration to sensitive subpopulations, possibly including elderly, children (consistent with EO 13045) and others. We encourage VDOT to

conduct comprehensive coordination and outreach to the surrounding communities and populations. Adverse community impacts should also be avoided, minimized and mitigated.

EPA strongly encourages a thorough cumulative impact analysis for past, present and reasonably foreseeable projects occurring in the project area. It is suggested that an indirect and cumulative effects analysis begin with defining the geographic and temporal limits of the study; this is generally broader than the study area of the project. We would be pleased to review proposed temporal and geophysical boundaries. The assessment should identify resources potentially impacted by the current project and the study should provide detailed discussion of past impacts to these identified resources. The study should assess potential indirect and cumulative effects to resources in the project area; analysis may aid in the identification of resources that are likely to be adversely affected by multiple projects and sensitive resources that could require additional protective measures. We suggest VDOT consider convening a panel of experts in addition to local officials to evaluate potential areas for induced growth and cumulative impacts. Impacts to each resource should be thoroughly evaluated and mitigation for these impacts discussed. Also, consideration should be given to potential indirect and cumulative effects on sensitive receptors including children's health in current conditions and in combination with foreseeable projects identified in the EIS.

Thank you for coordinating with EPA on this project. Thank you for your consideration of the topics mentioned above and other factors that may arise during the scoping process or during the preparation of the SEIS. We look forward to working with you to refine topics that are developed and analyzed; and encourage use of partnering meetings for this project to keep agencies informed and engaged and to facilitate information exchange in the study. If you have any questions or would like to discuss our comments, the staff contact for this project is Ms. Barbara Okorn; she can be reached at 215-814-3330.

Sincerely,

Barbara Rudnick
NEPA Team Leader
Office of Environmental Programs

Enclosure

cc: John Simkins, FHWA

Enclosure
Climate Change and Greenhouse Gas Considerations

We suggest the following approach with consideration of climate change and greenhouse gas:

"Affected Environment" Section:

* Include in the "Affected Environment" section of the Draft EIS a summary discussion of climate change and ongoing and reasonably foreseeable climate change impacts relevant to the project, based on U.S. Global Change Research Program[1] assessments, to assist with identification of potential project impacts that may be exacerbated by climate change and to inform consideration of measures to adapt to climate change impacts. (Among other things, this will assist in identifying resilience-related changes to the proposal that should be considered). [1]

"Environmental Consequences" Section:

* Estimate the GHG emissions associated with the proposal and its alternatives. Example tools for estimating and quantifying GHG emissions can be found on CEQ's NEPA.gov website [2]. For actions which are likely to have less than 25,000 metric tons of CO2-e emissions/year, provide a qualitative estimate unless quantification is easily accomplished. In most cases quantification of GHG emissions involves a relatively straightforward calculation. In addition to estimating emissions caused by the proposal itself, we recommend estimating the reasonably foreseeable emissions from "upstream" and "downstream" activities indirectly caused by the proposal.[3]

* The estimated GHG emissions can serve as a reasonable proxy for climate change impacts when comparing the proposal and alternatives. In disclosing the potential impacts of the proposal and reasonable alternatives, consideration should be given to whether and to what extent the impacts may be exacerbated by expected climate change in the action area, as discussed in the "affected environment" section

* Describe measures to reduce GHG emissions associated with the project, including reasonable alternatives or other practicable mitigation opportunities and disclose the estimated GHG reductions associated with such measures.

The Draft EIS alternatives analysis should, as appropriate, consider practicable changes to the proposal to make it more resilient to anticipated climate change. EPA further recommends that the Final EIS and Record of Decision commits to implementation of reasonable mitigation measures that would reduce or eliminate project-related GHG and to resilient design.

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1 http://www.globalchange.gov/

2 https://ceq.doe.gov/current_developments/GHG_accounting_methods_7Jan2015.html

3 Recognizing that climate impacts are not attributable to any single action, but are exacerbated by a series of smaller decisions, we do not recommend comparing GHG emissions from a proposed action to global emissions. As noted by the CEQ revised draft guidance, "[t]his approach does not reveal anything beyond the nature of the climate change challenge itself: [t]he fact that diverse individual sources of emissions each make relatively small additions to global atmospheric GHG concentrations that collectively have huge impact."

City of Newport News

Department of Engineering
2400 Washington Avenue
Newport News, Virginia 23607

(757) 933-2311

Fax (757) 926-8300

August 3, 2015

Ms. Mary Ellen N. Hodges
Preservation Program District Coordinator
Environmental Division
Virginia Department of Transportation
1401 E. Broad Street
Richmond, Virginia 23219

Re: Identification of Section 106 Consulting Party
Hampton Roads Crossing Study - Supplemental Environmental Impact Study
Project Number: 0064-965-081, P101 UPC: 106724

Dear Ms. Hodges:

Thank you for seeking the City of Newport News participation in the preparation of the Supplemental Environmental Impact Study (SEIS) for the Hampton Roads Crossing Study (HRCS). It is the City's desire to be a consulting party to the Section 106 process of the SEIS as the project has the potential for significant impact to the City. Britta Ayers, Manager of Comprehensive Planning, will serve as the point of contact for the City and may be contacted by email at bayers@nnva.gov or by phone at (757) 926-8074.

Sincerely,

Everett P. Skipper, PE, BCEE
Director of Engineering

EPS/KBS/wjr

pc: Director of Planning, S. McAllister
Manager of Comprehensive Planning, B. Ayers

U.S. Department of Homeland Security

United States Coast Guard

Commanding Officer
United States Coast Guard
Base Portsmouth

4000 Coast Guard Blvd.
Portsmouth, VA 23703-2199
Staff Symbol: (f)
Phone: 757-483-8590

11000
JUL 31 2015

Commonwealth of Virginia
Department of Transportation
Attn: Ms. Mary Ellen N. Hodges
1401 East Broad Street
Richmond, VA 23219-2000

Dear Ms. Hodges,

Thank you for the invitation to participate as a consulting party to the Section 106 process for the Hampton Roads Crossing Study. U.S. Coast Guard Base Portsmouth does desire to participate as we have concerns regarding the proposed location and operational impact of the study, specifically; the newly proposed "Patriot's Crossing". As alternatives are identified or modified, we will need to further evaluate the impact of the Study on Coast Guard operations and historic properties.

Please contact myself and/or my Facility Engineer, LCDR Colleen Symansky at 757-483-8503, with future information on the Hampton Roads Crossing Study or meeting locations.

Sincerely,

B. K. Kerr

B. K. Kerr
Captain, U. S. Coast Guard
Commanding Officer

From:	Eric Almquist
To:	andrew griffey; Nicholas Nies
Subject:	FW: Hampton Roads Crossing Study SEIS
Date:	Friday, July 31, 2015 9:27:34 AM
Attachments:	levine_state.pdf ATT00001.htm Environmental Justice Reports.pdf ATT00002.htm All charts-Hampton Roads Crossing2-charts.xlsx ATT00003.htm HamptonRoads-EnvHealthEquity_edit1.pptx ATT00004.htm

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From: Smizik, Scott (VDOT) [mailto:Scott.Smizik@vdot.virginia.gov]
Sent: Wednesday, July 29, 2015 4:49 PM
To: Eric Almquist <ealmquist@rkk.com>
Subject: Fwd: Hampton Roads Crossing Study SEIS

Begin forwarded message:

From: "Soto, Roy (VDH)" <Roy.Soto@vdh.virginia.gov>
To: "Smizik, Scott (VDOT)" <Scott.Smizik@vdot.virginia.gov>
Cc: "McFadden, Adrienne (VDH)" <Adrienne.McFadden@vdh.virginia.gov>, "Levine, Marissa (VDH)" <Marissa.Levine@vdh.virginia.gov>, "Trump, David (VDH)" <David.Trump@vdh.virginia.gov>, "Hilbert, Joseph (VDH)" <Joe.Hilbert@vdh.virginia.gov>, "Gordon, Christopher (VDH)" <Christopher.Gordon@vdh.virginia.gov>, "Glasheen, Nancy (VDH)" <Nancy.Glasheen@vdh.virginia.gov>, "Knapp, Allen (VDH)" <Allen.Knapp@vdh.virginia.gov>, "Hicks, Robert (VDH)" <Robert.Hicks@vdh.virginia.gov>, "Douglas, Susan (VDH)" <Susan.Douglas@vdh.virginia.gov>, "Aulbach, John (VDH)" <John.Aulbach@vdh.virginia.gov>, "Warren, Arlene (VDH)" <Arlene.Warren@vdh.virginia.gov>, "Bowles, James (VDH)" <Jim.Bowles@vdh.virginia.gov>, "Teule-Hekima, Nzinga (VDH)" <Nzinga.Teule-Hekima@vdh.virginia.gov>, "Lindsay, Demetria (VDH)" <Demetria.Lindsay@vdh.virginia.gov>, "Chang, David (VDH)" <David.Chang@vdh.virginia.gov>, "Welch, Nancy (VDH)" <Nancy.Welch@vdh.virginia.gov>, "Kulberg, Heidi (VDH)" <Heidi.Kulberg@vdh.virginia.gov>, "Heisey, William (VDH)" <William.Heisey@vdh.virginia.gov>, "King, Kisha (VDH)" <Kisha.King@vdh.virginia.gov>, "Roadcap, Dwayne (VDH)" <Dwayne.Roadcap@vdh.virginia.gov>, "Henderson, Julie (VDH)" <Julie.Henderson@vdh.virginia.gov>, "Skiles, Keith (VDH)" <Keith.Skiles@vdh.virginia.gov>, "Revis, Danna (VDH)" <Danna.Revis@vdh.virginia.gov>, "Tiller, David (VDH)" <Dave.Tiller@vdh.virginia.gov>, "Horne, Clifton (VDH)" <Dan.Horne@vdh.virginia.gov>, "Smith, Carol S. (VDH)" <Carol.Smith@vdh.virginia.gov>, "Duell, Jay (VDH)" <Jay.Duell@vdh.virginia.gov>, "Bennett, Harry (VDH)" <Harry.Bennett@vdh.virginia.gov>, "Gregory, Lance (VDH)" <lance.gregory@vdh.virginia.gov>, "Pemberton, Amy (VDH)" <Amy.Pemberton@vdh.virginia.gov>
Subject: RE: Hampton Roads Crossing Study SEIS

Project Name: Hampton Roads Crossing Study SEIS
Project #: 0064-965-081-P101
UPC #: 106724
Location: Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach, and Isle of Wight County

VDH – Office of Drinking Water has reviewed the above project. Below are our comments as they relate to proximity to **public drinking water sources** (groundwater wells, springs and surface water intakes). Potential impacts to public water distribution systems or sanitary sewage collection systems **must be verified by the local utility.**

The following public groundwater wells are located within a 1 mile radius of the project site (wells within a 1,000 ft radius are highlighted in red):

PWSID	District	CNYCTY	SYSNAME	FACNAME
3550775	20B	CHESAPEAKE	SUNRAY ARTESIAN WATER SUPPLY	DRILLED WELL

The following surface water intakes are located within a 5 mile radius of the project site:

PWSID	SYSNAME	FACNAME
3710100	NORFOLK, CITY OF	IN-TOWN LAKES

The project is not within the watershed of any public surface water intakes.

Best Management Practices should be employed on the project site including Erosion & Sedimentation Controls as well as Spill Prevention Controls & Countermeasures.

Care should be taken while transporting materials in and out of the project site, as to prevent impacts to surface water intakes within 5 miles.

There may be impacts to public drinking water sources due to this project if the mitigation efforts outlined above are not implemented.

Regards,

Roy Soto, PE, PMP
Special Projects Engineer
Virginia Department of Health, Office of Drinking Water
James Madison Building
109 Governor St, Room 628
Richmond, VA 23219
804.864.7516 (D)
www.vdh.virginia.gov/ODW/SourceWaterPrograms

Comments From VDH – Office of Environmental Health Services, Division of Onsite Sewage and Water Services:

I queried the local health districts as well as the OEHS staff for input on the request. This e-mail is our response. If you need additional information or interpretation of any of this information, please let me know. We will be happy to continue to participate in this project.

In regard to the question about environmental justice, Danna Revis queried the EPA EJScreen Report for the areas included (**see attached PDF file titled "Environmental Justice Reports"**). Those reports are attached. In addition, she produced the **attached spreadsheet** which summarizes the data. This information shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed.

The Norfolk Naval Base, Hampton, and Newport News segments show populations with percentiles exceeding 70 in Demographic Index, Minority Population, Low Income Population, and Population with less than HS Education will be affected by construction of the crossing.

In regard to the question concerning known health issues affecting low-income and minority populations, OEHS has no information.

In regard to the request for other information, we offer these comments:

1. The location of the proposed construction looks as though it will cross either directly over or very near the Hampton Roads Sanitation District (HRSD) Nansemond Sewage Treatment Plant outfall diffuser. If the construction requires that the outfall be relocated, it will require adjustment of shellfish closure zones and may impact currently open harvest areas.
2. This area is primarily public sewer and public water supply, so there would be a limited number of wells/septic in the area. Without the benefit of street addresses to review files, it would be hard for us to make an accurate assessment of the impact this project may have on that.
3. It appears that the area involved within Portsmouth is Federal property and should be analyzed through their domain.

4. 664 is the only part in Suffolk. Unless there is a major widening of the existing 664, I do not see an impact.

I believe that comment #4 is reflective of the general feeling that any comments provided before more specific information is available can only be very general in nature. I know that at least one district EH manager is planning to attend one of the public meetings. I'm sure that everyone involved would be willing to review any new or more specific information and to comment again.

Thanks,
Jim Bowles

Comments From VDH – Office of Environmental Health Services, Division of Onsite Sewage and Water Services:

Please find OMHHE's input attached (**see attached PowerPoint file**). Let me know if you require anything further.

Thanks,

Adrienne McFadden, MD, JD, FACEP, FAAEM, FCLM
Director, Office of Minority Health and Health Equity (OMHHE)
Virginia Department of Health
109 Governor Street, Suite 1016-E
Richmond Virginia 23219
office: (804) 864-7425
fax: (804) 864-7440

Comments From VDH – Virginia Beach Health District:

I have reviewed the attached letter and map. From what I can see the enclosed area does not encompass Virginia Beach. I therefore do not have any specific comments to offer. I do appreciate you reaching out to districts within the area.

Heidi

Heidi A. Kulberg, MD, MPH
Health Director, Virginia Beach Dept. of Public Health
4452 Corporation Lane
Virginia Beach, VA 23462
Office: 757-518-2672
Direct: 757-518-2630

Comments From VDH – Western Tidewater Health District:

From the map included in this memo I can't imagine that there would be issues or any impact by the proposed project that are related to low-income and minority populations. The new development does not even appear to come into the city of Chesapeake.

Nancy Welch, MD, MPH
Acting District Director
(757) 514-4705

From: Smizik, Scott (VDOT)
Sent: Friday, June 19, 2015 12:08 PM
To: Levine, Marissa (VDH)
Cc: Aulbach, John (VDH)
Subject: Hampton Roads Crossing Study SEIS

Good afternoon –

Please find the attached scoping letter for the Hampton Roads Crossing Study Supplemental Environmental Impact Statement. We look forward to working with your office on this study. If you have any questions, please do not hesitate to contact me.

Scott Smizik
Location Studies Project Manager
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219
Desk: (804) 371-4082
Cell: (804) 306-0920
Fax: (804) 786-7401
Scott.Smizik@VDOT.Virginia.gov

THE PORT OF VIRGINIA

John F. Reinhart
CEO/Executive Director

Virginia Port Authority
600 World Trade Center
Norfolk, VA 23510

July 30, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA. 23219

Re: Hampton Roads Crossing Study

Dear Mr. Smizik:

Thank you for the opportunity to comment on the above-referenced project and for the invitation to participate in the development of the Supplemental Environmental Impact Statement (SEIS). The Virginia Port Authority (VPA) appreciates the Virginia Department of Transportation's (VDOT) support of transportation improvements that increase efficient freight movement through the Port of Virginia and from the Port of Virginia to the businesses and citizens of the Commonwealth and beyond. Comments are enclosed.

The Port of Virginia is the only major Port on the US East Coast that does not have any air draft restrictions and is the only East Coast port authorized to deepen to 55 feet. These are significant strategic advantages for Virginia and these key attributes must be preserved as transportation improvements are being planned and considered. The Harbor Crossing study area is located at the entrance to the Port. As alternatives, are developed, we respectfully request that the following be carefully considered:

Air Draft: One of the most valuable features of the Port of Virginia is our unrestricted navigation channels. The Port is able to serve the largest cargo vessels in the world because of its naturally deep harbor and no air draft restrictions. This is a highly desirable and strategically important advantage to preserve.

55-foot Channel Authorization: The Norfolk Harbor Channel is the only East Coast port authorized to be deepened to -55 feet at mean low water (MLW). The U.S. Army Corps of Engineers and Port Authority have partnered to study the recommended future depth of the main channel. Any proposed tunnel structure must be placed deep enough to allow for future deepening and maintenance dredging. The channel width is presently 1,000 feet. Any future deepening of the channel *may* require an increase in channel width.

Deep Water Anchorages: The 50-foot and 55-foot deep water anchorages are regularly occupied by bulk cargo carriers and container vessel servicing the Port of Virginia and are essential for navigation safety within the Port. Any improvements within the defined study area should not impact or result in elimination of existing deep water anchorages.

Additional transportation capacity across the harbor with a modern tunnel is an important need for continued Regional and Port growth. Thank you for the opportunity to comment and for the invitation to participate in the SEIS. If additional information is needed, please do not hesitate to contact us.

Sincerely,

John F. Reinhart
CEO and Executive Director

The following responses correspond with the questions as provided in the letter dated June 19, 2015.

1. Mapping of area terminals (please see attached).

2. The following data is provided on mode splits at the Port's container terminals:

    - During fiscal year 2015, the intermodal breakdown of container cargo imported and exported via The Port of Virginia was as follows:
        - Truck: 64%
        - Rail: 32%
        - Barge: 4%
    - Intermodal breakdown for FY2015 by facility for container cargo is as follows:
        - NIT: Truck – 57%, Rail – 40%, Barge – 3%
        - VIG: Truck – 70%, Rail – 25%, Barge – 5%
        - PMT: Truck – 85%, Rail – 12%, Barge – 4%;

    *Please note, the PMT rail percent of cargo reflects how cargo arrives/leaves the Hampton Roads region. Almost all of PMT's rail cargo is currently drayed by truck to/from either VIG or the CSX rail ramp where it is ramped to or de-ramped from rail.

    - All roll-on roll-off automobile cargo handled at NNMT leaves the facility by car carrier truck.
    - The overall port-wide intermodal breakdown percentages are driven by the inland markets the port services as well as the port's capabilities and infrastructure. The individual terminal intermodal breakdown percentages are driven by each terminal's capabilities and capacity.

3. The Port does not track data on roads used by trucks once they depart the Port. However, studies have been produced by the TPO that show truck volumes and congestion by major Gateway entering and exiting the Region. Tolls have not been studied by the Port nor have they been considered in the Port's expansion plans. The following data is provided:

    - The port handled 18,094,399 short tons of cargo during the first 11 months of fiscal 2015, including containerized, ro-ro and breakbulk cargo imported and exported via the Virginia Port Authority-owned and leased facilities in the harbor. The port is expected to finish fiscal 2015 handling more than 19.7 million short tons of cargo.
    - The port handled 1,319,726 containers from July to May of fiscal 2015. The port is expected to finish fiscal 2015 with more than 1.4 million containers.

- Please see below projected Port of Virginia long-term container volumes from the 2015 Consulting Engineer's report.

Table 4 – The Port of Virginia Containerized Cargo Demand

Fiscal Year	Containers	Growth Rate over Previous Fiscal Year
2010	1,050,254 (actual)	
2011	1,091,620 (actual)	3.94%
2012	1,130,999 (actual)	3.61%
2013	1,242,777 (actual)	9.88%
2014	1,319,514 (actual)	6.17%
2015	1,406,460	6.59%
2016	1,463,034	4.02%
2017	1,537,950	5.12%
2018	1,612,619	4.86%
2019	1,683,275	4.38%
2020	1,750,353	3.98%
2021	1,819,482	3.95%
2022	1,886,673	3.69%
2023	1,950,892	3.40%
2024	2,011,859	3.13%

4. The 500 mile radius for trucks/rail is an oversimplification of a complex topic. Local factors greatly influence the decision to use trucks vs. rail and include, but are not limited to:

   - Time sensitivity of the cargo
   - Proximity to intermodal rail facilities
   - Opportunity to use existing train services (i.e. is there scheduled rail service between the origin and destination)
   - Weight of the cargo
   - Volume of cargo
   - Fuel cost
   - Efficiency/accessibility of highway networks

   For example, the Virginia Inland Port is a rail-served facility located approximately 215 miles from Norfolk that is served by rail from the Port because it is located along an existing intermodal corridor from the Hampton Roads ports to other major inland rail centers.

5. The Panama Canal expansion project will add a third lock capable of handling much larger ships. The most recent schedule estimates completion of the canal expansion in 2016. The expansion will allow larger vessels, exceeding TEU capacities of 12,000, to transit the Canal. The rate at which traffic will increase is debatable in part because

the Panama Canal Authority has not set toll rates. The expanded Panama Canal may induce some carriers to begin sending larger vessels (carrying more cargo) through the waterway. However, the Port does not foresee this to result in a significant "step-up" of containerized cargo destined to the East Coast ports, as the carriers have already increased their use of the Suez Canal. A growing market for goods produced in India and parts of Southeast Asia has created more opportunities for carriers to increase services and deploy larger vessels on Suez routings, thus presenting shippers with greater possibilities for competitive rates on those services.

6. The Port is in the early design phase of expanding capacity at Norfolk International Terminals, through construction of a new gate at NIT North which will connect to the new I-564 Connector. In addition, the Port is in the early stages of procuring new container handling equipment to increase the capacity of NIT. Phase I will be complete in 2016 and additional phases will be built over the next 3-5 years as needed to accommodate container growth. At completion, NIT's capacity would increase from 1.4 million containers to 2.2 million containers. The Port is also in negotiations with the owners of the Virginia International Gateway and anticipates constructing Phase 2 of that terminal within the next 3-4 years which will double its current capacity to 2.1 million containers. Planned improvements at these terminals are anticipated to provide adequate capacity to meet container demand until approximately 2030 when the Craney Island Terminal will be needed.

7. The Port leases Virginia International Gateway through 2030 and the Port of Richmond through 2031. Both leases are being negotiated for longer terms to permit capital investments for planned Port growth.

8. The Craney Island Marine Terminal project is a phased construction of a state-of-the-art 5 Million TEU container terminal, with the initial phase opening in the late 2020's/early 2030s and will be incrementally built as demand warrants. In general, the Port of Virginia seeks to align its shipline customers with the most cost-effective terminal that meets the shipline's needs. Introduction of a new state-of-the-art terminal is anticipated to cause shifts in freight activity as the Port seeks to maximize use of its most efficient terminals.

9. The Port has permits to construct the eastward expansion of Craney Island. The 55 channel was authorized in 1986. The Port and the Corps of Engineers have partnered to complete a General Re-Evaluation Report (scheduled to be complete in 3 years) to determine the appropriate and most beneficial depth for the channel to accommodate larger vessels calling the Port.

10. Further transportation studies are needed to provide data on whether there is merit to separating freight and local traffic.

11. The Port and the Corps of Engineers worked to reserve a ROW corridor along the east side of Craney Island for the alternative shown connecting 164 to the Hampton Roads crossing.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

July 30, 2015

Mr. Edward Sundra
Director of Program Development
Federal Highway Administration- Virginia Division
400 N. 8th Street, Room 750
Richmond, Virginia 23219-4825

RE: Invitation to Serve as a Cooperating Agency for the Development of a Supplemental Environmental Impact Statement under the National Environmental Policy Act for the Hampton Roads Crossing, Virginia; State Project Number: 0064-965-081, P101, UCP 106724

Dear Mr. Sundra:

The U.S. Environmental Protection Agency (EPA) has received the Federal Highway Administration (FHWA) - Virginia Division letter to the EPA Region III NEPA Team Leader extending an invitation to EPA to become a cooperating agency in the development of a Supplemental Environmental Impact Statement (EIS) for the above referenced project. The EIS is being prepared pursuant to the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) NEPA regulations (40 CFR parts 1500-1508).

The CEQ has determined that a cooperating agency has the responsibility to assist the lead agency by involvement in the NEPA process at the earliest possible time. This participation includes engaging in the scoping process; in developing information and preparing environmental analyses including portions of the environmental assessment where the cooperating agency has special technical expertise; and in making available staff support at the lead agency's request to enhance the lead agency's interdisciplinary capabilities. Our role as a cooperating agency in support of the subject EIS will consist of providing comments on general NEPA compliance and Clean Water Act (CWA) Section 404 issues as well as providing technical support in the development of the EIS. The EPA would like the opportunity to contribute in the EIS process in the following manner:

- Identification of significant issues
- Provide technical assistance in the development of the analysis of alternatives and their environmental impact
- Technical assistance on Environmental Justice, Cumulative Impacts, etc.

The benefits of cooperating agency engagement in the preparation of NEPA analyses include disclosing relevant information early in the analytical process and establishing a mechanism for addressing intergovernmental issues. Other benefits include fostering intra- and intergovernmental trust and a common understanding and appreciation for various governmental roles in the NEPA process, as well as enhancing agencies' ability to adopt environmental documents.

Due to resource constraints, we may limit our attendance of project meetings and hope that video or telephone conference opportunities may be made available. Given reasonable time frames, we would be pleased to review preliminary project documentation including preliminary draft versions of the EIS. CEQ guidance recognizes that, while the lead agency has overall responsibility for the content of the EIS, status as a cooperating agency should not be construed as expressing agreement with the lead agency regarding the conclusions to be drawn from the EIS or selection of the preferred alternative. In addition, EPA has a number of independent responsibilities related to the proposed project, including our responsibilities pursuant to Section 309 of the Clean Air Act (CAA), Sections 402(d) and 404(b), (c), and (q) of the CWA.

EPA appreciates the opportunity to engage as a cooperating agency in the development of the documentation to satisfy the requirements of NEPA and the Clean Water Act for the Hampton Roads Crossing study while, consistent with CEQ guidance, we retain our independent obligations and right under Section 309 (a) of the CAA to review and comment on an environmental document. If there are any questions or concerns, please feel free to contact Ms. Barbara Okorn, staff person for the project, at your convenience at 215-814-3330 or okorn.barbara@epa.gov.

Sincerely,

Barbara Rudnick,
NEPA Team Leader
Office of Environmental Programs

VIRGINIA MARITIME ASSOCIATION

P.O. Box 3487
Norfolk, Virginia 23514
757-622-2639
FAX 757-622-6302
vma@portofhamptonroads.com
www.vamaritime.com

July 30, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA. 23219

Re: Hampton Roads Crossing Study
VDOT Project Number 0064-965-081, P101; UPC: 106724

Dear Mr. Smizik:

The Virginia Maritime Association (VMA) is the trade association representing over 400 businesses, employing over 70,000 people, directly and indirectly engaged in the flow of waterborne commerce through Virginia's ports. As the "Voice of the Port," representing these interests, we thank you for the opportunity to comment on the above-referenced project and the Supplemental Environmental Impact Statement (SEIS).

Virginia's ports are a critical link in our nation's supply chain, supporting domestic and international commerce. The Port of Virginia is the 2nd largest port on the East Coast by tonnage and the 5th largest port in the U.S., with over 5,500 commercial deep draft arrivals and sailings in 2014. An economic impact study published by the College of William and Mary revealed the Port of Virginia produced or facilitated over 374,000 jobs in Virginia (9.4% of Virginia resident employment) and in excess of $60 Billion in spending in fiscal year 2013. The Port of Virginia has the deepest water on the East Coast and is moving forward with plans to dredge the main channels to 55 feet and the Southern Branch of the Elizabeth River to 45 feet. With expanding marine terminals, and efficient roads and rail systems connecting our ports to importers and exporters, Virginia's ports will play an even more significant role in the efficiency and security of the nation's supply chain and in terms of its economic contributions.

The "Patriot's Crossing" will add needed capacity to Hampton Roads' highway system. It will support the pillars of the region's economy; the military facilities, the Port and tourism. It will offer another route for evacuation in times of disaster and provide much needed relief to congestion experienced daily at the Hampton Roads Bridge Tunnel, Hampton Boulevard in Norfolk, and the Midtown Tunnel.

Following are our responses to the specific requests of us in your letter of June 19, 2015:

1. "Please provide and comments on the current clearance at the MMBT and HRBT, and any on potential heights of the potential crossing alternatives for this study."

The unrestricted navigation provided by 50-foot channels and the lack of air draft limitations imposed by bridges have been key elements to the success of the Port. It is vital that we maintain these advantages by disallowing any imposition of air draft restrictions and ensuring tunnels are deep and long enough. At a minimum, new tunnels must be designed to allow for the planned 55-Foot Deepening Project and the possible widening of the channels. Prudent and strategic planning would also consider a future that may require channels deeper than 55 feet.

2. "Please provide any names of land development and vessel owners operating within the study area that may be contacted as part of the study."

   The Virginia Maritime Association will work with VDOT to coordinate discussions with commercial navigation interests.

3. "Please provide any other comments or feedback that you feel may be beneficial to the development of this study."

   Enclosed, please find a copy of the Resolution of the Association "Build Patriot's Crossing"

We look forward to working with VDOT toward achieving the necessary and long overdue construction of additional transportation capacity across the Hampton Roads harbor.

Very truly yours,

Arthur W. Moye, Jr.
Executive Vice President

Resolution of the Association

"Build Patriot's Crossing"

WHEREAS, the mission of the Virginia Maritime Association is to promote, protect, and encourage domestic and international trade through Virginia's ports, and

WHEREAS, the efficient movement of goods through the Port of Virginia contributes 374,000 jobs, $67 billion in annual spending in the Commonwealth of Virginia, and 6.7% of the Gross State Product, and

WHEREAS, the Hampton Roads gateway region, the Commonwealth of Virginia, and the nation stand to gain from ongoing port infrastructure improvements and a three-fold increase in trade by 2035, and

WHEREAS, an efficient interstate system will support continued expansion of import, export and business activities which will create additional investment and job opportunities, and

WHEREAS, modeling and studies performed for the Hampton Roads Transportation Planning Organization have determined the Patriot's Crossing adds the most freight movement capacity, while increasing passenger vehicle capacity, and improving efficiency of the region's interstate system,

NOW, THEREFORE, BE IT RESOLVED this 17th day of June, 2015 the Virginia Maritime Association calls for construction of the Patriot's Crossing.

BE IT FURTHER RESOLVED that a copy of this Resolution be presented to the Office of the Governor of Virginia, Clerk of the Virginia Senate, Clerk of the Virginia House of Delegates, Commonwealth Transportation Board, Hampton Roads Transportation Accountability Commission, and Hampton Roads Transportation Planning Organization and a copy held in the records of the Virginia Maritime Association.

IN TESTIMONY WHEREOF, witness the signatures of the President and the Executive Vice President this 17th day of June, 2015 and the seal of the Association.

Raymond A. Newlon
President

Arthur W. Moye, Jr.
Executive Vice President

COMMONWEALTH of VIRGINIA

Marine Resources Commission
2600 Washington Avenue
Third Floor
Newport News, Virginia 23607

Molly Joseph Ward
Secretary of Natural Resources

John M.R. Bull
Commissioner

July 29, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA 23219

Re: Hampton Roads Crossing Study

Dear Mr. Smizik:

This will respond to your June 19, 2015, request for scoping comments on the above referenced study. Specifically, you have asked for input to assist you with the preparation of a Supplemental Environmental Impact Statement for the Hampton Roads Crossing Study (HRCS) Final Environmental Impact Statement (FEIS).

As you know, in past letters to the Virginia Department of Transportation (VDOT), our agency conveyed the extreme importance of the lower James River as a highly productive and utilized marine environment. The Hampton Roads area is fished extensively by both recreational and commercial fishermen. In addition to supporting one of the most productive shellfish areas in the Commonwealth, we are additionally concerned over any future transportation project's impacts on our blue crab and finfish fisheries.

In light of the time that has passed since the completion of the FEIS, we believe it prudent to update this study to reflect potential impacts on marine fishery resources that have experienced recent declines in standing stock abundance. We are particularly interested in necessary updates to past circulation studies that address impacts to shellfish larvae settlement, sediment transport, water quality, dissolved oxygen, total suspended solid loads, re-suspension of contaminated sediments and salinity. Data from these studies would be critically important in the analysis for potential impacts to key areas in Hampton Roads. These include our public (Baylor) and private oyster grounds and the Commission's Fishery Management Areas which include our Middle Ground Clam Sanctuary, Hampton Roads Shellfish Relay and Hampton Flats Hard Clam Harvest Areas and our Newport News Shellfish Management Area.

Any project in the aforementioned areas should avoid and minimize, to the extent practicable, any adverse impacts to these important shellfish grounds. Please note that any encroachment into Baylor, undertaken as a Public-Private Transportation initiative, will need approval from the General Assembly similar to that of the new Mid-Town Tunnel project.

We strongly recommend that the hard clam survey, previously completed for the FEIS, be updated to reflect current standing stock abundance. An instream work time-of-year restriction from May through September, for any dredging necessary for tunnel construction and/or construction access, may be necessary to protect spawning oyster and hard clam populations.

Additional concerns include potential impacts on anadromous fishes and any threatened or endangered species. We would envision the need for any project to adhere to a February 15 through June 30 instream work time-of-year restriction to protect anadromous fishes. Given the listing of the Atlantic sturgeon as an endangered species, we anticipate additional concerns from our advisory agencies over this species and the obvious need to minimize/avoid adverse impacts to this important resource.

The Commission will agree to serve as a participating agency during the development of the SEIS. Randy Owen of my staff will serve as the point of contact. This project will be handled as an individual, rather than a general permit, given the scale of the project and estimated degree of impact to resources under the jurisdiction of the Commission.

Any jurisdictional impacts will be reviewed by VMRC during the Joint Permit Application process. As such, our scoping comments to date may be considered as preliminary. Additional concerns and comments may arise during the development of the SEIS. Thank you for the opportunity to comment.

John M. R. Bull

Commissioner

JMRB:TW:RDO:blh
HM
Cc: Molly Ward, Secretary of Natural Resources
John Wells, Director, Virginia Institute of Marine Science
Department of Environmental Quality

VIMS | William & Mary
Virginia Institute of Marine Science
1940-2015 75 Years
Office of Research and Advisory Services

29 July 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA 23219

Dear Mr. Smizik:

This letter responds to your June 19, 2015 request for scoping comments regarding the preparation of a Supplemental Environmental Impact Statement for the Hampton Roads Crossings Study.

The location of this project in the lower James River necessitates that we examine the project on its own and as it relates to the port expansion project. VIMS scientists from the Department of Physical Sciences have been contracted to provide hydrodynamic modeling to examine the water quality and physical characteristics of this greater project area and the results of this modeling effort with add greatly to the efficiency and accuracy of our review.

All of the environmental studies conducted and issues raised in regards to the previous related proposals (particularly those found in comments dated February 4, 2000 and June 8, 1998 authored by Thomas Bernard, Jr) remain of concern and need to be updated. This includes all living resources located within the influence of the project and those that use this area as a migratory corridor. In addition to the marine fisheries species of concern discussed previously, Atlantic sturgeon (*Acipenser oxyrinchus*) need to be included. Also, detailed sediment analyses, including toxicants, should be updated.

These comments are preliminary and will be increasingly more substantive after the completion of the hydrodynamic model as well as after the timing and methods of construction are determined. We are happy to assist in any way possible with the environmental assessment, and thank you for the opportunity to comment.

Sincerely,

Mark Luckenbach

Mark Luckenbach
Associate Dean of Research
and Advisory Services

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U.S. Department of Transportation
Federal Transit Administration

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215-656-7260 (fax)

July 29, 2015

Mr. Scott Smizik
Environmental Division
Virginia Department of Transportation
1401 East Broad Street
Richmond, VA 23219-2000

RE: Hampton Road Crossing Study – VDOT Project Number 0064-965-081, P101; UPC 106724

Dear Mr. Smizik:

The Federal Transit Administration (FTA) is in receipt of your June 19, 2015 letter regarding the supplemental environmental impact statement (SEIS) for the Hampton Roads Crossing Study. Based on FTA review of the June 19, 2015 letter and enclosure, we have no comments to provide the Virginia Department of Transportation (VDOT) at this time and FTA accepts VDOT's invitation to become a participating agency pursuant to Section 6002 of SAFETEA-LU.

FTA appreciates your efforts to engage our office and we look forward to continued coordination on this project. Should you have any questions, please contact Mr. Ryan Long, Community Planner, at (215) 656-7051 or ryan.long@dot.gov.

Sincerely,

Terry Garcia Crews
Regional Administrator

Cc Daniel Koenig, Federal Transit Administration
Ed Sundra, Federal Highway Administration

City of Newport News
Department of Engineering
2400 Washington Avenue
Newport News, Virginia 23607

(757) 933-2311

Fax (757) 926-8300

July 29, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

Re: Supplemental Environmental Impact Study - Hampton Roads Crossing Study
VDOT Project Number 0064-965-081, P101 UPC 106724

Dear Mr. Smizik:

Thank you for seeking the City of Newport News participation in the preparation of the Supplemental Environmental Impact Study (SEIS) for the Hampton Roads Crossing Study (HRCS). It is the City's desire to be an active participant in the development of the SEIS as the project has the potential for significant impact to the City. Please find below responses to the questions included in your letter.

1. *What parameters, if any, would you recommend be used for establishing a study area boundary in which to analyze the indirect effects and cumulative impacts to potentially affected resources?*

   The boundary for the cumulative impact analysis for Newport News should go beyond that used for the project-specific analysis in the Hampton Roads Crossing Study Final Environmental Impact Statement (FEIS) and may vary based on resource analyzed. We recommend that the study area limits extend at least one-half mile beyond both sides of the project limits, should not bisect buildings or neighborhood blocks, and should not exclude any essential neighborhood services such as schools and parks. Further, the affected community must be included in the decision making process.

2. *Planning judgment is a structured process that will be used as part of this study to analyze and forecast potential indirect effects and cumulative impacts. Does your agency possess any reports, data sources, or expert input that you recommend be used to inform the use of planning judgment in this study? Additionally, any other tools or resources that your agency might be able to provide to aid in the identification of indirect and cumulative impacts would be appreciated and considered.*

   The City of Newport News has three adopted plans that should be considered as part of this study, all of which address existing conditions and planned investments in the Southeast Community: *Southeast Community Plan*, *Jefferson Avenue Corridor Study*, and the *Southeast Community Urban Waterfront Design Study*. All three plans are available electronically and can be provided for review and consideration. The analysis should also

consider the City's comprehensive plan, which is in the process of being updated. The adopted comprehensive plan—*Framework for the Future 2030*—is available for review and download at www.nnva.gov/planning. Status of the plan update and schedule for plan review and adoption can be tracked from the same website. The Department of Planning also provides electronic copies of the yearly statistical profile, apartment survey and assisted housing assessment, and development monitoring report.

The Department of Engineering has two studies for watersheds in the potentially affected area that can be provided for review: *Mapping and Modeling Study for the Small Boat Harbor Watershed* and the *Anderson Park Watershed Study*.

3. *As part of this scoping package we have provided a snapshot of recent economic and social data from the United States Census Bureau. We seek your concurrence that this data reflects your current jurisdictional population profile. Additionally, please identify locations in the study area were environmental justice populations may exist, or groups that interact with these environmental justice populations.*

The Department of Planning has reviewed the economic and social data provided for the City of Newport News and submits the attached revisions to reflect our current population profile.

Interstate 664 cuts through three planning areas within Newport News: Downtown/Huntington, Southeast, and Parkview/Newmarket. At a minimum, the following census tracts—partially or in totality—should be included in the study area boundary in which indirect effects and cumulative impacts to potentially affected resources are analyzed. Each census tract is comprised of a high percentage of low-income and minority populations. In 2013, the number of persons living below the poverty level exceeded 30 percent in each of these census tracts (U.S. Census, American Community Survey, 5-Year Estimates [2009–2013]).

Downtown/Huntington Planning Area
  Census Tract 301
Southeast Planning Area
  Census Tract 304
  Census Tract 306
Parkview/Newmarket Planning Area
  Census Tract 308

Environmental and human health hazards that may affect these areas include—but are not limited to—air pollution, exposure to industrial sites, noise, vibration, displacement of persons and businesses, increased traffic congestion and separation from the broader community, and further aesthetic degradation of the community.

4. *What are the current planned projects within your jurisdiction/study area? Are there any public documents/permits that estimate impacts of these projects?*

   Construction of the Brooks Crossing development began in 2015. This 29.1–acre mixed-use development is located between 28th and 35th streets on the west side of Jefferson Avenue. Highway I-664 forms the site's western boundary. Upon completion, Brooks Crossing will include a police precinct, grocery store, apartments, and over 100,000 square feet of retail space.

   Construction of Lower Jefferson Avenue Streetscape Phase II is scheduled to begin in late summer of 2017. The project scope includes improvements to the stormwater and sanitary sewer systems as well as improvements to pedestrian safety for the 0.7–mile segment between 12th Street and 24th Street. Phase I included similar streetscape improvements Jefferson Avenue between 24th Street and 36th Street; it was completed in 2014.

   The City is in the early stages of a project for PCB remediation in the Seafood Industrial Park near the Small Boat Harbor. The Environmental Protection Agency (EPA) is overseeing the removal of contaminated soils from a City owned parcel at 99 Jefferson Avenue with offsite disposal. The Jefferson Avenue pavement section will be reduced from fifty to twenty four feet extending approximately five hundred feet north of the parcel.

   The City currently has remediation, environmental sustainability, shoreline stabilization, stormwater management, streetscape and road improvements, and economic development projects ongoing through the Capital Improvement Program. The Departments of Engineering, Planning, and Public works should be contacted for an updated list of projects in the potentially affected area during the data collection phase of the HRCS.

5. *Please provide any other comments or feedback that you feel may be beneficial to the development of this study.*

   We recognize that Option CBA-9 was the recommended alignment in the prior FEIS, and that the current study will reconsider the issues for the three previously studied alignments. It seems that Option CBA-1 increases capacity but appears to have limited destination points between the endpoints, effectively moving more vehicles faster on the corridor but with seemingly limited distribution options. Option CBA-2 adds connections to two major destinations (Norfolk Naval Shipyard and Portsmouth Marine Terminal); however, the routing passes through highly congested corridors, similar to CBA-1. Option CBA-9 provides new connections to the same major destinations, primarily over water. It appears to allow more direct and reliable connections thru I-664 to both the Peninsula and Route 460.

   A strong multi-model transportation component of the project is considered essential by the City. We believe that Bus Rapid Transit (BRT), in combination with HOT/HOV lane designation, may be the most cost effective approach available. Hampton Roads Transit (HRT) is embarking upon a study for high capacity transit on the Peninsula that should conclude before the completion of the SEIS. The City requests that the data collected during the HRT study be included in the SEIS to determine the socioeconomic impacts of

the potential increase in mobility, especially with a dedicated connection across Hampton Roads.

Should Option CBA-9 be the selected alignment, there is a high potential for environmental and socioeconomic impacts to the City. The current landing of the Monitor Merrimack Bridge Tunnel (MMBT) fits tightly between the Hampton Roads Sanitation District (HRSD) Boat Harbor Treatment Plant and the Seafood Industrial Park Small Boat Harbor. A parallel installation on either side of the existing alignment or a widened footprint will require the relocation of one or both of these facilities. The City requests that an alternate landing location be identified and evaluated that would also provide potential connections for the multi-modal component.

Another approach to be considered is operational modifications, for instance, institution of a more aggressive over-height vehicle policy at the HRBT and MMBT. In lieu of stopping traffic during peak hours to clear oversize vehicles, stop and hold the oversized vehicles at the tunnel inspection stations until peak hours have passed to limit delays. Alternatively, make the fine for movement during peak hours proportionate to the impact on citizens.

We look forward to working with VDOT in the preparation of the SEIS. As the study moves forward, the Departments of Engineering, Planning, and Public Works can provide an updated list of reports, data sources and expert input to aid in the identification of indirect and cumulative impacts of the proposed project.

Should you have any questions or need more information, please contact Bryan Stilley of my staff at (757) 926-8699.

Sincerely,

Everett P. Skipper, PE, BCEE
Director of Engineering

EPS/KBS/wjr

pc: City Manager, J. Bourey
Assistant City Manager, C. Rohlf
Director of Planning, S. McAllister

VDOT-SEIS NEPA.doc

CITY OF NORFOLK

Office of the City Manager

Marcus D. Jones
City Manager

29 July 2015

Mr. Scott Smizik
Project Manager
Environmental Division
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219-2000

Project: Hampton Roads Crossing Study
Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach and Isle of Wight County
VDOT Project Number 0064-965-081, P101; UPC: 106724

Dear Mr. Smizik:

In response to VDOT's June 19, 2015 letter to Mayor Paul D. Fraim on the above subject, the City of Norfolk formally accepts the opportunity to be a Participating Agency for the upcoming Supplemental Environmental Impact Statement (SEIS) study process for the Hampton Roads Crossing Study. This is the most critically important transportation improvement project to the future of the entire Hampton Roads region. This current effort needs to move forward in a timely manner so that the new crossing implementation planning can move forward as rapidly as feasible.

It is important to highlight several issues related to the study from the outset. Although the formal federal Record of Decision for the original Hampton Roads Crossing Study is approximately fifteen years old, the region has not stood still since that time. Rather, multiple efforts, studies and analyses, advanced since 2001, have continued to validate the region's selection of the Patriots Crossing/Third Crossing corridor as the priority location for a new crossing of the harbor. This work includes region-wide transportation network modeling work by the Virginia Modeling and Simulation Center in 2011, an Environmental Assessment of the Patriots Crossing components of the larger crossing project (2011), and formal resolutions by the Hampton Roads Transportation Planning Organization in 2013 re-endorsing the project as the region's priority for new Harbor Crossing capacity. Significantly, the Intermodal Connector project in Norfolk between I-564 and Hampton Boulevard, which is the first phase implementation of the Third Crossing, is soon to be under construction. Having this first leg project in place, at a cost of almost $200M,

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gives the region a solid foundation towards finally advancing a new harbor crossing with both improved connectivity and real transportation network benefits.

Secondly, the recent establishment of the new Hampton Roads Transportation Fund now provides for the first time a real opportunity to advance a multi-billion dollar improvement program for a new crossing of Hampton Roads. Therefore, it is critical that the required environmental review and approval processes are completed as quickly as possible since any delays in moving forward into engineering and construction for the new crossing could have major cost implications. We are encouraged that the initial schedule for the SEIS process has been set aggressively with the draft document scheduled for completion by fall 2016. Every effort needs to be made to ensure that this schedule holds and delays are avoided.

We appreciate the opportunity to provide input to the SEIS Scope and to provide any information that we can in advance of the project initiation to help assure an effort that is both expedient and sound. In that regard, we provide the following comments and information, in response to the letter and attached questionnaire:

1. *What parameters, if any, would you recommend be used for establishing a study area boundary in which to analyze the indirect effects and cumulative impacts to potentially affected resources?*

   It is important to note that different impacts are realized on different geographic scales and features. It is also important to note that some features are evaluated more quantitatively than less, and others vice versa (using more qualitative, judgment-based processes). Some may permit quantitative analysis in more immediate areas and qualitative at a broader scale. With these things in mind, there are several evaluation criteria that we believe are critical and would have varying levels of geographic scope, in some cases quite large. As we discuss these impact areas, we also have to bring up the issue of evaluation time frame. If we only think of these impacts over roughly a 20-year period, we will grossly misrepresent the far-reaching impacts of a multi-billion dollar investment that will impact the region for many decades and beyond.

   So with that preface, here are several parameters/criteria that we would like considered along with some commentary on impact area and time period:

   - Regional Accessibility (Region, but focused on Peninsula/Norfolk/northern Virginia Beach)
   - Environmental Impacts of land development (Region)
   - Economic Impacts (Region, possibly state)
   - Social Impacts (Region)

- Homeland Security/Defense (Nation)
- Resiliency (Region)
- Disaster Response (Region)
- Evacuation (Region)

It is easy to argue that the above items simply have no time horizon, at least not one that we can see. We can certainly envision how this study considers how these impacts over a 50-year period could shift the view of how their impacts might be considered just in 2040.

2. *Planning judgment is a structured process that will be used as part of this study to analyze and forecast potential indirect and cumulative impacts. Does your agency possess any reports, data sources, or expert input that you recommend to be used to inform the use of planning judgment in this study? Additionally, any other tools or resources that your agency might be able to provide to aid in the identification of indirect and cumulative impacts would be appreciated and considered.*

Planning judgment will be the most important evaluation tool for many aspects of this study, including those listed in Question 1. These factors can all be considered in the context of long-term benefits/impacts using quantitative support, expert discussion and the application of experiential knowledge. It is important that risk factors be identified and applied to this effort, understanding that there are many possible events and outcomes, some of which there is no control over and some if which can be influenced by the project.

Norfolk's general plan, plaNorfolk2030 establishes some of the vision for Norfolk's future. It is predominantly a land-use plan and although it does not attempt to quantify a future with regard to magnitude, it establishes a vision for a compact city with transportation alternatives – a place that can serve a more compact and denser community. Norfolk has begun to undertake major long-range planning efforts, including "Vision 2100", to identify further details that will allow the City to reach for those goals. In concert with this vision Norfolk is also beginning an EIS for the Naval Station Norfolk Transit Extension.

Norfolk will be at the ready throughout this study to provide expert input that is relevant both locally and regionally. While this information is not in documents that can be transferred at this time, we will produce/facilitate key information beginning in the Purpose and Need phase of the study.

There are a number of published reports from the past, related directly to this project, and regionally prepared documents that are indirectly related. You may be aware of most of these, but we have compiled a list for your use, which is attached.

Another regional document of critical importance is the HRTPO's forecast of socioeconomic data (TAZ data) for use in the 2040 travel demand model (located at: http://www.hrtpo.org/uploads/docs/HR_2040_SocioeconomicForecast_TAZAllocation_FinalReport.pdf). This product will have an immense influence on the traffic assignments and trip markets identified for the year 2040. In the vein of this "planning judgment" question, it is critical to recognize that this data is an estimate of one possible future, and a short-term one at that considering the impact of this project. These forecasts that allocated population and employment among local jurisdictions appear to be based more on the continuation of long-standing trends toward suburbanization, rather than trends that are emerging. These emerging trends are noted in the draft VTrans 2040 Vision Plan, consistent with the apparent changes in urban living preferences for Millennials and aging Boomers.

Planners have become more cognizant in recent years that transportation infrastructure and services can, rather than "chase" traffic, be the force that changes development patterns. While the estimates of travel characteristics from the model will provide important input, it must be recognized that this information is just one source and that planning judgment, with some sensitivity analysis regarding these items, is essential. The best investment will create the best opportunity for the kind of future that is desired for the region, from the perspective of strong foundational planning principles associated with smart growth.

The document referenced in the letter, *Forecasting Indirect Land Use Effects of Transportation Projects*, predominantly tackles most of the issues described above. In some cases it references more sophisticated quantitative analytical techniques that can attempt to better capture some of these items. Again, given the long-term nature of this investment, we don't feel that additional analytical forecasts are a requirement, but that the principles discussed in this document are addressed through expert judgment. That expert judgment is critical to the selection of the most appropriate alternative, and is arguably more meaningful than the gross quantitative estimates that will be produced along the lines of typical study analysis for transportation impacts.

3. *As part of the scoping package we have provided a snapshot of recent economic and social data from the United States Census Bureau, we seek your concurrence that this data reflects your current jurisdictional population profile. Additionally, please identify locations in the study area where environmental justice populations may exist, or groups that interact with these environmental justice populations.*

The Census data generally provides an accurate snapshot of current conditions in Norfolk and the larger region.

With regard to Environmental Justice populations, there are numerous communities in Norfolk that meet one or more of Environmental Justice definitions. The Hampton Roads Transportation Planning Organization recently updated its comprehensive Environmental Justice plan. This document, including mapping of areas, is available at the link below.
http://www.hrtpo.org/page/ej-methodology-tool/

4. *What are the current planned projects within your jurisdiction/study area? Are there any public documents/permits that estimate the impacts of these projects?*

   Current transportation projects impacting the proposed study area include the Hampton Boulevard/Greenbrier Avenue grade separation, the I-564 Intermodal Connector project, and the Air Terminal Interchange study. The Virginia Department of Transportation is a full partner in each of these efforts and holds copies of all relevant documents and permits. A more long range planned improvement in the area is the proposed highway/rail grade separation at the intersection of Hampton and Terminal Boulevard. There is no funding or established planned schedule for this project at this time.

5. *Please provide any other comments or feedback that you feel may be beneficial to the development of the study.*

   Clearly, the overall key to a successful effort at this time will be development and agreement on the Purpose and Need for the project. The primary Purpose and Need elements from the original crossing study provide a firm foundation for beginning the current study. Specifically the original Purpose and Need included: improving accessibility, mobility and goods movement, serving origin and destination patterns between the Peninsula and the Southside, and connecting to ports and freight corridors. In addition, new issues emerging over the last decade or more such as smart growth principles, including multi-modal capabilities and resiliency should be considered for addition to the project Purpose and Need. In fact all of the items identified in the response to Question 1 should be reflected in some way through the Purpose and Need identification. Further, it should be recognized that capacity and congestion have a dynamic relationship, particularly in instances where a large latent demand exists, as it clearly does in this case. When capacity is added the outcome is likely to result in a similar "equilibrated" condition, with more cross-Hampton Roads travel. The Purpose and Need reflecting improving accessibility and mobility is a sound objective, but we need to be careful about inferring that this and reducing peak-hour congestion at the HRBT necessarily have a strong relationship. We look forward to participating fully in these early discussions to define and structure the study for a positive investment outcome.

   It must be considered that accessibility and mobility are criteria that are impacted in ways that go far beyond the congestion that occurs on typical weekday peak periods, and that the

impacts of poor accessibility and mobility go far beyond measures of peak-period travel delay. Accessibility is heavily influenced by probabilities of travel times, a feature in recent years brought forward by newly available measures of travel time reliability, such as Travel Time Index (TTI) and Planning Time Index (PTI). It is also a 24/7/365 issue. Accessibility is a key influencer of travel decision-making, and consequently, land development decisions, as well as overall quality of life. Total congestion and its impacts on elements such as safety and air quality is a product of both recurring and non-recurring congestion. For evaluating the numerous associated key issues, it is critical that the impacts of all congestion be addressed.

In addition to the judgment that can be applied to this issue, the State now has access to travel time data via INRIX and/or its own sensors that can be used to describe existing travel time reliability measures. This would be valuable support information for describing the impacts of non-recurring congestion, and should be added to the study scope. As you may know, the HRTPO used this data for its 2013 System Performance report for the Hampton Roads Congestion Management Process. That report estimated that the segment of I-64 included in the CBA 1 alternative (existing alignment) is the most congested facility in the region (per TTI) and the least reliable facility in the region (per PTI). It should be noted that PTI and TTI as calculated are both positively impacted by additions to capacity, but in different ways. Greater improvements to PTI, and greater improvements to accessibility, are likely to be achieved by adding capacity *and* network redundancy.

It is also possible to "mine" data from the regional travel demand model that provides intelligence beyond a traffic assignment. Multiple efforts should be undertaken to both assure the model results are providing reasonable information through products such as select-link or trip purpose (such as trucks due to the new truck model) analysis, and these products should also be used for future-year analysis to better inform the process. The City of Norfolk would like to have an integral participatory role in the modeling activities to facilitate a sound evaluation process and eliminate unnecessary reviews.

In previous studies system VMT measurements were used as a quantitative evaluation factor. Other system measurements can be obtained that will further inform the evaluation of alternatives with regards to travel times, delay and congestion. Performance impacts on all interstate links in the region should also be reported. The CBA 9 alternative reduces volume demand on the entire portion of I-64 on the southside and segments of I-264. The model network may also provide a useful tool for examining the benefits of network redundancy in non-recurring congestion scenarios. We would like to discuss these opportunities in more detail.

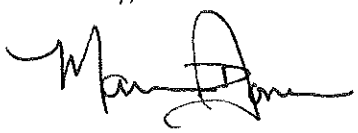
Transitioning to discussing the alternatives themselves, we are a bit concerned that while it has been said that the study must include the three alternatives from the original EIS, it has also been said that the CBA 1 alternative will be modified so that it will fit within existing right-of-way (the term "practical design" has been used to describe this approach). These

two statements seem incongruent, and it brings into question whether the alternatives really start out on equal footing. This "replacement" alternative has not really been described and as such is impossible to comment on. While we understand the concept of practical design in forwarding pragmatic project investments, it is not clear if it is believed that this concept can only be applied to that alternative alignment, or if equal effort will be applied to approaching the entire study in this manner. Certainly it seems that it should, and a reduced-capacity third crossing alternative is just as viable an approach as a reduced-capacity I-64 alternative. In fact, a good portion of the CBA 9 alternative associated with I-664 improvements has little to do with improving accessibility across the Hampton Roads channel, as opposed to much longer trips between the Peninsula and Suffolk/Chesapeake.

Lastly, while it is appropriate to begin the current SEIS analysis with the alignments carried forward to public hearing in the original study, it should be remembered that CBA 2 was developed late in the process as a hybrid option that garnered little support. In this study, so that time and resources are not wasted, inferior options should be eliminated as soon as practicable. A focused and tiered alternatives evaluation process should be adopted, and should apply to <u>any</u> alternatives, including an I-64 alignment.

Please advise if you have any questions or if we can be of further assistance at this time. Thank you for the opportunity to comment and we look forward to working closely with the State and all other partners to bring this effort to a successful conclusion as rapidly as possible.

Sincerely,



Marcus D. Jones
City Manager

Attachment – Listing of Relevant Plans, Studies and Reports

List of Studies and Reports (supporting question 3)

plaNorfolk2030 (Norfolk General Plan) http://www.norfolk.gov/index.aspx?nid=1376

Hampton Roads Crossing Study EIS
http://www.virginiadot.org/projects/resources/studyhro-crossing-feis.PDF

Patriots Crossing Draft Environmental Assessment
http://www.virginiadot.org/projects/resources/hampton_roads/Draft_HRCS_EA_11-30-11.pdf

Virginia Modeling and Simulation Hampton Roads Transportation Alternatives
http://www.hrtpo.org/MTG_AGNDS/HRTPO/2011/retreat/P5VMASC_Hampton_Roads_Alternative_Study.pdf

Truck Delay Impacts of Key Planned Highway projects
http://www.hrtpo.org/uploads/docs/Truck%20Delay%20Impacts%20of%20Key%20Planned%20Hwy%20Projects%20Final%20Report.pdf

Existing and Future Truck Delay in Hampton Roads
http://www.hrtpo.org/uploads/docs/Existing%20and%20Future%20Truck%20Delay%20in%20HR%20Final%20Report.pdf

Hampton Roads Roadways Serving the Military – Sea Level Rise
http://www.hrtpo.org/uploads/docs/Roadways%20Serving%20the%20Military%20&%20Sea%20Level%20Rise-Storm%20Surge%20Report.pdf

Hampton Roads Roadways Serving the Military – Needs Study
http://www.hrtpo.org/uploads/docs/T12-11%20Military%20Commuter%20Survey%202012%20FINAL%20Report.pdf

Virginia Port Authority Master Plan
http://www.portofvirginia.com/pdfs/about/vpamasterplan052113.pdf

Elizabeth River Project
Making restoration a reality.

July 28, 2015

Scott Smizik
VDOT Environmental Division
1401 East Board Street
Richmond, VA 23219

Re: Elizabeth River Project's Comments on Development of Hampton Roads Crossing Supplemental Environmental Impact Statement

Dear Mr. Smizik,

The Elizabeth River Project is a community-based organization which has been working to restore the health of the Elizabeth River for more than 20 years. Community partners have spent hundreds of millions working in partnership with Elizabeth River Project to improve habitat and water quality in the Elizabeth. We appreciate the opportunity to address VDOT's questions and provide comments for development of the Supplemental Environmental Impact Statement for the Hampton Roads Crossing.

This is a massive project, indicated in your Table of Environmental Impacts (Environmental Assessment 2013) to impact up to 126 acres of benthic habitat in the Elizabeth River and up to 35 acres of wetlands, including 14 now protected in perpetuity in a conservation easement at APM Terminals. According to the brochure associated with your project, it appears that at least one of the options (CBA-9, identified as preferred in your 2001 study), places a new bridge/tunnel across the mouth of the Elizabeth River. This could have a direct impact on hydrodynamics, water quality, fish passage, benthic health, and dynamics throughout the river, as well cumulative impacts when considered with the expansion of Craney Island and the deepening of the channel.

We recommend incorporating these study areas into your Supplemental Environmental Impact Statement:

1) The study should clearly identify the least environmentally damaging, technically and economically feasible alternative. A preliminary review appears to indicate that option CBA-1 would have the least impacts to the Elizabeth River and require the least amount of mitigation. This option uses an existing corridor (Hampton Roads Bridge Tunnel) for the new crossing. In looking at Options CBA-2 and CBA-9, we recommend evaluation of whether impacts might be reduced by placing much of the infrastructure on Craney Island. Current alignment has most of the bridge in the water just north of Craney Island. Evaluate re-alignment of the Craney Island connector to minimize impacts to the 14 acres of APM Terminals wetlands currently protected by a conservation easement.

3) Evaluate impacts to the full suite of benthic marine life to be found in the up to 126 acres of benthic habitat expected to be affected. The construction of this structure will have both temporary and permanent impacts to the river. A benthic evaluation should be

475 Water Street, Suite C103A, Portsmouth, Virginia 23704 757/399-7487 fax 757/397-8377 www.elizabethriver.org

completed in the river bottom where the bridge/tunnel will be located. Old Dominion University's benthic laboratory conducts evaluations of benthic integrity (BIBI) throughout the Chesapeake Bay. Such an evaluation will be important to understand resources potentially affected by this project.

4) Indicate anticipated stormwater loads for nutrients, organic and inorganic contamination and update anticipated air emissions and the basis for your calculations.

5) It is mentioned that Planning Judgment is going to be used to analyze indirect and cumulative impacts of this project. We recommend that VDOT use a more scientific and more rigorous approach such as the Habitat Equivalency Analysis (HEA) to understand the mitigation needed for each of the options. The HEA is a methodology used to determine compensation for resource injuries. Recently used in studying impacts of other large development projects in Hampton Roads, the HEA method is based on the concept that the public can be compensated for past losses of habitat resources through habitat replacement projects providing additional resources of the same type. In this case losses could be due to sediment, wetland, and water quality impacts.

6) There are two additional federal endangered species found in the area of these proposed corridors that were not mentioned in your evaluation so far. We recommend you evaluate possible impacts to Atlantic and Shortnosed Sturgeons.

7) Evaluate impacts to water quality due to changes in hydrodynamics and flushing. A hydrodynamic model should evaluate potential changes throughout the Elizabeth River system since even a slight change at the mouth of the river could have dramatics impacts in the headwater areas of the river.

Elizabeth River Project appreciated your invitation to participate in the Agency Scoping Meeting on July 21. We welcome further involvement in helping pursue appropriate environmental impact studies and identify appropriate mitigation. Should you have any comments please feel free to contact me or Joe Rieger, Deputy Director – Restoration, at 757-399-7487.

Sincerely,

Marjorie Mayfield Jackson
Executive Director

COMMONWEALTH of VIRGINIA

Jennifer L. Mitchell
Director

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800-828-1120 (TDD)

July 27, 2015

Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA 23219

Dear Mr. Smizik:

Thank you for providing the Department of Rail and Public Transportation (DRPT) with the opportunity to participate in the preparation of a Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study. In response to your letter dated June 19, 2015, DRPT has an ongoing interest in the future of rail and transit in the Hampton Roads region and the potential for additional transit connections between the peninsula and south side of Hampton Roads.

There are several ongoing planning efforts in the region that may inform the SEIS process. For example, Hampton Roads Transit (HRT) is currently studying the potential for light rail transit service between the existing Tide system and the Norfolk Naval Station, which is part of the CBA-2 and CBA-9 corridors in the FEIS. Additionally, HRT is currently developing a plan called *Connect Hampton Roads* that may provide insight on transit potential across Hampton Roads. HRT currently operates limited express bus service between the two areas of the region because the current tunnel crossings are often congested and do not provide reliable travel times in support of regular fixed-route bus service. We encourage VDOT to include Hampton Roads Transit as a stakeholder in this planning process.

DRPT contacts for the Hampton Roads Crossing SEIS will be Amy Inman, who can be reached at amy.inman@drpt.virginia.gov or (804) 225-3207), and Nick Britton, who can be reached at nick.britton@drpt.virginia.gov or (804) 786-7425).

DRPT appreciates the opportunity to be a participating party in this process and we look forward to working with VDOT.

Sincerely,

Jennifer Mitchell

Copy: Amy Inman, DRPT
Nick Britton, DRPT

Molly Joseph Ward
Secretary of Natural Resources

Clyde E. Cristman
Director

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

Joe Elton
Deputy Director of Operations

Rochelle Altholz
Deputy Director of Administration and Finance

David Dowling
Deputy Director of Soil and Water and Dam Safetv

MEMORANDUM

DATE: July 27, 2015

TO: Scott Smizik, VDOT

FROM: Roberta Rhur, Environmental Impact Review Coordinator

SUBJECT: VDOT HAMPTON ROADS CROSSING STUDY

Division of Planning and Recreation Resources

The Department of Conservation and Recreation (DCR), Division of Planning and Recreational Resources (PRR), develops the *Virginia Outdoors Plan* and coordinates a broad range of recreational and environmental programs throughout Virginia. These include the Virginia Scenic Rivers program; Trails, Greenways, and Blueways; Virginia State Park Master Planning and State Park Design and Construction.

Please note that all proposed crossing scenarios are in a section of the James River that has been found worthy scenic river designation. For questions regarding scenic designations please contact Lynn Crump at lynn.crump@dcr.virginia.gov.

Division of Natural Heritage

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

Segments CBA-1 and CBA-2

According to the information currently in our files, this site is located within the Hampton Roads Bridge Tunnel Conservation Site. Conservation sites are tools for representing key areas of the landscape that warrant further review for possible conservation action because of the natural heritage resources and habitat they support. Conservation sites are polygons built around one or more rare plant, animal, or natural community designed to include the element and, where possible, its associated habitat, and buffer or other adjacent land thought necessary for the element's conservation. Conservation sites are given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain; on a scale of 1-5, 1 being most significant. Hampton Roads Bridge Tunnel Conservation Site has been given a biodiversity significance ranking of B5, which represents a site of general significance. The natural heritage resources of concern at this site are:

Rynchops niger	Black skimmer	G5/S2B,S1N/NL/NL
Gelochelidon nilotica	Gull-billed tern	G5/S2B/NL/LT
Thalasseus maximus	Royal tern	G5/S2B/NL/NL
Thalasseus sandvicensis	Sandwich tern	G5/S1B/NL/NL

In addition, the Least tern (*Sternula* [=*Sterna*] *antillarum*, G4/S2B/NL/NL) has been documented within the project site on Willoughby Spit and the Atlantic sturgeon (*Acipenser oxyrinchus,* G3/S2/LE/LT) has been documented within the project area.

Furthermore, there is potential for Loggerhead sea turtle (*Caretta caretta,* G3/S1B,S1N/LE/LT) and Kemp's Ridley sea turtle (*Lepidochelys kempii*, G1/S1N/LE/LE) to occur in the project area. To avoid and minimize impacts to sea turtles, DCR recommends adherence to time-of-year restrictions from 01 April – 30 November of any year. Due to the legal status of the Atlantic sturgeon, DCR also recommends coordination with VDGIF and NOAA Fisheries to ensure compliance with protected species legislation. Finally, due to the legal status of Loggerhead sea turtle and Kemp's Ridley sea turtle, DCR recommends coordination with USFWS and VDGIF to ensure compliance with protected species legislation.

Segments CBA-2 and CBA-9

According to the information currently in our files, these sites are located within the Craney Island Conservation Site. Craney Island Conservation Site has been given a biodiversity significance ranking of B4, which represents a site of moderate significance. The natural heritage resources of concern at this site are:

Sterna antillarum	Least Tern	G4/S2B/NL/NL
Himantopus mexicanus	Black-necked Stilt	G5/S1B/NL/NL
Circus cyaneus	Northern harrier	G5/S2S2B,S3N/NL/NL

In addition, the Atlantic sturgeon has been documented within the project areas.

DCR recommends avoidance of the nesting sites for the Least Tern (April 15-August 1) and Black-necked Stilt (April 15-July 15). Due to the legal status of the Atlantic sturgeon, DCR also recommends coordination with NOAA Fisheries and Virginia's regulatory authority for the management and protection of this species, the VDGIF, to ensure compliance with the Virginia Endangered Species Act **(**VA ST §§ 29.1-563 – 570).

Segment CBA-9

According to the information currently in our files, Elliott's Aster (*Symphyotrichum elliottii*, G4/S1/NL/NL) had been historically documented in the project site. Elliott's aster is a perennial, colonial aster that grows up to 1.5 meters tall. Numerous stiff, thick leaves are found on the erect stems which terminate in a panicle or corymb of flower heads with pink or lilac ray flowers in mid-fall. In Virginia, this rare plant is known from tidal marshes, tidal swamps, and interdune swales from the cities of Chesapeake and Virginia Beach. (Weakley, et al., 2012). As of 2014, the Virginia Natural Heritage Program has documented 4 occurrences of this state rare plant, 1 extant and 3 historic. The plant is threatened by sea-level rise and competition with the common reed (*Phragmites australis*), an invasive grass that can choke out native species.

Due to the potential for this site to support populations of Elliott's Aster, DCR recommends an inventory for the resource in the study area in Goose Creek and Bailey Creek. With the survey results we can more accurately evaluate potential impacts to natural heritage resources and offer specific protection recommendations for minimizing impacts to the documented resources.

Furthermore, the Canebrake rattlesnake and Atlantic sturgeon have been documented within 2 miles of the project area and there is potential for Loggerhead sea turtle and Kemp's Ridley sea turtle to occur in the

project area. To avoid and minimize impacts to sea turtles, DCR recommends adherence to time-of-year restrictions from 01 April – 30 November of any year. Due to the legal status of the Canebrake rattlesnake, DCR recommends coordination with the Virginia's regulatory authority for the management and protection of this species, the VDGIF, to ensure compliance with the Virginia Endangered Species Act **(**VA ST §§ 29.1-563 – 570). Due to the legal status of the Atlantic sturgeon, DCR also recommends coordination with VDGIF and NOAA Fisheries to ensure compliance with protected species legislation. Finally, due to the legal status of Loggerhead sea turtle and Kemp's Ridley sea turtle, DCR recommends coordination with USFWS and VDGIF to ensure compliance with protected species legislation.

General Comments

According to DCR staff biologists there is the potential for the Northern Long-eared bat (*Myotis septentrionalis,* G1G3/S3/LT/NL) to occur within the project area. The Northern Long-eared bat is a small insect-eating bat characterized by its long-rounded ears that when folded forward extend beyond the tip of the nose. Hibernation occurs in caves, mines and tunnels from late fall through early spring and bats occupy summer roosts comprised of older trees including single and multiple tree-fall gaps, standing snags and woody debris. Threats include white nose syndrome and loss of hibernacula, maternity roosts and foraging habitat (NatureServe, 2014). Due to the decline in population numbers, the Northern Long-eared bat has been federally listed as "threatened" by the United States Fish and Wildlife Service (USFWS).

To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations. Due to the proposed removal of trees and the legal status of the Northern Long-eared bat, DCR also recommends coordination with the USFWS to ensure compliance with protected species legislation.

There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to Biotics. Please re-submit project information and map for an update on this natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

The Virginia Department of Game and Inland Fisheries (VDGIF) maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from http://vafwis.org/fwis/ or contact Ernie Aschenbach at 804-367-2733 or Ernie.Aschenbach@dgif.virginia.gov.

The remaining DCR divisions have no comments regarding the scope of this project. Thank you for the opportunity to comment.

Cc: Amy Ewing, VDGIF

Troy Andersen, USFWS
Christine Vaccaro, NOAA

Literature Cited

NatureServe, 2014. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe. Arlington, Virginia. Available http://explorer.natureserve.org (Accessed: December 22, 2014).

Weakley, A. S., J. C. Ludwig, and J. F. Towsend. 2012. Flora of Virginia. Bland Crowder, ed. Foundation of the Flora of Virginia Project Inc., Richmond. Fort Worth: Botanical Research Institute of Texas Press. p. 394.

United States Department of the Interior

NATIONAL PARK SERVICE
Northeast Region
200 Chestnut Street
Philadelphia, PA 19106

IN REPLY REFER TO:

ER-15/0355

July 22, 2015

Edward Sundra
Director of Program Development
Federal Highway Administration
400 Noth 8th Street, Suite 750
Richmond, VA 23219
ed.sundra@dot.gov

Subject: Notice of Intent to Prepare a Supplemental Environmental Impact Statement (EIS) for the Hampton Roads Crossing Study Final EIS, Cities of Newport News, Hampton, Norfolk, Portsmouth, Suffolk, and Chesapeake, VA (15/0355)

Mr. Sundra:

This is in response to a request for the National Park Service's (NPS) review and comment on the Notice of Intent to prepare a Supplemental Environmental Impact Statement (EIS) for the Hampton Roads Crossing Study Final EIS, Cities of Newport News, Hampton, Norfolk, Portsmouth, Suffolk, and Chesapeake, VA.

The National Park Service offers the following comments:

The National Park Service's Chesapeake Bay office works with multiple partners to manage and develop the Chesapeake Bay Gateways and Water trails Network, the Captain John Smith Chesapeake National Historic Trail, the Star-Spangled Banner National Historic Trail, and the collaborative strategies to support President Obama's Executive Order 13508 for the protection and restoration of the Chesapeake Bay.

They offer these comments, with particular emphasis on the Captain John Smith Chesapeake National Historic Trail.

This project study area crosses the route of the Captain John Smith Chesapeake National Historic Trail. The Congressional designation of National Trail status was likely not considered in the March 2001 FEIS. The SEIS should consider if there are Section 4(f) and/or Section 106 impacts that are now required to be considered in the updated review. Specifically, potential impacts to the resources and visitor experience of the Captain John Smith Chesapeake National

Historic Trail should be considered in the evaluation of all project alternatives and factored into the decision that recommends the selected alternative.

Due to the known documentation of both American Indian archaeology and 17th Century activity in this area, there may be cultural and/or historic resources relevant to the John Smith Trail that could be impacted by the alternatives of this project. There is also concern of how the cumulative impacts of how the proposed project could impact visitor experience and resources of the trail.

In addition to these considerations, NPS Chesapeake Bay Office requests that the SEIS consider the MOU signed by Governor McAuliffe on 7/9/2015 that directs three Virginia state agencies (Virginia Department of Transportation, Virginia Department of Game and Inland Fisheries and Virginia Department of Conservation and Recreation) to identify new potential public-access projects, particularly at bridge crossings and roads.

This response has been complied on behalf of Matt Jagunic, Outdoor Recreation Planner at the Chesapeake Bay Office.

We appreciate the opportunity to provide these comments.

Sincerely,

/s/

Cheryl Sams O'Neill
Interagency Review Coordinator
Resource Planning and Compliance Program

cc:
OEPC (carol_braegelmann@ios.doi.gov)
NPS-CBPO Matt Jagunic (matt_jagunic@nps.gov)

From: Brewer
To: Hodges, Mary Ellen N. (VDOT)
Subject: Re: Hampton Roads Crossing Study - Section 106 Consultation
Date: Wednesday, July 22, 2015 11:16:39 AM

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jBrewer Moore, 308 Bobby Jones Drive, Portsmouth, VA., 23701, 757-488-5239 -

My family took me to the newly upgraded east coast pizza (ne corner, Portsmouth Blvd and Elmhurst Lane) which ranks with upscale Italian restaurants in cities such as Baltimore. A good time was had by all. When VDOT brings you to towne, perhaps this is a place to grab a bite to eat! Portsmouth reputation is overshadowed by Norfolk and Virginia Beach – but the truth is there to find and enjoy! Thank you. jBrewer

From: Hodges, Mary Ellen N. (VDOT)
Sent: Wednesday, July 22, 2015 10:34 AM
To: Brewer
Subject: RE: Hampton Roads Crossing Study - Section 106 Consultation

Mr. Moore-

I hope you are continuing to have a wonderful birthday week!

Please note that my letter was conveyed as an attachment to the email you received. If you are not able to open the attachment, please let me know. We don't seem to have a street address on file for you, so I cannot send you the letter by US mail ("snail mail") unless you provide me one.

Thanks.

Mary Ellen

Mary Ellen N. Hodges
Preservation Program District Coordinator

Virginia Department of Transportation
Environmental Division
1401 E. Broad Street, Richmond, VA 23219
Tele: 804-786-5368

From: Brewer [mailto:joanbrew@verizon.net]
Sent: Monday, July 20, 2015 1:38 PM
To: Hodges, Mary Ellen N. (VDOT)
Subject: Re: Hampton Roads Crossing Study - Section 106 Consultation

Mary Ellen – what a pleasant surprise – with Virginia closed out on the War of 1812 bicentennial. However, I do recall that the alignment of the "THIRD CROSSING CONNECTOR" was in the area of the Craney Island battlefield. Look forward to your letter after today's celebration of my 86th birthday. But hearing from you is an added positive to

this day of mine -- Dr. Ezeekiel Emmanuel was correct – everyone at age 75 should have a "sit-down" to review glories of the past and consider what coming years hold. If only I could recall 11 years ago today. Cheers! olde brew

From: Hodges, Mary Ellen N. (VDOT)
Sent: Monday, July 20, 2015 10:25 AM
To: joanbrew@verizon.net
Subject: Hampton Roads Crossing Study - Section 106 Consultation

Mr. J. Brewer Moore-

Because of your interest in War of 1812 resources and the Battle of Craney Island, the Virginia Department of Transportation is providing you the opportunity to participate in Section 106 consultation regarding the Hampton Roads Crossing Study and potential effects on historic properties. Please see the attached letter. If you would like a hard copy of this letter, please provide me a street or post office box address for mailing.

Thank you.

Mary Ellen Hodges

Mary Ellen N. Hodges
Preservation Program District Coordinator

Virginia Department of Transportation
Environmental Division
1401 E. Broad Street, Richmond, VA 23219
Tele: 804-786-5368

DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1096

JULY 20, 2015

Eastern Virginia Regulatory Section
Hampton Roads Crossing Study – Cooperating Agency
VDOT Project: 0064-965-081, P101; UPC 106724
Corps of Engineers Project NAO-1994-1166

Federal Highway Administration
Virginia Division
Edward Sundra, Director of Program Development
400 N. 8th Street, Room 750
Richmond, VA 23219-4825

Dear Mr. Sundra:

This letter is in response to the Federal Highway Administration (FHWA) letter dated June 18, 2015 requesting that the Army Corps of Engineers participate as a cooperating agency for the preparation of the Supplemental Environmental Impact Statement (EIS) for the Hampton Roads Crossing Study (HRCS) in accordance with the National Environmental Policy Act (NEPA). The purpose of this Supplemental EIS is to reconsider the transportation needs within the Hampton Roads area that were identified with the original study and to evaluate the impacts of proposed improvements for meeting those needs. The study area is roughly bound by I-664 on the west, I-64 on the north and east, and I-264 on the south. The Norfolk District will participate as a cooperating agency in the development of further documents in accordance with NEPA. We encourage the use of a collaborative process for the study of this project, documenting concurrence of the pertinent Federal agencies at important steps, to provide local governments and the public with a more dependable framework for planning decisions.

We are attaching a letter dated June 5, 2012. Please note that our previous comments still apply to this project. Because most of the project is proposed within navigable waters, including a tunnel underneath the Corps' Federal Project Channel, coordination of navigation issues will be an important part of this study. Any decisions regarding Craney Island and the Federal Channel, including any location along or close to Craney Island, should be coordinated with the Norfolk District Corps of Engineers Operations Branch.

Historic Resources. The project may affect historic and cultural resources. As per 36 CFR 800.2(a)(2), the FHWA is hereby designated as the lead Federal agency to fulfill the collective federal responsibilities under Section 106 of the National Historic Preservation Act for the undertaking. We authorize your agency to conduct Section 106 coordination on our behalf. Any Memorandum of Agreement prepared by your agency under 36 CFR 800.6 should include the following clause in the introductory text:

"Whereas, pursuant to Section 10 and/or Section 404 of the Clean Water Act, a Department of the Army permit will likely be required from the Corps of Engineers for this project, and the Corps has designated FHWA as the lead federal agency to fulfill federal responsibilities under Section 106;"

Threatened and Endangered Species. Pursuant to 50 CFR 402.07, the Corps authorizes your agency to conduct Section 7 coordination with the U.S. Fish and Wildlife Service (USFWS) on our behalf as well, concerning potential effects to Federally-listed threatened and endangered species. FHWA will be responsible for completing all coordination pursuant to ESA, regardless of whether it occurs during the NEPA process or during the permitting process. In addition, we recommend that all documentation and coordination, including the IPAC determination, be included in the NEPA document.

Essential Fish Habitat. Pursuant to 50 CFR 600.920(b), the Corps authorizes your agency to conduct MSA consultation with the National Oceanic and Atmospheric Administration (NOAA) Fisheries on our behalf as well, concerning potential effects to Essential Fish Habitat. FHWA is responsible for completing all coordination pursuant to MSA, regardless of whether it occurs during the NEPA process or during the permit process. In addition, we recommend that all documentation and coordination be included in the NEPA document.

Thank you for the opportunity to provide comments and recommendations. You may contact George Janek at george.a.janek@usace.army.mil or 757-201-7135 if you have any questions.

Sincerely,

Kimberly A. Prisco-Baggett
Deputy Chief, Norfolk District
Regulatory Section

attachment

Copies Furnished:

Virginia Department of Transportation, Richmond
Environmental Protection Agency, Philadelphia
U. S. Fish and Wildlife Service, Gloucester
Virginia Department of Historic Resources, Richmond
National Oceanic and Atmospheric Administration, Gloucester

COUNCIL OFFICE:
757-727-6315

GEORGE E. WALLACE, MAYOR
22 LINCOLN STREET
HAMPTON, VIRGINIA 23669

OFFICE FAX:
757-728-3037

July 17, 2015

Scott Smizik
Location Studies Project Manager
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

Dear Mr. Smizik,

I would like to thank you for inviting the City of Hampton to participate in the Hampton Roads Crossing study. As you know, Hampton sits at the beginning of the Hampton Roads beltway and experiences the daily traffic challenges associated with crossing Hampton Roads. This project will have a significant impact on the quality of life of our citizens and visitors, and on the local economy.

We greatly appreciate your invitation and would be honored to participate.

Feel free to contact me with any questions

Sincerely,

George E. Wallace
Mayor

U.S. Department of Homeland Security

United States Coast Guard

Commander
United States Coast Guard
Fifth Coast Guard District

431 Crawford Street
Portsmouth, Va. 23704-5004
Staff Symbol: (dpb)
Phone: 757-398-6587
Fax: 757-398-6334
Email: Terrance.A.Knowles@uscg.mil

16590
08 JUL 2015

Mr. Edward Sundra
Director of Program Development
U.S. Department of Transportation
Federal Highway Administration
400 North 8th Street, Rm 750
Richmond, VA 23219-4825

Dear Mr. Sundra:

This is in response to your June 18, 2015 letter requesting that the U.S. Coast Guard Fifth District (USCG) become a cooperating agency in the preparation of a Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study in Hampton Roads, VA.

USCG supports the Federal Highway Administration's decision to prepare an SEIS on this project and agrees to be a cooperating agency during this process; in accordance with USCG National Environmental Policy Act Implementing Procedures, and the Council on Environmental Quality's Regulations (40 CFR 1500-1508).

If you have any further questions, please contact Terrance Knowles at the above listed telephone or email address.

Sincerely,

HAL R. PITTS
Bridge Program Manager
By direction of the Commander
Fifth Coast Guard District

COMMONWEALTH of VIRGINIA

Sandra J. Adams
Commissioner

Department of Agriculture and Consumer Services
PO Box 1163, Richmond, Virginia 23218
Phone: 804/786-3501 • fax: 804/371-2945 • Hearing Impaired: 800/828-1120
www.vdacs.virginia.gov

July 6, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

Subject: Hampton Roads Crossing Study
Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, and Virginia Beach and Isle of Wight County

Dear Mr. Smizik:

This is in response to your letter to this agency dated June 19, 2015, inviting comments concerning potential issues or concerns related to the Hampton Roads Crossing Study that includes the Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, and Virginia Beach and Isle of Wight County. We appreciate the opportunity to provide feedback on this project.

The Virginia Department of Agriculture and Consumer Services (VDACS) is responsible for the preservation of farmland and the protection of endangered and threatened plant and insect species. While VDACS does not have any input to contribute to the first five questions on the Hampton Roads Crossing Study NEPA Evaluation Questionnaire, in response to the sixth question, we would recommend that the several issues be considered while developing this study. Concerning farmland preservation, § 3.2-204 of the Code of Virginia requires that in preparing reports on major state projects, each state agency shall demonstrate that it considered the impact of the projects on farm and forest lands as required in § 3.2-205 and that it adequately considered alternatives and mitigating measures. Therefore, VDACS encourages the Virginia Department of Transportation (VDOT) and others involved with this project to minimize the loss of farm and forest land to the highest degree possible. Also, VDACS asks that you be mindful of any actions that could result in altering the water flow within surrounding agricultural lands and, to the greatest extent possible, minimize any adverse drainage or erosion issues that may result. In addition, VDACS suggests that VDOT determine whether the Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, or Virginia Beach or Isle of Wight County have any established agricultural and forestal districts that may be impacted by this project. Should such districts exist, additional project review is required per § 15.2-4313 of the Code of Virginia.

Additionally, VDACS works closely with the Department of Conservation and Recreation (DCR) in determining the potential impact of proposed projects on state endangered and threatened plant and insect species. Through a Memorandum of Agreement between our agencies, DCR reviews these projects and submits comments on our behalf. Consequently, any inquiries relating to state protected plant and insect species should be directed to DCR for response. If after researching its database of natural resources, critical habitats, and species locations DCR finds that a project poses a potential adverse impact on an endangered or threatened plant or insect species, the appropriate information will be referred to VDACS for further review and possible mitigation. Please note that requests of this nature should be sent to Rene Hypes at the DCR Division of Natural Heritage Project Review Program. Ms. Hypes can be reached at (804) 371-2708 or rene.hypes@dcr.virginia.gov.

Sincerely,

Sandra J. Adams
Commissioner

cc: Larry Nichols, Acting Director, Division of Consumer Protection
Kevin Schmidt, Director, Office of Policy, Planning and Research

Terence R. McAuliffe
Governor

Maurice A. Jones
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT

William C. Shelton
Director

July 6, 2015

Mr. Scott Smizik
Project Manager- Environmental Division
Virginia Department of Transportation

Re: Hampton Roads Crossing Study
VDOT Project Number: 0064-965-081, P101; UPC: 106724

Mr. Smizik,

The Virginia Department of Housing and Community Development appreciates the opportunity to provide a response to the NEPA Evaluation Questionnaire as part of the preparation of a supplemental environmental impact statement for the Hampton Roads Crossing Study. Below you will find a response to the questions provided.

1. Please provide any data related to low income, minority populations that would be used in the socioeconomic and environmental justice impact analysis implemented by the Executive Order (EO) 12898 "Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low Income Populations", and the Council of Environmental Quality (CEQ) guidance, Environmental Justice guidance under NEPA (1997).

   The Department of Housing and Community Development recommends that you seek feedback from and coordinate with the Hampton Roads Planning District Commission to understand local impacts on vulnerable and low-income populations. The PDC will have better information than DHCD.

2. Please provide any other comments or feedback that you feel may be beneficial to the development of this study.

   The Department of Housing and Community Development has been invited to apply for Phase 2 of the National Disaster Resilience Competition (NDRC) which focuses on the Hampton Roads area. The NDRC plan must target specific neighborhoods; at this time from the map presented we are not able to determine if this project is in one of those neighborhoods previously identified in phase 1 of the NDRC. VDOT is a state agency partner for the NDRC; additional conversations will be needed to determine if this project will benefit the NDRC phase 2 application.

Sincerely,

Bill Shelton

Bill Shelton

COMMONWEALTH of VIRGINIA

Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Molly Joseph Ward
Secretary of Natural Resources

Julie V. Langan
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
www.dhr.virginia.gov

1 July 2015

Mr. Scott Smizik
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219

Re: Hampton Roads Crossing Study
Cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, Virginia Beach, and Isle of Wight County
DHR File # 2015-0783

Dear Mr. Smizik:

The Department of Historic Resources (DHR) has received your letter of 19 June 2015 regarding the initiation of consultation on the preparation of a Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study (HRCS) Final Environmental Impact Statement (FEIS). The DHR believes the proposed undertaking has the potential to impact historic properties listed in or eligible for the National Register of Historic Places. Therefore, we request that the Virginia Department of Transportation (VDOT) continue to involve DHR in the project discussions as the plans develop pursuant to the National Environmental Policy Act and Section 106 of the National Historic Preservation Act. A representative of DHR will attend the 21 July 2015 agency meeting to be held at the VDOT Hampton Roads District Office auditorium in Suffolk.

If you have any questions regarding our comments, please contact me at (804) 482-6090.

Sincerely,

Marc Holma, Architectural Historian
Division of Review and Compliance

Administrative Services
10 Courthouse Ave.
Petersburg, VA 23803
Tel: (804) 862-6408
Fax: (804) 862-6196

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Fax: (540) 387-5446

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033

the heartbeat of HAMPTON ROADS TPO
TRANSPORTATION PLANNING ORGANIZATION

MCKINLEY PRICE, CHAIR, LINDA T. JOHNSON, VICE CHAIR
CAMELIA RAVANBAKHT, INTERIM EXECUTIVE DIRECTOR

June 30, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA 23219

RE: HR Crossing Study (HRCS) Supplemental Environmental Impact Statement (SEIS)

Dear Mr. Smizik:

Thank you for your letter of June 19, 2015 regarding the Preparation of a Supplemental Environmental Impact Statement (SEIS) for the Hampton Roads Crossing Study (HRCS). This SEIS process is very important to the HRTPO and the region. We appreciate and accept your invitation to be a participating agency in the development of the SEIS for the HRCS. Our responses to the enclosed location study map and the questions attached to the letter are as follows:

In response to your request "please review the enclosed map and provide comments on any issues...within the project area", our comments follow:

- Given a) that your stated purpose is to address issues related to "the project", and b) the map shows three candidate projects; please clarify what "the project" is, i.e. is it the ROD project (Third Crossing / alt. 9), is it the three mapped candidates, is it the 11 HRCS candidates, or does it include any candidate that meets the stated purpose and need?

- By showing roads that, in reality, intersect at right angles as intersecting at acute angles, the Study Location Map inadvertently implies that the proposed interchanges are merge/diverges as opposed to fully-directional interchanges. For example, from the map it appears that one could not drive from NIT on the Patriots Crossing and proceed southbound on I-664.

Concerning your request for input on the attached 5 questions, our responses follow:

1. *Study Area boundary parameters*

    a. We suggest you consider and examine the entire highway transportation system in Hampton Roads.

2. *Reports and data sources*

    a. Our numerous reports related to the harbor crossing can be found at http://www.hrtpo.org/page/technical-reports/
    b. Key reports:
        i. CMP http://www.hrtpo.org/uploads/docs/CMP%20Report%20Final%20Version.pdf
            1. See particularly page viii.
        ii. Freight http://www.hrtpo.org/uploads/docs/Positioning%20HR%20for%20Freight%20Infrastructure%20Funding%20-%20Final%20Report.pdf
            1. See particularly page 34.
        iii. Safety http://www.hrtpo.org/uploads/docs/HR%20Regional%20Safety%20Study%202013-2014%20PART%20II%20Final%20Report.pdf
            1. See particularly page 24.
        iv. Military http://www.hrtpo.org/uploads/docs/Military%20Transportation%20Needs%20-%20Highway%20Network%20Analysis%20Final%20Report.pdf
            1. See particularly page 28.
        v. Tolls http://www.hrtpo.org/uploads/docs/final%20toll%20study%20report.pdf (particularly page 1-6) http://www.hrtpo.org/uploads/docs/final%20toll%20study%20addendum.pdf (particularly page 2-5) http://www.hrtpo.org/uploads/docs/final%20toll%20studyappendices.pdf

3. *Socio-economic and Environmental Justice data*

    a. No "snapshot of recent economic and social data" was provided "as part of this scoping package".
    b. See our recent census historical data http://www.hrtpo.org/uploads/docs/Historical%20Analysis%20of%20Census%20Transportation%20Data.pdf
    c. The HRCS SEIS has the potential of having a major social and economic impact on the region as whole and on EJ communities throughout Hampton

Roads. The study area itself is very large, and as such, public involvement efforts should be accelerated and diligent in their inclusion of EJ communities and the assessment of potential impacts, both beneficial and detrimental. It is suggested that a closer view be taken of Census data and that a better picture would be painted, by viewing Census data for these communities, at the block level rather than the census tract level. The HRTPO facilitates an Environmental Justice Roundtable and offers that roundtable as a vetting vehicle for VDOTs public involvement and EJ efforts. HRTPO staff who are subject matter experts on Environmental Justice and Public Involvement are available to attend scoping meetings and to act as a resource if appropriate, on particular elements of this process as well.

4. *Planned projects*

    a. See 2034 LRTP
    http://www.hrtpo.org/page/2034-long-range-transportation-plan/
    b. See 2040 LRTP- Draft List of Projects
    http://www.hrtpo.org/page/2040-long-range-transportation-plan/
    c. See 2015 TIP
    http://www.hrtpotip.org/
    d. See HRTPO approval of HRTF projects
    http://www.hrtpo.org/uploads/images/HRTF_Candidate_Project_Map_nocost.jpg

5. *Any other comments* No comment.

Thank you for the opportunity to comment on the SEIS Project. We look forward to working with you on this regionally significant project. If you have any additional questions please do not hesitate to contact me.

Sincerely,

C. Ravanbakht

Camelia Ravanbakht, Ph.D
HRTPO Interim Executive Director

RBC/jc

Copy: McKinley Price, HRTPO Chair
Linda T. Johnson, HRTPO Vice Chair

City of Virginia Beach

VBgov.com

OFFICE OF THE CITY MANAGER
(757)-385-4242
FAX (757) 427-5626

MUNICIPAL CENTER
BUILDING 1
2401 COURTHOUSE DRIVE
VIRGINIA BEACH, VA 23456-9001

June 29, 2015

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond, VA 23219

Re: Hampton Roads Crossing Study Supplemental Environment Impact Statement

Dear Mr. Smizik:

Thank you for the opportunity for the City Of Virginia Beach to comment on, and be involved with, the Hampton Roads Crossing Study Supplemental Environment Impact Statement. This (SEIS) process is very important to the region, and the City of Virginia Beach.

We greatly appreciate and accept your invitation to become a Participating Agency in the development of the SEIS for the subject project. The timely movement of people, goods, and services throughout the region and beyond is vitally important to the City. Our responses to the questions that were attached to your letter are as follows:

1. What parameters, if any, would you recommend be used for establishing a study area boundary in which to analyze the indirect effects and cumulative impacts to potentially affected resources?

We suggest that you examine the highway transportation system in Hampton Roads in its entirety. This would include I-64, I-664, I-264, Routes 58-13-17, the Chesapeake Bay Bridge Tunnel, and the proposed Southeastern Parkway and Greenbelt. Incorporating these roadways as the study area boundary will serve the best interest of assuring a comprehensive review of this proposed transportation project. For instance, Route 17 improvements currently being implemented by the City of Chesapeake, enhances the effort between the states of Virginia and North Carolina to create an interstate type connector roadway between Raleigh and Hampton Roads. This project could use either Route 17 or Route 13 Corridor, and would impact the entire regions' future networks.

2. Planning judgement is a structured process that will be used as part of this study to analyze and forecast potential indirect effects and cumulative impacts. Does your agency possess any reports, data sources, or expert input that you recommend be used to inform the use of planning judgement in this study? Additionally, any other tools or resources that your agency might be able to provide to aid in the identification of indirect and cumulative impacts would be appreciated and considered.

We suggest the following: the Comprehensive Plan for the City of Virginia Beach (update is currently underway) including an update to the City's Master Transportation Plan. The 2034 adopted Long Range Transportation Plan for the Hampton Roads Transportation Planning Organization (HRTPO), the draft 2040 Long Range Transportation Plan for the HRTPO, reports from the Ports of Virginia, including the proposed buildout of the Craney Island area, and the work that was previously done and is currently underway by the Old Dominion University Modeling Simulation Center (ODU VMASC). Several years ago Old Dominion engaged in a computer modeling evaluation of the Third Crossing and Hampton Roads Bridge Tunnel. Currently, the cities of Virginia Beach and Chesapeake are having VMASC create macro and micro transportation modeling of the road networks in both cities. A preliminary draft of this new work will be available in mid-summer with the final work to be finished by the end of the calendar year.

3. As part of this scoping package we have provided a snapshot of recent economic and social data from the United States Census Bureau, we seek your concurrence that this data reflects your current jurisdictional population profile. Additionally, please identify locations in the study area where environmental justice populations may exist, or groups that interact with these environmental justice populations.

Although the Census document is considered to be somewhat the standard for utilization, we call your attention to the recent Regional Benchmarking Report that was approved for publication by the Hampton Roads Planning District Commission. This document looks at more than 150 data points for the region.

In regards to identified environmental justice populations, we do not have any identified within the City of Virginia Beach.

4. What are the current planned projects within your jurisdiction/ study area? Are there public documents / permits that estimate impacts of these projects?

I call your attention to the projects that are in the work plan for the Hampton Roads Transportation Accountability Commission as listed below.

- I-264/I-64 interchange Improvements
- I-64 Widening Segment 1 (Exit 255 to Exit 247)
- I-64 Widening Segment 2 (Exit 247 to Exit 242)
- I-64 Widening Segment 3 (Exit 242 to Exit 234)
- Fort Eustis Interchange (Exit 250)

Development Activities

- Patriots Crossing Environmental (SEIS)
- High-Rise Bridge Environmental and Preliminary Engineering

Additional possible projects

- Completion of EIS/PE work on I-264/I-64 interchange
- EIS/PE on the route 460 connector: Route 58/Route 13/Route 460

I would again refer you to the work of the Port of Virginia for their build out plan for the Craney Island Terminal and also use/reuse of Norfolk International Terminal (NIT) and Portsmouth International Terminal (PIT).

The Extension of the Tide Light Rail project into the City of Virginia Beach.

The Southeastern Parkway/Greenbelt (as mentioned above), and the proposed expansion for the Chesapeake Bay Bridge and Tunnel (CBBT).

5. Please provide any other comments or feedback that you feel may be beneficial to the development of this study.

One important fact to consider since the EIS was previously completed on this project is the creation of the Hampton Roads Transportation Accountability Commission and the Regional revenue available for potential projects. Also, the enhanced utilization of tolls throughout the nation, and certainly in Virginia, as well as the utilization of public/private transportation projects as allowed under Virginia Code.

Again, thank you for the opportunity to comment on the SCIS, and please note that we will be actively involved in this process as it moves forward.

Sincerely,

James K. Spore

James K. Spore

JKS/RRM/cj

c: Mayor and Members of Council
Management Leadership Team
Robert R. Matthias, Assistant to the City Manager
Phillip A. Davenport, Director of Public Works

DIVISIONS
ENERGY
GAS AND OIL
GEOLOGY AND MINERAL RESOURCES
MINED LAND RECLAMATION
MINERAL MINING
MINES
ADMINISTRATION

COMMONWEALTH OF VIRGINIA

Department of Mines, Minerals and Energy
Washington Building, 8th Floor
1100 Bank Street
Richmond, Virginia 23219-3638
(804) 692-3200 FAX (804) 692-3237
www.dmme.virginia.gov

June 25, 2015

Scott Smizik
Virginia Department of Transportation
1401 East Broad Street
Richmond, Virginia 23219

Project: Hampton Roads Crossing Study

Dear Mr. Smizik:

The Department of Mines, Minerals and Energy (DMME) is making difficult decisions in response to state budget reductions. One of the most difficult decisions to date was to reduce staff in our Division of Geology and Mineral Resources (DGMR) in January 2009. Since that time, DMME has carefully reviewed services that we have provided in the past in order to determine which services can be provided in the future with existing staff. One service that we considered was the review of environmental impact reports for state and local projects. We have determined that existing staff levels within DMME do not allow for the review of environmental impact reports on a routine basis.

Our staff did review the map and determined there are no active sites or mineral resources that would be affected by this project; therefore, DMME does not plan to participate in the planning process. However, we understand that there are times when specific information related to geologic conditions, mineral extraction, and energy policy is an important consideration for a particular project. In these instances, please feel free to contact David Spears at (434) 951-6350 or by e-mail at david.spears@dmme.virginia.gov/.

Sincerely,

Conrad T. Spangler, III
Director

Zimbra **rwoody@rkk.com**

FW: ESSLog 32896; VDOT preliminary scoping request for NEPA re-evaluation for Hampton Roads Crossing Study SEIS

From : Scott Smizik (VDOT) <Scott.Smizik@vdot.virginia.gov> Wed, Jun 24, 2015 10:30 AM

Subject : FW: ESSLog 32896; VDOT preliminary scoping request for NEPA re-evaluation for Hampton Roads Crossing Study SEIS 1 attachment

To : Ricky Woody <rwoody@rkk.com>

From: ProjectReview (DGIF)
Sent: Wednesday, June 24, 2015 9:54 AM
To: Smizik, Scott (VDOT)
Cc: ProjectReview (DGIF); Fernald, Ray (DGIF); Boettcher, Ruth (DGIF)
Subject: ESSLog 32896; VDOT preliminary scoping request for NEPA re-evaluation for Hampton Roads Crossing Study SEIS

We previously reviewed this project and reiterate our existing recommendations:

DGIF appreciates your interest in submitting your project for review by VDGIF to ensure the protection of sensitive wildlife resources during project development. Please note that DGIF no longer has Fish and Wildlife Information Service (FWIS) staff to perform preliminary project scoping reviews and provide preliminary scoping comments. DGIF provided VDOT with access to our VAFWIS and WERMS data for the VDOT-CEDARs so that VDOT can perform their own preliminary scoping reviews.

Therefore, thank you for not mailing paper-copies of project scoping materials to DGIF and expecting our customary preliminary scoping comments. No response from VDGIF does not constitute “no comment” nor does it imply support of the project or associated activities. It simply means VDGIF has not been able to respond. Please make a note of this for future reference.

If instream impacts are proposed, we anticipate a Joint Permit Application (JPA) for our review. If this is the case, we will review JPA and provide comments, as appropriate. We recommend continued coordination with DGIF as more information becomes available.

Thanks.

Ernie Aschenbach
Environmental Services Biologist
Virginia Dept. of Game and Inland Fisheries
Phone: (804) 367-2733
Email: Ernie.Aschenbach@dgif.virginia.gov

We moved! Our new address is:

Physical
7870 Villa Park Dr, Suite 400
Henrico, VA 23228

Mailing
P O Box 90778
Henrico, VA 23228

From: Smizik, Scott (VDOT)
Sent: Friday, June 19, 2015 12:03 PM
To: Fernald, Ray (DGIF)
Cc: Aschenbach, Ernie (DGIF)
Subject: Hampton Roads Crossing Study SEIS

Good afternoon –

Please find the attached scoping letter for the Hampton Roads Crossing Study Supplemental Environmental Impact Statement. We look forward to working with your office on this study. If you have any questions, please do not hesitate to contact me.

Scott Smizik
Location Studies Project Manager
Virginia Department of Transportation
Environmental Division
1401 East Broad Street
Richmond, Virginia 23219
Desk: (804) 371-4082
Cell: (804) 306-0920
Fax: (804) 786-7401
Scott.Smizik@VDOT.Virginia.gov

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4 MB

Zimbra **rwoody@rkk.com**

FW: Hampton Roads Crossing Study SEIS

From : Scott Smizik (VDOT) <Scott.Smizik@vdot.virginia.gov> Wed, Jun 24, 2015 03:26 PM
Subject : FW: Hampton Roads Crossing Study SEIS
To : Ricky Woody <rwoody@rkk.com>, Nicholas Nies <nnies@wrallp.com>

From: Harrington, Rusty N. (DOAV)
Sent: Wednesday, June 24, 2015 3:26 PM
To: Smizik, Scott (VDOT)
Subject: RE: Hampton Roads Crossing Study SEIS

Scott,

Cooperating- we will not.
Participating- it is our understanding that the document will be circulated by DEQ for agency review. We are on their list for review and comment for potential transportation impacts, SCC permitting applications for utilities and solid waste permits for landfills. We'll either be asked (or not) and will issue comments then.

From: Smizik, Scott (VDOT)
Sent: Wednesday, June 24, 2015 3:18 PM
To: Harrington, Rusty N. (DOAV)
Subject: RE: Hampton Roads Crossing Study SEIS

Rusty –

Good to speak to you this morning as well. To clarify, you are declining an invitation to be a participating agency in the study (cooperating and participating have different requirements for FHWA).

We have updated our contact list for the study to identify you as the POC for any future communication.

Thanks again for your call this morning.

Scott Smizik
Location Studies Project Manager
Virginia Department of Transportation
Environmental Division

1401 East Broad Street
Richmond, Virginia 23219
Desk: (804) 371-4082
Cell: (804) 306-0920
Fax: (804) 786-7401
Scott.Smizik@VDOT.Virginia.gov

From: Harrington, Rusty N. (DOAV)
Sent: Wednesday, June 24, 2015 3:11 PM
To: Smizik, Scott (VDOT)
Cc: Burdette, Randall P. (DOAV); Burnette, Cliff (DOAV)
Subject: Hampton Roads Crossing Study SEIS

Scott,

It was good speaking to you earlier today. Just to recap, we appreciate the invitation to join as a cooperating agency, but after consideration of the scope of the Supplemental Environmental Impact Statement for the Hampton Roads Crossing Study, we believe that the potential impact on the airport system would not require any direct involvement from our agency. In addition, the fact that our interest in the study would not result or require a permit to be issued, we respectfully decline to offer comment at this time or accept the offer to be listed as a cooperating agency. We will be happy to issue comment at the appropriate time during the agency review and circulation by DEQ during the agency review period.

For future reference, the Planning and Environmental Section of the Department of Aviation would be you point of contact in such matters. I will be happy to assist you or direct any inquiries to the responsible staff member in our section. My contact information is listed below. Best of luck as you pursue this endeavor.

Thank you again for your consideration.

--R.N. (Rusty) Harrington, MBA
Manager, Planning and Environmental Section
Virginia Department of Aviation
5702 Gulfstream Road
Richmond, Virginia 23250
(804) 236-3522

Zimbra **rwoody@rkk.com**

FW: Hampton Roads Crossing Study - NRCS response

From : Scott Smizik (VDOT) <Scott.Smizik@vdot.virginia.gov> Wed, Jun 24, 2015 07:49 AM
Subject : FW: Hampton Roads Crossing Study - NRCS response 1 attachment
To : Ricky Woody <rwoody@rkk.com>

From: Hammer, Greg - NRCS, Chesapeake, VA [mailto:Greg.Hammer@va.usda.gov]
Sent: Wednesday, June 24, 2015 7:47 AM
To: Smizik, Scott (VDOT)
Cc: Williams, Robert - NRCS, Chesapeake, VA; Harper, John - NRCS, Richmond, VA
Subject: Hampton Roads Crossing Study - NRCS response

Scott,

NRCS has no comment in regards to VDOT Project # 0064-965-081

Greg Hammer
NRCS, Soil Scientist
Office: 757-547-7172 x107
Cell: 804-683-4189
Fax: 757-436-0285

You can help the Area IV staff improve our service by clicking here to provide feedback directly to the ASTC-FO.

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3 MB

Zimbra **rwoody@rkk.com**

FW: Hampton Roads Crossing Study UPC: 106724

From : Scott Smizik (VDOT) <Scott.Smizik@vdot.virginia.gov> Wed, Jun 24, 2015 10:36 AM
Subject : FW: Hampton Roads Crossing Study UPC: 106724 1 attachment
To : Ricky Woody <rwoody@rkk.com>

From: Hallock-Solomon, Michael (VOF)
Sent: Wednesday, June 24, 2015 10:34 AM
To: Smizik, Scott (VDOT)
Cc: Little, Martha (VOF); Baskette, Bradford (VOF)
Subject: Hampton Roads Crossing Study UPC: 106724

Mr. Smizik,

The Virginia Outdoors Foundation has reviewed the three alternatives presented in the project referenced above and described in the attached letter and map. As of 24 June 2015, there are not any existing nor proposed VOF open-space easements within the immediate vicinity of the CBA-1, CBA-2 or CBA-9 corridors as shown on the attached map.

Please contact VOF again for further review if the project area changes or if this project does not begin within 24 months. Thank you for considering conservation easements.

Thanks,
Mike

Mike Hallock-Solomon, AICP
GIS/IT Specialist
Virginia Outdoors Foundation
600 E. Main St., Suite 402
Richmond, VA 23219
(804) 371-0114 office
(804) 337-9780 cell
(804) 225-3236 fax

vdot HR crossing study.pdf
417 KB

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 633D AIR BASE WING
JOINT BASE LANGLEY-EUSTIS VA

OFFICE OF THE COMMANDER
125 Mabry Avenue
Langley AFB VA 23665

Mr. Scott Smizik
VDOT Environmental Division
1401 East Broad Street
Richmond VA 23219

Dear Mr. Smizik

Joint Base Langley-Eustis (JBLE) conducted a thorough review of the Hampton Roads Crossing Study. We see no issues or concerns regarding human or natural resources under JBLE's jurisdiction with respect to the project.

We greatly appreciate the offer to become a Cooperating Agency for this study. Due to minimal environmental impact to JBLE, we respectfully decline.

If you have any questions, please contact Mr. David Jennings of the 633d Civil Engineer Squadron at (757) 764-1082.

Sincerely

MILLER.CAROLIN E.M.1155078711 Digitally signed by MILLER.CAROLINE.M.1155078711 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USAF, cn=MILLER.CAROLINE.M.1155078711 Date: 2015.08.17 17:30:26 -04'00'

CAROLINE M. MILLER, Colonel, USAF
Commander

DEPARTMENT OF THE ARMY
NORFOLK DISTRICT CORPS OF ENGINEERS
FORT NORFOLK 803 FRONT STREET
NORFOLK, VIRGINIA 23510-1096

REPLY TO
ATTENTION OF

June 5, 2012

Eastern Virginia Regulatory Section
NAO-1994-01166
Hampton Roads Harbor/Elizabeth River

Mr. John Simkins
Federal Highway Administration
400 North 8th Street, Room 750
Richmond, Virginia 23219

Mr. Chris Collins
Virginia Department of Transportation
1401 E. Broad Street
Richmond, Virginia 23219

Dear Mr. Simkins and Mr. Collins:

This letter is in response to Mr. Collins' letter dated March 8, 2012. It provides the comments of the Norfolk District Corps of Engineers on the Environmental Assessment (EA) that VDOT has prepared on behalf of the FHWA for Segments 1 and 3 only of the Third Crossing project (locally known as "Patriot's Crossing"), in Hampton Roads, Virginia. Segment 1 will consist of a four-lane bridge-tunnel that extends from the I-564 Intermodal Connector in Norfolk, Virginia, across the Hampton Roads Harbor, to the I-664 Monitor Merrimac Memorial Bridge Tunnel (MMMBT); and Segment 3 will consists of a four-lane highway that extends from Segment 1, across the Craney Island Dredge Material Management Area (CIDMMA) and/or the proposed Craney Island Eastward Expansion area, to connect to Virginia Route 164, in Portsmouth, Virginia. VDOT and FHWA are preparing the EA as a re-evaluation of a portion of the Hampton Roads Crossing Study Final Environmental Impact Statement (HRCS FEIS), completed in 2001. The Norfolk District Corps of Engineers is a cooperating agency in the preparation of documents for this project. The current EA indicates that Segments 2, 4, and 5 of the original HRCS FEIS "are not included in the EA because they are not part of this phase of construction."

We were not able to provide comments within the requested deadline of May 9, 2012, due to the need to review both the current EA and the HRCS FEIS, to which the EA frequently refers, as well as the FEIS for the Corps Craney Island Eastward Expansion project, which lies within a portion of the project corridor.

As you know, our regulations require that we consider a full range of public interest factors and conduct an alternatives analysis in order to identify the least environmentally damaging practicable alternative (LEDPA), which is the only alternative we can authorize. The National Environmental Policy Act (NEPA) provides a broad-based approach to impact balancing. However, NEPA does not contain substantive requirements that compel agencies to choose a particular alternative as is required by Section 404(b)(1) of the Clean Water Act. Compliance

with NEPA requirements may not necessarily translate to compliance with the Section 404(b)(1) guidelines during the Section 404 permit process. The HRCS FEIS concludes that the preferred alternative (CBA 9, or the original Third Crossing project) is the only practicable alternative because it is the only alignment that fully meets the project's purpose and need. However, the term, "practicable" means "available and capable of being done after taking into consideration cost, existing technology, and logistics in light of the project purpose." The principal prerequisite to establishing practicability is to establish the purpose of the proposed activity and to apply the above-mentioned practicability factors with the intent of avoiding significant impacts to aquatic resources, and is not necessarily confined to maximizing the project's purpose. Because of the level of design used to evaluate the alternatives previously, we are unable to identify the LEDPA at this time. VDOT must clearly demonstrate that other alternatives are not practicable for reasons of logistics, technology, cost, or other elements of project viability. Failing this, other alternatives may be considered "practicable" for the Section 404 alternatives analysis.

Project Purpose and Traffic Analysis: The EA states that the project purpose from the FEIS remains valid. That was "to develop and analyze intermodal alternatives that can work together to improve accessibility, mobility, and goods movement in the Hampton Roads metropolitan area to help relieve the congestion that occurs at the existing I-64 Hampton Roads Bridge Tunnel (HRBT)."

We have reviewed the Traffic Technical Memo prepared by Baker and Associates dated February 2, 2012, and have the following comments:

1) Was the new adjacent rail line from APM Terminals to the I-164 and I-664 corridors considered in the traffic analysis? To what degree does this rail line address the transportation needs to and from the ports? Could it be extended to Craney Island, thus minimizing the footprint of the Segment 3 roadway corridor? Are other rail projects either under consideration or construction that would influence the traffic volumes?
2) It is notable on Page 8 of the memo that for the No Build Alternative vs the Build Alternative in Year 2018, while traffic volumes are expected to decrease from 98,900 to 87,400 ADT (-11%) at the HRBT; and from 81,100 to 58,200 ADT (-29%) along I-664 of the Monitor Merrimac Memorial Bridge Tunnel (MMMBT) *south* of Segment 1, they are expected to *increase* from 81,100 to 113,800 (+40%), *north* of Segment 1 on the MMMBT, without any added capacity to the current MMMBT planned. This will result in a peak-hour volume to capacity (v/c) ratio of 1.63 for that section of I-664 (a v/c of 1.0 is considered to be at design capacity.) Therefore, the statement on page 3 of the memo, under "Build Alternative" which states: "The greatest impact as a result of the Build Alternative is seen on I-64…..[which] is expected to see a 11% decline" is not accurate: the greatest impact appears to be a 40% *increase* in traffic along the MMMBT, north of Segment 1.

3) From a Level of Service (LOS) perspective for the Year 2018, of the 17 roadways studied, (including three proposed roads), for both the No-Build Alternative and the Build Alternative, nine of them would have LOS "F" scores. For the Build Alternative for that year, the only roads whose LOS rating improves are VA 164 (Western Freeway), which is expected to improve from LOS E to LOS D; and the MMMBT south of Segment 1, which is expected to improve from a LOS F to LOS D. In addition, comparing the No-Build to Build Alternative for 2018, of the 14 existing roadway segments studied, seven will see a decrease in v/c ratio, six will see an increase in v/c ratio (with the largest increase being at MMMBT north of Segment 1), and one will stay the same. Finally, for that year, the HRBT would function as an LOS F for both the No-Build and the Build Alternatives, though the Build Alternative would reduce its v/c ratio from 1.45 to 1.29. Therefore, it appears that the proposed project will only minimally improve traffic congestion in the target areas, and will improve it only marginally on the HRBT.
4) Most likely, this project cannot be constructed without tolls. However, a toll diversion study was not included as part of the traffic study. This needs to be addressed in the traffic study, because the effects of tolls could alter dramatically traffic patterns and change the outcome of the study.

In terms of the stated purpose and need overall, it appears that the project as proposed may only partially address the stated purpose and need in the original HRCS FEIS. According to the traffic studies for the Years 2018 and 2034, the project will remove 11% and 12%, respectively, of the traffic from the HRBT (again, however, the validity of this is questionable without the toll study). It will improve accessibility for ports, specifically the proposed Craney Island port, NIT, Portsmouth Marine Terminals, and APM Terminals. However, without the intermodal component which originally included an additional tunnel on Segment 1, or any additional rail service on Segment 3, and without knowing when or if the future Segments 2, 4, and 5 of the project will ever be planned or built (which the EA does not address), it is difficult to see how the project as proposed aids in intermodal transportation. In addition, it appears that the benefits of the project will come at the expense of a considerable 40% increase in traffic and congestion on the MMMBT and points north on I-664.

Jurisdictional Determination (JD) for the Project Corridor: The EA indicates that no jurisdictional determination has been done for the parts of Segments 1 and 3 that pass through CIDMMA and through NIT because access to them "was restricted for national security reasons." It acknowledges that impacts to wetlands "may occur" within the Segment 3 footprint on CIDMMA; and the same appears to be true of Segment through NIT. The EA indicates that in 2009, a jurisdictional determination was done for VPA, for the new rail line footprint and the proposed Segment 3 corridor. Please provide the JD to which you refer for Segment 3. In addition, although a full JD for CIDMMA and NIT is not required at this time, VDOT should conduct some ground-truthing on these properties to verify approximate limits of waters of the U.S., including wetlands, in addition to providing the appropriate National Wetland Inventory (NWI) maps and Natural Resources Conservation Service (NRCS) soils mapping for these areas. In order to determine the specific waters of the U.S. and wetland impacts that are required for the

permit process, eventually a full JD must conducted for our review, for any areas within the proposed roadway corridor for which there is no current valid JD. You may coordinate with our Real Estate and Operations Branches to arrange for access to CIDMMA.

Waters of the U.S. Impacts:

1) Subaqueous impacts: The EA does not specify the area of subaqueous bottom and/or intertidal area that will be impacted by dredging for the tunnel or filled for the tunnel island. Instead it states, "water resource impacts were assessed and are similar to the water resource impacts and proposed mitigation reported in the 2001 HRCS FEIS..." In the HRCS FEIS, there are two different tunnel construction design types given. The "benthic habitat" impacts for each were stated as:

   a) Concrete tunnel design: 15 acres filled for an island, and 44 acres dredged
   b) Steel tunnel design: 15 acres filled for an island and 49 acres dredged.

   With the elimination of the two-lane intermodal tunnel, it would seem that the impacts would be less than previously indicated. Please clarify. In addition, we request that an estimation of the existing depths and Cowardin classifications for all subaqueous impact areas be included in the NEPA document.

2) Wetland impacts: The EA indicates that the original alignment for Segment 3 contained 15.7 acres of wetlands. However, the alignment has been shifted to the west and now includes a 500-foot study corridor that contains approximately 35 acres of wetlands. The EA indicates that the alignment had to be shifted to the west to avoid the Coast Guard DGPS Tower, two Coast Guard facilities, and the APM Terminal facilities. Furthermore, it says approximately 14 acres of the wetlands are within the APM property and are currently protected by a deed restriction as mitigation for that project. These stated impacts, of course, do not include areas within CIDMMA and NIT that have not yet been investigated. The EA does not discuss an alternatives analysis nor avoidance and minimization; instead it merely states, "Coordination with the APM Terminal property owners and the appropriate regulatory agencies will be necessary to lift the deed restriction and secure the necessary wetland permits to encroach upon these areas."

3) Stream impacts: Neither the EA nor the FEIS indicates whether or not the project would include stream impacts. Please address this in the NEPA document.

Again, a thorough alternatives analysis pursuant to the 404(B)(1) Guidelines would be needed, and we would need to determine that the project's alignment is the Least Environmentally Damaging Practicable Alternative (LEDPA) before we would consider any encroachment into a deed-restricted mitigation site. The road corridor should avoid wetlands and streams to the

extent practicable, particularly tidal systems. Waters of the U.S., including wetlands, that remain within the corridor should be bridged to the extent practicable to further minimize impacts.

Historic Resources: In our letter dated September 19, 2011, we designated FHWA as the lead Federal agency to fulfill the collective Federal responsibilities under Section 106. The EA indicates that coordination with the Virginia Department of Historic Resources is ongoing. We recommend that all documentation and coordination be included in the NEPA document.

Threatened and Endangered Species: It is our understanding that the FHWA has agreed to act as the lead Federal agency for purposes of compliance with Section 7 of the Endangered Species Act (ESA). Therefore, pursuant to 50 CFR 402.07, the Corps authorizes your agency to conduct Section 7 coordination with the U.S. Fish and Wildlife Service (USFWS) on our behalf as well, concerning potential effects to Federally-listed threatened and endangered species. The EA says, "Additional coordination pursuant to Section 7 of the Endangered Species Act would occur with the U.S. Fish and Wildlife Service." We would like to emphasize that as the lead Federal Agency, FHWA is responsible for completing all coordination pursuant to ESA, regardless of whether it occurs during the NEPA process or during the permitting process. In addition, we recommend that all documentation and coordination, including the IPAC determination, be included in the NEPA document.

Essential Fish Habitat: It is our understanding that FHWA has agreed to act as the lead Federal agency for purposes of compliance with Magnuson-Stevens Fishery Conservation and Management Act (MSA). Therefore, pursuant to 50 CFR 600.920(b), the Corps authorizes your agency to conduct MSA consultation with the National Oceanic and Atmospheric Administration (NOAA) Fisheries on our behalf as well, concerning potential effects to Essential Fish Habitat. The EA indicates that additional coordination pursuant to the MSA "will occur during the Section 401 and 404 (of the Clean Water Act) permitting process." Again, we would like to emphasize that as the lead Federal Agency, FHWA is responsible for completing all coordination pursuant to MSA, regardless of whether it occurs during the NEPA process or during the permitting process. In addition, we recommend that all documentation and coordination, be included in the NEPA document.

Navigation: Effects on navigation are not discussed in the EA or the FEIS, but most of the project's footprint is within navigable waters in a very busy harbor. In addition, the project includes a tunnel underneath a Corps-operated Federal Project Channel. You will need to coordinate with our Operations Branch to determine appropriate design depths for the tunnel, design and locations for the tunnel island, and ways to minimize adverse effects on the Federal channel and navigation during construction. In addition, please coordinate with the U.S. Coast Guard early in this process and prior to design, and include all coordination information in the NEPA document. As you know, Coast Guard authorization will be required for all bridging across navigable waters.

Dredge material disposal site: The EA indicates that the disposal site has not changed since the FEIS. The FEIS indicates that between 1,717,913, to 2,214,059 cubic meters (2,246,945 to 2,895,880 cubic yards) will be dredged for the 6-lane tunnels underneath the Elizabeth River channel, and 4,000 to 7,700 cubic meters (5231 to 10,071 cubic yards) would be dredged to

construct the Elizabeth River tunnel island. (Again, presumably these figures would be somewhat less, as the intermodal tunnel is not included in the EA). The FEIS further indicates that the material "may likely be taken to the CIDMMA for disposal."

However, as per the Norfolk District Commander's Policy Memorandum WRD-01:

> CIDMMA "is for the use of all private interests…accomplishing dredging to support navigation in Norfolk Harbor and adjacent waters. It is intended for the deposit of navigation material dredged from those areas in accordance with House Document No. 563 of the 79th Congress….Material dredged for non-navigation related transportation projects (i.e. bridges and tunnels) will not be accepted unless the material is clean and of a quality needed at CIDMMA for dike construction."

Disposal of the dredged material represents a major aspect of the project with potential for significant impacts and must be addressed in the NEPA document.

Corps-owned property: As previously stated, "Segment 3" will cross the existing CIDMMA and/or the proposed Craney Island Eastward Expansion area. As part of the alternatives analysis, you must coordinate road alignments, design, and ultimately construction with the Corps Operations Branch early in the process to assure that there will be no adverse effects to operations at the existing CIDMMA or to the ongoing expansion of the facility. A real estate agreement must be negotiated with our Real Estate office for any encroachment onto these areas.

Hydrodynamics study: The EA states that the dredging, hydrodynamics, and sediment modeling described in the HRCS FEIS have not changed. However, the HRCS FEIS study only considered the hydrodynamics effects of the Third Crossing project itself. Since that time, three major projects in the vicinity and within the Hampton Roads Harbor and/or the Elizabeth River have either been completed, are currently underway, or otherwise should be considered "committed". They are the Corps Craney Island Expansion, the APM Terminals, and the Midtown Tunnel expansion projects, and their hydrodynamic effects would need to be considered in conjunction with the present project and its future segments. In light of these new conditions, the findings of the study for the HRCS FEIS are no longer applicable and would need to be updated.

The Corps' Craney Island Eastward Expansion project included two hydrodynamics studies: "Three Dimensional Hydrodynamic Modeling Study Craney Island Eastward Expansion, Lower James River and Elizabeth River, Virginia (December 2001)", and "Additional Assessments of the Craney Island Eastward Expansion in the Elizabeth River and Hampton Roads – Hydrodynamic Model Study (January 2005)", which were conducted by the Virginia Institute of Marine Science (VIMS) and reviewed by an interagency committee, including Corps hydraulics and hydrology staff. In the Corps' FEIS, Appendix A "Hydrodynamics Modeling" on page 2, it explains that the studies analyzed the following: tidal range and phase, strength and direction of tidal and tidally-averaged currents, salinity or salinity structure, circulation and flushing ability, and bottom sediment potential. Base conditions in that study consisted of the existing waterway conditions, including: the existing bridge pilings and tunnel islands associated with I-64 and I-664; APM Terminals, with its dredged basin and with ships moored there; and the proposed

Third Crossing project. Specifically, "Option 7" in the Corps' FEIS evaluated the selected alternative of the 580-acre eastward expansion with these base conditions. However, it did not include the effects of the Midtown Tunnel expansion because it was not considered a committed project at that time. But by now, hydrodynamics studies or other analyses may have been completed for the Midtown Tunnel expansion project as well.

Perhaps many of the data and results from these previous studies would be applicable and could be used to reevaluate and update the hydrodynamics study for your project. We recommend that you coordinate with VIMS, Elizabeth River Crossings, the Corps Operations Branch, and others who may have been involved in these studies, to obtain and review them, to determine their applicability to the current project, and to address the cumulative hydrodynamics impacts of all.

Cumulative effects analysis: Council on Environmental Quality (CEQ) regulations require the cumulative impact, or "the incremental impact of past, present, and reasonably foreseeable future impacts" to be considered. These regulations further state that cumulative impacts can result from individually minor but collectively significant actions taken over a period of time.

In addition to cumulative hydrodynamic effects described above, the NEPA document must consider other cumulative environmental impacts, such as impacts to other waters of the U.S., including wetlands. In addition, the cumulative effects assessment should not be limited to including only these three additional projects; the effects of other actions within the watershed should be addressed in the NEPA document as well.

Mitigation: The EA states that the original wetland mitigation site is no longer available, and mitigation will be determined at the permitting phase of the project. However, especially given the potential magnitude of the impacts, and particularly in light of the fact that the acreage of known wetlands within the modified project footprint has more than doubled since the FEIS was completed, some indication of conceptual mitigation should be included at this time. Furthermore, please note that if the Corps eventually concurs that encroachment into the deed-restricted wetland is the LEDPA, wetland mitigation at a higher ratio will likely be required to offset impacts to the deed-restricted wetland, since it is not only wetlands but was also serves as mitigation for another project.

Stream impacts are not mentioned in the EA; it is unclear whether or not the project would impact any and thus would require stream mitigation, but this should be clarified.

The EA mentions that for water resources impacts, mitigation remains the same as in the FEIS. In the FEIS, oyster reef restoration was proposed, and that hard shell clams could be reseeded. It stated that sedimentation could be mitigated using erosion and sediment control measures, water quality monitoring such as was done for the MMMBT project, and that preconstruction sediment quality assessments could be conducted.

However, these measures alone may not be adequate mitigation for the 15 acres of fill and 45-49 acres of dredging of estuarine open water impacts. It might be helpful to refer to the mitigation plan in the Midtown Tunnel expansion project and/or the Corps' Craney Island Expansion FEIS. The Midtown Tunnel project utilized a Habitat Condition Analysis (HCA) which was based on

benthos, fish, sediment quality, water quality, submerged aquatic vegetation (SAV), and shellfish. In the Craney Island Expansion FEIS, in order to quantify loss in habitat productivity and provide a mitigation scale, the Corps utilized a Habitat Equivalency Analysis. We recommend that you explore a methodology similar to these to determine the appropriate mitigation for the subaqueous impact areas. We also recommend that you consult with VIMS, VMRC, and NOAA Fisheries regarding this matter.

Finally, in order to ensure that the NEPA document addresses mitigation in accordance with our new regulations, please refer to the Corps/EPA 2008 "Compensatory Mitigation for Losses of Aquatic Resources, Final Rule." A link to this publication is provided: http://www.epa.gov/owow/wetlands/pdf/wetlands_mitigation_final_rule_4_10_08.pdf

In conclusion, given that eleven years have passed since the FEIS was signed; that other significant impacts have occurred in the watershed since that time; that this project includes potentially 64 acres of subaqueous impact, a project corridor which includes 35 acres of wetlands or more (more than twice as much as originally within the corridor), and dredging and disposal of approximately 2 million cubic yards of material; that the impacts of the remaining Segments 2, 4, 5, which the previous FEIS included may still go forward in the future; and that projects with similar impacts, such as the original MMMBT project and the current HRBTstudy, have previously been and/or are currently being reviewed as EISes; we concur with the Environmental Protection Agency (EPA) that impacts associated with this project are potentially significant. Therefore, this EA with a Finding of No Significant Impact (FONSI), will not be suitable for our purposes. A Supplemental or new EIS should be prepared that addresses all the points outlined in this letter, plus any other updates that need to be made. If FHWA does not determine that impacts are potentially significant and that a Supplemental EIS must be prepared, the Corps will likely have to hire a third-party consultant, at the applicant's expense, to prepare an EIS or Supplemental EIS, if an application is submitted for any portion of the Third Crossing project. We also encourage you to conduct a thorough alternatives analysis as part of your current study to avoid future delays and repetition of effort, particularly given the extent of time that has passed since your prior studies. An alternatives analysis sufficient for the Corps to make a determination of the LEDPA is required in order to make a permit decision.

Thank you for the opportunity to comment. If you have any questions concerning our comments, please contact Ms. Kathy Perdue at 757-201-7218 or kathy.s.perdue@usace.army.mil.

Sincerely,

William T. Walker
Chief, Regulatory Branch