
July 29, 2022

The Honorable John W. Foust
Dranesville District
Fairfax County Board of Supervisors
McLean Governmental Center
1437 Balls Hill Road
McLean VA 22101

Dear Supervisor Foust:

Thank you for your email to the Virginia Department of Transportation (VDOT) transmitting questions prepared by residents of the Live Oak community. As many of the questions are related to the Maryland Department of Transportation State Highway Administration's (MDOT SHA) I-495 & I-270 Managed Lanes Study (MLS), VDOT shared your request. I appreciate the opportunity to respond to the questions related to the MLS. VDOT will be responding separately to address questions raised on the I-495 Northern Extension (495 NEXT) project. Please note that the managed lanes are called high-occupancy toll (HOT) managed lanes in Maryland and Express Lanes in Virginia, but they will seamlessly connect.

In 2018, the MLS was initiated with a Notice of Intent to publish an Environmental Impact Statement (EIS) followed by a public scoping period to identify and establish the needs, concerns, scope of environmental review, and possible alternatives. As required by the Federal Highway Administration's (FHWA) implementing regulations under the National Environmental Policy Act (NEPA), an action evaluated under NEPA should:

- Connect logical termini and be of sufficient length to address environmental matters on a broad scope.
- Have independent utility or independent significance.
- Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.

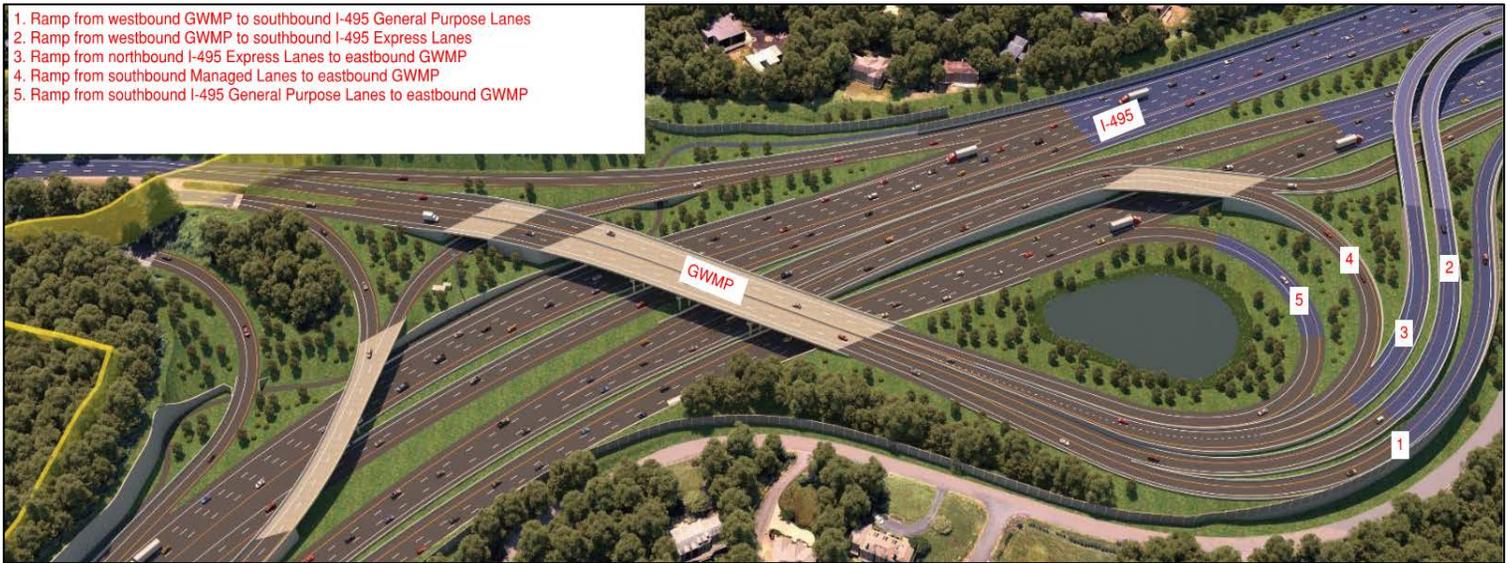
At initiation of the MLS, MDOT SHA evaluated logical termini or rationale end points. Major traffic generators and major crossroads are considered logical termini, while jurisdictional boundaries such as state lines are not considered logical termini. To establish rational endpoints, traffic data was examined, immediate traffic generating interchanges were identified and the area was reviewed to determine an appropriate area for environmental review of the mainline tie in area. The FHWA, as the lead federal agency, reviewed all data and analysis and approved the logical termini for the MLS including the southern terminus as south of the George Washington Memorial Parkway (GWMP). In short, the GWMP was identified as a major traffic generation point and the terminus ending just beyond the interchange allows for a transition area without precluding any improvements completed by VDOT under the 495 NEXT project. The traffic modeling and analysis for the MLS included the next interchange beyond the logical termini to assure that adjacent interchanges and local street networks would not be affected by the MLS.

Below are MDOT SHA's responses to the questions raised specific to the MLS proposed improvements. As noted above, VDOT will respond separately to questions raised about the independent 495 NEXT project.

1. Exactly how high are the five flyover lanes that are proposed for near Live Oak Drive?

As part of the 495 NEXT project and MLS, there are a total of five proposed ramps in the southwest quadrant of the GWMP interchange near Live Oak Drive. These ramps are mostly located on embankment, not on structure in the air, and therefore would not be considered flyover ramps. To facilitate this response, the proposed ramps have been numbered as shown in the image on the next page; below is a description of each of the proposed ramps:

- a. Ramp 1: Ramp from the westbound GWMP to the southbound I-495 general purpose lanes. This ramp exists today and is being reconstructed as part of the 495 NEXT project after which MDOT SHA will perform work to tie into the new GWMP bridge over I-495. The elevation of the GWMP bridge over I-495 is anticipated to be eight to nine feet higher than the existing bridge as it is located just south of the existing bridge, and because I-495 exists with an uphill grade, the bridge requires additional height to provide the necessary clearance above I-495.*
- b. Ramp 2: Ramp from the westbound GWMP to southbound I-495 Express Lanes. This is a new ramp being constructed as part of the 495 NEXT project and includes a bridge over the southbound I-495 general purpose lanes. VDOT will provide elevation information on Ramp 2.*
- c. Ramp 3: Ramp from the northbound I-495 Express Lanes to the eastbound GWMP. This is a new ramp being constructed as part of the 495 NEXT project and includes a bridge over the southbound I-495 general purpose lanes. VDOT will provide elevation information on Ramp 3.*
- d. Ramp 4: Ramp from the southbound I-495 HOT managed lanes to the eastbound GWMP. This is a new ramp being constructed as part of the MLS and includes a bridge over the southbound I-495 general purpose lanes. The surface of the Ramp 4 bridge is expected to be approximately 32 feet above the existing pavement elevation of I-495 to provide for the necessary height clearance under the bridge; this bridge will be lower than the Ramp 2 and Ramp 3 bridges.*
- e. Ramp 5: Ramp from the southbound I-495 general purpose lanes to the eastbound GWMP. This ramp is existing today and will be reconstructed as part of the 495 NEXT project after which MDOT SHA will perform work to tie into I-495 and the new GWMP bridge over I-495. To meet other ramp elevations, it is expected that the elevation of Ramp 5 will be up to 12 feet higher than the existing ramp which it replaces.*



2. Will the extended toll lanes be the same height as the existing highway, or will they be higher?

The HOT managed lanes proposed in the center of I-495 will be at approximately the same elevation of the existing roadway, with widening of the existing roadway also at roughly the same elevation of the existing roadway. For information about ramp elevations, see response to question #1.

3. Exactly how high are the visual and sound barriers that are proposed to shield Live Oak Drive from the flyover lanes and the extended toll lanes?

Noise barriers are designed to provide noise abatement and not specifically designed to provide benefits to visual impacts. However, noise barriers typically reduce noise levels by 5 decibels (dBA) or more to first row receptors impacted by noise when the line of sight is blocked, and thus noise barriers frequently provide some level of visual screening.

The Noise Analysis Technical Report (NATR), Appendix L of the MLS Final Environmental Impact Statement (FEIS), found a noise barrier to be reasonable and feasible for Noise Sensitive Area (NSA) VA-02, which includes receptors along Live Oak Drive. Refer to FEIS, Chapter 5, Section 5.9 and FEIS, Appendix L which can be found online at <https://oplansmd.com/feis/>.

Based on this preliminary analysis, the noise barrier from approximately the American Legion Bridge to the area of Rivercrest Drive is anticipated to be 24-28 feet tall relative to the existing ground and would block lines of sight from the first row of impacted noise receptors, such as residential land use or trails, to the proposed improvements. Note that the noise barrier will be on top of a tall retaining wall, but the distance was provided from the existing ground for easier understanding. A final noise analysis will be performed during final design phase based on detailed engineering information in accordance with FHWA guidelines and in accordance with VDOT guidelines for communities in the project study area in Virginia. A final determination of noise barrier feasibility, reasonableness, dimensions, and locations will be made in final design.

- a. Where VDOT proposes to replace the existing barriers, will the replacement barriers be sound barriers or merely visual barriers?

VDOT will provide a response to this question.

- b. Where VDOT proposes to replace the existing barriers, will the barriers be the same height as the existing barriers or will they be higher?

VDOT will provide a response to this question.

- c. Where VDOT proposes to replace the existing barriers, will the barriers be high enough to shield both the sound and the visual impacts from the highway expansion?

VDOT will provide a response to this question.

- d. Please provide details on the materials proposed for the barriers shielding Live Oak Drive.

Noise barriers required by the MLS in Virginia will match the materials and architectural finishes of adjacent noise barriers, in this case the adjacent noise barrier to be constructed as part of 495 NEXT.

- i. For example, will VDOT use "Whisper Walls" or will some other type of wall be used?

VDOT will provide a response to this question.

- ii. Exactly how much sound protection will these barriers provide?

1. Please provide the response both in terms of percentage reduction in sound impacts and in actual decibels with and without the barriers.

For individual design year predicted noise levels and noise reduction being constructed by the MLS project, refer to the MLS FEIS NATR. In the area along Live Oak Drive and Rivercrest Drive, design year noise levels without a noise barrier are predicted to range from 59-81 dBA. In the same area, with the proposed 495 NEXT noise barriers and MLS noise barriers, design year noise levels are predicted to range from 52-70 dBA with a noise reduction for benefited receptors ranging from 5-14 dBA.

2. Please include in the response impacts for the MDOT and the VDOT portions of the project, both separately and combined.

As noted in the response to question 3.d.ii.1, the design year predicted noise levels are with both 495 NEXT and MLS improvements and noise barriers constructed in the design year. Multiple noise barriers would function as a system to benefit impacted receptors the Live Oak Drive area, and therefore, the noise barriers were not evaluated separately.

4. When, exactly (month and year), was **VDOT first** informed that MDOT would be building five flyover?

The MDOT SHA planning studies have been public and have considered the input of VDOT and the public, but analysis of alternatives and preliminary design developed over time. As envisioned by NEPA, the alternatives development and analysis process is iterative in order to consider public and agency feedback, and analyses of new information. The Draft Environmental Impact Statement (DEIS), Supplemental DEIS (SDEIS), and FEIS reflect the alternatives development process, the interchange design refinements, and the associated environmental impacts.

- a. Please explain what specific measures were taken, and when, to inform the affected communities that MDOT would be building five flyover lanes near Live Oak Drive.

From the outset of the MLS, FHWA and MDOT SHA developed a comprehensive public involvement and engagement strategy designed to obtain input from stakeholders around the entire study area, including the Northern Virginia area. The public engagement strategy combined traditional opportunities for commenting on the DEIS and SDEIS in addition to wide-ranging outreach to community organizations, elected officials, and other stakeholders, with particular sensitivity and outreach to identified environmental justice communities. Refer to FEIS, Chapter 8, and FEIS, Appendix R which can be found online at <https://oplanesmd.com/feis/>. The public involvement and engagement process, starting in early 2018 and continuing to the present, considered the vast diversity of community resources. In total, 16 large public workshops, seven public hearings including virtual options, and over 200 community and individual stakeholder meetings have been held. The Notice of Intent for the MLS Project was first published in the Federal Register on March 18, 2018.

Public meetings by VDOT and MDOT SHA throughout both study processes presented information on the MLS. Below are some specific examples of meetings with Virginia stakeholders:

- *May 20, 2019 – 495 NEXT Public Information Meeting – VDOT displays showed direct ramps from proposed MLS alternatives to the GWMP. In addition, MDOT SHA had representatives at a display and discussion table with MLS related boards and material to answer citizen questions.*
- *October 5 and 8, 2020 – 495 NEXT Location/Design Virtual Public Hearing included a slide with MLS alternatives design for the GWMP direct ramps. MDOT SHA provided MLS related boards and had representatives available to answer questions.*
- *September 28, 2021- Fairfax County Board of Supervisors Transportation Committee. MDOT SHA presented on the MLS including the GWMP interchange and answered questions.*
- *September 29, 2021 – 495 NEXT Virtual Public Informational Meeting. MDOT SHA presented on the MLS including the GWMP interchange and answered questions.*
- *February 8, 2022 – VDOT and MDOT presentation to McLean Citizens Association and answered questions. This included the design at the GWMP interchange.*
- *June 6 and 7, 2022 – 495 NEXT virtual public meetings. MDOT SHA presented the on the MLS including the GWMP interchange and answered questions.*

DEIS, SDEIS and FEIS hard copy document availability in Virginia

- *Dolly Madison Library (McLean, VA) Oct. 1, 2021 – Nov. 30, 2021*
- *VDOT Northern VA District Office (Fairfax, VA) – July 10, 2020 to November 9, 2020*
- *Electronic copies of DEIS, SDEIS, FEIS and all supporting documents on the Op Lanes Maryland website.*

Study/DEIS/SDEIS Public Advertisements – In addition to publishing in the Federal Register

- *2018*
 - *Study Newsletter*
 - *Online Digital Ads - July 2018 Public meetings (Dcblack.com, Afro.com, Eltiempolatino.com, WTOP.com)*
 - *July 2018 Washington Post insert*
- *2019 and 2020 and 2021*
 - *Flyers*
 - *Newspaper print ads (Wash. Post, Frederick News Post, Laurel Leader, Howard County Times, PG Sentinel, El Tiempo Latino, Wash. Hispanic)*
 - *Postcards – direct mailings*
 - *Washington Post postcard insert*
 - *Paid social media – Facebook, Instagram, geofencing*
 - *Online Digital Ads (Dcblack.com, Afro.com, Eltiempolatino.com, WTOP.com)*
 - *Radio ads (DEIS 2020) (WTOP)*
 - *E-mail Blasts*
 - *MDOT SHA News Releases and Social Media channels*
 - *Emails/Letters to elected officials*
- *Numerous Press Releases*
- *Ongoing Website updates*

Public Hearings for DEIS and SDEIS were part of the above advertisements:

- *DEIS **Virtual** Public Hearings (available for anyone, anywhere to testify):*
 - *Tuesday, August 18, 2020;*
 - *Thursday, August 20, 2020;*
 - *Tuesday, August 25, 2020; and*
 - *Thursday, September 3, 2020.*
- *DEIS In-person Public Hearings:*
 - *Tuesday, September 1, 2020, at Homewood Suites by Hilton (9103 Basil Court, Largo, MD 20774); and*
 - *Thursday, September 10, 2020, at Hilton Executive Meeting Center (1750 Rockville Pike Rockville, MD 20852).*
- *SDEIS **Virtual** Public Hearing on November 1, 2021 (available for anyone, anywhere to testify)*

5. Please identify exactly where in the public documentation **VDOT** explains to the public that MDOT will be building five flyover ramps (and taking other actions) in Virginia. Please also identify specifically **when** (month and year) that documentation was made available to the public.

In addition to the above information, VDOT will provide an additional response specific to the 495 NEXT project.

6. What specific actions did **MDOT** take to inform the affected **Virginia** communities that it would be taking actions with Significant Environmental Impacts in those Virginia communities?

- a. What specific actions did MDOT take to ensure that affected Virginia communities received notice that its Draft Environmental Impact Statement was available for public review and comment?

See comprehensive response to Question 4 a. and refer to FEIS, Chapter 8 and FEIS, Appendix R for more information. MDOT SHA undertook an extensive public outreach effort to provide notice of DEIS, SDEIS, and FEIS availability including presenting the documents in locations in Virginia.

- b. What specific actions did MDOT take to ensure that affected Virginia communities received notice that it would be holding public hearings on its Draft Environmental Impact Statement?

See the comprehensive response to Question 4 a. and refer to FEIS, Chapter 8 and FEIS, Appendix R for more information. MDOT SHA undertook an extensive public outreach effort to provide notice of DEIS, SDEIS, and FEIS availability including housing the documents in locations in Virginia.

7. What specific measures did **VDOT** take to inform the affected **Virginia** communities that MDOT would be taking actions with Significant Environmental Impacts in those Virginia communities?

VDOT will provide a response to this question.

- a. What specific actions did VDOT take to ensure that affected Virginia communities received notice that MDOT's Draft Environmental Impact Statement was available for public review and comment, and that that document would discuss specific and significant impacts in Virginia?

VDOT will provide a response to this question.

- b. What specific actions did VDOT take to ensure that affected Virginia communities received notice that MDOT would be holding public hearings on its Draft Environmental Impact Statement, and that MDOT construction would have specific and significant impacts in Virginia?

VDOT will provide a response to this question.

8. Please explain VDOT's rationale for not discussing in its Environmental Assessment, **as a "connected action," the MDOT construction that will occur in Virginia**. For reference, "connected actions" are "closely related and therefore should be discussed in the same impact statement. Actions are connected if they...are interdependent parts of a larger action and depend on the larger action for their justification." 40 C.F.R. § 1508.25(a)(1) (emphasis added).

VDOT to provide a response specific to the 495 NEXT project.

9. Please explain VDOT's rationale for not discussing in its Environmental Assessment, **as a "cumulative action,"** the MDOT construction that will occur in Virginia. For reference, "cumulative actions" are "Cumulative actions, which when viewed with other proposed actions have cumulatively significant impacts *and should therefore be discussed in the same impact statement.*" 40 C.F.R. § 1508.25(a)(2)(emphasis added).

VDOT to provide a response specific to the 495 NEXT project.

10. Please explain VDOT's rationale for **not** discussing in its Environmental Assessment, **as "cumulative effects,"** the environmental impacts of the MDOT construction that will occur in Virginia. For reference, cumulative effects" are "effects on the environment that result from the incremental effects of the action when added to the effects of other past, present, and *reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.* Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time." 40 C.F.R. § 1508.1(g) (emphasis added).

VDOT to provide a response specific to the 495 NEXT project.

11. Please explain the rationale for VDOT and MDOT not preparing a single, integrated Environmental Impact Statement, given that the regulations clearly mandate a single EIS for "connected" and "cumulative" actions.

The two projects are two separate actions each with independent utility and not required by any federal regulation to be prepared under a single EIS. The MLS limits were established based on an evaluation of logical termini and independent utility which allowed analysis of traffic and environmental impacts on a broad scale.

Major traffic generators and major crossroads are considered logical termini, while jurisdictional boundaries such as state lines are not necessarily considered logical termini. FHWA approved the logical termini for the MLS including the southern terminus as south of the GWMP. The GWMP was identified as a major traffic generation point and the terminus ending just beyond the interchange allows for a transition area without precluding any future improvements completed by VDOT under the 495 NEXT project.

12. Please explain why VDOT and MDOT believe that separately analyzing clearly connected and cumulative actions does not constitute **unlawful "segmentation"** under the National Environmental Policy Act (NEPA). For reference, unlawful segmentation occurs when agency artificially divides a major federal action into smaller components to avoid application of NEPA to some of its segments. *See, e.g., Coalition on Sensible Transportation, Inc. v. Dole*, 826 F.2d 60, 68 (D.C. Cir. 1987) ("Agencies may not evade their responsibilities under NEPA by artificially dividing a major federal action into smaller components.").

See response to Question 11. The MLS and 495 NEXT are two separate projects with independent utility. As discussed earlier, the MLS limits were established based on an evaluation of logical termini and independent utility and allowed analysis of traffic and environmental impacts on a broad scale. FHWA carefully reviewed and approved the independent utility of each project.

13. Please explain the basis for your belief that Virginia residents should have been on notice that the "Significant Environmental Impacts" to the Northern Virginia community would be undertaken by MDOT and thus would be addressed only in MDOT's Draft Environmental Impact Statement, and neither identified nor discussed in VDOT's Environmental Assessment.

The public outreach efforts undertaken by MDOT SHA for the MLS in Virginia are detailed in the response to Question 4 and in FEIS, Chapter 8 and FEIS, Appendix R.

14. We understand from the meeting on June 6, 2022 that VDOT and Transurban have reached financial close on the 495-NEXT expansion project. We also understand that VDOT has not yet completed its noise analyses as well as various other environmental impact studies. Please explain how financial close does not constitute an **illegal "irretrievable commitment of resources"** under NEPA. For reference, NEPA analyses *must* be prepared at the "feasibility analysis (go-no go) stage." *Andrus v. Sierra Club*, 442 U.S. 347, 351 n. 3 (1979). As such, NEPA requires that the environmental analyses be conducted and completed "before any irreversible and irretrievable commitment of resources" occurs. *Metcalf v. Daley*, 214 F.3d 1135, 1142 (9th Cir, 2000); *see also Native Ecosystems Council v. Dombeck*, 304 F. 3d 886 (9th Cir. 2002).

VDOT will provide a response to this question.

15. Please explain VDOT's legal rationale for not addressing the noise impacts of **both** its portion of the project and MDOT's five flyover ramps, including why failure to do so does not violate NEPA's prescriptions regarding connected actions, cumulative actions, cumulative impacts and unlawful segmentation.

VDOT to provide a response specific to the 495 NEXT project.

For the MLS, the NATR reports design year predicted noise levels, noise impacts, and noise abatement with consideration of both 495 NEXT and MLS improvements constructed in the design year.

- a. Does VDOT's **Analysis of Noise Abatement** include the noise impacts from the five flyover ramps being constructed by VDOT?

See response above to Question 15. VDOT to provide a response specific to the 495 NEXT project.

- b. Does VDOT's estimate of a 10 decibel increase in traffic noise in the Live Oak Drive neighborhood include the noise impacts of the flyover ramps or exclude those impacts?

VDOT to provide a response specific to the 495 NEXT project. The MLS NATR does not report a 10 decibel increase in traffic noise in the Live Oak Drive neighborhood.

- c. If VDOT's estimate of a 10 decibel increase in traffic noise in the Live Oak Drive neighborhood excludes the noise impacts of the flyover ramps, please explain how the MDOT and VDOT projects together meet the US Department of Transportation's requirements for noise levels in residential neighborhoods. *See* 23 C.F.R. §§ 772.11(c), 772.13 and Table 1 to Part 772.

VDOT to provide a response specific to the 495 NEXT project. The MLS NATR does not report a 10 decibel increase in traffic noise in the Live Oak Drive neighborhood. The NATR reports design year predicted noise levels, noise impacts, and noise abatement with consideration of both 495 NEXT and MLS improvements constructed in the design year, including the ramps discussed in response to question 1.

16. Where in the public record can we find the following analyses:

- a. **Alternatives assessment** for the expanded project scope?

VDOT to provide a response specific to the 495 NEXT Project.

The MLS Final Environmental Impact Statement (FEIS) includes the final environmental analyses of the Preferred Alternative including the proposed interchange ramps at the GWMP. The scope of the project has not been expanded as the southern terminus for the MLS has always been in Virginia and the ramps to and from the GWMP have been included in the alternatives design since the beginning of the Study. Refer to DEIS, Chapter 2 (<https://oplanesmd.com/deis/#DEIS>), SDEIS Chapter 2 (<https://oplanesmd.com/sdeis/#SDEIS>), and FEIS, Chapter 5.

- i. What other options were considered besides the new, expanded and elevated flyover ramps, and were those options discussed in the Environmental Assessment prepared by VDOT or only in the documents prepared by MDOT?

The DEIS, SDEIS and FEIS reflect the alternatives development process, the interchange design refinements, and the associated environmental impacts. Avoidance and minimization options were analyzed during NEPA and in compliance with Section 4(f) of the US Department of Transportation Act including removing direct access managed lanes to the GWMP. While the options avoided or minimized impacts to the GWMP, they were determined not reasonable or feasible. Refer to the Draft Section 4(f) Evaluation at https://oplanesmd.com/wp-content/uploads/2020/07/DEIS_AppF_Draft-Section-4f-Eval_web.pdf and the Final Section 4(f) Evaluation at https://oplanesmd.com/wp-content/uploads/2022/06/11_MLS_FEIS_AppG_Final-Section-4f-Evaluation_-June-2022p.pdf.

- ii. On what basis did VDOT and MDOT conclude that these massive new ramps are the least environmentally-impactful alternative, and was that rationale discussed in the Environmental Assessment prepared by VDOT or only in the documents prepared by MDOT?

Through a coordinated effort with VDOT and the National Park Service to minimize impacts to private property as well as significant protected resources, MDOT SHA revised the interchange design in Virginia. The DEIS, SDEIS and FEIS reflect the alternatives development process, the interchange design refinements, and the associated environmental impacts.

- b. **Assessment of mitigation measures** to address the impacts on the Live Oak Drive community and Scotts Run Nature Preserve that will result from the expanded project scope?

- i. What specific mitigation measures were considered, and were those measures discussed in the Environmental Assessment prepared by VDOT or only in the documents prepared by MDOT?

The limits of disturbance for the MLS Preferred Alternative follows the VDOT right-of-way (ROW) along Live Oak Drive and therefore there are no impacts to private property in this area as a result of the MLS project. No impacts to Scotts Run Nature Preserve are proposed under the MLS Preferred Alternative. Refer to FEIS, Appendix E, Environmental Resource Mapping. Per the noise analysis conducted for the MLS, new noise barriers are proposed along Live Oak Drive that will be constructed within the existing VDOT ROW and will connect to the proposed noise barriers for 495 NEXT.

- ii. On what basis were those mitigation measures rejected and was that rationale discussed in the Environmental Assessment prepared by VDOT or only in the documents prepared by MDOT?

See response to Question 16 b. i.

- c. **Noise impacts** that will result from the new project scope, including:
i. Traffic noise predictions in conformance with the **FHWA Traffic Noise Model (TNM)**, as required under 23 C.F.R. §§772.9 and 772.111?

VDOT to provide a response specific to the 495 NEXT project.

Design year predicted noise levels for the MLS can be found in the NATR.

- ii. Analysis of Noise Abatement for Live Oak Drive, as required under 23 C.F.R. § 772.3?

VDOT to provide a response specific to the 495 NEXT project.

Predicted noise impacts and noise abatement for the MLS can be found in the NATR. This includes predicted noise impacts and consideration of noise abatement for NSA VA-02, which includes receptors along Live Oak Drive.

- d. **Light pollution impacts** on the Live Oak Drive community that will result from the new project scope?

VDOT to provide a response specific to the 495 NEXT project.

For the MLS evaluation of visual and aesthetic resources refer to FEIS, Chapter 5, Section 6 and FEIS, Appendix H. The proposed roadway improvements, including light stanchions are those that would be expected to occur in this roadway environment. A new noise barrier is proposed between the Live Oak Community and the proposed widened roadway.

- e. **Air dispersion modeling analysis** that assesses both the criteria and the hazardous air pollutant emission impacts from the new project scope?

VDOT to provide a response specific to the 495 NEXT project.

For the MLS, Chapter 5, Section 8 and Appendix K provides an evaluation and discussion of the air quality analyses conducted for the Study.

- f. **Visibility and noise impacts** on Scotts Run Nature Preserve that will result from the new project scope?

VDOT to provide a response specific to the 495 NEXT project.

Predicted noise impacts and noise abatement for the MLS can be found in the NATR. This includes predicted noise impacts and consideration of noise abatement for NSA VA-01, which includes receptors sites for recreational uses for trails at Scotts Run Nature Preserve.

- g. Impacts on **water quality** from the increased traffic that will result from the new project scope?

VDOT to provide a response specific to the 495 NEXT project.

The MLS FEIS includes a comprehensive analysis of off-site stormwater management requirements and needs in Appendix D. Additionally, an overview of the full stormwater management needs is included in FEIS, Chapter 3.

- h. **Wetlands impacts** that will result from the new project scope?

VDOT to provide a response specific to the 495 NEXT project.

The MLS FEIS includes a comprehensive evaluation of wetland impacts and proposed mitigation in Chapter 5, Section 12 and Appendices M, N, O, and P.

- i. **Biological resources impacts** that will result from the new project scope?

VDOT to provide a response specific to the I-495 NEXT project.

Impacts to biological resource resulting from the proposed improvements under the MLS Preferred Alternative are discussed in the FEIS, Chapter 5, Sections 15, 16, 17, and 18 as well as the Final Natural Resources Technical Report, Appendix M.

- j. In light of the documented **health impacts to communities near major traffic sites, air quality impacts** on the Live Oak Drive community that will result from the new project scope?

VDOT to provide a response specific to the 495 NEXT project.

The final air quality analysis for the MLS is detailed in the FEIS, Chapter 5, Section 8 as well as the Final Air Quality Technical Report, Appendix K. MDOT SHA has also committed to provide monetary compensation to the National Park Service to update and refine the George Washington Memorial Parkway Climate Action Plan as described in the FEIS, Chapter 7.

- k. Calculated **climate change impacts** resulting from increased traffic resulting from the new project scope? (We assume that, in accordance with federal regulations and guidance, VDOT used the most current Social Cost of Carbon to calculate the monetary climate change impacts from the new project scope. What was the result of that analysis?)

VDOT to provide a response specific to the 495 NEXT project.

See the response to Question 16 j. above.

Thank you again for transmitting the questions raised by the Live Oak Community. We appreciate the opportunity to respond. If you have any additional questions or concerns, please feel free to contact Caryn Brookman, I-495 and I-270 MLS Environmental Program Manager, at cbrookman@mdot.maryland.gov. Ms. Brookman will be happy to assist you. Of course, you may always contact me directly.

Sincerely,



Jeffrey T. Folden, P.E., DBIA
Director, I-495 and I-270 P3 Office

cc: The Honorable Barbara A. Favola, Senate of Virginia
The Honorable Kathleen J. Murphy, Virginia House of Delegates
Mr. Gregory Murrill, Maryland Division Administrator, FHWA
Mr. Jitesh Parikh, P3/MLS Director, FHWA
Ms. Susan Shaw, Megaprojects Director, Northern Virginia District, VDOT
Mr. Abraham Lerner, Associate Manager Special Projects, VDOT
Ms. Caryn Brookman, Environmental Program Manager, I-495 and I-270 P3 Office, MDOT SH