



Hampton Roads 2045 Long-Range Transportation Plan: **Public Involvement Documentation**

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REPORT DOCUMENTATION

TITLE

Hampton Roads 2045 Long-Range Transportation Plan:
Public Involvement Documentation

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ABSTRACT

This document – part of the compendium of reports that comprise the 2045 Hampton Roads Long-Range Transportation Plan (LRTP) – provides an overview of the public involvement activities conducted for the plan and serves as an informational guide for public use.

ACKNOWLEDGMENT & DISCLAIMERS

Prepared in cooperation with the U.S. Department of Transportation (USDOT), Federal Highway Administration (FHWA), and Virginia Department of Transportation (VDOT). The contents of this report reflect the views of the Hampton Roads Transportation Planning Organization (HRTPO). The HRTPO is responsible for the facts and the accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the FHWA, VDOT, or Hampton Roads Planning District Commission. This report does not constitute a standard, specification, or regulation. FHWA or VDOT acceptance of this report as evidence of the fulfillment of the objectives of this planning study does not constitute endorsement/approval of the need for any recommended improvements, nor does it constitute approval of their location and design or a commitment to fund any such improvements. Additional project-level environmental impact assessments and/or studies of alternatives may be necessary.

NON-DISCRIMINATION

The HRTPO assures that no person shall, on the ground of race, color, national origin, handicap, sex, age, or income status as provided by Title VI of the Civil Rights Act of 1964 and subsequent authorities, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity. The HRTPO Title VI Plan provides this assurance, information about HRTPO responsibilities, and a Discrimination Complaint Form.

HAMPTON ROADS 2045 LONG-RANGE TRANSPORTATION PLAN: PUBLIC INVOLVEMENT DOCUMENTATION

REPORT DATE: JUNE 2021

REPORT NUMBER: T21-11

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THE 2045 LONG-RANGE TRANSPORTATION
PLAN WILL USE INNOVATIVE
PLANNING TECHNIQUES TO ADVANCE AN
ADAPTIVE TRANSPORTATION SYSTEM THAT
SEAMLESSLY INTEGRATES TRANSPORTATION
MODES FOR ALL USERS WHILE IMPROVING
QUALITY OF LIFE AND PRESERVING THE
UNIQUE CHARACTER OF HAMPTON ROADS.

OVERVIEW

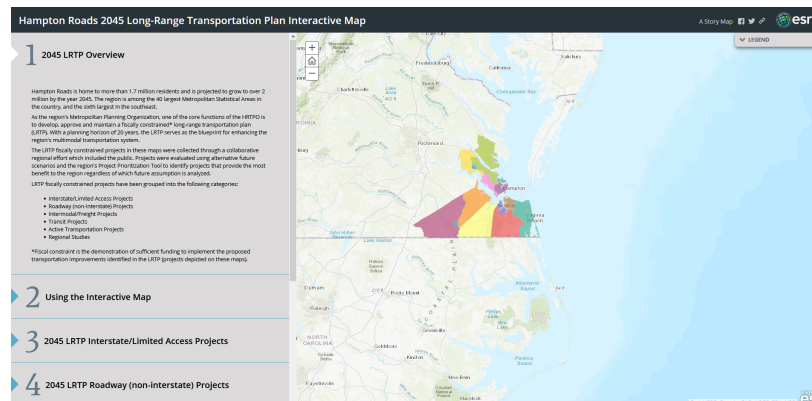
The Hampton Roads Transportation Planning Organization (HRTPO) develops a long-range regional blueprint, or Long-Range Transportation Plan (LRTP), to help guide multimodal transportation investments that promote system efficiency while maximizing the use of scarce transportation funds. LRTPs have a planning horizon of at least twenty years and are updated regularly to reflect changing conditions and priorities. Changes in growth can impact travel demand on the regional transportation system just as changes in the environment and technology can impact how people will travel in the future; therefore, transportation plans must consider alternatives to effectively address these conditions. Once alternatives are determined and prioritized, funds are identified to pay for the projects. This entire process takes approximately five years to complete and requires regional cooperation and public participation.

As part of the LRTP planning process, approximately 260 candidate projects were evaluated with the ***Regional Scenario Planning Framework*** and updated ***HRTPO Project Prioritization Tool***. In March 2021, the HRTPO Board approved the Funding Plan and Fiscally Constrained List of Projects for the 2045 LRTP. This report, the tenth in a series of reports outlining the development of the 2045 LRTP, provides an overview of the public involvement opportunities during the development of the Plan.

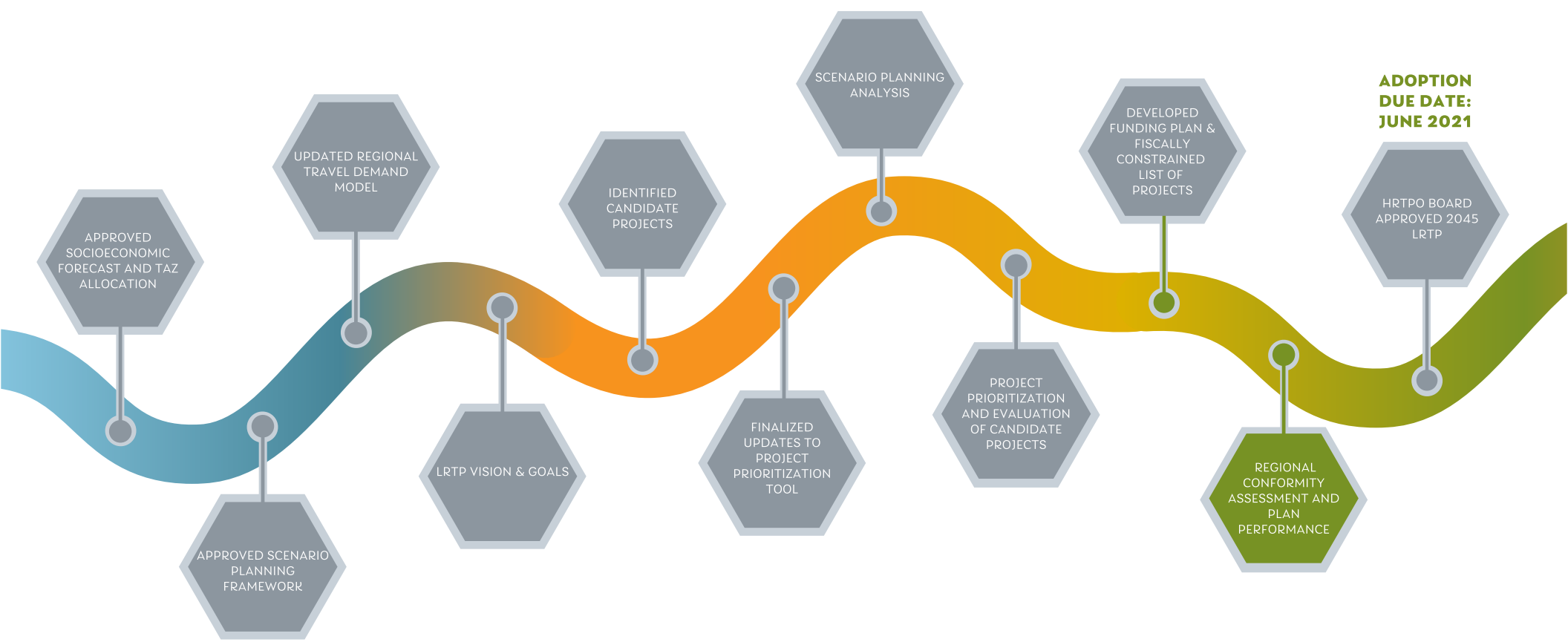
Previous 2045 LRTP reports focus on:

- Development of the ***2045 Socioeconomic Forecast*** describing projected population and employment growth for the region
- ***Regional Needs*** which established the framework for the vision and goals as well as the collection of candidate transportation projects
- ***Environmental Justice and Title VI Evaluation*** of candidate projects
- ***Summary of Transportation Challenges*** the region may face over the next 20 years and strategies to help meet these challenges
- ***Evaluation and Prioritization*** of candidate projects
- The documentation of ***Funding Plan*** and the development of the fiscally constrained list of projects for the Plan
- A ***Project Information Guide*** that provides detailed project information for each project fiscally constrained in the Plan
- ***Plan Performance*** which summarizes the forecasted performance of the 2045 LRTP
- The ***Regional Transportation Vision Plan*** which includes a list of unfunded transportation priorities for the region

In addition to the LRTP reports, an ***interactive online map of the 2045 LRTP*** projects is available on the ***2045 LRTP*** webpage



2045 LRTP DEVELOPMENT MILESTONES



2045 LRTP REPORTS TO DATE

The development of the 2045 LRTP is being documented in a series of reports. Listed below are the reports that have been produced to date. Please click on the report images below for more information.

1



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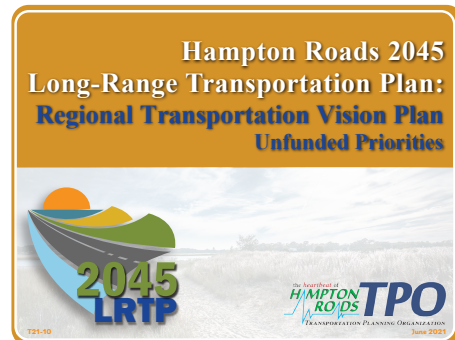
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PUBLIC INVOLVEMENT



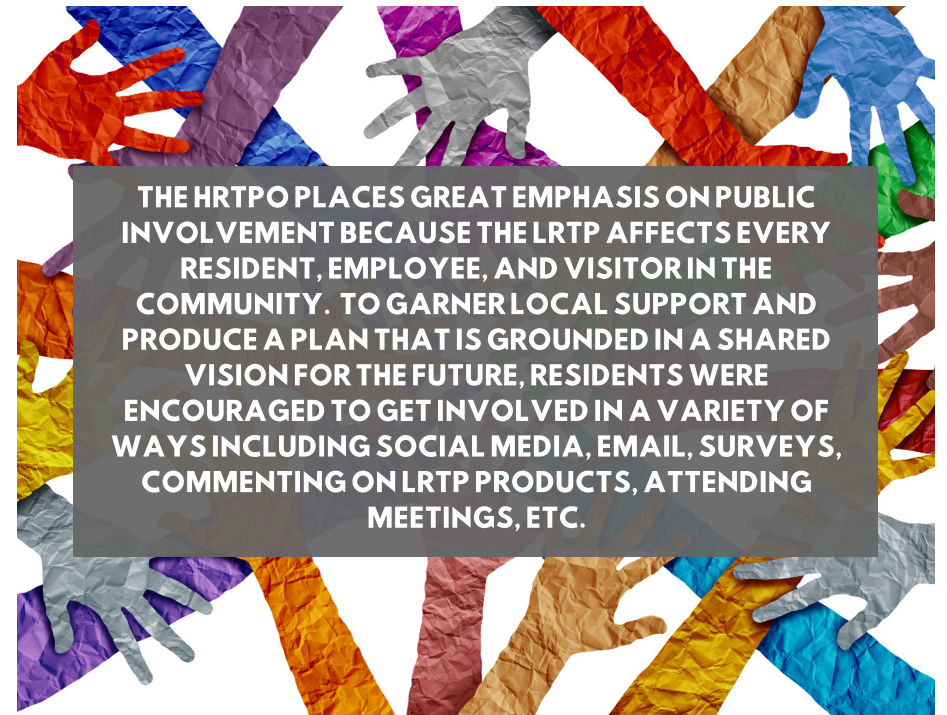
Public engagement with residents, stakeholders, elected officials, and other community representatives is an important part of a successful planning process and the HRTPO works to engage all who live, work, and play in Hampton Roads. This is especially true when developing the regional Long-Range Transportation Plan since transportation can have a significant impact on quality of life and is also closely intertwined with the economic health of the region.

Since meaningful citizen involvement is enhanced by information, the HRTPO has established a public involvement program dedicated to creating citizen awareness, providing multiple opportunities for the public to become more thoroughly involved in the transportation planning and decision-making process.

For the 2045 LRTP, in addition to providing early and continuous public engagement opportunities, another major goal of the LRTP was to reach out to all citizens in Hampton Roads and engage them in meaningful dialogue about their transportation needs and priorities, the transportation planning process, and potential impacts from transportation to their community. This goal helped to ensure that potential issues, especially those relating to Environmental Justice (EJ), are recognized, and properly addressed as projects move forward towards construction.

Public involvement for the 2045 LRTP included a variety of methods to inform the public about the LRTP process, raise awareness of the existing transportation network in Hampton Roads, and facilitate a shared vision regarding the future of transportation in our region. In communities comprised of traditionally underrepresented populations, specifically minority and/or low-income individuals, the HRTPO public involvement approach is tailored to reflect the community's potential barriers to participation, such as lack of access to transportation, alternative work hours, and language barriers.

During the last year and a half of the plan development, the COVID-19 pandemic significantly impacted some of the more traditional outreach methods to engage the public, resulting in a reliance on more digital ways to obtain public feedback. This included providing access to virtual meetings, recording meetings for interested viewers to watch at a later date/time, posting recorded presentations to the LRTP webpage, and overall facilitating public engagement via phone calls and emails, and during meeting discussion.



L RTP PUBLIC PARTICIPATION OBJECTIVES:

Provide broad-based access to the LRTP planning process

Develop and distribute information about the long-range transportation planning process through multiple sources, with clear, non-technical language

Engage all aspects of the public, including minority, low-income, disabled, and elderly persons in a meaningful exchange of ideas related to the transportation planning process

Establish working relationships with partner and peer organizations in the region with the purpose of sharing information and resources as well as promoting regional dialogue

The development of the 2045 LRTP was a transparent process in which HRTPO staff provided broad-based access to all LRTP related material. This included posting materials on the HRTPO website and the dedicated **LRTP webpage**, utilizing direct and indirect electronic mail, providing updates and public comment opportunities on draft versions of LRTP reports, and partnering with community organizations.

As part of the 2045 LRTP outreach, HRTPO staff invested extra effort to present transportation-related information in a clear, concise, and engaging format. Wherever applicable, staff utilized various visualization techniques to present information in an easy-to-understand manner to accommodate a wide range of audiences.

To elicit widespread and meaningful input, HRTPO staff incorporated various methods to target the culturally rich and diverse communities of Hampton Roads. As part of the planning process, Environmental Justice populations, comprised of minority and low-income populations, as well as other traditionally underrepresented populations, were identified and candidate projects were analyzed for potential impacts to these communities. This analysis was done during the candidate project evaluation phase (see the **Title VI/Environmental Justice Candidate Project Evaluation** report) and after the fiscally constrained list of projects was identified (see the **Plan Performance** report).

The HRTPO strives to provide interested and concerned citizens of Hampton Roads ample opportunity to review and comment on regional transportation priorities. Moreover, citizen input is provided to the HRTPO Board and its advisory committees so that their input is considered throughout the development of the LRTP. With the 2045 LRTP being documented through a series of reports, each draft report was made available for a minimum of a 14-day public review period; certain efforts, like prioritization and fiscal constraint, were made available for public review for 30-days. Public comments received were documented in each report. Comments related to candidate projects, project prioritization, and fiscal constraint were also communicated directly to the LRTP Subcommittee (comprised of representatives from localities, transit agencies, state and federal transportation agencies, Port of Virginia, military, etc.) during meetings about these topics.





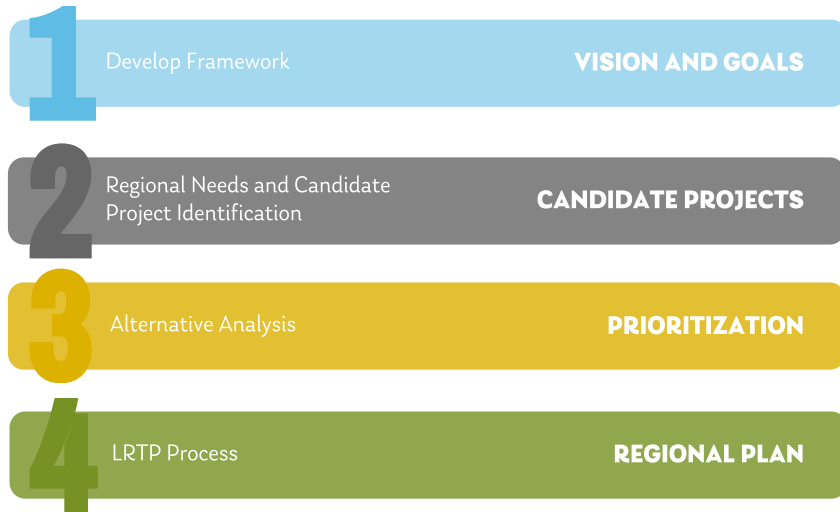
PUBLIC INVOLVEMENT REQUIREMENTS

Federal requirements for the public involvement process related to the transportation planning process are identified in 23 CFR 450.316 and 23 CFR 450.322. Per these regulations, MPOs are required to document a participation plan that defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties, with reasonable opportunities to be involved in the planning process.

- Providing adequate notice of public participation activities
- Providing timely notice and reasonable access to information pertaining to transportation issues and processes
- Using visualization techniques
- Making public information available in electronically accessible formats and means, such as the World Wide Web
- Holding public meetings at convenient and accessible locations and times
- Demonstrating explicit consideration and response to public input received
- Providing an additional opportunity for public comment, if the final plan differs significantly than the version made available for public comment
- Coordinating with the statewide transportation planning public involvement and consultation processes
- Periodically reviewing the effectiveness of the procedures and strategies contained in the HRTPO Public Participation Plan to ensure a full and open participation process

GETTING THE COMMUNITY INVOLVED

Since the LRTP is a multi-year effort, development of the LRTP occurs in phases. Therefore, HRTPO staff conducted public outreach in accordance with each phase. Engaging the community during all phases of the development of the LRTP is essential to the overall success of the plan.



PHASE ONE

This phase is dedicated to establishing the framework for the development of the LRTP. This phase included:

- Review federal, state, and local public involvement requirements
- Identify major milestones where public engagement is essential
- Develop/update a database of stakeholders and interested parties
- Branding of the LRTP (design logo, webpage, and marketing pieces)
- Identify/update location of Title VI/Environmental Justice communities in the region

PHASE TWO

This phase is dedicated to identifying regional needs and collecting candidate transportation projects for the LRTP. This phase included:

- Solicit public input regarding regional priorities and concerns
- Collect candidate projects from stakeholders, including citizens
- Review candidate projects with the LRTP Subcommittee
- Collect data for candidate projects

PHASE THREE

This phase is dedicated to alternative analysis for the LRTP. The Project Prioritization Tool was used to analyze and evaluate projects for the LRTP. This phase included:

- Solicit the HRTPO Board, HRTPO Advisory and Subcommittees, regional stakeholder, and public input regarding prioritization criteria and weighting factors
- Finalize updated methodology for Project Prioritization Tool
- Seek stakeholder feedback, including the public, on enhanced prioritization measures and the draft project prioritization scores

PHASE FOUR

This phase is dedicated to the adoption of the LRTP, including the list of projects and studies fiscally constrained in the plan. This phase includes soliciting the HRTPO Board, HRTPO Advisory Committees and Subcommittees, regional stakeholders, and public input regarding the following items:

- Projects and studies in the LRTP
- Air Quality Conformity assessment
- Plan performance

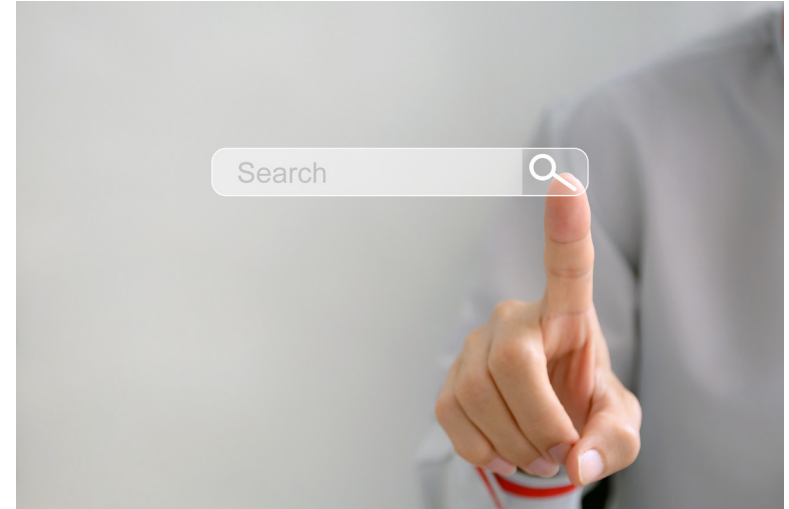
OPPORTUNITIES FOR CITIZEN INPUT

As indicated in the HRTPO Public Participation Plan, the following strategies were available and utilized for engaging the public in the development of the LRTP, including:

ENVIRONMENTAL JUSTICE INVOLVEMENT:

Identified current Environmental Justice and other traditionally underrepresented populations within Hampton Roads to ensure these communities were involved. The HRTPO Title VI/Environmental Justice Methodology was applied to the evaluation of transportation projects for the 2045 LRTP to help ensure the following:

- Make better transportation decisions that meet the needs of all people
- Enhance the public-involvement process, strengthen community-based partnerships, and provide minority and low-income populations with opportunities to learn about and improve the quality and usefulness of transportation in their lives
- Improve data collection, monitoring, and analysis tools that assess the needs of, and analyze the potential impacts on minority and low-income populations
- Partner with other public and private programs to leverage transportation agency resources to achieve a common vision for communities
- Avoid disproportionately high and adverse impacts on minority and low-income populations
- Minimize and/or mitigate unavoidable impacts by identifying concerns early in the planning phase to help provide offsetting initiatives and enhancement measures to benefit affected communities and neighborhoods



WEBSITE:

Maintain a webpage dedicated to regional transportation planning. From this webpage, users can access news and announcements, informational videos, and HRTPO event invitations. In addition to the HRTPO website, there is also a webpage dedicated to the development of the LRTP for the purposes of documentation and outreach. LRTP documents and efforts, including draft reports, are available for public review. Opportunities to contribute input on the transportation system and the planning process itself were publicized via the HRTPO webpage.

PUBLIC MEETINGS AND OPEN HOUSES:

Public Meetings/Open Houses are a traditional method for engaging the public. Meetings scheduled for the latter phase of the LRTP focusing on prioritization and fiscal constraint were postponed due to the COVID-19 pandemic. In lieu of these face-to-face meetings, virtual opportunities to learn about the LRTP and to submit feedback were provided.

SCHOOL OUTREACH:

HRTPO staff attended multiple school events to help increase awareness of the LRTP planning process. However, as with face-to-face public meetings, the school outreach effort scheduled for the latter phase of the LRTP focusing on prioritization and fiscal constraint was cancelled due to the COVID-19 pandemic.

SURVEYS/POLLS:

Regional surveys were conducted during the development of the 2045 LRTP to help inform a regional transportation vision and to better understand the priorities and travel experiences of people who call Hampton Roads home, to collect candidate projects and review those projects to help ensure major significant transportation needs were not being overlooked, and to weigh in on the scenario planning effort.

Two regional surveys were conducted in collaboration with another regional effort, the Regional Connectors Study. This included a statistically valid public survey seeking input on important issues facing the region and ideas to reduce congestion and improve connectivity across the region. More recently, another web-based survey was held in conjunction with a virtual open house seeking input on travel in the region as well as initial results from scenario planning analysis. Please visit the **Regional Connectors Study** webpage for more information.

A 2045 Visioning web-based survey was conducted seeking public input on transportation related topics. Participants were also provided an opportunity to submit candidate projects to be considered for the 2045 LRTP. Details and a full summary of this survey is available in the 2045 **LRTP Regional Needs** report.

During the public review of candidate projects being considered for the 2045 LRTP, another short web-based survey was conducted seeking public input on whether the list of candidate projects:

- Provide congestion relief
- Lead to greater connectivity
- Are any other major candidate projects missing from the list

STAKEHOLDER INTERVIEWS:

As part of the Regional Connectors Study, regional stakeholders provided responses to questions regarding transportation, economic vitality, quality of life, and emerging trends. This information was used to inform both the Regional Connectors Study and the 2045 LRTP. For a summary of the stakeholder interviews, visit: **<https://www.connectorstudy.org/documents/hrtpo-stakeholder-interview-summary/>**

PUBLIC ENGAGEMENT OPPORTUNITIES



3 REGIONAL SURVEYS
1,975 RESPONSES



36 FACE-TO-FACE OPPORTUNITIES
3 WORKSHOPS
8 SCENARIO PLANNING WEBINARS
6 ADVISORY COMMITTEE MEETINGS
19 TECHNICAL COMMITTEE MEETINGS



CITIZEN INPUT FINDINGS



- REDUCED CONGESTION, IMPROVED CONNECTIVITY, AND MORE MULTIMODAL TRANSPORTATION CHOICES
- MAINTENANCE, CONGESTION, AND TOLLING CONCERNS
- MORE ACTIVE TRANSPORTATION FACILITIES
- MORE RELIABLE AND EFFICIENT TRANSIT
- MORE EFFICIENT TRAVEL BETWEEN SOUTHSIDE AND PENINSULA
- TRAVEL TIME AFFECTS QUALITY OF LIFE
- LOCATION, LOCATION, LOCATION: HOME AND WORK
- CLEAN AIR

- UNPREDICTABLE TRAVEL TIMES
- LACK OF ALTERNATIVE ROUTES
- LACK OF PUBLIC TRANSIT OPTIONS
- LACK OF SIDEWALKS, BIKE LANES, AND SHARED-USE PATHS FOR CONNECTIVITY
- TOLLING COSTS
- HOV LANES NOT BENEFICIAL
- TAX DOLLARS TOWARD NON-TOLLED PROJECTS
- LIGHT RAIL LACKS CONNECTIVITY
- TOURISM, THE PORT, AND GOVERNMENT/DEFENSE ARE KEY SECTORS FOR THE REGION

HRTPO BOARD, ADVISORY, AND SUBCOMMITTEE MEETINGS:

Communicated LRTP updates and information via the HRTPO Board, Advisory (i.e., TTAC, CAC, FTAC) and Subcommittee meetings (i.e., LRTP Subcommittee). These meetings also provided public participation opportunities, as members of the public are allotted time at the start of each of these meetings to speak. In addition, Board members can share information with their community members.

- The Community Advisory Committee (CAC) and the Freight Transportation Advisory Committee (FTAC) are comprised of concerned citizens and freight stakeholders, respectively, and provide a unique opportunity to gain insightful feedback. LRTP status updates were presented to the committees throughout the development of the plan. In addition to being invited to provide feedback on various aspects of the LRTP, committee members were also engaged in the update of the regional Project Prioritization Tool.

INTERAGENCY COORDINATION:

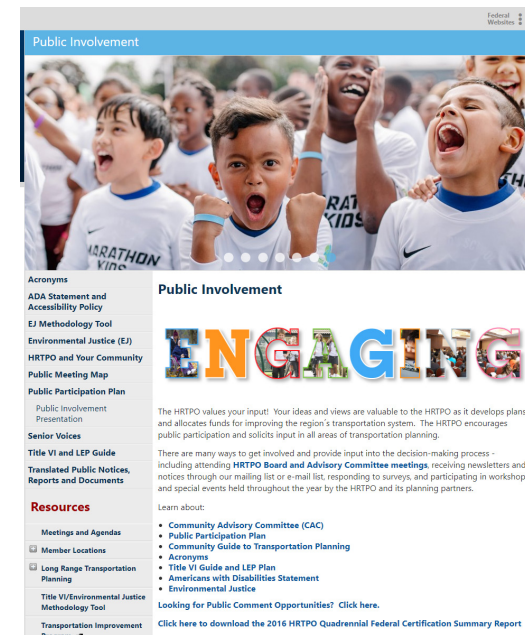
- Environmental mitigation outreach: correspondence sent to environmental agencies requesting stakeholder review/input on the LRTP/candidate projects. Refer to Chapter 5 of the Transportation Challenges and Strategies report for more information.
- Coordination with the Hampton Roads Interagency Consultation Group (ICG) regarding the 2045 LRTP project list and Regional Conformity Assessment.

NEWSLETTER AND E-NEWSLETTER ARTICLES:

Articles relating to the development of the LRTP and associated planning efforts were included in the HRTPO newsletter/e-newsletter. Twenty-eight articles on the 2045 LRTP and related planning topics from 2016-2021 were published. Each newsletter is distributed to over 6,000 newsletter recipients across Hampton Roads.

SOCIAL MEDIA:

Social Media was used to disseminate information regarding the LRTP. Facebook was used to encourage people to attend meetings, comment on draft LRTP reports, participate in surveys, and to promote other public events and opportunities. HRTPO staff maintains an active organizational Facebook account to help engage the public. Facebook's tracking capabilities demonstrate that Facebook is an effective venue to reach more residents who live in Hampton Roads, and specifically in locations that are often underrepresented at traditional public meetings. HRTPO Facebook posts were shared over 12,000 times from 2016 to 2021 and on average, 232 people per day were engaged (includes targeted engagement).



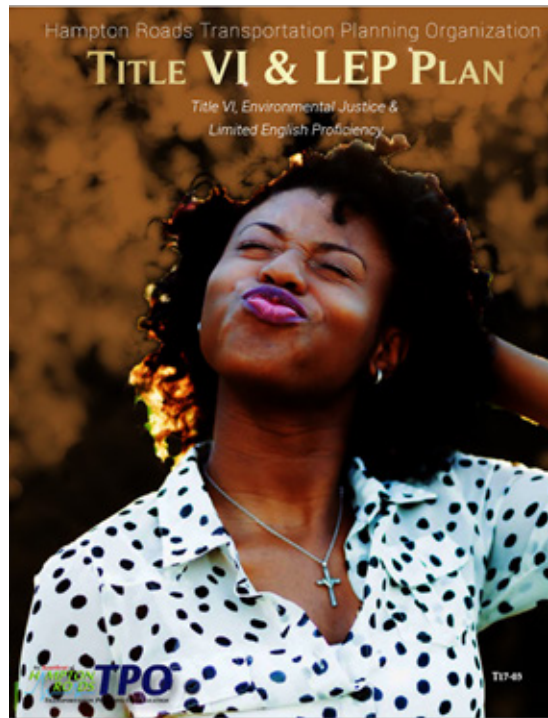
PUBLIC NOTICES:

Public notices pertaining to LRTP public involvement activities were posted on the HRTPO website.

VISUALIZATION:

Engaging graphics and other visualization techniques were utilized to help the public better understand transportation options as well as facilitate more meaningful input. A **Project Information Guide** was developed which contains one-page project summaries for each project in the LRTP. An **interactive 2045 LRTP project map** was also created to help provide another platform for the public to obtain more information about projects in the LRTP.

For more information on HRTPO public involvement strategies, please refer to the HRTPO **Public Participation Plan**, **Title VI and Limited English Proficiency Plan**, and the **Community Guide to Transportation Planning**.



APPENDIX

COMMENTS RECEIVED

Citizens throughout the region are provided opportunities to review and comment on transportation priorities. As stated earlier, citizen input is provided to the HRTPO Board and its advisory committees so that public feedback is considered throughout the development of the LRTP.

Public comments received during the development of the 2045 LRTP are documented in the associated report as well as in the appendix of this report. Comments received pertained to candidate projects, candidate project evaluation, project prioritization criteria, and project prioritization scores.

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Hampton Roads 2045 Long-Range Transportation Plan: DRAFT Plan Performance, Regional Transportation Vision Plan, and Public Involvement Documentation Reports

As the federally designated Metropolitan Planning Organization for Hampton Roads, the HRTPO is required to develop and maintain the region's Long-Range Transportation Plan (LRTP). The HRTPO is currently updating the LRTP to a horizon year of 2045. The plan serves as the transportation blueprint, identifying all regionally significant projects over the next 24-years. The development of the 2045 LRTP for the past five years has been based on a collaborative process involving many regional stakeholders and the public to identify, prioritize, and fiscally constrain needed transportation investments. Based on analysis using the [Regional Scenario Planning Framework](#) and the [HRTPO Project Prioritization Tool](#), the 2045 LRTP identifies \$17 Billion to maintain the existing transportation system and an additional \$13.7 Billion for multimodal projects and studies that will help improve the movement of people and goods.

As part of Federal requirements, a [Regional Conformity Assessment](#) (RCA) on the 2045 LRTP and 2021-2024 Transportation Improvement Program was completed and submitted to the Federal Highway Administration for review. A joint FHWA/FTA finding of conformity was received on May 19, 2021.

The 2045 LRTP is documented through a series of reports, which are available on the [2045 LRTP webpage](#). The remaining three draft reports in this series include:

- [2045 LRTP: Plan Performance](#)
- [2045 LRTP: Regional Transportation Vision Plan](#)
- [2045 LRTP: Public Involvement Documentation](#)

This public notice is to request public review and comment on the remaining DRAFT 2045 LRTP reports: Plan Performance, Regional Transportation Vision Plan, and Public Involvement Documentation (available via the links above).

All interested parties are encouraged to review the DRAFT reports and send comments to Ms. Dale M. Stith, Principal Transportation Planner, at dstith@hrtpo.org or by mail to 723 Woodlake Drive, Chesapeake, Virginia 23320 by **June 8, 2021**.



APPENDIX B: PUBLIC COMMENTS

As part of the public review of the 2045 LRTP Candidate Projects, comments were submitted by the Southern Environmental Law Center (SELC). HRTPO staff provided a written response to SELC and addressed the project specific comments with the LRTP Subcommittee at its meeting on March 4, 2020. Feedback received from the LRTP Subcommittee was incorporated and remarks were conveyed to SELC in follow up emails.

APPENDIX B: PUBLIC COMMENTS CONTINUED



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 Fax 434-977-1483
 SouthernEnvironment.org

February 13, 2020

Ms. Theresa Brooks
 Transportation Engineer III
 Hampton Roads Transportation Planning Organization

BY EMAIL

Re: Draft Candidate Projects for the 2045 Long-Range Transportation Plan

Dear Ms. Brooks:

The Southern Environmental Law Center (SEL) would like to provide the following comments on the Hampton Roads Transportation Planning Organization's (HRTPO) draft list of candidate projects for the region's 2045 Long-Range Transportation Plan (LRTP). SEL is a non-partisan, non-profit organization that works throughout Virginia to promote transportation and land use decisions that strengthen our communities, protect our environment, and improve our quality of life.

We appreciate the opportunity to provide input at this early stage of HRTPO's long-range planning process. Thoughtful transportation and land use planning will be especially important in the coming years given the many challenges facing the Hampton Roads region. Among other things, the recent VTrans Mid-term Needs Assessment indicates a growing need to expand and provide more equitable access to public transit and non-motorized transportation options throughout the region, particularly in its urban cores.¹

Hampton Roads also faces some of the most serious climate change-related threats from flooding and sea level rise in the country. As a result, it is essential that the long-range planning process include careful consideration of these risks to the region's transportation infrastructure, and that projects are sited and designed to prevent further loss of natural resiliency features such as wetlands and floodplains that help slow and store flood water and provide communities with valuable storm protection. The threats faced by Hampton Roads also underscore the need to make significant progress in this LRTP toward reducing the region's greenhouse gas (GHG) emissions from the transportation sector—the largest source of GHG emissions in Virginia.

We strongly support the inclusion in the draft candidate list of many projects focused on expanding residents' travel options as well as advancing cleaner transportation modes, including several key projects to expand the region's public transit and passenger rail networks and a host of active transportation improvements. However, in viewing this draft candidate list as a whole and in light of the challenges and threats noted above, we are concerned to see its overwhelming focus on highway expansion. Indeed, highway projects comprise 183 out of 309 total projects on the list (not including interchange and bridge improvements), and the vast majority of these

¹ Office of Intermodal Planning and Investment, Executive Summary and 2019 Mid-Term Transportation Needs, Hampton Roads Construction District at 23 et seq. (Jan. 2020), available at http://www.vtrans.org/resources/VTrans_Midterm_Report_HamptonRoads.pdf.

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projects involve adding new asphalt. Below we identify several examples from the draft candidate project list that raise serious concerns because of their substantial adverse effects on the region's communities and environment. These proposed projects should be removed from further consideration in the LRTP process.

- **New Route 460 (Suffolk to Zuni):** Previous plans for a new highway parallel to Route 460 were extremely expensive relative to their limited benefits, and ran into serious permitting issues due to their severe impacts on wetlands and other resources. After scoring poorly in SMART SCALE, the Virginia Department of Transportation's (VDOT) most recent plans to build a new highway along this stretch were wisely scrapped in favor of a focus on targeted upgrades to existing Route 460.
- **Route 460/58/13 Connector:** VDOT also recently pulled the plug on a study of improvements—and potential widening—for this stretch of highway after finding that its existing capacity should be able to handle expected travel demand through 2040.² VDOT further found that each of the options under review would have enormous impacts on wetlands in the corridor,³ which runs alongside the Great Dismal Swamp National Wildlife Refuge containing some of Virginia's most important habitat.
- **Southeastern Parkway and Greenbelt:** Similarly, in 2010 the Federal Highway Administration terminated the environmental review process for this project after decades of study in which federal agencies raised serious and repeated concerns with its impacts on wetlands and other resources—essentially finding this project unpermissible.⁴ These issues were significant in 2010, but are even greater today in light of the immediate threats posed by climate change and the need to protect wetlands as a resiliency resource for local communities.
- **Nimmo Parkway Phase VII-B:** This proposal to build a raised parkway across part of the Back Bay National Wildlife Refuge and through the largest contiguous forest in the Back Bay watershed raises serious concerns regarding impacts on wildlife populations and habitat. Further, it threatens to exacerbate local flooding both to the north and the south of the proposed parkway by restricting the normal bi-directional flow of water in response to winds, tides, and rainstorms, and by isolating wetlands that help absorb floodwaters. Improving the existing Sandbridge Road corridor is a far less damaging alternative that should be pursued instead.

² See Angel Deem, Presentation to HRTPO, "Route 460/58/13 Connector Environmental Assessment (EA) Status Update (Nov. 15, 2018), available at https://www.hrtpo.org/uploads/docs/111518%20P13%20-%20Route%20460%2058%2013%20TPO%20Meeting%2011-15-18_Rev.pdf.

³ VDOT reported that the wetlands impacts of the four alternatives under review ranged from 76.7 acres for the six-lane option to improve access at the eastern end of the corridor to 98.9 acres for the eight-lane option to improve access at both the eastern and western ends. *Id.*

⁴ Termination of Environmental Review Process Cities of Chesapeake and Virginia Beach, VA., 75 Fed. Reg. 70351 (Nov. 17, 2010) (noting that the proposal would result in the net loss of over 170 acres of wetlands and quoting the U.S. Environmental Protection Agency's comments that "even the best mitigation may not be able to adequately compensate for the environmental harm expected" from the project).

REGIONAL NEEDS PUBLIC COMMENTS

APPENDIX B: PUBLIC COMMENTS CONTINUED

Finally, we also recommend close scrutiny of any proposals for the Bowers Hill Interchange. While we recognize the importance of this interchange to the region's transportation network, it is located in a sensitive area containing several environmental justice communities, substantial wetlands, streams, and floodplains, and in close proximity to the Great Dismal Swamp National Wildlife Refuge. Expansion of this vast interchange could also have significant effects in increasing vehicle miles traveled and related GHG emissions. These communities and potential impacts must be carefully considered in relation to any potential improvements to this facility.

Thank you for your consideration, and we look forward to continuing to participate as this long-range planning process moves forward.

Sincerely,



Morgan Butler
Senior Attorney



Travis Pietila
Staff Attorney



John L. Rowe, Jr., Chair, Donnie R. Tuck, Vice-Chair
Robert A. Crum, Jr., Executive Director

February 24, 2020

Mr. Morgan Butler, Senior Attorney
Mr. Travis Pietila, Staff Attorney
Southern Environmental Law Center
201 West Main Street, Suite 14
Charlottesville, VA 22902-5065

Re: Draft Candidate Projects for the 2045 Long-Range Transportation Plan

Dear Mr. Butler and Mr. Pietila,

Thank you for participating in the HRTPO's 2045 Long-Range Transportation Plan (LRTP) public comment and review period. SELC's comments, along with other public input, help to inform HRTPO of public and stakeholder concerns and questions. Knowing your concerns and questions help us to consider and address them during the LRTP planning process.

We agree that long-range planning should include careful consideration of potential risks to the region's transportation infrastructure and have developed recommendations to enhance our Project Prioritization Tool (tool designed to objectively measure effectiveness, economic vitality, and viability of projects) to include resiliency and other environmental measures. The Project Prioritization Tool will be used to evaluate and rank projects to be considered for inclusion in the 2045 LRTP (to learn more about the HRTPO Project Prioritization Tool and the recommended enhancements, please visit <https://www.hrtpo.org/page/project-prioritization/>).

With regard to SELC's comments on the quantity of highway candidate projects, I'd like to provide some background on the candidate list. Candidate projects are proposals for the HRTPO to consider for potential inclusion in the LRTP. These proposed projects are subjected to a rigorous evaluation process and fiscal constraint (demonstration that sufficient funds will be available to cover project costs). Less than half of the 300+ candidate projects will ultimately make it into the Plan. The candidate projects came from a variety of sources, including the current 2040 LRTP, 2040 Vision Plan, other HRTPO planning studies, HRTPO advisory committees, and public input. Therefore, the quantity of any particular group of candidate projects is not a reflection of a preferred mode, but a result of the unrestricted collection process.

The HRTPO is committed to planning a balanced, multimodal transportation system through our LRTP and other planning efforts, and the final 2045 LRTP will support a multimodal system in which all transportation modes, including transit, active transportation, etc., are represented. In addition, over the past few years, HRTPO staff has been coordinating with regional stakeholders and the public to develop a regional active transportation plan. *Linking Hampton Roads, A Regional Active Transportation Plan*, is a framework to help improve safety and connectivity for non-motorized modes like walking and bicycling, and to promote more active and healthy lifestyles. The HRTPO is also a strong advocate for dedicated transit funding to help improve the quality of our regional transit system and promote transportation choices for our residents.

The Regional Building | 723 Woodlake Drive | Chesapeake, Virginia 23320 | 757-420-8300

REGIONAL NEEDS PUBLIC COMMENTS

APPENDIX B: PUBLIC COMMENTS CONTINUED

We will forward your project specific comments to the appropriate localities and agencies. As part of our outreach to environmental agencies regarding development and environmental mitigation discussions associated with the 2045 LRTP, we would like to include SELC's comments as a resource. Please let us know if you have any issues/concerns with us sharing your comments.

Sincerely,



Theresa Brooks
Transportation Engineer III

TB/nb

Dale Stith

From: Travis Pietila <tpietila@selcva.org>
Sent: Monday, March 30, 2020 4:13 PM
To: Theresa Brooks
Cc: Morgan Butler; Dale Stith; Mike Kimbrel
Subject: RE: SELC Comments on 2045 LRTP Candidate Projects

Theresa,

I hope everyone at HRTPO is staying safe and healthy. Sorry for the delay in responding, but we appreciate your update on the LRTP planning process, as well as the close consideration that you and the LRTP Subcommittee have given to our comments.

We look forward to continuing to participate as planning for the LRTP moves forward, and will let you know if we have any further questions.

Best,
Travis

Travis Pietila
Staff Attorney
Southern Environmental Law Center
201 West Main Street, Suite 14
Charlottesville, VA 22902
(434) 977-4090
SouthernEnvironment.org

From: Theresa Brooks [mailto:tbrooks@hrtpo.org]
Sent: Monday, March 23, 2020 10:22 AM
To: Travis Pietila
Cc: Morgan Butler; Dale Stith; Mike Kimbrel
Subject: RE: SELC Comments on 2045 LRTP Candidate Projects

Good Morning Travis,

Hope you're doing well. I wanted to follow up to inform you that we shared SELC's comments regarding the 2045 LRTP Candidate Projects with the LRTP Subcommittee at its meeting on March 4, 2020 (links to the meeting agenda and associated presentation included below). In addition to summarizing SELC's comments in the presentation, we also included your submitted comments as an attachment. At that meeting, the LRTP Subcommittee made the following suggestions regarding the project specific SELC comments:

- Route 460 (Suffolk to Zuni)
 - SELC concerned over "serious permitting issues." Also, refined improvements have been developed that focus on targeted upgrades to the existing Route 460.
 - LRTP Subcommittee response: Long term capacity needs still need to be addressed along corridor, so retain as a candidate project.
- US 460/58/13 Connector

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APPENDIX B: PUBLIC COMMENTS CONTINUED

- o SELC concerned because recent VDOT study was halted because "existing capacity should be able to handle expected travel demand through 2040" and "VDOT further found that each of the options under review would have enormous impacts on wetlands in the corridor"
 - o L RTP Subcommittee response: There are safety concerns along the corridor; therefore, retain candidate project. However, modify project description to reflect safety improvements along corridor (not a widening), including a potential interchange at regional landfill to reduce cross-traffic conflicts.
- Southeastern Pkwy and Greenbelt (SEPG)
 - o SELC concerned because FHWA "terminated the environmental review process" over "raised serious and repeated concerns with its impacts on wetland and other resources - essentially finding this project unpermittable" and that these issues "are even greater today in light of the immediate threats posed by climate change and the need to protect wetlands as a resiliency resource for local communities."
 - o L RTP response: Virginia Beach staff will modify the project termini, submitting two viable segments of the SEPG to evaluate as candidate projects.
- Nimmo Pkwy VII-B
 - o SELC concerned over potential "impacts on wildlife populations and habitat" and states the project could "exacerbate local flooding" thereby "restricting the normal bi-directional flow of water in response to winds, tides, and rainstorms, and by isolating wetlands that help absorb floodwaters." SELC further suggests that "Improving the existing Sandbridge Road corridor is a far less damaging alternative that should be pursued instead."
 - o L RTP Subcommittee response:
 - Tara Reel, Transportation and Transit Planner, City of Virginia Beach, stated that "The main purpose of the transportation improvements to Sandbridge Road are to reduce recurring flooding. The environmental impacts are essentially the same for Sandbridge Road and Nimmo Parkway. It becomes more difficult to raise Sandbridge Road because of the proximity to houses, driveways, septic tanks, parking areas, etc. Raising Sandbridge Road and providing the necessary shoulder treatments would likely result in impacts to residential or commercial properties due to inadequate access or driveways that are too steep. Therefore, Nimmo Parkway becomes a less impactful option at that point. Also, as provided in the approved United States Army Corps of Engineers (USACE) permit with Sandbridge—Nimmo 7A, there are culvert crossings to allow natural stormwater flow to occur. There are also culvert crossings dedicated for wildlife movement as well. In addition to the bridge for Nimmo 7B, we would anticipate similar infrastructure for stormwater and wildlife movement."
 - Based on VB's response, project will be retained as a candidate project.

Additionally, we shared SELC's concerns regarding the Bowers Hill Interchange candidate project with the L RTP Subcommittee at that meeting. We will also forward SELC's concerns over this project to the Bowers Hill Interchange Study Working Group.

Please feel free to reach out to us if you have any additional questions or comments.

March 4, 2020 L RTP Subcommittee Agenda
<https://www.hrtpo.org/events/details/790/lrtp-subcommittee/>

Agenda Item 6 - 2045 Long-Range Transportation Plan Candidate Projects: Comments Received Presentation
<https://www.hrtpo.org/uploads/docs/030420%20P6-2045LRTP-CandidateProjects-Comments-030420.pdf>

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Thank you,
Theresa



Theresa K. Brooks
 Transportation Engineer III
 Hampton Roads Transportation Planning Organization
 723 Woodlake Drive
 Chesapeake, Virginia 23320
 phone: 757-420-8300 | fax: 757-523-4881
 email: tbrooks@hrtpo.org
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From: Travis Pietila <tpietila@selcva.org>
Sent: Thursday, February 27, 2020 2:29 PM
To: Theresa Brooks <tbrooks@hrtpo.org>
Cc: Morgan Butler <mbutler@selcva.org>; Dale Stith <dstith@hrtpo.org>; Mike Kimbrel <mkimbrel@hrtpo.org>
Subject: RE: SELC Comments on 2045 L RTP Candidate Projects

Theresa,

We appreciate HRTPO's consideration of our comments, and please feel free to include them in your outreach to environmental agencies. We look forward to continuing to participate as this 2045 Long-Range Transportation Plan process moves forward.

Best,
Travis

Travis Pietila
 Staff Attorney
 Southern Environmental Law Center
 201 West Main Street, Suite 14
 Charlottesville, VA 22902
 (434) 977-4090
SouthernEnvironment.org

From: Theresa Brooks <<mailto:tbrooks@hrtpo.org>>
Sent: Wednesday, February 26, 2020 1:55 PM
To: Travis Pietila
Cc: Morgan Butler; Dale Stith; Mike Kimbrel
Subject: RE: SELC Comments on 2045 L RTP Candidate Projects

Mr. Pietila,

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REGIONAL NEEDS PUBLIC COMMENTS

APPENDIX B: PUBLIC COMMENTS CONTINUED

Thank you for reviewing and providing comments regarding the draft candidate projects list for the HRTPO's 2045 Long-Range Transportation Plan. Please find attached our response to SELC's comments. As noted in the letter, we plan to share SELC's project specific comments at our next LRTP Subcommittee meeting with the appropriate localities and agencies. Additionally, we would like to include SELC's comments as a resource in our outreach to environmental agencies.

If you have any additional questions or comments, please do not hesitate to contact us.

Thank you,
Theresa



Theresa K. Brooks
Transportation Engineer III
Hampton Roads Transportation Planning Organization
723 Woodlake Drive
Chesapeake, Virginia 23320
phone: 757-420-8300 | fax: 757-523-4881
email: tbrooks@hrtpo.org
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From: Travis Pietila <tpietila@selcva.org>
Sent: Thursday, February 13, 2020 10:17 AM
To: Theresa Brooks <tbrooks@hrtpo.org>
Subject: SELC Comments on 2045 LRTP Candidate Projects

Ms. Brooks,

Please find attached comments from the Southern Environmental Law Center on the draft candidate projects list for HRTPO's 2045 Long-Range Transportation Plan.

Thank you for your consideration,

Travis Pietila

Travis Pietila
Staff Attorney
Southern Environmental Law Center
201 West Main Street, Suite 14
Charlottesville, VA 22902
(434) 977-4090
SouthernEnvironment.org

APPENDIX D: COMMENTS RECEIVED

As part of the review process for the Title VI/Environmental Justice analysis of 2045 LRTP candidate projects, a technical review by LRTP Subcommittee members was requested prior to the public review of the analysis. As part of this technical review, comments were received from locality staff and addressed accordingly.

The report was made available for public review from May 26 – June 12, 2020. A comment was received, which was coordinated with appropriate locality staff and addressed accordingly.



TITLE VI/ENVIRONMENTAL JUSTICE CANDIDATE PROJECT EVALUATION PUBLIC COMMENTS

APPENDIX D: COMMENTS RECEIVED

Public Comment

Name: George Homewood, Norfolk

Date: 05/29/2020

Subject: Hampton Roads LRTP

[Excerpt:]

Steve—

Likely a day late and several million dollars short, but I'd like to propose an active transportation project that will increase access to minority and elderly populations in James City County and Williamsburg—extending the Virginia Capital Trail spur from its current terminus at Eagle Way (Jamestown High School) to Strawberry Plains Road/John Tyler Lane just inside the City of Williamsburg. Other than on either side of Ironbound Road at 5 Forks and a few properties along Route 5 near Indian Springs Road, there is either existing right-of-way or significant front setbacks that would permit the VCT extension with relatively little impact to private property. While there are some mulch trails as part of the Mainland Farm-Greensprings system that eventually get to Clara Byrd Baker School, it is not the same access opportunity as the paved multi-use facility that an extension of the VCT would be and is only part of the way. It would also finish the trail along the full extent of Route 5 from Downtown Richmond to Williamsburg.

Thanks for adding to the pile of suggestions.

George M Homewood

HRTPO Staff Response (06/02/2020)

George,

After reaching out to both Williamsburg and James City County, HRTPO staff has concluded that the active transportation project suggestion
Appendix D

you submitted cannot be added to the 2045 LRTP candidate project list at this time because it is not consistent with either the Historic Triangle's Comprehensive Plan or the HRTPO's Linking Hampton Roads: A Regional Active Transportation Plan. Additionally, Paul Holt informed us that the County would not support an active transportation project along Route 5.

We appreciate your comments and feedback. Please let us know if you have further questions or concerns.

Thank you,

Steve Lambert

Comment

[Excerpt:]

Name: Carl Jackson, Portsmouth

Date: 05/19/2020

Subject: Re: DRAFT 2045 LRTP: be Title VI/Environmental Justice Candidate Project Evaluation Report – Request for Feedback

Hey Steve,

This report looks great but I had a question about some stray projects mapped in the appendix. If you look at the Active Transportation Candidate Maps (A-1 - A-9), there appears to be a long horizontal shared use path along the I-264 corridor from VB to I-664 that doesn't match the route of the South Hampton Roads Trail particularly through Portsmouth. What project is this?

Also, I noticed that on the Transit Candidate Maps (T-1 - T-9) there are several ferry projects mapped showing ferry service between Portsmouth and the Peninsula. These may have been projects suggested by citizens but there has been no feasibility study and both

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TITLE VI/ENVIRONMENTAL JUSTICE CANDIDATE PROJECT EVALUATION PUBLIC COMMENTS

APPENDIX D: COMMENTS RECEIVED

the City and HRT do not support this ferry service at this time.

Thanks.

Carl Jackson

HRTPO Staff Response (05/20/2020)

Good Morning Carl,

Hope you're doing well and staying safe. Thank you for reviewing this draft report and providing comments. As Steve alluded to yesterday, some of the initial alignments we were using for mapping were "placeholder" alignments that we're refining as we progress through project evaluation. We will make sure to refine these alignments where we can and re-do any analysis to account for these modifications.

For the transit projects you mentioned, for the 2045 LRTP, we currently have 5 "water mode" transit candidate projects (4 ferry, 1 high-speed water taxi system). These projects were either 2040 LRTP Vision/Study projects or public submissions. Only two of these projects include a termini in Portsmouth (2045-505 and 2045-513) and neither of these two candidate projects include suggestions to cross the Hampton Roads Harbor to the Peninsula. The table below reflects these "water mode" candidate projects.

Dale

2045 Candidate Project ID 2045-xx	Project Name	Project From Extent	Project To Extent	Project Overview/Purpose
2045-504	Ferry Service	Norfolk	Hampton	New ferry service.
2045-505	Ferry Service	Old Towne (Portsmouth)	Downtown Norfolk - Naval Station Norfolk	New ferry service.
2045-508	High-speed water taxis system	N/A	N/A	High speed 50+ passenger water taxi Lynnhaven to NAS to downtown Norfolk to downtown Hampton to Bennett Creek.
2045-513	Southside Ferry Service	Existing Service Locations	Various Locations	Provide ferry service to all of Southside - Norfolk, Chesapeake, Portsmouth, VA Beach
2045-517	Elizabeth River Ferry Expansion	Current Service Location	ODU and Naval Station Norfolk	Expand ferry services to Old Dominion University and Naval Station Norfolk.

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Appendix D



APPENDIX B

Appendix B contains the public notice that was posted on September 4, 2020 asking interested parties to review and comment on the draft *Hampton Roads 2045 Long-Range Transportation Plan: Transportation Challenges and Strategies* Report. No public comments were received.

Appendix B also includes technical comments received by TTAC/LRTP Subcommittee Members. Comments were addressed in the report as appropriate.

PUBLIC NOTICE

2045 Long-Range Transportation Plan: Transportation Challenges and Strategies Draft Report

A core function of the HRTPO, the metropolitan planning organization (MPO) for the Hampton Roads area, is to develop and maintain a Long-Range Transportation Plan (LRTP). The LRTP is a blueprint for planned improvements to the Hampton Roads transportation system over a 20-year planning horizon based on the vision and goals of the region. Since 2016, HRTPO staff has been coordinating with regional stakeholders to update the LRTP to the horizon year of 2045.

HRTPO staff has developed the **Hampton Roads 2045 Long Range Transportation Plan: Transportation Challenges and Strategies** report, the fourth in the series of reports documenting the development of the 2045 LRTP. This draft report summarizes challenges related to the transportation system and strategies that are planned or in place to help address these challenges.

This report is intended to serve as a resource document and is organized into six categories. **Mobility and Accessibility** addresses the challenges and strategies related to traveling from point A to point B. **Cornerstones of the Regional Economy** discusses issues facing the military, the movement of freight, and tourism. **System Preservation, Safety, and Security** details the condition and preservation of transportation infrastructure, including the protection of residents and visitors to the region. The **Environment** chapter explores topics such as maintaining water and air quality, protecting sensitive areas, and adjusting to the impacts of climate change. **Transportation Finance** details issues related to funding transportation needs. **Performance Management** highlights efforts to monitor and measure system performance.

CLICK HERE to review the draft report.

All interested parties are encouraged to review the draft report and send comments to Leonardo Pineda, Transportation Planner II, at lpineda@hrtpo.org or by mail to 723 Woodlake Drive, Chesapeake, Virginia 23320 by **September 18, 2020**.

MOBILITY AND ACCESSIBILITY	
<ul style="list-style-type: none"> • Special Needs • Population • Congestion • Travel Time • Reliability 	<ul style="list-style-type: none"> • Commuting • Public Transportation • Active Transportation • Rail Transportation • Technology and the Future
CORNERSTONES OF THE REGIONAL ECONOMY	
<ul style="list-style-type: none"> • Military • Freight 	<ul style="list-style-type: none"> • Tourism
SYSTEM PRESERVATION, SAFETY, AND SECURITY	
<ul style="list-style-type: none"> • Infrastructure Preservation • Safety 	<ul style="list-style-type: none"> • Infrastructure Security • Security of Various Transportation Modes
THE ENVIRONMENT	
<ul style="list-style-type: none"> • Sustainability and Resiliency (Climate Change and Sea Level Rise) • Water Quality 	<ul style="list-style-type: none"> • Air Quality • Environmentally Sensitive Lands • Land Use and Transportation
TRANSPORTATION FINANCE	
<ul style="list-style-type: none"> • National • State 	<ul style="list-style-type: none"> • Construction Cost Increases
PERFORMANCE MANAGEMENT	
<ul style="list-style-type: none"> • System Monitoring • Measuring Performance (Targets) 	<ul style="list-style-type: none"> • Incorporating Targets into the Planning Process

TRANSPORTATION CHALLENGES AND STRATEGIES PUBLIC COMMENTS

Leo Pineda

From: Leo Pineda
Sent: Thursday, September 10, 2020 1:34 PM
To: 'Keenan, Lynne'
Subject: RE: Hampton Roads 2045 Long Range Transportation Plan: Transportation Challenges and Strategies

Lynne,

Thank you for the comments and compliments! We appreciate you taking the time to go through the report. We're in the process of reviewing them and will circle back with you if we have any questions.

Thanks again,
Leo

From: Keenan, Lynne <lynne.keenan@hampton.gov>
Sent: Friday, September 4, 2020 2:54 PM
To: Leo Pineda <lpineda@hrtpo.org>
Subject: RE: Hampton Roads 2045 Long Range Transportation Plan: Transportation Challenges and Strategies

Leo,

This plan is incredibly thorough and very well put together! There was a great deal of helpful information and it is useful for the transportation community but also the general public, so please pass along my sincere kudos to the HRTPO staff for their efforts!

Just two quick comments on the 2045 LRTP from me:

1. Pg 43 – Study references a 2020 Business Insider article but I think it needs a bit more explanation. The concept of the “regional backbone” is only briefly explained and then the article notes two backbones as options. Consider re-phrasing or expanding upon the explanation a bit further. This section reads confusingly.
2. Pg 61 – The number of active duty personnel do not make up the entirety of military populations. Can you get numbers for civilians and contractor personnel to help expand upon the impact of the military community within the region? 150,000, while a large number, is not nearly the impact when you add those additional personnel into the total, which puts additional strain on the traffic patterns. VA Military Affairs Council (VMAC) may have those numbers calculated regionally or Mike Coleman with the Sec of Veterans and Defense Affairs. (Forgive me, I worked for the navy as a planner for many years and this was a big topic of study, so I'm a bit more sensitive to this than most!)

Enjoy the long weekend!

1

TRANSPORTATION CHALLENGES AND STRATEGIES PUBLIC COMMENTS

From: Dale Stith
Sent: Monday, September 14, 2020 6:28 PM
To: 'Aaron Small' <ASmall@williamsburgva.gov>
Cc: Carolyn Murphy <cmurphy@williamsburgva.gov>
Subject: RE: Hampton Roads 2045 Long Range Transportation Plan: Transportation Challenges and Strategies

Hi Aaron,

Thank you for reviewing the draft 2045 LRTP Transportation Challenges and Strategies report and providing the comment below. We will also include this project as another great example of efforts to improve active transportation in our region.

Thanks,
Dale

Dale M. Stith, AICP, GISP
Principal Transportation Planner | Hampton Roads Transportation Planning Organization
723 Woodlake Drive | Chesapeake, VA 23320
dstith@hrtpo.org | www.hrtpo.org | Phone: 757.420.8300 | Fax: 757.523.4881



TRANSPORTATION CHALLENGES AND STRATEGIES PUBLIC COMMENTS

From: Aaron Small <ASmall@williamsburgva.gov>
Sent: Monday, September 14, 2020 2:07 PM
To: Dale Stith <dstith@hrtpo.org>
Cc: Carolyn Murphy <cmurphy@williamsburgva.gov>
Subject: RE: Hampton Roads 2045 Long Range Transportation Plan: Transportation Challenges and Strategies

Dale,

On page 48 last paragraph, we also have a two-way protected bike lane. It is on Monticello Ave and will go fully active (with green paint) in the next couple weeks.

The rest of the report looks good (for the relatively quick scan I did). Great job.

Aaron

Aaron B. Small, P.E.

City Engineer
401 Lafayette Street
Williamsburg, VA 23185-3617
757-220-6140
asmall@williamsburgva.gov



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TRANSPORTATION CHALLENGES AND STRATEGIES PUBLIC COMMENTS

From: Dale Stith
Sent: Wednesday, September 16, 2020 11:57 AM
To: 'Voigt, Christopher' <christopher.voigt@vdot.virginia.gov>
Cc: Jim Ponticello <Jim.Ponticello@vdot.virginia.gov>
Subject: RE: Hampton Roads 2045 Long Range Transportation Plan: Transportation Challenges and Strategies

Hi Chris,

Thanks for providing these comments. I'll revise this section and then run it by you to review.

Thanks,
Dale

Dale M. Stith, AICP, GISP
Principal Transportation Planner | Hampton Roads Transportation Planning Organization
723 Woodlake Drive | Chesapeake, VA 23320
dstith@hrtpo.org | www.hrtpo.org | Phone: 757.420.8300 | Fax: 757.523.4881



From: Voigt, Christopher <christopher.voigt@vdot.virginia.gov>
Sent: Wednesday, September 16, 2020 11:08 AM
To: Dale Stith <dstith@hrtpo.org>
Cc: Jim Ponticello <Jim.Ponticello@vdot.virginia.gov>
Subject: Fwd: Hampton Roads 2045 Long Range Transportation Plan: Transportation Challenges and Strategies

Hi Dale - Attached is a markup for the air quality section. I checked with Jim and we both agree the climate change section also needs to be updated but we will defer to you on that. FHWA may be able to provide guidance.

Any questions let me know.

Chris.

Christopher Voigt | VDOT Air Quality | (804) 371-6764



APPENDIX B: PUBLIC COMMENTS

HRTPO Project Prioritization Tool Update

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APPENDIX B: PROJECT PRIORITIZATION TOOL UPDATE PUBLIC NOTICE

HRTPO Project Prioritization Tool: Recommended Enhancements

The HRTPO Project Prioritization Tool was developed to assist regional decision-makers in prioritizing transportation projects based off technical merits and regional benefits, evaluating projects based on Project Utility, Economic Vitality, and Project Viability. The Tool, which has been used in the past two Long-Range Transportation Plan (LRTP) updates and in the identification of the Regional Priority Projects, was designed to be updated periodically to reflect current conditions and regional priorities.

On April 5, 2017, the LRTP Subcommittee unanimously voted for HRTPO staff to initiate the process of updating the Project Prioritization Tool based on recommendations received by staff. Since that time, HRTPO staff has been conducting research and soliciting additional feedback from regional stakeholders. Since 2018, HRTPO staff has been working with the Project Prioritization Working Group and the LRTP Subcommittee, along with other HRTPO advisory committees, to develop and refine potential measures to incorporate or enhance in the Tool, and adjust weighting factors based on these recommended improvements. The Project Prioritization Task Force and the LRTP Subcommittee have both recommended approval of the recommended enhancements and updated weighting factors. On February 5, 2020, the Transportation Technical Advisory Committee also recommended approval of the recommended enhancements and updated weighting factors.

Please click on the following link for more information on the HRTPO Project Prioritization Tool and to review the recommended enhancements: <https://www.hrtpo.org/page/project-prioritization/>

All interested parties are encouraged to review the draft recommended enhancements to the HRTPO Project Prioritization Tool. Please send comments to Dale Stith, Principal Transportation Planner, at dstith@hrtpo.org or by mail to 723 Woodlake Drive, Chesapeake, VA, 23320 by **March 6, 2020**.

APPENDIX B: PUBLIC COMMENTS - SELC



201 West Main Street, Suite 14
Charlottesville, VA 22902-5065
434-977-4090
Fax 434-977-1483
SouthernEnvironment.org

March 5, 2020

Dale Stith
Principal Transportation Planner
Hampton Roads Transportation Planning Organization
723 Woodlake Drive
Chesapeake, VA 23320
dstith@hrtpo.org

VIA EMAIL

Dear Ms. Stith,

The Southern Environmental Law Center (SELC) offers the following comments on the proposed modifications to the Hampton Roads Transportation Planning Organization's Project Prioritization Tool (PPT). SELC is a non-partisan, non-profit organization headquartered in Virginia that works throughout the southeast to promote policies and laws that protect our natural resources, strengthen our communities, and improve our quality of life.

SELC strongly supports using objective criteria to evaluate and prioritize transportation proposals, and we commend the HRTPO for being one of the pioneers in Virginia in this regard. Further, recognizing that project prioritization tools and their associated methodologies should be evaluated and updated over time as the quality and quantity of available data improve and as regional priorities shift in response to new or growing challenges, we applaud the HRTPO for taking the initiative to review the PPT. We also want to thank you again for taking the time to speak with us and exchange emails to answer some of our questions about the proposed changes, and we hope these comments can help strengthen key aspects of the proposed changes before they are finalized.

I. Enhancing Consideration of a Project's Environmental Impacts

A. Factoring in Impacts to Natural Resources

We strongly support adding consideration of projects' environmental impacts to the PPT, as this crucial component of a project's viability and overall value is not captured in the current PPT criteria. As noted in slide 31 in the *Additional Resource Slides* presentation available on the HRTPO's Project Prioritization webpage (<https://www.hrtpo.org/page/project-prioritization/>), the current PPT criteria assess the status of a project's environmental review and permits, but provide no real indication of the project's actual environmental impact.

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Further, we support the proposal to assess a project's impact on natural and cultural resource acreage as a primary element of its environmental impact score (the "Acres of Natural and Cultural Resources" criterion), similar to one of the ways environmental impacts are evaluated in Virginia's SMART SCALE project prioritization tool. Slide 13 in the *Additional Resource Slides* presentation indicates that the specific types of resources assessed for this criterion will be conservation lands, protected habitats for threatened and endangered species, cultural resources, and wetlands. In addition to their purely ecological value, wetlands and other types of conservation lands and wildlife habitats are of particular importance in Hampton Roads because of the vital protections they provide to communities by slowing and storing floodwaters and by buffering against storm surges and rising seas. In a region that is already facing significant impacts from climate change, and with new data showing sea level rise accelerating in Virginia and along the East Coast,¹ it is imperative that the PPT take into account the extent to which a transportation proposal would negatively impact these natural resiliency resources.

B. Valuing Impacts to Natural and Cultural Resource Acreage Adequately

Although we are glad that these natural resource acreage impacts would now be assessed under the PPT, we are concerned by the minimal value this criterion would have in proportion to a project's overall score. As proposed, the "Acres of Natural and Cultural Resources" criterion would only account for up to 3 points (or 1% of a project's overall score) for the Highway, Interchange, and Bridge & Tunnel project categories, and up to 4 points (or 1.33% of a project's overall score) for the Intermodal and Transit project categories. This strikes us as far too few points to adequately reflect the value of these resources to the region or the detrimental effect that damaging these resources can have on project viability (since projects with greater impacts to environmental and cultural resources are more likely to encounter permitting delays and litigation, among other challenges). We therefore urge the HRTPO to increase the value of the "Acres of Natural and Cultural Resources" criterion to better reflect its importance.

One way to do this would be to reallocate value from the "Basic Environmental Review" criterion to the "Acres of Natural and Cultural Resources" criterion. In our view, the proposed "Basic Environmental Review" criterion misses the mark as an assessment of environmental impacts. Based on the *Additional Resource Slides* presentation (and slide 33, specifically), the criterion appears to consist of a few "Yes/No" questions such as: (1) "Is there a fatal flaw for permitting?" and (2) "Is the intrusion into sensitive areas justified?". Answering these questions requires a high degree of subjectivity, diverting sharply from the objective and data-driven approach that we understand the HRTPO strives for the PPT to embody. Further, these questions fail to capture a project's environmental impact in a meaningful way. Indeed, the question asking whether the intrusion into sensitive areas is justified seems to provide an opportunity for

¹ David Malmquist, *Sea-level Report Cards: 2019 Data Adds to Trend in Acceleration*, Va. Inst. of Marine Sci. (Jan. 30, 2020), https://www.vims.edu/newsandevents/topstories/2020/slr_2019.php.

APPENDIX B: PUBLIC COMMENTS - SELC

an applicant to summarily *dismiss* a project's environmental impacts based on the applicant's view of the value of other aspects of the proposal.

We understand that the HRTPO first considered incorporating certain environmental measures of effectiveness (MOEs) from SMART SCALE to serve as the portion of a project's score that is now proposed to be represented in the "Basic Environmental Review" criterion, but that the "Environmental MOEs" criterion was ultimately rejected due to a concern that several of the environmental MOEs from SMART SCALE are fairly design-specific and do not translate well to projects in the more conceptual stage of development that are typically included in long-range transportation plans. Although that rationale makes some sense to us, we still have the serious doubts we outlined above about the effectiveness of the "Basic Environmental Review" criterion that has been proposed in place of the "Environmental MOEs" criterion. We therefore recommend against including the "Basic Environmental Review" criterion at this time, and we urge the HRTPO instead to allocate its share of point value (3 points in most project categories) to the far more objective and informative "Acres of Natural and Cultural Resources" criterion, providing a much-needed boost to its overall value within the project scoring methodology.

C. Assessing Natural and Cultural Resource Acreage Impacts for Active Transportation Projects

As we understand the current proposal, the "Acres of Natural and Cultural Resources" criterion for projects in the Active Transportation category will award points based on the extent to which a project would *increase access* to these resources. That approach is in contrast to how this criterion will be assessed for the other project categories; points will be awarded to proposals in those other categories based on *avoiding impacts* to natural and cultural resources.

We are concerned that the approach proposed for this criterion in the Active Transportation category could in some cases inadvertently reward projects that adversely impact the very areas to which they are providing access (for example, a pedestrian trail leading to a natural area that results in the clearing and paving of a path through part of the natural area). Providing better access to natural and cultural resources can be beneficial for many reasons, but it does not always result in a positive environmental impact—particularly where the proposed infrastructure would directly or indirectly damage some portion of the resource.

We urge the HRTPO not to use this different approach to assessing this criterion for Active Transportation projects. Rather, we believe that for all project categories, the "Acres of Natural and Cultural Resources" criterion should focus on the potential damage to these resources. The improved access that active transportation projects might provide to natural and cultural resources would be more appropriately captured in a different measure, such as the "Increased Opportunity" criteria under the Economic Vitality measure.

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D. Rewarding Projects that Improve Freight Rail Networks or Intermodal Facilities

Slide 34 in the *Additional Resource Slides* presentation indicates that at one point during the review process, an environmental criterion was considered that would reward projects that "include[] improvements to the freight rail network or intermodal (truck to rail) facilities/ports/terminals." We believe this is a suitable environmental criterion because transportation improvements that help move freight from our highways to other modes of transportation can provide significant air quality benefits (in addition to improving highway safety and reducing congestion). However, that same slide indicates that one of the regional stakeholders expressed concern that this criterion "appears to double dip from the Economic Vitality section," and it seems that it is no longer being considered as a result.

It is unclear to us how the Economic Vitality measure captures enhancements to the freight rail network and/or intermodal facilities. We assume the stakeholder comment cited in Slide 34 may refer to the "Addresses the Needs of Basic Sector Industries" criterion, which includes an element for increasing access to port facilities. However, any slight potential for overlap with respect to port facilities does not, in our view, justify eliminating a proposed criterion that is based on a much broader set of transportation modes and facility types, and we recommend that it be added back to the changes that will be presented to the HRTPO Board later this month.

II. Including Resiliency in the Project Prioritization Tool

For many of the same reasons we strongly support adding to the PPT an environmental criterion that assesses a project's impacts to natural areas, we are also in favor of adding a resiliency component that would generally work to discourage the building of new transportation projects in areas threatened by flooding and other effects of climate change. For this reason, we think the current proposal's default position of rewarding points to projects that are not located in areas vulnerable to sea level rise, storm surge, or recurrent flooding is a good one.

Under the proposed changes, projects that *are* proposed in vulnerable areas would be awarded points if: (1) the applicant has "developed planned improvements or adaptation strategies to address future sea level rise/storm surge/recurrent flooding" (see slide 6 in the *Additional Resource Slides* presentation); or (2) the project provides access to critical areas or facilities such as hospitals, emergency shelters, and dense employment areas.²

We are concerned that the first of these two prongs is too vague and could be read to cover situations as broad as one in which a locality is awarded points for a project proposed in a

² We note that the criterion related to providing access to critical facilities was adjusted in the most recent proposal to reflect our previous suggestion to limit it to facilities that are actually located in vulnerable areas (so that a new road linking to a hospital in an area that is not at risk for flooding would not receive resiliency points), and we appreciate our suggestion being incorporated.

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APPENDIX B: PUBLIC COMMENTS - SELC

vulnerable area simply because the locality has developed a locality-wide sea level rise plan, regardless of whether the project itself is designed to withstand projected flooding. We recommend being clear about what would qualify as “planned improvements or adaptation strategies” to help limit this criterion to a more focused and appropriate set of situations in which the project design clearly incorporates climate resiliency.

Taking this a step further, we recommend that projects proposed in vulnerable areas should only be eligible for resiliency points if they include design features that make them resilient to flooding and fall into one (or both) of two categories: (1) the project is an improvement to an existing transportation facility that currently floods or is projected to flood in the reasonable future (e.g., raising an existing roadway that regularly floods); or (2) the project—either an improvement to an existing project or a new project—would significantly improve access to critical areas or facilities that are currently disrupted, or projected to be disrupted in the reasonable future, by flooding or related effects of climate change. We urge the HRTPO to consider adjusting the resiliency measure along these lines to help ensure that the types of projects that would be awarded points for providing a resiliency benefit would actually do so.

III. Diluting Project Viability Measure through Application of the Cost Effectiveness Criterion

SELC is concerned with the proposed move of the Cost Effectiveness criterion from the Project Utility measure to the Project Viability measure for all categories of projects, particularly in conjunction with the proposed change to the way Cost Effectiveness would be measured.

As proposed, Cost Effectiveness would be measured by comparing a project's estimated cost to the sum of its scores under the Project Utility measure and the Economic Vitality measure, and it would comprise twenty percent (20 of total 100 points) of a proposal's Project Viability score. We believe that basing twenty percent of the Project Viability score on the sum of the Project Utility and Economic Vitality scores would exaggerate the value of those two measures at the expense of the Project Viability measure and the important criteria it includes, such as a project's environmental impact.

Instead, we urge the HRTPO to either move the Cost Effectiveness criterion to the Economic Vitality measure, or to include it as a fourth, stand-alone measure. In both cases, we also recommend reallocating its 20-point allotment within the Project Viability measure to the environmental criteria in order to help boost these criteria's overall value to a more significant level.

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IV. Ensuring Economic Distress Factor Takes Broad View of Potential Impacts

We support adding an “economic distress” factor to the PPT that would reward projects benefitting areas with lower-income neighborhoods or high unemployment. Past and current transportation policies and decision-making have too often generated more adverse impacts and fewer benefits for poor communities, burdening them with a disproportionate share of transportation pollution while often inadequately investing in mobility options. As a result, it is essential that we address these flaws in our policies and decision-making going forward. However, the proposed “economic distress” factor could have the opposite effect if it is measured in a way that rewards projects that would further disrupt or harm these communities by, for example, routing a new highway right next to—or even through—them.

It appears the economic distress factor will focus on the extent to which a project would improve congestion and travel time in and around lower-income and high unemployment areas. Using the example of a new highway project again, the traffic modeling for a new freeway proposed next to a low-income neighborhood may well indicate that residents of that neighborhood would have a faster route to a nearby area of high job concentration. But if the freeway would take land from the neighborhood or negatively impact its air quality, faster travel times or reduced congestion may be of small solace—particularly for those residents of the neighborhood who cannot afford a car or are unable to drive. We therefore urge the HRTPO to make sure the “economic distress” factor is measured and applied in a way that takes the potential for detrimental impacts to low-income areas into account.

Thank you again for engaging us in the process of updating the PPT and for your consideration of our comments and recommendations. Please do not hesitate to contact me if you would like to discuss any of this further.

Sincerely,



Morgan Butler
Senior Attorney

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PROJECT EVALUATION AND PRIORITIZATION PUBLIC COMMENTS

APPENDIX B: HRTPO PRESENTATION

2045 LONG-RANGE TRANSPORTATION PLAN PROJECT PRIORITIZATION RECOMMENDED ENHANCEMENTS – PUBLIC COMMENTS


Long-Range Transportation Plan Subcommittee
June 3, 2020
Dale M. Stith, AICP, GISP
Principal Transportation Planner

the heartbeat of
HAMPTON ROADS TPO
TRANSPORTATION PLANNING ORGANIZATION




Agenda Item #7

PROJECT PRIORITIZATION RECOMMENDED ENHANCEMENTS: REVIEW




- **April 2017** – L RTP Subcommittee recommended HRTPO staff update Project Prioritization Tool
- **2018-2019**: Coordination with regional stakeholders
- **January 2020** – Prioritization Task Force approval
- **February 2020** – L RTP Subcommittee and TTAC approval
- **Public Review: February 6 – March 6, 2020**
 - Created new webpage on HRTPO website to aid in public review
 - Posted Summary of Recommended Enhancements and Additional Resource Slides

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Hampton Roads 2045 Long-Range Transportation Plan


PROJECT PRIORITIZATION ENHANCEMENTS: PUBLIC COMMENTS



- Public comment received from Southern Environmental Law Center (SELC)
- In preparation for this L RTP Subcommittee meeting, HRTPO staff requested members of the Prioritization Task Force (PTF) to review these public comments and initial staff responses and provide feedback via email





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Hampton Roads 2045 Long-Range Transportation Plan

HRTPO STAFF NOTE



- It is important to keep in mind that the application of the Project Prioritization Tool provides **flexibility** for the fine-tuning or adjustment of measures and points **during the project evaluation phase** in instances where consistent data cannot be obtained or when all responses are the same (e.g. all “yes” responses), providing no distinction between projects, etc.
- Due to this flexibility, some of the suggestions from SELC (or others that come up during project evaluation) can be considered and incorporated if the L RTP Subcommittee deems them appropriate as we evaluate the candidate projects.

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Hampton Roads 2045 Long-Range Transportation Plan

APPENDIX B: HRTPO PRESENTATION

SUMMARY OF SELC COMMENTS

SELC General Comments

- SELC “strongly supports using objective criteria to evaluate and prioritize transportation proposals”
- Commends “the HRTPO for being pioneers in Virginia in this regard”
- Applauds the HRTPO for taking the initiative to review and update the Tool to consider improvements in available data and examine potential shifts in regional priorities in response to growing challenges

SELC Specific Comments

- Enhancing Consideration of a Project’s Environmental Impacts
 - Factoring in Impacts to Natural Resources
 - Valuing Impacts to Natural and Cultural Resource Acreage Adequately
 - Assessing Natural and Cultural Resource Acreage Impacts for Active Transportation Projects
 - Rewarding Projects that Improve Freight Rail Networks or Intermodal Facilities
- Including Resiliency in the Tool
- Diluting Project Viability Measure through Application of the Cost Effectiveness Criterion
- Ensuring Economic Distress Factor Takes Broad View of Potential Impacts

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Hampton Roads 2045 Long-Range Transportation Plan

SUMMARY OF SELC COMMENTS

Factoring in Impacts to Natural Resources

- SELC strongly supports “adding consideration of projects’ environmental impacts” and using “natural and cultural resource acreage as a primary element”
- SELC supports the resources to be used to assess this criterion, stating specifically that “wetlands and other types of conservation lands and wildlife habitats are of particular importance in Hampton Roads because of the vital protections they provide to communities by slowing and storing floodwaters and by buffering against storm surges and rising seas” adding that “it is imperative that the [Tool] take into account the extent to which a transportation proposal would negatively impact these natural resiliency resources.”
- HRTPO staff response: no action required
- PTF Feedback: Environmental measure in previous rounds of SMART SCALE was tied to acres of disturbance. Smaller projects would score higher not because of benefit but because they were small. Modifications have been made for Round 3 of SMART SCALE.

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Hampton Roads 2045 Long-Range Transportation Plan

SUMMARY OF SELC COMMENTS

- Valuing Impacts to Natural and Cultural Resource Acreage Adequately
 - SELC urges the HRTPO to increase the value of the “Acres of Natural and Cultural Resources” criterion to better reflect its importance
 - Suggests reallocating value from the “Environmental MOEs/Basic Environmental Review” to “Acres of Natural and Cultural Resources”
 - The “Basic Environmental Review” criterion as presented on the *Additional Resource Slides* (slide 33) “misses the mark as an assessment of environmental impacts.”
 - Note: these measures (slide 33 of the *Additional Resource Slides*) are meant as placeholder measures, which was noted at Prioritization Task Force and L RTP Subcommittee meetings. Initial suggestion for this criteria was to use SMART SCALE measures (fairly design-specific and not necessarily suited to many L RTP projects in the early planning phase)
- HRTPO staff recommendation: as previously discussed with the PTF and L RTP Subcommittee, wait until staff has real data to better evaluate how to best apply these 3 points
 - If data collected for these MOEs are deemed inconsistent, then re-allocating points to “Acres of Natural and Cultural Resources” criterion can be done easily as they are in same category and section
- PTF Feedback: Pushing points into acreage values doesn’t always help (e.g. large project with completed EA and vetted alternative could score worse than a medium-size project with no environmental work)

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Hampton Roads 2045 Long-Range Transportation Plan

DRAFT ENVIRONMENTAL MOES

Environmental MOEs (3 points max)

- Project includes special accommodations for hybrid or electric vehicles or space or infrastructure for electric vehicle parking/charging
- Project includes energy efficient infrastructure or fleets, including: hybrid or electric buses, electronic/open road tolling, alternative energy infrastructure (e.g. roadside solar panels)
- Project includes transit system improvements or reduces delay on a roadway with scheduled peak service or 1 transit vehicle per hour
- Add new point opportunity: Project includes improvements to passenger rail/rail facilities, the freight rail network, or intermodal (truck to rail) facilities/ports/terminals – refer to Slide 10 of this slide deck

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Hampton Roads 2045 Long-Range Transportation Plan

PROJECT EVALUATION AND PRIORITIZATION PUBLIC COMMENTS

APPENDIX B: HRTPO PRESENTATION

SUMMARY OF SELC COMMENTS

- Assessing Natural and Cultural Resource Acreage Impacts for Active Transportation Projects
 - SELC expressed concern over awarding points for Active Transportation (AT) projects that provide/increase access to natural/cultural resources (as opposed to awarding points based on avoiding impacts for other project categories) as these AT projects could “impact the very areas to which they are providing access”
 - Note: the suggestion to award points for AT projects providing access came from an L RTP Subcommittee member and was supported by other members
- HRTPO staff recommendation: if the majority still agrees with this approach, then retain; otherwise, use same approach as other project categories
- PTF Feedback: In favor of keeping this as-is. Scoring system is in place to address concerns of impact to resources outweighing the ability to access them. Positive impact is improving access to the resource instead of improved access will make more money.

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Hampton Roads

TPO

Hampton Roads 2045 Long-Range Transportation Plan

SUMMARY OF SELC COMMENTS

- Rewarding Projects that Improve Freight Rail Networks or Intermodal Facilities
 - There was a criterion being considered that would reward points to projects that improved the freight rail network or intermodal facilities
 - SELC believes this is a suitable environmental criterion because transportation improvements that help move freight from highways to other modes can provide significant air quality benefits.
 - Note: originally proposed as an *Environmental* criterion to capture air quality benefits (2 points). Modified as discussed on slide 10.
- HRTPO staff recommendation:
 - Leave these modifications as approved
 - Add an additional point opportunity response to the *Environmental MOEs* (3 Point section) capturing the removed measure (see slide 7 of this slide deck)
- PTF Feedback: Agree with HRTPO staff recommendation

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Hampton Roads

TPO

Hampton Roads 2045 Long-Range Transportation Plan

SUMMARY OF SELC COMMENTS

Original Proposed Enhancement	10 Points	Modified (and approved) Proposed Enhancement	10 Points
Environmental MOEs Environmental Permittability	3	Environmental MOEs Environmental Permittability	3
Acres of Natural and Cultural Resources	3	Acres of Natural and Cultural Resources	3
Project Reduces Traffic Delay at a Congested Intersection, Interchange, or Other Bottleneck with a high percentage of truck traffic	2	Project Reduces Traffic Delay at a Congested Intersection, Interchange, or Other Bottleneck <u>with a high percentage of truck traffic</u>	2
Project includes improvements to the freight rail network or intermodal (truck to rail) facilities/ports/terminals	2	Project includes improvements to the freight rail network or intermodal (truck to rail) facilities/ports/terminals	2
		Congested Intersection, Interchange, or Other Bottleneck (above) has a high percentage of truck traffic	2

- Modifications for *Project Reduces Traffic Delay at a Congested Intersection, Interchange, or Other Bottleneck* still captures air quality benefits but isn't limited to Intermodal/Freight projects
- Reassigning the 2 points from the *Project Includes Improvements to Freight Rail to Congested intersection/ interchange/bottleneck with a High Percentage of Truck Traffic* captures the added air quality benefits of reducing truck idling times at congested bottlenecks
 - Note: Add an additional point opportunity response to the *Environmental MOEs* (3 Point section) capturing the removed measure (see slide 12 of this slide deck)

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Hampton Roads 2045 Long-Range Transportation Plan

SUMMARY OF SELC COMMENTS

- Including Resiliency in the Tool
 - SELC supports resiliency criterion that generally discourages “the building of new transportation projects in areas threatened by flooding and other effects of climate change” but recommends making scoring language more clear
- HRTPO staff recommendation: refine language to award points (3 points) for projects in vulnerable areas that have:
 - developed planned improvements or adaptation strategies to address future sea level rise/storm surge/recurrent flooding and the project includes design features that make it resilient to flooding
- For Access to Critical Facilities (2 points):
 - reword current measure to assess what level of access is or will be provided by the candidate project to critical areas or facilities (e.g. hospitals, Fire-EMS, emergency shelters, dense employment areas, and single entry/exit points) that are projected to be disrupted by flooding or related effects of climate change
- PTF Feedback: Agree with adding design features note

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Hampton Roads

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Hampton Roads 2045 Long-Range Transportation Plan

APPENDIX B: HRTPO PRESENTATION

SUMMARY OF SELC COMMENTS

- Diluting Project Viability Measure through Application of the Cost Effectiveness Criterion
 - SELC is concerned Cost Effectiveness, now a criterion in the Project Viability component (moved from Project Utility), would exaggerate the value of the Project Utility and Economic Vitality scores at the expense of Project Viability measures which includes a project's "environmental impact"
 - HRTPO staff has noted in previous meetings that the revised calculation for Cost Effectiveness will be finalized when we evaluate candidate projects (and have real data scores)
- HRTPO staff recommendation: Keep measure in Project Viability and wait until we evaluate 2045 LRTP candidate projects to finalize calculation

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 Hampton Roads TPO

Hampton Roads 2045 Long-Range Transportation Plan

SUMMARY OF SELC COMMENTS

- Ensuring Economic Distress Factor Takes Broad View of Potential Impacts
 - SELC supports adding "economic distress" factors to the Tool
 - Concerned that the proposed economic distress factors, if not measured appropriately, could further disrupt or harm lower-income neighborhoods or areas of high unemployment
- HRTPO staff response: In addition to these economic distress measures, there are other Title VI/Environmental Justice measures in the Tool. Also, 2045 LRTP candidate projects are analyzed separately using the HRTPO Title VI/Environmental Justice Methodology.

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 Hampton Roads TPO

Hampton Roads 2045 Long-Range Transportation Plan

RECOMMENDED ACTION

- For discussion and modify Project Prioritization Tool Recommended Enhancements as necessary

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 Hampton Roads TPO

Hampton Roads 2045 Long-Range Transportation Plan

PROJECT EVALUATION AND PRIORITIZATION PUBLIC COMMENTS

APPENDIX B: ADDITIONAL PUBLIC COMMENTS - SELC

Dale Stith

Subject: FW: SELC comments on proposed changes to HRTPO's project prioritization tool

From: Dale Stith

Sent: Friday, July 03, 2020 1:02 PM

To: Morgan Butler (mbutler@selcva.org) <mbutler@selcva.org>

Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Hi Morgan,

We're all still doing well and getting better at being productive working remotely (as soon as we're experts at it, it'll be time to go back into the office).

Thank you for the words of support regarding your comments. We appreciate all the time you've dedicated to thoroughly reviewing our products and processes, helping us ensure we have appropriate and relevant tools in developing regional plans and recommendations.

I've included responses to your questions below, in red. Please let me know if I can be of further assistance.

Enjoy your holiday weekend!

Dale

Dale M. Stith, AICP, GISP

Principal Transportation Planner

Hampton Roads Transportation Planning Organization

The Regional Building | 723 Woodlake Drive | Chesapeake, VA 23320

dstith@hrtpo.org | www.hrtpo.org | Phone: 757.420.8300 | Fax: 757.523.4881



From: Morgan Butler <mbutler@selcva.org>

Sent: Thursday, July 02, 2020 1:14 PM

To: Dale Stith <dstith@hrtpo.org>

Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Good afternoon, Dale,

I hope you're doing well and looking forward to the holiday weekend!

We finally had a chance to review the presentation you shared from the LRTP subcommittee and compare it to your summary of the meeting below. We wanted to be sure to let you know that we appreciate you taking the time to really understand our recommendations and then walk through each of them with the subcommittee. Among other resulting improvements, we think the refinements you proposed to the language for some of the resiliency considerations are helpful, and we also appreciate you proposing to add the new point opportunity for rail-related improvements (I'm using

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shorthand there, of course) to the Environmental MOEs. In short, we thank you for carefully considering our comments and proposing some minor but beneficial tweaks based on them!

I do have two (hopefully quick) questions for you. First, are the Environmental MOEs listed on page 7 of your LRTP subcommittee presentation the ones you are proposing to start with (understanding that you may make changes once you see how they are working in practice)? For what it may be worth, we think the four MOEs listed on page 7 of your presentation are much better than the three MOEs that were included on page 33 of the *Additional Resource Slides* (which were: (a) Is there a fatal flaw for permitting?; (b) Is the intrusion into sensitive areas justified?; and (c) Does the project significantly reduce emissions?), and we wanted to make sure we're reading your intent there correctly.

Correct, the Environmental MOEs listed on slide 8 are the ones we're currently collecting data for. If, after collecting all the project data, we see any issues with the consistency/accuracy/applicability of the data received, we will re-address these measures with the LRTP Subcommittee.

Second, I noticed from your presentation that there may have been some minor pushback from one of the subcommittee members to using acreage to measure impacts to natural and cultural resources (seemingly based on a concern that doing so might hurt larger projects). But as I read your summary, you all are still planning to go with that approach in the updated tool. I just wanted to make sure I have that right since we believe that measuring impacts to natural resources such as wetlands is one of the most important improvements being made to the tool during this update. As you're likely well aware, there are ways to address concerns about potential bias against larger projects resulting from measuring acreage impacts, and I would be happy to discuss those with you if it might be helpful. **Correct, we are not adjusting the approach of using acreage to measure potential impacts to natural and cultural resources. The point made by the subcommittee member wasn't so much directed at having us change the recommended approach but instead to make sure we were all aware of potential issues.**

Thank you for any light you can shed on these two questions, and thank you for the responsiveness you have shown to public comment throughout this entire process.

Best,

Morgan

From: Dale Stith [<mailto:dstith@hrtpo.org>]

Sent: Wednesday, June 10, 2020 10:56 AM

To: Morgan Butler

Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

We plan on presenting the recommended enhancements to the Board at their July meeting. In order to keep the 2045 LRTP on schedule, we've already started collecting data for the candidate projects and anticipate having draft scores in the Fall. These draft scores will be available for public review. Once finalized, the scores will be used in our fiscal-constraint process (late 2020/early 2021).

Thanks,

Dale

From: Morgan Butler <mbutler@selcva.org>

Sent: Wednesday, June 10, 2020 10:36 AM

To: Dale Stith <dstith@hrtpo.org>

Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Thanks, Dale. No need to apologize; we appreciate you all working to provide the public an opportunity to listen in. I think we're all constantly working out kinks as we make adjustments to keep people safe under the current circumstances.

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PROJECT EVALUATION AND PRIORITIZATION PUBLIC COMMENTS

APPENDIX B: ADDITIONAL PUBLIC COMMENTS - SELC

I'll read through the presentation and your summary and let you know if I have any questions on any of it. In the meantime, I was hoping you could give me a rough sense of next steps and when you expect the updated PPT to be formally adopted and in place.

Thanks!

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From: Dale Stith [<mailto:dstith@hrtpo.org>]
Sent: Wednesday, June 10, 2020 10:14 AM
To: Morgan Butler
Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

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Please let me know if you have further questions. As always, we appreciate your interest and engagement in helping improve our products/processes.

Thanks and take care,
Dale

Dale M. Stith, AICP, GISP

3

Principal Transportation Planner
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dstith@hrtpo.org | www.hrtpo.org | Phone: 757.420.8300 | Fax: 757.523.4881



From: Morgan Butler <mbutler@selcva.org>
Sent: Monday, June 08, 2020 3:05 PM
To: Dale Stith <dstith@hrtpo.org>
Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Hi Dale,

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Thank you for any additional information you can provide!

Best,
Morgan

Morgan Butler
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From: Dale Stith [<mailto:dstith@hrtpo.org>]
Sent: Wednesday, June 03, 2020 10:46 AM
To: Morgan Butler
Subject: Re: SELC comments on proposed changes to HRTPO's project prioritization tool

Hi Morgan,

The TTAC meeting has been moving quickly. I think it will be wrapping up soon.

4

PROJECT EVALUATION AND PRIORITIZATION PUBLIC COMMENTS

APPENDIX B: ADDITIONAL PUBLIC COMMENTS - SELC

Dale

From: Morgan Butler <mbutler@selcva.org>

Sent: Wednesday, June 3, 2020 9:38:50 AM

To: Dale Stith

Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Thanks, Dale. Based on this, I think I'll recommend to Carroll that she call in around 11:15 or so. And we'll be sure to follow up after the meeting if we have any questions.

Best,
Morgan

From: Dale Stith [<mailto:dstith@hrtpo.org>]

Sent: Wednesday, June 03, 2020 9:11 AM

To: Morgan Butler

Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Good Morning Morgan,

If the TTAC finishes before 11:30 AM, we'll start the L RTP Subcommittee Meeting early. I imagine we'd take a few minutes between meetings to "switch" between TTAC and L RTP. This being our first time using WebEx in this fashion, I'm not completely sure how smooth/unsmooth the transition will be (and if we're going to ask participants to stay on the line or call back in), so bear with us.

Also, you'll hear me say this in the meeting today, but most of your suggestions are things that I think we can address as we evaluate the candidate projects (as our Tool provides us flexibility in how we calculate scores based on data available, issues we may run into, etc.).

Thanks and please follow up with me if you have additional questions after the meeting.

Dale

Dale M. Stith, AICP, GISP

Principal Transportation Planner

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From: Morgan Butler <mbutler@selcva.org>

Sent: Wednesday, June 03, 2020 7:17 AM

To: Dale Stith <dstith@hrtpo.org>

Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Good morning, Dale,

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I wanted to let you know that I do plan to call in for the L RTP Subcommittee today meeting to hear the discussion on the PPT, but I have an 11:00 meeting that may run past the 11:30 start time. My colleague, Carroll Courtenay, plans to call in and listen until I'm able to join.

One quick question – you mentioned the L RTP Subcommittee meeting starts immediately after the TTAC meeting. I'm just curious how you handle the start time of the L RTP Subcommittee meeting if the TTAC meeting ends before 11:30. I'd like to let Carroll know if she should plan to call in a little before 11:30 just to be safe.

Thanks!

Morgan

From: Dale Stith [<mailto:dstith@hrtpo.org>]

Sent: Friday, May 29, 2020 5:12 PM

To: Morgan Butler

Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Hi Morgan,

Hope you're experiencing better weather in your area – it's been dreary all day here in Virginia Beach. Hopefully the sun will show itself this weekend.

I wanted to suggest adding you to the L RTP Subcommittee copy list. This will ensure that you receive all meeting notifications, agendas, and Minutes of each meeting. The public is invited to attend L RTP Subcommittee meetings and we would welcome your attendance. Please let me know if you should be the point of contact for this committee mailing and if not, who would be the appropriate person(s) to add to this list.

With regards to your request that we provide you with the comments provided by the L RTP prioritization task force to HRTPO staff, our protocol is that task force comments first feed directly into the L RTP Subcommittee itself. Those comments will be reviewed and discussed during the subcommittee meeting, along with the comments submitted by SELC, and as such, be read into Minutes of the meeting which are subsequently made available on the HRTPO website. I do recommend that if you would like to be present during the discussion of this item, that you listen in on next week's electronic L RTP Subcommittee meeting. In addition to listening in, members of the public are invited to submit a public comment before Noon the day before the meeting. Should you have any point of clarification or any subsequent questions after the meeting, we encourage you to reach back out to us and/or submit additional comments.

If you are able to listen in on next week's L RTP Subcommittee meeting, I believe the meeting discussion will highlight the flexibility and responsiveness of the Prioritization Tool. Because the Tool is dynamic and able to be quickly adjusted to respond to and consider current trends, data issues, etc., HRTPO staff is confident that some of the issues raised in SELC's comments will in fact be addressed by the Tool's functionality. However, I am excited to present your comments to the subcommittee and again, hope you can listen to the ensuing discussion.

Thanks and have a great weekend!

Dale

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PROJECT EVALUATION AND PRIORITIZATION PUBLIC COMMENTS

APPENDIX B: ADDITIONAL PUBLIC COMMENTS - SELC

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Please let me know if you have further questions. As always, we appreciate your interest and engagement in helping improve our products/processes.

Thanks and take care,
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Thank you for any additional information you can provide!

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Morgan Butler
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From: Dale Stith [<mailto:dstith@hrtpo.org>]
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To: Morgan Butler
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4

PROJECT EVALUATION AND PRIORITIZATION PUBLIC COMMENTS

APPENDIX B: ADDITIONAL PUBLIC COMMENTS - SELC

From: Morgan Butler <mbutler@selcva.org>

Sent: Wednesday, May 20, 2020 9:03 AM

To: Dale Stith <dstith@hrtpo.org>

Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Good morning, Dale,

I wanted to touch base with you to see if there's any update on the HRTPO's consideration of the proposed changes to the project prioritization tool. I'm guessing you all are still in a holding pattern on the LRTP subcommittee meetings? Any update you could provide would be appreciated.

I hope you and your family are doing well.

Best,
Morgan

From: Morgan Butler

Sent: Wednesday, March 18, 2020 10:39 PM

To: 'Dale Stith'

Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Hi Dale,

Thanks for getting back to me, and no need to apologize. We're doing okay so far, though the walls of our house seem to be starting to close in and I now have even more respect for teachers and for stay-at-home parents. I hope you and your family are all healthy and hanging in there during these tumultuous times.

We appreciate your interest in our comments and in sharing them with the PWG and/or LRTP Subcommittee for their reaction and feedback. If you have any questions about any of our input, I'm happy to speak with you and could even try to attend the PWG/LRTP Subcommittee meetings if that would be helpful (though I definitely understand that timing of those is anything but clear at the moment).

In other words, please feel free to follow up for more information, and I would appreciate it if you could keep me in the loop on the scheduling of those meetings in case it might be worthwhile for us to try to attend.

All the best to you,
Morgan

From: Dale Stith [<mailto:dstith@hrtpo.org>]

Sent: Wednesday, March 18, 2020 1:21 PM

To: Morgan Butler

Subject: Re: SELC comments on proposed changes to HRTPO's project prioritization tool

Good Afternoon Morgan,

Hope you, your family, and your staff are doing well and staying healthy during this coronavirus pandemic. I apologize it has taken me this long to confirm receipt of your comments on our Prioritization enhancements. It's been a little hectic to say the least as we adjust to working remotely.

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In terms of your agency's submitted comments, we want to thank you and your staff for the time and attention you all have invested in reviewing the potential enhancements. Our plan is to bring these comments to our Prioritization Working Group and/or the LRTP Subcommittee, and will hold off on bringing the recommended enhancements to our HRTPO Board until after we receive feedback on your comments from the LRTP Subcommittee. We will also formally respond to your submitted comments, incorporating the feedback we receive from the LRTP Subcommittee.

Unfortunately at this point, I don't know when we will be able to hold the next LRTP Subcommittee. However, if you have any additional concerns or questions in the meantime, please don't hesitate to reach out to me.

Thank you again and stay safe.

Dale

From: Morgan Butler <mbutler@selcva.org>

Sent: Thursday, March 5, 2020 5:47:34 PM

To: Dale Stith

Subject: SELC comments on proposed changes to HRTPO's project prioritization tool

Dear Ms. Stith,

Attached please find comments from the Southern Environmental Law Center on the proposed changes to the HRTPO's Project Prioritization Tool. Thank you for your hard work on this effort and for your consideration of our comments. Please do not hesitate to contact me with any questions or if you would like to discuss any of our recommendations further.

Sincerely,
Morgan Butler

Morgan Butler

Senior Attorney

Southern Environmental Law Center

201 West Main Street, Suite 14

Charlottesville, VA 22902

(434) 977-4090

10

PROJECT EVALUATION AND PRIORITIZATION PUBLIC COMMENTS

APPENDIX B: ADDITIONAL PUBLIC COMMENTS - SELC

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APPENDIX B: SELC COMMENTS



201 West Main Street, Suite 14
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434-977-4090
Fax 434-977-1483
SouthernEnvironment.org

December 16, 2020

Dale Stith
Principal Transportation Planner
Hampton Roads Transportation Planning Organization
dstith@hrtpo.org

BY EMAIL

Dear Ms. Stith,

The Southern Environmental Law Center (“SEL”) would like to provide the following comments on the draft Candidate Project Evaluation and Prioritization report developed by the Hampton Roads Transportation Planning Organization (“HRTPO”) in connection with the ongoing 2045 update to the Long-Range Transportation Plan. SELC is a non-partisan, non-profit organization that works throughout Virginia to promote transportation and land use decisions that protect our environment, strengthen our communities, and improve our quality of life. This includes a focus on encouraging cleaner transportation options, ensuring the resiliency of our communities and transportation system, and maintaining and maximizing taxpayers’ investments in existing infrastructure.

As you know, we weighed in throughout the process of updating the HRTPO’s project prioritization tool, and we are glad to see the new (and in our view, improved) version of the tool being used to score candidate projects. Although it is challenging to provide detailed, substantive comments on individual project scores without access to all the underlying data that factor into those scores, we appreciate this opportunity to provide general thoughts on a number of proposed projects and components of their scoring.

Advancing Transit and Rail in the Region

We continue to support the HRTPO’s consideration of projects focused on expanding residents’ travel options as well as advancing cleaner transportation modes, including projects to expand the region’s public transit and passenger rail networks. For example, among its other benefits, we believe the Peninsula High Capacity Transit project (#2045-510) would provide significant value by expanding Bus Rapid Transit on the north side of the region in the cities of Hampton and Newport News. In addition, the Naval Station Norfolk Transit Extension (#2045-518) has strong potential to advance many goals of the 2045 LRTP by adding light rail service to the region’s largest employer. And the higher-speed and intercity passenger rail project between Hampton Roads and Richmond/Northeast Corridor (#2045-506) is an important project as well, as it is part of the broader Southeast High Speed Rail project, and the Commonwealth’s Transforming Rail in Virginia initiative includes expanding Amtrak service along this line. All three of these projects would significantly advance cleaner and more efficient modes of travel in

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the Hampton Roads region; we are glad to see they scored well and urge you to closely consider them for inclusion in the fiscally-constrained portion of the LRTP.

Ensuring Projects Promote Climate Resilience

As we noted in the February 13, 2020 comment letter we submitted on the list of candidate projects, the Hampton Roads region’s particular vulnerability to sea-level rise and other effects of climate change makes sound transportation planning especially important. Projects must be selected, sited, and designed to ensure they will: (1) prevent further loss of wetlands and other natural resilience resources that help absorb floodwater and buffer communities from storms; (2) withstand the new conditions that a changing climate is bringing about; and (3) reduce the transportation sector’s outsized contribution to the greenhouse gas emissions that contribute to climate change.

Both the HRTPO and the localities that comprise it have taken some noteworthy steps toward climate-resilient transportation planning in recent years, including the recent changes to the HRTPO’s project prioritization tool. However, we continue to have strong concerns that a number of the projects under consideration for inclusion in the 2045 LRTP would undermine that progress—particularly as it relates to protecting natural resilience resources. The proposed projects of concern include the following:

Greenbelt Phases I and II. Both phases of the Greenbelt proposal included as candidate projects (#2045-114 and #2045-114A) appear to be segments of the highly destructive and costly Southeastern Parkway and Greenbelt project (“SEPG project”). As noted in our February 13 comment letter, the Federal Highway Administration (“FHWA”) decided to terminate the National Environmental Policy Act (“NEPA”) review for the SEPG project in 2010. In the notice of termination published in the Federal Register, FHWA explained its decision was the result of “significant resource agency opposition” to the project based on the extent of the damage it would inflict on the environment and on wetlands in particular, as well as FHWA’s related doubt that the project could receive a permit under Section 404 of the Clean Water Act.¹

As an initial matter, it is important to note that the environmental harms and permitting challenges of the larger SEPG proposal cannot be sidestepped or negated simply by breaking it into segments.² Under both NEPA and Section 404 of the Clean Water Act, connected or

¹ “Termination of Environmental Review Process Cities of Chesapeake and Virginia Beach, VA,” 75 Fed. Reg. 70351 (Nov. 17, 2010).

² See *City of Boston Delegation v. FERC*, 897 F.3d 241, 252 (D.C. Cir. 2018) (“An agency impermissibly segments NEPA review when it divides connected, cumulative, or similar federal actions into separate projects and thereby fails to address the true scope and impact of the activities that should be under consideration; this rule ensures that an agency considers the full environmental impact of connected, cumulative, or similar actions before they are undertaken, so that it can assess the true costs of an integrated project when it is best situated to evaluate different courses of action and mitigate anticipated effects.” (internal quotations omitted)).

APPENDIX B: SELC COMMENTS

cumulative projects cannot be evaluated in a piecemeal manner in order to minimize the appearance of adverse environmental impacts.³

Further, both of these Greenbelt segments would likely face major permitting challenges in their own right. Phases I and II appear to overlap with large portions of Segments F and E, respectively, of the SEPG project, which would have been routed through areas of significant ecological value, including high-quality wetlands and significant wildlife habitat located in the North Landing River and West Neck Creek watersheds and in the vicinity of Gum Swamp. These are important natural resilience resources that the region should be preserving. Moreover, it would be extremely difficult to mitigate the damage that a highway would cause to the ecological values these resources provide, and the cost of attempting to do so would be significant.

Turning to the draft scores for these two proposals, we question the ten points both projects received under the “project readiness” factor merely for being included in the current L RTP. It appears that the proposed projects received these points because the current L RTP includes a planned study of the Southeastern Parkway and Greenbelt proposal (Project 2040-86) in its list of fiscally-constrained studies. We question, however, whether either of these projects (or any other project) should receive points for merely being included in a previous L RTP as a study. In addition, due to the ecologically valuable areas these proposals would traverse and the likely difficulty and cost of minimizing impacts to those areas, we were also surprised to see both projects ranked only as “intermediate” for potential damage to natural and cultural resources.⁴

In short, there were good reasons why federal agencies decided against advancing the unduly destructive SEPG proposal after studying it. The two pieces of that project that are now represented by the Greenbelt Phase 1 and 2 proposals appear to impact a significant amount of the environmentally sensitive land along the SEPG project’s proposed route and would very

³ See *Colony Fed. Sav. & Loan Ass’n v. Harris*, 482 F. Supp. 296, 302 (W.D. Pa. 1980) (“There is substantial case law establishing that large projects may not be artificially segmented into smaller ones for the purpose of avoiding NEPA or minimizing the appearance of adverse environmental impact.”); *Nat’l Res. Def. Council, Inc. v. Hodel*, 865 F.2d 288, 297-98 (D.C.Cir.1988); *Preserve Endangered Areas of Cobb’s History, Inc. v. U.S. Army Corps of Eng’rs*, 87 F.3d 1242, 1247 (11th Cir.1996) (An applicant “cannot evade [its] responsibilities under [NEPA] by artificially dividing a major federal action into smaller components, each without a ‘significant’ impact.” (internal quotations omitted)). The 404(b)(1) guidelines, which the Corps use to evaluate Section 404 permits under the Clean Water Act, also “provide that the review may not be ‘piecemeal’ – a few acres here, a small tract there.” *Battrey v. United States*, 690 F.2d 1170, 1180 (5th Cir. 1982); *United States v. Rueth Dev. Co.*, 335 F.3d 598, 600 (7th Cir. 2003) (noting that the Corps denied a Section 404 permit application because the applicant had “present[ed] his development plans in a piecemeal fashion in an attempt to avoid a comprehensive review of their cumulative environmental impact”).

⁴ When we looked across the entire highway project category to see how the roughly 150 candidate highway projects were scored on this measure, we noted that more than 100 were ranked as “low” impact; roughly 40 were ranked as “intermediate” impact; and only four were ranked as “high” impact. This unlikely result leads us to ask what acreage thresholds were used to define those categories and to urge you to consider whether the thresholds should be adjusted to ensure a more realistic and more even dispersal of projects into the different categories, which would help give this component of project scoring greater utility in comparing and contrasting different projects.

likely encounter similar permitting challenges; yet their scores do not appear to sufficiently reflect these problematic issues. The environmental threats posed by these projects, the difficulty and cost of developing adequate mitigation for those threats, and the resulting permitting challenges strongly weigh against pursuing them. For all of these reasons, we recommend against including either of these projects in the fiscally-constrained portion of the L RTP.

US Route 460 Relocated. As noted in our February 13 letter, we continue to have serious concerns with the US Route 460 Relocated (#2045-117) proposal to build a new four-lane divided highway from the Suffolk Bypass to Zuni. The Virginia Department of Transportation’s (“VDOT”) previous plans for a new highway parallel to existing Route 460 along this stretch were extremely expensive relative to their limited benefits, and the HRTPO’s candidate project scoring process indicates that this continues to be the case. This \$945 million project is expected to carry just 27,000 vehicles per day (a small fraction of its proposed capacity), and ranks near the very bottom of all projects scored in terms of cost-effectiveness. Further, VDOT’s previous plans faced major environmental permitting difficulties due to the severe impacts the project would have had on wetlands and streams along the corridor. We were therefore puzzled to see this proposal receive only a score of “low” for its potential damage to natural and cultural resources, providing further evidence that the scaling for this factor should be reconsidered. Nevertheless, the overall scoring clearly indicates that this proposal should not be included in the fiscally-constrained project list.

Nimmo Parkway Phase VII-B. We remain troubled by the proposal (# 2045-252) to extend the Nimmo Parkway across nearly a mile of the Back Bay National Wildlife Refuge in Virginia Beach. Wetlands and marsh make up 75 percent of the Refuge’s territory, and routing a road along the proposed path would likely destroy and disrupt important carbon sinks and wildlife habitat, while also altering the area’s hydrology in a way that could increase flooding in nearby communities. The project’s environmental impacts were ranked as “intermediate,” and its overall project score places it in roughly the bottom one-third of candidate highway projects that were scored. We urge you not to include Nimmo Parkway Phase VII-B in the fiscal-constraint list and to explore less damaging alternatives instead.

I-564/I-664 Connector and VA-164 Connector. We also have concerns with the project scoring second-highest overall in the “Bridges and Tunnels” category—the proposed I-564/I-664 Connector and VA-164 Connector (#2045-401). In evaluating proposed improvements for the recent Hampton Roads Crossing Study, VDOT found that the improvement segment representing the VA-164 Connector (“Alignment Segment 13”) would destroy far more wetlands (61 acres) and impact much more endangered and threatened species habitat (101.7 acres) than any other segment assessed in the study.⁵ Not surprisingly, this is one of the few projects that received a score of “high” in terms of its potential natural and cultural resource impacts in this L RTP

⁵ See *Hampton Roads Crossing Study Supplemental Environmental Impact Statement, Natural Resources Technical Report* at A-6, A-9 (July 2016).

APPENDIX B: SELC COMMENTS

process. Despite its high overall scoring rank, it is also important to note that due to its exorbitant \$5.1 billion estimated cost, this proposal was also found to be one of the least cost-effective of all projects scored. For these reasons, we recommend against including this project in the fiscally-constrained project list.

Bowers Hill Interchange. Another project we were surprised to see scoring “low” in the natural and cultural resource impacts category is the Bowers Hill Interchange (#2045-308) project. While we recognize the importance of this interchange to the Hampton Roads transportation network, it is located in an area with significant natural resources, including substantial wetlands, forests, and floodplains. This area also includes significant historic and cultural resources, as well as several communities—including a number of environmental justice communities—that could be adversely affected by proposed improvements at this interchange. The adverse effects of any proposals for this interchange thus need to be carefully considered, along with any alternatives and mitigation measures to minimize these impacts. Among other things, serious consideration should be given to options to upgrade transit service in this area, as well as cost-effective operational enhancements, transportation demand management strategies, and other targeted improvements that can be accommodated within existing right-of-way.

US 460/58/13 Connector. Finally, in our February 13 letter, we raised concerns about previous proposals for the US 460/58/13 Connector project (now designated as #2045-116) that involved widening this highway, which runs alongside the Great Dismal Swamp National Wildlife Refuge and some of Virginia’s most important habitat areas. Although we are encouraged to see that the proposal scored in the LRTP process has been pared down to primarily consist of safety improvements, we continue to urge HRTPO to ensure that any proposals advanced along this corridor—and particularly any proposals for an interchange at the regional landfill—be sited and designed to first avoid and then minimize any adverse effects to sensitive resources in this area to the greatest possible extent.

Thank you for your consideration of these comments as you finalize project scores and prepare to turn to the fiscal-constraint portion of the LRTP update. Please do not hesitate to contact us if you have any questions or would like to discuss any of our comments further.

Sincerely,



Morgan Butler
Senior Attorney



Travis Pietila
Staff Attorney

PROJECT EVALUATION AND PRIORITIZATION PUBLIC COMMENTS

APPENDIX B: ADDITIONAL PUBLIC COMMENTS - SELC

I'll read through the presentation and your summary and let you know if I have any questions on any of it. In the meantime, I was hoping you could give me a rough sense of next steps and when you expect the updated PPT to be formally adopted and in place.

Thanks!

Morgan

From: Dale Stith [<mailto:dstith@hrtpo.org>]
Sent: Wednesday, June 10, 2020 10:14 AM
To: Morgan Butler
Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Good Morning Morgan,

I apologize the call wasn't more clear for Carroll to hear all the dialogue. I will mention this to our technical staff so they can hopefully improve that for future meetings.

Our minutes are generally summary, so I'm not sure at this point how much detail will be included (I expect to review the draft minutes later this week). These minutes will be included for approval at our next LRTP Subcommittee Meeting which is scheduled for July 1, 2020. In the interim, I can hopefully speak to specific questions you may have.

For reference, the presentation for this item has been posted to our website: <https://www.hrtpo.org/uploads/docs/060320%2007-Presentation%202045%20LRTP%20Prioritization%20Public%20Comments.pdf>

In terms of actions, the LRTP Subcommittee moved to retain the proposed enhancements, but did refine some measures and acknowledged that many of the suggestions in your letter can be further addressed as we score candidate projects for the Plan (noted in the presentation).

Below is a summary of the discussion:

- will revisit how best to score/allocate the points for the Environmental MOEs as we obtain real project data (starting with SMART SCALE measures for this criterion) – refer to slide 7
- added a new point opportunity to the Environmental criterion (projects that improve passenger rail/rail facilities, the freight network, or intermodal facilities/ports/terminals) – refer to slides 8, 10, 11
- retained awarding points for Active Transportation projects that provide access to Natural and Cultural Resources – refer to slide 9
- refined resiliency language – refer to slide 12
- will refine Cost Effectiveness measure once all the data is collected – refer to slide 13
- Economic Distress Factors – refer to slide 14. We also have 2 draft reports currently out for review:
 - Draft Regional Needs Report: https://www.hrtpo.org/uploads/docs/HR_2045LRTP_RegionalNeeds.pdf
 - Draft Title VI/Environmental Justice Candidate Project Evaluation: https://www.hrtpo.org/uploads/docs/HR_2045LRTP_TitleVI-EJ-CandidateProjectEvaluation.pdf

Please let me know if you have further questions. As always, we appreciate your interest and engagement in helping improve our products/processes.

Thanks and take care,
Dale

Dale M. Stith, AICP, GISP

3

Principal Transportation Planner

Hampton Roads Transportation Planning Organization
The Regional Building | 723 Woodlake Drive | Chesapeake, VA 23320
dstith@hrtpo.org | www.hrtpo.org | Phone: 757.420.8300 | Fax: 757.523.4881



From: Morgan Butler <mbutler@selcva.org>
Sent: Monday, June 08, 2020 3:05 PM
To: Dale Stith <dstith@hrtpo.org>
Subject: RE: SELC comments on proposed changes to HRTPO's project prioritization tool

Hi Dale,

Thank you again for your efforts to make sure we were aware of, and able to listen to, the LRTP subcommittee meeting last week.

My colleague, Carroll, was able to call in, but she mentioned it was quite tough to hear at certain points, so she wasn't able to get a great sense of what, if any, new changes the subcommittee recommended. Are those recommended changes something you plan to list in the meeting minutes? If so, we'll look forward to receiving a copy of those, but if it might be a while before those are completed, is it possible for you to let us know any new changes the subcommittee recommended last week?

Also, what are the next steps for the PPT at this point? I believe at one point you mentioned you would need to take the full package of recommended changes to the HRTPO. Am I remembering that right? If so, what's your best guess at this point for when that's likely to occur? I know all you have put a lot of hard work into the changes and I assume you're wanting them to be adopted in time for use in developing the 2045 LRTP's list of projects?

Thank you for any additional information you can provide!

Best,
Morgan

Morgan Butler
Senior Attorney
Southern Environmental Law Center
201 West Main Street, Suite 14
Charlottesville, VA 22902
(434) 977-4090

From: Dale Stith [<mailto:dstith@hrtpo.org>]
Sent: Wednesday, June 03, 2020 10:46 AM
To: Morgan Butler
Subject: Re: SELC comments on proposed changes to HRTPO's project prioritization tool

Hi Morgan,

The TTAC meeting has been moving quickly. I think it will be wrapping up soon.

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PROJECT EVALUATION AND PRIORITIZATION PUBLIC COMMENTS

APPENDIX B: VIRGINIA BEACH COMMENTS



City of Virginia Beach

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MUNICIPAL CENTER
BUILDING 23
2473 N. LANDING ROAD
VIRGINIA BEACH, VA 23466

January 12, 2021

Robert A. Crum, Jr.
Executive Director
Hampton Roads Transportation Planning Organization
The Regional Building
723 Woodlake Drive
Chesapeake, VA 23320

Subject: L RTP Comment Response for Greenbelt Phases 1 & 2 and Nimmo Parkway Phase VII-B

Dear Mr. Crum:

The City has reviewed the December 16, 2020 public comments regarding the Evaluation and Prioritization Report for the 2045 Long Range Transportation Plan (LRTP). We would like to offer the following response:

Greenbelt Phase 1 & 2:

The City is currently working on the next Comprehensive Plan Update (Comp Plan). One of the major changes with the new Comp Plan will be the reduction of the Southeastern Parkway and Greenbelt (SEPG) from five (5) phases to two (2) phases. The City does not intend to pursue piecemeal permitting of the original SEPG project to circumnavigate the environmental process. Rather, the City's is proposing to reduce the overall project and explore other transportation options that could include roadway, bikeway, trail, or a combination thereof. The roadway classification would also change from expressway to arterial. Impacts from COVID-19 have limited the City's ability to conduct public meetings. As a result, it may be late 2021 or even 2022 before public input on these changes can be assessed. The City already owns a significant amount of property along the revised corridor, however, any revisions would have to be re-evaluated for environmental impacts before moving forward.

Nimmo Parkway Phase VII-B:

The proposed roadway project, Nimmo Parkway Phase VII-B, is an important transportation project within the City of Virginia Beach's Capital Improvement Program (CIP). The purpose of the project is to provide a safer and more reliable route for traffic accessing the Sandbridge

Robert A. Crum, Jr.
LRTP Comment Response
January 12, 2021
Page 2

Beach community. The proposed roadway will be more resilient to frequent flooding in the area and provide an improved hurricane evacuation route. The project has been included in the City's Master Transportation Plan as far back as 1971.

The City has reviewed the comments submitted by the Southern Environmental Law Center (SELC) in regards to the Nimmo Parkway Phase VII-B project. The City is currently developing a NEPA Environmental Assessment (EA) document that addresses the environmental impact of the project in accordance with the NEPA process. The project development process also includes stormwater design that will assess the area hydrology and conveyance. Additionally, the City would like to clarify that Nimmo Parkway Phase VII-B is proposed to be within existing City-owned right-of-way and will not require any property from Back Bay National Wildlife Refuge.

We appreciate the opportunity to respond to these comments. Please feel free to contact me if you have any questions or need additional information at 757-385-4131 or djarman@vb.gov.

Sincerely,

David S. Jarman, P.E.
Transportation Division Manager

cc: Susan Wilson, Virginia Department of Transportation
Katie Shannon, P.E., CVB Public Works/Engineering
William C. Haggerty, P.E., Transportation Project Management Supervisor
Ryan A. Johnson, P.E., Project Manager
John Mihaly, Hampton Roads Transportation Planning Organization



APPENDIX C: PUBLIC COMMENTS

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To assist with the review of the draft funding plan and project list, resources were posted to the HRTPO [2045 LRTP webpage](#). This included draft versions of the Funding Plan and Project Information Guide reports, an interactive online map, and a link to the presentation provided to the HRTPO Board on the draft 2045 LRTP project list. In addition to posting a public notice requesting interested parties to review the draft project list, an eNewsletter article highlighting the draft project list was also posted to the HRTPO website and circulated via email.

PUBLIC NOTICE

DRAFT Hampton Roads 2045 Long-Range Transportation Plan: Fiscally Constrained List of Projects

For the past four and a half years and in partnership with regional stakeholders, the Hampton Roads Transportation Planning Organization (HRTPO), the metropolitan planning organization (MPO) for the Hampton Roads region, has been updating the regional Long-Range Transportation Plan (LRTP) to the horizon year of 2045. As the regional transportation blueprint, the LRTP must consider multimodal transportation options to effectively address future regional needs based upon projected population and employment growth.

As part of this process and in keeping with federal regulations, the HRTPO has produced the DRAFT 2045 Long-Range Transportation Plan Fiscally Constrained List of Projects. This draft list outlines regionally significant transportation investments planned for construction or further study over the next 20 years. These proposed investments, totaling \$12.6 billion, are needed to maintain the region's economic vitality and quality of life for residents and visitors. The draft list is comprised of 137 multimodal transportation projects and regional studies ranging from interstate improvements to new bicycle and pedestrian facilities.

This public notice is to request public review and comment on the DRAFT 2045 LRTP Fiscally Constrained List of Projects.

[CLICK HERE](#) to view a copy of the DRAFT 2045 LRTP Fiscally Constrained List of Projects.

Several resources are available to assist in the review of the draft list:

[CLICK HERE](#) to view the DRAFT 2045 LRTP Project Information Guide.

[CLICK HERE](#) to access an Interactive Map of the DRAFT 2045 LRTP List of Projects.

[CLICK HERE](#) to view the presentation to the HRTPO Board regarding the 2045 LRTP DRAFT List of Projects.

All interested parties are encouraged to review the DRAFT list of projects and send comments to Ms. Dale M. Stith, Principal Transportation Planner, at dstith@hrtpo.org or by mail to 723 Woodlake Drive, Chesapeake, Virginia 23320 by **March 19, 2021**.

FUNDING PLAN PUBLIC COMMENTS

WEBSITE NOTICES



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APPENDIX C

CITY OF HAMPTON REQUEST



February 25, 2021

Mr. Robert A. Crum, Jr.
Executive Director
Hampton Roads Transportation Planning Organization
723 Woodlake Drive
Chesapeake, VA 23320

RE: 2045 Long Range Transportation Plan Project Inclusion

Dear Mr. Crum,

The City of Hampton has been working in conjunction with Hampton Roads Transportation Planning Organization (HRTPO) staff on the 2045 Long Range Transportation Plan (LRTP). Since initial project submission, some of Hampton's previously submitted projects have been screened out as either not regionally significant or have been included within larger projects. To help keep projects within the City of Hampton in the 2045 LRTP, the City requests the addition of three projects: Coliseum Drive, Phase B (\$15.4M); North King Street Interchange Study (\$1M); and La Salle Avenue Interchange Study (\$1M).

The Coliseum Drive, Phase B project was submitted by the City of Hampton for SMART Scale Round 4 consideration. The project was not selected but we continue to work with Joint Base Langley-Eustis (JBLE) on the critical need for this connection to the installation's future accessibility. JBLE has plans to extend their existing runway to accommodate both larger aircraft and due to increased flooding at the seaward end of that facility. The City of Hampton and the Virginia Department of Transportation (VDOT) have already spent in excess of \$700,000 on the development of an Environmental Assessment for this project. A companion project, Coliseum Drive, Phase A, is currently under construction and provides a connection between Hampton Roads Center Parkway, Coliseum Drive and N. Armistead Avenue. Coliseum Drive, Phase A was funded through SMART Scale in FY17 with a total project cost of \$5.47M. The City of Hampton feels that creating a complete and usable corridor with connected access and improved traffic flow, in conjunction with the improvements that will be made to JBLE, will provide significant economic improvement to the region. Coliseum Drive, Phase B was included in the 2040 LRTP as a fiscally constrained project. As such, the City requests that HRTPO consider the inclusion of this project into the 2045 LRTP.

The City of Hampton also requests that HRTPO consider adding a study for two interchange projects that the City submitted. The North King Street Interchange (≈\$200M) and the La Salle Avenue Interchange (≈\$26M) projects were considered below the cut line for fiscally constraining during project selection. In lieu of full projects, the City would ask HRTPO to consider funding a study for each of these interchanges at \$1M each, as a first step towards getting better project estimates, site details and environmental information. With more information, the City believes that the project scores would improve and make these more viable candidates in future LRTP consideration.

OFFICE OF ADMINISTRATION AND ENGINEERING SERVICES
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22 LINCOLN STREET, HAMPTON, VIRGINIA 23669
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Our staff will continue to work collaboratively with HRTPO and their associated committees as this plan continues to develop. Should you have any questions, I can be reached at jmitchell@hampton.gov or (757) 876-2120.

Respectfully,

Jason Mitchell
Jason Mitchell
Director of Public Works

OFFICE OF ADMINISTRATION AND ENGINEERING SERVICES
(757) 727-6346 FAX (757) 727-6123
22 LINCOLN STREET, HAMPTON, VIRGINIA 23669
"Oldest Continuous English-Speaking Settlement in America - 1610"



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APPENDIX A: PUBLIC NOTICE

DRAFT Hampton Roads 2045 Long-Range Transportation Plan: Fiscally Constrained List of Projects

For the past four and a half years and in partnership with regional stakeholders, the Hampton Roads Transportation Planning Organization (HRTPO), the metropolitan planning organization (MPO) for the Hampton Roads region, has been updating the regional Long-Range Transportation Plan (LRTP) to the horizon year of 2045. As the regional transportation blueprint, the LRTP must consider multimodal transportation options to effectively address future regional needs based upon projected population and employment growth.

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[CLICK HERE](#) to access an Interactive Map of the DRAFT 2045 LRTP List of Projects.

[CLICK HERE](#) to view the presentation to the HRTPO Board regarding the 2045 LRTP DRAFT List of Projects.

All interested parties are encouraged to review the DRAFT list of projects and send comments to Ms. Dale M. Stith, Principal Transportation Planner, at dstith@hrtpo.org or by mail to 723 Woodlake Drive, Chesapeake, Virginia 23320 by **March 19, 2021**.

APPENDIX A: DRPT COMMENTS

Dale Stith

Subject: FW: Draft 2045 LRTP Funding Plan and Project Information Guide reports

From: Sparks, Grant <grant.sparks@drpt.virginia.gov>
Sent: Tuesday, March 09, 2021 3:10 PM
To: Dale Stith <dstith@hrtpo.org>
Subject: Fwd: Draft 2045 LRTP Funding Plan and Project Information Guide reports

Hi Dale,

I received the comment below from our Rail Division regarding the Project Information Guide. Please let me know if you have any follow-up questions.

DRPT encourages coordination with the host railroad for the grade crossing/grade separation and bridge rehab projects in the draft 2045 LRTP project list to ensure that proper double-stack freight clearances and the potential for capacity expansion are taken into account during the design process.

Grant

Grant Sparks, AICP | Manager of Transit Planning and Corridor Development
Virginia Department of Rail and Public Transportation
600 E. Main Street | Suite 2101 | Richmond, VA 23219
Cell: (804) 786-7425
Email: grant.sparks@drpt.virginia.gov



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