

To: John Simkins, FHWA – VA Division

From: Steve Varner

Date: July 2, 2018

Subject: Environmental Studies Memorandum (ESM)
Capital Beltway High Occupancy Toll (HOT) Lanes
VDOT Project No. 0495-029-138, C501, P101; UPC 68805
FHWA Project Numbers NH-495-5(084)
Final Environmental Impact Statement (EIS) Date: April 18, 2006; Record of Decision (ROD) Date: June 29, 2006
Reevaluation Dates: May 9, 2007 & June 9, 2008
And
HOT Lanes Bicycle/Pedestrian Facilities - Phase II
VDOT Project No. 1495-029-078, B630, C501, P101, R201; UPC 104005
FHWA Project Number CM-495-5(091)

Purpose:

Consistent with the provisions of 23 CFR 771.130(c), this ESM has been developed to assess the impacts of changes in the project since the approved environmental document to determine the significance of any new potential impacts. This evaluation focuses specifically on a proposed bicycle/pedestrian facility over the Capital Beltway High Occupancy Toll (HOT) lanes in the vicinity of Route 123 and I-495 interchange in Fairfax County, Virginia. This bicycle/pedestrian facility was not considered at the time of the Final EIS (2006), ROD (2006), or subsequent re-evaluations (2007 and 2008).

Proposed Action:

The proposed action is a Phase II Bicycle/Pedestrian Facilities for the Capital Beltway High Occupancy Toll (HOT) Lanes to construct a new 10-foot shared-use path from near Tysons One Place and Fashion Boulevard to Route 123 and Old Meadow Road via a new pedestrian and bicycle bridge over I-495; the path will mostly follow along the west side of Old Meadow Road. The proposed connection, which improves the safety for pedestrian/bike transportation across I-495 at this location where such facilities do not presently exist, would be consistent with improving access to other transportation modes in the study corridor as identified in the Purpose and Need of the Final EIS.

Background:

In the late 1980's, the Virginia Department of Transportation (VDOT) developed a series of recommendations for the Capital Beltway. These studies were followed by a Major Investment Study that promoted the idea of High Occupancy Vehicles (HOV) and bus transit as the most effective investment to serve demand on the 14-mile segment of the Capital Beltway between the Springfield Interchange and the American Legion Bridge. A Notice of Intent to prepare an EIS was published in the Federal Register on July 11, 2000. A Draft EIS was approved by the Federal Highway Administration (FHWA) on March 15, 2002. Responding to comments from the public and local governments, VDOT substantially scaled back the build alternatives. VDOT also examined High-Occupancy Toll (HOT) alternatives and took a revised HOV alternative and a HOT-HOV alternative to the public in June 2004.

Because of the time since publication of the Draft EIS, the need for a Supplemental EIS was considered and found unwarranted. In January 2005, the HOT-HOV lane alternative was selected and presented in the Final EIS. The Final EIS was signed by FHWA and a Notice of Availability was published in the Federal Register on April 28, 2006. A ROD identifying the HOT-HOV alternative as the Selected Alternative was signed by FHWA on June 29, 2006. Since signature of the ROD, FHWA and VDOT have conducted two environmental reevaluations as elements for the Selected Alternative have changed slightly. Based on the reevaluations, FHWA determined that a Supplemental EIS was not warranted.

This Bicycle/Pedestrian Facilities provides new and enhanced pedestrian/bicycle improvements over I-495 to improve connectivity between areas east and west of I-495 ancillary to the Selected Alternative and is also consistent with FHWA 1999 guidance for Bicycle and Pedestrian Provisions of the Federal-aid Program.

The provisions of 23 CFR §771.130 address situations where changes are made to a proposed action that was evaluated in an Environmental Impact Statement. Specifically, 23 CFR 771.130(c) states, "Where the Administration, FHWA, is uncertain of the significance of the new impacts, the applicant will develop appropriate environmental studies or, if the Administration deems appropriate, an Environmental Assessment (EA) to assess the impacts of the changes, new information, or new circumstances. If, based upon the studies, the Administration determines that a supplemental EIS is not necessary, the Administration shall so indicate in the project file."

VDOT has reviewed the modifications in the project and conducted environmental studies to assess the environmental consequences resulting from changes to the Selected Alternative for the Capital Beltway HOT Lanes, changes in the affected environment, and changes in regulatory requirements and guidance since the FEIS and subsequent re-evaluations were issued, to help determine if there are any new significant impacts at this point in project development.

Environmental Evaluation:

Existing Conditions and Land use:

The land use adjacent to the Bicycle/Pedestrian Facilities area is heavily developed consisting of corporate business offices, residential high-rises and apartment buildings with a large regional shopping mall at the western limits of the Bicycle/Pedestrian Facilities and the Washington Metrorail "Silver Line" station at the eastern limits of the Bicycle/Pedestrian Facilities. Undeveloped lands are limited to wooded buffers between properties. The Fairfax County Zoning Districts Map from February 2013 shows residential, commercial, industrial, and Tysons Planned District in the vicinity of the Bicycle/Pedestrian Facilities. The Fairfax County Comprehensive Land Use Plan Map, dated or amended June 21, 2016 shows land uses of 16-20 Dwelling Units per Acre (Du/Ac), 20 Du/Ac, office, and mixed use in the vicinity of the Bicycle/Pedestrian Facilities.

Right of Way Relocations (Residential, Commercial and Nonprofit uses, including acreage required)

No right of way relocations will be required. A total of 9,410 square feet (sq. ft.) will be required for fee right of way. A total of 35,643 sq. ft. will be required for permanent easement. A total of 20,254 sq. ft. will be required for temporary easement. Finally, a total of 287 sq. ft. will be required for temporary (entrance) easement. This right of way is new right of way associated with the Bicycle/Pedestrian Facilities.

Socioeconomic (Presence/Impacts to Minority/Low Income Population, Planned Public Recreational Facilities, Community Services, Land Use Consistency)

The Bicycle/Pedestrian Facilities is located within the 22102 zip code. There is a greater percentage of minorities living in Fairfax County than within zip code 22102. The percentage of low income residents in zip code 22102 is similar to that of Fairfax County as a whole. As such, there are no minority or low income populations within the Bicycle/Pedestrian Facilities area, and therefore no disproportionate impacts to minority or low income populations. There are no right of way relocations or changes in access for the Bicycle/Pedestrian Facilities. There are no planned public recreational facilities other than the Bicycle/Pedestrian Facilities itself. Coordination with Fairfax County Public Schools and Fairfax County Fire and Rescue is ongoing to coordinate school bus routes and fire and rescue.

Traffic/Access

Access to the proposed Bicycle/Pedestrian Facilities is provided from Route 123 and Tysons One Place, both near the intersections of Route 123 with I-495. The bicycle and pedestrian accommodations would not generate vehicular traffic, nor would it provide greater capacity for vehicular traffic. The Bicycle/Pedestrian Facilities will potentially reduce vehicular traffic by offering alternative modes of transportation in the form of pedestrian or bicycle travel.

Cultural Resources

In accordance with Stipulation 2 of the 2016 Section 106 Programmatic Agreement Regarding Transportation Undertakings, VDOT determined on 06/12/18 the Bicycle/Pedestrian Facilities will have no effect upon historic properties based upon review of the Bicycle/Pedestrian Facilities scope and preliminary design plans.

Section 4(f)/6(f)

There are no right of way takes from parks, recreational areas, historic properties or wildlife and waterfowl refuges. Scotts Run Stream Valley Park is a nearby Section 4(f) resource in the southeast quadrant of Route 123 and I-495 in the Bicycle/Pedestrian Facilities area, but no impacts to this property are anticipated. There are no Section 6(f) properties within the Bicycle/Pedestrian Facilities area.

Natural Resources:

Rare, Threatened or Endangered Species (Terrestrial, Aquatic, Plant)

The Bicycle/Pedestrian Facilities have been determined to have No Effect on fish, plant and wildlife resources.

100-year Floodplain

The Bicycle/Pedestrian Facilities is not located within or adjacent to any floodplain.

Wetlands and Waters of the United States/Permits Required/Mitigation Required

Based on review of the preliminary plans and GIS information, no Waters of the US are present in the Bicycle/Pedestrian Facilities area; therefore, no water quality permits will be necessary for the Bicycle/Pedestrian Facilities.

Agricultural/Forest District or Open Space Easements

There are no farmlands, forest districts, or open space easements present or affected by the Bicycle/Pedestrian Facilities.

Air Quality/Noise Impacts

The Bicycle/Pedestrian Facilities is exempt for Air Quality under 40 CFR 93.126, Table 2, Air Quality – Bicycle and pedestrian facilities.

The Bicycle/Pedestrian Facilities is Type III; therefore, it would not require a noise study. However, the project would necessitate the removal of top two panels of an existing noise barrier. Justification for this removal was prepared for FHWA concurrence. The purpose of the justification was to show that efforts would be made to maintain the noise reductions in the vicinity of the top panels (e.g. application of noise absorptive material at the bridge pier).

The Tysons/Old Meadow Road Bicycle/Pedestrian Improvements – Noise Analysis was completed for this justification on March 9, 2018. The FHWA concurred with this Noise Analysis on May 24, 2018. The proposed removal of the top two panels (6X20 feet each) of the existing noise barrier will not significantly alter the overall noise levels throughout the study area, nor will it result in a substantial increase in noise compared to existing levels. The proposed project modification (56 feet of 14-foot-high acrylic panels on the end of the proposed pedestrian bridge) is predicted to perform as well as or better than the existing noise wall; therefore, any further noise abatement was not considered and is not recommended for this Bicycle/Pedestrian Facilities. This noise analysis completes the traffic noise requirements of 23 CFR 772 and the VDOT State Noise Abatement Policy.

Hazardous Materials

There will be no total right of way (RW) take. 7,506 sq. ft. of 258,419 sq. ft., or approximately 3%, of parcel 002 is proposed as RW strip takes. A review of aerial photographs and other documents did not reveal a need for an American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment.

Invasive Species

Based on site visits by VDOT, invasive species are likely present in the Bicycle/Pedestrian Facilities area. The Virginia Department of Conservation and Recreation (DCR) has only general information about the distribution of invasives. Many invasive plant species are adapted to take advantage of soil disturbances and poor soil conditions. Non-native invasive plants are found throughout Virginia. Therefore, the potential exists for some VDOT projects to further the establishment of invasive species. Minimizing soil disturbance will help to inhibit the establishment of invasive species.

Indirect or Cumulative Impacts to Land Use and Planned Growth

This Bicycle/Pedestrian Facilities would promote pedestrian and bicycle travel and connect with other pedestrian and bicycle paths in the area. The pedestrian and bicycle mode of transportation tends to reduce vehicular congestion and air and noise impacts.

Public Involvement Coordination

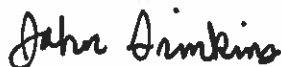
The following public meetings were held between 2014 and 2018. The feedback during these meetings helped refine the conceptual designs and provided valuable input for the evaluation of the options.

- June 2014: Design Public Hearing
- June 2015: Two-Day Planning Workshop
- August 2015: Meeting with Stakeholders
- September 28, 2015: Meeting with Supervisor Smyth
- December 2015: Meeting with Encore and Regency
- February 25, 2016: Meeting with Supervisor Smyth
- March 3, 2016: Meeting with Dolley Madison Apartments
- January 11, 2017: Meeting with management of Dolley Madison Apartments
- January 18, 2017: Meeting with management of Tysons Corner Center
- February 16, 2017: Meeting with Supervisor Smyth, Fairfax County
- March 20, 2017: Meeting with Highland District
- March 27, 2017: Community Meeting at The Colonies of McLean
- March 30, 2017: Community Meeting at Encore of McLean
- May 17, 2017: Public Information Meeting at Westgate Elementary School
- October 30, 2017: Meeting with Dolley Madison Apartments
- November 1, 2017: Meeting with Tysons Corner Center
- November 9, 2017: Public Design Workshop #1
- November 28, 2017: Public Design Workshop #2
- December 13, 2017: Site Visit with Encore and Regency Residents
- June 14, 2018: Design Public Hearing

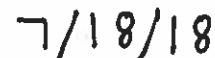
Findings:

The HOT Lanes Bicycle/Pedestrian Facilities - Phase II Project was not specifically identified in the Selected Alternative. This ESM was prepared to determine if the proposed bicycle and pedestrian lanes would result in any significant or additional environmental impacts not already considered in the Final EIS and subsequent reevaluations for the I-495 Capital Beltway HOT Lanes Project. Based on the foregoing discussion, there are no new significant impacts and a Supplemental EIS is not required. Moreover, a revised ROD is not warranted.

FHWA approves this document for public availability.



Federal Highway Administration



Date