

## **EXHIBIT M**

### **DEPARTMENT REGULATORY APPROVALS**

Department Regulatory Approvals, as defined in Exhibit A to the ARCA, are more particularly described below.

- (a) With respect to the Original Project:
- (i) SEP-14 approval from the FHWA for the Project:
    - Special Experimental Project 14 (SEP-14) – FHWA approval received on April 22, 2005
  - (ii) Any approvals necessary to obtain the Record of Decision or a Finding of No Significant impact from FHWA, as part of the environmental review process:
    - Final Environmental Assessment: Section 4(f) Evaluation: I-95/I-395/I-495 Interchange Improvement Study – FHWA approval received on September 23, 1994
    - Final Environmental Impact Statement issued by FHWA and the Department on April 28, 2006
    - Record of Decision (ROD) – FHWA approval received on June 29, 2006
    - Re-evaluation of the Capital Beltway Study – accepted by FHWA on May 9, 2007
    - Capital Beltway HOT Lanes Interchange Justification Report supporting the 2007 Reevaluation – approved on December 20, 2007
    - Reevaluation of the Capital Beltway Study NEPA (National Environmental Policy Act) Decision at the Dulles Interchange – dated November 25, 2009 and accepted by FHWA on November 25, 2009
    - Capital Beltway / Dulles Interchange – Interchange Justification Report supporting the 2009 NEPA Re-evaluation – approved by FHWA on December 15, 2009
  - (iii) Adoption of the Project within the CLRP, the TIP and Air Quality Conformity Analysis from the Transportation Planning Board:
    - 2006 Constrained Long Range Plan (CLRP) – National Capital Region Transportation Planning Board (TPB) approved October 18, 2006
    - FY2007-2012 Transportation Improvement Program (TIP) - National Capital Region Transportation Planning Board (TPB) approved October 18, 2006, amendment approved March 21, 2007
    - Air Quality Conformity Determination - National Capital Region Transportation Planning Board (TPB) approved on October 18, 2006.
  - (iv) FHWA approval of the STIP:

**VDOT UPC 56356 (Flyover)** – STIP amendment approved by FHWA on December 17, 2007, contingent upon Metropolitan Planning Organization (MPO) concurrence

**VDOT UPC 68805 (I-495 HOT Lanes)** – STIP amendment to change preliminary engineering costs and add right of way and construction approval was approved by FHWA on December 17, 2007, contingent upon MPO concurrence

**VDOT UPC 84742 (Pavement and Rehab)** – STIP amendment approved by FHWA on December 17, 2007, contingent upon MPO concurrence

**VDOT UPC 87396 (Congestion Management Plan)** – In STIP

**VDOT UPC 14682 (Springfield Interchange Phase VIII)** – In STIP, and preliminary engineering and construction authorized by FHWA on September 6, 2007

(v) Toll Agreement:

- FHWA approved on December 12, 2007.

(vi) Approval by the CTB of the funding for the Project included in the SYIP:

- Commonwealth Transportation Board (CTB) resolution approving the FY2008 SYIP with Capital Beltway (Route 495) HOT Lanes Projects (UPC 68805, 14682, 56356, 87396, and 84742) along with Transportation Partnership Opportunity Fund (TPOF) appropriation

(b) With respect to the NEXT Project:

(i) Approvals necessary to obtain a NEPA decision and/or NEPA Reevaluation concurrence from FHWA, as part of the environmental review process (the “NEXT NEPA Documents”):

- Environmental Assessment: I-495 Express Lanes Northern Extension (NEXT) – FHWA approval received on February 24, 2020
- Section 106 No Adverse Effect Concurrence: I-495 NEXT – signature provided by National Park Service on April 29, 2020
- Section 4(f) Temporary Occupancy and *De Minimis* Impact Determination Concurrence: I-495 NEXT – signature provided by National Park Service on May 6, 2021
- Section 4(f) Temporary Occupancy and *De Minimis* Impact Determination Concurrence: I-495 NEXT – signature provided by Fairfax County Park Authority on May 17, 2021
- Revised Environmental Assessment: I-495 NEXT – VDOT dated May 2021
- Finding of No Significant Impact: I-495 NEXT – issued by FHWA on June 29, 2021
- I-495 NEXT Interchange Justification Report supporting the 2021 Revised Environmental Assessment – approved by FHWA on June 14, 2021, and any required addenda.

- (ii) Anticipated Future Approvals:
  - Categorical Exclusion for NPS / VA DCR for land use conversion of Section 6(f) property at SRNP and replacement land
- (iii) GWMP Work Approvals by April 1, 2022
- (iv) Adoption of the I-495 NEXT Project within the CLRP, the TIP, and Air Quality Conformity Analysis from the Transportation Planning Board:
  - 2018 CLRP (Visualize 2045) – National Capital Region Transportation Planning Board (TPB) approved on October 17, 2018
  - 2020 Conformity Analysis Amendment to CLRP (Visualize 2045) – National Capital Region Transportation Planning Board (TPB) approved on March 18, 2020
- (v) FHWA approval of the STIP:
  - **VDOT UPC 113414 (I-495 NEXT)** – 2021 – 2024 STIP approved September 30, 2020.
  - **VDOT UPC 115401, VDOT UPC 116754** – Anticipated 2021.
- (vi) Toll Memorandum of Understanding:
  - FHWA approved on June 29, 2021
- (vii) Agreements between Virginia Department of Transportation (VDOT) and Maryland State Highway Administration (MDSHA):
  - Signing Agreement for installation, removal, and relocation of signs and ancillary equipment along I-495 in Maryland – anticipated approval by December 2022
- (viii) Approval by the CTB of the funding for the Project included in the SYIP:
  - Commonwealth Transportation Board (CTB) resolution(s) approving the FY2020 SYIP with I-495 NEXT:
    - VDOT UPC 113414 – for NEPA Document and pre-Financial Close costs.
    - VDOT UPC 116754 – for I-495 NEXT Oversight, post Financial Close, combined with TMP.
    - VDOT UPC 115401 – for budget/reporting reasons ONLY, with overall project cost.