RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

May 20, 2020

MOTION

Made By: Mr. Rucker, Seconded By: Ms. Hynes
Action: Motion Carried, Unanimously

Title: Limited Access Control Changes (LACCs) for Interstate 95 Northbound
Rappahannock River Crossing
City of Fredericksburg and Stafford County

WHEREAS, on October 4, 1956, the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), designated the Interstate Highway System, including I-95, to be Limited Access Highways in accordance with then Article 3, Chapter 1, Title 33 of the Code of Virginia of 1950, as amended, and established the limited access line boundaries as “the final locations of said routes, including all necessary grade separations, interchanges, ramps, etc.”; and

WHEREAS, State Highway Project 0095-111-270, P101, R201, C-501, B608, B609, D605, D-606 (UPC# 105510) provides approximately four miles of three (3) additional lanes parallel to I-95 northbound from Exit 130 (Route 3) in the City of Fredericksburg to Exit 133 (Route 17) in Stafford County, and a new bridge across the Rappahannock River and improvements to the Route 17 interchange at Exit 133 (the “Project”); and

WHEREAS, the construction of additional lanes on I-95 requires an outward shift of the limited access line along the northbound side and an adjustment in the limited access line adjacent to Route 17 as shown on the Limited Access Line Exhibits and the Limited Access Control Point Stations and Offsets Table (attached); and
WHEREAS, VDOT posted a Notice of Willingness for Public Comment (“Willingness”) on February 18, 2020, and February 24, 2020, in the Free Lance-Star and on February 20, 2020, and February 27, 2020, in the Star Weeklies and the Washington Post for the proposed LACCs for the Project, including the current and proposed locations of the limited access lines, and allowed public input to be collected concerning the request. The Willingness expired on February 28, 2020, with no comments or other input from the public; and

WHEREAS, the economic, social and environmental effects of the Project have been duly examined and given proper consideration, and this evidence, along with all other relevant evidence, has been carefully reviewed; and

WHEREAS, the Virginia Department of Transportation (VDOT) Fredericksburg District Office, VDOT Central Office, and the Federal Highway Administration (FHWA) have reviewed and approved the Interchange Modification Report (IMR) completed in September 2019 and found that it adequately addresses the impacts from the Project and the proposed LACCs; and

WHEREAS, the Project is in compliance with National Environmental Policy Act (NEPA) requirements and an Environmental Assessment (EA) was prepared and completed in June 2015 in accordance with federal guidelines and a Finding of No Significant Impact (FONSI) was provided by the FHWA on November 17, 2015. The FHWA concurred with VDOT’s Re-evaluation of the EA on December 4, 2018; and

WHEREAS, the Project is located within an attainment area for all National Ambient Air Quality Standards (NAAQS), and the Project will not have an adverse impact on air quality; and

WHEREAS, the Project is in the City of Fredericksburg and Stafford County, and is supported by letters from the City of Fredericksburg Transportation Administrator dated February 11, 2020, and Stafford County Deputy County Administrator dated February 10, 2020; and,

WHEREAS, the FHWA has provided approval for State Highway Project 0095-111-270, C-501, B608, B609, D605, D-606 (UPC# 105510) and the proposed LACCs in a letter dated February 18, 2020; and

WHEREAS, the Chief Engineer has determined that the proposed LACCs will not adversely affect the safety or operation of the highways; and
WHEREAS, the VDOT has reviewed the requested LACCs and determined that all are in compliance with §33.2-401 of the Code of Virginia and that the requirements of 24 VAC 30-401-20 have been met; and

WHEREAS, the VDOT recommends approval of the LACCs as shown on the attached exhibits.

NOW, THEREFORE, BE IT RESOLVED, in accordance with §33.2-401 of the Code of Virginia and Title 24, Agency 30, Chapter 401 of the Virginia Administrative Code, that the CTB hereby finds and concurs in the determinations and recommendations of the VDOT made herein, and directs that the I-95 and the I-95 / Route 17 interchange continue to be designated as a limited access control area, with the boundaries of limited access control being modified from the current locations as shown on the attached exhibits.

BE IT FURTHER RESOLVED, the Commissioner of Highways is authorized to take all actions and execute any and all documents necessary to implement such changes.

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Issues: The area previously designated as Limited Access Highways requires modifications to accommodate four miles of additional lanes parallel to I-95 northbound from Exit 130 (Route 3) in the City of Fredericksburg to Exit 133 (Route 17) in Stafford. These changes require the approval of the Commonwealth Transportation Board (CTB) pursuant to §33.2-401 of the Code of Virginia, and Title 24, Agency 30, Chapter 401 of the Virginia Administrative Code.

Facts:

- The State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), established Limited Access Control for I-95 on October 4, 1956 and designated the Interstate Highway System, including I-95, to be Limited Access Highways in accordance with then Article 3, Chapter 1, Title 33 of the Code of Virginia of 1950, as amended, and established the limited access line locations and limits as “the final locations of said routes, including all necessary grade separations, interchanges, ramps, etc.”

- State Highway Project 0095-111-270, P101, R201, C501, B608, B609, D605, D-606 (UPC# 105510) provides approximately four miles of three (3) additional lanes parallel to I-95 northbound from Exit 130 (Route 3) in the City of Fredericksburg to Exit 133 (Route 17) in Stafford County (the “Project”). The Project includes a new bridge across the Rappahannock River and improvements to the Route 17 interchange at Exit 133. These improvements will impact the existing limited access control lines as shown on the Limited Access Line Exhibits and the Limited Access Control Point Stations and Offsets Table (attached).

- VDOT posted a Notice of Willingness for Public Comment (“Willingness”) on February 18, 2020, and February 24, 2020, in The Free Lance-Star and on February 20, 2020, and February 27, 2020, in the Star Weekly in Stafford, Spotsylvania and City of Fredericksburg and The Washington Post for the proposed LACCs for the Project, including the current and proposed locations of the limited access lines, and permitted the collection of public input concerning the request. The Willingness expired February 28, 2020 with no comments or other input from the public.

- The economic, social, and environmental effects of the proposed Project have been duly examined and given proper consideration, and this evidence, along with all other relevant evidence, has been carefully reviewed.

- The VDOT Fredericksburg District, VDOT Central Office, and the Federal Highway Administration (FHWA) have reviewed and approved the Interchange Modification Report (IMR) completed in September 2019 and found that it adequately addresses the impacts from the Project and the proposed LACCs.
The Project is in compliance with National Environmental Policy Act (NEPA) requirements and an Environmental Assessment (EA) was prepared and completed in June 2015 in accordance with federal guidelines and a Finding of No Significant Impact (FONSI) was provided by the FHWA on November 17, 2015. The FHWA concurred with VDOT’s Re-evaluation of the EA on December 4, 2018.

The Project is located within an attainment area for all National Ambient Air Quality Standards (NAAQS), and the Project will not have an adverse impact on air quality.

The Project is in the City of Fredericksburg and Stafford County, and is supported by letters from the City of Fredericksburg Transportation Administrator dated February 11, 2020, and Stafford County Deputy County Administrator dated February 10, 2020.

The FHWA has provided the approval for State Highway Project 0095-111-279, P101, R201, C501, B608, B609, D605 and D606 (UPC# 105510) and the proposed LACCs on February 18, 2020.

The Chief Engineer has determined that the proposed LACCs will not adversely affect the safety or operation of the highways.

The proposed LACCs are in compliance with §33.2-401 of the Code of Virginia and with the policies and requirements of the CTB contained in Title 24, Agency 30, Chapter 401 of the Virginia Administrative Code.

Recommendations: It is recommended, pursuant to §33.2-401 of the Code of Virginia, and Title 24, Agency 30, Chapter 401 of the Virginia Administrative Code, that the I-95 corridor in the City of Fredericksburg and Stafford County and the I-95 / Route 17 interchange continue to be designated as a Limited Access Highway with the LACCs modified and/or established as shown on the attached exhibits. This action will modify the limited access line and right of way previously approved by the CTB’s predecessor, the State Highway Commission, on October 4, 1956.

Action Required by CTB: The Code of Virginia §33.2-401 and Title 24, Agency 30, Chapter 401 of the Virginia Administrative Code require a majority vote of the CTB to approve the recommended LACCs. The CTB will be presented with a resolution for a formal vote to approve the LACCs for the proposed Project and to provide the Commissioner of Highways the requisite authority to execute all documents necessary to implement the LACCs.

Result, if Approved: The Commissioner of Highways will be authorized to execute any and all documents needed to comply with the resolution, and the I-95 Project will move forward.

Options: Approve, Deny, or Defer.
Public Comments/Reactions: There were no comments or other input received from the public as a result of the posting of the Willingness for the Project.
Minutes of the Meeting of the State Highway Commission of Virginia, held in Richmond, October 4, 1938

The Commission met in the Central Office Building, Richmond, Virginia, at 9:00 A.M., Thursday, October 4, 1938. The following members were present: Messrs. E. P. Barrow, W. S. Flythe, S. D. May, Burgess E. Nelson, W. A. Wright and J. A. Anderson.

The meeting was called to order by the Chairman.

The Chairman read a letter from Mr. Howard C. Rogers stating that he would not be able to attend because of illness.

On motion made and seconded, the minutes of the August 9-10 meeting were approved.

Moved by Mr. May, seconded by Mr. Barrow, that the permits issued from the August 9-10 meeting to date, inclusive, as recorded in the Auditing Division, be approved. Motion carried.

Moved by Mr. May, seconded by Mr. Barrow, that the permits cancelled by the Commissioner from the August 9-10 meeting to date, inclusive, be revoked. Motion carried.

Moved by Senator Nelson, seconded by Senator Wright, that the Commission confirm award of contract on bids received August 15 for the construction of Project 1507-24, Route 600, S. End of Bridge over Clayhorne Mill Creek—0.834 Mile N. Rockbridge County Line, Augusta County, to the low bidder, Behlal Bros., Inc., Staunton, Va., at the bid of $57,455.16 and that 10% additional be set aside to cover the cost of engineering and additional work and $1,084.61 for work by the A. & D. Railroad, making a total of approximately $59,539.77 shareable to this project; to be financed 50/50 State and Federal. Motion carried.

Moved by Senator Wright, seconded by Mr. Barrow, that the Commission confirm award of contract on bids received August 15 for the construction of Project 1507-24, Route 600, S. End of Bridge over Clayhorne Mill Creek—0.834 Mile N. Rockbridge County Line, Augusta County, to the low bidder, Behlal Bros., Inc., Staunton, Va., at the bid of $57,455.16 and that 10% additional be set aside to cover the cost of engineering and additional work, making a total of approximately $59,539.77 shareable to this project; to be financed 50/50 State and Federal. Motion carried.

Moved by Mr. Barrow, seconded by Mr. Flythe, that the Commission confirm award of contract on bids received August 15 for the construction of Project 1507-10, Routes 601, 640, 0.11 Mile E. of W. Int. Route 661, (E. of Pleasure)—Franklin County Line, Floyd County, to the low bidder, D. E. Morley Construction Co., Rocky Mount, Va., at the bid of $32,865.70, that 10% additional be set aside to cover the cost of engineering and additional work and $1,229.80 for work by State Forces (not included in contract), making a total of approximately $34,195.50 shareable to this project; to be financed with $71,550.00 State and $70,520.00 Federal Funds. Motion carried.
Moved by Mr. Flythe, seconded by Senator Nelson, that, Whereas, under authority of Section 35-115.2 of the 1950 Code of Virginia, as amended, request is made by City of Warwick for payment at the base rate of $300 per Mile annually on additional streets meeting the required standards; Now, Therefore, be it resolved, that quarterly payments at the base rate of $300 Per Mile annually be made to the City of Warwick on additional streets totaling 11.20 miles, effective beginning the second quarter, October 1, 1956. Motion carried.

Moved by Mr. Flythe, seconded by Senator Nelson, that, Whereas, under authority of Section 35-115.2 of the 1950 Code of Virginia, as amended, request is made by City of Waynesboro for payment at the base rate of $300 per Mile annually on additional streets meeting the required standards; Now, Therefore, be it resolved, that quarterly payments at the base rate of $300 Per Mile annually be made to the City of Waynesboro on additional streets totaling 10.512 miles, effective beginning the second quarter, October 1, 1956. Motion carried.

Moved by Mr. Flythe, seconded by Senator Nelson, that, Whereas, under authority of Section 35-115.2 of the 1950 Code of Virginia, as amended, request is made by the Town of Wytheville for payment at the base rate of $300 Per Mile annually on additional streets meeting the required standards; Now, Therefore, be it resolved, that quarterly payments at the base rate of $300 Per Mile annually be made to the Town of Wytheville on additional streets totaling 0.364 Mile, effective beginning the second quarter, October 1, 1956. Motion carried.

Moved by Mr. Flythe, seconded by Senator Nelson, that, it so be declared that, Whereas, by action of the Congress of the United States, whereby all routes on the National System of Interstate and Defense Highways are to be constructed to interstate standards and whereas, one of the requirements of interstate standards is the control of access to these routes; Therefore, be it resolved that all routes on the National System of Interstate and Defense Highways within the confines of the Commonwealth of Virginia, upon determining the final location of said routes, including all necessary grade separations, interchanges, ramps, etc., are here and now designated Limited Access Highways, pursuant to Article 3, Chapter 1, Title 35, of the Code of Virginia of 1950, as amended, Motion carried.

On motion made by Senator Nelson, seconded by Mr. Barrow, the Chairman was instructed to report to the Bureau of Public Roads, at a meeting called for October 9, that the Virginia Department of Highways will undertake one-third of the cost of operation and maintenance of the proposed bridge over the Potomac River at Jones Point, with the thought that the other two-thirds shall be borne by the State of Maryland and the District of Columbia. This could be handled by written agreement looking to appropriate Federal legislation.
February 10, 2020

Mr. Thomas Nelson, Jr. P.E.
Division Administrator
Federal Highway Administration
P.O. Box 10249
400 N. 8th Street Room 750
Richmond, Virginia 23240-0249

Attention Ms. Janice L. Williams

Interstate I-95
I-95 NB Widening and Rappahannock River Crossing
Projects: 0095-111-270, P101, R201, R202, C501, B608, B609
Federal Project Number NHPP-095-2(545)
UPC 105510
City of Fredericksburg and Stafford County
Request for Modified Limited Access Line

Dear Mr. Nelson,

As you are aware, The Virginia Department of Transportation (VDOT) is developing plans for the construction of northbound collector-distributor lanes along I-95, between Exit 130 (VA Route 3) and Exit 136 (Centerport Parkway), with connections to the Fredericksburg Extension of the I-95 Express Lanes (FredEx) in the City of Fredericksburg and Stafford County, Virginia. This project will provide additional capacity along the I-95 corridor in the region, improving operations and safety and reducing congestion.

As a result of the design of the project, the Limited Access Line along the Interstate I-95 between exit 130 and Exit 136 needs to be modified to encompass the required construction.

I-95 was designated as a Limited Access Highway by the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), on October 4, 1956.
The proposed Project is in compliance with National Environmental Policy Act (NEPA) requirements and an Environmental Assessment (EA) was prepared. The Finding of No Significant Impact was approved by the FHWA on November 17, 2015.

Therefore, VDOT is requesting your concurrence in modifications to the existing limited access lines along I-95 as shown on the attached exhibits and the control point table.

Attached please find a copy of the Title Sheet, a Location Map, exhibits showing each of the individual areas of LACC, and the Limited Access Point Table.

VDOT approves of the Limited Access Control Changes as shown on the exhibit and point control table. We are requesting a quick review and approval of these limited access changes so that the Commonwealth Transportation Board can approve the changes at their meeting on March 21, 2020.

If additional information is needed, please contact Mr. Richard C. Worssam, P.E. at 804.786.2501 or richard.worssam@vdot.virginia.gov.

Sincerely,

[Signature]

Susan H. Keen, P.E.
State Location and Design Engineer

Approved: [Signature] Date 2-18-2020

Enclosure
Exhibits
April 1, 2020

The Honorable Shannon Valentine
The Honorable Stephen C. Brich, P. E.
The Honorable Jennifer Mitchell
The Honorable Jerry L. Stinson II
The Honorable Mary Hughes Hynes
The Honorable Allison DeTunnoq
The Honorable Bert Dodson, Jr.
The Honorable W. Sheppard Miller III
The Honorable Carlos M. Brown
The Honorable Cedric Bernard Rucker
The Honorable Stephen A. Johnsen
The Honorable F. Dixon Whitworth, Jr.
The Honorable E. Scott Kasprowicz
The Honorable Raymond D. Smoot, Jr.
The Honorable Marty Williams
The Honorable John Malbon
The Honorable Greg Yates

Subject: Approval of Limited Access Control Changes (LACCs) for I-95 Northbound Rappahannock River Crossing Widening and Construction in the City of Fredericksburg and Stafford County.

Dear Commonwealth Transportation Board Members:

The Department has initiated the above request for LACCs for your consideration. The proposed LACCs on State Highway Project 0095-111-270, P101, R201, C501, B608, B609, D605 and D606 have been determined as a necessary design feature and recommended for approval by the Department’s staff.

I have reviewed the staff’s recommendations and determined that approving these LACC’s will not adversely affect the safety or operations of the affected highway network. I have determined that this request should be considered by the Board.

Sincerely,

Barton A. Thrasher, P.E.
Chief Engineer
February 11, 2020

William Arel, P.E.
Fredericksburg District Megaprojects Engineer
Virginia Department of Transportation
87 Deacon Road
Fredericksburg, VA 22405

RE: I-95 Northbound Rappahannock River Crossing project

Dear Mr. Arel:

I am writing to confirm that the City of Fredericksburg fully supports the I-95 Northbound Rappahannock River Crossing project. Our City Council unanimously adopted a resolution to this effect, on November 14, 2017, and we appreciate that VDOT has kept the community apprised of all related progress since then.

The project that was presented at the Design Public Hearing on August 22, 2019 remains consistent with the City of Fredericksburg’s understanding of the project scope. As a consequence, the City remains in full support of the project.

The City of Fredericksburg also understands that adjustments to the limited access right-of-way will be required along the northbound lanes, north of State Route 3 and south of the Rappahannock River.

The City looks forward to a successful project.

Sincerely,

Erik F. Nelson

cc: Tim Baroody, City Manager
Doug Fawcett, Assistant City Manager
Mark Whitley, Assistant City Manager
Diane Beyer, Director of Public Works
February 10, 2020

Bill Arel, P.E.
Virginia Department of Transportation
Fredericksburg District
87 Deacon Road
Fredericksburg, VA 22405

Dear Mr. Arel,

I am writing to confirm that Stafford County supports the I-95 Northbound Rappahannock River Crossing project.

Stafford County understands that adjustments to the limited access right of way will be required along the northbound exit ramp to Route 17 Business, along Route 17 Business, and along the northbound on-ramp from Route 17 to I-95.

Stafford County supports the scope of the project as presented at the August 22, 2019 Design Public Hearing. However, please note that Stafford County believes that the replacement of the Collector-Distributor lane bridge over Route 17 should be included in the project’s base bid and does not support the current status of this bridge replacement as a bid option to the project. This has been described in a letter to Secretary Valentine per Board Resolution R19-319.

If you need any additional information or have any questions, please feel free to call me at 540-658-4894.

Sincerely,

Michael T. Smith
Deputy County Administrator
These plans are unfinished and unapproved and are not to be used for any type of construction or the acquisition of Right of Way. Additional Easement for Right of Way may be required beyond the proposed right-of-way shown on these plans.
These plans are unfinished and unapproved and are not to be used for any type of construction or the acquisition of Right of Way. Additional Easement for Right of Way may be required beyond the proposed right-of-way shown on these plans.
LIMITED ACCESS CONTROL MODIFICATIONS
APPROVED BY THE COMMONWEALTH TRANSPORTATION BOARD
BY RESOLUTION DATED October 4, 1956

These plans are unfinished and unapproved and are not to be used for any type of construction or the acquisition of Right of Way. Additional Easement for Right of Way may be required beyond the proposed right-of-way shown on these plans.

DISCLAIMER

Legend

Exist.R/W & Limited Access Line
Exist.Right of Way
Exist.Limited Access Line
Prop.R/W & Limited Access Line
Prop.R/W
Prop.Limited Access Line

Project Location

City Of Fredericksburg Stafford County

North Arrow and Scale

SCALE

0 100' 200'

INTERSTATE 95
RAPPAHANNOCK RIVER CROSSING
NORTHBOUND

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### Alignment Information

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Notes:
- Points shown in italics are subject to final design by the design builder.
- Points shown romanized are subject to Early Acquisition By VDOT Proj. 0095-111-270 RW-201.
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**I-95 Northbound Rappahannock River Crossing**  
**Proposed Right of Way and Limited Access**  
**Commonwealth Transportation Board Meeting April 9, 2020**  
*Points shown romanized are subject to Early Acquisition By VDOT Proj. 0095-111-270 RW-201*

*Points shown in italics are subject to final design by the design builder*

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