

INTERSTATE 395 EXPRESS LANES NORTHERN EXTENSION

RIGHT OF WAY

TECHNICAL REPORT | SEPTEMBER 2016



ExpressLanes



INTERSTATE 395 EXPRESS LANES NORTHERN EXTENSION

Right of Way Technical Report

City of Alexandria, and Arlington and Fairfax Counties
Project Number: 0395-969-205, P101; UPC: 108313
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List of Acronyms

| | |
|----------|---------------------------------------|
| CE | Categorical Exclusion |
| EA | Environmental Assessment |
| FHWA | Federal Highway Administration |
| HOT | High Occupancy Toll |
| HOV | High Occupancy Vehicle |
| I-395 | Interstate 395 |
| NB | Northbound |
| NHS | National Highway System |
| PPTA | Public Private Transportation Act |
| SB | Southbound |
| STRAHNET | Strategic Highway Network |
| VDOT | Virginia Department of Transportation |

1. INTRODUCTION

The Virginia Department of Transportation (VDOT), in cooperation with the Federal Highway Administration (FHWA), has initiated a study for the Interstate 395 (I-395) Express Lanes Project (Northern High Occupancy Toll [HOT] Lanes) to extend the I-95 Express Lanes in the City of Alexandria, and Arlington and Fairfax Counties, Virginia. Pursuant to the National Environmental Policy Act of 1969, as amended (NEPA), and in accordance with FHWA regulations, an Environmental Assessment (EA) has been prepared to analyze and document the potential social, economic, and environmental effects associated with the proposed transportation improvements.

The purpose of this Technical Report is to document where easements or right of way may be required for the construction of this project, based on the Design-Build documents that are concurrently being prepared.

- **Section 1** provides an overview of the study and purpose and need of the project; and,
- **Section 2** summarizes the anticipated right of way required for the project.

1.1 DESCRIPTION OF THE STUDY AREA

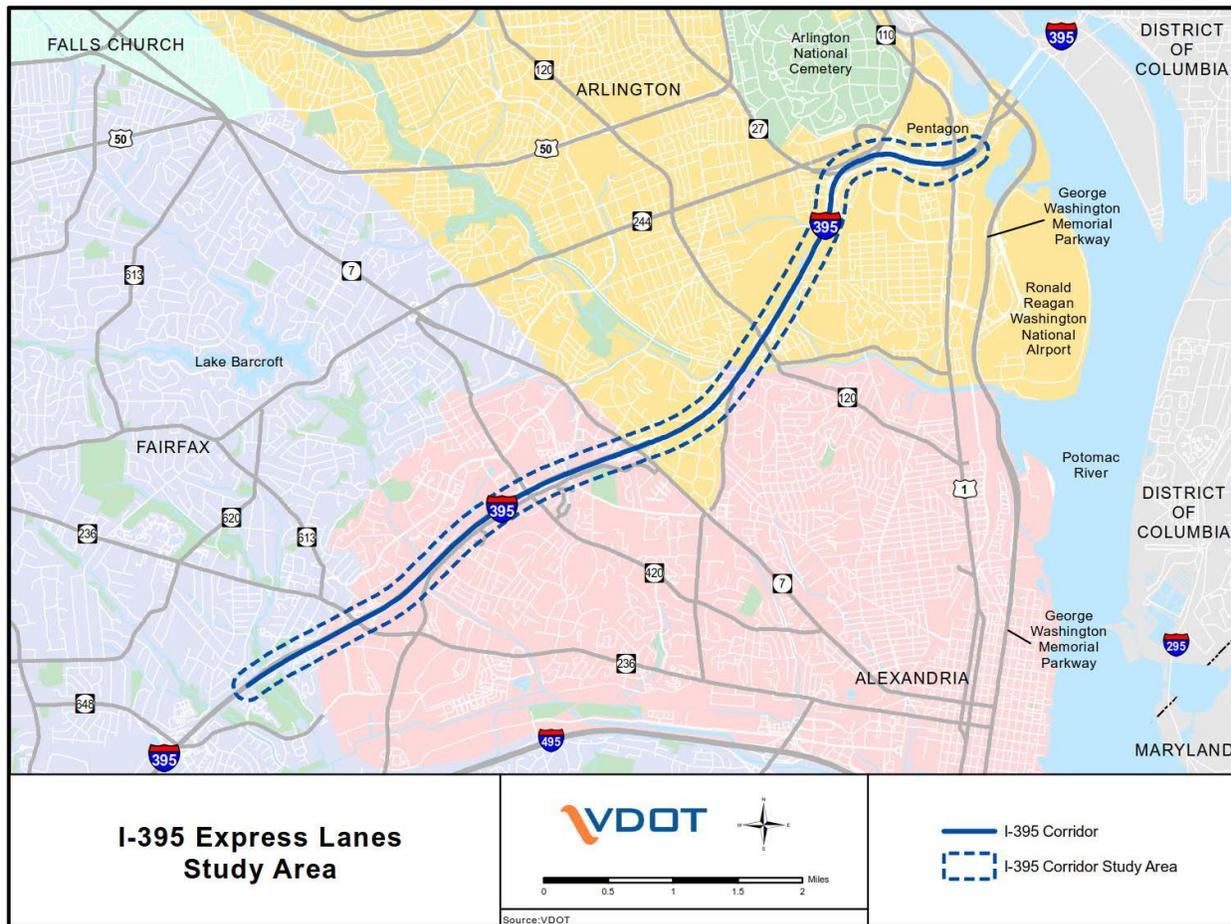
The study area encompasses approximately eight miles of the I-395 corridor from Turkeycock Run in Fairfax County to the vicinity of Eads Street near the Pentagon in Arlington County, as shown in **Figure 1-1**. Transition areas extending slightly beyond these termini are included in order to connect the proposed improvements with the existing facility on either end. Additional signage, maintenance of traffic, and noise barrier activities are anticipated to occur beyond the study area. Crossroads and interchange areas also are included in the study area, as well as lands adjacent to the corridor¹.

The following interchanges along I-395 are located within the study area, moving south to north:

- Turkeycock Run;
- Duke Street/Little River Turnpike (Route 236);
- Seminary Road (Route 420);
- King Street (Route 7);
- Shirlington Road;
- Glebe Road (Route 120);
- Washington Boulevard (Route 27); and
- Eads Street near the Pentagon.

¹ The study area is approximately 600 feet to either side of the existing corridor for a distance of eight miles. The study area was established to identify the full extent of environmental resources and their relevance to the project. Specific potential environmental consequences resulting from the expansion and conversion of the two existing reversible High Occupancy Vehicle (HOV) lanes on I-395 to three managed HOT lanes are documented in **Chapter 3.0, Environmental Consequences** of the EA.

Figure 1-1: Study Area



1.2 BACKGROUND

In 1995, the Public-Private Transportation Act (PPTA) was signed into law and was amended and re-enacted in 2005. PPTA allows for private entities to solicit VDOT to develop and/or operate and maintain transportation facilities that VDOT determines demonstrate a need. In November 2005, the conceptual proposal submitted by Fluor and Transurban was selected by the PPTA Advisory Panel. As proposed at that time, the project improvements would expand the High Occupancy Vehicle (HOV) system in the I-95 / I-395 corridor and apply the HOT concept. As a result of this action, VDOT, in cooperation with FHWA, initiated an environmental analysis on the following proposal:

- Convert the existing two-lane HOV facility to three HOT lanes along I-395 from Eads Street to just south of Route 234 Interchange near Dumfries;
- Construct two new HOT lanes in the median from the existing terminus south of Route 234 to just north of Route 610 (Garrisonville Road);
- Add new entry/exit points between the general purpose lanes and the HOT lanes and modify existing entry/exit points; and

- Build new structures associated with the Lorton Bus-rail transfer station, flyovers, and replace existing structures at Telegraph Road over I-95 and the Franconian-Springfield pedestrian bridge.

In January 2009, FHWA issued a Categorical Exclusion (CE) for the project. In February 2011, VDOT reduced the project scope by eliminating approximately six miles of HOT lanes on I-395 including modifications to the existing interchanges, instead, focusing traffic improvements on the I-95 corridor. VDOT then announced plans for a new I-95 HOT Lanes Project and prepared an EA and then a Revised EA to assess HOT lanes on I-95 from Garrisonville Road in Stafford County to I-395 at Edsall Road in Fairfax County and link those lanes directly to the new I-495 HOT lanes already under construction. In December 2011, upon review of the Revised EA and supporting documentation, FHWA issued a Finding of No Significant Impact.

In 2012, VDOT and 95 Express Lanes, LLC (95 Express) entered into a Comprehensive Agreement for the development of the I-95 Express Lanes. The I-95 Express Lanes project was completed in December 2014. The Comprehensive Agreement allows for the future development of the extension of the I-95 Express Lanes along the I-395 corridor similar to the limits originally proposed in 2005. In 2015, the VDOT signed a Development Framework Agreement with 95 Express to extend the I-395 Express Lanes as a Concessionaire's Enhancement under the Comprehensive Agreement. The Development Framework Agreement outlines the responsibilities of both VDOT and the Concessionaire. The Agreement notes that improvements would be built largely within VDOT's existing right of way, VDOT and 95 Express would work together to finalize the scope, finance plan and agreement, and 95 Express would fund an annual transit payment.

1.3 EXISTING CONDITIONS

The I-395 corridor begins at the I-95 / I-495 Capital Beltway Interchange and ends at the New York Avenue NW (Route 50) intersection in northwest Washington, D.C, an approximate distance of 14 miles. I-395 is part of the National Highway System (NHS)² and the Strategic Highway Network (STRAHNET)³. Additionally, I-395 is the primary north-south interstate into Washington, D.C. from Virginia serving local, commuter, and regional traffic. The existing I-395 facility within the study limits generally includes four northbound (NB) and four southbound (SB) general purpose lanes and two reversible HOV lanes between the NB and SB general purpose lanes. The HOV lanes operate in the NB direction between 2:30 AM and 11:00 AM with HOV 3+ restrictions in effect from 6:00 AM to 9:00 AM. The HOV lanes operate in the SB direction from 1:00 PM to 12:00 AM with HOV 3+ restrictions in effect from 3:30 PM to 6:00 PM. During the summer months, the midday closure of the reversible HOV lanes to reverse the lanes from NB to SB travel occurs one hour earlier, beginning at 10:00 AM to accommodate higher traffic demands in both the general purpose, HOV, and Express Lanes. Nighttime closures remain the same during the summer months.

² NHS consists of major roadways important to the nation's economy, defense, and mobility. The NHS includes the interstate highway system as well as other roads connecting to major ports, airports, public transportation facilities, or other intermodal transportation services (http://www.fhwa.dot.gov/planning/national_highway_system/).

³ STRAHNET is a system of highways important to the United States' strategic defense policy providing defense access, continuity and emergency capabilities for defense purposes (http://www.fhwa.dot.gov/planning/national_highway_system/).

1.4 PURPOSE AND NEED

The Purpose and Need includes consideration of both the base year 2015 and future year 2040 conditions along the I-395 Corridor. Based on the background information discussed above, information gathered during public and agency meetings, and the analysis of recent data collected for this study, the following transportation needs have been identified for the study area:

- Reduce congestion;
- Provide additional travel choices;
- Improve travel reliability; and,
- Improve roadway safety.

1.5 DESCRIPTION OF THE ALTERNATIVES

VDOT and 95 Express have been involved in discussions, reviews, and decisions related to HOT lanes proposals in the I-95/I-395 corridor since 2004. The alternatives development process for this project was shaped by this early coordination between VDOT and 95 Express, the initial project proposal concept and previously completed NEPA documentation and technical studies. The No Build Alternative and the Build Alternative are under consideration for the EA.

No Build Alternative

The No Build Alternative would retain the existing I-395 interstate and associated interchanges in their present configurations, and allow for routine maintenance and safety upgrades, but assumes no major improvements to the I-395 corridor with the exception of the previously committed projects.

Build Alternative

The Build Alternative extends eight miles along I-395 beginning at Turkeycock Run, just north of Edsall Road Interchange, to the vicinity of Eads Street Interchange and converts the two existing reversible HOV lanes to three HOT lanes within the median area between the northbound and southbound I-395 general purpose lanes. Modifications are proposed to the Eads Street Interchange to address existing capacity deficiencies and improve transit access to the Pentagon Transit Center and Pentagon Reservation. All other access points to the proposed HOT lanes along the study corridor would remain in their current configuration, but would be converted to HOT access with the exception of the south facing Seminary Road ramp. The south facing Seminary Road ramp will remain an HOV ramp at all times.

2. RIGHT OF WAY SUMMARY

The objective of this right of way report is to document, and report where easements or right of way may be required for construction of this project based on the Design-Build documents being concurrently prepared⁴. Easements or right of way are anticipated for proposed signage, proposed traffic signals,

⁴ Potential construction easements on the Pentagon Reservation are not included in the estimates at this time, as coordination efforts with Pentagon Officials is still ongoing.

proposed power facilities, proposed noise barriers, and temporary construction areas to accommodate signal installation. Following is a summary of the easements anticipated for each design element.

2.1 SIGNAGE EASEMENTS

There is a potential need for permanent easements for areas where new signage is proposed to be installed on the arterial roads along I-395. Based upon information developed through the National Environmental Policy Act (NEPA) process, approximately 37 new structures are proposed along the project corridor. Twenty-eight of these structures are estimated to be fully within VDOT right of way; while nine structures would be partially or fully outside of VDOT right of way, requiring easements totaling approximately 0.02 acres.

2.2 POWER EASEMENTS

Four service panels are anticipated to require new service for power, with one anticipated to require a new easement consisting of approximately 0.2 acres.

2.3 NOISE BARRIER RIGHT OF WAY OR EASEMENTS

Noise barrier requirements and locations have not been set; however, minor right of way and/or easements may be necessary. Based upon preliminary design, approximately 5.06 acres may be required. This estimate is based on a conservative estimate of the right of way width required to construct and maintain the barriers (approximately 30 feet). During the final design noise analysis, barrier locations would be refined and may be shifted to be fully located within the VDOT right of way.

Of the 5.06 acres of potential right of way/easements potentially required for noise barriers, approximately 2.41 acres have been estimated to be within historic resource properties. **Table 2-1** details the amount of right of way/easement that has been estimated within each historic resource property.

Table 2-1: Potential Noise Barrier Right of Way/Easements within Historic Resource Properties

| Historic Resource Property | Acres of Potential Right of Way/Easements | Noise Barrier ¹ |
|---------------------------------------|-------------------------------------------|----------------------------|
| Parkfairfax Historic District | 0.39 | F-1/F-2 |
| Fairlington Historic District | 1.28 | H/J/I/G-2 |
| Other Historic Resources ² | 0.74 | 1/2, A, D/B/E |
| Total Acres | 2.41 | |

1. Refer to Figure 5-1 of the I-395 Noise Technical Report.
 2. Additional resources were surveyed and identified by others after the cultural resources analysis for the I-395 Environmental Assessment (EA) was completed. To be conservative, the potential impacts associated with these historic properties have been included in the total impact acreage. Additional coordination with VDHR and DC SHPO will be conducted based on further design when more detail is available regarding the need for and design of noise barriers in the vicinity of the historic resources.

2.4 SIGNAL EASEMENTS

A temporary construction easement of approximately 0.02 acres is anticipated to be required to allow for construction of a proposed signal installation in the southwest corner of the Army Navy Drive and South

Eads Street Intersection. While the signal would be within VDOT right of way, the construction easement is anticipated to be required to install the signal.

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