



Commonwealth Transportation Board

I - 395 Corridor Improvements
I - 95 Southern Terminus Extension

January 17, 2017

Susan Shaw, Megaprojects Director

395/95 Corridor Improvements

- **Actions and Next Steps**
 - Final NEPA Decision by FHWA
 - Designate HOT Lanes
 - Specify HOV requirements
 - VDOT to finalize amendments to the 95 Comprehensive Agreement with 95 Express Lanes, LLC (95 Express)
 - VDOT to enter into a Memorandum of Understanding with FHWA concerning tolling the 95/395 HOT Lanes

395 Express Lanes Project Scope

- Expand and convert the two existing reversible High Occupancy Vehicle (HOV) lanes to three managed High Occupancy Toll (HOT) or Express Lanes for approximately eight miles from Edsall Road to the vicinity of Eads Street near the Pentagon
- Provide improved connections between the proposed I-395 Express Lanes and Eads Street
- Install signage, toll systems, and an Active Traffic Management System
- Provide \$15 Million annual transit payment
- Provide sound walls



Environmental Assessment Findings

Environmental Resource	Resource Summary
Property Impacts	No relocations or displacements. 5.3 acres of right of way acquisition and/or easements.
Environmental Justice	No disproportionate impacts.
Land Use, Community Facilities, and Recreational Resources	No substantial impacts.
Cultural Resources	No adverse effect. 5.91 acres of property may be impacted by noise barriers.
Air Quality	No adverse impacts to ambient air quality and no violation of NAAQS.
Noise	Impact to 2,857 noise-sensitive receptors. 8.1 miles of barriers have preliminarily been identified as being feasible and reasonable.
Wetlands and Streams	Impacts to 0.004 acres of wetlands.
Floodplains	Impacts to 0.09 acres of 100-year floodplains and 0.01 acres of 500-year floodplains.
Wildlife and Habitat	Minimal Impact.
Threatened, Endangered, and Special Status Species	No adverse effects to the Northern Long Eared Bat and the Dwarf Wedgemussel. Anadromous Fish Use areas mapped downstream of the study area may require time-of-year restrictions.
Hazardous Materials	8 sites of elevated environmental concern. Sites will be managed and handled in accordance with federal, state, and local procedures.
Indirect and Cumulative Effects	Minimal impacts since the proposed improvements are to an existing facility within existing right of way in an environment that is highly developed.
Section 4(f)	If right of way impacts occur to historic properties, the Section 4(f) use would likely be considered a de minimis impact.

I-395 Corridor Improvements Public Involvement

- 5 public meetings to present findings of the draft Environmental Assessment and environmental documents
 - **Monday, October 24, 2016**, Wakefield High School, Arlington, VA
 - **Tuesday, October 25, 2016**, Francis C. Hammond Middle School, Arlington (Focus on 395 Widening)
 - **Wednesday, October 26, 2016**, Francis C. Hammond Middle School, Alexandria
 - **Wednesday, November 30, 2016**, Bren Mar Park Elementary School, Alexandria
 - **Thursday, December 1, 2016**, Robert E. Lee High School, Springfield
- 23 briefings with 17 homeowners' associations
- Briefings to local jurisdiction elected officials
- Through December 2016, reached more than 500 attendees



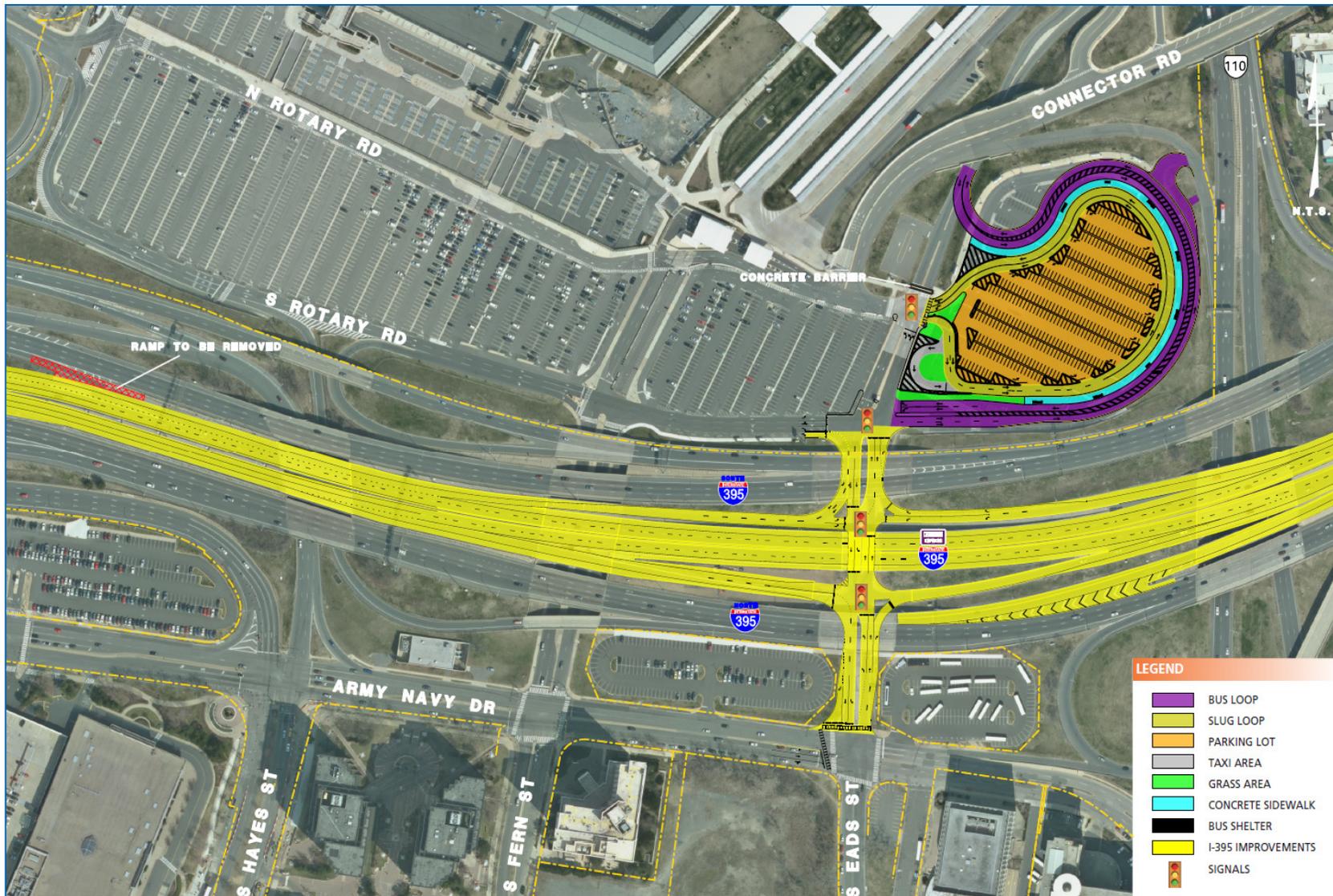
Key Themes From Public Comments

940 comments during official comment period

- Support and opposition of new noise walls along I-395
- Clarification about VDOT's partnership with Transurban on project
- Operational safety of a three 11-foot lanes, one wide shoulder
- High toll rates and HOV lane restrictions (hours extended)
- Questions about whether express lanes will improve congestion
- Importance of multimodal approach
- Impact of construction and noise to community
- Support from some residents, Luna labor union, and elected officials
- Support for widening I-395 general purpose lanes
- Limitations of reversible system to meet diverse travel demand
- Impacts to specific intersections

I-395 Corridor Improvements

Pentagon Multimodal Improvements

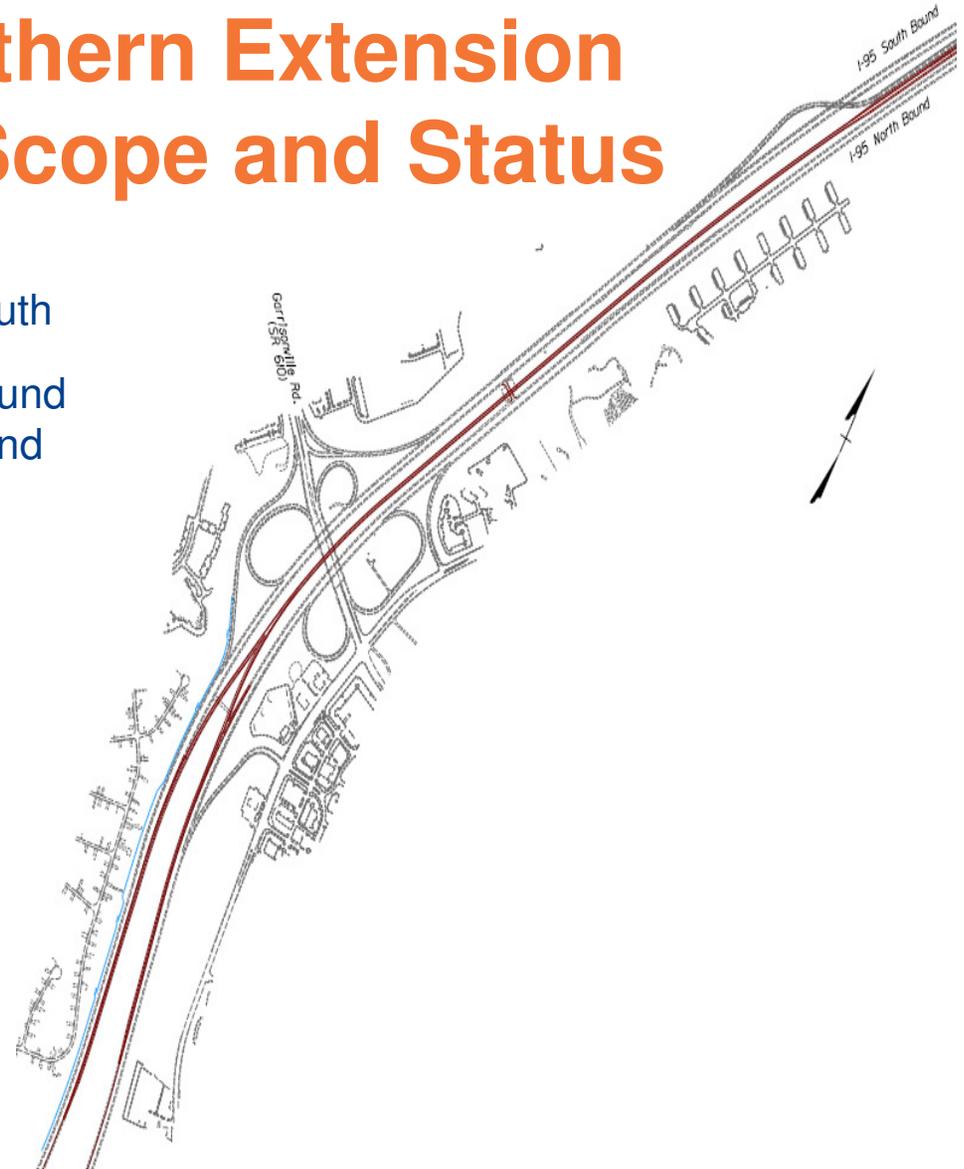


95 Southern Extension Project Scope and Status

- Construct 2.2-mile reversible lane to extend Express Lanes toward the south
- Create new northbound and southbound ramps between the Express Lanes and general lanes

Key Milestones

- Dec 2015 – Framework Agreement
- May 2016 – Amendment to Comprehensive Agreement
- May 2016 - CTB award of \$31 Million Design-Build Contract , managed by VDOT, includes \$25 million from 95 Express
- Fall 2017 – Open Southbound ramp
- Summer 2018 – Open Northbound ramp



Tolling Memorandum of Understanding (MOU)

- In 2012, VDOT entered into a Tolling Agreement with FHWA for the I-95 Express Lanes in accordance with federal requirements
- Since that time, tolling agreements are no longer required in accordance with MAP-21 and the FAST Act
- With the addition of the STE and I-395 Northern Extension HOT Lanes, FHWA and VDOT plan to enter into a tolling MOU for the congestion pricing strategy
- The draft resolution:
 - Confirms that the HOT Lanes will meet the federal toll eligibility requirements
 - VDOT will assure compliance with federal requirements
 - Terminate the existing Tolling Agreement

Designation as HOT Lanes

- Section 33.2-502 of the *Code of Virginia* requires the CTB to designate HOT lanes and to specify the high-occupancy requirement for use of the HOT lanes as HOV lanes by certain users
- The draft resolution:
 - Designates both the STE and I-395 Northern Extension as HOT lanes
 - Establishes the high occupancy requirement as HOV-3 matching the existing I-95 Express Lanes
 - Authorizes the Commissioner to establish the conditions for use of the STE and I-395 Northern Extension
 - Acknowledges the Commissioner negotiating with 95 Express LLC to finalize amendments for the I-395 HOT Lanes



Comprehensive Agreement Amendments

- Demonstrate public benefit
- Responsibilities shared between the public and private partner

VDOT and DRPT	95 Express
Environmental Assessment and Traffic Studies	Preliminary Engineering and Design
Federal, State and Local Agency Coordination	Construction and environmental permits
Fund VDOT elements	Finance Project and Annual Transit Payment
Transit/TDM Study	Design-Build Procurement
Public Outreach to Support Environmental Assessment	Community and Public Outreach for I-395 Express Lanes
Snow Removal	Operations and Maintenance

95/395 Corridor Improvements Key Milestones and Next Steps

Key Milestones	Begin Dates
Final Transit/TDM Study	January 2017
Final NEPA Decision	February 2017
CTB Actions to Designate HOT Lanes, HOV Requirement and Authorize Tolling MOU	February 2017
Contract Amendment(s)	February 2017
Commercial Close	Spring 2017
Financial Close	Mid 2017
Begin Construction	2017
Project Completion	2020



**RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD**

, 2017

MOTION

Made By: Choose an item., **Seconded By:** Choose an item.

Action:

Title: Authorization for the Commissioner of Highways to Enter into a Memorandum of Understanding with the Federal Highway Administration Concerning Tolling of the I-95 HOV/HOT Lanes, as Extended

WHEREAS, on July 31, 2012, pursuant to the Public Private Transportation Act of 1995 (Va. Code 33.2-1800 *et seq.*), the Virginia Department of Transportation (the “Department”) and 95 Express Lanes, LLC entered into a comprehensive agreement (the “Comprehensive Agreement”), relating to the I-95 HOV/HOT Lanes Project to develop, design, finance, construct, maintain, and operate 29 continuous miles of HOT lanes (or Express Lanes) on Interstates 95 and 395 (the “95 HOT or Express Lanes”) in Virginia; and

WHEREAS, on June 27, 2012, the Department and United States Department of Transportation entered into an agreement (“Agreement”) to permit tolls to be charged for the I-95 HOV/HOT Lanes Project.

WHEREAS, the Department now desires to extend the 95 HOT/Express Lanes 2.2 miles to the south (the “I-95 Express Lanes Southern Terminus Extension”) and eight miles to the north (the “I-395 Express Lanes Northern Extension collectively, the I-95/395 HOV/HOT Lanes Project; and

WHEREAS, the Federal Highway Administration (“FHWA”) requires the Department to enter into a tolling memorandum of understanding (Tolling MOU) collectively governing tolling for the existing I-95 HOT/Express Lanes and the I-95/395 HOV/HOT Lanes Project, and

WHEREAS, a Tolling MOU would require the Department to comply with mandatory federal requirements that apply to tolling of the I-95/395 HOT Lanes; and

WHEREAS, this Tolling MOU will replace the Agreement signed on June 27, 2012; and

WHEREAS, the Commonwealth Transportation Board (“CTB”) is authorized under Va. Code §33.2-221(A) to enter into contracts and agreements with the United States government.

NOW, THEREFORE, BE IT RESOLVED: that the CTB hereby authorizes the Commissioner of Highways to execute a Tolling MOU between the Department and FHWA, governing the tolling of the 95/395 HOT Lanes, to include existing 95 HOT/Express Lanes as well the I-95

Resolution of the Board

Authorization for the Commissioner of Highways to Enter into a Memorandum of Understanding with the Federal Highway Administration Concerning Tolling of the I-95 HOV/HOT Lanes, as Extended
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Express Lanes Southern Terminus Extension and I-395 Express Lanes Northern Extension, as set out in Attachment A, with such changes as the Commissioner deems necessary or appropriate.

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RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD
, 2017
MOTION

Made By: _____ Seconded By: _____

Action: _____

Title: Designation of the I-95 Express Lanes Southern Terminus Extension and the I-395 Express Lanes Northern Extension as HOT Lanes

WHEREAS, pursuant to the Public-Private Transportation Act of 1995 (“PPTA”), (*Code of Virginia* §§33.2-1800 *et seq.*), the Virginia Department of Transportation (the “Department” or “VDOT”) is granted the authority to allow private entities to develop and/or operate qualifying transportation facilities; and

WHEREAS, on July 31, 2012, pursuant to the PPTA, the Virginia Department of Transportation (the “Department”) and 95 Express Lanes, LLC entered into a comprehensive agreement, relating to the I-95 HOV/HOT Lanes Project to develop, design, finance, construct, maintain, and operate 29 continuous miles of HOT lanes on Interstates 95 and 395 (the “95 HOT Lanes”) in Virginia (the “Comprehensive Agreement”); and

WHEREAS, section 33.2-502 of the *Code of Virginia* provides that the Commonwealth Transportation Board (CTB) may designate one or more lanes of any highway including lanes previously classified as HOV lanes, in the Interstate System, primary state highway system, or National Highway System, or any portion thereof, as HOT lanes; and

WHEREAS, pursuant to section 33.2-502, in making HOT lanes designations, the CTB is required to also specify the high-occupancy requirement and conditions for use of such HOT lanes or may authorize the Commissioner of Highways to make such determination consistent with the terms of a comprehensive agreement executed pursuant to § [33.2-1808](#), however, the high-occupancy requirement for a HOT lanes facility constructed or operated as a result of the PPTA shall not be less than three.

WHEREAS, by Resolution dated September 17, 2014 the CTB designated certain lanes that run from approximately two miles north of the Capital Beltway near Turkeycock Run,

Resolution of the Board

Designation of the I-95 Express Lanes Southern Terminus Extension and the I-395 Express Lanes Northern Extension as HOT Lanes

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milepost 2.0 on Interstate 395, at the northern terminus, to Garrisonville Road (VA Route 610) near milepost 143.6 on Interstate 95 at the southern terminus as HOT Lanes; and

WHEREAS, on May 2, 2016, the Department entered into an amendment (the “First Amendment”) to the Comprehensive Agreement to extend the 95 HOT Lanes south 2.2 miles by constructing one reversible HOT lane and adding new HOT lane access points (the “I-95 Express Lanes Southern Terminus Extension”); and

WHEREAS, the Department also desires to amend the Comprehensive Agreement to convert the existing I-395 HOV lanes to HOT Lanes from Turkeycock Run to the Washington D.C. line for a distance of approximately eight miles, and to construct one additional reversible lane which is intended to also be designated as a HOT lane within the current footprint of the reversible HOV lanes from Turkeycock Run to 0.5 miles south of Eads Street (the “I-395 Express Lanes Northern Extension”); and

WHEREAS, the Department intends for the I-395 Express Lanes Northern Extension, and the I-95 Express Lanes Southern Terminus Extension to be tolled using congestion pricing; and

NOW, THEREFORE, BE IT RESOLVED that the CTB hereby designates the I-95 Express Lanes Southern Terminus Extension and the I-395 Express Lanes Northern Extension as HOT Lanes, in accordance with Va. Code §33.2-502, to be implemented upon issuance of a “Service Commencement Notice to Proceed” pursuant to the Comprehensive Agreement, as amended.

BE IT FURTHER RESOLVED that the CTB hereby specifies the high-occupancy requirement for the I-95 Express Lanes Southern Terminus Extension and the I-395 Express Lanes Northern Extension as HOV-3, in accordance with Va. Code §33.2-502, to be implemented upon issuance of a “Service Commencement Notice to Proceed” pursuant to the Comprehensive Agreement, as amended.

BE IT FURTHER RESOLVED that the CTB hereby acknowledges the Commissioner of Highways, in the interest of the public, is continuing to negotiate in good faith with 95 Express Lanes, LLC to amend the Comprehensive Agreement to develop, design, finance, construct, maintain, and operate the I-395 Express Lanes Northern Extension.

BE IT FURTHER RESOLVED that the CTB hereby authorizes the Commissioner of Highways to establish the conditions for use of the I-95 Express Lanes Southern Terminus Extension and I-395 Express Lanes Northern Extension in accordance with the terms and conditions of the Comprehensive Agreement, as amended.

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