FEDERAL HIGHWAY ADMINISTRATION

FINDING OF NO SIGNIFICANT IMPACT

FOR

PROJECT:	Soapstone Connector
LOCATION:	Fairfax County, Virginia
STATE PROJECT:	4720-029-349 (UPC 112479)

The Federal Highway Administration (FHWA) has determined that this project, as described in the attached Revised Environmental Assessment, will have no significant impact on the human environment. This Finding of No Significant Impact is based on the Environmental Assessment, Revised Environmental Assessment, and the Virginia Department of Transportation's letter requesting a Finding of No Significant Impact. These documents have been independently evaluated by FHWA and determined to adequately and accurately discuss the purpose and need, alternatives, and environmental impacts of the proposed project and appropriate mitigation measures. They provide sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. FHWA takes full responsibility for the accuracy, content, and scope of the Revised Environmental Assessment.

A Federal agency may publish a notice in the Federal Register, pursuant to 23 USC 139(1), indicating that one or more Federal agencies have taken final action on permits, licenses, or approvals for a transportation project. If such notice is published, claims seeking judicial review of those Federal agency actions will be barred unless such claims are filed within 150 days after the date of publication of the notice, or within such shorter time period as is specified in the Federal laws pursuant to which judicial review of the Federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.

November 13, 2023
Date

THOMAS L NELSON JR
Digitally signed by THOMAS L NELSON JR
Date: 2023.11.13 09:44:25 -05'00'

Division Administrator
Federal Highway Administration

The Federal Highway Administration (FHWA) has reviewed the Virginia Department of Transportation's October 25, 2023 letter requesting a Finding of No Significant Impact, comments received on the Environmental Assessment and the Revised Environmental Assessment, the Section 106 Memorandum of Agreement, and other supporting documentation.[1] In accordance with 40 CFR 1508.1(l), this Finding of No Significant Impact briefly presents the reasons why the project will not have a significant effect on the human environment.

Background

FHWA approved the Environmental Assessment (EA) for public availability on August 16, 2017, and the document was distributed to affected units of federal, state, and local governments. A public hearing was held on November 8, 2017. Changes to the project and its impacts since approval of the EA were documented in a Revised EA that FHWA approved for public availability on May 4, 2022. The Revised EA was distributed for review and comment and the document, as well as a draft Section 4(f) Evaluation and a draft Section 106 Memorandum of Agreement, was made available at a July 18, 2022 virtual public information meeting. The Fairfax County Board of Supervisors passed a resolution endorsing Alternative 1 at their September 13, 2022 meeting.

Environmental Impacts and Evaluation of Significance

The Virginia Department of Transportation analyzed the project's environmental impacts and concluded that the project would not have a significant impact on the environment.[2] FHWA has independently evaluated the environmental impacts and the following sections summarize the analysis of impact significance.

Social and Economic Resources

Communities and Neighborhoods

The transportation network surrounding the project area is typical of a densely settled urban/suburban area. Multiple modes of transportation, including Metrorail, Washington Metropolitan Area Transit Authority and Fairfax Connector bus services, and bicycle and pedestrian facilities provide access to the communities and neighborhoods of Reston, Virginia.

The community of Sunset Hills lies on the northern side of the Dulles Corridor between Wiehle Avenue and Reston Parkway. Within Sunset Hills, commercial, retail, and light industrial are the primary land uses and types of development between Sunset Hills Road and the Dulles Corridor. Residential and recreational areas of the community are located north of Sunset Hills Road. South of the Dulles Corridor, the project corridor is within the commercial and industrial area north of Sunrise Valley Drive. South of Sunrise Valley Drive, the residential communities surrounding the Reston National Golf Course are a part of the Reston Association, a non-profit organization that provides support for the entire community of Reston in both the natural and man-made environments. Because the project is located in retail, commercial, and industrial areas on either

[1] The Virginia Department of Transportation's letter and the Revised Environmental Assessment are hereby incorporated by reference into this Finding of No Significant Impact.
[2] The project is described in detail in section 2.4.2 of the Revised Environmental Assessment.

side of the Dulles Corridor, these neighborhoods and communities are not expected to be adversely affected by the project. In fact, the Soapstone Connector should better link and provide a direct route between the residential communities in the south along Soapstone Drive and the developments north of the Dulles Corridor within Sunset Hills, particularly for pedestrians and bicyclists given the multimodal facilities on the new crossing.

Environmental Justice

There are no minority populations and no low-income populations in the project area. Therefore, no disproportionately high and adverse effects to environmental justice populations would occur as a result of the project.

Relocations

There would be no residential relocations and no property would be acquired from residential properties. Six businesses (five businesses in the multi-tenant building at 11501 Sunset Hills Road and the National Association of Secondary School Principals at 1904 Association Drive) would be relocated and property from up to six additional commercial parcels would be acquired for the project. The acquisition of right of way and the relocation of displacees would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The purchase price for property acquired would be fair market value as determined by an appraisal prepared by a qualified appraiser. Relocation resources would be available to all displacees without discrimination.

FHWA finds that the impact on social and economic resources is not significant.

Air Quality

Carbon Monoxide

In order to screen projects for carbon monoxide (CO) impacts, a programmatic agreement for project-level air quality CO analyses was executed between FHWA and VDOT. The programmatic agreement uses worst-case modeling to identify the conditions for which a proposed project would require either a quantitative or qualitative CO hot-spot analysis to meet requirements under NEPA. Based on the agreement and applicable federal requirements, this project does not exceed the conditions included in the screening procedures. Projects such as this one may reasonably be expected to not significantly impact air quality and cause or contribute to a new violation of the National Ambient Air Quality Standards.

Fine Particulate Matter ($PM_{2.5}$)

The project is located in an attainment area for $PM_{2.5}$ and therefore is not subject to a $PM_{2.5}$ conformity assessment.

Mobile Source Air Toxics (MSAT)

In addition to the criteria air pollutants for which there are National Ambient Air Quality Standards, the U.S. Environmental Protection Agency also regulates air toxics. Most air toxics originate from human-made sources, including on-road mobile sources, non-road mobile sources, and stationary sources (e.g., factories or refineries). On October 18, 2016, FHWA issued a memorandum titled Updated Interim Guidance Update on Mobile Source Air Toxic Analysis in NEPA Documents. In accordance with the guidance, the project is best characterized as a project with "low potential MSAT effects" since design year traffic is projected to be significantly less than 140,000 to 150,000 annual average daily traffic thresholds. As a result, a qualitative assessment of emissions projections was prepared in accordance with the guidance.

Construction Emissions

The temporary air quality impacts from construction are not expected to be significant. Emissions would be produced during the construction of this project by heavy equipment and vehicle travel to and from the site. Earthmoving and ground-disturbing operations would generate airborne dust. Construction emissions are short term or temporary in nature. In order to mitigate these emissions, all construction activities would be performed in accordance with VDOT's Road and Bridge Specifications, Section 107.16(b.2), "Air". These specifications require compliance with all applicable local, state, and federal air quality regulations.

Regional Conformity

The Soapstone Connector is located in an eight-hour ozone nonattainment area; therefore, conformity applies, which generally requires that projects be included in a conforming financially constrained regional long-range transportation plan adopted by the Metropolitan Planning Organization. The project is included in the National Capital Region Transportation Planning Board's constrained long-range transportation plan, and the project was included in the air quality conformity analysis.

FHWA finds that the impact on air quality is not significant.

Noise

The noise analysis showed that under the design year of 2046, six receptors south of the Dulles Toll Road, and one receptor north of the Dulles Toll Road, are predicted to experience noise impacts that would approach or exceed the noise abatement criteria. A noise barrier has been determined to be feasible (provide the minimum noise reduction) and reasonable (meet the cost-effectiveness criteria, based on a square foot cost) for the impacted receptors south of the Dulles Toll Road. The noise conclusions are preliminary because the noise analysis is based on conceptual design and topographic information. The noise analysis will be updated during the final design phase of the project and firm determinations on noise abatement will be made at that time.

During the construction phase of the project, noise from construction activities may intermittently dominate the noise environment in the immediate area of construction. Any construction noise

impacts that may occur as a result of roadway construction are anticipated to be temporary in nature and would cease upon completion of the project construction phase. The contractor would be required to conform to the specifications found in VDOT's Road and Bridge Specifications, Section 107.16(b.3), "Noise". Adherence to this policy of establishing a maximum level of noise that construction operations can generate would reduce the potential impact of construction noise on the surrounding community.

FHWA finds that the noise impact is not significant.

Visual Quality

Because the project is within a developed suburban area, the viewshed for the visual and aesthetic resource assessment is primarily limited to adjacent land uses. The Dulles Corridor is the predominant transportation feature within the study area. Development on the north and south sides of the Dulles Corridor includes commercial (office parks, office buildings, a medical center, hotels, and shopping centers), residential (single-family townhouses and apartment buildings), and park/recreation facilities, including two golf courses and a walking and biking trail, the W&OD Railroad Regional Park. A Dominion Energy substation is located on the north side of Sunset Hills Road north of the Dulles Corridor. A 2.4-acre stormwater management pond also exists to the west of the project south of the Dulles Corridor. On both the north and south sides of the Dulles Corridor are pockets of trees and vegetation, including a small, vegetated area south of Sunset Hills Road and west of Metro Center Drive. A bank of trees also lines most of the Dulles Corridor.

Though the project would alter the landscape with the construction of a three-lane roadway on either side of the Dulles Corridor and a bridge over the Dulles Corridor, the resulting overall landscape would remain in character with the existing visual environment, which already features many roadways, driveways, and parking lots, as well as the overpasses for Wiehle Avenue, Reston Parkway, and pedestrian access to the Wiehle-Reston East Metrorail Station. Addition of a new roadway and associated elements (e.g., traffic signals and utility poles) would not add any visual intrusions that do not already occur within the viewshed of the surrounding area. The views from adjacent development would be similar, albeit of a different form of paved surfaces; north of the Dulles Corridor, the Soapstone Connector would primarily replace surface parking lots, and south of the Dulles Corridor, the Soapstone Connector would primarily replace surface parking and Association Drive. The trees and vegetation that form natural barriers between properties would likely partially obscure views of the project from most buildings. Temporary visual impacts, such as visibility of construction materials, cranes, and other equipment, would occur during construction of the project.

FHWA finds that the impact on visual quality is not significant.

Historic Properties

Pursuant to Section 106 of the National Historic Preservation Act, effects on historic properties have been taken into account in developing the project. The project would have an adverse effect on one historic property: the Association Drive Historic District, which consists of nine of ten buildings located on the semicircular Association Drive, immediately south of the Dulles Corridor

and north of Sunrise Valley Drive. A Memorandum of Agreement among FHWA, the Virginia State Historic Preservation Officer, the Virginia Department of Transportation, and the Fairfax County Board of Supervisors was executed to resolve the adverse effects on the historic district. The minimization and mitigation measures in the Memorandum of Agreement include the following:

- Historic American Building Survey (HABS) Recordation of Association Drive Historic District
- Historic American Landscape Survey (HALS) Documentation of Association Drive Historic District
- Three Wayside Markers for Association Drive Historic District
- Public History / Popular Report

Pursuant to Section 4(f) of the U.S. Department of Transportation Act, the U.S. Department of the Interior agreed that there is no feasible and prudent alternative to the use of land from the Association Drive Historic District, and also concurred that that the selected alternative is the alternative that causes the least overall harm.

The regulations implementing Section 106 of the National Historic Preservation Act state, "A finding of adverse effect on a historic property does not necessarily require an EIS under NEPA."

FHWA finds that the impact to historic properties is not significant.

Hazardous Materials

Prior to the acquisition of right of way and construction, a Phase I Environmental Site Assessment (ESA) per the American Society for Testing and Materials (ASTM) method E1527-13 would be conducted to determine whether any of the sites are potentially contaminated. Based on findings from the ASTM Phase I ESA, an ASTM Phase II ESA may be conducted. All solid waste material resulting from clearing and grubbing, demolition, or other construction operations would be removed from the project area and disposed of according to regulations. Any additional hazardous materials discovered during construction of the project would be removed and disposed of in compliance with all applicable federal, state, and local regulations. All structures scheduled for demolition or renovation would be inspected for asbestos containing materials (ACM) and lead-based paint (LBP) prior to work. If ACM or LBP are found, in addition to the federal waste related regulations, state regulations for ACM and LBP would be followed. All necessary remediation would be conducted in compliance with applicable federal, state, and local environmental laws and would be coordinated with the U.S. Environmental Protection Agency, Virginia Department of Environmental Quality, and other federal or state or local agencies as necessary. Prior to, during, and after construction, all applicable federal, state, and local regulations would be complied with by the contractor.

The project would cross four natural gas pipelines that are assets of Williams Gas Pipelines (WGP) TransCo. In correspondence with Fairfax County, a representative of WGP indicated that WGP has no objections to the project provided WGP maintains unlimited access to all four pipelines at any time to operate, maintain, and repair as necessary. In August 2020, WGP confirmed that both alternatives under consideration would likely impact the existing WGP assets and subsequent to

construction of the bridge, the pipelines would need to be inspected, repaired, or rerouted, if necessary, and recoated at Fairfax County's expense. Coordination with WGP would continue throughout the design and construction phases of the project as needed.

FHWA finds that the hazardous materials impact is not significant.

Water Resources

The project would impact up to 259 linear feet of a tributary to Colvin Run. Approximately half of the segment of the stream that is within the project corridor currently passes through a culvert under the Dulles Corridor and would be unaffected by construction of the bridge. The remaining half of the stream segment within the project corridor daylights briefly north of the Dulles Corridor before passing through a culvert again under parking areas. This segment of stream would likely be placed within culvert to accommodate construction of the northern bridge approach. A more detailed analysis of stream impacts based on the limits of grading for the project would be conducted during project final design. It is anticipated that permanent impacts to waters of the United States would be less than the ½ acre threshold for linear transportation projects eligible for Clean Water Act Section 404 compliance under the State Programmatic General Permit (17-SPGP-01). If stream mitigation is required for the project, purchase of credits from an approved mitigation bank or payments to the Virginia Aquatic Resources Trust Fund is the anticipated form of stream mitigation.

No impacts to wetlands are anticipated.

The project could potentially result in a short-term increase in sedimentation and possible spills or non-point source pollutants entering groundwater or surface water from storm runoff during project construction. Potential short-term impacts of the proposed project would be minimized with implementation of appropriate erosion and sediment control practices in accordance with the Virginia Erosion and Sediment Control Regulations, the Virginia Stormwater Management Law and regulations, and VDOT's Road and Bridge Specifications. These specifications also prohibit contractors from discharging any contaminant that may affect water quality. Care would be taken while transporting materials in and out of the project site. In the event of accidental spills, the contractor is required to immediately notify all appropriate local, state, and federal agencies and to take immediate action to contain and remove the contaminant. Additionally, the requirements and special conditions of any required permits for work in and around surface waters would be incorporated into construction contract documents, so that the contractor would be required to comply with such conditions.

Minor long-term water quality effects could occur as a result of the project. Potential long-term effects include increases in impervious surfaces, increases in traffic volumes, and consequent increases in pollutants washed from the road surface into receiving water bodies. Increases in impervious surfaces can potentially increase stormwater flows, thus increasing sedimentation and turbidity problems in benthic impaired waters, such as Colvin Run.

Conveyance of stormwater from the project would require compliance with the Virginia Pollutant Discharge Elimination System standards and stormwater management regulations. Detailed

hydrological studies would be conducted during final design to develop stormwater management measures in accordance with federal, state, and local regulations to minimize potential water quality impacts. The hydrological studies would include examination of whether the existing stormwater management pond west of the project would provide adequate detention and treatment volume to accommodate stormwater flows from the project site, or if additional stormwater management measures, such as vegetated swales, infiltration trenches, and other measures, are warranted. Stormwater management measures would be designed to reduce or detain discharge volumes and remove sediments and other pollutants, thus avoiding substantial further degradation of impaired water bodies in the project vicinity.

FHWA finds that the impact on water resources is not significant.

Threatened and Endangered Species

Based on the U.S Fish and Wildlife Service (USFWS) Information for Planning and Consultation online review database, one federally listed species, the northern long-eared bat (*Myotis septentrionalis*), and one candidate species, the monarch butterfly (*Danaus plexippus*), could potentially occur along the corridor. At the time of the preparation of the Revised EA, the northern long-eared bat was listed as threatened and reliance on the 4(d) rule was documented to fulfill Section 7 consultation requirements for potential incidental take of the species. On March 31, 2023, the listing for the northern long-eared bat changed from threatened to endangered. While the 4(d) rule under the threatened listing gave opportunities for many projects to continue under normal schedules (i.e., no time of year restrictions on activities such as tree clearing), the endangered listing does not allow for a 4(d) rule. Therefore, any projects that have the potential to impact suitable habitat will need to be re-coordinated with the USFWS. According to the Virginia Department of Wildlife Resources, there are no known northern long-eared bat hibernacula and there are no known occurrences of summer roosting or foraging northern long-eared bats in the vicinity of the project corridor. Foraging habitat conditions within 0.5 mile of the project corridor are poor due to fragmentation from urban development. Final determinations regarding the project's effects on the northern long-eared bat pursuant to Section 7 of the Endangered Species Act and conclusion of consultation with USFWS will be completed during the final design stage when more information is available regarding the extent of tree clearing that will be required for project construction.

Indirect Effects

The analysis of indirect effects in the Revised EA followed a seven-step process described in the Transportation Research Board's (TRB) National Cooperative Highway Research Program Report 466, *Desk Reference for Estimating the Indirect Effects of Proposed Transportation Projects*. To complete these steps, the required analyses rely on planning judgment. The NCHRP 25-25 program, Task 22, *Forecasting Indirect Land Use Effects on Transportation Projects*, documents means of applying planning judgment to indirect and cumulative effects analyses. The direction provided in the TRB document was the basis for the indirect effects analyses in the Revised EA.

The project would not provide access to any currently inaccessible areas that would act as a catalyst for development that could not occur in the absence of the project. It is anticipated that the project

would not substantially encourage or accelerate any changes in land use that are not already anticipated. In fact, the project is included within the transportation section of the Fairfax County Comprehensive Plan. Therefore, the project is consistent with the future condition of land use that is already anticipated and planned for by Fairfax County.

FHWA finds that the indirect effects are not significant.

Cumulative Effects

The cumulative effects analysis in the Revised EA is based on a five-part evaluation process based on FHWA guidance:

1. What is the geographic area affected by the project?
2. What are the resources affected by the project?
3. What are the other past, present, and reasonably foreseeable actions that have impacted these resources?
4. What were those impacts?
5. What is the overall impact on these various resources from the accumulation of the actions?

Adverse cumulative impacts from past, present, and future projects are anticipated with the project for social and economic resources, historic properties, water resources, threatened and endangered species, air quality, and noise. The majority of these adverse effects are largely attributable to past actions that occurred prior to the establishment of protective environmental regulations. Adverse impacts to natural resources have occurred over time, first due to agricultural uses of the land, and then to residential, commercial, industrial, institutional, and public infrastructure development. Current regulatory requirements and planning practices are helping to avoid or minimize the contribution of present and future actions to adverse cumulative effects. When considered in the context of the project setting, the magnitude and intensity of the impacts of the project would not contribute substantially to cumulative impacts.

FHWA finds that the cumulative effects are not significant.

FHWA Finding

Based on the foregoing information as well as the Environmental Assessment, the Revised Environmental Assessment, the Section 106 Memorandum of Agreement, and the Virginia Department of Transportation's letter requesting a Finding of No Significant Impact, FHWA finds that the project will not have a significant effect on the human environment. Therefore, an Environmental Impact Statement is not warranted, and this Finding of No Significant Impact is being issued accordingly. The Finding of No Significant Impact will be reevaluated pursuant to 23 CFR 771.129(c) prior to FHWA granting any major approvals, and the reevaluation will take into account the conditions at that time.