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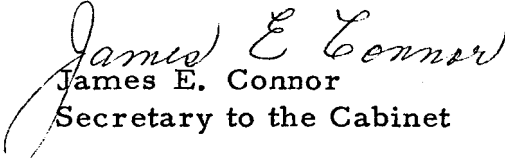
THE WHITE HOUSE
WASHINGTON

January 7, 1977

MEMORANDUM FOR
THE HONORABLE WILLIAM T. COLEMAN JR.

The President reviewed your decision on Interstate Highway 66
and made the following notation:

"Excellent"


James E. Connor
Secretary to the Cabinet

THE WHITE HOUSE
WASHINGTON


January 5, 1977

MR. PRESIDENT:

Secretary Coleman's Decision on
Interstate Highway 66, Fairfax and
Arlington Counties, Virginia

Secretary Coleman requested that the attached copy of his decision on Interstate Highway 66 be forwarded to you. This decision will be announced today.

Jim Connor


Excellent



DEPARTMENT OF TRANSPORTATION

NEWS

OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20590

~~THE~~ PRESIDENT HAS SEEN....

EMBARGOED FOR PUBLIC TRANSMISSION, FILING AND/OR
PUBLICATION UNTIL THE END OF THE NEWS CONFERENCE
JANUARY 5, 1977

OPENING STATEMENT OF SECRETARY OF TRANSPORTATION WILLIAM T. COLEMAN, JR.,
ON COMPLETION OF INTERSTATE HIGHWAY 66 BETWEEN THE BELTWAY AND WASHINGTON,
D. C., WEDNESDAY, JANUARY 5, 1977, WASHINGTON, D. C.

Ladies and gentlemen, I have called this conference today to announce my decision on the proposal of the Commonwealth of Virginia to complete I-66 by the construction of the segment from the Capital Beltway to the Theodore Roosevelt Bridge. The proposal before me is for a four-lane, limited access facility, with the Vienna "K" line of Metro located in the median from the vicinity of Glebe Road to Vienna. In other words, the proposal is to build the highway, but also with Metro in the median strip. Heavy duty trucks would be excluded, and--during peak hours--traffic in the peak direction would be limited to buses, carpools, and to traffic bound to or from Dulles airport.

As you know, the construction of this segment of I-66 has been an extremely controversial local matter with a long and divisive history. Since I have played a role in this history, and have established a process for the review of the current proposal--including a second public hearing--I believe it is my responsibility to act upon the application before me prior to my departure from the Department. To do otherwise would only cause further delay and would, in my opinion, unjustifiably leave to my successor a decision which I am fully prepared to make.

- more -

After careful consideration of the record on this matter, I have concluded that the proposal before me is a balanced response to the transportation needs in the area, and that the transportation benefits of the proposal outweigh any adverse impacts on the affected community. Among these benefits are incentives for high-occupancy vehicle use, improved mobility, shorter trip times, support for Metro, and improved access to Dulles airport

Therefore, I have decided to approve the I-66 proposal as presented to me with a number of conditions. By including them as legally binding conditions of my approval, I am assuring their implementation. Briefly, my conditions are that the Commonwealth of Virginia:

1. provide right-of-way in the median of I-66 for Metro, without cost, and assist in the preparation of this median for Metro use;
2. transfer I-266 funds to Metro, as proposed by the Governor;
3. restrict the use of the highway lanes in the peak direction, during peak hours, to buses, carpools, emergency vehicles, and vehicles bound to or from Dulles airport;
4. exclude heavy duty trucks at all times;
5. submit a plan within 60 days for enforcing these restrictions, to be approved by the Secretary;
6. not construct any highway lanes in the I-66 right-of-way beyond the four I am now approving;
7. include the design elements and other features intended to minimize social and environmental impacts, as set forth in the Environmental Impact Statement; and
8. provide opportunities, in construction of I-66, for minority employment, training, apprenticeships, and business contracts.

The Governor of Virginia must submit a letter to me indicating his acceptance of these conditions within 10 days hereof, unless he requests an extension of up to 30 additional days. The Environmental Impact Statement on this matter was filed with the Council on Environmental Quality on December 20, 1976, for the required 30-day period.

The first two conditions--construction features for Metro and transfer of I-266 funds--should assist Metro in completing the "K" line

to Vienna. Since I believe Metro is an important element in the total plan, I am asking the Governor of the Commonwealth of Virginia to support aggressively and participate in the planning and development of Metro in this corridor. Other conditions I have placed on the approval will assure that it is built as a parkway-type facility, similar--for example--to George Washington Memorial Parkway.

The restrictions placed on the use of this facility not only increase its capacity to move people during peak hours, but also help to overcome many of the environmental and social objections to the construction of this road. My only concern regarding these restrictions is the possibility that the carpools and buses might provide direct and detrimental competition to Metro once Metro is completed to Vienna. Therefore, I have included as a part of my third condition, which deals with these restrictions, a means by which they can be reviewed. Under no circumstances can such conditions be lifted, however, without the explicit approval of the U.S. Secretary of Transportation, and this would probably require another Environmental Impact Statement.

As I indicated, I believe the benefits associated with this project outweigh the adverse effects. Nevertheless, the decision has been particularly troubling because I know how deeply felt, and how well-informed and reasoned the opposition has been. Many who applauded my decision last year to disapprove the I-66 proposal before me at that time will question how I can approve this proposal now. The reasons are clear: First, this proposal is substantially different; and second, the posture of local governments and regional organizations has changed. The Metropolitan Washington Council of Governments and its Transportation Planning Board, and the Fairfax County Board of Supervisors have switched their positions from opposition to support. While last year's unlimited six-lane proposal was inconsistent with national urban transportation and environmental policies in my judgment, and was judged to be inconsistent with local plans by the local jurisdictions, such is not the case with the current proposal.

These are the matters that have been major influences on my decision. Now that this decision has been made, I hope this region can work together with the Virginia Department of Highways and Transportation in achieving this multi-modal solution to the transportation problems in this corridor, and in reducing any environmental impacts on the adjoining communities and the region. I wish to reiterate that the completion of Metro to Vienna should be an essential part of the efforts of the Commonwealth of Virginia.

#

DEPARTMENT OF TRANSPORTATION

~~THE~~ PRESIDENT HAS SEEN . . .



SECRETARY'S DECISION ON INTERSTATE HIGHWAY 66, FAIRFAX AND ARLINGTON COUNTIES, VIRGINIA

EMBARGOED FOR PUBLIC TRANSMISSION,
FILING AND/OR PUBLICATION UNTIL END
OF NEWS CONFERENCE, JANUARY 5, 1977

WASHINGTON, D.C.

January 5, 1977

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PART ONE

SUMMARY AND DECISION

INTRODUCTION

A. The Issue

The basic issue before me is whether to approve an application from the Virginia Department of Highways and Transportation (VDHT) for Federal-aid highway fund participation in the proposed construction of a 9.6-mile section of Interstate Highway 66 (I-66) from the Capital Beltway (I-495) to Rosslyn, Virginia, where it would connect with previously constructed approaches to the Theodore Roosevelt Bridge (see map following page 2).

The proposal is for a four-lane limited access Interstate facility, with the Vienna ("K") line of the Metro rail rapid transit system located in the median for 4.2 miles of the total 9.6-mile highway segment; heavy duty truck traffic would be excluded, and during peak hours traffic in the peak direction would be limited to buses and to automobiles with four or more occupants, and to traffic bound to or from Dulles Airport.^{1/}

In recommending the proposed route and design, VDHT and the Federal Highway Administration (FHWA) of this Department considered the following alternatives: (1) not constructing I-66 and relying on the existing highway network, the planned 98-mile Metro rapid transit system, and limited highway and transit improvements which are at an advanced stage of commitment (the so-called "Base Case"); (2) extensive transit improvements to complement the Base Case, including the extension of Metrorail to Dulles Airport and supplemental Metrobus routings (the "Transit Option"); (3) the Highway Option, including I-66 and a Dulles Access Road Connector; (4) the Multi-Mode/New Facility Option, combining elements of the Base Case, Transit Option and Highway Option; and (5) the Multi-Mode/Improvements to Existing Facilities Option, which includes Metro and major improvements to existing highways. In addition, various other transportation improvements within the I-66 corridor were evaluated, including Dial-A-Bus service, commuter railroad lines utilizing existing tracks,

^{1/} The proposal is discussed in Section II of this Decision Document, and described in detail in the proposed "Final Supplemental Environmental/Section 4(f) Statement, Proposed Four Lane Multi-Modal Concept", August 10, 1976, prepared by the Federal Highway Administration of this Department, and VDHT (hereinafter "Four Lane Supplement"), pp. 11-15.

exclusive bus lanes" on I-66, and experimental technologies such as "people movers."^{2/}

The proposed project is based on the Multi-Mode/New Facility Option, the major changes being a proposed reduction from eight lanes to four lanes and the proposed imposition of the traffic limitations mentioned above.

In view of the fact that this project requires the use of 15.5 acres of public parkland, a determination is necessary pursuant to section 4(f) of the Department of Transportation Act of 1966 (DOT Act),^{3/} that there is "no feasible and prudent alternative" to the use of parkland and that, if approval is given, the project includes "all possible planning to minimize harm" to the affected parklands.

B. Background

I-66 was planned as a 75-mile highway from I-81 near Strasburg, Virginia, on the west, to Washington, D. C., on the east. It has been on the National Interstate Map since 1959. Twenty-two miles of I-66 are completed immediately west of the Capital Beltway, and the remainder of the highway west to I-81 has been approved. At the eastern end of the highway, I-66 has been constructed from Rosslyn across the Potomac River via the Theodore Roosevelt Bridge and into the District of Columbia, where it terminates at Pennsylvania Avenue and 24th Street, N.W. The unbuilt metropolitan segment of I-66 that is the subject of this decision is, as noted above, 9.6 miles long and extends from the Beltway to Rosslyn.

The presently proposed location of I-66 inside the Beltway was approved as an Interstate segment, as stated above, in June 1959 by the Federal Bureau of Public Roads (now FHWA). By 1968, 93.9 percent of all dwellings and 84.4 percent of all necessary right-of-way had been acquired, and 499 families (or 75.6 percent) had been relocated. \$28.7 million has been spent on acquisition and clearance.

Several events between 1962 and 1970 delayed final planning and the initiation of construction along the route. These events included: (1) public controversy and litigation surrounding the Three Sisters Bridge/I-266 project, which was to connect with I-66 and provide an additional crossing of

^{2/} The alternatives considered are discussed in Section III of this document, and are set forth in detail in the proposed "Final Environmental Impact Statement/Section 4(f) Statement Base Document, Proposed I-66 Corridor Transportation Improvements", dated July 1974 (hereinafter "1974 Final EIS"), pp. 41-61.

^{3/} 49 U.S.C., Sec. 1653(f) (1970).

PROPOSED FOUR-LANE MULTI-MODE CONCEPT



EXHIBIT 1

the Potomac River; (2) the protracted legal negotiations by local commuters to keep the Washington and Old Dominion Railroad in operation, segments of which were proposed to be utilized for the I-66 right-of-way; and (3) the need to coordinate I-66 with the planning efforts for the Metro rapid transit system.^{4/}

During this same period, new Federal legislation and administrative directives were adopted which governed highway planning and construction in general, and which affected I-66 specifically. Section 4(f) of the Department of Transportation Act was enacted in 1966, prohibiting the approval of projects that use parkland unless there is no "feasible and prudent alternative" to such use. The original I-66 project proposed to take parts of several parks for right-of-way.

In 1970, the National Environmental Policy Act (NEPA)^{5/} was enacted, section 102 of which requires the preparation of environmental impact statements (EIS) for major Federal actions "significantly affecting the quality of the human environment." These and other enactments collectively impacted the highway planning process by adding a new emphasis to the review of projects by the public and by local agencies, and giving greater emphasis to the need to identify the social, economic and environmental impacts of proposed highway projects.

A design public hearing on the segment of I-66 from North Glebe Road to North Lynn Street was held in 1970, followed by reaffirmation of the design approval in January 1971. In early 1971, the Arlington Coalition on Transportation (ACT), Arlingtonians for the Preservation of the Potomac Palisades, and several named individuals filed suit in the U. S. District Court to stop construction of I-66. ACT contended that Federal and State highway officials had not complied with section 4(f) of the DOT Act, section 102 of NEPA, and section 128 of Title 23, U.S.C., governing public hearings for highway projects.

In October 1971, the District Court dismissed the suit filed by ACT, but on April 4, 1972, the U. S. Court of Appeals for the Fourth Circuit reversed the District Court decision. The Court of Appeals enjoined further acquisition of right-of-way and construction for the highway until DOT filed an EIS and determined, pursuant to section 4(f), that there is no "feasible and prudent alternative" to the use of the parklands. The court also ruled that new public hearings must be held to consider the social and environmental impacts of the project, and the

^{4/} The Washington Metropolitan Area Transit Authority adopted a plan on March 1, 1968, which included a Metro line in the median of I-66 from west of Glebe Road in Arlington County to Nutley Street in Fairfax County, near Vienna.

^{5/} 42 U.S.C., Sec. 4321, et seq. (1970).

economic effects of the proposed location in light of the planned rapid transit service in the I-66 corridor.^{6/}

Accordingly, VDHT initiated a study in September 1972, with FHWA involvement, to consider alternatives to the I-66 proposal and to review the social, environmental and economic impacts of the project, pursuant to the Court of Appeals decision. The resulting draft EIS/4(f) determination was released on November 17, 1973. The draft statement, which evaluated five basic options to meet the transportation needs in the I-66 corridor, was distributed for review to approximately 75 Federal, State and local agencies, as well as to 150 individuals and organizations which had participated in the study. A public hearing was conducted by VDHT on December 17-22, 1973, to receive public input and comments regarding the five alternatives studied and their impacts.

A document summarizing public hearing and draft EIS review comments, and evaluating the I-66 corridor transportation requirements, was prepared for use by the Virginia State Highway Commission in reaching its decision. After consideration of the findings contained in the study documents and the public hearing and agency review comments, the State Highway Commission, on February 21, 1974, adopted the "Multi-Mode/New Facility Option" for the I-66 corridor (i.e., I-66 with Metro), with certain modifications, and directed the preparation of the Final Environmental/Section 4(f) Statement. A proposed final EIS/4(f) was completed and submitted to FHWA on July 9, 1974.

In September 1974, FHWA requested that additional effort be made to alleviate further the impacts of the proposed project on local communities, particularly Arlington and Fairfax Counties. VDHT subsequently modified the original proposal to reduce the number of highway lanes from eight to six; to prohibit heavy duty trucks from using the facility; and to redesign the segment through the Spout Run Parkway area in order to provide for a ground level roadway rather than the two-level structure which was included in the eight-lane design. These design modifications were submitted to FHWA in November 1974 as the "Environmental Evaluation for a Six Lane Roadway Design", and were subsequently considered by me in my evaluation of I-66 in 1975.

On June 21, 1975, I held a public hearing to hear the positions of elected officials and civic organizations on the proposed project. On August 1, 1975, I disapproved the VDHT and FHWA request to build this segment of I-66, and issued a decision

^{6/} Arlington Coalition on Transportation v. Volpe, 458 F.2d 1323 (4th Cir., 1972).

document setting forth the reasons for my decision.^{7/} I also set forth several follow-up actions dealing with various aspects of transportation in the I-66 corridor.^{8/}

In response to this decision and the follow-up actions, FHWA and VDHT developed the four-lane multi-mode concept. Following consultation with other State and Federal agencies on this concept, a draft supplemental EIS/4(f) was prepared and circulated for public, State and Federal agency review on June 2, 1976. VDHT conducted a public hearing on the draft on July 10-11, 1976, for the purpose of receiving public comments on the proposed design and traffic management concepts.

Following review of the comments on the draft EIS/4(f), the Virginia Highway and Transportation Commission endorsed the design for the proposed four-lane multi-mode concept, by resolution dated July 29, 1976, and the State concurred in the proposed final EIS/4(f) for the four-lane concept on August 10, 1976. FHWA has now also endorsed the proposal, which is the subject of today's decision.

C. The Decision Process

Because of the difficulty in making the decision on whether to approve the Virginia application for construction of I-66, because of its potentially significant impact on the Washington, D.C. metropolitan area, and because I personally conducted a public hearing last year before rejecting the six-lane proposal, I decided that it was in the public interest to hold a new public hearing before making a decision on the current proposal. Accordingly, on August 27, 1976, I announced that I would conduct a public hearing on the matter, at which elected officials and citizens representing various jurisdictions and interest groups would be given a final opportunity to make clear their positions and to present their cases directly to me.^{9/} The hearing was held in Washington on October 2, 1976.

Representatives of State and local governments, other elected officials, civic and business organizations, and interested citizens addressed a series of relevant questions set forth in a statement of issues on the matter prepared by DOT.^{10/} This issue

^{7/} Department of Transportation, "The Secretary of Transportation's Decision on Whether the Department of Transportation Should Approve the Construction of Interstate Route 66 in Arlington and Fairfax Counties, Virginia", August 1, 1975.

^{8/} Ibid., pp. 15-16.

^{9/} 41 Federal Register (F.R.) 36536, August 30, 1976.

^{10/} "Issues Relating to I-66, Arlington and Fairfax Counties, Virginia", September 29, 1976 (41 F.R. 42971).

paper outlined the transportation, environmental, social, economic and legal considerations that would have to be evaluated in reaching a decision. Among the important questions addressed at that time or raised since are whether, and to what extent, I-66 would provide transportation benefits in the metropolitan area, including time savings for commuters and a reduction in congestion on local streets and arterials in Virginia; and how important such benefits would be. Other transportation questions concern whether the highway would encourage greater use of Dulles Airport, compete with Metro for riders, or result in increased or decreased numbers of vehicles in the Virginia localities and the District of Columbia. Questions regarding the enforceability of the proposed heavy truck exclusion and peak hour limitation to carpools and buses have also been raised.

Other questions concern the extent and importance of the environmental, social and land use impacts of the proposed highway. These issues relate to, inter alia, impacts on air quality, noise, community disruption, and parklands, and to consistency with the planning goals of the affected jurisdictions.

Legal questions have been raised regarding compliance of the proposal with section 4(f) of the DOT Act, and the legality of conditioning any grant approval in order to prevent future attempts to expand the highway beyond the four lanes now proposed, or to remove the proposed use limitations.

Written presentations were submitted to the public docket, which remained open until October 15, 1976. After October 15, I received correspondence on this matter, which is part of the public file.

Today's decision is based entirely on the public record, including the proposed 1974 final EIS and the currently proposed four-lane supplemental EIS, together with information and views furnished at the October 2 public hearing and written materials submitted to the docket.

The transportation, economic, environmental, social and legal aspects of this decision are complex and controversial. In addition to the dilemma of evaluating each of these aspects of the decision, determining their relative importance presents an even more difficult challenge. In this document, I attempt to explain my evaluation of the most important issues and the reasons for my decision. As I have stated before, I firmly believe that political public servants, especially those serving by Presidential appointment and Senatorial confirmation, have a duty to express in writing their reasons for taking major actions. In this way, the public can judge the fairness and objectivity of such actions, and the Congress and the courts can more readily review such actions if desired.

THE DECISION

For the reasons set forth in this document, and under the conditions set forth herein, I have decided to approve the multi-modal transportation concept including the four-lane Interstate Highway 66, as proposed to me by the Virginia Department of Highways and Transportation. This interstate segment will provide direct east-west access between the Nation's Capital and Interstate 81 and will thus benefit the entire northern portion of Virginia. In addition, the highway as proposed -- with peak hour restrictions to buses, carpools and traffic to and from Dulles in the peak direction -- will benefit the immediate metropolitan area by providing an efficient commuter facility to supplement the capacity of the existing network of commuter roads. The proposal will also provide the right-of-way, significant cost savings, and other financial support for construction of the "K" line of the Metro rail transit system in the median of the highway for part of its length.

This has been a difficult decision for me to make. The opinions of well informed and sincere citizens and officials have been mixed, particularly from those representing jurisdictions inside the Beltway. On balance, however, I have concluded that the multi-modal solution proposed by VDHT will best meet the transportation needs of northern Virginia while fulfilling the environmental, social and economic objectives of the local communities and the Federal Government.

I should stress that I am basing this judgment on the proposal as set forth in the environmental impact statement submitted to me by VDHT and FHWA. This proposal and the corresponding environmental assessments assume the completion of the Metro "K" line to Vienna. The advisability of completing this line beyond Glebe Road is currently under review by Metro at the request of local and Federal officials. It is my conviction, however, that the merits of I-66 and the overall transportation benefits in this corridor will be seriously weakened if the "K" line is not completed to Vienna. The combination of the two facilities best balances the transportation needs of northern Virginia with environmental and social considerations and, therefore, it is my judgment that Metro should eventually be completed to Vienna as originally conceived. I have said in the past that the 98-mile Metro system can be completed, given sound management, within acceptable financial limits. I anticipate that a suitable course of action will be the outcome of the current analysis. Should justification for completing the "K" line not be forthcoming in the near future, I believe the desirability of the full system will still prove right and feasible over the long run.

I realize that it is impossible to obtain, at this time, a legal commitment by the Governor of Virginia or the Washington Metropolitan Area Transit Authority (WMATA) to complete the Metro "K" line. Nevertheless, in view of this decision to approve I-66,

I will expect the Governor, the agencies of the Commonwealth, and the Virginia legislature to honor the moral obligation to advance the completion of Metro. Such a moral obligation is, in my judgment, eminently fair. I-66, an interstate facility which will bestow benefits beyond the immediate metropolitan area, has received full support of Virginia officials. It is fitting that the Commonwealth, in turn, lend equal support to Metro, which will benefit those Virginia residents directly affected by construction of I-66.

To this end, I ask that the Governor commit both the manpower and financial assistance necessary to the planning and construction of the Metro "K" line. Such assistance must include the financial commitments contained in the I-66 submission and the transfer of I-266 funds to Metro, in accordance with the stated intention of the Governor,^{11/} but should not be limited to these actions. I expect that the full range of financial resources available to the Commonwealth, including taxation powers, bonding, or any other suitable revenue mechanisms, will be considered to fulfill this commitment.

I now set forth the conditions of my approval. These conditions reflect my concern for the future development of Metro and my intention that specific elements of the VDHT proposal become firm commitments. The Governor of Virginia must file a letter with the Secretary of Transportation within 10 days hereof, stating that he, on behalf of the Commonwealth of Virginia and VDHT, accepts the conditions set forth below as terms of the Federal grant, unless he requests an extension of up to 30 additional days. These terms will be set forth as conditions of any Federal grant-in-aid contract for I-66 development or such other legally binding documents as are necessary or appropriate. Specifically, I approve the request for Federal aid for I-66 subject to agreement by the Commonwealth of Virginia that it will:

1. Provide right-of-way in the median for Metro without cost, and "assist the Metro system through complete construction of the median to the point that rails could be placed by the Washington Metropolitan Area Transit Authority with minimal construction expense",^{12/} and provide other assistance to Metro construction, all as set forth in the Final Four Lane Supplemental EIS;
2. In accordance with Governor Godwin's announced intention,^{13/} transfer the funds previously allocated to I-266 in Virginia to Metro, under the "interstate transfer" provisions of Federal statute;^{14/}

^{11/} "Transcript of Hearing on I-66", October 2, 1976 (hereinafter "Transcript"), p. 5 (testimony of Governor Mills Godwin).

^{12/} Four Lane Supplement, p. 5.

^{13/} Transcript, p. 5.

^{14/} 23 U.S.C., Sec. 103(e)(4) (Supp. V 1975), as amended by Federal-Aid Highway Act of 1976, Pub. L. 94-280, Sec. 110 (1976).

3. Restrict the use of the highway lanes in the peak direction, during the peak hours, to buses, carpools of four or more persons, emergency vehicles, and vehicles bound to or from Dulles Airport. These restrictions can be removed by VDHT or the Commonwealth of Virginia, only with the concurrence of the U.S. Secretary of Transportation, the authorized transportation planning body for the metropolitan Washington area, and WMATA. In addition, the restrictions can be removed by the U.S. Secretary of Transportation after consultation with these same parties. In either case, all environmental requirements would have to be met before the restrictions could be removed;
4. Exclude heavy duty trucks (two-axled, six-tired or larger) from the facility at all times;
5. Submit a plan within the next 60 days for DOT review and acceptance, detailing the enforcement approaches and resources which will be committed to assure compliance with the traffic limitations set forth above, including a plan for identifying automobiles bound to and from Dulles;
6. Not construct any highway lanes in the I-66 right-of-way beyond the four which I am now approving;
7. Include the design elements and other features intended to minimize and compensate for adverse social and environmental impacts of the highway as set forth in the Final Four Lane Supplemental EIS, and this document, including specifically those set forth in Section V of this document (in other words, so far as possible, construction should be similar to the George Washington Parkway); and
8. Provide assurances that all construction will be carried out in a way that provides apprenticeship opportunities, skilled training and jobs for substantial numbers of minorities, and significant opportunities for the participation of minority-owned enterprises.

It is my firm view that the strong incentive that peak hour traffic limitations will provide to increased carpooling in the I-66 corridor, and the assistance to the construction of Metro, represent a major effort to reduce emphasis on low-occupancy automobile use. In light of the importance of these steps, I find that the alternatives are not prudent, inasmuch as they would not provide the same degree of incentive for high-occupancy automobile use, nor the same level of total transportation service in this congested corridor as the Metro and highway combination would provide.

An additional transportation benefit to be realized by this decision, of course, is that construction of I-66 will improve access to Dulles Airport. This has been an important transportation goal of the metropolitan area for a long time. In order to facilitate this objective, the Secretary of Transportation will recommend statutory authorizations and funds to construct a highway connection between the Dulles Access Road and I-66.

A significant consideration in reaching this decision is the major efforts that have been made to minimize any adverse environmental and social impacts of the project. These include the reduction to four lanes, the exclusion of trucks, and the addition of extensive noise barriers, all of which reduce the highway's noise impacts; the net addition to public parkland and bicycle paths; the connection of severed local streets; the depression of the highway in many locations; the retention of some excess rights-of-way as noise buffers and for landscaping; and numerous other provisions. These provisions are being made legally binding conditions of my grant.

An additional major consideration in arriving at this decision was the fact that it has the support of the authorized transportation planning body for the Washington metropolitan area, which opposed the proposal for I-66 that I rejected in August 1975. Fairfax County, a jurisdiction directly affected by the facility, also has altered its position, from opposition to the earlier proposal to support for the current proposal.

I recognize that strong opposition remains to construction of this limited version of I-66, particularly in Arlington County and the District of Columbia. However, I believe the VDHT proposal makes every effort to minimize adverse environmental impacts on Arlington. Also, I believe that the adverse traffic impacts on the District of Columbia could be mitigated, if they do indeed materialize, by effective use of traffic management techniques. At such time, if not before, the U.S. Department of Transportation should assist the District of Columbia in instituting traffic management techniques by making every effort to revise Federal parking policies. The Federal Government currently provides parking spaces to employees at low cost, which removes the incentive for carpooling which unsubsidized parking prices would provide. Because such policies would not be consistent with the District of Columbia's interest in discouraging any increase in single-occupancy vehicle traffic which might result from I-66, it would be incumbent upon the Federal agencies to implement parking policies that would discourage single-occupant vehicle use if such increase from I-66 does occur (and even under present circumstances). Such policies might include an increase in the number of parking spaces for use by carpools or the imposition of higher parking fees to discourage single-occupant vehicle use.

Another primary consideration among those opposing I-66 is that it may compete to some extent with Metro for passengers. In

fact, the extent of this competition may be exacerbated, according to opponents, by the peak hour restrictions on the highway. This has been a very difficult issue to address. VDHT has indicated that planning tests suggest "that the AM peak hour transit ridership decreases by less than 100 passengers when a roadway is placed in the I-66 corridor."^{15/} In an effort to verify this figure, which appears to me to be low, I have written to Metro, reviewed submissions to the docket, and asked the Urban Mass Transportation Administration to review the analysis. While there is a general consensus among these parties that the figure may be low, at this stage, there is no definitive analysis available to provide more accurate estimates.

Therefore, recognizing that this question of possible competition with Metro is a major consideration, and recognizing the fact that the proposed peak hour restrictions could possibly exacerbate this competition, I have included a condition in my decision which establishes a procedure by which these restrictions can be examined and possibly removed, depending upon their effects on Metro and on the environment. Under no circumstances can these restrictions be removed without prior approval by the U.S. Secretary of Transportation.

Thus, it is my judgment that the foregoing considerations outweigh the arguments in opposition to this project. My decision is made in recognition of the fact that the construction of almost any major transportation facility involves some costs and disadvantages. In this case, elected officials and sincere and well informed representatives of citizen groups have testified in opposition to the highway. Their views emphasize the fact that I-66 will, of necessity, have some disruptive effects on the communities through which it passes despite the many steps to minimize these adverse impacts; that it may provide some incentives to increased automobile use (although I believe the limitations to carpools during peak hours will run counter to such incentives); and that it may compete to some extent with Metro for passengers. These concerns are real and legitimate. Nevertheless, weighing all of the advantages and disadvantages of I-66, and the uncertainties of forecasting future effects of transportation facilities, particularly those involving relatively new traffic management techniques, I believe that the decision which I have made is a proper one in light of statutory requirements and my overall responsibilities.

It is my hope, this decision having now been made, that the jurisdictions and communities in the metropolitan area and the Commonwealth of Virginia will work together toward completion of I-66 and Metro in this corridor and toward the effective utilization of this multi-mode facility as a new approach in urban transportation development.

^{15/} Four Lane Supplement, p. 33.

SUMMARY OF FINDINGS AND CONCLUSIONS

In arriving at this decision, I have reviewed:

- The relevant policy and statutory considerations;
- The proposal advanced by VDHT, and the major alternatives thereto;
- The major transportation, environmental, social, economic and legal considerations involved in this decision; and
- The views of local elected officials, governmental agencies and citizen groups.

My findings and conclusions on these matters, which are detailed in the subsequent sections of this document, are summarized below.

Policy and Statutory Considerations

The key policy and statutory considerations which have influenced my decision, not all supporting any one position, include the following:

- It is my responsibility to help maintain and improve the Nation's transportation system, including its highway and mass transit systems;
- There is a strong and continuing Federal interest in preserving our central cities, in promoting rational patterns of development in our suburbs, and in developing urban transportation systems to help accomplish these goals;
- The Federal Government has a responsibility to cooperate in the development of a balanced system of transportation for the National Capital region;^{16/}
- It is the Department's policy to reduce transportation's adverse impacts on the quality of the human environment, and to protect and enhance that environment where possible;

^{16/} Sec. 2, National Capital Transportation Act of 1965, as amended, D.C. Code, Sec. 1-1421 (1973).

- Wherever possible, a Federal official should attempt to avoid or minimize social and economic dislocations by his decisions;
- Recognizing that society in general, and the Federal Government in particular, has limited resources, it is our policy to husband those resources carefully, and only expend Federal funds where the benefits can reasonably be expected to exceed the costs; and
- The views of State and local governments and the affected public must be given considerable weight in arriving at a decision on a matter such as this.

Transportation Issues

Summing up with respect to key transportation issues, I have concluded that:

- Construction of I-66 would generally improve mobility in the I-66 corridor, compared to the Base Case, by providing increased highway capacity;
- The peak hour, peak direction limitation to buses and carpools would be beneficial in reducing the number of vehicles used during the peak hours, although perhaps not to the extent estimated by VDHT, at least over the short run;
- The peak hour limitations, even if they have modest initial effects, are an important tool in longer-run efforts to limit the growth of automobile use in urban areas and the adverse impacts of such growth;
- Improved mobility will likely result in greater automobile use, and therefore transportation benefits in terms of reduced travel time and congestion may not be great, particularly during non-peak hours and over the longer run;
- I-66 would compete with Metro for riders, and it is my best judgment that this competition may be greater than estimated by VDHT; however, construction of I-66 would result in capital savings for Metro of approximately \$44 million and a transfer of funds (from I-266) of approximately \$30 million; in addition, if this competition is exacerbated by the peak hour restrictions on I-66, there is an opportunity provided in this decision to reexamine these restrictions; and

- Construction of I-66 -- particularly if supplemented by the Dulles Connector, for which the Secretary of Transportation must seek authorizations and funds -- would improve access to Dulles Airport.

Environmental and Social Issues

In summary, I have concluded that construction of I-66 would:

- provide a net increase in public park and recreation lands, and improve the Arlington County bike trail;
- provide some net noise decrease and air quality improvements on local streets and arterials in Fairfax and Arlington Counties;
- increase noise levels in areas adjacent to the right-of-way, although the extensive noise abatement features proposed by VDHT will reduce these levels below what they would be in the absence of the barriers;
- have some adverse effect in terms of community disruption in Arlington (e.g., severing streets and dividing communities), and to a lesser extent in the District of Columbia and Fairfax County;
- likely lead to land use changes more oriented toward greater automobile use, although not to the extent that would be the case with a conventional, unrestricted Interstate facility. This likelihood obviously would be greatly diminished when Metro is completed.

Legal Issues

In contrast to the situation in 1975, when Virginia and FHWA had proposed a much larger and less environmentally satisfactory project, legal issues are not a primary concern in this decision. The regional planning authorities have accepted the new proposal, thus creating the presumption that Virginia has complied with Federal planning requirements.^{17/} Indeed, the basic legal issue raised by the current proposal concerns the enforceability of the several Virginia proposals upon which I am conditioning my approval: the truck prohibition, the carpool and bus peak hour restrictions, and the commitment not to expand I-66 beyond the proposed four lanes.

Because these requirements are essential to assure that the transportation and environmental benefits of the I-66 project as proposed

are realized in fact, there cannot be any doubt as to their basic validity. Under present law, once included in a grant agreement, these conditions would bind Virginia indefinitely, unless changed in accordance with their terms. They will be provisions of the grant-in-aid contract with that Commonwealth. If not complied with, Virginia would be obligated, at the election of the Secretary, to repay the Federal share of the costs of constructing I-66, forego further Federal aid for highways, or face litigation by the Federal Government to compel compliance. Moreover, it is possible that the conditions could be enforced by the citizens they are intended to benefit -- the users and the neighbors of I-66.

I would add a single caveat: the Federal-aid highway program has a statutory base and is subject at all times to changes in the underlying legislation. Thus we cannot guarantee that I-66 will never change; we cannot in any area of the law completely bind the future. But the conditions I am here imposing are the most stringent the law provides, and I am personally confident that they will remain in effect and be enforced fully by any succeeding Secretary of Transportation, and that they would be changed only in accordance with their explicit terms, which provide for further regional agreement and Secretarial approval.

Local Views

On the basis of my recent public hearing, information set forth in the supplemental environmental impact statement, and other material submitted for the record, it is clear that there is both substantial support for and opposition to the application now before me. The Metropolitan Washington Council of Governments (MWCOC), acting in its capacity as the areawide review agency, has voted in favor of the current four-lane proposal. The Transportation Planning Board (TPB) of MWCOC, which last year had withdrawn I-66 from its long-range and short-range transportation plans for the region, recently reinstated the four-lane proposal in those plans and determined that it is consistent with regional transportation goals, objectives and policies. Generally, opposition to the revised I-66 proposal is strongest from within the District of Columbia and the closer-in jurisdictions in Virginia, while support for I-66 lies predominantly with the elected officials and community organizations representing Maryland jurisdictions and the more distant Virginia jurisdictions which would be particularly served by I-66. WMATA, in response to a letter from me, did not take a firm position with respect to action on this proposal.

In view of the division of local views on this matter, this factor does not weigh significantly either for or against approval of the VDHT proposal.

^{17/} 23 U.S.C., Sec. 134 (1970).

Conclusion

In summary, approval of I-66 as proposed would provide improved mobility in the corridor and would serve the important purpose of encouraging the development of carpools during the peak hours. Approval would also provide a capital contribution to the construction of Metro in this corridor to Vienna, another important transportation goal. Further, it would facilitate access to Dulles Airport.

While construction of I-66 would have some adverse environmental and social effects on the communities through which it passes, it would also make some environmental contributions in terms of providing a net addition to park and recreation lands in the corridor and probably through some reduction of automobile-generated noise and air pollution on local streets and arterials in the corridor.

Although the elected officials and community organizations in the area are divided on the matter, MWCOG and the Transportation Planning Board have both endorsed the proposal by close votes.

While I remain concerned about any adverse effects, they have been substantially reduced by major extensive design improvements, and I have assured the implementation of these improvements in the conditions which I have set forth in my approval.

PART TWO

DESCRIPTION AND ANALYSIS

I. THE POLICY AND STATUTORY FRAMEWORK

Among the relevant policy and statutory considerations relating to this decision are those dealing with transportation development, environmental protection, resource allocation, and Federal/State/local relations and community participation. Each of these is addressed below.

A. Transportation Development

1. General

It is my responsibility, as Secretary of Transportation, to help maintain and improve the Nation's transportation system. The DOT Act recognizes the significance of improved transportation by stating that "the general welfare, the economic growth and stability of the Nation and its security require the development of national transportation policies and programs conducive to the provision of fast, safe, efficient, and convenient transportation...."^{18/}

2. Urban Transportation

One of the policy priorities in DOT is to develop more effective urban transportation systems. "The Federal interest in urban transportation arises, in part, from transportation laws of recent years, culminating in the National Mass Transportation Assistance Act of 1974, and from other laws responding to the problems of complex metropolitan areas and establishing new Federal priorities for the environment, community development and energy conservation."^{19/}

Federal urban transportation policy must respond both to locally determined transportation goals and to national objectives such as "the enhancement of our cities as vital commercial and cultural centers, control of air pollution, conservation of energy, access to transportation for all citizens and particularly the disadvantaged, facilitation of full employment and more rational use of land."^{20/} In this connection, many Americans live in suburban places of lower population densities, which are well served by the private automobile. However, the tendency to commute from such areas to work in central cities causes these cities to suffer from the adverse side effects of the automobile, such as congestion and pollution. Such areas would thus

^{18/} DOT Act, 49 U.S.C., Sec. 1651 (1970).

^{19/} Department of Transportation, "A Statement of National Transportation Policy by the Secretary of Transportation", September 17, 1975 (hereinafter "National Transportation Policy Statement"), p. 27.

^{20/} Ibid., p. 8.

benefit from public transit. "An efficient metropolitan transportation system, therefore, requires a mix of modes, public and private, properly coordinated and utilizing the relative advantages of each."^{21/}

While completion of the high priority portions of the Interstate System is a top Federal priority, it is the policy of the Department to encourage State governments to examine whether the construction of these segments is still consistent with metropolitan planning and the new energy, environmental and urban congestion situation. Moreover, the "special problems of urban areas require an intermodal approach, utilizing the option to transfer Federal highway funds to mass transit, where appropriate, and improving traffic management practices."^{22/}

3. Highway Transportation

With respect to highway transportation, the Federal highway statutes state that it is "in the national interest to accelerate the construction of the Federal-aid highway systems, including the National System of Interstate and Defense Highways, since many of such highways, or portions thereof, are in fact inadequate to meet the needs of local and interstate commerce, for the national and civil defense."^{23/}

4. Mass Transportation

In addition to my responsibilities with respect to highways, I also have the responsibility, under the Urban Mass Transportation Act of 1964, as amended, "(1) to assist in the development of improved mass transportation facilities, equipment, techniques, and methods.... (2) to encourage the planning and establishment of areawide urban mass transportation systems needed for economical and desirable urban development.... and (3) to provide assistance to State and local governments and their instrumentalities in financing such systems...."^{24/}

5. Transportation in the Washington Area

With respect to the transportation system of the Washington metropolitan area, the Federal Government has a special responsibility. The Congress has stated that the Federal Government should cooperate with the State and local governments of the

^{21/} Ibid.

^{22/} Ibid., p. 10.

^{23/} 23 U.S.C., Sec. 101(b) (1970).

^{24/} 49 U.S.C., Sec. 1601(b) (1970).

National Capital region in developing a "coordinated system of rail rapid transit, bus transportation service, and highways" for the region "as part of a balanced system of transportation" for the National Capital region.^{25/} The Congress has specifically authorized Federal funds for the construction of a rapid rail system (Metro) in the Washington metropolitan area.

B. Environmental Protection

An increasingly important policy consideration in recent years, supported by a growing body of statutes and court decisions, relates to environmental protection and enhancement. In the National Environmental Policy Act of 1969 (NEPA), the Congress declared a national policy of encouraging a "productive and enjoyable harmony between man and his environment" and stated that "each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment."^{26/}

The statutes authorizing Federal assistance for highway construction emphasize the importance of environmental protection in highway planning and development. For example, the Federal-Aid Highway Act of 1970 required the promulgation of guidelines "designed to assure that possible adverse economic, social, and environmental effects relating to any proposed project on any Federal-aid system have been fully considered in developing such project, and that the final decisions on the project are made in the best overall public interest...."^{27/}

In addition, section 4(f) of the DOT Act states that the Secretary shall not approve any program or project "which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance ... or any land from an historic site of national, State, or local significance ... unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreation area, wildlife and waterfowl refuge, or historic site resulting from such use."^{28/}

^{25/} Sec. 2, National Capital Transportation Act of 1965, as amended, D.C. Code, Sec. 1-1421 (1973).

^{26/} 42 U.S.C., Secs. 4321, 4331(c) (1970).

^{27/} 23 U.S.C., Sec. 109(h) (1970).

^{28/} 49 U.S.C., Sec. 1653(f) (1970).

C. Resource Allocation

We must recognize not only the importance of transportation and environmental considerations, but also the fact that society in general, and the Federal Government in particular, has limited resources. Thus, transportation "must compete with other important national priorities for finite tax resources. This competition puts a practical limit on what can be accomplished with Federal, State or local expenditures and opens public debate on the relative merits of transportation programs"^{29/} and projects.

We must therefore improve our capability "to plan comprehensively, to compare benefits and costs and to monitor the performance of the system, making adjustments in policy and programs as required to achieve the desired objectives."^{30/}

In considering how to improve transportation capacity in the face of limited resources, we are paying greater attention to the possibility of making better use of existing facilities, particularly for the shorter run, as compared to making major investments in new facilities to meet less certain longer-term needs. Thus, for example, we are requiring as a condition of Federal funding for urban transportation programs the development and implementation of "transportation system management plans" to improve the efficiency of existing facilities and transit services and to conserve energy.

D. Federal-State-Local Relations and Community Participation

As I have stated elsewhere in a somewhat different context, the foregoing policy directions "must be considered within the context of a proper regard for the appropriate roles of the Federal Government and the States and localities, and a proper respect for the views of the affected public. Formalized processes of intergovernmental review, now required in most Federal grant-in-aid programs ..., are intended to assure that local governments have an opportunity to express their views regarding possible Federal actions affecting their responsibilities, activities, and constituencies. Public hearings have also been a part of the Department's programs for many years. Their purpose, of course, is to provide an opportunity for citizen involvement and input into governmental decisions which affect them. The process of preparing environmental impact statements, required by NEPA, and circulating the statements in draft form

^{29/} National Transportation Policy Statement, p. 23.

^{30/} Ibid.

for public and governmental comment, is a similar vehicle for public participation in Federal Government decisions."^{31/}

The Federal-aid highway program has long had extensive requirements for local consultation. Central to these have been the requirements for a "continuing comprehensive transportation planning process carried on cooperatively"^{32/} with States and local communities.

E. Conclusion

These are the major policy and statutory considerations that have to be weighed in the context of the specific facts of this case, and the alternatives involved. While there cannot be unanimity on the different weights to assign to the various policy considerations, I have made every effort to address the issues objectively, rationally and openly, in light of the foregoing policies and statutory provisions.

^{31/} Department of Transportation, "Secretary's Decision on a Grant Request from the St. Louis Metropolitan Area Airport Authority", September 1, 1976, p. 35.

^{32/} 23 U.S.C., Sec. 134(a) (1970).

II. THE PROPOSAL

A. Planning Context

The current I-66 proposal is the latest in a series of plans which have been developed over a period of nearly 20 years. Since the mid-1960's, planning for I-66 has been carried out within the context of the area transportation planning process under the auspices of MWCOG. Thus, the current proposal must be considered in the context of a number of other proposed transportation improvements. These other improvements are important to the overall consideration of I-66, but must be clearly distinguished from the current "Federal action" which is the subject of this decision. Many of these other improvements are included in the "Base Case" (see discussion in this document, in Section III, "Alternatives").

B. Basic Highway Elements

VDHT and FHWA propose that the section of I-66 between the Capital Beltway in Fairfax County and the Theodore Roosevelt Bridge (one of the connections between Arlington and the District of Columbia) be completed as a four-lane divided highway with facilities for Metro rail transit in part of the median (see map following page 2). The proposed highway segment would be 9.6 miles long and would have a number of unique design and operational features.

Within the I-66 corridor, the highway elements proposed by VDHT include completion of I-66 and provision for extension of the Dulles Airport Access Road from its current terminus at I-495 to a connection with I-66 in the vicinity of the proposed West Falls Church Metro Station. However, the Federal Aviation Administration (FAA) would be responsible for construction of the Dulles Access Road extension and would require Congressional appropriations for such extension. Thus, approval of I-66 would not necessarily mean completion of the Dulles extension,^{33/} but disapproval of I-66 would mean that the extension could not be built.

The current I-66 proposal also does not include the proposed I-266 spur nor the Three Sisters Bridge.^{34/} Those facilities are no longer planned and the Interstate highway funds programmed for construction of the Three Sisters Bridge are being withdrawn by the District of Columbia and made available for Metro rail construction, under the interstate transfer provisions of the

^{33/} Four Lane Supplement, p. 14.

^{34/} Ibid.

Federal-aid highway statutes. The Commonwealth of Virginia has indicated its willingness to consider favorably a similar transfer of I-266 funds if I-66 is approved.^{35/}

C. Transit Elements

Also included in VDHT's concept for the I-66 corridor are (1) the construction of the Metro rail transit system in the I-66 median from the vicinity of Glebe Road to Vienna, (2) express bus service on I-66, and (3) express bus service from Dulles Airport and Reston to the District of Columbia via the Dulles Access Road and I-66.^{36/} These steps would contribute significantly to the multi-modal transportation objectives of the areawide plan. However, decisions on these items would require approval by other agencies, particularly the Washington Metropolitan Area Transit Authority (WMATA), and they cannot be implemented as a result of this decision alone.^{37/} Nevertheless, construction of I-66 would provide a capital cost savings for Metro and would provide a facility for express bus service. Other transit service improvements suggested by VDHT^{38/} can proceed with or without construction of I-66.

D. Proposed I-66 Location

The location of the proposed I-66 segment is set forth in the Four Lane Final EIS (pages 11-13). Most of the right-of-way for I-66 has previously been acquired and cleared so that the corridor currently exists as an open area extending through the portion of Fairfax County inside the Beltway, skirting the City of Falls

^{35/} Transcript, p. 5 (testimony of Governor Mills Godwin).

^{36/} Four Lane Supplement, pp. 3, 5.

^{37/} Ibid., p. 5.

^{38/} Ibid., pp. 3-5.

Church, and traversing Arlington County to Rosslyn and the completed connection with the Theodore Roosevelt Bridge.^{39/}

E. Proposed I-66 Design

The current proposal for I-66, as noted above, is a four-lane divided, limited access highway with provision over part of its distance for Metro rail in the median. With the exception of acceleration or deceleration lanes at interchange locations, not more than two lanes of roadway (24 feet of pavement) will be provided for each direction of traffic. I-66 would be constructed within the existing right-of-way, which ranges up to 300 feet in width but is much narrower at points of special impact, such as Bon Air Park and in the vicinity of Spout Run Parkway. The highway would have a design speed of 60 miles per hour and a posted speed of 55 mph along most of its length, with posted speed limits of 50 mph between Glebe Road and the approach

^{39/} More specifically, the I-66 alignment extends from the current interchange at the Beltway in a northeasterly direction to Route 7 (the Leesburg Pike), then curves southeast to the vicinity of Haycock Road. The proposed Dulles Access Road extension would connect with I-66 in the vicinity of Haycock Road and extend northwest toward the existing access road interchange with the Beltway and Route 123. From Haycock Road, the I-66 corridor extends southeast crossing Route 211 (Lee Highway), then running generally parallel to and south of Washington Boulevard to the vicinity of Bon Air Park. At this point, the right-of-way turns easterly, running parallel to Fairfax Drive and then northeast crossing Glebe Road in the vicinity of Thirteenth Street North and continuing northeast to the vicinity of Kirkwood Drive, where it re-crosses Lee Highway. I-66 then extends east to the vicinity of Spout Run Park, rejoins Lee Highway and runs parallel to it in a combined 10-lane configuration through Rosslyn to the vicinity of Key Bridge, and joins the existing I-66 connection to the Theodore Roosevelt Bridge.

In the vertical dimension, I-66 would be on an elevated section at the Beltway and generally would continue on structure and embankment to the vicinity of Haycock Road. From the Haycock Road area to the vicinity of Bon Air Park, the highway would proceed essentially at grade with numerous grade separation structures (Haycock Road, Williamsburg Boulevard, Westmoreland Street, relocated 25th Street, Fairfax Drive, etc.). In the vicinity of Bon Air Park, I-66 enters a depressed section and will pass under North Harrison Street. Generally from this point westward the roadway would be in a depressed or cut

to the Theodore Roosevelt Bridge.^{40/} Overpass and underpass structures would be designed for the four highway lanes and Metro (where the latter is in the median). Where the highway passes under structures, there would be 8-foot shoulders on the inside lanes and 30-foot "clear zones" beyond the outside lanes.

Interchanges would be constructed at the following locations: Capital Beltway (I-495), Leesburg Pike (Route 7), Dulles Access Road (partial interchange), Fairfax Drive and Route 29/211 (in Falls Church), Sycamore Boulevard (partial), Fairfax Drive and Glebe Road (partial), Lee Highway near Kirkwood Road, and Rosslyn.

Other design features of I-66 include close coordination with the Arlington County Bike Trail and continuation of bicycle and pedestrian trails from the Rosslyn/Spout Run area along I-66 to North Roosevelt Street near the proposed East Falls Church Metro Station.^{41/} Also of particular importance is the commitment of VDHT to heavy landscaping, multiple use of space, and noise abatement structures to assure compatibility with the surrounding neighborhood.^{42/} Approximately 60,000 linear feet of noise abatement walls would be constructed along the highway, approximately 60 percent of the two sides of the total alignment of I-66 inside the Beltway.^{43/} Such design elements, intended to minimize the adverse impacts of the highway, are discussed in more detail in Section V of this Decision Document, "Environmental and Social Issues."

F. Use Limitations

To make this proposed segment of I-66 more compatible with the community through which it passes, the proposal includes two major limitations on use of the highway.^{44/} First, heavy trucks (defined as any truck having six or more wheels on two

^{39/} Continued

section ranging in depth from 5 feet to 30 feet. Grade separation structures would be provided in this area at Utah, Stafford, Quincy and Lincoln Streets. Along the one-half mile section of I-66 immediately east of the Lee Highway interchange, extensive use of structures and retaining walls would be employed to eliminate encroachment on Spout Run Parkway. I-66 would be essentially at ground level in this area. In the Rosslyn area, grade separations will be provided at Veitch Street, Lee Highway, Scott and Nash Streets, Fort Meyer Drive, and Lynn Street. I-66 would be depressed through this area.

^{40/} Four Lane Supplement, p. 11.

^{41/} Ibid., p. 104.

^{42/} Ibid., p. 54.

^{43/} Ibid., p. 72.

^{44/} Ibid., p. 11.

or more axles) are prohibited from use of this section of I-66. Second, during peak traffic hours, traffic in the peak direction would be restricted to high-occupancy vehicles (carpools of four persons or more) and buses, and traffic bound to or from Dulles Airport. Signing, ramp metering, and other appropriate traffic control techniques will be employed to assure that these restrictions are met and enforced, according to the EIS.

G. Cost

The cost of this segment of I-66 as estimated by VDHT is approximately \$190 million. Of this amount, approximately \$30 million has been spent to date for right-of-way acquisition and clearance and for planning and engineering efforts. The estimated remaining cost thus is approximately \$160 million (subject to increases due to inflation), approximately \$40 million of which would benefit Metro, as discussed below.

H. Relation to Metro

As currently planned, I-66 would be integrally related to the proposed Metro rail construction in the same corridor. From the vicinity of North Harrison Street west to I-495 (and continuing to Vienna) the Metro rail route is proposed to be located in the median of I-66. Current plans are that WMATA would design the East Falls Church and West Falls Church Metro Stations in conjunction with I-66, and the major Metro parking and car storage facilities at West Falls Church would similarly be designed by WMATA to take advantage of the I-66 location and right-of-way acquisition.

The Metro rail system would benefit financially in certain respects from the construction of I-66. Specifically, the right-of-way for Metro would be provided by the VDHT without charge to Metro, and an estimated \$40 million in Metro construction costs would be saved as a result of work being done as part of highway construction and charged to I-66 (utility relocations, grade separation structures, site work, etc.). In addition, as noted above, Virginia has indicated its intention to transfer to Metro, in conjunction with an I-66 approval, some \$30 million in Interstate Highway funds previously designated for I-266.

A major concern about the I-66/Metro relationship has been the question of availability to Metro, without major delay or cost increases, of right-of-way in the I-66 corridor if I-66 should be disapproved. Earlier Virginia statutes provided that in the event that land acquired for a highway purpose was no longer needed for that purpose, the land was to be made available to the prior owners at the original acquisition price. Although there was some question about the application of that statute to the question of Metro in the I-66 corridor, recent amendments by the Virginia General Assembly have provided that property acquired

for highway purposes and no longer needed for such purposes could, under certain conditions, be conveyed for mass transit purposes and would not need to be reconveyed to the original owners.^{45/}

Also of considerable importance is the question of possible competition for ridership between Metro and auto and bus users on I-66. This question is discussed in greater detail in Section IV of this document, "Transportation Issues."

I. Conclusion

These are the basic outlines of the I-66 proposal as presented to me. They must, of course, be compared to the major alternatives, which are discussed in the following section.

^{45/} Section 33.1-90.2, Code of Virginia.

III. ALTERNATIVES

Throughout the long history of the I-66 question, a broad range of alternatives has been considered. The proposed final EIS which was originally prepared for the eight-lane proposal in 1974 contains detailed discussion of several alternative approaches in the corridor.^{46/} In addition to the so-called Base Case, the statement also covers a Transit Option, a Highway Option, and two Multi-Mode Options, together with various location and design options for I-66.

A. System Options

The starting point for the comparison of alternatives, in effect, is the so-called Base Case. This alternative is comprised of the existing transportation system in the region, together with the elements contained in the Regional Transportation Plan (the COG "Certification Plan"), VDHT's Five Year Improvement Program for the Northern Virginia Area, and the Rosslyn "Loop Road" planned by Arlington County.

Other alternative approaches build upon the Base Case. The Transit Option, for example, is based upon the assumption that transit use would be maximized and that further major transportation improvements in the northern Virginia area beyond those envisioned in the Base Case would be primarily transit oriented. Thus, the Transit Option includes proposed extensions of Metro rail service to Dulles Airport and to Centerville in Fairfax County. This option also includes greatly expanded bus service in conjunction with Metro, and provision of preferential or express bus facilities in several corridors, including Lee Highway, Route 123, and the George Washington Parkway. However, it should be noted that such transit improvements would depend upon the initiative of WMATA and other bodies (as in the case of some of the transit components of VDHT's proposal -- see discussion in previous section, page 23).

A third option discussed in the proposed 1974 final EIS is the Highway Option, which maximizes new highway construction in the corridor. This alternative includes, in addition to construction of I-66, completion of the Dulles Access Road connector, completion of the I-266 spur, and the Three Sisters Bridge.

The proposed final EIS also discusses a "multi-mode new facility" option, which is a combination of the Transit and Highway Options and forms the basis of the current four lane-with-Metro proposal; and a "multi-mode improvement to existing facilities" option which combines the Base Case, the Transit Option, and major

^{46/} 1974 Final EIS, pp. 41-61.

improvements to certain existing streets and highways in the study corridor. Major improvements considered under this last option include substantial upgradings of U.S. 50, U.S. 29/211, and George Mason Drive. Under this option, I-66 would be completed to a connection with U.S. 50 either a short distance inside the Beltway or approximately at the mid-point of the proposed I-66 segment between the Beltway and Rosslyn. Finally, the proposed 1974 final EIS considers briefly a number of other options, including emphasis on "Dial-a-Bus", "people movers", and exclusive reliance upon line haul transit service.

One recent addition to the range of possible system alternatives would involve major reliance upon "light rail" transit for the I-66 corridor.^{47/} Under this proposal, light rail lines (for street cars and similar vehicles) could be built using existing publicly owned rights-of-way which were formerly used for railroad service in northern Virginia. Under the proposal, these rights-of-way could be connected into the Glebe Road Metro Station or directly into Rosslyn and could supplement the proposed Metro service to the Glebe Road Station. The proposal notes that the light rail service, because of its construction characteristics and because of the existing rights-of-way, would be much less expensive than the proposed Metro rail and that it could serve certain population centers more effectively than heavy rail.

B. Location Alternatives

In dealing with most proposed highway facilities, a decision-maker must consider, in addition to the basic modal and system alternatives, specific possible location alternatives. In the case of I-66, while it is theoretically possible and desirable to consider alternative locations, there has been little or no public interest in such alternatives. This lack of interest in location alternatives follows from the status of the right-of-way, 86 percent of which has been acquired by VDHT under earlier authorizations. Further, an estimated 91 percent of all family relocation required for I-66 has been completed.^{48/} Thus, it appears that most of the displacement and relocation arising from highway construction in the I-66 corridor has already been felt, and it has not been seriously suggested that an alternative corridor should be considered at this time. There are, of course, smaller-scale adjustments in the corridor which might be considered. However, since these adjustments are generally considered only for relatively short sections of the route, they

^{47/} John Lilly, Jr., "Feasibility Report on Low Cost Rail Transportation Alternatives in the Dulles-Washington Corridor", October 14, 1976.

^{48/} Four Lane Supplement, p. 49.

are better discussed as design alternatives rather than as major location options.

C. Design Alternatives

Just as a number of major system alternatives for I-66 were considered in the environmental documents, so also were a number of specific design approaches. Throughout the early planning of the project, and up to the time of the preparation of the proposed final EIS in 1974, the general preference of highway officials for the I-66 corridor was an eight-lane expressway design. Subsequently, FHWA, after reviewing the proposed eight-lane project, requested that VDHT reconsider and substitute a six-lane facility in order to reduce the impacts upon the surrounding community. The six-lane alternative was submitted by VDHT in early 1975, and it is this alternative which was rejected in my decision on I-66 of August 1, 1975.

In addition to the eight-lane, six-lane, and current four-lane alternatives, there has also been suggested a two-lane, reversible, restricted use highway facility.^{49/} Under this approach, only two lanes would be constructed in the I-66 corridor. Access would be limited during the peak hours to buses and carpools, with service provided inbound toward Washington in the morning peak hours and outbound in the afternoon peak hours. During the non-peak hours, access could also be limited to buses and carpools inward during the entire morning period and outward during the afternoon and evening, or the facility could be limited to buses only in both directions during the off-peak hours (e.g., as an alternative to Metro in this corridor).

Other design approaches which have been proposed include different vertical alignments, such as greater use of depressed sections, partial tunnels in the eastern portions of the project, or, alternately, elevated designs which would permit activity to take place beneath the highway. Relatively minor alignment changes have also been considered in the vicinity of Bon Air Park and Falls Church City Park. These alignment changes and the environmental and traffic consequences are discussed in the 1974 proposed final EIS.^{50/}

Similarly, a number of different design approaches to handling the transit aspects of I-66 have been considered. These range from excluding transit from the I-66 corridor, to various transit

^{49/} E.g., see letter to Secretary Coleman from Ellen Bozman, Chairman of the Arlington County Board of Supervisors, dated May 8, 1976.

^{50/} Four Lane Supplement, pp. 92-4, 98.

configurations, to proposals to construct exclusive bus facilities rather than Metro rail as the transit component of a multi-modal I-66 facility. Different interchange locations and configurations have also been considered, as well as proposals to maximize the amount of joint use and redevelopment of the right-of-way which might be possible in conjunction with construction of the four-lane alternative.

D. Conclusion

These are the major (and some minor) alternatives and variations, most of which are discussed in the 1974 Final EIS and the Four Lane Supplement. In addressing the transportation and environmental issues -- as the next two sections of this document do -- and in making my decision, I must evaluate the proposed action in comparison to the key alternatives.

IV. TRANSPORTATION ISSUES

Major transportation questions relating to the I-66 proposal include the following:

- What would the transportation benefits be and how important are they?
- What are the major assumptions underlying the benefit estimates, and how valid are they?
- What would be the effect of the proposal on increased carpool use, and would it result in a reduction in automobile trips in the corridor?
- What would be the effect of I-66 on Metro?
- Could the proposed use limitations be effectively implemented?
- What would be the effect of the proposal on the utilization of Dulles Airport?

These matters are discussed below.

A. Transportation Benefits

The major transportation benefits asserted for the I-66 proposal are that it would (1) increase mobility, (2) shorten trip times, (3) reduce automobile congestion in the corridor, (4) encourage the use of carpooling, and (5) facilitate the construction of mass transit in the corridor. Opponents, on the other hand, believe that any transportation benefits from I-66, in terms of mobility, trip time and congestion, would be short-lived. Their argument is that construction of I-66 would encourage increased automobile utilization and auto-oriented land use changes, which would soon bring the situation back to a comparable level of congestion as previously, and thereby generate a demand for more highway construction. Opponents also argue that VDHT estimates regarding carpooling, which underlie other VDHT estimates regarding congestion, air quality and energy consumption, are grossly optimistic. Finally, they believe that I-66 will take far more riders from Metro than estimated by VDHT.

The following analysis is based on data related to the eight-lane I-66. The four-lane proposal would have essentially the same effects as the eight-lane version during off-peak hours and in the off-peak direction during peak hours. The effect of the carpooling and bus restrictions during the peak hours is discussed in the next section.

With respect to mobility, one measure of an increase in mobility which is provided in the 1974 proposed final EIS relates to the number of trips made between the differing jurisdictions in the Washington area, under the various alternatives considered in the EIS. Analysis of the I-66 proposal indicates that there would be an increased number of trips leaving one jurisdiction with a destination in another jurisdiction -- that is, some trips which previously were entirely within one jurisdiction will now be extended in length into other jurisdictions. This occurs, it is stated, because of increased accessibility provided by the new highway, "thereby allowing people to travel farther in the same time period...."^{51/}

With respect to shorter trip times, the 1976 final supplemental EIS states that the "(a)verage bus and carpool peak hour travel times between the Beltway and the Potomac River would decrease 50 percent, from 30 to 15 minutes...."^{52/} This would be a major transportation benefit of the four-lane proposal.

With respect to congestion, the 1974 document indicates that all options would involve levels of congestion in 1995 approximating 1973 conditions, and "(t)he Multi-Mode/New Facility Option would involve less congested conditions than the Highway Option and Base Case."^{53/} Both documents indicate that the eight-lane highway would result in less congestion on the arterial streets than for all other alternatives.

In sum, it is argued that all alternatives which result in added highway capacity will increase mobility, shorten the travel time in the corridor, and decrease congestion, particularly on local and arterial streets. If accurately estimated, these characteristics are major benefits of the highway.

Before I come to firm conclusions, I must also take into consideration the arguments that any major highway facility directly generates additional automobile use and has significant effects on land use. If this is the case, the congestion reduction and travel time benefits estimated in the EIS could be less, or may not occur at all.

^{51/} 1974 Final EIS, p. 70.

^{52/} Four Lane Supplement, p. 6.

^{53/} 1974 Final EIS, p. 66.

Studies have, in fact, indicated that new highways do generate additional automobile use. As noted above, the 1974 EIS suggests that longer trips will be taken as a result of the construction of I-66. Other studies indicate that some additional trips are generated as a direct result of highway construction. For example, an FHWA report states that "highway supply improvements [e.g., new highway construction] may result in entirely new trips being undertaken and/or the more frequent occurrence of existing trips."^{54/} However, the study states that trip generation is, "at best, only marginally sensitive to system supply."^{55/}

Additional auto use may also result indirectly from highway construction, as new highways affect land use patterns.^{56/} Studies indicate that land use is a major determinant of automobile utilization. For example, a report by the Transportation Planning Board of the Metropolitan Washington Council of Governments (MWCOC) states that recent studies have concluded that the amount of travel "is far more sensitive to changes in land use, i.e., to patterns of urban development, than to changes in the transportation system given a fixed land use plan."^{57/} This is an important observation in that the VDHT analysis assumed no change in land use.

Thus, while it appears that construction of the eight-lane I-66 alternative would have resulted in increased automobile use, the extent of this increased automobile use is not at all clear, and might have been significant only over the medium or longer run. Such increased use, as noted above, would have lessened or conceivably eliminated the benefits of reduced congestion and improved travel speeds that would otherwise have resulted from construction of the eight-lane version of I-66.

Such increased use, however, would represent travellers taking advantage of the increase in mobility which I-66 would provide, compared to the Base Case. As indicated earlier, this increase in mobility would represent a major transportation benefit of

^{54/} Samuel Zimmerman, Michael West, and Thomas Kozlowski, "Urban Highways as Traffic Generators", FHWA Report, August 1974, p. 8.

^{55/} Ibid., p. 15.

^{56/} See Section V of this document.

^{57/} TPB/MWCOG, "Testing of Transportation Plan Alternatives", May 1976, p. 1.

constructing I-66. The shortened trip time and reduced congestion which would occur at least in the short run would be other transportation benefits of the proposal. Finally, it is my opinion that the four-lane multi-modal option with peak hour restrictions provides a means of greatly increasing these benefits.

B. Effects on Carpooling

VDHT's I-66 proposal, that the facility be restricted during the peak hours, in the peak direction, to carpools and buses (and traffic bound to and from Dulles Airport), is an innovative proposal supportive of the departmental policy to encourage carpooling. The following is a discussion of the extent to which I-66 might result in increased carpooling, and the decrease in the number of automobile trips that might therefore occur in the I-66 corridor.

Evidence indicates that the existence of preferential facilities for carpools is likely to encourage carpool formation. A number of researchers have concluded that preferential treatment should be a major component of a successful carpool program.^{58/} The Shirley Highway carpool/bus lanes may be the best example of preferential treatment for carpools, and the I-66 proposal would provide a comparable facility for carpools. The Shirley Highway exclusive lanes now carry over 2,000 carpools during the morning peak period (6:30 a.m. to 9 a.m.).^{59/}

VDHT has estimated carpool use and carpool formations on I-66, based on the Shirley Highway experience. In making its estimates, VDHT has taken the following approach:^{60/}

1. It has estimated the number of existing carpools in the I-66 corridor that would use I-66 during the three-and-a-half-hour period, 6:00-9:30 a.m. (645 carpools);

^{58/} See, for example, U.S. DOT/UMTA, "The Evaluation of the Shirley Highway Express-Bus-on-Freeway Demonstration Project/Final Report", August 1975 ("Shirley Highway Final Report"), p. 70; "Portland Metropolitan Area Carpool Project, Interim Report", for Oregon Department of Transportation, December 31, 1974, p. 35; Alan M. Voorhees & Associates, Inc., "Feasibility and Evaluation Study of Reserved Freeway Lanes for Buses and Car Pools", Summary Report, for U.S. DOT/FHWA/UMTA, January 1971, p. 1; and Donald C. Kendall, "Carpools: Status and Potential", Final Report, for U.S. DOT/Office of R&D Policy, June 1975, p. xiii.

^{59/} Four Lane Supplement, p. B-3.

^{60/} Ibid., pp. B-6, 7, 8.

2. It has been estimated that within one year from opening of the highway, for each one of these carpools, there would be three new carpools formed and using I-66 (1,935 new carpools);

3. It has increased the total number thus derived by about 35 percent (945), to add carpools estimated to be formed from west of the Beltway and from Route 7 and the Dulles area;

4. It has assumed that this total (3,525) would subsequently grow at a rate roughly comparable to the estimated growth in regional trips, totaling 6,300 carpools by 1995;

5. It has then estimated that approximately 2.66 vehicles would be removed from the roadway for each new carpool that is formed, based on the Shirley Highway experience.

The conclusion of this analysis is that if a bus/carpool facility is constructed in the I-66 corridor, traffic crossing the Potomac River bridges could be reduced by 7,660 vehicles in 1976 (were I-66, theoretically, open to traffic in that year), which represents 19 percent of total peak period traffic.

Some questions have been raised as to the validity of this analysis. For example, the Arlington Coalition on Transportation (ACT) has made the following points with respect to the foregoing analysis:^{61/}

1. No support is provided by VDHT regarding the various percentages of carpools on existing roads in the corridor that VDHT estimates will move to I-66.

2. With respect specifically to Columbia Pike, ACT believes carpools on that arterial would move to Shirley Highway rather than I-66 as assumed by VDHT, inasmuch as Columbia Pike is closer to Shirley Highway than to I-66.

3. The 35 percent additional carpools estimated by VDHT to move onto I-66 from west of the Beltway, Route 7 and the Dulles area, represents double counting, since these carpools are already included in the carpool figures counted by VDHT on facilities inside the Beltway.

^{61/} Arlington Coalition on Transportation, "An Analysis by the Arlington Coalition on Transportation of the Proposal for a Four Lane Restricted Access I-66", October 2, 1976, pp. 13-20.

4. ACT believes there is no reason to assume that because carpools on Shirley Highway grew by 400 percent one year after the "initial surge" when the facility was opened, that there will be a similar 400 percent growth from the "initial surge" on I-66.

5. A proper basis for estimating the number of carpools on I-66, as compared to the Shirley Highway experience, relates to the amount of traffic using each of these corridors and the transit alternatives available on each to carpoolers or potential carpoolers. ACT asserts that the I-66 corridor contains less traffic than the Shirley Highway corridor, and therefore will generate fewer carpools than on Shirley Highway. Moreover, ACT states that I-66 will have the "K" line of Metro in the corridor as an attractive alternative to carpooling, whereas the bus alternative in the Shirley Highway corridor is a less attractive alternative to carpools. For both of these reasons, ACT concludes that I-66 will have substantially fewer carpools than Shirley Highway, rather than substantially more as estimated by VDHT.

6. ACT concludes that I-66 would be utilized by approximately 1,200-1,400 carpools during the morning peak period one year after opening, rather than 3,525 as estimated by VDHT.

In considering these different conclusions, it should be noted that estimates by all parties are being made on the basis of extremely limited experience with preferential treatment for carpooling, and the experience of only one comparable facility -- Shirley Highway. It is obviously difficult to draw firm forecasts based on such limited experience. Nevertheless, I believe some of the points made in the ACT critique on this matter have some validity, and I believe that in the absence of other actions to encourage carpooling or limit low-occupancy automobile use, the estimates made by VDHT of carpool use on I-66 one year after opening may be optimistic. To the extent that these estimates are high, the other benefits of reduced automobile traffic during the peak hour forecasted by VDHT would be lessened.

Despite the possible optimism in the VDHT estimates on carpooling, I believe encouraging carpooling and use of buses by providing preferential treatment is an important and useful approach in helping to achieve better urban transportation with less adverse impact on the environment and less energy consumption. Moreover, utilization of a preferential facility for carpools should increase over the longer run more than proportionately to increases in low-occupancy traffic, because the limited bus/carpool lanes can accept very large increases in peak hour traffic before they become congested, while unrestricted facilities are already generally congested.

during the peak hours. For the same reason, the carpool lanes provide substantial capacity for increased carpool use in the future if other factors (such as possible further increases in gasoline prices or public policy changes) result in an increased trend toward carpooling.

C. Effects on Metro

As I mentioned earlier, it is my conviction that a major component of the total transportation solution to the needs in the I-66 corridor is the Metro "K" line to Vienna. Therefore, one of my primary concerns, and one of the most difficult issues to evaluate in this decision process, is the effect of a decision on the future of the Metro line.

The construction of I-66 as proposed will provide considerable direct support for Metro construction. Metro will be able to use right-of-way acquired for I-66 from North Harrison Street west to Vienna. In addition, Metro will save an estimated \$40 million as a result of I-66 construction (utility relocations, grade separation structures, site work, etc.). Finally, Metro will benefit financially by the transfer of \$30 million in Interstate Highway funds previously designated for I-266.

I do not view any of these benefits to be compelling reasons for approving I-66, in that it appears feasible to transfer the I-66 right-of-way to Metro in the absence of approval,^{62/} and the financial support, while considerable, is not a major proportion relative to Metro's financial needs. Nevertheless, I do consider the contributions to be significant enough to affect positively decisions relating to Metro and have, therefore, included the commitments by the Commonwealth of Virginia as specific conditions of my grant approval.

Perhaps more difficult to evaluate is the extent to which the I-66 facility would compete against Metro for riders. To address this problem in connection with the eight-lane I-66 alternative, the Transportation Planning Board ran computer models of the Adopted TPB Long Range Plan for the metropolitan Washington region, both with and without the eight-lane I-66. As noted in the proposed Four Lane Supplement, the testing of these alternatives shows that without I-66 there would be a transit ridership (in 1992) on the "K" line of 13,600 entering the core area during the morning peak hour, while with I-66 the comparable ridership would be 13,500, a loss of only 100 Metro riders during the peak hour.^{63/} The supplement also states that restriction of I-66 to

^{62/} Section 33.1-90.2, Code of Virginia.

^{63/} Four Lane Supplement, p. B-3 (footnote 3).

buses and carpools in the peak direction would have "a more positive effect on Metro ridership" than the competition from an eight-lane unrestricted facility.^{64/}

At the public hearing which I conducted on the I-66 matter, several speakers expressed the view that the foregoing conclusions are not credible and are quite inconsistent with logic and experience. There is some support for this viewpoint.

In evaluating this issue, it must be recognized that the model utilized in the TPB analysis makes the assumption that land use will be unaffected by the transportation alternative chosen.^{65/} This assumption, while useful in simplifying the analytical model, should not be construed as a prediction nor a statement regarding the actual relationship between transportation and land use. As noted earlier, a choice of transportation systems can be expected to affect land use development and growth patterns. Because of the strong influence of land use on the amount and nature of travel, if the TPB analysis had varied land use assumptions to relate to the various transportation systems tested, it can be expected that the result would have shown a greater loss in transit ridership when I-66 was included.

Secondly, the current four-lane proposal, by restricting peak hour-peak direction use to carpools and buses, provides a more direct competition between the potential peak hour I-66 users and the transit riders than would be the case with an unrestricted I-66. Carpools may be thought of as part-way between mass transit and low-occupancy automobiles, and mass transit riders are more likely to be attracted to carpool use than to low-occupancy automobile use. In fact, in the case of the Shirley Highway bus-carpool lanes, about 25 percent of the carpools had commuted by bus prior to carpooling,^{66/} and a DOT report on the Shirley Highway experience concluded that "the busway carpool operation was in competition with busway bus service...."^{67/} Thus, one would expect that the free flowing, carpool preferential, four-lane I-66 facility would be more competitive with Metro than the unrestricted eight-lane facility operating at a level of service "E" (unstable flow) and "D" (approaching unstable flow).^{68/}

^{64/} Ibid., p. B-3.

^{65/} TPB/MWCOG, "Testing of Transportation Plan Alternatives", May 1976, p. 11.

^{66/} Shirley Highway Final Report, p. 4.

^{67/} Ibid., p. 70.

^{68/} 1974 Final EIS, p. 161.

Thirdly, it is estimated that 50 non-Metro buses (accommodating 60 passengers each) would use I-66 in the A.M. peak hour.^{69/} Many of these bus riders would also likely be potential Metro rail riders in the absence of I-66.

Given the somewhat dubious assumptions in the computer models regarding land use, and the relatively limited experience and data regarding the dynamics of carpools and preferential lanes, I am troubled by the assertion that only 100 riders will be lost from Metro during the peak hour. In fact, I am convinced that this loss would be greater, although it would be exceedingly difficult to determine how much greater. I am also concerned regarding the direction of the effect on ridership of a restricted versus unrestricted highway facility.

It is for these reasons, and because I believe only direct experience will resolve some of these doubts, that I have included in my conditions of grant approval procedures by which the restrictions can be examined and, possibly, removed.

D. Effect on Dulles Airport

Dulles International Airport is a modern airport which, because of its relatively large geographic size (9,986 acres) and its location at some distance from densely populated areas, has far less noise and air quality impact than National Airport, which is only 730 acres in size and is located near densely populated and utilized areas of the Washington core. However, because Dulles is much farther from the population and business center of the Washington area than is National, the latter tends to be greatly preferred by air travelers and by the airlines. In the planning for Dulles, this potential problem was recognized and provision was made for relatively high speed automobile access to Dulles. Specifically, the Dulles Access Road, a facility limited in use only to traffic to and from Dulles (with a few minor exceptions) was constructed between Dulles Airport and the Capital Beltway, and the right-of-way has been acquired for the access road up to an interchange with I-66 inside the Beltway.

Construction of I-66 inside the Beltway and completion of the access road to an interchange with it would therefore contribute to the goal of making Dulles more accessible to airline travelers and therefore more likely to attract traffic from National and to reduce the latter's significant adverse environmental impacts. While the contribution of I-66 to this important goal would definitely be an advantage of constructing I-66, I must nevertheless recognize that I-66 would be relatively insignificant in terms of actually influencing a shift of aircraft

^{69/} Four Lane Supplement, p. 34.

flights from National to Dulles. This is the case for several reasons, as discussed below.

First, based on an analysis of origins of trips in the Washington area to Dulles by air travelers, it appears that only about 25 percent of Dulles passengers would utilize I-66. The remainder would arrive via the Beltway to the access road, or by other routes. A greater percentage of passengers currently using National Airport (about 45 percent) would find that I-66 would shorten a trip to Dulles for them. It should be noted that I-66 will also shorten the trip time to National Airport for some travelers from Virginia. With respect to both current Dulles travelers and current National travelers, however, only an insignificant number would find that I-66 had resulted in making the trip to Dulles quicker than the trip to National. For almost all, in terms of access trip time, National would remain the airport of choice, by a large margin for most.

In short, while the construction of I-66 will result in some time savings for passengers bound to and from Dulles from the District and surrounding areas, it is unlikely that it would result in any significant shift in the preference of air travelers from National to Dulles. Thus, while I consider the improved access to Dulles which I-66 would provide a benefit of constructing I-66, I cannot judge it to be a major consideration.

E. Implementing the Use Limitations

Questions have been raised as to whether the use limitations on I-66 proposed by VDHT would be enforceable, and whether they would long remain in effect. With respect to enforceability, particular concern has been expressed that permitting low-occupancy automobile traffic bound to and from Dulles Airport to be on the facility in the peak direction during the peak hours, as proposed, would make it impossible to enforce the requirement that traffic not bound to or from Dulles be restricted to buses and carpools.

1. Retention of the use restrictions

Referring to the example of the Shirley Highway exclusive bus-carpool lanes, this facility has been open now to carpools for three years and to buses for seven years. It still remains limited to buses and carpools, and I see no indication that this limitation will be removed. However, on Shirley Highway other traffic can travel in the peak direction during the peak hours on the unrestricted lanes, which would not be the case for I-66. It is therefore argued that there will be greater pressure to remove the peak hour restrictions from I-66 than is the case on Shirley Highway.

Whether or not such pressure will arise, I have taken the conservative approach of making it a condition in my approval of I-66 that the State of Virginia agree, in a legally binding document, not to remove these limitations without concurrence by the authorized transportation planning body for the metropolitan Washington area, as well as by this Department, or unless directed to do so by the Secretary of Transportation (after consultation with VDHT, WMATA and the metropolitan transportation planning body). Removal of these restrictions would have to meet all relevant statutory requirements.

2. Enforcement

The use limitations on Shirley Highway have been enforced and are generally well observed. However, there would be three enforcement complications on I-66 as compared to Shirley Highway. First, I-66 would be open to low-occupancy vehicles at all times other than the peak hours, in the peak direction, whereas the Shirley Highway bus-carpool lanes are not open at any time to low-occupancy vehicles. Thus, it may be that drivers who use I-66 during the off-peak hours may generate pressures to open the facility to low-occupancy vehicles during the peak hours.

Secondly, once an automobile is on the Shirley Highway exclusive lanes in the in-bound direction, it is unable to exit before arriving at Washington Boulevard, a relatively long distance on the road for most vehicles. Thus, a driver attempting to travel on the lanes in the morning peak hours with less than four persons in the car knows that he must travel a relatively long distance without being spotted by a police officer. A somewhat similar situation exists for the evening peak hour. In the case of I-66, however, automobiles will be able to enter and exit at each interchange (with the exception of some movements at the partial interchanges), so that a relatively short trip during peak hours from one interchange to the next in a low-occupancy vehicle might seem less risky than the relatively longer trip that would be required on Shirley Highway.

Thirdly, the proposal that low-occupancy vehicles bound to and from Dulles be permitted on the facility at all times raises extremely difficult enforcement problems. Any driver, if stopped during the restricted hours with less than four occupants in his car, could simply assert that the car was bound to (or from) Dulles Airport. It would be difficult for a police officer to try to verify such an assertion. For example, not all travelers necessarily have their airline tickets with them when they travel to an airport -- they may pick the tickets up at the airport. Moreover, the significant number of low-occupancy vehicles which would have a legitimate right to be on the carpool lanes (about 150-200 in the evening peak hour) would leave police officers with a most difficult problem in stopping low-occupancy vehicles to verify whether or not they were legitimately on the

road. On the Shirley Highway exclusive lanes, on the other hand, an enforcement officer spotting any low-occupancy vehicle during peak hours knows that the vehicle is in violation of the use restrictions and can stop and ticket the driver with that assurance.

Because of the foregoing considerations, as another condition of my approval of I-66, I am requiring that the State of Virginia submit a plan for DOT review and acceptance, as to the enforcement approaches and resources which will be committed to assure compliance with the traffic limitations. It is my intention that this plan address in detail the problems I have raised and propose adequate and firm measures for enforcing the limitations, including the policing of vehicles bound to and from Dulles.

As a final matter with respect to the use limitations, while the EIS does not explicitly so state, VDHT has assumed that the use restrictions would not apply to emergency vehicles, nor do they apply to emergency vehicles on the Shirley Highway exclusive lanes. I believe it would be quite undesirable to preclude emergency vehicles from using I-66 during the peak hours. Accordingly, my decision makes clear that the use limitations do not apply to emergency vehicles.

F. Conclusion

Summing up with respect to the key transportation issues, I have concluded that:

- The primary transportation benefits associated with the four-lane multi-mode proposal for I-66 accrue to commuter travellers in the corridor;
- Therefore, it is essential that both I-66 and the Metro "K" line be completed as a part of the total package and the Commonwealth of Virginia should cooperate fully in this objective;
- Construction of I-66 with its restricted use during peak periods would generally improve mobility in the I-66 corridor, compared to the Base Case, by providing increased highway capacity;
- This improved mobility would be reflected, in part, by longer trips and more trips in the corridor than would otherwise occur;
- Construction of I-66 could be expected to influence land use decisions in the corridor in a way also likely to result in more and longer automobile trips;

- The effect of this direct and indirect "induced" traffic would be to reduce or eliminate -- particularly in the longer run -- the travel time and congestion reduction benefits that would otherwise occur as a direct, first-order effect of the added freeway capacity which I-66 would represent;
- However, the peak hour, peak direction limitation to buses and carpools would work in the opposite direction -- that is, it would tend to reduce the number of vehicles below the level that would otherwise occur, although not to the extent estimated by VDHT (at least over the short run);
- The peak hour limitations, even if they have modest initial effects in switching travellers from low-occupancy auto use, are an important tool in longer-run efforts to limit the growth of automobile use in urban areas and the adverse impacts of such growth, particularly with respect to peak hour commuting;
- Construction of I-66 would result in capital savings for Metro of approximately \$44 million and a transfer of funds (from I-266) of approximately \$30 million;
- However, I-66 as proposed with peak hour restrictions would probably compete with Metro for riders and to a greater degree than estimated by VDHT, which represents a disadvantage of constructing I-66;
- Therefore, as a condition of my approval, I have made it possible to remove these restrictions after substantial review and coordination;
- Assurance regarding continuation of the use limitations is provided by making approval of I-66 conditioned upon a binding agreement that they shall be lifted only under the procedures set forth in this decision document;
- Construction of I-66 would improve access to Dulles Airport, although the improvement would not significantly affect the preference of air travelers and the airlines with respect to the choice between Dulles and National Airports;
- The more highway oriented options would not provide sufficient transportation benefits to outweigh their adverse impacts;

- The transit option (which would include a Metro line to Dulles Airport), and the light rail proposal, while attractive in some respects, do not appear to be reasonable options at this time, in view of the current status of planning and development of Metro, and the priorities within Metro; and
- A two-lane-only, reversible facility, with Metro, would lose the off-peak highway benefits of the four-lane proposal without significant environmental advantages.

V. ENVIRONMENTAL AND SOCIAL ISSUES

A. Overall Quality of Life

Several speakers who appeared at the public hearings on I-66, as well as individuals and agencies which commented on the earlier EIS drafts, asserted that the proposed plans for I-66 could have a significant impact on the overall quality of life, both in Arlington and in the broader metropolitan area. Those concerned about the direct impact of I-66 included the Arlington County Board, the U.S. Department of Health, Education and Welfare, and various neighborhood groups and individuals. In general, they expressed concern about the impact of a major Interstate highway facility upon the small and dense community of Arlington. It was noted that Arlington, in geographic size, is one of the smallest counties in the country, with old established neighborhoods where the style of community life is intimate and based upon a high degree of socialization. There was reference to the quiet human scale of Arlington neighborhoods, and to the old trees and mature plant life which help give Arlington its special residential character.^{70/}

Other commenters noted that impacts of I-66 on the overall quality of life would extend beyond the boundaries of Arlington County. In general, these persons expressed concern about the continuing reliance of the Washington area on the private automobile for the bulk of its transportation, and indicated that approval of I-66 would continue this reliance and lead to further highway emphasis, with all of the specific environmental problems and community problems associated with highway construction.^{71/}

On the other hand, other speakers asserted that construction of I-66 is essential to relieve adverse environmental impacts and improve the overall quality of life, including its social and economic aspects, throughout northern Virginia. These speakers noted, and the proposed EIS states, that construction of I-66 is necessary to relieve congestion on other roads in the area, to save time and energy, to reduce air pollution (caused, in part, by the current congestion), and to improve overall community livability.^{72/}

From this brief discussion, it seems clear that any attempt to consider the impact of I-66 on the overall quality of life in the Washington metropolitan area involves a problem of a conflict of data, perceptions and values, which is difficult to resolve. Nevertheless, the matter is central to a decision on I-66, and

^{70/} E.g., see Four Lane Supplement, pp. 121, 162.

^{71/} E.g., see Transcript, p. 315.

^{72/} E.g., see Transcript, pp. 60, 207.

is discussed in more detail in the following portions of this chapter.

B. Community Disruption

Much of the opposition to I-66, particularly from residents and officials of Arlington County, arises from serious concern about the impact of I-66 on the community, its neighborhoods, and its public services. Similar concerns, although on a smaller scale, have also been identified concerning impacts in the District of Columbia and in Falls Church.

The community disruption alleged to be caused by I-66 in Arlington would have several aspects. The direct impact of actual acquisition and relocation of families and businesses has largely taken place already, with only 46 residential units and one business still remaining to be displaced for the four-lane project.^{73/} However, Arlington residents are also concerned about the closing of streets and the severing of neighborhoods, with the subsequent effects of I-66 on community life. They note that some 32 residential streets would be severed by construction of I-66 (28 in Arlington and 4 in Fairfax), of which 14 would be cut off for Metro if I-66 were not built.^{74/} Such street severances in some cases cause neighborhoods to be cut off from direct access to schools and other facilities that serve them. The Arlington County Board of Education, for example, has noted that five public school districts and one parochial school district would be adversely affected by I-66, as a minimum. Moreover, because of the way I-66 divides central Arlington, the School Board states that its construction would result in the need for "massive school redistricting" in Arlington.^{75/}

In addition to creating a physical barrier, I-66 would also create something of a visual intrusion in the community.^{76/} The wide expanse of highway, even with the landscaping proposed, would inevitably intrude upon the urban scene, particularly in the western sections of the project area where the highway would be at grade or elevated. Particularly serious visual impacts would occur in the area where I-66 and Lee Highway run together in a 10-lane joint right-of-way.

^{73/} Four Lane Supplement, pp. 49-50.

^{74/} Ibid., p. 87.

^{75/} Letter to Secretary Coleman from Diane Henderson, Chairman, Arlington County School Board, October 8, 1976.

^{76/} Four Lane Supplement, p. 87.

In sum, the community impacts of I-66 are considered by many in Arlington to be serious, and relate particularly to the fact that Arlington is a very small community geographically, is already highly developed, and has extensive social interactions within the existing communities. It is this type of community life and social interaction to which I-66 would be considered most damaging.^{77/}

On the other side of this issue, the Four Lane Supplement states that the I-66 corridor is already an established transportation route with significant traffic volumes which have traversed the area for many years (and involve congestion and adverse air quality impacts). Highway officials state that most of the disruption required in the corridor has already taken place as a result of the acquisition and relocation which were largely completed several years ago, and that the physical barrier effect west of Glebe Road would exist even if only Metro is built there.^{78/} Further, the highway officials note that any right-of-way which is not required for actual roadway construction will be heavily landscaped to screen the road from the bordering communities, thus further reducing community impacts,^{79/} and that the use of connector roads and other efforts will preserve access to the existing public facilities. Moreover, to the extent that some traffic would shift from local streets and arterials onto I-66, it would reduce the impacts of through-traffic on neighborhoods.

Concerns about the impact of I-66 on the District of Columbia also exist. Some commenters have stated that commuter parking in D.C. has already reached "intolerable" levels, and that the additional traffic from the I-66 corridor would further impede the movement of people and goods in the District and would undermine the D.C. policy of giving priority treatment to transit as the dominant mode of travel.^{80/} It has also been noted that the planned freeway system which would have connected with I-66 in D.C. is no longer being seriously considered, and that several sections of that system have been removed from regional plans. In the absence of those routes, the roads which might have handled and dispersed I-66 traffic will not exist and the traffic thus will be forced onto existing streets with serious "violence and damage" to the District.^{81/}

On the other hand, it is the view of VDHT that the four-lane proposal would reduce the amount of traffic into the District of Columbia, and that in any event only 15 percent of the vehicles entering the District during the A.M. peak hour would

^{77/} Ibid., p. 121.

^{78/} Ibid., p. 49.

^{79/} Ibid., p. 84.

^{80/} Ibid., p. 114.

^{81/} Transcript, p. 265.

travel via the I-66 corridor. They emphasize the need for a parking control strategy in the District to make a Metro/carpool emphasis effective in dealing with local traffic congestion,^{82/} and I agree that traffic management strategies should be developed.

C. Impacts on Park and Recreation Facilities

The proposed four-lane design for I-66 results in somewhat less impact on park and recreation land than the earlier six-lane and eight-lane proposals. Specifically, the four-lane I-66 proposal, with Metro, would require takings of approximately 15.5 acres from three public recreation lands in Arlington County and Falls Church (6.8 acres of which has already been acquired), a reduction of 0.65 acres from the six-lane proposal. The current proposal involves 0.35 acres from Bon Air Park in Arlington, approximately 14.25 acres from the Falls Church City Park, and 0.90 acres from the George Mason High School play area.^{83/} Most of this land is required for Metro, including all of the taking from the George Mason High School play area, most of the taking from the Falls Church City Park, and 0.1 acres from Bon Air Park. The takings related to Metro are not a part of the I-66 decision which is currently before the Department.

In addition, a portion of the right-of-way which would be used for I-66, located near Washington-Lee High School, has served as general open space for the school and in particular as a biology and ecology laboratory which has received extensive use as part of the school programs in recent years. Arlington education officials have noted that this open space is an "irreplaceable resource" for their students.^{84/} (Of course, it is not clear that this open space would continue to be available for school use if I-66 is not constructed.)

To mitigate and compensate for the adverse impacts of I-66 on public parklands, specific plans are included in VDHT's proposal in order to provide improved park and recreation facilities and an atmosphere of open space in the I-66 corridor, including the following:

1. VDHT is prepared to make available to Arlington County 10.5 acres of existing right-of-way, which is contiguous to existing park and recreation sites, for use by Arlington County to supplement the County's park system.^{85/}

^{82/} Four Lane Supplement, p. 38.

^{83/} Ibid., pp. 87, 97; and 1974 Final EIS, p. 221.

^{84/} Letters to Secretary Coleman from Diane Henderson, Chairman, Arlington County School Board, October 8, 1976, and William J. Sharbaugh, Principal, Washington-Lee High School, October 5, 1976.

^{85/} Four Lane Supplement, p. 8.

2. VDHT is also prepared to make available to Arlington additional land for a 4.6-acre linear park along the highway right-of-way in the vicinity of Lincoln Street, near the Page Elementary School.^{86/}

3. The proposed design will provide for extension of the Arlington County bike trail from Bon Air Park to the vicinity of Lee Highway near Rosslyn.^{87/}

4. The design of the highway over almost its entire length will be of a parkway type, with heavy landscaping on all portions of the right-of-way not used for actual construction.^{88/}

The two specific parks from which land will be taken for I-66, Bon Air Park and Falls Church City Park, are discussed in more detail below.

1. Bon Air Park

Bon Air Park is a 23.6-acre park located along Four Mile Run in Arlington County, and is extensively used as part of the County's Stream Valley system. It is connected via the Arlington County bike trail with other recreation areas in the County. It contains numerous recreation facilities, including tennis courts, picnic tables, tot lot, rose garden, and others. In addition to the acquisition of the 0.35 acres from the park, the I-66/Metro right-of-way would cut off vehicular access to the northern portion of the area, although a structure crossing under I-66 and Metro would be provided to permit pedestrian access to the park from the north.^{89/}

Numerous alignment and design modifications for I-66 have been considered to avoid the park, or otherwise to reduce the impact. These alternatives, and the engineering, cost or residential displacement considerations which they would have involved are set forth in the Four Lane Supplement.^{90/}

With respect to planning to minimize harm, the measures proposed by highway officials appear to meet the statutory requirement for all possible planning to minimize harm. The reduction of the right-of-way and the median width to minimize the taking of land from the park, the use of retaining walls to minimize loss of parkland, the elimination of interchange ramps at North Patrick Henry Drive, the provision of the pedestrian underpass to serve the park from the north, and the extension of the existing bike trail east through the park to the vicinity of Lee Highway near Rosslyn -- all appear to be major and significant

^{86/} Ibid., p. 9. ^{87/} Ibid. ^{88/} Ibid., p. 84.

^{89/} Ibid., p. 92. ^{90/} Ibid., pp. 92-5.

efforts on the part of transportation planners to mitigate adverse impacts on the park.

2. Falls Church City Park

The 20.2-acre Falls Church City Park was not developed for park purposes at the time (March 1967) that VDHT purchased a 6.78-acre parcel through its center for the I-66 corridor. Residual park areas were left on both sides of the I-66 corridor. However, the 6.3-acre parcel to the north is currently the subject of active negotiation by WMATA for purchase from the City of Falls Church for use as part of Metro's service and inspection yards at the West Falls Church Station. Some 2.13 acres of land on the south side of the I-66 right-of-way are also the subject of negotiation for purchase by WMATA from the Falls Church City Park and the George Mason High School site to serve the West Falls Church Metro Station.

As in the case of Bon Air Park, alternative alignments were considered to avoid the park taking, but were not considered prudent primarily because of residential displacement which the alternate alignments would have required.^{91/}

Extensive landscaping and noise abatement walls will be employed to minimize visual and noise impacts, respectively, on the remaining sections of Falls Church City Park.^{92/}

3. Arlington County Bike Trail

As a result of analyses and adjustments to plans, none of the existing Arlington County Bike Trail, which runs parallel to much of I-66, will be acquired for highway right-of-way purposes, realigned, or relocated.^{93/}

Other commitments to minimize impact on the bike trail include the location of noise abatement structures between the trail and the proposed highway, which will also serve as a safety feature and visually screen the highway from the bikeway; extensive landscaping and plantings as part of the noise abatement structures; and extension of the bike trail system from Bon Air Park to Lee Highway near Rosslyn, to be constructed at project expense and to traverse local streets via bridge or underpass structures, thus providing an uninterrupted bikeway.^{94/}

D. Historic and Archaeological Sites

One historic property is affected by I-66 construction. VDHT acquisition in 1963 of an 18-acre parcel on Leesburg Pike left

^{91/} Ibid., p. 98. ^{92/} Ibid., pp. 98-9. ^{93/} Ibid., p. 102.

^{94/} Ibid., p. 104.

a residual parcel on which is located the Flagg House, a property which has been determined to be eligible for nomination to the National Register of Historic Places. The Virginia Historic Landmarks Commission has determined that the historic significance of the site lies with the house, not the surrounding acreage. The house is 250 feet from the nearest highway ramp. Under appropriate historic preservation procedures, it has been determined that I-66 will not have any adverse impact on the site.^{95/}

Two other historic structures are also located within the corridor, but the Landmarks Commission has determined that the four-lane I-66 would not affect them. There will not be any known archaeological sites disturbed by the project.^{96/}

E. Noise Impacts

The third major area of impact arising from I-66 is noise, which will increase throughout the corridor if I-66 is constructed. The noise increases would be caused both by motor vehicle traffic on I-66 and by Metro rail transit (where Metro runs in the median of I-66).

Noise level increases are often measured on an "L₁₀ scale" which identifies noise levels which are exceeded only 10 percent of the time, as well as on an L₅₀ scale (noise levels which are exceeded 50 percent of the time). The data indicate that without noise barriers, the L₁₀ noise level increases in the corridor in the peak hour would range from 1 to 27 dB(A)^{97/} although there would be some sites which would experience no increase, and L₅₀ increases would range up to 25 dB(A).^{98/} An increase of 10 dB(A) represents approximately a doubling in perceived loudness, so the increases experienced in the I-66 corridor would be substantial. The L₁₀ noise levels generated by highway traffic and by Metro -- for the portion of I-66 where Metro is in the median -- would be approximately the same beyond the right-of-way; however, the highway traffic will also generate high L₅₀ levels, whereas Metro will not, inasmuch as even at maximum service levels

^{95/} Ibid., p. 55.

^{96/} Ibid., pp. 54-5.

^{97/} dB(A) is a unit of sound pressure level, measured in the "A" scale. This scale approximates the auditory sensitivity of the human ear, and provides a measure of the relative noisiness or annoyance of common sounds.

^{98/} Four Lane Supplement, pp. 69-70.

there will be only 15 Metro trains per hour, thus producing only intermittent noise.^{99/}

The noise studies conducted by VDHT indicated that noise levels on I-66 would be substantially lower than under the eight-lane proposal, under which heavy trucks would have been permitted, and even lower than under the six-lane proposal. Moreover, extensive noise abatement features are planned as a part of the project to reduce levels discussed above. In fact, the noise abatement effort planned for this route is probably the most extensive anywhere in the United States. Some 60,650 linear feet of noise abatement walls are proposed, along approximately 60 percent of the total length of the highway (both sides). Further, the barriers are to be erected early in the construction of the facility so that their benefits would be experienced during highway construction as well as when the route would later be opened to traffic.^{100/}

The noise abatement barriers would consist of either earth berms or structural walls. VDHT proposes to use earth berms wherever possible in order to improve the appearance of the barriers and to permit maximum landscaping. With the exception of the 11 areas discussed below, noise abatement features will be provided to bring noise levels within Federal noise standards, reducing levels by as much as 10 dB(A) from the levels as they would be without the barriers.^{101/} Further, noise abatement structures would be built in many areas where there are sensitive land uses even though Federal standards are not exceeded.^{102/}

Despite noise abatement barriers, however, some 11 areas will experience noise levels in excess of Federal standards. In areas where noise will exceed Federal standards, some 107 single family residential units will be affected, as well as 5 apartment structures, 2 schools, and several commercial buildings. In all areas where noise will exceed Federal standards, VDHT notes that the dominant noise source is a street other than I-66. Thus,

^{99/} The Four Lane Supplement indicates that Metro would generate an L₁₀ level of 74 dB(A) at a distance of 100 feet, compared to 72 dB(A) for vehicular traffic (p. 69). However, since Metro will be in the median, it will be at least 24 feet further from the edge of the right-of-way than the highway traffic. Differences in dB(A) of 2 or less are generally not perceivable by the human ear.

^{100/} Four Lane Supplement, p. 72.

^{101/} Ibid., p. 70.

^{102/} Ibid., p. 86.

construction of noise abatement walls along I-66 at these locations would not bring the noise levels within standards. Further, in nine of these locations, construction of noise barriers appears to be completely infeasible because it would cut off access to properties from the adjoining streets.^{103/}

In addition to the use of noise abatement barriers, VDHT is committed to install noise insulation and, if necessary, ventilation systems in public buildings which are impacted by noise where the installation of barriers does not provide sufficient protection. George Mason High School is one facility that has been identified for such treatment.^{104/}

F. Air Quality Impacts

Project proponents and opponents disagree as to the air quality impacts of I-66. The proposed Four Lane Supplement states that -- although there will be a decrease in the quality of the air in the immediate vicinity of I-66 and such a decrease in air quality will persist as long as the highway is in use -- nevertheless, (1) I-66 as currently planned is consistent with the State Implementation Plan to achieve ambient air standards, (2) air quality conditions will be better if the proposal is implemented than they would be under the Base Case, and (3) there will not be any violation of ambient air quality standards attributable to this project.^{105/} Opponents of the project have claimed that the basic assumptions of the air quality analysis are incorrect, that there are possible technical defects in the analysis, and that the air quality effects of other alternatives, particularly greater emphasis on transit, would be better.^{106/}

VDHT conducted extensive analyses of the anticipated air quality impacts of the project. The analyses included both the micro scale (immediate corridor) and meso scale (broader area) impacts. The conclusions of these analyses were that (1) maximum one hour and eight hour carbon monoxide (CO) levels would not be exceeded for the immediate project area, and in most cases maximum concentration of CO would be only one-half or less of the permissible standards; (2) for hydrocarbons and nitrogen oxides, emission levels will decline over the lifetime of the project

^{103/} Ibid., pp. 71, 87, D7-8.

^{104/} Ibid., p. D-7.

^{105/} Ibid., pp. 60, 62, 65, 89.

^{106/} Ibid., pp. 113, 146-8, 150-1.

and will be lower with the four-lane proposal constructed than with the Base Case.^{107/}

The Virginia State Air Pollution Control Board has found the four-lane plan to be "conceptually consistent with the objectives of the implementation plan" for air quality, based on the ambient concentration data provided to the Board and on "the type of service the facility will provide."^{108/} The Environmental Protection Agency (EPA) agrees that the air quality analysis is generally adequate in scope and detail, dependent upon three conditions: (1) the installation of the Metro line in the I-66 corridor; (2) peak period traffic restrictions to high-occupancy vehicles; and (3) traffic management on I-66 adequate to assure that appropriate air quality standards "will not be exceeded and that a continuously updated air quality analysis will be coordinated between the involved transportation and air quality agencies."^{109/}

Other interested parties have raised questions about the air quality analysis and its conclusion that there will not be any violation of air quality standards as a result of I-66.^{110/} To begin with, they question the basic assumption that construction of I-66 as proposed will result in reduced vehicle miles of travel (VMT) in the region. They also question the assumption that automobile emission standards will continue to improve, noting that there has been a recent tendency to delay or relax those emission standards (if emission standards do not improve as estimated, of course, ambient levels will be higher than estimated in the VDHT analysis). They also assert that although the VDHT analysis concludes that I-66 would result in less emissions than the Base Case, the Transit Option would be better than either, from an air quality perspective, as indicated in the 1974 EIS (page 104).

I believe the foregoing questions are quite relevant, and one cannot state with any assurance what the ultimate air quality effects of I-66 will be. As noted earlier, I believe that the assumptions in the proposed final EIS regarding carpooling are optimistic, and that I-66 is likely to result in greater auto use than estimated in the EIS. This would result, of course,

^{107/} Ibid., pp. 60, 62.

^{108/} Ibid., p. 180.

^{109/} Letter from Daniel J. Snyder, Regional Administrator, EPA, to Raymond W. Bergeron, FHWA, dated October 14, 1976.

^{110/} E.g., see Transcript, pp. 73-4 (testimony of Cong. Joseph Fisher); pp. 270-2 (testimony of John D. Wilson, Advisory Neighborhood Council); and p. 312 (testimony of Kay Morrison, President, League of Women Voters of the National Capital Area).

in more adverse air quality impacts than estimated. How much more adverse those impacts would be depends upon how greatly such matters as carpooling and land use will be affected by construction of I-66 as proposed -- matters that cannot be estimated with any confidence at this time. Moreover, the views of EPA should be borne in mind -- that I-66 could be considered adequate by that agency from an air quality viewpoint only if (1) there is assurance that the Metro line in the same corridor will be constructed, (2) peak hour restrictions will be applied continuously throughout the life of the project, and (3) there will be continuous monitoring and analysis of air quality impacts and adjustments in the management of the facility if problems are identified. On the other hand, it is quite likely that over the short run, at least, I-66 would result in traffic reductions on local streets with a resultant CO improvement near those streets.

G. Energy Impacts

As in the discussion of air pollution impacts, there is disagreement concerning the energy consumption impacts of the I-66 proposal, revolving largely around the question of whether I-66 would result in less VMT, as asserted by VDHT, or more VMT, as asserted by project opponents. In VDHT's view, the four-lane proposal would not only result in lower VMT than the Base Case, but would also result in less congestion, and therefore greater fuel savings, on the arterials and local streets in the corridor. It is also argued that the proposal as planned would enhance Metro ridership and thus result in further energy savings, and that it would offer great flexibility in traffic management approaches to achieve energy savings.^{111/} However, highway officials believe that the four-lane design would be less effective than the eight-lane proposal in improving energy efficiency for the region.

Project opponents, on the other hand, assert that I-66 would result in an increase in auto use in peak hours and in off-peak hours, and that it would stimulate further growth in the outlying areas of the I-66 corridor, resulting in a further increased reliance on automobile transportation.^{112/} They argue that transit should be given an opportunity to serve the function of moving commuters in the corridor in order to judge just how much it can achieve in energy consumption reductions as well as in air pollution reductions.^{113/}

^{111/} Four Lane Supplement, pp. 5, 15, 39-40.

^{112/} E.g., see Four Lane Supplement, pp. 114, 121-2.

^{113/} Transcript, p. 77 (testimony of Cong. Joseph Fisher); and p. 99 (testimony of Harold Miller, City Council of Falls Church).

As indicated earlier, it is my view that auto use would be likely to increase as a result of constructing I-66, although the extent of the increase is difficult to judge. Such increase would result in increased energy utilization which would be countered by energy savings resulting from some decrease in congestion, at least over the short run, particularly on local and arterial streets.

H. Land Use Impacts

This subject is one of the most difficult for which to estimate and quantify impacts. The basic position of VDHT is that based upon studies by the Council of Governments on population and employment projections, land use patterns in the I-66 corridor would not be significantly affected regardless of the transportation option selected.^{114/} State officials, supported by a number of local jurisdictions, have pointed out that planning and zoning decisions in this corridor have been made for some time on the assumption that I-66 would be constructed since it has long been on areawide plans, and that the availability of utilities, land costs, and zoning are far more important in determining development than transportation service.^{115/}

There is some ambivalence on this matter, however, among the highway supporters. Some have noted that construction of the highway would be important to support further development at Dulles Airport,^{116/} further business and industrial development in Fairfax County^{117/} and new low-density residential development.^{118/}

Others testified that I-66 would help attract "additional commercial and industrial growth" (in the Town of Herndon)^{119/} and that it would result in "more construction and more people" in the I-66 corridor.^{120/} Moreover, the EIS does note

^{114/} Four Lane Supplement, p. 6.

^{115/} Ibid., pp. 7, 88; and Transcript, pp. 21, 37 (testimony of John Herrity and Marie Travesky, respectively, Chairman and Member, Fairfax Board of Supervisors).

^{116/} Transcript, p. 4 (testimony of Governor Mills Godwin).

^{117/} Ibid., p. 177 (testimony of David A. Edwards, Executive Director, Fairfax County Economic Development Authority).

^{118/} Letter to Secretary Coleman from Northern Virginia Board of Realtors, dated September 14, 1976.

^{119/} Transcript, p. 53 (testimony of Thomas B. Rust, Mayor, Town of Herndon).

^{120/} Ibid., p. 45 (testimony of Nathaniel F. Young, Mayor, City of Fairfax).

that the new highway would create a "(g)reater market demand for residential development" in western Fairfax County and in Loudoun County, and add to pressures for hotel development in the corridor communities. The EIS also states that construction of I-66 would be likely to induce growth in Arlington County and in the City of Falls Church, which would "conflict with local plans" of those jurisdictions. ^{121/}

On balance, it seems clear that construction of I-66 would have definite land use impacts, which in turn would tend to result in increased automobile use, as discussed in Section IV, "Transportation Issues."

I. Measures to Minimize Adverse Impacts

VDHT has proposed a large number of actions, including significant changes from previous plans for I-66, in order to minimize the highway's adverse impacts and make it more compatible with the surrounding area and with regional environmental needs. The following list of actions proposed to minimize or compensate for adverse impacts represents an impressive compilation of efforts, probably equal to any in the U.S., to design and operate a facility which is compatible with its urban environment.

1. Major highway design changes

The following major changes have been made from the eight-lane version of I-66:

- a. The highway has been reduced from eight lanes, as originally proposed, to four lanes. The highway will be designed so that all bridges and overpasses will accommodate four lanes of traffic, and "no provision is included that would facilitate future widening" of the roadway. ^{122/}
- b. Some streets which would have been severed by the original I-66 design will be crossed over the highway in the current design, in order to improve neighborhood communications; and two currently interrupted local streets (Ohio Street and Patrick Henry Drive) will be connected. ^{123/}
- c. The design includes considerable use of retaining walls and is depressed below grade extensively, in order to minimize right-of-way requirements and community impacts (these

^{121/} 1974 Final EIS, pp. 87-88.

^{122/} Four Lane Supplement, p. 15.

^{123/} Ibid., p. iii.

features were included in the original design to some extent, but the current design makes greater use of them).

- d. Lee Highway has been reduced from eight lanes to six in the area where it directly parallels I-66.
2. Other design features
 - a. The road will be designed with heavy landscaping to provide a parkway-type appearance and to blend more readily with the surrounding community. ^{124/}
 - b. Extensive noise abatement berms and walls will be provided to reduce noise impacts on the surrounding community. Earth berms, rather than walls, will be used to the maximum extent possible in order to facilitate heavy landscaping treatment. Noise abatement walls, retaining walls and other construction elements will receive careful architectural treatment for compatibility with the community. ^{125/} In addition, where noise abatement walls do not adequately resolve noise problems, soundproofing of affected public buildings will be provided at project expense. This would specifically apply to George Mason High School, and possibly other facilities. ^{126/}
 - c. A special parking terrace will be constructed, as part of the highway construction, in the air rights above the highway adjacent to Washington-Lee High School. The structure will be designed to allow construction up to three deck levels, to permit use for both parking and recreational purposes. ^{127/}
 - d. Pedestrian overpasses will be provided to permit access across the corridor. ^{128/}
 - e. Normal controls will be employed to prevent erosion and sedimentation and to preserve existing vegetation during highway construction.
3. Minimizing harm to parkland
 - a. Replacement land will be provided for parkland taken for highway purposes if Arlington County accepts the land. Specifically, VDHT will make available to Arlington County approximately 10.5 acres of existing right-of-way to be used to supplement existing parkland, contiguous with existing park and recreational sites. In addition, the project will

^{124/} Ibid., p. iv.

^{125/} Ibid.

^{126/} Ibid., p. D-7.

^{127/} Ibid., p. 85.

^{128/} Ibid., p. 84.

include introduction of a 4.6-acre linear park, with appropriate facilities, in the vicinity of Page Elementary School. Thirdly, the existing Arlington County bike trail will be extended from Bon Air Park to the vicinity of Lee Highway near Rosslyn.^{129/}

- b. Westover Playground, which would have had land used for the eight-lane proposal, will not have any takings for the four-lane proposal, and takings from other public park and recreation areas have been reduced.
- c. Numerous measures will be employed to minimize impacts on park areas. These include narrowing the right-of-way and the median in the vicinity of Bon Air Park and Westover Playground; use of retaining walls to reduce further the right-of-way requirements in this area; construction of a pedestrian underpass connecting Westover Playground and Bon Air Park across the transportation right-of-way; and construction of a noise barrier to minimize adverse impacts on the Falls Church City Park.^{130/}

4. Assistance to Metro

- a. The right-of-way for Metro, where it runs in the median of I-66, will be provided at no cost to Metro.
- b. Numerous construction features for I-66 which would have to be undertaken by Metro if I-66 is not constructed (such as overpasses, grading and drainage), costing approximately \$40 million, will be paid for entirely from the I-66 budget.
- c. If I-66 is constructed, the State has stated its intention to transfer approximately \$30 million in I-266 funds to Metro.

5. Operational restrictions

- a. Heavy trucks will be prohibited from using this section of I-66 at all times.
- b. Peak hour, peak direction traffic on I-66 will be limited to buses, carpools of four persons or more, and traffic bound to and from Dulles Airport.

^{129/} Ibid., pp. 8-9.

^{130/} Ibid., pp. 95-6, 99.

- c. Periodic checks of air quality in the project area will be made to provide guidance for its operation, to assure that it remains consistent with the State Implementation Plan for air quality.

J. Conclusion

In summary, I have concluded that construction of I-66 would:

- provide a net increase in public park and recreation lands, and improvement in the Arlington County bike trail;
- provide some net noise decrease and air quality improvements on local streets and arterials in Fairfax and Arlington Counties;
- increase noise levels in areas adjacent to the right-of-way, although extensive noise abatement features will reduce these levels below what they would be without noise abatement;
- have some adverse effect in terms of community disruption in Arlington, and to a lesser extent in the District of Columbia and Fairfax County;
- possibly have some adverse air quality and energy effects, particularly over the longer run; and
- likely lead to land use changes more oriented toward greater automobile use.

The measures which VDHT proposes to minimize adverse environmental and social effects, and the major changes it has made in order to reduce such impacts from its earlier proposals, are laudable and worthy of replication elsewhere. In order to assure the implementation of these proposals, I have made a legally binding commitment to them an explicit condition of my approval. If I-66 could be developed with genuine concern for beautification, to compete, for example, with the ambience of George Washington Parkway, its role as a "good neighbor" could be substantially enhanced.

In sum, in light of the impacts summarized above, I must conclude that construction of I-66 would still have adverse social and environmental impacts, which must be counted as a consideration weighing against approval of I-66. I have concluded, however, that the transportation benefits which I-66 would

provide in conjunction with Metro, combined with the extensive efforts to be undertaken to minimize the adverse impacts, outweigh the net adverse social and environmental effects of the proposal.

VI. LEGAL ISSUES

The chief legal concern raised by this decision relates to the enforceability of the various requirements I am imposing as a condition to the grant of Federal-aid funds to complete I-66, particularly the truck ban, the peak hour use restrictions, and the prohibition on adding more lanes. As a Constitutional matter, it is well established that conditions to a Federal grant-in-aid are lawful; indeed, they may go well beyond the purpose of the grant itself, which none of my conditions do. The requirements with respect to use of I-66 are directly related to the purpose of the Federal grant and thus do not approach the nature of the condition imposed in the leading case on the issue, Oklahoma v. Civil Service Commission, 330 U.S. 127 (1947). There, the Supreme Court upheld a condition on a Federal highway grant that required Oklahoma to comply with the Hatch Act.

The important legal question is therefore whether the conditions are authorized by applicable law, in the first instance Title 23, United States Code, the basic Federal highway law. Section 315 of that title gives the Secretary broad authority to "prescribe and promulgate all needful rules and regulations for carrying out the provisions of this title." Since all statutory and regulatory requirements for Federal-aid highway projects are imposed as conditions to grants-in-aid contracts with the States rather than through direct exercise of Federal regulatory authority, that provision in itself is sufficient authority to impose the conditions required in this decision. The informal and ad hoc nature of that general grant of authority was recognized in the Administrative Procedure Act at 5 U.S.C. 553(a)(2), which exempts "matter[s] relating to ... loans, grants, benefits or contracts" from formal rulemaking requirements.

Use restrictions on a particular highway serve the purposes of a number of stated Congressional concerns. Section 109(a) provides:

"The Secretary shall not approve plans and specifications for proposed projects on any Federal-aid system if they fail to provide for a facility (1) that will adequately meet the existing and probable future traffic needs and conditions in a manner conducive to safety, durability and economy of maintenance, (2) that will be designed and constructed in accordance with standards best suited to accomplish the foregoing objectives and to conform to the particular needs of each locality."
[Emphasis supplied]

The Virginia proposal now before me is well designed to meet those conditions, but only if the use restrictions are implemented. The restriction of rush hour traffic to carpools increases the capacity of I-66 substantially; indeed, it is necessary to meet the traffic needs and rush hour conditions of the northern

Virginia area at the same time the reduced design conforms to the particular needs of Arlington County.

The carpool restriction may be necessary to assure that "highways constructed pursuant to [Title 23] are consistent with any approved plan for the implementation of any ambient air quality standard for any air quality control region designated pursuant to the Clean Air Act....", as contemplated by section 109(j).

The restrictions here proposed by Virginia are precisely those the Congress had in mind for the purpose of energy conservation in the 1974 Emergency Highway Energy Conservation Act, Public Law 93-239, 86 Stat. 1046. Section 3 of that Act authorizes Federal-aid funding of projects including "systems for locating potential rides and informing them of convenient carpool highway lanes or shared bus and carpool lanes...." [Emphasis added] That Act addressed funding of such projects, assuming the underlying authority to use Federal-aid highways for such purposes.

A second legal question relates to the enforceability, under Virginia law, of the truck and carpool rules. The Commonwealth of Virginia assures us they are authorized under Virginia law. Bus and carpool lanes are specifically provided for in section 33.1.-46.2 of the Virginia Code; a truck ban, if not based on the plenary authority of the State Highway Commission to build and manage the State highway system, is authorized by section 33.1-12(5) of the Code.

"The Commission may enter into all contracts or agreements with the United States government and may do all other things necessary to carry out fully the cooperation contemplated and provided for by present or future acts of Congress for the construction, improvement and maintenance of roads."

Although Virginia volunteered to limit I-66 use, one question remains as to whether the Commonwealth could change its position and remove the truck and carpool rules, or widen I-66 to six or more lanes. The issue is what assurance can the Federal Government provide that Virginia will not change these commitments except where such change is the result of following the procedures prescribed in this decision.

Although the conditions here imposed are, taken together, unique in the history of the Interstate program, the principle of imposing special conditions for a particular highway project is not at all a new one. The Federal-Aid Project Agreement, FHWA Form PR-2,^{131/} which is used for all Federal-aid highway projects, has long contemplated special conditions as contract provisions. They are provided for at 23 C.F.R. 630.304. All project agreements for projects on this section of I-66 will include specific

^{131/} See 23 C.F.R. Part 630.

references to this decision document under the category of "Additional Provisions." In addition, pursuant to 23 C.F.R. 630.203, the "Four Lane Supplement" is by this decision determined to be a part of the Plans, Specifications and Estimates submitted with respect to I-66, which are to be approved, consistent with this decision, by the Federal Highway Administrator or his designee.

Thus, I am imposing these requirements through conditions on the grant of Federal-aid funds. Governor Godwin must indicate his acceptance of them by letter to me within 10 days of this decision (unless he requests an extension of up to 30 additional days). If accepted, the conditions will create contractual obligations. Virginia, by the Governor's letter, will indicate its willingness to accept these conditions as legally binding, and by signing the PR-2 grant agreement and accepting Federal aid to build I-66, will legally bind itself to observe the conditions. The Federal Government has ample authority to enforce these conditions, either by requiring repayment of the Federal grant (usually through offsets against future grants) or by lawsuit to compel performance. While the law in the area is not yet firmly settled, it appears that the conditions could be enforced by third parties who are in the class intended to be benefited or protected by them. In the case of I-66, that would include a broad class of citizens -- both those who live near the highway and those who use it.

VII. LOCAL VIEWS

A. Elected Representatives and Civic Groups

I must give considerable weight to the views of the affected communities and elected officials representing them. I believe that the views of the affected population must be taken into consideration, and if the views of a heavy preponderance of the population weigh in one particular direction, that is an important consideration.

On the basis of my recent public hearing, information set forth in the supplemental environmental impact statement, and other material submitted for the record, it is clear that there is both substantial support for and opposition to the application now before me. Accordingly, in this particular instance, the thrust of local views alone would not appear to require my approval or rejection of the VDHT proposal.

Generally, opposition to the revised I-66 proposal is strongest from within the District of Columbia and the closer-in jurisdictions in Virginia, while support for I-66 lies predominantly with the elected officials and community organizations representing the more distant jurisdictions which would be particularly served by I-66. For example, representatives of Arlington County, the City of Falls Church and the District of Columbia, and the Congressman representing Arlington and part of Fairfax, all spoke in opposition to the proposal at the October public hearing. The Arlington County Board and the D. C. Department of Transportation are among those having gone on record urging rejection of the Virginia application.

On the other hand, the County Boards of Fairfax and Prince William Counties, and the Councils of the Virginia towns and cities of Herndon, Fairfax, Middletown, Vienna and Manassas all support the new proposal. In addition, the Governor of Virginia and its two United States Senators have entered the record in support of I-66.

Citizens' groups urging rejection of the VDHT application include approximately 45 organizations representing residents of Arlington County and the District of Columbia, and the Washington representatives of two national environmental organizations. On the other hand, at least 38 citizens' groups, including 2 located in the District of Columbia, favor the new I-66 proposal.

The Metropolitan Washington Council of Governments (MWCOC), acting in its capacity as the areawide review agency (under the provisions of Office of Management and Budget Circular A-95), voted narrowly

in favor of the current four-lane proposal, in July 1976, as set forth below.

MWCOG Weighted Vote on I-66 (July 1976)

	<u>For</u>	<u>Against</u>
<u>Virginia</u>		
Fairfax County	22	
Arlington County		6
Loudoun County		2
Prince William County	5	
Alexandria		5
Falls Church		1
Fairfax City	1	
<u>District of Columbia</u>		29
<u>Maryland</u>		
Montgomery County	10.5	10.5
Prince Georges County	22	
Bowie	2	
Rockville	2	
Gaithersburg	1	
Takoma Park	1	
Greenbelt		1
Total	66.5	54.5

B. Consistency with Local Planning

On July 30, 1976, the Transportation Planning Board of MWCOC, which last year had withdrawn I-66 from its long-range and short-range transportation plans for the region, reinstated the four-lane proposal in those plans and determined that the new I-66 proposal was consistent with regional transportation goals, objectives and policies. This vote was also quite close, as set forth below.

Transportation Planning Board Weighted Vote
on I-66 (July 1976)

	<u>For</u>	<u>Against</u>
<u>Virginia</u>		
Fairfax County	1.579	
Arlington County		.463
Loudoun County (.139-abstain)		
Prince William County	.395	
Alexandria	.329	
Falls Church		.035
Fairfax City	.060	
VDHT	1.000	
<u>District of Columbia</u>		4.000
<u>Maryland</u>		
Montgomery County		1.161
Prince Georges County	1.473	
Bowie	.096	
Rockville	.120	
Gaithersburg	.060	
Takoma Park		.045
Greenbelt		.045
Maryland DOT	<u>1.000</u>	_____
Total	6.112	5.749

The Executive Director of the National Capital Planning Commission has stated, in a letter dated June 18, 1976, that the four-lane concept is consistent with the Major Thoroughfare Plan and Mass Transportation Plan elements of the Comprehensive Plan for the National Capital.^{132/}

Virginia's State Air Pollution Control Board found the four-lane concept to be conceptually consistent with the objectives of the State Implementation Plan to achieve ambient air quality levels.^{133/}

^{132/} Four Lane Supplement, p. 182.

^{133/} Ibid., p. 180.

The Arlington County Planning Commission, however, on June 15, 1976, determined the four-lane proposal to be inconsistent with Arlington's Master Thoroughfare Plan.^{134/}

In addition, inasmuch as WMATA did not present its views at the public hearing which I conducted on I-66, I requested WMATA's views by letter dated October 6, 1976. In its letter of response, WMATA did not take a position on the desirability of the construction of I-66, and stated that "it is not contemplated that the WMATA Board of Directors will formally vote on the question of I-66."^{135/}

^{134/} Ibid., p. 173.

^{135/} Letter to Secretary Coleman from Sterling Tucker, Chairman of the Board of Directors of WMATA, dated October 14, 1976.

VIII. CONCLUSIONS

This decision has been a most difficult and troubling one. It has been difficult because, as in many public policy decisions, we are taking actions which may have significant long-term effects but quite different estimates have been made about what those effects will be. In making major decisions in the face of uncertainty, one can only consider the various estimates of the future effects and make some reasonable judgments regarding them. This I have attempted to do in this case, and I have tried to set forth in this document the varying estimates and my conclusions after considering them.

The decision has also been difficult because conflicts between values and between varying equities are involved. There is not any "scientific" method of comparing the value of improved mobility with the adverse impacts of increased noise. There is not any completely satisfactory way of answering the question "Why should one community suffer some adverse impacts in order to permit other communities to obtain certain benefits?" What we must do in such cases is to try, in light of our transportation and other responsibilities, to apply our soundest and most objective judgment in comparing the various beneficial and adverse impacts, including what steps we can take to minimize adverse impacts. We then must try to arrive at a conclusion which provides the greatest net benefit without imposing great burdens on any group. I believe the decision I have reached, with the conditions it incorporates, arrives at such a balance.

The proposal as approved, with conditions, will result in improved mobility; an incentive and a great opportunity for increased carpooling, particularly over the longer run, as a basic tool of urban transportation policy in this metropolitan area; substantial support for the construction of an improved mass transportation system in this corridor, another basic element of a sound urban transportation policy; and improved access to Dulles Airport. These benefits will be achieved at some costs, but the "costs" have been reduced considerably and compensating features will be provided by major design improvements which the proposal includes and which are conditions of my approval.

The decision has also been particularly troubling because I know how deeply felt is the opposition to this project, how informed and reasoned much of the opposition has been, and how much sincere effort has gone into it. Many will be tempted to believe that their views were not considered. I want to emphasize that the views of the opponents, as well as the proponents, were carefully considered, and I hope that consideration is reflected, at least in part, in this document. But after considering the views of both sides, I can only choose one; and I


have made that choice as objectively as I can, based on the record and information before me.

Many who applauded my decision last year to disapprove the I-66 proposal then before me will question how I can approve this proposal now. I have done so because this proposal is a substantially different one from last year's, and because the posture of local governments and regional organizations toward it is also substantially different from what it was last year. The proposal is different in that it involves less highway, no incentive to low-occupancy peak hour-peak direction vehicle use, a firm commitment for transfer of Interstate funds (I-266) to Metro, and greater efforts to reduce its adverse environmental impacts. MWCOG and TPB, which opposed last year's proposal, support the current one, albeit by close votes. Fairfax County, one of the major jurisdictions directly affected, has also switched its position from opposition to support. While last year's unlimited (except for trucks) six-lane proposal was inconsistent with national urban transportation and environmental policies in my judgment, and was judged to be inconsistent with local plans by the local jurisdictions, such is not the case with the current proposal.

These are the matters that have influenced my decision. Now that this decision has been made, I hope this region can work together with the Virginia Department of Highways and Transportation in achieving this multi-modal solution to the transportation problems of this corridor and in reducing any environmental impacts on the adjoining communities and the region.

Accordingly, having analyzed the record on this matter, and for the reasons summarized in this document, I have decided to approve the request for Federal-aid highway fund participation in the construction of I-66, from I-495 to Rosslyn, as proposed by VDHT, subject to conditions 1-8 set forth on pages 8-9, supra.

January 5, 1977


William T. Coleman, Jr.
Secretary of Transportation
Washington, D. C.

January 5, 1977

MEMORANDUM FOR
THE VICE PRESIDENT

Secretary Coleman's Decision on
Interstate Highway 66, Fairfax
and Arlington Counties, Virginia

Secretary Coleman requested that the attached copy of his decision on Interstate Highway 66 be forwarded to you. This decision will be announced today.

Jim Connor

January 5, 1977

MR PRESIDENT:

**Secretary Coleman's Decision on
Interstate Highway 66, Fairfax and
Arlington Counties, Virginia**

Secretary Coleman requested that the attached copy of his decision on Interstate Highway 66 be forwarded to you. This decision will be announced today.

Jim Connor

ASSISTANT SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

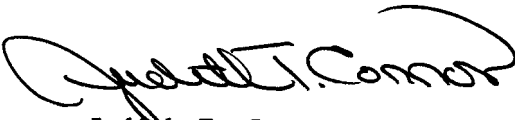
January 5, 1977

TO: Secretary of the Cabinet

FROM: Assistant Secretary for Environment,
Safety, and Consumer Affairs

SUBJ: I-66

Enclosed are two copies of Secretary Coleman's decision on Interstate Route I-66 in Virginia. The Secretary has requested that they be delivered to President Ford and Vice President Rockefeller. The decision will be announced today at 10:30 a.m.



Judith T. Connor