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.

Jack Van Dop  
1-17-18

Jack Van Dop  
Senior Technical Specialist  
Federal Highway Administration  
Eastern Federal Lands Highway Division
Appendix A: Environmental Screening Form

Water and Wetlands:

- Section 404 of the Clean Water Act
  Impacts to Waters of the US: ☐ Yes  ☒ No
  If Yes, approval anticipated:
  ☐ Nationwide Permit  ☐ Regional General Permit  ☐ Individual Permit
- Section 401 of the Clean Water Act
  ☐ NWP certified by State  ☐ Individual Certification
- Section 402 of the Clean Water Act (National Pollutant Discharge Elimination System)
  Disturbance Threshold Exceeded, Permit Required?
  ☐ Yes  ☐ No project falls within disturbed area of larger Route 1 Improvements at Fort Belvoir Project currently under construction
  Is Stormwater Management Review/Approval anticipated?
  ☐ Yes  ☐ No
- ☒ Project is consistent with Executive Order 11900, Protection of Wetlands

Floodplains:

- ☒ Project is consistent with Executive Order 119888, Floodplain Management

Section 4(f) of the USDOT Act:

- Meets Section 4(f) exemption for Federal lands transportation facilities under Section 1119(c)(2) of MAP-21, U.S.C. 138(a)?
  ☐ Yes  ☒ No
- Is there a Section 4(f) property in the study area?
  ☒ Yes  ☐ No
  If Yes, continue:
  De Minimis Finding: ☐
  Programmatic: ☒ 4(f) property in area but not impacted/encroached upon by this project
  Individual 4(f): ☐

Section 6(f) of the Land and Water Conservation Fund:

- Was the property purchased with grant funds from the Land and Water Conservation Fund?
  ☐ Yes  ☒ No
- If Yes, was documentation of approval from National Park Service Director received for the conversion or replacement of 6(f) property?
  ☐ Yes  ☐ No

Coastal Zone Management Act of 1972:

- Not in Coastal Zone ☒
- Concurrence with Federal Consistency Determination ☐

Right of Way:

- Project will be completely within VDOT R/W, ☐
- Project involves relocations or easements ☐
  Number of Easements 0  Number of Relocations 0

Hazardous Waste and Materials:

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Environmental Screening Form

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- Area hazardous materials or contamination exceeding regulatory thresholds (as set by U.S. EPA, County Environmental Health, etc.) present? ☐ Yes ☒ No
  If Yes, is the nature and extent of the hazardous materials or contamination fully known? ☐
  If No, briefly discuss the plan for securing information:

**Section 7(a) of the Wild and Scenic Rivers Act:**
- Are there Wild and Scenic Rivers? ☐ Yes ☒ No
  If Yes, review by river-administering agency is required.

**Clean Air Act:**
- Is the project in a non-attainment area? ☒ Yes ☐ No
  If Yes, is the project on the TIP/SIP? ☒ Yes ☐ No

**Highway Traffic and Construction Noise Regulations:**
- ☐ 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.
- ☐ The proposed project is a Type II project (retrofit for noise abatement).
- ☒ The proposed project is a Type III project (noise analysis not required).

**Environmental Justice and Title IV Act:**
- Is an Environmental Justice population, as identified in Executive Order 12898, present? ☐ Yes ☒ No
  If Yes, briefly explain:
  - Will the project induce disproportionately high and adverse impacts to minority, low income or special groups? ☐ Yes ☒ No
    If Yes, briefly explain:

**Farmland Protection Policy Act for Highway Projects:**
- Does the project displace, require acquisition of, or require an easement from farmland? ☐ Yes ☒ No

Does the project affect any additional resources? If Yes, explain below:
- ☐
- ☐
- ☐
## Appendix B: 23 CFR 771.117 FHWA Categorical Exclusions

(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:

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<td>☐</td>
<td>(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.</td>
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<td>(2) Approval of utility installations along or across a transportation facility.</td>
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<td>(3) Construction of bicycle and pedestrian lanes, paths, and facilities.</td>
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<td>(4) Activities included in the State's highway safety plan under 23 U.S.C. 402.</td>
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<td>(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.</td>
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<td>(6) The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction.</td>
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<td>(7) Landscaping.</td>
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<td>(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.</td>
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<td>(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):</td>
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<td>(i) Emergency repairs under 23 U.S.C. 125; and</td>
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<td>(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:</td>
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<td>(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</td>
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<td>(B) Is commenced within a 2-year period beginning on the date of the declaration.</td>
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<td>(10) Acquisition of scenic easements.</td>
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<td>(12) Improvements to existing rest areas and truck weigh stations.</td>
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<td>(13) Ridesharing activities.</td>
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<td>☐</td>
<td>(14) Bus and rail car rehabilitation.</td>
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<td>(15) Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.</td>
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<td>(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.</td>
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<td>(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.</td>
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<td>(18) Track and railbed maintenance and improvements when carried out within the existing right-of-way.</td>
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<td>(19) Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.</td>
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<td>(20) Promulgation of rules, regulations, and directives.</td>
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<td>(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.</td>
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<td>(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.</td>
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|   | (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. |
|   | (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. |
|   | (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. |
|   | (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. |
|   | (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. |
|   | (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. |
☐ (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.

☐ (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.

**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:**

- X (1)-(3) [Reserved]
- ☐ (4) Transportation corridor fringe parking facilities.
- ☐ (5) Construction of new truck weigh stations or rest areas.
- ☐ (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.
- ☐ (7) Approvals for changes in access control.
- ☐ (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.
- ☐ (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.
- ☐ (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.
- ☐ (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.
- ☐ (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.
(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.

☐ (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.

(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:

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 ☐ No ☐

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 ☐ No ☐

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 de minimis impacts, or a finding of “may affect, likely to adversely affect” threatened or endangered species or critical habitat under the Endangered Species Act.
   Yes ☐ No ☐

4. Construction of temporary access, or the closure of existing road, bridge, or ramps, that would result in major traffic disruptions.
   Yes ☐ No ☐

5. Changes in access control.
   Yes ☐ No ☐

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 ☐ No ☐