

FREQUENTLY ASKED QUESTIONS

ACRONYMS AND COMMONLY USED TERMS

Cooperating Agencies- A Cooperating Agency is any Federal agency, other than the Lead Agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or alternative. A Cooperating Agency may adopt, without recirculating, the environmental impact statement of a lead agency when, after an independent review of the statement, the Cooperating Agency concludes that its comments and suggestions have been satisfied. This provision is particularly important to permitting agencies, such as the U.S. Army Corps of Engineers, who, as cooperating agencies, routinely adopt USDOT environmental documents.

CTB- The Commonwealth Transportation Board is an 18-member board appointed by the governor. CTB establishes the administrative policies for Virginia's transportation system. The CTB allocates highway funding to specific projects, locates routes and provides funding for airports, seaports and public transportation. It is anticipated that the CTB will identify the Commonwealth's Preferred Alternative for this study.

HRTAC- The Hampton Roads Transportation Accountability Commission (HRTAC) manages the Hampton Roads Transportation Fund (HRTF) revenues for the Hampton Roads region. Comprised of locally elected officials, the commission is charged with determining how funding is invested in transportation projects.

HRTPO- The Hampton Roads Transportation Planning Organization (HRTPO) is the metropolitan planning organization for the Hampton Roads area. It is responsible for planning and programming for the Hampton Roads Metropolitan Planning Area. The HRTPO uses its long-range transportation plan and transportation improvement program to document the studies and projects that are funded in the region.

LEDPA- As required by the 404(b)(1) guidelines, the U.S. Army Corps of Engineers (USACE) can only authorize the Least Environmentally Damaging Practicable Alternative (LEDPA) through its permit process. To be the LEDPA, an alternative must result in the least impact to aquatic resources while being practicable, which means it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. The USACE makes these considerations in light of project purpose and it should also be noted that any consideration of the LEDPA prior to making a permit decision is only a preliminary assessment.

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NEPA- The National Environmental Policy Act of 1969, as amended (NEPA), requires Federal agencies to assess the environmental effects of their proposed actions. Using the NEPA process, agencies evaluate the environmental and related social and economic effects of their proposed actions. Agencies also provide opportunities for public review and comment on those evaluations.

Operationally Independent Section- An operationally independent section is a portion of the work described in the environmental document that can be built and function as a viable transportation facility even if the rest of the work described in the environmental document is never built. Environmental commitments associated with the phase of work to be built must be implemented as part of the project. Multiple contracts developed for bidding by the Owner for contract administration purposes or due to funding shortfalls are generally not considered to be operationally independent. See below under “Alternatives” for additional discussion.

Participating Agencies - Participating Agencies, as defined in 23 USC 139, are those Federal, State, tribal, regional, and local government agencies with an interest in the project. Participating Agencies are identified and involved by the Lead Agency during the scoping process and are tasked with participating in the NEPA process, including the development of Purpose and Need, range of alternatives, and level of detail for analysis.

Preferred Alternative- Refers to the alternative which the lead agency believes would best fulfill its statutory mission, as stated in the project Purpose and Need, with consideration to economic, environmental, technical and other factors. For this SEIS, FHWA and VDOT will work with the Cooperating Agencies to concur on a recommended Preferred Alternative. That recommendation will be presented to the CTB for the CTB to consider as it identifies the Commonwealth’s Preferred Alternative. Once CTB has identified its Preferred Alternative, and the Preferred Alternative is properly documented by the HRTPO, VDOT can request a Record of Decision (ROD) from FHWA identifying the Federal agency’s Preferred Alternative/selected action.

ROD- Record of Decision, is the Federal action that completes the NEPA process. A ROD must be issued before VDOT can advance with design and construction. While FHWA issued a ROD on this study in 2001, the SEIS is re-evaluating the assumptions and decisions that led to that action. FHWA cannot issue a ROD until funding is identified for construction of an operationally independent section is identified in the Hampton Roads Transportation Planning Organization’s Constrained Long Range Plan and the next subsequent phase (i.e.; post-NEPA) is funded in the Transportation Improvement Program. Once addressed, a ROD can be issued and the project can proceed to the next phase.

SEIS- A Supplemental Environmental Impact Statement (SEIS) is the document being prepared for this study, in accordance with the National Environmental Policy Act and related regulations. The SEIS will re-evaluate the 2001 Final EIS and ROD for the study. FHWA and VDOT have agreed that an SEIS is the appropriate NEPA document for the study, given the time that has

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lapsed since the FEIS was completed and due to the changes that have occurred in the study area during that time. There will be both a Draft and Final SEIS.

OVERVIEW / BACKGROUND

1. What is the Hampton Roads Crossing Study (HRCS) Supplemental Environmental Impact Statement (SEIS)?

The SEIS is a re-evaluation of the 2001 Final Environmental Impact Statement (FEIS) and Record of Decision (ROD). The 2012 Hampton Roads Bridge Tunnel (HRBT) Draft Environmental Impact Statement (DEIS) and 2013 Environmental Assessment partial re-evaluation of the HRCS also will be used to inform the HRCS SEIS. These studies were prepared in accordance with the National Environmental Policy Act (NEPA) and related laws and regulations. This SEIS will revisit and revise the assumptions and data used in the previous studies. The re-evaluation will be based on newly collected data and modern methodologies and techniques. The study will include updated information on natural, historic, and social resources and consider up-to-date engineering and scientific standards. The information made available to the public and decision makers through this study will supplement the previous documentation and provide a current basis for a decision.

2. Why do we need another study?

Before VDOT can advance with detailed design, procurement, or construction of an alternative, the Federal Highway Administration (FHWA) must make a NEPA decision. While FHWA issued a NEPA decision on the study in 2001, FHWA and VDOT have agreed that enough time has passed that an SEIS is required to reevaluate the assumptions and information that informed this decision.

PURPOSE AND NEED

3. What is a Purpose and Need?

The Purpose and Need documents the conditions FHWA and VDOT aim to address through the HRCS. The Purpose and Need, which is documented in the first chapter of a NEPA document, is essential in establishing a basis for the development of the reasonable range of alternatives required in an EIS and assists with the identification and eventual selection of a Preferred Alternative.

4. Has the Purpose and Need changed since the 2001 FEIS?

As part of the SEIS, FHWA and VDOT are updating the Purpose and Need as described in the 2001 FEIS. This update includes input from the public during the first Citizen Information Meetings (CIMs), review of updated data and documents, and input from the Cooperating and

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Participating Agencies. Since 2001, FHWA and VDOT have formalized the outline for a Purpose and Need chapter, therefore the 2013 version also looks different than the 2001 document. The updates to the Purpose and Need are summarized below.

2001 FEIS:

Project Purpose:

The primary project purpose is 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.

Project Needs Supporting The Project Purpose:

- The combination of the decreasing performance of the transportation system and increasing pressure due to growth in population and employment, emphasizes the need to develop intermodal alternatives that can work together to improve accessibility, mobility, and goods movement in the Hampton Roads area.
- There is a need to address the decreasing performance of the transportation system in a manner which will positively contribute to the most effective utilization of transportation investments that have already been made in the region.
- Of equal importance in planning for transportation needs in the Hampton Roads area is environmental protection and enhancement.

SEIS:

Updated Project Purpose:

The purpose of the HRCS is to relieve congestion at the I-64 HRBT 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. The HRCS will address the following needs (in the order of presentation in the Purpose and Need section):

Project Needs Supporting The Updated Project Purpose:

- Accommodate travel demand – capacity is inadequate on the study area alignments, contributing to congestion at the HRBT;
- Improve transit access – there is a lack of transit access across the Hampton Roads waterway;
- Increase regional accessibility – limited number of water crossings and inadequate highway capacity and severe congestion decrease accessibility;
- Address geometric deficiencies – insufficient vertical and horizontal clearance at the HRBT contribute to congestion;
- Enhance emergency evacuation capability – increase capacity for emergency evacuation, particularly at the HRBT;

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- Improve strategic military connectivity – congestion impedes military movement and missions; and,
- Increase access to port facilities – inadequate access to interstate highway travel in the study area impacts regional commerce.

5. What is the status of the Purpose and Need?

Chapter 1 of the SEIS has been drafted and reviewed by FHWA, VDOT, and the Cooperating Agencies. These agencies have concurred on the basic elements of the Purpose and Need, illustrated above in the seven bullets. Following this concurrence, the draft chapter was distributed to all Cooperating and Participating Agencies for review and comment. Based on these comments, the chapter will be revised and incorporated into the SEIS.

ALTERNATIVES

6. What Alternatives are being considered?

The three alternatives retained for analysis in the original FEIS are being re-evaluated as part of this SEIS. In addition, a potential fourth alternative has been identified which captures elements of all alternatives.

Alternative A

- Based on CBA-1 from the 2001 FEIS
- Improvements to I-64 from I-664 in Hampton to I-564 in Norfolk
- New crossing parallel to the existing HRBT
- *Improvements would be largely confined to existing right of way*

Alternative B

- Based on CBA-2 from the 2001 FEIS
- Provides the same improvements to I-64 as Alternative A
- Improvements to I-564 from I-64 in Norfolk and across the Elizabeth River via a new bridge/tunnel
- New roadway along the east side of Craney Island to Route 164 in Portsmouth
- *Improvements to Route 164*

Alternative C

- Based on CBA-9 from the 2001 FEIS
- Improvements to I-564 from I-64 in Norfolk and across the Elizabeth River via a new bridge/tunnel
- New roadway along the east side of Craney Island to Route 164 in Portsmouth
- Widen I-664 from I-64 in Hampton to I-264 in Chesapeake, including a new crossing parallel to the I-664 MMBT and between I-664 and I-564, north of Craney Island

Alternative D

- Based on a combination of Alternatives B and C

Note: Italicized items have been modified since the 2001 FEIS.

7. Is there a Preferred Alternative?

No. The 2001 FEIS and ROD identified Alternative C as the Preferred Alternative. As part of this re-evaluation, that designation has been removed and all alternatives are being evaluated equally.

8. Will one of the Retained Alternatives be selected as the Preferred Alternative?

Each alternative is anticipated to be comprised of several operationally independent sections. When it comes time to identify a Preferred Alternative, decision makers may decide to implement individual elements of an alternative that balances cost, impacts, and the alternatives effectiveness at meeting the Purpose and Need. The combination of sections could result in a hybrid alternative or sections from multiple alternatives could be linked together to create a new build alternative not evaluated as a stand-alone alternative in the SEIS. Should decision makers select a new or hybrid alternative as the Preferred Alternative, it will be presented in the Final SEIS.

PUBLIC INVOLVEMENT

9. Will the public have the opportunity to influence the alternatives/resources the SEIS focuses on?

Yes, public input has been solicited since the study began and will continue throughout the study process. In June, 2015 FHWA issued a Notice of Intent (NOI) to prepare the SEIS in the Federal Register. As part of the NOI, FHWA solicited input on issues that should be considered in the study.

During that timeframe, VDOT held CIMs on July 21, 2015 in Norfolk and on July 22, 2015 in Hampton. Comment sheets were made available and were accepted prior to, during, and following the CIMs.

In addition to the comment sheet that was provided at the July 2015 CIMs, an online survey was administered via the study web site and at locations in Hampton Roads. Over 1,300 surveys were completed during this time. The survey included over 50 unique questions designed to gather feedback from people who use the existing facilities and travel in the study area. The results of the survey will inform the SEIS.

Throughout the course of the study, materials from the CIMs, and other project updates may be found on the study web site: www.HamptonRoadsCrossingStudy.org. When future public meetings are scheduled, local newspapers and other media outlets will be used to notify the public. Citizens can stay informed by requesting to be added to the project mailing list on the web site. The web site also provides an option to submit comments to VDOT at any time.

10. When are the next public meetings scheduled?

The Alternatives CIMs are scheduled for December 9, 2015 at the Ocean View Elementary School in Norfolk and December 10, 2015 at the Captain John Smith Elementary School in Hampton. VDOT is seeking input from the public on the range of alternatives to be evaluated in the SEIS.

Following the CIMs, VDOT will provide periodic briefings to the Hampton Roads Transportation Planning Organization (HRTPO), the Hampton Roads Transportation Accountability Commission (HRTAC), local governments, and other groups. Many of these briefings will be conducted in meetings that are open to the public. After the publication of the Draft SEIS in August 2016, Location Public Hearings will be held (September 2016) to present the findings of the study and solicit input on a Preferred Alternative.

11. How can the public find information on the status of the study?

Updates will be posted to the study web site: www.HamptonRoadsCrossingStudy.org. Through the web site, citizens may request to be added to the project mailing list to receive periodic email updates on the study status. When future public meetings or public reviews are provided, these opportunities also will be published in local newspapers and other media outlets.

12. What public agencies are involved in the study?

FHWA and VDOT serve as the lead agencies for the study. Cooperating Agencies are Federal agencies, other than a lead agency, that have jurisdiction by law or special expertise with respect to any environmental impact resulting from the project. The following agencies have accepted invitations to be Cooperating Agencies: City of Hampton, City of Newport News, City of Norfolk, City of Portsmouth, City of Virginia Beach, Federal Transit Administration, National Oceanic and Atmospheric Administration, US Army Corps of Engineers, US Coast Guard, US Environmental Protection Agency, and the US Navy. Participating Agencies are those with an interest in the project. Several dozen Federal and state agencies and groups, as well as the localities within and adjacent to the study area, have been invited to be Participating Agencies for the study.

SCHEDULE / NEXT STEPS

13. What is the study status?

- The Purpose and Need has been drafted and reviewed by the Cooperating and Participating Agencies. The primary elements of the purpose and need have been identified (see Question 4 of this FAQ) and are being used to evaluate potential alternatives.
- Field work to gather existing information in the study area, including traffic counts, wetland information, and potentially historic properties is underway.
- Field work will continue on into early 2016 and will require another set of property owner notification letters to be distributed in December 2015.
- VDOT will be hosting a Participating Agency meeting on December 3rd and CIMs on December 9th and 10th.
- FHWA, VDOT, and the Cooperating Agencies are seeking input from the Participating Agencies and the public to identify alternatives that should be retained for analysis in the SEIS. Input received during the December 2015 CIMs and Participating Agency meeting will inform these efforts.

14. What are the next steps after the Alternatives CIM?

After the Alternatives CIM, FHWA, VDOT, and the Cooperating Agencies will concur on those alternatives that should be retained for analysis in the study. Data collection of the existing environmental conditions will be completed to allow for potential impacts of each proposed alternative to be assessed. These analyses will be documented in the Draft SEIS which is scheduled to be published and made available for public review and comment in August 2016. This review will include Location Public Hearings, tentatively scheduled for September 2016, to provide the public with a formal opportunity to comment on the Draft SEIS.

15. How long will the study take?

VDOT initiated the study in June 2015. The Draft SEIS is scheduled to be released for a 45-day public review in August 2016. At that time, it will be made available for public comment and presented at Location Public Hearings to be held in September 2016. Following the public review, the Commonwealth Transportation Board (CTB) will be briefed on the study, the public input received, and the alternative the Cooperating Agencies believe to be the Preferred Alternative. It is anticipated that, following this briefing, CTB will identify a Preferred Alternative. A Final SEIS will be published to document the Preferred Alternative and respond to comments received on the Draft SEIS. The Final SEIS is scheduled to be published in spring of 2017. Once the Preferred Alternative is properly documented in the HRTPO Long-Range Transportation Plan, the HRTPO Transportation Improvement Program, and the Statewide Transportation Improvement Program, VDOT can request a ROD from FHWA to complete the NEPA process. FHWA and VDOT anticipate completing the NEPA process through phased RODs. This will allow HRTPO and HRTAC to allocate available resources to specific sections of the Preferred Alternative and advance the given section through the design and construction process.

16. What happens when the study is completed?

Once a ROD is issued for a section of the Preferred Alternative, VDOT may proceed with detailed design and construction activities to advance the section.

17. Could properties be affected?

The study will identify properties that could be impacted by the proposed alternatives. Right of way impacts will be documented in the Draft SEIS and presented during the Location Public Hearings. Final impacts cannot be determined until a given section of the Preferred Alternative undergoes detailed design. Once FHWA has issued a ROD for the given section, VDOT may advance to this detailed design. At that time final property impacts would be determined.

18. How will the Preferred Alternative be identified?

Following the comment period on the Draft SEIS, FHWA and VDOT will share public comments received on the draft with the Cooperating Agencies. Information provided in the public comments, coupled with the findings of the NEPA study, will be used to allow the agencies to concur on a recommended Preferred Alternative. This information also will be used by the U.S. Army Corps of Engineers to make a preliminary assessment regarding the Least Environmentally Damaging Practicable Alternative (LEDPA). As required by the 404(b)(1) guidelines, the Corps of Engineers can only authorize the LEDPA through its permit process. To be the LEDPA, an alternative must result in the least impact to aquatic resources while being practicable, which means it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes. The USACE makes these considerations in light of project purpose and it should also be noted that any consideration of the LEDPA prior to making a permit decision is only a preliminary assessment. The identification of the recommended Preferred Alternative will reflect this assessment and will be presented to the Commonwealth Transportation Board.

RELEVANT FAQs CARRIED OVER FROM SCOPING CIMs

19. Does VDOT want to build more projects and toll them?

The SEIS documentation will analyze some of the potential tolling options and the associated impacts; however, a final decision as to if an alternative should be tolled would come through the Commonwealth Transportation Board, Hampton Roads Transportation Planning Organization, and Hampton Roads Transportation Accountability Commission.

20. Do they have to obtain permits for this study?

No permits are required for this study.

21. Does the study now take all the proposed studies and put them under one umbrella?

The SEIS is not an umbrella study. Instead, it is informed by and replaces previous studies and decisions, such as the 2001 HRCS FEIS and ROD, the 2003 and 2013 HRCS re-evaluations, and the 2012 Hampton Roads Bridge Tunnel (HRBT) DEIS. This SEIS will revisit and revise the assumptions and data used in the previous studies. Since the 2001 study, more information has been collected about the study area and methodologies used to complete NEPA studies have been improved. Therefore, the information made available to the public and decision makers through this study will exceed the previous documentation and provide a more informed decision making tool.

22. Will the study make recommendations?

The study process will result in the identification of a Preferred Alternative that can be advanced to final design and construction as a series of independent projects. The study also will document specific commitments that are to be achieved during the final design and construction phases.

23. If so, who will decide the fate of those recommendations?

The Commonwealth Transportation Board will identify the Preferred Alternative for the study. CTB's action will be informed by public comments received on the Draft SEIS; potential resolutions passed by HRTPO, HRTAC, and localities within the study area; and a recommendation by FHWA, VDOT, and the Cooperating Agencies.

24. Why can't you just use the old EIS?

FHWA and VDOT are in agreement that enough time has passed since the 2001 FEIS and ROD were issued that an SEIS is required. This document will consider changes that have occurred to land uses, populations, traffic patterns, and other transportation improvements and make use of more recent analysis methodologies.

25. Why did you let the old study expire?

The previous study has not "expired." Since the issuance of the 2001 ROD, no element of the Preferred Alternative has been advanced to design and construction. FHWA and VDOT have concurred that, given the time that has passed without any action being taken, the previous study should be reevaluated through the SEIS.

26. Could any recommendations result in a PPA?

Any analysis of a potential PPA would be conducted by Virginia's Office of Public and Private Partnership and be conducted independently of the NEPA study.

27. Why now?

In 2014, HRTAC identified the previously identified Preferred Alternative in its list of priority projects. HRTAC provided the proper funding for the study to be documented in the HRTPO Long Range Transportation Plan (LRTP). These actions prompted VDOT and FHWA to initiate the SEIS.