

Categorical Exclusion (CE)

Project Information			
Project Name:	Wythe Creek Road Widening	Federal Project#:	STP-5A03(409)
Project Number:	0172-114-220, P101	Project Type:	Construction
UPC:	97715	Charge Number:	UPC 97715 Act 685
Route Number:	172	Route Type:	Urban
Project Limit--From:	Commander Shepard Blvd	To:	NCL (Poquoson CL)
Additional Project Description:	<p>The proposed Wythe Creek Road Widening project would reconstruct a 1.7 mile section of Route 172, a minor arterial roadway and one of two primary routes connecting the City of Poquoson. Reconstruction would include widening the existing two-lane portion of Route 172 to three lanes from Commander Shepard Boulevard in Hampton to Huntlandia Way in Poquoson. The center lane would be reversible, operated according to peak directional demand. Outside of peak travel demand, the center lane would operate as a two-way left center turn lane (TWLTL). The current roadway frequently floods proximal to Brick Kiln Creek during heavy storm events. A new bridge, approximately 1600 feet in length, would be constructed to accommodate the raising and widening of the roadway over Brick Kiln Creek and its associated tidal wetlands. The new roadway would include a ten-foot wide sidewalk on the east side in Hampton. In Poquoson, there will be an eight-foot wide sidewalk on the west side and a five-foot wide sidewalk on the east side of the roadway. Right of way would be required, although there are no total takes or relocations based on the current design and alignment.</p>		
Purpose And Need:	<p>The primary purpose of the proposed Wythe Creek Road Widening project is to improve the mobility and safety of the existing roadway by adding capacity and elevating the crossing over Brick Kiln Creek to avoid flooding.</p>		
District:	City/County:	Residency:	
Hampton Roads	Hampton	Williamsburg	

Date CE level document approved by VA Division FHWA: 07/08/2015

FHWA Contact: Frost, Mack

Project in STIP: Yes **In Long Range Plan?** Yes

CE Category 23 CFR 771.117: d01

Description of Category: Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (e.g. parking, weaving, turning, climbing).

Logical Termini and Independent Utility: Yes

Next Phase of Funding Available? Yes

Comments: The proposed Wythe Creek Road Widening project will complete improvements to Route 172. The southern terminus of the project intersects with Commander Shepard Blvd. The northern terminus intersects near Huntlandia Way, where Wythe Creek Road currently widens from two to five lanes.

Typical Section: The roadway typical section includes three lanes, two eleven-foot wide lanes on the outside and a twelve-foot center lane. The section includes CG-6 curb and gutter on both sides of the alignment. In Hampton, a ten-foot wide sidewalk would be provided on the east side of the alignment. The sidewalk is spaced at variable distances behind the curb and gutter section, ranging from four-feet to twenty-four feet. In Poquoson, an eight-foot wide sidewalk would be provided on the west side of the alignment with a five-foot wide sidewalk on the east side of the alignment. The location of the sidewalks in Poquoson matches the typical section of the previously widened portion of the roadway to the north. A one-foot strip is provided behind the sidewalk to the hinge point, and a 3:1 cut/fill slope is provided beyond the hinge point. The ten foot wide sidewalk in Hampton is currently proposed to be located on the existing causeway, and therefore would not be carried on the bridge.

Structures: The project includes an approximately 1600-foot long bridge that would span Brick Kiln Creek and associated tidal wetlands, replacing the existing 110-foot bridge. The additional length is required to raise the existing roadway profile above the 100-year floodplain, which also takes into consideration sea-level rise. Several crossing alternatives were considered; however, a bridge structure was the most cost effective and least environmentally impactful method of crossing based on the alternatives analysis. The bridge would be a standard AASHTO bulb-tee beam superstructure founded on 24-inch square pre-cast piles and pile bents. The bridge would be approximately forty-foot wide. Stormwater management facilities are currently proposed along Wythe Creek Road at three locations, although their specific location and design is still in process.

SOCIO-ECONOMIC

Minority/Low Income Populations: Present with no impact **Disproportionate Impacts to Minority/Low Income Populations:** No

Source: VDOT Environmental Staff, U.S. Census Bureau

Existing or Planned Public Recreational Facilities: Not Present

Community Services: Present with no impact

Consistent with Local Land Use: Yes

Source: VDOT Environmental Staff, City of Poquoson, City of Hampton

Existing or Planned Bicycle/Pedestrian Facilities Present with no impact

Source: VDOT Environmental Staff, City of Poquoson, City of Hampton

Socio-Economic Comments: An environmental justice (EJ) analysis was performed for the project in May 2015 and is included in the supporting documents. The minority or low-income population of the EJ study area does not exceed fifty percent; however, the percentage of minority population is above the EJ evaluator factor in Census Tract 650010314, Block Group 2. Although an EJ population is present, there are no impacts to the EJ population (no relocations, no displacements, no disruption of community, and no disruption of emergency services). The current road conditions will be maintained throughout construction with no detours; therefore only minor inconveniences are expected throughout the construction period. Beneficial long-term impacts are anticipated after construction because of the improved roadway and new pedestrian access. No minority or low-income populations have been identified that would be adversely impacted by the proposed project as determined above. Therefore, in accordance with the provisions of E.O. 12898 and FHWA Order 6640.23, no further EJ analysis is required.

SECTION 4(f) and SECTION 6(f)

Use of 4(f) Property: No

Source: VDOT Environmental Staff

6(f) Conversion: No **Acres of Conversion:**

4(f) and 6(f) Comments: NASA Langley Research Center transferred approximately 20 feet of federal property fronting Wythe Creek Road to the Commonwealth of Virginia for the proposed project to help reduce right of way impacts and improve the project. NASA Langley Research Center is a Historic District on the National Register of Historic Places and is therefore a 4(f) property. NASA received concurrence from DHR in June 2015 for no adverse effect to the historic district as a result of the land transfer because the land did not contribute to NASA Langley's historic significance (see supporting documents for NASA's Record of Environmental Decision for the land transfer). Referencing FHWA's 2012 4(f) policy paper, a transfer of land from a historic district that does not contribute to its historic significance does not constitute a direct use. As a result, there is no 4(f) issue with the transfer of land from NASA Langley to the Commonwealth of Virginia.

CULTURAL RESOURCES

Section 106 Effect Determination: NO ADVERSE EFFECT

Name of Historic Property: NASA Langley Research Center Historic District
(114-5313)

DHR Concurrence date: 06/08/2015

MOA/PA Execution Date: None

Cultural Resource Comments: Architectural and archaeological surveys were conducted for the project. The only historic property is the previously identified NASA Langley Research Center Historic District. On June 8, 2015, DHR concurred that the 20-foot wide strip of land adjacent to Wythe Creek Road that NASA gave to VDOT in fee simple does not contribute to the eligibility of the historic district and that the project will have No Adverse Effect on historic properties.

NATURAL RESOURCES

Are Waters of the U.S. present? Yes

Linear Feet of Impact: 250

Federal Threatened or Endangered Species:

Atlantic Sturgeon (Acipenser oxyrinchus)-Federal:FE-To Be Determined
Northern Long-Eared Bat (Myotis septentrionalis)-Federal:C-Present with no impact

100 Year Floodplain: Present with impacts

Regulatory Floodway Zone: Present with no impact **Zone Code:** AE

Public Water Supplies: Present with no impact

Are any tidal waters/wetlands present? Yes

Wetlands: Present with impacts

Wetlands: Acres of Impact: 3

Wetland Type: Emergent

Are any non-tidal wetlands present? Yes

If yes, type of non-tidal wetland impacts: Emergent

Are water quality permits required? Yes

Natural Resource Comments: VDOT anticipates the proposed project will require an Individual Permit from USACE and VADEQ for unavoidable impacts to tidal wetlands, nontidal wetlands, and other waters of the U.S. A Standard Permit from VMRC is also expected to be required for impacts below mean low water and subaqueous bottom. Purchase of credits from a private mitigation bank would be made to fulfill compensatory mitigation requirements for permanent nontidal wetland impacts. Offsite wetland creation is expected to be required to meet compensatory mitigation requirements for the project's permanent tidal wetland impacts. No stream mitigation is anticipated.

VDOT has coordinated with U.S. Fish and Wildlife Service for the Northern Long-eared Bat. As per the Programmatic Informal Consultation guidance, USF&WS concurs with VDOT's Not Likely to Adversely Affect determination. Please refer to the supporting documents for more information on the Section 7 coordination status.

AGRICULTURAL/OPEN SPACE

Open Space Easements: Not Present

Agricultural/Forestal Districts: Not Present

Source: Project Definition Form

Agricultural/Open Space Comments: There are no existing agricultural and forestal districts or open space easements in the project area. Sources: USDA-Natural Resources Conservation Service, Virginia Outdoors Foundation, GIS Database Search.

FARMLAND

NRCS Form CPA-106 Attached? Yes

Rating:

Alternatives Analysis Required? No

Source: VDOT Environmental Staff, USDA-Natural Resources Conservation Service

Farmland Comments: Approximately 3.6 acres of designated prime farmland soils are located within the project limits in Poquoson. The designated prime farmland area is currently not in an agricultural land use. USDA-NRCS indicated on the CPA-106 form that the corridor does not contain prime, unique statewide, or locally important farmland.

INVASIVE SPECIES

Invasive Species in the project area? Yes

VDCR indicated that the potential exists for some VDOT projects to further the establishment of invasive species. All seeds used will be tested in accordance with the Virginia Seed Law to ensure there are not prohibited Noxious Weed-Seeds in the seed mixes.

Invasive Species Comments: Common reed (Phragmites australis) has been observed in tidal areas on causeway and other transitional zones between wetlands and uplands, primarily around Brick Kiln Creek.

AIR QUALITY

Carbon Monoxide

This project is located in: A Carbon Monoxide Attainment Area

CO Microscale Analysis Required for NEPA? No

✓ The design year 24-hour forecasted traffic does not exceed the thresholds contained in VDOT's Project-Level Carbon Monoxide Air Quality Studies Agreement with FHWA dated February 27, 2009, and therefore does not require a project-level CO air quality analysis.

The 2040 design year ADT of 20,939 is below the threshold.

Ozone

This project is located in: An 8-hour Ozone Attainment Area

None

Particulate Matter

This project is located in: A PM2.5 Attainment Area

PM Hotspot Analysis Required for NEPA? No

A PM2.5 hot-spot analysis is not required for this project since it is not an air quality concern. The Clean Air Act and 40 CFR 93.116 requirements were met without a hot-spot analysis, since this project has been found not to be of air quality concern under 40 CFR 93.123(b)(1).

None

Mobile Source Air Toxics

This project requires: A qualitative MSAT analysis

✓ This project is proposed to be located in proximity to populated areas.

✓ The project potentially expands intermodal centers or impacts diesel truck traffic only to the extent that requires a qualitative assessment.

See attached qualitative analysis.

This project is located within an attainment area for all NAAQS, and a volatile organic compounds (VOC) and nitrogen oxides (NOx) Emissions Control Area. As such, all reasonable precautions should be taken to limit the emissions of VOC and NOx. In addition, the following VDEQ air pollution regulations must be adhered to during the construction of this project: 9 VAC 5-130, Open Burning restrictions; 9 VAC 5-45, Article 7, Cutback Asphalt restrictions; and 9 VAC 5-50, Article 1, Fugitive Dust precautions.

NOISE

Noise Scoping Decision: Type I - Noise study required

Barriers Under Consideration? No

Noise Comments: See supporting documents for comments and summary of the noise study.

RIGHT OF WAY AND RELOCATIONS

Residential Relocations: No

Commercial Relocations: No

Non-Profit Relocations: No

Right of Way required? Yes **Amount of Right of Way Acreage:** 4.05

Septic Systems or Wells: Present with no impact **Hazardous Materials:** Present with no impact

Source: VDOT Environmental Staff, VDOT ROW Staff, Consultant

ROW and Relocations Comments: The current three lane scope and preferred bridge alternative, which includes the bridge crossing west of the current bridge/causeway, would result in no total property takes. In Poquoson, approximately 0.58 acre of right of way would be required. Approximately 3.47 acre would be required in Hampton, for a total of 4.05 acres for the project. The city of Poquoson is primarily on city water and sewer and there are no septic systems or wells that would be impacted by the project in either locality. A Phase I Environmental Site Assessment (ESA) study conducted by VDOT indicates the possibility of hazardous materials being present within the project corridor; however, based on the current design, no impacts are anticipated.

CUMULATIVE AND INDIRECT IMPACTS

Present or reasonably foreseeable future projects (highway and non-highway) in the area: Yes

Impact same resources as the proposed highway project (i.e. cumulative impacts): Yes

Indirect (Secondary) impacts: No

Source: VDOT Environmental Staff

Cumulative and Indirect Impacts Comments: There are no long-term negative cumulative or indirect impacts on the environment and community anticipated from this project, or projects collectively. If constructed, the project is expected to have a long-term beneficial impact on the community once completed, with some minor inconveniences during the construction period. The new roadway would provide long-term beneficial impacts from the improved transportation facility in the form of enhanced mobility, safety improvements from the elevated crossing of Brick Kiln Creek and intersection improvements, pedestrian facilities to increase multi-modal opportunities, and better water quality from modern stormwater management facilities. Please refer to the supporting documents for the cumulative and indirect impacts analysis.

PUBLIC INVOLVEMENT

Substantial Controversy on Environmental Grounds: No

Source: VDOT Environmental Staff, City of Poquoson, City of Hampton

Public Hearing: Yes **Type of Hearing:** Combined Hearing

Other Public Involvement Activities: Yes

Type of Public Involvement: A Citizen Information Meeting (CIM) was held on October 15, 2013.

Public Involvement Comments: A combined location/design public hearing is currently scheduled for August 13, 2015.

COORDINATION

State Agencies:

Department Of Environmental Quality
DEQ - Air Division
DEQ - Waste Division
DEQ - Water Division
Department of Conservation and Recreation
Department of Forestry
Department of Game and Inland Fisheries
Department of Health
Department of Historic Resources
VA Marine Resources Commission
Virginia Outdoors Foundation

Federal Agencies:

Environmental Protection Agency
NRCS
U.S. Army Corps of Engineers
Federal Emergency Management Agency

Local Entity:

Hampton County/City Planner
Hampton Economic Development Office
Hampton Fire and Rescue
Hampton MPO
Hampton Mayor
Hampton Parks and Recreation
Hampton Public Works
Hampton Superintendent of Schools
Poquoson Community Development
Poquoson County/City Planner
Poquoson Economic Development Office
Poquoson Fire and Rescue
Poquoson Mayor
Poquoson Parks and Recreation
Poquoson Public Works
Poquoson Superintendent of Schools
Hampton Town/City Manager
Poquoson Town/City Manager
Hampton Housing Director

Other Coordination Entities:

U.S. Coast Guard
NASA Langley Research Center
NOAA - National Marine Fisheries Service

This project meets the criteria for a Categorical Exclusion pursuant to 40 CFR 1508.4 and 23 CFR 771.117 and will not result in significant impacts to the human or natural environment.