

## **Exhibit 8**



U. S. DEPARTMENT  
OF TRANSPORTATION

Pennsylvania Division

228 Walnut Street, Room 508  
Harrisburg, PA 17101-1720

Federal Highway  
Administration

*In reply refer to:*

January 25, 2007

HEV-PA.1

Centre County  
Interstate 80  
Point of Access Study  
Proposed Privately Funded  
Interchange

Mr. M. G. Patel, P.E.  
Chief Engineer for Highway Administration  
Pennsylvania Department of Transportation  
Harrisburg, Pennsylvania

Dear Mr. Patel:

We have reviewed the Point of Access (POA) Study for a new Interchange on Interstate 80 at Milepost 140 transmitted with your December 14, 2006 letter. The review is guided by the FHWA Policy entitled "Interstate System Access" (updated June 17, 1998), under the subtitle: Additional Access to the Interstate System, which includes eight specific requirements that must be met prior to conceptual approval. This review is for a conceptual approval and is based on a determination of engineering and operational acceptability. Final approval may be granted upon evidence of compliance with the National Environmental Policy Act (NEPA) and documentation of meeting all the requirements of the Interstate System Access Policy. This POA study fails to satisfactorily document all the requirements of the Policy as discussed below, therefore conceptual approval cannot be granted at this time.

- Requirement #1: The POA document failed to demonstrate that the "existing interchanges and/or local roads and streets in the corridor can neither provide the necessary access nor be improved to satisfactorily accommodate the design-year traffic demands while at the same time providing the access intended by the proposal". There are numerous



*RWS*  
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considerations that enter into this decision, including traffic, safety, operational and environmental factors. The FHWA therefore, views the local system upgrade alternative as being viable, and should be further evaluated. The FHWA does not support the elimination of any of the alternatives at this time. However, if an upgrade alternative is carried forward into the NEPA process, this POA requirement may be met during the NEPA process.

- Requirement #5: The proposal has not demonstrated consistency with regional land use and transportation plans. At this point it appears that the proposal is inconsistent with both the Centre County Comprehensive Plan and the Centre County Metropolitan Planning Organization's (CCMPO) Long Range Transportation Plan.

While the document contains information related to environmental impacts and considerations for the interchange, a lead Federal agency has not been identified for the proposed project and the FHWA has not participated in determining the scope of an environmental study. It will be necessary to ensure that the requirements of the Council of Environmental Quality (CEQ) regulations pursuant to NEPA, regarding agency coordination and conduct of the study are met.

We have reviewed the traffic analysis and geometric layout for the proposed interchange and in general find it to be acceptable; however the two items identified above must be satisfied before the FHWA can conceptually approve the proposed interchange, and the requirements of NEPA must be satisfactorily met before FHWA final approval can be given. At this time we advise that the project sponsor work with the MPO to consider the adoption of the proposed transportation improvement(s) in the approved 2006 Centre County Long Range Transportation Plan. Furthermore, the sponsor should work with the appropriate entities to ensure consistency with local and regional land use and transportation plans.

Please advise this office when the environmental study is expected to commence.

Sincerely yours,

/s/ David W. Cough

James A. Cheatham  
Division Administrator



cc: Tom Pluto, PhD., USACOE  
John Peterson, U.S. Congress

ec: Scott Christie, P.E., PennDOT, BOD  
Kevin, Kline, P.E., District Executive, PennDOT 2-0  
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