

United States Department of Transportation
Federal Highway Administration

Finding of No Significant Impact

State Route 0083, Section 070
I-83 North York Widening Project
Exits 19, 21, and 22
York County, Pennsylvania

April 20, 2020

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Exits 19, 21, and 22

York County, Pennsylvania

The Federal Highway Administration (FHWA) has determined that the I-83 North York Widening Project will have no significant impact to the human environment. This determination is based on the *I-83 North York Widening Project Environmental Assessment (EA)* (August 2019), the supporting technical reports (as listed in this Finding of No Significant Impact (FONSI)), review of the comments received during the EA availability period and the responses to those comments, and the mitigation commitments included in the EA and this FONSI.

Purpose and Needs

The primary Purpose of the project is to reconstruct I-83 to achieve a more functional and modern roadway that meets current design criteria. The secondary Purpose of this project is to improve future traffic flow, queuing and safety on I-83, and the interchanges for the 2042 design year.

Additionally, two Goals were identified for the project:

1. Improve or maximize the riparian area and floodway associated with Mill Creek to reduce flooding of I-83 and Market Street (S.R. 0462) and to maintain access on these roadways for emergency personnel. Design criteria dictates that interstate highway cannot be inundated by the 50-year storm event; currently I-83 is overtopped by the 50-year storm event in two locations, which causes the highway to be closed; and
2. Improve or maximize the 2042 design year LOS for I-83 to Level of Service (LOS) D or better.

There are five project Needs identified, including:

1. Inadequate roadway and bridge design features;
2. Bridges with substandard width and/or height;
3. Poor traffic safety on I-83 corridor and the associated interchanges;
4. High levels of traffic congestion, resulting in poor levels of service (LOS) and excessive queuing; and,
5. Poor system linkage between I-83 and U.S. Route 30.

Selected Alternative

The Selected Alternative – I-83 North York Widening, Exits 19, 21, and 22 – resulted from a feasibility analysis and development and consideration of preliminary design concepts. Various stakeholders were involved in the project development and selection process, including transportation agencies, resource agencies, municipal officials, Section 106 consulting parties, and members of the public. The process resulted in a Selected Alternative that addresses the project needs while avoiding, minimizing, and mitigating impacts to the human environment.

Key elements of the Selected Alternative include the following:

- Reconstructing aging infrastructure
- Widening the interstate from four to six lanes
- Shifting mainline at Exit 19 to avoid Mill Creek and its floodplain
- Relocating Mill Creek to improve habitat and reduce flooding on the interstate
- Shifting the roadway at Codorus Creek to avoid taking businesses on both sides of I-83 in North York Borough
- Constructing roundabouts to maintain continuous traffic flow at key intersections
- Using the existing roadway network to limit interchange impacts
- Completing or enhancing I-83 connections to U.S. Route 30 via North Hills Road (S.R. 2003) and shifted on-/off-ramp on North George Street (S.R. 0181)
- Reducing queuing and weaving at congested interchanges
- Addressing substandard acceleration and deceleration lanes
- Incorporating retaining walls to reduce wetland, stream and community impacts

- Constructing noise barriers to reduce noise impacts in communities
- Implementing modifications on Columbia Avenue and Belmont Street based on public feedback

Mitigation Measures

The following summarizes how adverse impacts will be avoided, minimized, and mitigated for the selected alternative:

- Impacts to archaeological resources, air quality, and floodplains have been avoided.
- Impacts to above ground historic resources, community facilities, pedestrian and bicycle accommodations, threatened and endangered species, geology and groundwater and agricultural resources have been minimized.
- Impacts to wetlands, streams, hazardous waste, residential and commercial properties, noise sensitive resources, and Section 4(f) resources will be mitigated.
 - ***Stream and wetland mitigation***, currently under development, will evolve with each construction section and permit process. Mill Creek will be relocated away from I-83 near Sherman Street and Ebert's Lane to reduce flooding on the highway. Flooding will be reduced by providing additional flood storage while stream impacts will be offset by providing habitat uplift along the relocated section. Mill Creek will be restored through bank stabilization and instream habitat structures at key locations from the confluence with Codorus Creek to the former Memorial Hospital. Finally, two wetland mitigation sites are located adjacent to I-83 and Mill Creek in the central section. Both stream and wetland mitigation will be incorporated into each construction section and documented via the DEPs Comprehensive Environmental Assessment (CEA). This report will tally stream and wetland impacts and proposed compensatory mitigation, which will fluctuate with each permit submission. The permitting process will capture updated resources delineations, design plans, and habitat assessments.
 - ***Hazardous waste*** will be handled according to the recommendations outlined in the Phase I Environmental Site Assessment. Phase II and III work will take place for each construction section and, if necessary, special provisions will be

developed to ensure proper removal of potentially hazardous waste material prior to construction.

- ***Displaced residents and businesses*** will receive relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended; Title VI of the Civil Rights Act of 1964; and the Pennsylvania Eminent Domain Code of 1964.
- ***Noise abatement*** in the form of vertical noise barriers was evaluated and determined to be warranted, feasible, and reasonable at several locations. A final design noise analysis, including public outreach, will be completed to confirm these findings.
- Additional coordination, planning and design for the reconstruction of Fayfield Park, a Section 4(f) Resource, will take place in final design. The Project 70 park land conversion will require draft legislation for approval by the Pennsylvania General Assembly along with coordination with the PA Department of Conservation and Natural Resources during final design.
- A mitigation report and Environmental Commitments and Mitigation Tracking System (ECMTS) will be developed in final design to ensure mitigation commitments identified in the EA will be carried forward throughout project design and construction. Mitigation items will be detailed further as the design progresses and incorporated into the design plans, special provisions and permits, as necessary.
- Agency coordination will continue as the mitigation and permitting advances. Public coordination will also continue in the form of website updates, follow-up meetings related to access, right-of-way, park impacts and design, and noise analysis.

Environmental Assessment and Technical Reports

The EA was approved for public availability and released to the public by the FHWA Pennsylvania Division on August 28, 2019. The public comment period began on August 28, 2019 and ended on October 11, 2019. Advertisements regarding the EA availability were placed in the York Daily Record on August 28, 2019 and again on September 22, 2019.

The project website was updated to include the notice, the EA document, testimony sign up and the ability to comment on the Environmental Assessment via the website at <https://www.i83northyork.com/>. An email notification was sent on August 28, 2019 to those who subscribed to receive updates via the website. Additionally, the US Army Corps of Engineers published a notice on US Army Corps of Engineers Baltimore District Public Notice webpage on September 4, 2019.

Hard copies of the EA were available for review at the following locations:

- FHWA – Pennsylvania Division
- PennDOT, Engineering District 8-0
- Manchester Township Office
- North York Borough Office
- Springettsbury Township Office
- Spring Garden Township Office
- York County Planning Commission
- Martin Library

Technical reports were prepared for the following subject areas and are included in the project technical file and were available upon request:

- Alternatives Analysis Report
- Recommended Preferred Alternative Technical Memo
- Wetland and Watercourse I&D Report
- Comprehensive Environmental Assessment
- Hydraulic and Hydrologic (Floodplains) Memo
- Phase I/II Bog Turtle Report
- Geologic and Groundwater Resources Memo
- Agricultural Resources Memo
- Phase I Aboveground Windshield Survey Report
- Determination of Eligibility Forms
- Determination of Effects Report
- Preliminary Archaeological Constraints
- Phase I Archaeology Report
- Socioeconomic Technical Report
- Air Quality Analysis Memo

- Preliminary Noise Analysis
- Phase I Environmental Site Assessment Report
- Section 4(f) Resources Forms
- Indirect and Cumulative Effects Memo
- Public and Agency Coordination

The FHWA and U.S. Army Corps of Engineers held a Joint Public Hearing on October 1, 2019 at the Central York Middle School in York, Pennsylvania. Plans were on display and PennDOT representatives were available to discuss the project. Comment forms were provided along with PennDOT PM contact information and copies of the EA. Approximately 75 people signed in.

Three individuals testified publicly and no one testified privately. No written comments were received at the hearing. Four comments were received from the public through the project website. One agency comment was received via email from the Environmental Protection Agency. All comments provided were reviewed and addressed. Comments and responses are included in the *Environmental Assessment FONSI Package – Comments and Responses* (see Attachment).

Finding of No Significant Impact

This Finding of No Significant Impact (FONSI) is based on the project record including:

- *S.R. 0083, Section 070 North York Widening Environmental Assessment* (August 2019) and technical documents and studies referenced in this document;
- *Environmental Assessment – Comments and Responses (EA FONSI Package, Section 5.0)*; and
- *Environmental Assessment – Additional Information (EA FONSI Package, Section 6.0)*.

Accordingly, the FHWA determines that there is no practical alternative to construction of the Proposed Action and the Proposed Action includes all practical measures to minimize harm to natural, cultural, and socioeconomic resources, which may result from the proposed project.

The EA, subsequent additional information, and responses to comments have been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures.

They provide sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the EA and associated documentation.

Pursuant to:

42 U.S.C. 4231-4347

40 CFR 1500-1508

23 CFR 771

23 CFR 772

36 CFR 800

49 U.S.C. 303(c)

23 CFR 774

16 U.S.C. 1531-1544

33 U.S.C. §1251 et seq. (1972)

Executive Order 11988

Executive Order 11990

Executive Order 12898

DATE

Michael Figueroa, Acting Director of Program Development
Federal Highway Administration – Pennsylvania Division

Attachments

I-83 North York Widening Environmental Assessment – FONSI Package (December 2019)