

**FINDING OF NO SIGNIFICANT IMPACT
FOR
KLINGLE VALLEY TRAIL
WASHINGTON, DC**

The Federal Highway Administration (FHWA), in conjunction with the District Department of Transportation (DDOT) and in cooperation with the National Park Service (NPS), proposes the construction of a multi-use trail facility within the 0.7 mile barricaded portion of Klinge Road between Porter Street, NW, and Cortland Place, NW. In accordance with the National Environmental Policy Act of 1969 (NEPA), the Council of Environmental Quality (CEQ) regulations (40 CFR 1500-1508), and the FHWA's Environmental Impact and Related Procedures (23 CFR 771); the FHWA and DDOT prepared an Environmental Assessment (EA) which was released for agency and public review and comments on June 4, 2010. A public hearing was held on June 23, 2010. Subsequently, a Final EA was prepared to fully address all agency and public comments received. This Final EA was released on January 13, 2011 for 30 days of public review.

The proposed action is to construct a multi-use trail facility integrating context sensitive design, to provide safe non-motorized transportation and recreational opportunities to the residents and visitors of the District of Columbia (the District). The project needs are a culmination of safety concerns due to the deteriorated roadway and structures inclusive of culverts, District Water and Sewer Authority (DC Water) appurtenances, and land surrounding the DDOT right-of-way; social demands as presented in the Park and Recreation Open Space District element in the *District Comprehensive Plan*; system linkage provisions tying points west of Connecticut Avenue to the Rock Creek Park multi-use trail system; deficiencies in the existing infrastructure resulting in degraded habitat within Klinge Valley; and legislation: the District's Klinge Road Sustainable Development Act of 2008.

PREFERRED ALTERNATIVE AND OPTIONS

In accordance with the design objectives established to meet the project purpose and need, multiple alternatives and options were developed. Four Klinge Valley Trail alternatives, including the No Action Alternative, two options for the Restoration of Klinge Creek, and three options for Access to Rock Creek Trail are analyzed in detail in the EA. Two options for lighting were also evaluated.

Preferred Klingle Valley Trail Alternative:

Following the public comment period, DDOT identified Alternative 2, the 10-Foot Multi-Use, Permeable Trail, as the Preferred Alternative. Alternative 2 would be constructed within the existing DDOT right-of-way, using permeable pavement or materials. The trail would include 2-foot shoulders on either side of the trail. The trail would slope slightly to the opposite side of Klingle Creek toward a 2-foot wide, 1-foot deep flat bottom drainage swale. This drainage swale would include check dams and capture runoff from the steep sideslopes on the north side of Klingle Valley and slow stormwater flow. Additionally, DDOT selected the following preferred options to be implemented in conjunction with the Preferred Alternative, in order to support a sustainable trail:

Preferred Klingle Creek Restoration Option:

The Klingle Creek Restoration Option B – Full Stream Channel and Bank Stabilization will repair targeted channel and bank stability problems throughout the project area, for a total of 1,595 linear feet of stream channel restoration.

Preferred Access to Rock Creek Trail Option:

The preferred option for access to Rock Creek Trail is a combination of Option B – Shared-Use Connection and Option C – Multi-Use Trail Connection, which is referred to as Option C-Modified in the Final EA. The Preferred Access to Rock Creek Trail Option will include the construction of a trailhead to Klingle Valley at the east end of the project area. A multi-use trail will be constructed along the south side of the existing Klingle Road and continue to the ramp, which leads to the Rock Creek Trail below Porter Street, NW. At the ramp, the existing 20-foot travel lane will be redesigned to a 12 to 14-foot wide travel lane. A multi-use trail would be constructed on the south side of the ramp, separated via a curb and gutter from the main travel lane until it connects to Rock Creek Trail. The width of the multi-use trail will vary from 6-8 feet to accommodate constraints and tie-ins at each end. The trail would be constructed within the footprint of the existing roadway and no new impervious surface would be added.

Preferred Lighting Option:

The Preferred Lighting Option is Lighting Option B – Pole or Bollard Lighting. Under the Preferred Lighting Option low impact pole lighting would be incorporated into the proposed multi-use trail design. Low impact lighting techniques, such as solar cells, which are powered by converting sunlight into electricity, or light-emitting diodes (LEDs) would be considered under this Option. The lighting of the proposed multi-use trail would be timed to correspond with commuter use of the facility to limit the hours of illumination.

The total cost of the Preferred Alternative and options will be approximately \$6,763,823. The annual cost of maintaining the trail will be approximately \$5,840. The duration of construction is anticipated to be 8 to 12 months. A complete description of the Preferred Alternative and options is provided in *Section 2.2* of the Final EA.

ALTERNATIVES CONSIDERED BUT NOT SELECTED

In addition to evaluating the Preferred Alternative and options, the EA and Final EA considered the No-Build Alternative (Alternative 1) and two additional alternatives (Alternatives 3 and 4) in conjunction with multiple options for the restoration of Klingle Creek, access to Rock Creek Trail, and lighting. Additionally, other alternatives and options were considered but not retained for detailed analysis.

Under the No Action Alternative (Alternative 1), the multi-use trail would not be built, although basic maintenance would continue, such as the removal of trees that present a hazard and other debris caused by the deterioration of the roadbed. In addition, fences that prohibit the public from entering this section of Klingle Road would be maintained, and limited steps would be taken to ensure that unsafe conditions within these sections are cordoned off to the public (e.g., jersey barriers and signage). Klingle Creek would not be improved to correct stormwater damage or replacement/repair of the existing retaining walls along the creek. The road would continue to be fenced off and barricaded to public uses.

Alternative 3 – 12-Foot Multi-Use Trail (Permeable) consists of a 12-foot multi-use trail constructed using permeable pavement or materials. As with Alternative 2, the trail footprint would include 2-foot shoulders and a 3-foot clear zone on either side of the trail, and a 2-foot wide, 1-foot deep flat bottom drainage swale with check dams would run parallel to the north side of the trail.

Alternative 4 – 10-Foot Multi-Use Trail (Non-Permeable) consists of a 10-foot multi-use trail paved with non-permeable materials. As with the other Action Alternatives, Alternative 4 would include 2-foot shoulders and a 3-foot clear zone on either side of the trail, and a 2-foot wide, 1-foot deep flat bottom drainage swale with check dams would run parallel to the north side of the trail.

Klingle Creek Restoration Options

Under Klingle Creek Restoration Option A – Stabilization of Priority Areas, selected priority areas of Klingle Creek would be stabilized to protect the trail and associated infrastructure; resulting in the restoration of 420 linear feet of Klingle Creek.

The Klingle Creek Restoration Option B – Full Stream Channel and Bank Stabilization is described above, with the Preferred Alternative and options.

Access to Rock Creek Trail Options

Under Access to Rock Creek Trail Option A – Trailhead, a trailhead would be constructed at the site of the current barricade at the east end of the project area. This trailhead would clearly identify the entrance to Klingle Valley Trail. Users would then use the existing roadway network to access the Rock Creek Park Trail System.

Access to Rock Creek Trail Option B – Shared-Use Connection includes the trailhead described under Option A to identify the entrance to Klingle Trail. Pavement markings would be designed to designate a bike lane along existing Klingle Road. The ramp roadway that runs underneath Porter Street, which is currently 20 feet from curb to curb, would be divided into a shared-use roadway. This would reduce the vehicular travel lane to 14 feet in width, and a 6-foot pedestrian and bicycle lane would be designated via pavement markings and a physical barrier, such as a concrete curb and plastic bollards. This configuration would continue along the ramp, allowing access from the multi-use lane to and from Rock Creek Trail.

Access to Rock Creek Trail Option C – Multi-Use Trail Connection would also include the trailhead described under Option A. A multi-use trail would be constructed along the south side of the existing Klingle Road and continue to the ramp that leads to the Rock Creek Trail below Porter Street, NW. At the ramp, the existing 20-foot travel lane would be redesigned as a 14-foot wide travel lane. A multi-use trail would be constructed on the south side of the ramp, separated via a curb and guardrail from the main travel lane until it connects to Rock Creek Trail. The width of the multi-use trail would vary from 6-10 feet to accommodate constraints and tie-ins at each end.

Lighting Options

Lighting Option A – No Lighting would not include lighting with the detailed design of the proposed multi-use trail.

Lighting Option B – Pole or Bollard Lighting would include low impact lighting in the proposed multi-use trail design. Low impact lighting techniques, such as solar cells, which are powered by converting sunlight into electricity, or LEDs would be considered under this Option.

More detailed descriptions of the trail alternatives and various options considered are provided in *Section 2.2* of the Final EA.

ANALYSIS OF SIGNIFICANT IMPACT

As stated in 40 CFR 1508.27(a), the analysis of significance as used in NEPA requires consideration of both the context and intensity of an action:

(a) Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.

(b) Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:

- Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.
- The degree to which the proposed action affects public health or safety.
- Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.
- The degree to which the effects on the quality of the human environment are likely to be highly controversial.
- The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.
- The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.
- Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.
- The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.
- The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.
- Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

Based on the impact analysis presented in *Chapter 4* of the Final EA, the project would not result in significant impacts. Given that the project would be constructed within existing DDOT right-of-way, there would be no or negligible impacts to farmland, groundwater, wetlands, navigable waters, wild and scenic rivers, coastal zones, rare, threatened and endangered species, paleontology, demographics, environmental justice, economics and development, joint development, Indian trust resources, American Indian sacred sites, hazardous waste sites, and energy conservation. The project would have an overall long-term beneficial impact to water resources, aquatic and terrestrial organisms, historic structures and the cultural landscape, aesthetics and visual quality, health and safety, emergency services, schools, parks and recreation areas, utilities and infrastructure, the bicycle and pedestrian network, and transit. In addition, the project would:

- Not use any Section 4(f) properties;
- Not result in any increases in noise levels above existing levels;
- Not result in adverse impacts to air quality;
- Not result in any changes to land use or zoning;
- Not result in right-of-way acquisition or an residential or business displacements; and
- Result in no adverse effect to historic properties, as concurred upon by the District of Columbia Historic Preservation Officer (DC HPO) on June 18, 2010.

The project would result in some adverse effects to the natural, cultural, and transportation environment. A summary of these effects, and an evaluation of their significance per the CEQ guidance, is provided in the following paragraphs. A detailed analysis of these effects is provided in the Final EA.

Natural Resources – Geology, Soils, and Topography: The Preferred Alternative and options would have minor short-term and long-term site-specific impacts on the topography and soils in and around the Klingle Valley Trail study area as a result of construction activities, resulting in exposed soils, which could result in erosion. Approximately 4.09 acres of soils would be disturbed during construction of the Preferred Alternative and options. Impacts would be short-term and minor since the project area has previously been disturbed as a result of construction and degradation of the existing roadway. The Preferred Alternative and options would have long-term benefits as the project would reduce future soil erosion in Klingle Valley. Based on the analysis summarized above, the direct impacts to geology, soils, and topography, do not meet the level for “significance” per the CEQ definition for either context or intensity. Therefore, a higher classification of NEPA documentation or study is not required.

Natural Resources – Vegetation: The Preferred Alternative and options would have a moderate long-term impact to vegetation as a result of trail construction and stream stabilization. The Preferred Alternative and options would result in 2.57 acres of impact to vegetation. Current impacts to specimen trees within the limits of disturbance include the removal of up to 54 large trees, of which 24 are located on NPS property. These impacts are conservatively estimated based on generalized design concepts. They represent the worst-case scenario and do not include avoidance measures or best management practices. As designs for the trail and stream restoration are refined, opportunities to preserve large trees will be actively pursued. Therefore, given the analysis and best management practices, the direct impacts to vegetation do not rise to the level of “significance” per the CEQ definition, and would not require a higher classification of NEPA documentation or study.

Cultural Resources – Archeology: There is a low to moderate potential for intact archaeological resources within the footprint of the proposed trail with the Preferred Alternative and options. However, there is a moderate to high potential for intact archeological resources within the footprint of Klinge Creek Restoration Option B. Through consultation by FHWA with the DC HPO under the Section 106 process, the DC HPO provided concurrence (June 18, 2010) with FHWA’s finding of no adverse effect on historic properties, provided conditions and modifications to avoid adverse effects as outlined in the Assessment of Effects report are followed. Given these conditions and modifications, the effects on archeological resources would not rise to a level of “significance” as defined by CEQ.

Transportation – Roadway Network and Traffic: Under the Preferred Alternative and options, minor short-term local impacts to the roadway network during removal of the road and stormwater infrastructure and construction of the trail. Impacts would be the result of hauling construction materials to and from the site.

Providing access to Rock Creek Trail under the Preferred Alternative and options would have a minor long-term local impact on the roadway network and traffic because of the reduced lane width and construction of a trail or bike lane with barriers along the roadway. The volume of traffic that utilizes the ramp is low. The reduced lane width would be in conformity with American Association of State Highway and Transportation Officials (AASHTO) & DDOT Standards for a ramp with this level of traffic and existing geometry. Therefore, the impact is minor in context and intensity; therefore, does not rise to a level of “significance” as defined by CEQ.

MITIGATION MEASURES

The following mitigation measures would be implemented to mitigate or minimize adverse impacts of the Preferred Alternative and options and options:

- The compaction and disturbance of soils within the project area as a result of construction activities would be remediated after completion through soil stabilization methods and revegetation.
- The implementation of context sensitive design principles and erosion and sedimentation best management practices (BMPs) would minimize soil lost as a result of erosion during restoration efforts in Klinge Creek.
- Measures would be implemented, to the extent practical, to avoid impacts to larger tree specimens both inside and outside of the existing DDOT right-of-way. Such protection may include the installation of tree protection fencing at the outer drip line of trees to be saved, staging construction equipment to avoid damaging trees and their root systems, and avoiding collision of equipment with trees and other vegetation. Future design efforts would consider each specimen tree individually, using techniques such as imbricated riprap walls, minor relocations of the stream channel and/or multi-use trail, or

building banks out from large trees in order to protect healthy specimen trees while simultaneously stabilizing the stream channel. Landscape plans would be developed in coordination with the NPS and DDOT's Urban Forestry Administration. The landscape plans may include planting, grading, erosion control, and irrigation systems. Where possible, landscaping may be utilized to improve storm water management features following the concept and objectives of Low Impact Development (LID). Areas replanted following construction would be monitored to ensure successful establishment.

- The proposed undertaking would include a geoaicheological survey of the project area. If the geoaicheological survey determines that the project limit of disturbance retains subsurface integrity and has the potential for previously unrecorded archeological resources, additional archeological survey will occur. If archeological resources are found, FHWA would continue consultation with DC HPO on measures to avoid the potential impacts to these resources.
- DDOT would prepare a *Maintenance of Traffic Plan* that would identify routes to be used by the contractors to minimize traffic impacts and disruption to residential areas and parkland during construction.

AGENCY CONSULTATION

As part of the planning process for the Klingle Valley Trail EA, DDOT and FHWA conducted agency coordination as detailed in *Chapter 5* of the Final EA. Coordination included project scoping, consultation with resource agencies in accordance with Section 7 of the Endangered Species Act of 1973, consultation with the DC HPO and others in accordance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), and individual meetings with NPS, the cooperating agency. In addition, DDOT conducted a Green Highways Workshop.

DDOT and FHWA held an Agency Scoping Meeting on September 10, 2009. Agencies in attendance included CFA, NCPC, NPS, DC Office of Planning (DCOP), DC HPO and DDOE. The purpose of the scoping meeting was to solicit feedback and comments from the agencies on the scope and content of the EA, historic preservation and archeological issues, and other environmental issues.

In accordance with Section 7 of the of the Endangered Species Act, consultation letter from the U.S. Fish and Wildlife Service (FWS), received January 21, 2010, determined that no further Section 7 consultation is needed. The letter stated that; "except for the occasional transient individuals, no proposed federally listed endangered or threatened species are known to exist within the project impacts area. Therefore no Biological Assessment or further Section 7 Consultation is required with FWS."

DDOT met with the DC HPO on September 3, 2009 to initiate the NHPA Section 106 process with the DC HPO. At project initiation (Summer 2009), FHWA consulted with the DC HPO and other agencies regarding impacts to historic resources and determined that there would be “no adverse effects” to those resources, and in subsequent discussions regarding the proposed bike/pedestrian facility that determination has remained consistent. On January 19, 2010, FHWA consulted with DC HPO regarding the Area of Potential Effect (APE) and review the preliminary Assessment of Effects prior to submittal. A final APE was agreed upon, and the DC HPO formally concurred on January 20, 2010. FHWA and DDOT submitted the Klingle Valley Trail Assessment of Effects Report to DC HPO for review and comment on May 21, 2010. In a letter June 18, 2010, the DC HPO concurred with that there would be “no adverse effects” to historic properties within the project area (Appendix C of the Final EA).

A meeting with DDOE, DDOT, and project consultants was held on October 15, 2009. The purpose of this meeting was to coordinate with DDOE about the stormwater management options for the Klingle Valley Trail. On December 10, 2009, a site visit was conducted with NPS and DDOE to discuss the results of the *Stream Assessment* and *Wetland Delineation Reports* (Appendix C and D of the June 2010 EA) and to present proposed stream restoration and stormwater management concepts. On January 21, 2010, DDOT and project consultants met with DDOE to discuss improvements recommended for the Klingle Creek watershed in the DDOE *Rock Creek Watershed Implementation Plan*, and to discuss various options for stormwater management and stream restoration for the Klingle Valley Trail project. On August 2, 2010, DDOT met with representatives of DDOE to discuss DDOE comments and concerns on the Klingle Valley Trail approach to stormwater management. On October 20, 2010, DDOT provided written responses to their comments. In a letter dated November 22, 2010, DDOE clarified previous comments on the EA, and expressed satisfaction with the outcome of the meeting and DDOT’s written response to DDOE’s earlier comments. DDOE encouraged continued consultation between the agencies as the project moves forward.

The Green Highways Workshop for the Klingle Valley Trail was conducted on October 22, 2009. The Green Highways Partnership is a voluntary program to get the stakeholders and agency staff together to discuss the project challenges and design options in terms of themes including sustainability; reuse and recycle; conservation and ecosystem restoration; and a watershed based approach. Multiple agencies attended; including the Federal Highway Administration, National Park Service, US Environmental Protection Agency, DC Department of the Environment, DC Office of Planning, DC Water and Sewer Authority, and Metropolitan Washington Council of Governments.

DDOT held a meeting with the U.S Army Corps of Engineers (COE) on January 20, 2010 to review the project, project schedule and future permitting requirements. A Jurisdictional Determination Field Meeting was held August 27, 2010. The delineated Waters of the U.S. were confirmed by the COE. Based on the project schedule, DDOT would likely not seek authorization from the COE until the end of 2010, at which time DDOT would submit the

required permit application. Stream restoration activities associated with this project would be considered beneficial to water resources under Section 404 of the Clean Water Act. Based on consultations with the COE, the proposed stabilization of Klingle Creek and the resulting impacts would be considered minor and would likely be authorized under Nationwide Permit No. 27 (Aquatic Habitat Restoration, Establishment, and Enhancement Activities).

Agency letters and comments received in response to circulation of the EA are included in Appendix C of the Final EA, along with responses from DDOT.

PUBLIC INVOLVEMENT

DDOT held three public meetings for the project. Two public meetings were held to solicit comments prior to submittal of the Klingle Valley Trail EA and Section 106 Evaluation for public comment. In addition to public meetings, DDOT provided a project website that detailed the project history and current activities associated with the proposed Klingle Valley Trail Project. This website invited the public to provide comments via an electronic form on the website or by e-mail.

A Public Scoping Meeting at the National Zoological Park Visitors Center was held on October 7, 2009. The purpose of the open house was to introduce the project and existing conditions to the community; to solicit comments on the Purpose and Need; Historic Preservation & Archeological issues; as well as general comments about the project. Seventy citizens signed-in at the meeting.

DDOT held a public meeting at the Mount Pleasant Public Library on December 16, 2009. The purpose of this meeting was to present trail design concepts under review by the project team and provide opportunity to comment on the project and historic preservation & archeological issues. Of the citizens who attended the meeting, 21 signed-in.

Prior to the release of the EA, a notice of availability and notice of public hearing was distributed through a variety of outlets. Following circulation of the June 2010 EA, DDOT held a Public Hearing at the National Zoological Park Visitor Center on June 23, 2010. The purpose of the public hearing was to give interested parties the opportunity to provide formal comments on the June 2010 EA and Section 106 Evaluation. Fifty-three (53) individuals signed-in at the meeting. Twenty-two (22) people provided public testimony and four (4) people provided private testimony. Additionally, formal comments were accepted through the project website. Copies of all public comments received and responses to those comments are contained in Appendix D of the Final EA. A summary of the comments received throughout the formal comment period follows:

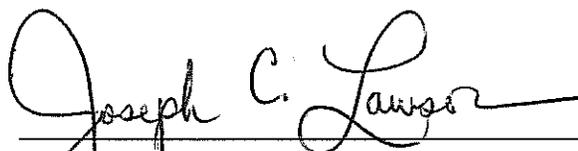
- Of the comments received from citizens and organizations, the majority were in support of the construction of a multi-use trail facility within the 0.7 mile barricaded portion of Klingle Road. Alternative 2 was the most frequently cited build alternative preferred by the commenting parties.

- The need for the restoration of Klingle Creek was identified by many of the commenting individuals. The Klingle Creek Restoration Option B was most frequently identified as the preferred option.
- Access to Rock Creek Trail Options: Options B was favored by those providing comments. The main reason cited was separation from vehicular traffic, which Option A would not provide, while minimize impacts to unpaved areas as in Option C.
- Lighting Options: The majority of individuals favored Option A, the No Lighting Option. Several individuals stated they understand why lighting would be beneficial and suggested limiting the hours lighting would be provided as a way of implementing Option B - Lighting Option. Low-impact lighting such as solar or LED was preferred.
- Some individuals opposed the project and questioned the legal process associated with prohibiting motor vehicle traffic on the barricaded section of Klingle Road and constructing a multi-use trail; maintenance of utility and emergency service access; and traffic in surrounding areas, specifically Mount Pleasant. Also noted was the one acre approval for subdivision by DC HPO on the Tregaron Property.

CONCLUSION

The FHWA has determined that the Preferred Alternative and options will not have a significant impact on the natural, human or built environment as defined by CEQ. This Finding of No Significant Impact (FONSI) is based on the findings of the proposed project's Final EA, and comments submitted during preparation of the EA. The Final EA has been evaluated by the FHWA, using CEQ regulations and FHWA guidelines, and determined to adequately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an environmental impact statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the attached EA.

Approved:



Joseph C. Lawson
Division Administrator
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2/28/2011

Date