

**Categorical Exclusion
Federal Highway Administration
Eastern Federal Lands Highway Division
for
Boundary Channel Drive Interchange with I-395 in Arlington County,
Virginia**

Date: January 12, 2018

Project Name: Modifications to Boundary Channel Drive/I-395 Interchange, Arlington County, Virginia

Project Description:

This action proposes to reconfigure the existing Boundary Channel interchange with I-395. The interchange will be modified to more efficiently utilize the existing pavements and eliminate several existing ramps. This project will eliminate one on and one off ramp from and to congested I-395. The reconfiguration has been analyzed and designed to meet current and planned traffic volumes and applicable roadway design standards and guidelines. The Virginia Department of Historic Resources has concurred with a FHWA determination that the proposed action will not have an adverse effect on eligible properties. The single threatened or endangered species potentially in the area to be disturbed (including possible adjacent habitat) is the Long Eared Northern Bat. The construction will not be clearing land or vegetation that could provide suitable habitat or nesting sites for this species of bat. The interchange modification construction will occur within the existing operational right-of-way of the existing interchange.

The project also proposes to construct a multiuse asphalt paved trail to be located adjacent to existing I-395. The trail will run through this existing interchange, through property under the jurisdiction of the Department of Defense and connect to an existing asphalt paved trail maintained by the National Park Service at the Humpback Bridge (George Washington Memorial Parkway). Completing this trail connection will link existing trails providing pedestrian/bicycle connections between Crystal City/Long Bridge Park and the Mount Vernon Trail with access via the George Mason Bridge into the District of Columbia.

Mitigation Measures:

No mitigation measures are proposed and none were requested by resource agencies or Virginia

Department of Transportation.

Category Used to Exclude the Action from Further NEPA Analysis:

The action to modify/reconfigure this interchange meets the requirements of 23 CFR 771.117(c)(22) Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to the right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways, mitigation areas etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit maintenance facilities. Portions of the right-of-way that have not been disturbed or that are not maintained for transportation purposes are not in the existing operational right-of-way.

Construction of the asphalt paved multiuse trail between the interchange and the existing National Park Service Trail at the Humpback Bridge meets the requirements of 23 CFR 771.117(c) (3) Construction of bicycle and pedestrian lanes, paths and facilities.

Agency Coordination:

Per the Project description section above FHWA has coordinated with the following agencies:

Virginia Department of Historic Resources

Virginia Department of Transportation

National Park Service

US Fish and Wildlife Service

US Department of Defense

Arlington County

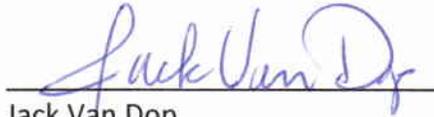
This interchange modification project is on the current Metropolitan Constrained Long Range Plan (conformity).

Public Involvement:

The Federal Highway Administration in coordination with Arlington County participated in public meetings at which the proposed modification/reconfiguration of this interchange was presented to the public. The most recent meeting was conducted on June 23, 2015. Comments were submitted by the public and appropriately considered in the ultimate design.

Determination:

On the basis of the environmental impact information in the statutory compliance file, with which I am familiar, I am categorically excluding the described project from further NEPA analysis. The project meets the 23 CFR 771.117(c)(3) and (c)(22) definition of a categorical exclusion.



1-17-18

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Appendix A: Environmental Screening Form

<p>Water and Wetlands:</p> <ul style="list-style-type: none"> Section 404 of the Clean Water Act Impacts to Waters of the US: <input type="checkbox"/>Yes <input checked="" type="checkbox"/>No If Yes, approval anticipated: <input type="checkbox"/> Nationwide Permit <input type="checkbox"/> Regional General Permit <input type="checkbox"/> Individual Permit Section 401 of the Clean Water Act <input type="checkbox"/> NWP certified by State <input type="checkbox"/> Individual Certification Section 402 of the Clean Water Act (National Pollutant Discharge Elimination System) Disturbance Threshold Exceeded, Permit Required? <input type="checkbox"/>Yes <input checked="" type="checkbox"/> No project falls within disturbed area of larger Route 1 Improvements at Fort Belvoir Project currently under construction Is Stormwater Management Review/Approval anticipated? <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No <input checked="" type="checkbox"/> Project is consistent with Executive Order 11900, Protection of Wetlands
<p>Floodplains:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Project is consistent with Executive Order 119888, Floodplain Management
<p>Section 4(f) of the USDOT Act:</p> <ul style="list-style-type: none"> Meets Section 4(f) exemption for Federal lands transportation facilities under Section 1119(c)(2) of MAP-21, U.S.C. 138(a)? <input type="checkbox"/>Yes <input checked="" type="checkbox"/>No Is there a Section 4(f) property in the study area? <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No If Yes, continue: De Minimis Finding: <input type="checkbox"/> Programmatic: <input type="checkbox"/> ___ 4(f) property in area but not impacted/encroached upon by this project _____ Individual 4(f): <input type="checkbox"/>
<p>Section 6(f) of the Land and Water Conservation Fund:</p> <ul style="list-style-type: none"> Was the property purchased with grant funds from the Land and Water Conservation Fund? <input type="checkbox"/>Yes <input checked="" type="checkbox"/>No If Yes, was documentation of approval from National Park Service Director received for the conversion or replacement of 6(f) property? <input type="checkbox"/>Yes <input type="checkbox"/>No
<p>Coastal Zone Management Act of 1972:</p> <ul style="list-style-type: none"> Not in Coastal Zone <input checked="" type="checkbox"/> Concurrence with Federal Consistency Determination <input type="checkbox"/>
<p>Right of Way:</p> <ul style="list-style-type: none"> Project will be completely within VDOT R/W, <input checked="" type="checkbox"/> Project involves relocations or easements <input type="checkbox"/> Number of Easements 0 Number of Relocations 0
<p>Hazardous Waste and Materials:</p>

<ul style="list-style-type: none"> • Area hazardous materials or contamination exceeding regulatory thresholds (as set by U.S. EPA, County Environmental Health, etc.) present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • If Yes, is the nature and extent of the hazardous materials or contamination fully known? <input type="checkbox"/> <p>If No, briefly discuss the plan for securing information:</p>
<p>Section 7(a) of the Wild and Scenic Rivers Act:</p>
<ul style="list-style-type: none"> • Are there Wild and Scenic Rivers? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <p>If Yes, review by river-administering agency is required.</p>
<p>Clean Air Act:</p>
<ul style="list-style-type: none"> • Is the project in a non-attainment area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p>If Yes, is the project on the TIP/SIP? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Highway Traffic and Construction Noise Regulations:</p>
<ul style="list-style-type: none"> • <input type="checkbox"/> The proposed project is a Type I project (highway on a new location, substantial horizontal or vertical alteration, new through or auxiliary lanes). Noise analysis is required. • <input type="checkbox"/> The proposed project is a Type II project (retrofit for noise abatement). • <input checked="" type="checkbox"/> The proposed project is a Type III project (noise analysis not required).
<p>Environmental Justice and Title IV Act:</p>
<ul style="list-style-type: none"> • Is an Environmental Justice population, as identified in Executive Order 12898, present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, briefly explain: • Will the project induce disproportionately high and adverse impacts to minority, low income or special groups? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, briefly explain:
<p>Farmland Protection Policy Act for Highway Projects:</p>
<ul style="list-style-type: none"> • Does the project displace, require acquisition of, or require an easement from farmland? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>Does the project affect any additional resources? If Yes, explain below:</p>
<ul style="list-style-type: none"> • <input type="checkbox"/> _____ • <input type="checkbox"/> _____ • <input type="checkbox"/> _____

Appendix B: 23 CFR 771.117 FHWA Categorical Exclusions

<p>(c) The following actions meet the criteria for CEs in the CEQ regulations (40 CFR 1508.4) and §771.117(a) and normally do not require any further NEPA approvals by the FHWA:</p>
<p><input type="checkbox"/> (1) Activities which do not involve or lead directly to construction, such as planning and research activities; grants for training; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system.</p>
<p><input type="checkbox"/> (2) Approval of utility installations along or across a transportation facility.</p>
<p><input checked="" type="checkbox"/> (3) Construction of bicycle and pedestrian lanes, paths, and facilities.</p>
<p><input type="checkbox"/> (4) Activities included in the State's <i>highway safety plan</i> under 23 U.S.C. 402.</p>
<p><input type="checkbox"/> (5) Transfer of Federal lands pursuant to 23 U.S.C. 107(d) and/or 23 U.S.C. 317 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA.</p>
<p><input type="checkbox"/> (6) The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction.</p>
<p><input type="checkbox"/> (7) Landscaping.</p>
<p><input type="checkbox"/> (8) Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.</p>
<p><input type="checkbox"/> (9) The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):</p> <p>(i) Emergency repairs under 23 U.S.C. 125; and</p> <p>(ii) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:</p> <p>(A) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and</p> <p>(B) Is commenced within a 2-year period beginning on the date of the declaration.</p>
<p><input type="checkbox"/> (10) Acquisition of scenic easements.</p>
<p><input type="checkbox"/> (11) Determination of payback under 23 U.S.C. 156 for property previously acquired with Federal-aid participation.</p>
<p><input type="checkbox"/> (12) Improvements to existing rest areas and truck weigh stations.</p>
<p><input type="checkbox"/> (13) Ridesharing activities.</p>
<p><input type="checkbox"/> (14) Bus and rail car rehabilitation.</p>
<p><input type="checkbox"/> (15) Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.</p>
<p><input type="checkbox"/> (16) Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.</p>
<p><input type="checkbox"/> (17) The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE.</p>
<p><input type="checkbox"/> (18) Track and railbed maintenance and improvements when carried out within the existing right-of-way.</p>

<input type="checkbox"/> (19) Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.
<input type="checkbox"/> (20) Promulgation of rules, regulations, and directives.
<input type="checkbox"/> (21) Deployment of electronics, photonics, communications, or information processing used singly or in combination, or as components of a fully integrated system, to improve the efficiency or safety of a surface transportation system or to enhance security or passenger convenience. Examples include, but are not limited to, traffic control and detector devices, lane management systems, electronic payment equipment, automatic vehicle locaters, automated passenger counters, computer-aided dispatching systems, radio communications systems, dynamic message signs, and security equipment including surveillance and detection cameras on roadways and in transit facilities and on buses.
<input checked="" type="checkbox"/> (22) Projects, as defined in 23 U.S.C. 101, that would take place entirely within the existing operational right-of-way. Existing operational right-of-way refers to right-of-way that has been disturbed for an existing transportation facility or is maintained for a transportation purpose. This area includes the features associated with the physical footprint of the transportation facility (including the roadway, bridges, interchanges, culverts, drainage, fixed guideways, mitigation areas, etc.) and other areas maintained for transportation purposes such as clear zone, traffic control signage, landscaping, any rest areas with direct access to a controlled access highway, areas maintained for safety and security of a transportation facility, parking facilities with direct access to an existing transportation facility, transit power substations, transit venting structures, and transit maintenance facilities. Portions of the right-of-way that have not been disturbed or that are not maintained for transportation purposes are not in the existing operational right-of-way.
<input type="checkbox"/> (23) Federally-funded projects: (i) That receive less than \$5,000,000 of Federal funds; or (ii) With a total estimated cost of not more than \$30,000,000 and Federal funds comprising less than 15 percent of the total estimated project cost.
<input type="checkbox"/> (24) Localized geotechnical and other investigation to provide information for preliminary design and for environmental analyses and permitting purposes, such as drilling test bores for soil sampling; archeological investigations for archeology resources assessment or similar survey; and wetland surveys.
<input type="checkbox"/> (25) Environmental restoration and pollution abatement actions to minimize or mitigate the impacts of any existing transportation facility (including retrofitting and construction of stormwater treatment systems to meet Federal and State requirements under sections 401 and 402 of the Federal Water Pollution Control Act (33 U.S.C. 1341; 1342)) carried out to address water pollution or environmental degradation.
<input type="checkbox"/> (26) Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints in paragraph (e) of this section.
<input type="checkbox"/> (27) Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting, if the project meets the constraints in paragraph (e) of this section.
<input type="checkbox"/> (28) Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in paragraph (e) of this section.

<input type="checkbox"/> (29) Purchase, construction, replacement, or rehabilitation of ferry vessels (including improvements to ferry vessel safety, navigation, and security systems) that would not require a change in the function of the ferry terminals and can be accommodated by existing facilities or by new facilities which themselves are within a CE.
<input type="checkbox"/> (30) Rehabilitation or reconstruction of existing ferry facilities that occupy substantially the same geographic footprint, do not result in a change in their functional use, and do not result in a substantial increase in the existing facility's capacity. Example actions include work on pedestrian and vehicle transfer structures and associated utilities, buildings, and terminals.
<p>(d) Additional actions which meet the criteria for a CE in the CEQ regulations (40 CFR 1508.4) and paragraph (a) of this section may be designated as CEs only after Administration approval unless otherwise authorized under an executed agreement pursuant to paragraph (g) of this section. The applicant shall submit documentation which demonstrates that the specific conditions or criteria for these CEs are satisfied and that significant environmental effects will not result. Examples of such actions include but are not limited to:</p>
<input checked="" type="checkbox"/> (1)-(3) [Reserved]
<input type="checkbox"/> (4) Transportation corridor fringe parking facilities.
<input type="checkbox"/> (5) Construction of new truck weigh stations or rest areas.
<input type="checkbox"/> (6) Approvals for disposal of excess right-of-way or for joint or limited use of right-of-way, where the proposed use does not have significant adverse impacts.
<input type="checkbox"/> (7) Approvals for changes in access control.
<input type="checkbox"/> (8) Construction of new bus storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and located on or near a street with adequate capacity to handle anticipated bus and support vehicle traffic.
<input type="checkbox"/> (9) Rehabilitation or reconstruction of existing rail and bus buildings and ancillary facilities where only minor amounts of additional land are required and there is not a substantial increase in the number of users.
<input type="checkbox"/> (10) Construction of bus transfer facilities (an open area consisting of passenger shelters, boarding areas, kiosks and related street improvements) when located in a commercial area or other high activity center in which there is adequate street capacity for projected bus traffic.
<input type="checkbox"/> (11) Construction of rail storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and where there is no significant noise impact on the surrounding community.
<input type="checkbox"/> (12) Acquisition of land for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the NEPA process. No project development on such land may proceed until the NEPA process has been completed. (i) Hardship acquisition is early acquisition of property by the applicant at the property owner's request to alleviate particular hardship to the owner, in contrast to others, because of an inability to sell his property. This is justified when the property owner can document on the basis of health, safety or financial reasons that remaining in the property poses an undue hardship compared to others.

<p>(ii) Protective acquisition is done to prevent imminent development of a parcel which may be needed for a proposed transportation corridor or site. Documentation must clearly demonstrate that development of the land would preclude future transportation use and that such development is imminent. Advance acquisition is not permitted for the sole purpose of reducing the cost of property for a proposed project.</p>
<p><input type="checkbox"/> (13) Actions described in paragraphs (c)(26), (c)(27), and (c)(28) of this section that do not meet the constraints in paragraph (e) of this section.</p>
<p>(e) Actions described in (c)(26), (c)(27), and (c)(28) of this section may not be processed as CEs under paragraph (c) if they involve:</p>
<p>(1) An acquisition of more than a minor amount of right-of-way or that would result in any residential or non-residential displacements. Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>(2) An action that needs a bridge permit from the U.S. Coast Guard, or an action that does not meet the terms and conditions of a U.S. Army Corps of Engineers nationwide or general permit under section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act of 1899. Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>(3) A finding of “adverse effect” to historic properties under the National Historic Preservation Act, the use of a resource protected under 23 U.S.C. 138 or 49 U.S.C. 303 (section 4(f)) except for actions resulting in <i>de minimis</i> impacts, or a finding of “may affect, likely to adversely affect” threatened or endangered species or critical habitat under the Endangered Species Act. Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>(4) Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions. Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>(5) Changes in access control. Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>(6) A floodplain encroachment other than functionally dependent uses (e.g., bridges, wetlands) or actions that facilitate open space use (e.g., recreational trails, bicycle and pedestrian paths); or construction activities in, across or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers. Yes <input type="checkbox"/> No <input type="checkbox"/></p>