

Manassas Nat'l Battlefield Park

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U.S. DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
NATIONAL CAPITAL REGION

FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION

ENVIRONMENTAL ASSESSMENT

ROUTE 29/234 INTERSECTION SAFETY IMPROVEMENTS

On Route 29 From: 0.16 mile west of Route 234

To: 0.21 mile east of Route 234

On Route 234 From: 0.1 mile south of Route 29

To: 0.1 mile north of Route 29

Manassas National Battlefield Park
Prince William County, Virginia

Virginia Department of Transportation Project: 0029-076-119, PE101; UPC: 51196
Federal Project: PRA-MANA29(1)

Submitted Pursuant to 42 U.S.C. 4332(2)(C)

Approved for public availability:

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Date

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3/21/00
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I. PURPOSE AND NEED

A. Project Overview

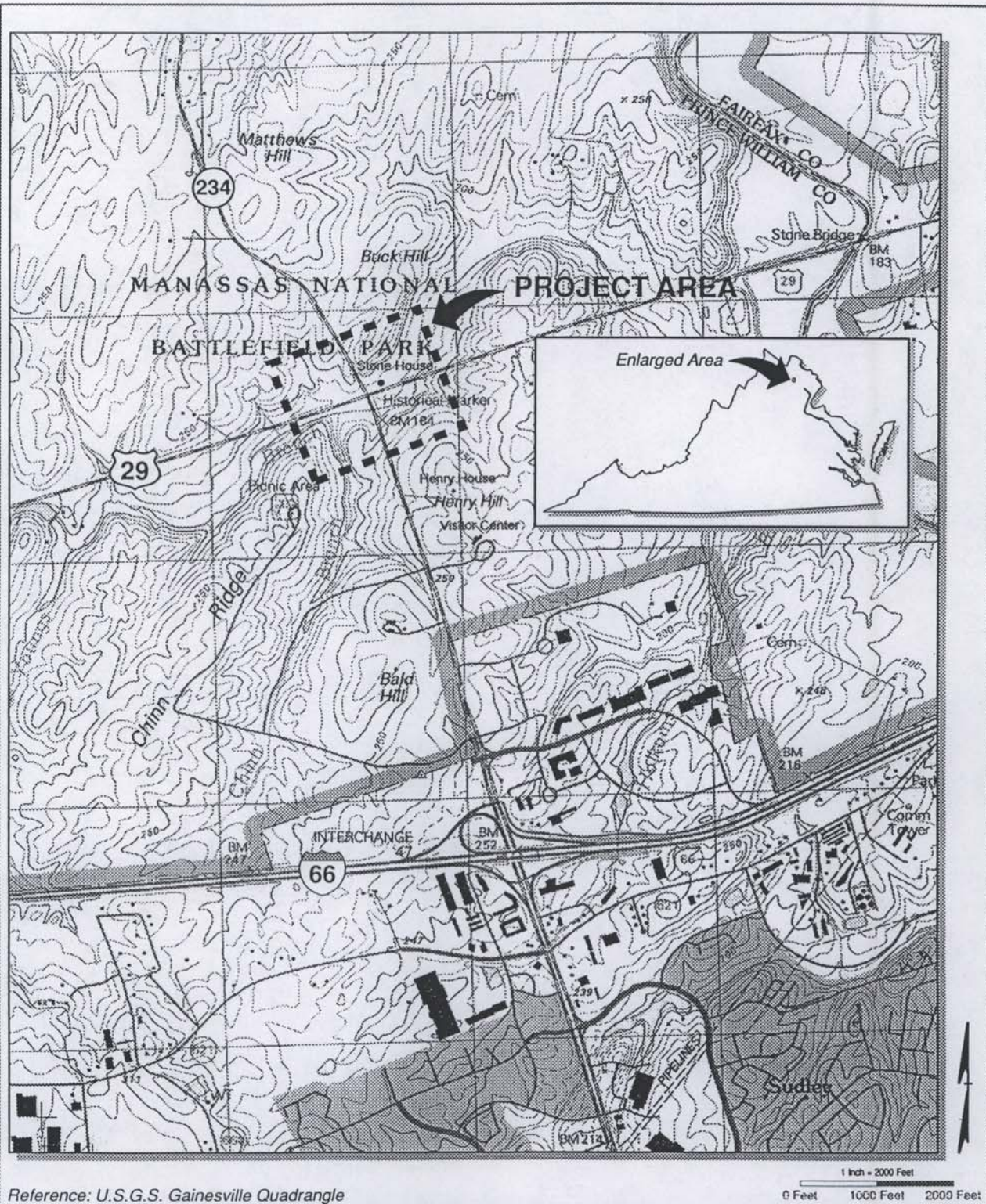
Manassas National Battlefield Park (the Park) is located in Prince William County, about 5 miles north of the City of Manassas, Virginia (see **Figure 1**). The Park, a unit of the National Park Service (NPS), was established in 1940 to preserve the sites of the Civil War's First and Second Battles of Manassas. It attracts approximately 900,000 visitors annually.

The proposed project is located within the Park at the intersection of U.S. Route 29 (Lee Highway) and Virginia Route 234 (Sudley Road). As shown on **Figure 2**, the existing Route 29 and Route 234 each have two lanes, one in each direction, with no turn lanes at the signalized intersection. There are no pedestrian facilities or crosswalks. The proposed work would consist generally of adding turn lanes at the intersection, upgrading the traffic signals, modifying or replacing drainage structures, and adding pedestrian facilities. On U.S. Route 29, construction would begin approximately 0.16 mile west of the intersection and end approximately 0.21 mile east of the intersection. On Route 234, construction would begin approximately 0.1 mile south of the intersection and end approximately 0.1 mile north of the intersection. In addition, a pedestrian bridge across Youngs Branch would be located in the southeast quadrant of the intersection. The proposed improvements are illustrated on **Figure 3**.

U.S. Route 29 is a rural principal arterial with a posted speed limit of 45 mph. Route 234 is a rural major collector with a posted speed limit of 35 mph. For more than a century, these two highways have been the major routes for east-west and north-south travel through this section of Prince William County. Most of the existing right of way is owned by the Virginia Department of Transportation (VDOT); some of the right of way is occupied by special use permit from NPS. A special use permit for approximately 2 additional acres of land from the Park would need to be issued by NPS to accommodate the proposed improvements.

B. Purpose and Need for the Project

The purpose and need for this project is to enhance travel safety for motorists and pedestrians through the intersection of U.S. Route 29 and Route 234. In recent years, increasing traffic volumes have resulted in greater congestion, longer delays, and more collisions. Causes of accidents are related to geometric conditions of the roadways in conjunction with the high traffic volumes. Drivers approaching the intersection on the north leg of Route 234 have poor sight distance because of a hill a short distance from the intersection. The single approach lane on each leg of the intersection causes traffic to queue up, as left-turning traffic blocks through and right-turning traffic while waiting for oncoming traffic to clear the intersection before making the left turn. Although there is no reliable way to project the number of accidents that might occur in the future, with the expected increase in traffic and left-turn movements by the design year 2021 (see Table 1), the number of accidents likely would increase.

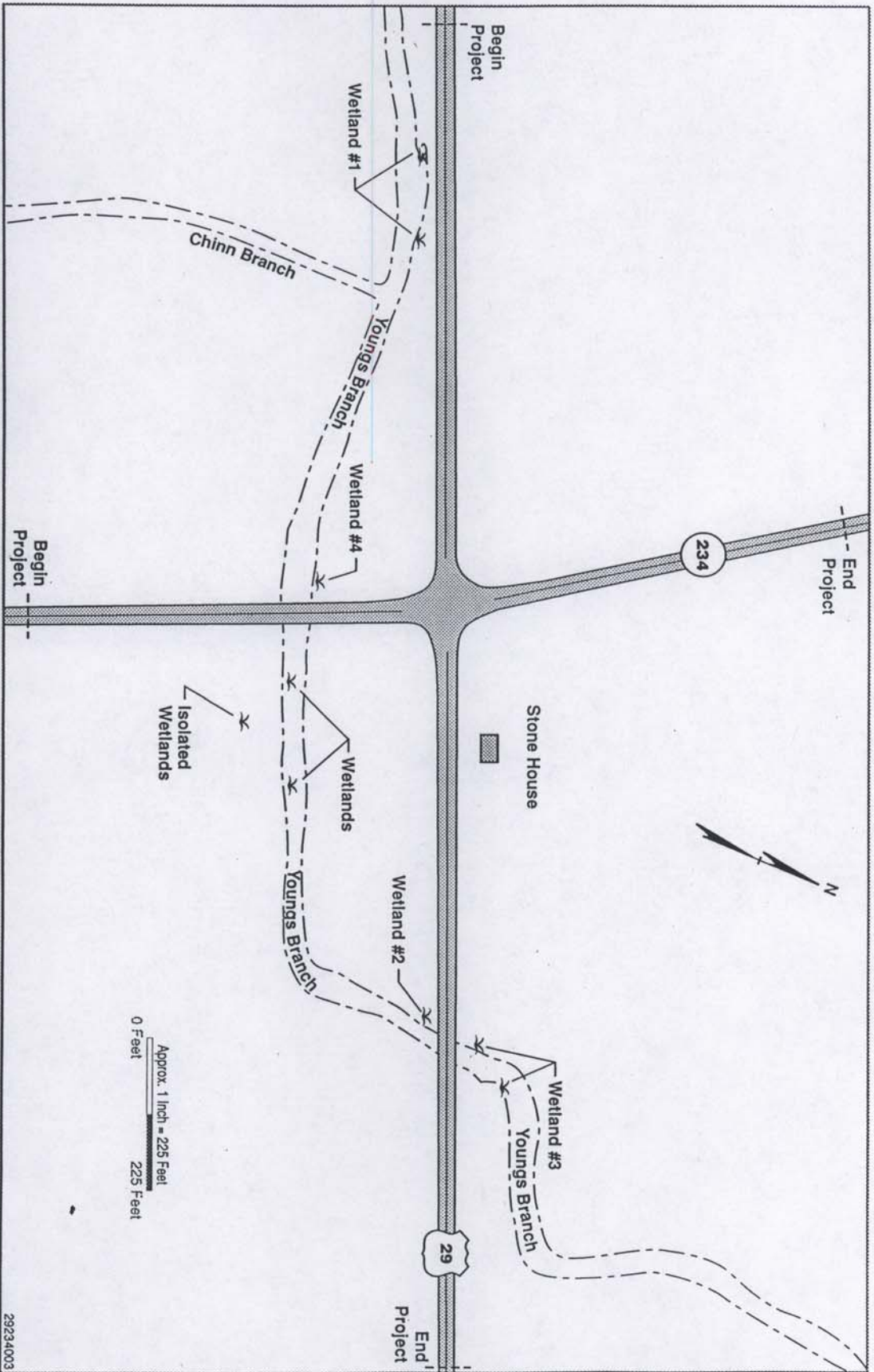


ROUTE 29/234 INTERSECTION SAFETY IMPROVEMENTS

STATE PROJECT NO. 0029-076-119, PE101

PROJECT AREA

FIGURE 1



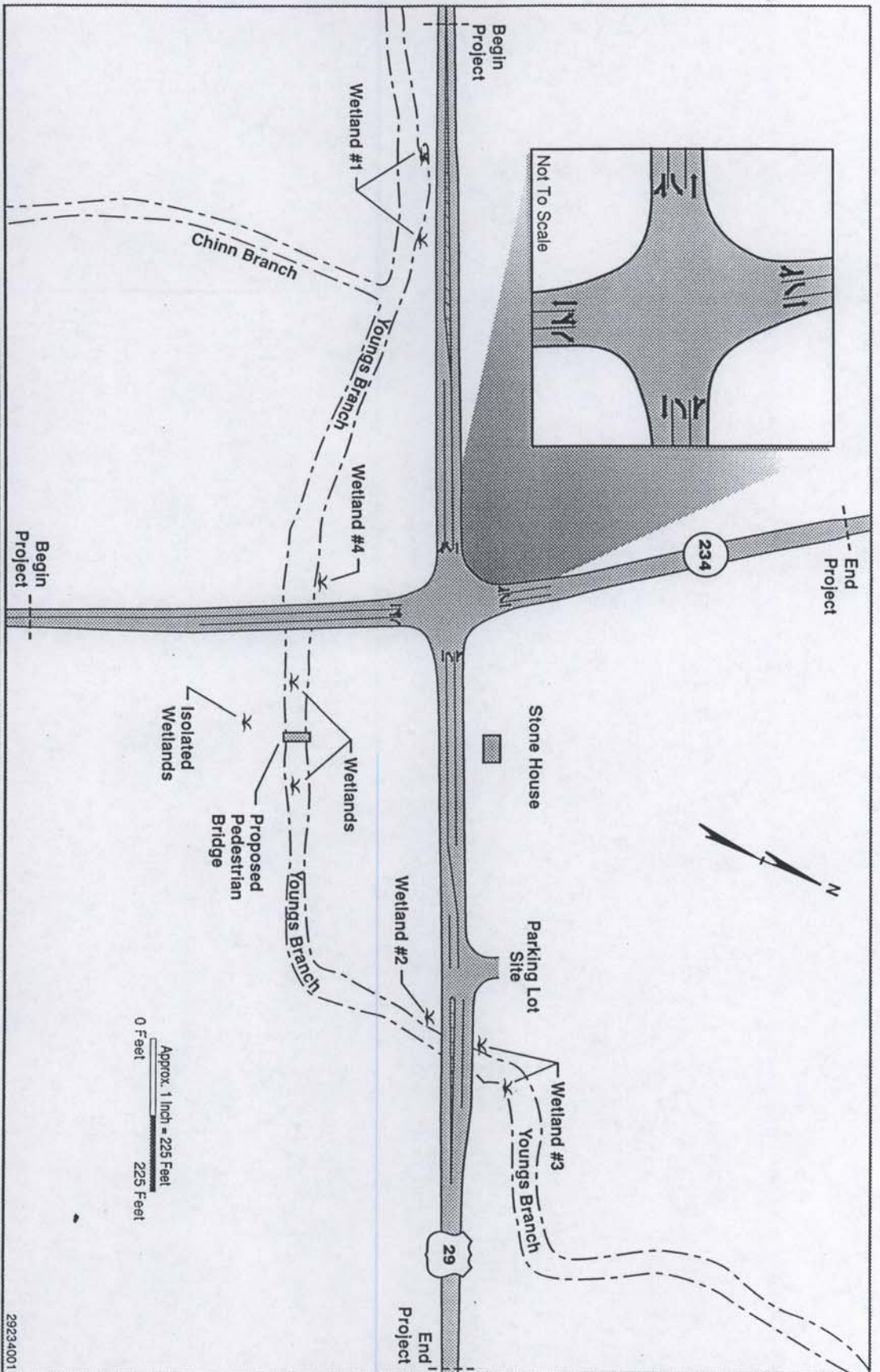
**ROUTE 29/234 INTERSECTION
SAFETY IMPROVEMENTS**

STATE PROJECT NO. 0029-076-119, PE101

EXISTING CONDITIONS

FIGURE 2

29234003



ROUTE 29/234 INTERSECTION SAFETY IMPROVEMENTS

PROPOSED IMPROVEMENTS

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FIGURE 3

Table 1
Existing and Projected Traffic Volumes

Year		Route 29 West Leg	Route 29 East Leg	Route 234 North Leg	Route 234 South Leg
1999	Existing Average Daily Traffic	10,000	13,900	9,500	13,800
	Left-Turn Movements (AM Peak Hour/PM Peak Hour)	65/20	120/390	90/40	10/30
2021	Projected Average Daily Traffic	18,600	24,300	18,000	24,800
	Left-Turn Movements (AM Peak Hour/PM Peak Hour)	125/40	175/530	145/50	20/60

Source: Virginia Department of Transportation

The high degree of concern for safety is reflected in the interest Congress has taken in this intersection. Recent legislation (1998) (see Appendices) stated Congress' continuing "concern over the unsafe conditions at the intersection of Routes 29 and 234 in the Manassas National Battlefield Park, Prince William County, Virginia which remain hazardous to local residents and visitors of the park traveling through the intersection." The legislation contained encouragement for the ongoing development of recommendations by an interagency task force for improvements at the intersection as well as for the completion of a bypass study to be conducted by the NPS.

II. ALTERNATIVES

A. No-Build Alternative

Under the No-Build Alternative, existing roadways would simply be maintained to preserve structural integrity. With no widening of existing roads to add turn lanes or vertical realignment on the north leg to improve sight distance, this alternative would not solve any of the safety problems caused by the increasingly heavy traffic volumes and would not meet the needs for the project.

B. Proposed Action

The proposed action consists of a combination of roadway improvements and mitigation measures that would enhance the safety of the intersection while also minimizing adverse effects on Park resources. The proposed action reflects the recommendations of an interagency task force comprised of representatives of NPS, the Federal Highway Administration (FHWA), VDOT, Prince William County, the American Automobile Association (AAA), and a local citizen. Initially, the task force conceived a series of improvements to be implemented in three phases. Phase I called for traffic signal improvements, clearing vegetation from intersection approaches, relocating the existing Stone House parking lot, improving traffic law enforcement, developing safe pull-off areas for law enforcement, reducing speed limits, and providing grooved surfaces and signs at the Park entrance to alert visitors that they are entering the Park and to alert travelers of the approaching intersection. Phase II called for some regrading of Route 234 to improve the sight distance, widening of both eastbound and westbound approaches of Route 29 to the intersection, and consideration of turn lanes. Phase III called for NPS to seek funding and to work with VDOT, FHWA, and Prince William County towards the ultimate closure of Routes 29 and 234 and to provide alternative routes for traffic now traveling through the Park, as called

for in Public Law 100-647. After further deliberations, the task force concluded that most of the Phase I and Phase II improvements should be implemented in a single construction phase. A Memorandum of Understanding (see Appendices) executed by NPS and VDOT and endorsed by the task force adopted this concept.

Thus the proposed action consists of the following:

- As shown on Figure 3, add a left-turn lane to each leg of the intersection. On the west leg, this would entail widening the existing two-lane pavement for a length of approximately 851 feet to incorporate a left-turn lane and a through/right-turn lane. On the south leg, it would entail widening the existing two-lane pavement for a length of approximately 611 feet to incorporate a combined left-turn and through lane and a right turn lane. On the east leg, it would entail widening the existing two-lane pavement for a distance of approximately 1,108 feet to accommodate both a left turn at the intersection and a left turn into the proposed new NPS parking lot on the east side of the Stone House. The widening on the east leg would be to the south side of the existing road, away from the Stone House, which sits on the north side of the road. On the north leg, it would entail widening the existing two-lane pavement for a distance of approximately 561 feet to incorporate a left-turn lane and a through/right-turn lane.
- Add a left-turn lane at the new NPS parking lot to be located east of the Stone House. (The relocation of the parking lot from its current location west of the Stone House to the new location east of the Stone House has been discussed in a separate Environmental Assessment prepared by NPS.)
- Flatten the vertical alignment of Route 234 on the north leg of the intersection approximately 2 feet (within existing right of way) to increase the sight distance for drivers approaching the intersection.
- Replace the existing bridge carrying Route 29 over Youngs Branch on the east leg of the intersection to accommodate the new turn lanes and transitions.
- Lengthen the existing box culvert carrying Route 234 over Youngs Branch on the south leg of the intersection to accommodate the new turn lane and transition.
- Build a pedestrian footbridge across Youngs Branch east of the south leg of the intersection and install a pedestrian crossing at the intersection of Routes 29 and 234 to allow pedestrians from the visitor's center on Henry Hill to cross Route 29 to visit the Stone House.
- Install new traffic signals to regulate traffic movements on the new lane configurations. The new signals would include a pedestrian-actuated phase that would allow pedestrians to cross independently of traffic movements. The color of the new signal pole, mast arms, and controllers would be brown.
- Relocate utilities (electric, telephone and gas lines) that are in the path of the proposed improvements. All existing above-ground utility lines in the area of the intersection will be buried to eliminate any visual impact from the relocations.

- Install drainage improvements at the intersection to reduce ponding and enhance surface runoff. Concrete curbs would be installed to help direct runoff to appropriate drainage facilities. The curbs would be stained brown.
- Minimize encroachments on Park lands by using exceptions to normal design standards. These exceptions include use of an 11-foot lane width instead of normal 12-foot width, 50-foot tapers on turn lanes instead of normal 100-foot tapers, a 2-foot-wide clear zone instead of normal 14-foot-wide clear zone on the Route 234 north leg to avoid earthwork in cut section, an 8-foot-wide clear zone on the Route 29 legs instead of normal 18-foot-wide clear zone, a 90-foot-long turn lane on Route 234 north leg and a 160-foot-long turn lane on Route 29 east leg instead of normal 200-foot-long turn lanes.

The proposed action would require special use permits from NPS for approximately 2 acres of land to accommodate the necessary widening to install the turn lanes. In exchange, VDOT would cede to the NPS portions of land within existing right of way that are not needed to accommodate the proposed improvements.

The proposed action would provide for safer motor vehicle travel on these two highways. The potential for collisions would be reduced. The separate lanes for left-turning vehicles would reduce traffic conflicts and both left and right turns would be safer. The project would improve the sight distance and relieve a hazardous stopping condition for southbound Route 234 traffic approaching the intersection. It also would add geometric, drainage, and signalization improvements to the intersection. Pedestrian access between important interpretive sites would be safer. Pedestrians would be able to walk along their own separate and less dangerous path, rather than alongside the road. When complete, the project would allow safer use of the intersection for commuters, local residents, and Park visitors.

C. Other Alternatives Considered

Other alternatives have been considered, including lesser actions that might improve safety at the intersection without adding more lanes. Such actions would include the following:

- Additional signage. This alternative would involve erecting additional signs, perhaps with flashing lights or variable messages, to warn motorists about potential safety hazards at the intersection. This alternative would not fully meet the project needs because, although it would provide better awareness to motorists about using caution at the intersection, it would not eliminate any of the hazards. This alternative also would not provide a turn lane into the proposed new parking lot east of the Stone House and would not add any pedestrian accommodations or drainage improvements.
- Adjustments to signal phasing. This alternative would involve changing the phasing of the existing traffic signals to facilitate left turns. For example, a separate phase could be provided for each leg of the intersection so that left-turning vehicles could proceed without waiting for oncoming traffic to clear. This alternative would not fully meet the project needs because it would not correct the sight-distance problem on the north leg of the intersection. This alternative also would not provide a turn lane into the proposed new parking lot east of the Stone House and would not add any pedestrian accommodations or drainage improvements.

- Reducing speed limits. This alternative would involve reducing the existing posted speed limits to some lesser speed limit. This already has been implemented on Route 234, where the posted limit has been reduced from 45 mph to 35 mph. This alternative would not fully meet the project needs because, although further reductions would reduce travel speeds, and thus the potential severity of accidents, none of the safety hazards would be corrected. This alternative also would not provide a turn lane into the proposed new parking lot east of the Stone House and would not add any pedestrian accommodations or drainage improvements.
- Provide grooved surfaces and signs at the Park entrance to alert visitors they are entering the Park and to alert travelers of the approaching intersection. As with the additional signage alternative, this alternative would provide better notification to motorists about using caution at the intersection. This alternative would not fully meet the project needs because it would not eliminate any of the safety hazards. Also, grooved roadway surfaces are generally not effective in reducing the speeds of repeat or commuter traffic. Grooved pavement also would increase noise levels along the road, which would likely affect visitors' enjoyment of the Park. This alternative also would not provide a turn lane into the proposed new parking lot east of the Stone House and would not add any pedestrian accommodations or drainage improvements.
- Improve enforcement of traffic laws and develop safe pull-off areas for law enforcement. This alternative would involve a greater police presence to more closely monitor speeds through the intersection and to minimize the potential for motorists to run red lights. Increased enforcement of traffic speed limits would help increase safety at the intersection when incorporated into a program that includes intersection improvements and improved signage. Enforcement alone, however, would be of limited effectiveness and would be expensive and difficult to maintain indefinitely. Increased enforcement of traffic speed limits in the vicinity of this intersection may increase safety during those periods when police officers are present. However, police enforcement is labor-intensive and, to be successful, needs to be ongoing. The effectiveness of short-term enforcement campaigns tend to wear off quickly as motorists adapt to the increased enforcement during the enforcement campaign and just as quickly revert to their previous habits once the campaign is over. A continuous campaign represents major ongoing costs that need to be justified by the program's effectiveness. In most cases, the level of enforcement program costs results in pressures for solutions that eliminate the geometric problems that lie at the heart of the safety concerns. Increased enforcement also has the potential to increase congestion and traffic queues because of motorists slowing down to look at the police officers and those that they have stopped, and may actually decrease safety as motorists take their eyes off the road or become overly concerned with the presence of police officers. This alternative also would not provide a turn lane into the proposed new parking lot east of the Stone House, would not add any pedestrian accommodations or drainage improvements. Finally, construction of pull-off areas would result in greater impacts to park resources.

III. ENVIRONMENTAL CONSEQUENCES

This section describes the environmental context of the project area and the environmental consequences of the alternatives. The locations of the environmental constraints relative to the project are illustrated in Figure 2.

A. No-Build Alternative

The No-Build Alternative would not require direct use of any hazardous material site, prime farmland, floodplains, water resources, wetlands, or wildlife habitat. There would be no disruption of communities and no displacement of families, businesses, farms, or nonprofit organizations, due to their absence in the project area. There would be no impacts to minority or low-income populations within the project area.

The No-Build Alternative would not affect the Stone House or other historic or archaeological resources within the Park. No substantial air quality or noise impacts would be anticipated. A hazardous road condition would continue to exist. Emergency services could be constrained as a result of increased traffic congestion and hazardous road conditions.

B. Proposed Action

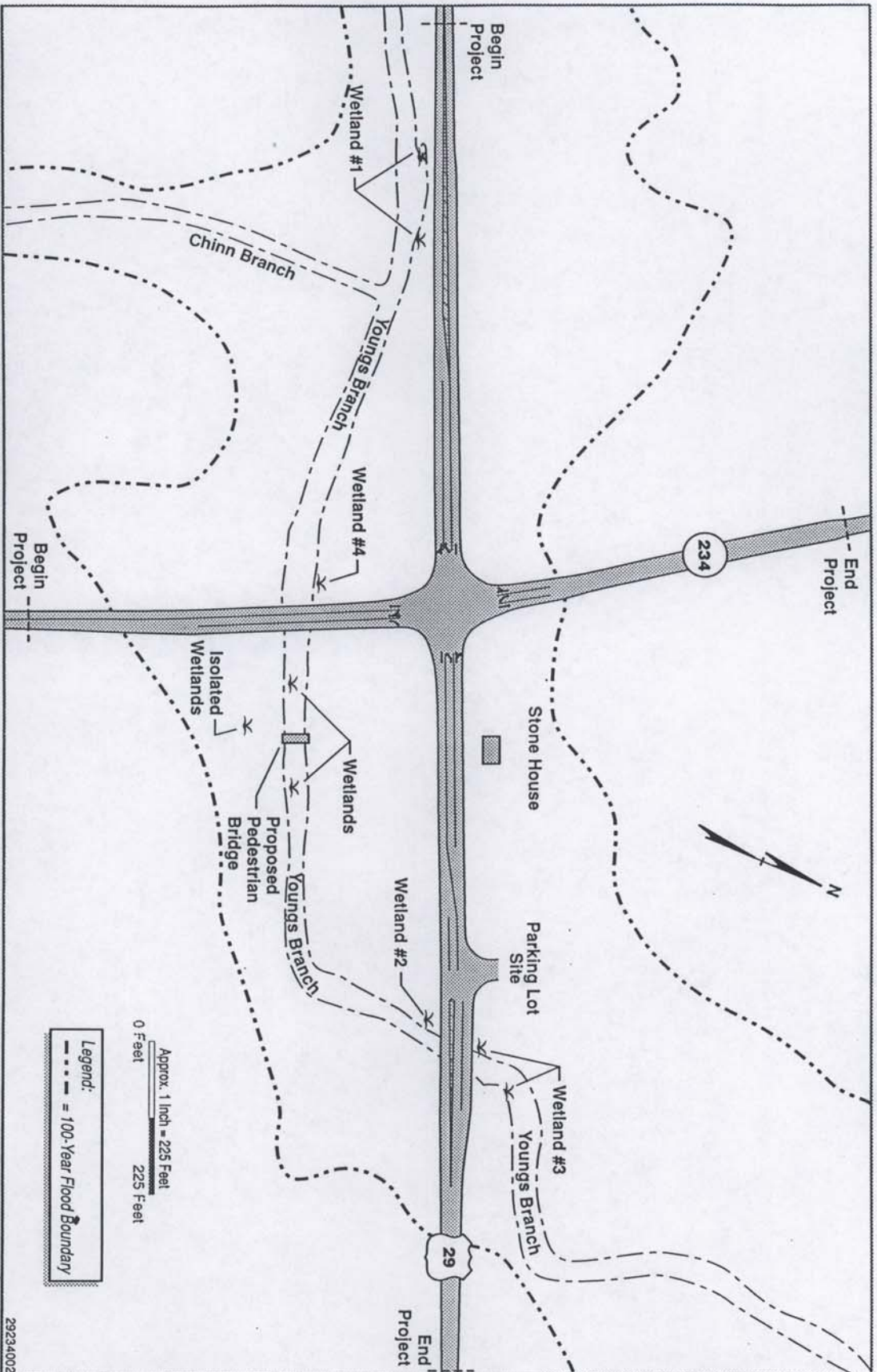
Topography and Geology. The project is located in the Triassic basin of the northern Virginia Piedmont. Elevations range from 180 to 250 feet above mean sea level. Youngs Branch, a small tributary that feeds into Bull Run, crosses under Routes 29 and 234 within the project area.

Farmland and Soils. The Prince William County Soil Survey identifies five soil series in the project area: Manassas silt loam, Arcola-Nestoria complex, Bermudian silt loam, Nestoria gravelly silt loam, and Arcola silt loam. The Manassas, Bermudian, and Arcola soils are classified as prime farmland soils.

The predominant soil series in upland areas is Manassas silt loam, which is deep, gently sloping, and well- to moderately well-drained. The shrink-swell potential is low. The predominant soil series in wetland areas is Bermudian silt loam, which is a deep, level-to-nearly-level, and well-drained soil that appears in association with Youngs Branch.

The Farmland Protection Policy Act requires assessment of potential impacts to prime farmland. Prime farmland impacts would consist of conversion of areas with prime farmland soils to highway use. Because of the long-term use of the project area as a park, no cultivated farmland is present, and potential impacts to prime farmland as a result of the project would be minimal.

Floodplains. The Federal Emergency Management Agency (FEMA) has identified 100-year floodplains around Youngs Branch, as shown on **Figure 4**. This is an area with a one percent chance of being flooded in any given year. The proposed alternative would affect approximately one acre of floodplain. Because the project termini dictate that the floodplain must be crossed, there are no practical avoidance alternatives. All drainage structures would be designed so that the potential increase in flood levels would be minimal. The proposed action would not support incompatible floodplain development. This project has been evaluated for compliance with NPS Special Directive 93-4: Floodplain Management Guideline. Although the project is located in the 100-year floodplain, it does not require the preparation of a floodplain Statement of Findings because the project falls under an exception for roads in NPS units.



ROUTE 29/234 INTERSECTION SAFETY IMPROVEMENTS

FLOODPLAINS

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FIGURE 4

29234-002

Resource Protection Areas. The Chesapeake Bay Preservation Act (Chapter 25, Title 10.1 of the Code of Virginia) established a program to give local governments authority to protect environmentally sensitive features that, when disturbed or developed incorrectly, lead to reduced water quality in the Chesapeake Bay. Prince William County has designated Resource Protection Areas (RPAs) and adopted related ordinances providing for water quality protection. RPAs are areas in and around surface waters that are inherently sensitive to impacts to water quality and biological resources. RPAs in the project area include small non-tidal wetlands, Youngs Branch, and buffer areas 100 feet landward of Youngs Branch.

Because the project termini dictate that the RPA must be crossed, there are no practical alternatives. VDOT has included standard provisions for erosion and sediment controls in its *1997 Road and Bridge Specifications*. Those provisions have been approved by the Virginia Division of Soil and Water Conservation as meeting the requirements of the Virginia Erosion and Sediment Control Law, and they meet or exceed Prince William County's erosion control standards for temporary and permanent control measures. Standard erosion control measures would be included in the construction plans and specifications. Implementation of these measures would meet the requirements of the Chesapeake Bay Preservation Act.

Water Resources and Wetlands. Wetlands in the project area were identified in accordance with the 1987 Corps of Engineers (COE) Wetlands Delineation Manual (Environmental Laboratory, 1987) Department of the Army guidance (USDOA, 1992), and NPS guidance (Director's Order #77-1). The field methodology included walking transects along upland/wetland transitions as characterized by changes in topography, plant communities, soils, and hydrology. Waters of the U.S., including wetlands, within the proposed construction limits were flagged at four locations associated with Youngs Branch (see Figure 2). Wetland indicators at each site were recorded.

The identified vegetated wetlands consist of small areas of palustrine forested (PFO1A) and palustrine emergent (PEM1A) wetlands on in-stream bars and along the banks of Youngs Branch. Based on best professional judgement, the principal functions associated with these wetlands include floodflow alteration and sediment/shoreline stabilization. A small isolated palustrine emergent (PEM1A) wetland is located south of Youngs Branch and east of the south leg of the intersection. This depressional wetland does not exhibit evidence of reducing soil conditions (hydric soils); however, dominant vegetation includes two hydrophytic species and there are indications that the area ponds for several days following rain events. Unvegetated wetlands include the stream bottom of Youngs Branch (R2UB1F)

The proposed road widening at the crossings of Youngs Branch would displace small amounts of PFO1A and PEM1A wetland communities. Approximately 0.001 acre of PFO1A wetlands would be displaced at the proposed culvert replacement on the west leg of the intersection. Approximately 0.014 acre of PEM1A wetlands would be displaced at the proposed bridge replacement on the east leg of the intersection. A total of approximately 0.05 acre of Youngs Branch stream bottom (R2UB1F) would be displaced at the box culvert extension on the south leg of the intersection and the bridge replacement on the east leg of the intersection. The proposed pedestrian footbridge would completely span existing waters of the U.S. and wetlands, with no fill, including footings, placed in the wetlands. Relocation of telephone and gas lines would be done by the utility companies, which would acquire their own rights of entry permits from NPS and any necessary water quality permits from the U.S. Army Corps of Engineers.

Any stream or wetland impacts, if any, of the utility relocations would be minimal and temporary.

Minor temporary impacts associated with construction activities would be minimized through the implementation of Best Management Practices, including strict erosion and sediment control measures and keeping construction equipment out of Youngs Branch. Permanent impacts to principal wetland functions and values are not anticipated due to the minor nature of the proposed work and the small amounts of waters and wetlands affected.

To mitigate the 0.07 acre of impacts, approximately 0.47 acre of land within the current roadway right of way and containing an upland depression swamp (PFO1A) would be transferred to the Park for preservation. The location of this acquisition is shown on **Figure 5**. Additional information is provided in the separate Wetland Statement of Findings.

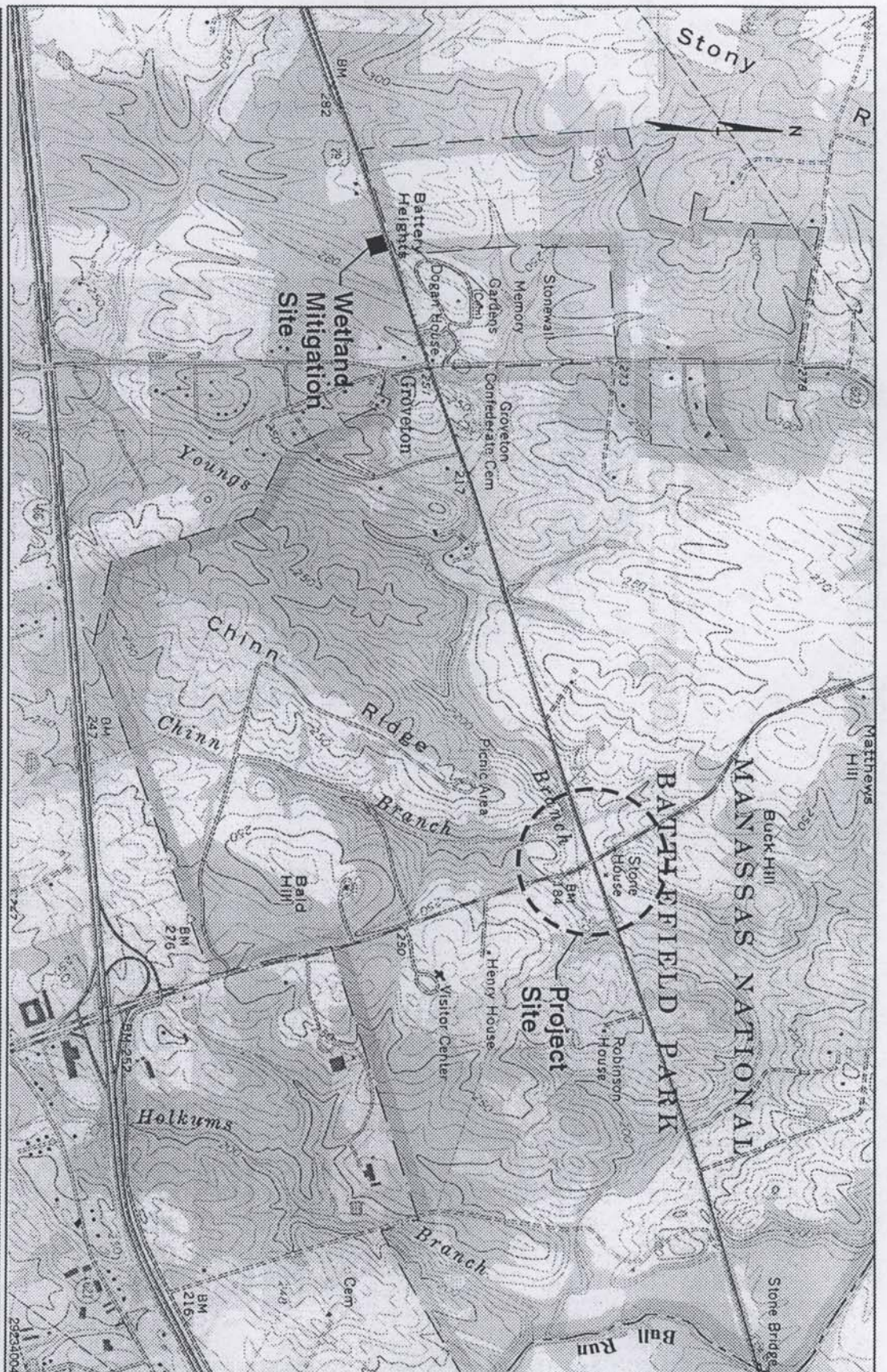
Wildlife, Habitat, and Endangered Species. Terrestrial and aquatic wildlife habitats in the project area include rolling grassland, hardwood forest, and forested riparian/stream corridor complex. These habitats are protected in perpetuity as part of the Manassas Battlefield National Park system. Consultation with the U.S. Fish and Wildlife Service indicates that there would be no impacts to federally listed or proposed endangered species or critical habitat.

Invasive Species. In accordance with Executive Order 13112, "Invasive Species," There are no invasive terrestrial or aquatic animal or plant species that do harm to native habitats within the project study area. The proposed project is not likely to introduce or spread any such invasive species.

Air Quality. This project is located in an area designated "nonattainment" for ozone. Because this is a safety improvement project, it is not expected to be a major source of air pollution and is not expected to interfere with attainment of the National Ambient Air Quality Standards (NAAQS). Therefore, a technical air analysis is not deemed necessary.

The temporary air quality impacts from construction are not expected to be significant. Construction activities would be conducted in accordance with VDOT's *1997 Road and Bridge Specifications*, which have been approved as conforming with Virginia's State Implementation Plan and require compliance with all applicable local, state, and federal regulations.

Noise. The proposed improvements do not qualify as a FHWA Type I project for noise, and therefore, neither a detailed noise analysis nor consideration of noise abatement is required. (Type I projects are projects on new location, projects that significantly change horizontal or vertical alignment, or projects that increase the number of through-traffic lanes.) However, existing and design-year Build and No-Build noise levels were determined to inform Park officials about future noise levels in the vicinity of the roadway, and to demonstrate that the proposed project would have no effect on the noise environment in the Park. Noise predictions at exterior areas of the Stone House indicated that design year noise levels would be the same under the Build and No-Build conditions [approximately 72 dBA($L_{eq(h)}$)] and would be only 2 decibels greater than the existing noise level of 70 dBA($L_{eq(h)}$). This minimal and imperceptible increase is due to a gradual growth in traffic volumes and would occur with or without the project.



ROUTE 29/234 INTERSECTION SAFETY IMPROVEMENTS

WETLAND MITIGATION SITE

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FIGURE 5

Socioeconomics. There would be no disruption to any established community or its planned development and no displacement of families, businesses, farms, or nonprofit organizations. The proposed project would have no adverse effect on emergency services, such as fire, police, or rescue operations, except for temporary travel delays associated with construction. It is expected that emergency services would be enhanced as a result of completion of the project.

Environmental Justice. There are no minority or low-income populations within the project area. There would be no disproportionately high and adverse human health or environmental effects on minority and low-income populations.

Cultural Resources. The project lies within Manassas National Battlefield Park, a property listed on the National Register of Historic Places (NRHP). The Park encompasses 5,072 acres of land in Prince William and Fairfax Counties on which the Civil War's First and Second Battles of Manassas were fought in 1861 and 1862. Major Park facilities include a visitor center, administrative offices, a picnic area, approximately 6 miles of Park roads, and approximately 55 miles of trails. The Park's cultural resources include historic structures, monuments and markers, historic roads and road traces, archaeological sites, and the historic battlefield landscape. Specific resources in the area of potential effect of the project include the Stone House, Henry Hill, Buck Hill, Chinn Ridge, Dogan Ridge, and two historic roads, the Warrenton Turnpike (now U.S. Route 29) and the Sudley-Manassas Road (now Virginia Route 234).

The project area embraces the intersection of U.S. Route 29 and Virginia Route 234 and its approaches. The intersection is located near the center of the battlefield and is adjacent to the historic Stone House, the Park's most widely recognized landmark and a major interpretive site receiving heavy visitation. Built in the second quarter of the 19th century, the Stone House operated as a tavern and a residence and became a prominent feature on the Warrenton Turnpike. During the Civil War, the Stone House area was the location of major action during the two battles of Manassas. The building sheltered Union wounded, and the hills and ridges surrounding the intersection were the sites of the climactic fighting in both battles. Henry Hill, rising immediately south of the project area, was the site where Confederate General Thomas J. Jackson obtained the name "Stonewall" during the storied stand of his Virginia brigade at the First Battle of Manassas (July 21, 1861). North of the Stone House and partly within the project area, Buck Hill became the site of Union General John Pope's headquarters during the Second Battle of Manassas (August 28-30, 1862). Dogan Ridge, northwest of the intersection, served as a key artillery position for Union forces in both battles and also as the setting for numerous infantry clashes. Chinn Ridge to the southwest was the focus of intense fighting in each battle, and especially fierce action during Second Manassas. The intersection itself became a significant feature of the battlefield, as control of the two roads formed a key focus for fighting in both battles. The locations of these resources can be seen by referring to Figure 1.

The intersection today possesses much of its essentially rural character and contributes to the significance of the Manassas Battlefield. The two roads, although now asphalt-surfaced and heavily traveled by motor vehicles, are still evocative of the rural, agricultural community that served as the backdrop for the two battles during the Civil War. As a result of restoration by the NPS in the 1960s, the Stone House and its surrounding yard closely resemble their 19th century appearances. Today, the house is one of only two restored pre-Civil-War-era buildings within the Park, and it is a designated stop on the interpretive driving tour of the battlefield. The surrounding landscape retains much of its open character, with vantage points on Henry Hill and

Buck Hill offering panoramic views of the battlefield and overlooking the Stone House and the historic crossroads.

In developing plans for the proposed action, NPS has undertaken archaeological investigations to ascertain the presence or absence of archaeological resources within the project area. Field investigations conducted by professional archaeologists located one site that is potentially eligible for listing on the NRHP. This site, identified as the Hooe Dependency Site (44PW1070), is located on the west side of Route 234 south of Youngs Branch. Artifacts and other evidence from the site indicate an early 19th century domestic occupation. The site may have been associated with an enslaved African-American field laborer household attached to the Hazel Plain Plantation in the area now known as Chinn Ridge. The site has a high degree of integrity, with an assemblage of diverse artifact types, intact features, and discrete household occupations and associations. As such, the site has high research potential and has been determined to be potentially eligible for the NRHP under Criterion D.

Under the criteria of effect in 36 CFR 800.5, NPS and FHWA have concluded that the proposed action would have an adverse effect upon historic properties within Manassas National Battlefield Park based on the following considerations:

- The proposed action would damage the rural character of the historic intersection and alter the setting of the Stone House and the adjacent battlefield landscape. The addition of turn lanes to the existing two-lane roads would expand the pavement width on each leg of the intersection by about half (existing roads are two lanes; the project would add one lane) and result in widening the roads to nearly twice their historic width.
- The proposed grading on the north leg of Route 234 to improve sight distance would reduce the crest of the slope by about 2 feet, thereby diminishing the rolling character of the road as it crosses Buck Hill.
- The use of approximately 2 acres of Park land to accommodate the proposed action would allow alteration of terrain adjacent to the highways to construct the proposed improvements and form banks and slopes.
- The proposed changes within the project area would introduce visually intrusive elements into one of the Park's most sensitive sites and would adversely affect historic views from key sites, such as Buck Hill and Henry Hill, the latter of which is the most heavily visited area of the Park.

The result of these effects would be to diminish the integrity of characteristics that qualify the property for inclusion in the NRHP, most notably including the setting and historical feeling of the battlefield. The loss of integrity would impair the ability of NPS to interpret the Stone House and the associated rural Virginia crossroads community and would thereby adversely affect the quality of the visitor experience at the battlefield.

NPS, in consultation with the Virginia State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation, is developing a programmatic agreement to document the procedures and stipulations to be required for implementing the proposed action and mitigating the adverse effects of the undertaking. The following mitigation has been

incorporated into the proposed action and includes measures intended to protect specific resources in the area of the intersection or to otherwise limit the damage to the historic resources of the park:

- Minimize encroachments on Park lands by using exceptions to normal design standards, including use of an 11-foot lane width instead of the normal 12-foot width, 50-foot tapers on turn lanes instead of the normal 100-foot tapers, 2-foot-wide clear zone instead of the normal 14-foot-wide clear zone on the Route 234 north leg to avoid earthwork in cut section, an 8-foot-wide clear zone on the Route 29 legs instead of the normal 18-foot-wide clear zones, and a 90-foot-long turn lane on Route 234 north leg and a 160-foot-long turn lane on Route 29 east leg instead of the normal 200-foot-long turn lane.
- An exception to design standards for the profile of the modifications to improve sight distance on the north leg would be used to minimize the amount of cut into the hill, which would reduce the amount of earthwork required, avoid disturbing the existing cut slopes, and keep the work within existing right of way.
- The widening on the east leg of the intersection would be done to the south, away from the Stone House.
- The color of the new signal pole, mast arms, and controllers would be brown.
- Concrete curbs would be stained brown.
- Guardrail would be a weathering type.
- A special seed mix in accordance with NPS specifications would be used to revegetate disturbed areas.
- VDOT would cede to the NPS portions of land within the existing right of way that are not needed to accommodate the proposed improvements. This would protect some historic resources from the construction and the ongoing maintenance of the highway. These areas would include land occupied by the well situated in front of the Stone House, land in the vicinity of the bridge over Bull Run to the east of the project area, a strip of existing right of way along the north side of Route 29 approximately 300 to 600 feet west of the intersection, and the proposed wetland mitigation site to the west of the project area.
- The Hooe Dependency Site would be avoided by the proposed construction. In the event of site disturbance due to the relocation of utility lines, the mitigation would entail the implementation of a data recovery plan developed in consultation with the Virginia SHPO.
- Geotextile fabric would be used in fill areas to segregate the existing ground surface from the proposed fill. This would preserve the location of original ground surface for any future archaeological work that may be undertaken in areas to be covered by roadway fill.
- If other archeological resources are discovered during construction, the contractor will be required to cease work until professional archaeological evaluations can be conducted.

Section 4(f). Section 4(f) of the Department of Transportation Act of 1966 does not apply to this project because highway projects on public lands such as this one, as defined under 23 U.S.C. 204, are specifically exempted from the requirements of Section 4(f). In addition, it has been determined that there is no prudent and feasible alternative to using Park land.

Hazardous Materials. A hazardous materials screening survey was conducted in the immediate vicinity of the proposed action. No locations potentially containing hazardous materials were found. The U.S. Environmental Protection Agency's Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) does not list any sites within the zip code of the project area.

IV. CONSULTATION AND COORDINATION

The use of the Routes 29 and 234 by commuter and through traffic strains the capacity of the current road system and has a serious detrimental effect on the experience of visitors to the Park. Heavy truck traffic, including many heavily loaded gravel trucks coming from two adjacent quarries, generates distracting noise and the rapidly moving local traffic creates a hazard for the slow-moving visitor vehicles entering and leaving tour stops along these roads. These distractions and unsafe conditions impair the visitors' ability to experience a sense of place and to appreciate the Park and its resources.

To resolve this concern, the National Park Service, in cooperation with the Virginia Department of Transportation, and the Federal Highway Administration, will be conducting a highway relocation study to assess the viability of alternate routes, with the intention of closing Routes 29 and 234 where they transect the Park. The Manassas National Battlefield Park Amendments of 1988 (P.L. 100-647) passed by Congress directed the Department of Interior to conduct a study for the relocation of the highways, and recent legislation (1998) reiterated the Congress' desire that the study be completed. The study, to be developed cooperatively among NPS, FHWA, and VDOT, is expected to begin in the near future. However, the study will require considerable time and may not result in recommendations for viable relocation sites. In the interim, the improvements identified above are proposed to enhance safety and efficiency through the intersection of Routes 29 and 234.

The following agencies were consulted during the course of preparing this Environmental Assessment:

Manassas National Battlefield Park
Natural Resources Conservation Services
U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
Virginia Department of Environmental Quality-Water Division
Virginia Department of Environmental Quality-Air Division
Virginia Department of Environmental Quality-Waste Division
Virginia Department of Forestry
Virginia Department of Game and Inland Fisheries
Virginia Department of Health
Virginia Department of Historic Resources
Virginia Department of Conservation and Recreation

Virginia Marine Resources Commission
Virginia Museum of Natural History
Virginia Outdoors Foundation
Northern Virginia Planning District Commission
Prince William County

A public information meeting was held on February 17, 2000 to inform citizens about the proposed construction. The meeting was held at the Park visitor center and included displays of project plans and renderings of what the proposed improvements would look like when completed. The public will have additional opportunities for providing input when this Environmental Assessment is approved for public availability.

REFERENCES

National Park Service. 1997. NPS-12: National Environmental Policy Act Guidelines.

National Park Service. 1998. *Procedural Manual #77-1: Wetland Protection*.

Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, MS.

U.S. Army Corps of Engineers. 1995. *The Highway Methodology Workbook Supplement: Wetland Functions and Values, a Descriptive Approach*. New England Division, Newton, MA.

U.S. Department of Transportation Federal Highway Administration. 1998. *The Noise Model*. Issued January, 1998, Cambridge, MA.

U.S. Department of the Army. 1992. *Memorandum for Clarification and Interpretation of the 1987 Manual*. Issued March 6, 1992, Washington, D.C.

APPENDICES

Excerpts from Congressional Record, October 19, 1998 – Conference Report on H.R. 4328
(House Report 105-825)

Memorandum of Understanding, October 27, 1998

Memorandum of Agreement, April 6, 1999

\$1,000,000 of which was recently provided from fiscal year 1998 Title V money and \$1,000,000 is contained in this bill. It is the Committees' intention to complete this project before December 31, 1998, from within the balance of Title V funds.

The Committees have not included funds for the Texas Chenier Plain which includes four National Wildlife Refuges in three counties in Texas. The Service is directed not to provide any funds for these areas.

The Committees have provided \$1,000,000 to purchase the Howard property near the Ottawa National Wildlife Refuge in Ohio. These funds are contingent on an equal match with State or private funds.

The Committees are modifying the reprogramming guidelines regarding land exchanges. The agencies must submit proposed land exchanges in excess of \$500,000 to the Committees on Appropriations for a 30 day period of review.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

The conference agreement provides \$14,000,000 for the cooperative endangered species conservation fund instead of \$15,000,000 as proposed by the House and \$34,000,000 as proposed by the Senate. The change to the House recommended level is a decrease of \$1,000,000 for habitat conservation plan land acquisition. The \$20,000,000 proposed by the Senate for grants to the State of Washington for salmon and steelhead recovery is addressed in the Resource Management account.

NATIONAL WILDLIFE REFUGE FUND

The conference agreement provides \$10,779,000 for the National wildlife refuge fund as proposed by both the House and the Senate.

NORTH AMERICAN WETLANDS CONSERVATION FUND

The conference agreement provides \$15,000,000 for the North American wetlands conservation fund instead of \$12,700,000 as proposed by the House and \$15,000,000 as proposed by the Senate. Increases above the House include \$2,210,000 in habitat management and \$90,000 in administration.

WILDLIFE CONSERVATION AND APPRECIATION FUND

The conference agreement provides \$800,000 for the wildlife conservation and appreciation fund as proposed by both the House and the Senate.

MULTINATIONAL SPECIES CONSERVATION FUND

The conference agreement provides \$2,000,000 for the multinational species conservation fund instead of \$2,400,000 as proposed by the House and \$1,900,000 as proposed by the Senate. Funds should be distributed as follows:

African elephants	\$1,000,000
Rhinoceros and tigers	500,000
Asian elephants	500,000
Total	2,000,000

The conference agreement makes minor technical corrections to the appropriations language to clarify that donations and penalties deposited in the fund are available without further appropriation.

ADMINISTRATIVE PROVISIONS

The conference agreement makes two technical corrections to administrative provisions. The first involves using the term "inserting" as proposed by the House instead of "adding" as proposed by the Senate in language dealing with amending the Marine Mammal Protection Act. The second specifies that the current reprogramming guidelines are contained in Senate Report 105-56.

TECHNICAL CORRECTIONS

The conference agreement includes a modification to technical corrections as proposed

by the House to remove certain properties in Florida and South Carolina from the Coastal Barrier Resources System. These properties include 25 acres in Pumpkin Key, FL, 12 acres in Ocean Reef, FL and 18 acres in Huntington Beach, SC. The modification corrects the reference date for the relevant map for the Florida property. Other removals from the system are addressed under General Provisions—Department of the Interior and under Title III—General Provisions.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The conference agreement provides \$1,285,604,000 for operation of the National park system instead of \$1,333,328,000 as proposed by the House and \$1,288,903,000 as proposed by the Senate. The agreement provides \$228,819,000 for Resource Stewardship instead of \$228,790,000 as proposed by the House and \$229,818,000 as proposed by the Senate. Changes to the House level include increases of \$1,279,000 for special need parks and \$750,000 for Vanishing Treasures and a decrease of \$2,000,000 for Inventory and Monitoring. Within available funds, \$400,000 is for additional continuing support for Heritage Preservation public education and training.

The conference agreement provides \$301,238,000 for Visitor Services instead of \$301,663,000 as proposed by the House and \$302,538,000 as proposed by the Senate. Changes to the House level include increases of \$475,000 for special need parks and \$500,000 for the park police and decreases of \$200,000 for the overflights initiative and \$1,200,000 for risk assessments.

The conference agreement provides \$411,930,000 for maintenance instead of \$447,159,000 as proposed by the House and \$401,930,000 as proposed by the Senate. Changes to the House level include an increase of \$771,000 for special need parks and a decrease of \$36,000,000 for maintenance. The Committee directs the Service to do the following maintenance projects within available funds: \$300,000 for Central High School, AR, \$200,000 for Fort Sumter, SC, and \$390,000 for San Antonio Missions, TX.

The Committees are pleased that the Administration has finally endorsed the congressionally initiated program to reduce backlog maintenance in the parks. The Committees continue to place a high priority on this initiative and the Congress has provided nearly \$1 billion for this purpose since fiscal year 1996. In addition, the Committees created a Recreational Fee Demonstration Program which will provide over \$450,000,000 to the National Park Service over the life of the five-year program. Also, the Committees provided \$20,000,000 for backlog projects on September 5, 1998, from the fiscal year 1998 Title V funds. The Committees note that the reduction from the House level for maintenance is more than offset by the release of Title V funding and the extension of the Recreational Fee Demonstration Program and encourage the Service and the Administration to work with them to implement this many-faceted approach to addressing a serious problem. The answer to the problem cannot be appropriations alone. Management and financial accountability improvements in the Service are desperately needed to achieve the goal of a realistic and manageable maintenance backlog.

The conference agreement provides \$238,929,000 for Park support instead of \$238,128,000 as proposed by the House and \$239,929,000 as proposed by the Senate. Changes to the House level include increases of \$326,000 for special need parks and \$475,000 for the Lewis and Clark Trail. This \$475,000 includes \$175,000 for challenge cost-share grants, \$140,000 for a partnership agreement and \$160,000 for technical assistance and planning.

The conference agreement has deleted the \$12,500,000 for the Denver Service Center base funding as proposed by the House from the operations account and provided funds under Park Service construction. The conference agreement also deletes the \$10,000,000 across the board increase proposed by the Senate.

The conference agreement provides \$104,688,000 for External Administrative costs as proposed by the Senate instead of \$105,088,000 as proposed by the House. The change to the House level is a reduction of \$400,000 for FATS 2000.

The Committees recognize that Yosemite National Park has a serious bear management problem and that current funding has not been sufficient to deal with the estimated 600 bears in the park and the 4 million people who visit the park annually. Therefore, the conference agreement earmarks \$500,000 within available funds for the bear management program in Yosemite National Park.

The Committees agree to clarify the dates for which reports analyzing the fee program are due. By January 31 of each year the program is in existence, the Service should provide a consolidated report on annual accomplishments for the preceding fiscal year and any recommended improvements to the program. At such time as the program is terminated, the final report should also include a comprehensive evaluation of the entirety of the program.

The Committees are concerned about the findings of a recent GAO report that raises several concerns about the new fee program. While finding the Recreational Fee Demonstration Program a success with the general public, the report criticized the Service for generating the greatest revenue yet expending only 17 percent from the period October 1, 1996 to March 31, 1998. The study recommends that the Secretary of the Interior look for further opportunities to experiment and innovate with new and existing fees and work more closely with the Secretary of Agriculture to improve services for visitors by better coordinating their fee activities. The Committees strongly urge the Service to improve greatly the rate at which fee monies are put to work on the ground in the parks and to take very seriously the Committees' long-standing directive to place signage in the parks which thanks the public and describes how their fees are being used. The Committees were disappointed that this directive was, to a large extent, ignored this past summer, particularly in the larger parks.

The Committees continue to express concern over the unsafe conditions at the intersection of Routes 29 and 234 in the Manassas National Battlefield Park, Prince William County, Virginia which remain hazardous to local residents and visitors of the park traveling through the intersection. However, the Committees are aware and encouraged that an "Intersection task force" was convened in April 1998 to develop a compromise resolution to the problem of safety and traffic capacity at the intersection.

The task force consists of representatives from the Virginia Department of Transportation (VDOT), the Federal Highway Administration (FHWA), the National Park Service, the American Automobile Association, Prince William County officials, and local citizens. The Committees have been advised that the task force is in the process of developing a memorandum of understanding (MOU) in a three-phased approach to resolve the problems at the intersection.

Phase one calls for traffic signal improvements; clearing vegetation from intersection approaches; relocating the existing Stone House parking lot; improving the traffic enforcement; developing safe pull-off areas for

law enforcement; reducing speed limits; providing grooved surfaces and signs at the park entrance to alert visitors they are entering the park and to alert travelers of the approaching intersection.

Phase two will be initiated only after an objective determination that phase one improvements have failed to address the problem. The intersection will be monitored regularly, and it is expected that the task force will reconvene to evaluate phase one. Phase two will consist of some regrading of Route 234, widening of both approaches of Route 29, and the consideration of accommodating additional turn lanes.

Phase three calls for the Service to seek funding and work with VDOT, FHWA, and Prince William County towards the closure of Routes 29 and 234 and to provide alternative routes for traffic now traveling through the Park as called for in Public Law 100-647. The Committees recognize that safety concerns at the Routes 29 and 234 Intersection have been a long-standing problem for the park and surrounding community.

The Committees strongly encourage the Service and VDOT to continue to work together to finalize and approve an MOU, adhere to the terms of the agreement and implement the actions as outlined. The Service should conduct a bypass study as called for in Public Law 100-647.

The Committees direct the Service to expand its official budget justification for fiscal year 2000 to include a new park summary section which lists the units of the system by the nineteen National Park System designations. This new summary should begin with the National Parks.

The conference agreement includes language in Title I-General Provisions which ensures that property owners included within the boundaries of the Indiana Dunes National Lakeshore at the time of the 1992 Act that expanded the park are afforded the same opportunities to obtain fixed-term Reservations of Use and Occupancy as homeowners that were incorporated in previous expansions.

The Committees have deleted language requiring the Service to consider options for establishing a jet-capable runway near the entrance to Denali National Park and Preserve, but note the proximity of jetports to the entrance of other National parks, such as Wrangell-St. Elias NP&P at Glenallen, Alaska and Katmai NP&P at King Salmon, Alaska, where the National Park Service keeps administrative offices.

The Committees have once again provided \$600,000 in base funding for new mineral examiners at the Mojave National Preserve. This same amount and direction was included in Public Law 105-83. The Committees have learned that the Service did not comply with the clear congressional intent and used the funding for other units as well as for the Denver-based Geological Resources Division. The Service has informed the Committees that there are over 2,000 mining claims within or in close proximity to the Mojave National Preserve. The Service explained that mineral examiners are needed on site to process these claims and establish valid existing rights. Service officials expressed to the Committees that this was the most challenging issue confronting the newly established unit. The Congress responded but the Service chose to not comply with congressional direction. Therefore, the Committees have included statutory language to ensure that this pressing need is addressed in fiscal year 1999.

The Committees expect that when or if the National Park Service completes the work on design alternatives for improvements to Pennsylvania Avenue in front of the White House, the Department will submit a re-

programming proposal to the House and Senate Committees on Appropriations through the normal process to do planning on such proposed improvements. Before taking any action on the reprogramming proposal, the Committees expect full and open consultations from the Administration on the preferred alternative including the goal, justification and cost effectiveness of the improvements.

NATIONAL RECREATION AND PRESERVATION

The conference agreement provides \$46,225,000 for the National recreation and preservation program instead of \$43,939,000 as proposed by the House and \$48,800,000 as proposed by the Senate.

The conference agreement provides \$515,000 for recreation programs as proposed by the Senate instead of \$506,000 as proposed by the House. The change to the House level consists of an increase of \$9,000 for fixed costs. The conference agreement provides \$9,088,000 for Natural programs instead of \$8,984,000 as proposed by the House and \$10,188,000 as proposed by the Senate. The change to the House level is an increase of \$104,000 for fixed costs. Within available funds, \$375,000 is provided for the restoration of Ravenna Creek by means of surface reconnection in cooperation with the Ravenna Creek Alliance. Consideration should be given to the Lake Champlain project and the Vermont/New Hampshire River Commissions. The Committees have agreed not to continue to earmark funds for the Chesapeake Bay Initiative. The Committees appropriated \$400,000 for fiscal years 1997 and 1998 for grants to local communities to help implement heritage protection plans.

The conference agreement provides \$19,056,000 for Cultural Programs instead of \$18,899,000 as proposed by the House and \$19,431,000 as proposed by the Senate. The changes to the House level are an increase of \$157,000 for fixed costs. Within available funds, \$250,000 is provided to initiate a Revolutionary War Study.

The conference agreement provides \$1,671,000 for International park affairs as proposed by the Senate instead of \$1,658,000 as proposed by the House. The changes to the House are an increase of \$13,000 for fixed costs. The conference agreement provides \$358,000 for environmental and compliance review as proposed by the Senate instead of \$350,000 as proposed by the House. The change to the House level is an increase of \$8,000 for fixed costs. The conference agreement provides \$1,751,000 for Grant Administration as proposed by the Senate instead of \$1,715,000 as proposed by the House. The change to the House level is an increase of \$36,000 for fixed costs.

The conference agreement provides \$5,000,000 for Heritage Commissions and grants instead of \$4,500,000 as proposed by the House and \$5,500,000 as proposed by the Senate. Within this amount, \$1,000,000 each is earmarked for the Essex National Recreation Area, the Ohio and Erie Canal National Heritage Corridor, and the Steel Industry Heritage Corridor. Also earmarked is a total of \$500,000 each for the South Carolina National Heritage Corridor and the Augusta Canal National Heritage Area. The remaining \$1,000,000 is to be distributed to the remaining four areas. The Committees intend that these funds be allocated to the heritage areas and that the Service be limited to no more than two FTEs and no other part-time or detailed staff may be used for this program. The Service is reminded that it only has Congressional authorization to work on the areas specified in the Omnibus Parks Act of 1996. Technical support for this program is funded at \$859,000 as proposed by the Senate instead of \$850,000 as proposed by the House.

The conference agreement provides \$7,927,000 for Statutory or Contractual Aid instead of \$4,477,000 as proposed by the House and \$8,527,000 as proposed by the Senate. Funds are to be distributed as follows:

Alaska Native Cultural Center	\$750,000
Aleutian World War II National Historic Area	100,000
Blackstone River Corridor Heritage Commission	324,000
Brown Foundation	102,000
Dayton Aviation Heritage Commission	48,000
Delaware and Lehigh Navigation Canal	329,000
Ice Age National Scientific Reserve	806,000
Illinois and Michigan Canal National Heritage Corridor Commission	239,000
Johnstown Area Heritage Association	50,000
Lackawanna Heritage	450,000
Mandan On-a-Slant Village	250,000
Martin Luther King, Jr. Center	534,000
National Constitution Center	500,000
National Underground RR	500,000
Native Hawaiian culture and arts program	750,000
New Orleans Jazz Commission	67,000
Quinebaug-Shetucket National Heritage Corridor Commission	200,000
Roosevelt Campobello International Park Commission	670,000
National First Ladies Library	300,000
Southwestern Penn. Heritage Preservation Commission	158,000
Vancouver National Historic Reserve	400,000
Wheeling National Heritage Area	400,000

The funds provided for the Alaska Native Cultural Center begin a three-year phaseout of this project. The Committees understand that \$500,000 will be provided in fiscal year 2000 and a final \$250,000 for fiscal year 2001. The \$500,000 for the Sewall-Beimont House is provided in the new Millennium Program instead of in Statutory and Contractual Aid as proposed by the Senate.

The Committee have included \$300,000 for Technical Assistance and support for the Saxton McKinley House and National First Ladies' Library in Canton, Ohio. Further guidance regarding this program is contained in the "Construction" account under general management plans.

The conference agreement has not provided the \$2,000,000 as proposed by the House for urban park grants. The Committees have determined that this effort cannot be accommodated with the limited resources available this year.

HISTORIC PRESERVATION FUND

The conference agreement provides \$72,412,000 for the Historic Preservation Fund instead of \$40,812,000 as proposed by the House and \$55,612,000 as proposed by the Senate.

The conference agreement provides \$42,412,000 for Grants-in-aid instead of \$40,812,000 as proposed by the House and \$45,612,000 as proposed by the Senate. The changes to the House level include a decrease of \$700,000 for Historically Black Colleges and Universities, an increase of \$2,000,000 for State grants and an increase of \$300,000 for

In this Act shall be consistent with the established reprogramming guidelines and may require the approval of the House and Senate Committees on Appropriations before execution.

DISCRETIONARY GRANT PROGRAMS

The conference agreement deletes the Senate references of priority designations and set-asides within the Federal Highway Administration's discretionary grant programs and the Bureau of Transportation Statistics, except as specifically provided in this conference report.

MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT PROGRAM

The conference agreement provides \$15,000,000 for the magnetic levitation technology deployment program, of which not more than \$500,000 shall be available to the Federal Railroad Administration for administrative expenses and technical assistance. Within the funds made available under this heading, the conference agreement provides \$5,000,000 for a high-speed intercity magnetic levitation project between Philadelphia and Pittsburgh, Pennsylvania and \$2,000,000 for a magnetic levitation project in Blacksburg, Virginia. Funding allocated to the Blacksburg project shall be conditioned upon the financial participation of the Commonwealth of Virginia.

FEDERAL LANDS PROGRAM

Funds provided for the federal lands program in fiscal year 1999 shall be available for the following activities:

Improvements to roadways on the Kenai Peninsula, Alaska	\$3,500,000
Restoration of the Columbia River Highway in Oregon	500,000
Highway improvements in Hanaelei National Wildlife Refuge, Haleakala and Hawaii National Parks ...	3,000,000
Lake Camp Road, Valley Road, and Beaver Pond Terrace Road, near the Brooks River area, Arkansas	1,000,000
U.S. Army Corps of Engineers study of rural access in Alaska	700,000
Charles M. Russell National Wildlife Refuge, Montana	1,000,000
Construction of Highway 323 between Alzada and Ekalaka, Montana	2,000,000
Glacier National Park, Going-to-the-Sun Road engineering study, Montana	1,000,000
Routes 25 and 58, Cumberland Gap National Park	3,000,000
Route 80, Daniel Boone National Forest	2,000,000
Baltimore-Washington Parkway	4,000,000
Manassas National Battlefield Park Improvements, Virginia	2,000,000

Glacier National Park, Going-to-the-Sun Road.—The conference agreement provides \$1,000,000 for engineering studies on Going-to-the-Sun Road in Glacier National Park. Funds will be used to conduct and support an independent engineering study assessing the best available technology to reduce costs and mitigate impacts; an updated economic analysis taking into account the economic impact of the road on the park and the surrounding communities; and a citizen advisory committee with which the National Park Service and the Federal Highway Administration would consult in making recommendations regarding the reconstruction of Going-to-the-Sun Road.

Highway 93, Montana.—The conferees concur with the direction of the Senate regarding Highway 93 in Montana.

Manassas National Battlefield Park, Virginia.—The conference agreement includes \$2,000,000 for improvements to the U.S. Route 29 and State Route 234 intersection in the Manassas National Battlefield Park, Prince William County, Virginia. In April 1998, a task force of federal, state and local participants was created to address the unsafe conditions associated with this intersection which is used by local residents and park visitors. As a result of several task force meetings, a memorandum of understanding is being developed outlining improvements which improve safety and preserve the historical integrity of the battlefield. The funds provided in this Act shall be made available to implement improvements to the intersection consistent with the memorandum of understanding.

PROGRAM ADMINISTRATION

Proceeds from the sale or lease of real property.—The language in section 156 of title 23 of the United States Code, relating to the proceeds from the sale or lease of real property, can be applied to providing parking for the Louisiana Stadium and Exposition District.

DeSoto County, Mississippi.—For the purposes of constructing an underpass to improve access and to enhance highway/rail safety and economic development along Star Landing Road in DeSoto County, Mississippi, the State of Mississippi may use funds previously allocated to it under the transportation enhancements program, provided that the state would otherwise be unable to use the funds for transportation enhancement projects consistent with current law.

Georgia I-285.—The revised concept for the East-West Connector, Phase V and I-285 Interchange in Cobb County, Georgia (submitted on April 15, 1998 to the Georgia Department of Transportation, which in turn submitted it to the Federal Highway Administration on May 22, 1998) improves the level of service and operations of the interchange without increasing the capacity of this segment of I-285. The revised concept for the interchange will dramatically improve access to the communities adjoining the interchange without adversely affecting air quality in the Atlanta region. Therefore, FHWA is encouraged to approve the revised concept and allow preliminary design on the interchange to continue.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION) (HIGHWAY TRUST FUND)

The conference agreement provides a liquidating cash appropriation of \$24,000,000,000 for the federal-aid highways program, as proposed by both the House and the Senate.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION) (HIGHWAY TRUST FUND)

The conference agreement includes a liquidating cash appropriation of \$100,000,000 for motor carrier safety grants as proposed by the Senate. The House included a liquidating cash appropriation of \$100,000,000 for motor carrier safety grants within the National Highway Traffic Safety Administration.

MOTOR CARRIER SAFETY GRANTS

(LIMITATION ON OBLIGATIONS) (HIGHWAY TRUST FUND)

The conference agreement includes the limitation on obligations of \$100,000,000 for motor carrier safety grants proposed by the

Senate. The House bill included a limitation on obligations of \$100,000,000 for motor carrier safety grants is within the National Highway Traffic Safety Administration.

This agreement allocates the funding in the following manner:

Basic grants to states	\$80,000,000
Border assistance	4,500,000
Priority initiatives	4,500,000
Administrative costs	1,000,000
Information systems and planning	10,000,000
Total	100,000,000

Border assistance.—The conference agreement has provided \$4,500,000 for border assistance, as proposed by the House. Funding has not been provided to the second tier states because Mexican commercial motor vehicles cannot operate beyond Arizona, California, New Mexico, and Texas until the year 2000.

Information systems and planning.—Of the \$10,000,000 provided for information systems and strategic planning, \$3,000,000 shall be provided to states to improve information systems and computer and evaluation capabilities; \$1,000,000 shall be for driver safety activities to improve the commercial drivers license programs or judicial outreach of the various states; and \$5,000,000 shall be for the PRISM project to increase the number of states participating in this program.

Transfer of OMC to NHTSA.—The conference agreement does not include the transfer of the office of motor carriers (OMC) from the Federal Highway Administration to the National Highway Traffic Safety Administration (NHTSA) proposed by the House. In proposing this transfer, the House believed that moving motor carriers under NHTSA's umbrella would strengthen and consolidate the department's vehicle safety programs. A single modal administration could provide a more consistent and synchronous safety program and agenda by focusing on reducing all highway accidents instead of having two organizations focusing on reducing components (passenger vehicles and commercial motor vehicles) of the 42,000 annual highway fatalities. The House intends to further review the possible consolidation of the office of motor carriers within NHTSA during its fiscal year 2000 budget hearings.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION OPERATIONS AND RESEARCH (HIGHWAY TRUST FUND)

The conference agreement provides \$159,400,000 from the Highway Trust Fund for operations and research. The Senate provided \$161,400,000 for operations and research and the National Driver Register from the Highway Trust Fund. The House provided \$72,000,000 for operations and research from the Highway Trust Fund and \$87,400,000 from the general fund. Of the total, \$58,558,000 shall remain available until September 30, 2001 as proposed by both the House and the Senate.

To comply with the levels authorized under TEA21, the conference agreement includes the following adjustments to the budget estimate:

Do not fund 10 new staff positions	—\$780,000
Do not fund new consumer information program	—814,000
Hold NCAP testing to 1998 level	—2,226,000
Delete funding for fuel economy program	—60,000
Slight reduction in vehicle safety compliance	—40,000
Reduce funding for defects investigation	—360,000

**Memorandum of Understanding
Between
U.S. National Park Service
And
Virginia Department of Transportation
Regarding
Safety Improvements at the Intersection of Routes 29 and 234**

This memorandum documents an understanding reached between the National Park Service (NPS) and the Virginia Department of Transportation (VDOT) regarding safety improvements at the intersection of Routes 29 and 234 located in Manassas National Battlefield Park. In reaching this understanding, both parties sought to enhance public safety and minimize impacts to historically significant lands.

The National Park Service and the Virginia Department of Transportation agree in principle to the following:

1. The NPS will proceed with relocation of the Stone House parking lot to a site on Route 29 east of the intersection. VDOT will issue the required permit with the stipulation that left-turn access from Route 29 will be prohibited until a left-turn lane has been constructed. Provided sufficient funds are available, this left-turn lane will be constructed with the intersection improvements described below.
2. Physical improvements to the intersection and its approach roadways will include the following:
 - A. VDOT will regrade the northern approach of Route 234 to improve intersection sight distance. The final design of this improvement will be based on a Federal Highway Administration (FHWA) analysis which indicated current sight distance standards for a 35 mph design speed could be met by removing no more than two (2) feet from the crest of the existing vertical curve. Based on the FHWA analysis, this improvement will not require the use of park land or construction of retaining walls.
 - B. VDOT will remove and replace the existing traffic signal system. The new signal system will provide pedestrian controls and displays consistent with park visitor needs. The color and design of the new signal equipment will be determined in consultation with the NPS.
 - C. VDOT will widen both Routes 29 and 234 to provide left-turn lanes on all intersection approaches. On the east approach of Route 29, the left-turn lane will be coordinated with the left-turn lane for the relocated Stone House parking lot. On the north approach of Route 234, widening will be limited to the vacated Stone House parking lot. On the south approach of Route 234, all widening will be along the east side of the existing roadway over the previously abandoned roadbed.

Memorandum of Understanding
U.S. National Park Service
Virginia Department of Transportation

- D. VDOT will construct a pedestrian bridge across Young's Branch along Route 234 south of the intersection. The NPS will provide necessary design details or the final design for this pedestrian bridge.
- E. VDOT will construct drainage improvements to reduce ponding within the intersection and improve surface runoff on the approach roadways.
- 3. To the full extent possible, these improvements will be constructed within existing VDOT right-of-way. The NPS will issue the necessary permits for use of additional properties for location of the traffic signal system supports and control hardware, widening of Route 234 and drainage improvements.
- 4. The NPS will renew Special Use Permit 1:379:8 under which VDOT maintains the south approach of Route 234. It is anticipated the width of the permitted maintenance area will be reduced. Specific permit limits will be established as part of the final agreement on these improvements.
- 5. In exchange for the necessary use of additional park lands, VDOT will cede to the NPS a portion of that land within its existing right-of-way on Route 29 that is not required for these improvements. The specific land to be ceded to the NPS will be identified in the final agreement on these improvements.
- 6. The improvements contemplated in this understanding will be implemented in a single construction phase.
- 7. All improvements will be in full compliance with applicable federal laws and regulations relating to environmental and historic preservation compliance.
- 8. The NPS will pursue fulfillment of its responsibility under the Manassas National Battlefield Park Amendments Act of 1988 (P.L. 100-647) to complete the necessary studies related to the relocation of Routes 29 and 234 in the vicinity of the Park. VDOT will support the NPS in this undertaking.
- 9. A final memorandum of agreement will be developed prior to the beginning of any construction of these improvements.

October 27, 1998: Reviewed and endorsed by the Routes 29/234 Task Force:

Mahlon G. Anderson, American Automobile Association
Joyce Carter, Federal Highway Administration
Thomas H. Culpepper, Virginia Department of Transportation (co-chair)
Martha Hendley, Prince William County Citizen (co-chair)
Steven Stevens, Prince William County Department of Public Works
Robert K. Sutton, National Park Service

Approved:
(NPS and VDOT)

MEMORANDUM OF AGREEMENT

Among the

FEDERAL HIGHWAY ADMINISTRATION

And the

NATIONAL PARK SERVICE

And the

VIRGINIA DEPARTMENT OF TRANSPORTATION

For the

**DESIGN AND CONSTRUCTION OF
INTERSECTION SAFETY IMPROVEMENTS
STATE ROUTE 234 AND U.S. ROUTE 29,
PRINCE WILLIAM COUNTY, VIRGINIA**

VDOT PROJECT: (FO) 0029-076-119, PE101, M501, RW201

WHEREAS, Public Law 105-825, "Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999," has identified \$2,000,000, at 100% Federal participation, from the National Park Service's "Park Roads and Parkways" Program (PRP);

WHEREAS, these monies are dedicated to the primary goal of design and construction of necessary safety improvements at the intersection of U.S. Route 29 and State Route 234, Prince William County, Virginia, and any remaining funds available may be used to relocate utilities underground in the project area or make other improvements throughout Manassas National Battlefield Park (the Park);

WHEREAS, the safety improvements to Rts. 29 and 234 are located within the Park and the National Park Service (NPS) has administrative oversight, maintenance, and jurisdictional authority for the Park;

WHEREAS, Section 601 of the Economy Act (31 USC 1535 and 23 USC 308(a)) authorizes the Federal Highway Administration (FHWA) to perform engineering and other services in connection with the survey, construction, maintenance, or improvements of highways for other Government or State cooperating agencies;

WHEREAS, the FHWA and the NPS will function as joint-lead agencies for purposes of this project;

WHEREAS, the Virginia Code Ann. Section 33.1-12 (1998) authorizes the Virginia Department of Transportation (VDOT) to perform engineering and other services in connection with the survey, construction, maintenance, or improvements of highways for Government agencies;

WHEREAS, VDOT has administrative oversight, maintenance, and jurisdictional authority over State Routes 29 and 234;

WHEREAS, a Memorandum of Understanding, dated October 27, 1998 (attached), between the NPS and VDOT has been reviewed and endorsed by the Route 29/234 Task Force;

NOW, THEREFORE, in consideration of the mutual agreements herein expressed, the FHWA, the NPS, and the VDOT, do hereby agree to the following:

ARTICLE I: *Scope of Work*

1. The VDOT shall be responsible for the following:

Environmental Work:

- a) Preparing the environmental documentation in accordance with 23 CFR 771, implementing regulations for compliance with the National Environmental Policy Act of 1969 (NEPA). The NEPA document will serve as compliance for both FHWA-EFLHD and the NPS's federal actions;
- b) Completing compliance with 36 CFR 800, implementing regulations for compliance with Section 106 of the National Historic Preservation Act of 1966 (as amended). Consultation between VDOT, FHWA-EFLHD, Virginia State Historic Preservation Officer (VA SHPO), and the Advisory Council on Historic Preservation (ACHP), as necessary, for determinations of project effects on historic properties within the area of potential effects (APE);
- c) Obtaining final environmental clearances and permits necessary; incorporate all environmental commitments into the project design.

Engineering & Design:

- a) Identification of specific right-of-way to be ceded from VDOT to the NPS along Rt. 29. This will occur during the preliminary design phase of project development;
- b) Informing the public of the final design of the safety improvements;
- c) Preparing utility plans and acquire any necessary utility agreements;

- d) Preparing preliminary design plans for review and comment by the FHWA-EFLHD and NPS for a period of 30 days from confirmed receipt. The preliminary designs will include the following:
 - i) regrading vertical alignment (two (2) feet) of the northern approach of Route 234 for improved sight distance. Based on an FHWA analysis for a 35mph-design speed, with no more than two (2) feet change in vertical alignment, no park land will be required and no retaining walls will be necessary;
 - ii) replacing existing traffic signal system. New system will include pedestrian controls and displays consistent with park visitor needs for crossing Rt. 29 on the eastside of the intersection. The color and design options for the signal equipment will be determined in consultation with the NPS;
 - iii) widening both Rt. 29 and 234 to provide left-turn lanes at the intersection. The left-turn on the east approach of Rt. 29 will be coordinated with the left-turn lane for the relocated Stone House parking lot. The widening of the north approach of Rt. 234 will be limited to the vacated Stone House parking lot. The widening of the south approach of 234 will be along the east side of the existing roadway (in previously abandoned roadbed);
 - iv) improving drainage in intersection area;
 - v) installing a pedestrian bridge over Young's Branch. The design and location will be determined in consultation with the NPS.
- e) Preparing final design plans, specifications, and engineer's cost estimate for review and comment by the FHWA-EFLHD and the NPS for a period of 30 days from confirmed receipt;
- f) Overseeing construction of the safety improvements according to VDOT's "Road and Bridge Specifications (1994 and 1997, with applicable amendments), applicable AASHTO guidelines and NPS "Park Road Standards" (1984), and other standards as applicable. VDOT will be the contracting office for any design or construction contracts. VDOT will inform the NPS of the construction contractor's schedule of operations.

2. The NPS shall be responsible for the following:

- a) Completing archaeological survey work deemed necessary by the NPS to identify historic properties within the project's APE. The NPS shall provide this documentation to VDOT in an expedited manner;
- b) Issuing necessary permits under which VDOT maintains the south approach of Rt. 234, conducts work on NPS land for location of the traffic signal system supports and control hardware, widening Route 234, and drainage improvements. Specific permit limits will be established and forwarded to VDOT;
- c) Attending any public pre-construction meeting;
- d) Providing VDOT with review comments and approval of all right-of-way and utility relocations on or affecting NPS lands or features;
- e) Participating in the design field reviews;
- f) Approving final plans and specifications;
- g) Accepting the NEPA document;
- h) Participating in the final inspection and acceptance of final construction.

3. The FHWA-Eastern Federal Lands Highway Division (EFLHD) shall be responsible for the following:

- a) Providing federal funding for the project;
- b) Reviewing the final design standards for all improvements;
- c) Reviewing and approving the NEPA document and Section 106 coordination;
- d) Participating in all of the design field reviews;
- e) Reviewing the final plans, specifications; and estimate for construction;
- f) Participating in the final inspection and acceptance of final construction.

ARTICLE II: Key Project Contacts:

1. Designated points of contact for the coordination of design and construction:

Mr. Dusty Holcombe
Transportation Engineer
Virginia Department of Transportation
3975 Fair Ridge Drive
Fairfax, VA 22033
Telephone: 703-383-2194
Fax: 703-383-2190
Email: Holcombe_RL@vdot.state.va.us

Dr. Robert Sutton
Superintendent
Manassas National Battlefield Park
12521 Lee Highway
Manassas, VA 20109
Telephone: 703-754-1861
Fax: 703-754-1107
Email: Robert_Sutton@nps.gov

Mr. David Hammers
FLHP Coordinator
National Park Service
National Capital Region
1100 Ohio Drive, SW
Washington, DC 20242
Telephone: 202-619-7270
Fax: 202-619-7066
Email: Dave_Hammers@nps.gov

Mr. Alan Teikari
Planning & Coordination Engineer
Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, VA 20166-6511
Telephone: 703-285-0082
Fax: 703-285-0011
Email: Alan.Teikari@fhwa.dot.gov

2. Designated points of contact for the coordination of NEPA and Section 106 compliance:

Ms. Jacqueline Hernigle Keeney
Section 106 Review
Virginia Department of Transportation
87 Deacon Road
Fredericksburg, VA 22405
Telephone: 540-899-4140
Fax: 540-374-3385
Email: Keeney_JH@vdot.state.va.us

Mr. Ray Brown
Cultural Resources Manager
Manassas National Battlefield Park
12521 Lee Highway
Manassas, VA 20109
Telephone: 703-754-1729
Fax: 703-754-1822
Email: Ray_Brown@nps.gov

Mr. Robert Iosco
NEPA Coordination
Virginia Department of Transportation
3975 Fair Ridge Drive
Fairfax, VA 22033
Telephone: 703-383-2104
Fax: 703-383-2110
Email: Iosco_RC@vdot.state.va.us

Mr. Byran Gorsira
Natural Resources Manager
Manassas National Battlefield Park
12521 Lee Highway
Manassas, VA 20109
Telephone: 703-754-1859
Fax: 703-754-1822
Email: Byran_Gorsira@nps.gov

Mr. Jack Van Dop
Environmental Compliance Specialist
Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, VA 20166-6511
Telephone: 703-285-0085
Fax: 703-285-0011
Email: Jack.Van.Dop@fhwa.dot.gov

ARTICLE III: Disbursement of Funds

1. The FHWA-EFLHD will provide \$2,000,000 in Federal PRP funding. The funding for this project is provided at 100% Federal participation. At this time, the total amount for this project includes funds for preliminary engineering, construction, construction engineering, utilities, right-of-way, and contingencies. The priority of this project is to construct the intersection improvements. If funds are available within the \$2,000,000, relocation of the utilities underground is the next priority. Preliminary engineering funds will be obligated in Fiscal year 1999. Funds for construction, construction engineering, utilities, right-of-way, and contingencies will be obligated in FY 2000.
2. Funding for the work will be provided by the FHWA-EFLHD. No work shall be performed beyond the funds available. The VDOT will forward funding requests (identifying the specific project and activity) for project development and construction activities to the FHWA-EFLHD for review, approval, and obligation. The FHWA-EFLHD will forward and execute a "Letter of Approval and Authorization" (Form PR-1240) to the VDOT. Upon receipt, the VDOT will prepare and execute a "Federal-aid Project Agreement" (Forms PR-2 and 2A), and forward to the FHWA-EFLHD for execution.

Upon completion of the project, the VDOT will submit a final voucher (Form PR-20). Upon approval of the PR-20 by the FHWA-EFLHD, the unexpended funds will be released and returned to the PRP. Billing for actual costs will be processed through the normal Federal-aid current billing process. The billing should be for FHWA-EFLHD Region 15.

Funding requests for preliminary engineering and construction will be authorized separately. Funding for construction will be authorized by request based upon plans, specifications, and estimate approval and completion of the environmental documentation.

Depending on the activity, separate funding requests to the FHWA-EFLHD will include the following:

- a. Preliminary engineering for project related planning, environmental documentation, PS&E preparation, surveying, mapping, geotechnical investigations, design, contract procurement, etc., (including labor, fringe benefits, travel, project overhead, etc.).
 - b. Construction contract (Engineer's Estimate or actual bid amount)
 - c. Construction engineering, contract administration, inspection, construction assistance contracts, materials testing (including labor, fringe benefits, travel, project overhead, etc.).
 - d. Utility and right-of-way agreements.
 - e. Contingencies (5% \pm of the sum of Items 2a through 2d):
3. Nothing herein contained shall be construed as binding on the FHWA-EFLHD, NPS, or VDOT to expend any sum in excess of appropriations made by Congress for the purpose of this MOA, or to involve the FHWA-EFLHD, NPS, or VDOT in any contract or other obligation for the further expenditure of money in excess of such appropriations.

ARTICLE IV: Administrative Conditions

1. All parties to the MOA will be afforded the opportunity to inspect, at any time, work in progress, the financial records, and any other supporting documentation, and to participate in all meetings, field reviews, bid openings, preconstruction conferences, and periodic and final construction inspections.
2. The VDOT will be responsible for the administrative investigation, settlement or defense in litigation of any claim based on Virginia law and arising from any contract awarded by the VDOT in accordance with this MOA. The VDOT will coordinate its action with the other parties to this agreement on the status of these matters.

3. Non-Discrimination: The parties will abide by the provisions of Executive Order 11246, as amended; shall be in compliance with the requirements of Title VI of the Civil Rights Act of 1964, as amended (78 Stat. 252; USC 2000(d) *et seq.*); Title V, Section 504 of the Rehabilitation Act of 1973 (87 Stat. 394; 29 USC 794) as amended; the Age Discrimination Act of 1975, as amended (89 Stat. 728; 42 USC 6101 *et seq.*); and with all other Federal laws and regulations prohibiting discrimination on grounds of race, color, national origin, handicap, religion, or sex in employment and in providing facilities and services to the public.

4. Severance of Terms and Compliance with Applicable Laws: The Parties shall comply with all applicable laws and regulations. This MOA is subject to all laws, regulations and rules governing NPS property, whether now in force or hereafter enacted or promulgated. Nothing in the MOA shall be construed as in any way impairing the general powers of the NPS for supervision, regulation, and control of its property under such applicable laws, regulations, and rules.

If any term or provision of this MOA is held to be invalid or illegal, such term or provision shall not affect the validity or enforceability of the remaining terms and provisions. Meeting the terms of this MOA shall not excuse any failure to comply with all applicable laws and regulations, whether or not these laws and regulations are specifically listed herein.

5. The parties accept responsibility for any property damage, injury, or death caused by the acts or omissions of their respective employees, acting within the scope of their employment, or their contractors, to the fullest extent permitted by law. All claims will be handled pursuant to applicable law.

This MOA is subject to all laws governing Federal procurement and to all regulations and rules promulgated thereunder, whether now in force or hereafter enacted or promulgated. Nothing in this MOA shall be construed as in any way impairing the general powers of the FHWA-EFLHD, NPS, or VDOT for supervision, regulation, and control of its property under such applicable laws, regulations, and rules.

In the event that a claim is brought under the Federal Tort Claims Act (28 USC 2671, *et seq.*) against more than one party, it shall be the responsibility of the party receiving the claim to coordinate with any other party regarding responsibility to investigate any such claim, to issue an administrative determination as required by that Act, and to assist in the defense of any litigation arising from any such effort. All other parties to this MOA named in any such claim will cooperate in this effort.

6. The parties shall abide by the provisions of 18 U.S.C. 1913 (Lobbying with Appropriated Monies), which states:

No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any matter a Member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member of Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of public business.

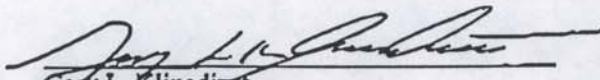
Whoever, being an officer or employee of the United States or of any department or agency thereof, violates or attempts to violate this section, shall be fined under this title or imprisoned not more than one year, or both; and after notice and hearing by the superior officer vested with the power of removing him, shall be removed from office or employment.

7. Drug Free Work Place Act: The parties certify that comprehensive actions will be taken to ensure the work place is drug free.

8. Volunteers in the Park: All unpaid representatives of the Parties shall be Volunteers in the Parks (VIPs), under 16 USC 18g *et seq.* VIPs are not Federal employees but shall be entitled to those benefits and protections related to workmen's compensation, federal tort claims and others as specified in the Volunteers in the Park Act.
9. Interest of Members of Congress: Pursuant to 41 USC 22 (Interest of Members of Congress), "No Member of Congress shall be admitted to any share or part of any contract or agreement made, entered into, or accepted by or on behalf of the United States, or to any benefit to arise thereupon."

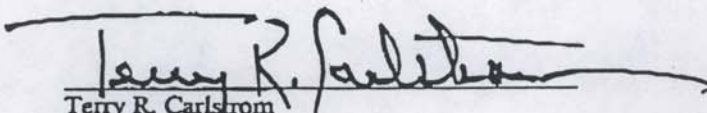
IN WITNESS THEREOF, the FHWA-EFLHD, NPS, and VDOT have caused this MOA for VDOT Project 0029-076-119, PE101, C501, RW201 to be executed by their duly authorized representatives:

US DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
EASTERN FEDERAL LANDS HIGHWAY DIVISION


Gary L. Klinedinst
Division Engineer

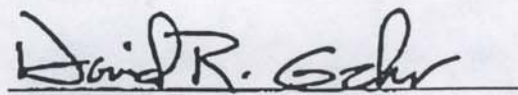
4/6/99
Date

US DEPARTMENT OF INTERIOR
NATIONAL PARK SERVICE
NATIONAL CAPITAL REGION


Terry R. Carlstrom
Regional Director

3/31/99
Date

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION


David R. Gehr
Commissioner

3/24/99
Date

**Environmental Assessment
Manassas National Battlefield Park**

**For Further Information:
Karen Cucurullo
(703) 754-1861**

CORRECTION: REVIEWING PERIOD ENDING APRIL 23

The National Park Service announces the availability of the Environmental Assessment, Route 29/234 Intersection Safety Improvements, for public review and comment. The proposed project is located within the Park at the intersection of U.S. Route 29 (Lee Highway) and Virginia Route 234 (Sudley Road). The proposed work would consist generally of adding turn lanes at the intersection, upgrading the traffic signals, modifying or replacing drainage structures, and adding pedestrian facilities. On U.S. Route 29, construction would begin approximately 0.16 mile west of the intersection and end approximately 0.21 mile east of the intersection. On Route 234, construction would begin approximately 0.1 mile south of the intersection and end approximately 0.1 mile north of the intersection. In addition, a pedestrian bridge across Youngs Branch would be located in the southeast quadrant of the intersection.

The purpose for this project is to enhance travel safety for motorists and pedestrians through the intersection of U.S. Route 29 and Route 234. In recent years, increasing traffic volumes have resulted in greater congestion, longer delays, and more collisions. Causes of accidents are related to geometric conditions of the roadways in conjunction with the high traffic volumes. Drivers approaching the intersection on the north leg of Route 234 have poor sight distance because of a hill a short distance from the intersection. The single approach lane on each leg of the intersection causes traffic to queue up, as left-turning traffic blocks through and right turning traffic while waiting for oncoming traffic to clear the intersection before making the left turn. Although there is no reliable way to project the number of accidents that might occur in the future, with the expected increase in traffic and left-turn movements by the design year 2021 the number of accidents likely would increase.

Copies of the document are available on request from: Superintendent, Manassas National Battlefield Park, 12521 Lee Highway, Manassas, Virginia 20109. Additional copies for viewing will be available at the following libraries: Bull Run Regional Library, Manassas Central Library, Centreville Regional Library, and in the Virginia Room of the Fairfax City Library. This document will also be available through the Internet at www.nps.gov/mana/index.htm.

There is a 30 day reviewing period ending **April 23**, in which all comments may be submitted to the Superintendent, Manassas National Battlefield Park, 12521 Lee Highway, Manassas, Virginia 20109; phone 703/754-1861, FAX 703/754-1107.

Questions regarding this environmental assessment should be directed to the Assistant Superintendent, Karen Cucurullo at (703) 754-1861.

-nps-

April 23, 2000