FINDING OF NO SIGNIFICANT IMPACT
for
K STREET
24th Street NW to 7th Street NW
WASHINGTON, D.C.

DDOT Project Number: 1102(027)/SR028A/DC-29

The Federal Highway Administration (FHWA), in conjunction with the District Department of Transportation (DDOT), proposes modifications to K Street to create a transportation facility that enhances the mobility, throughput capacity, and economic vitality within the downtown Washington Central Business District. In accordance with the National Environmental Policy Act (NEPA), the FHWA and DDOT prepared an Environmental Assessment (EA) which was released for agency and public review on September 29, 2009. A public hearing was held on October 14, 2009. Subsequently, a Final EA has been prepared to fully address all agency and public comments received.

The proposed modifications to K Street are intended to accommodate multimodal traffic (bus, automobile, bicycle, and pedestrian) that currently uses the corridor. The proposed action would achieve the following objectives:

- Provide efficient travel along K Street for all transportation modes, including transit, pedestrians, bicycles, and automobiles;
- Eliminate roadway infrastructure deficiencies along K Street and improving mobility and safety for all K Street users; and
- Construct a "Green Street" using exceptional urban design principles and innovative and environmentally sustainable design methods.

PREFERRED ALTERNATIVE

Following the public comment period, DDOT identified Alternative 2, the Two-Lane Transitway, as the Preferred Alternative. Alternative 2 would provide an exclusive two-way, two-lane median transitway between 20th Street and 9th Street. Alternative 2 would also include two 10-foot general purpose travel lanes and one 12-foot travel/off-peak parking lane in each direction on K Street between 20th Street and 12th Street. Raised medians would separate the general purpose travel lanes from the transitway and provide width for passenger platforms and landscaping. The transitway would include one 12-foot lane in each direction. Passenger platforms would be located on the raised medians and would be typically 11 feet wide. The medians opposite the platforms would vary between five and 11 feet wide, except where they are constrained by reduced roadway widths at Farragut Square, McPherson Square, and Franklin Square parks. Between 12th Street and 9th Street, the existing roadway width reduces to

approximately 50 feet; therefore, the medians would be eliminated and the section would include one general purpose travel lane plus one exclusive bus lane in each direction.

Eight bus stops would be located in both the eastbound and westbound direction of the transitway. Bus stops would be curb-lane stops without provisions for passing of stopped buses. The bus stops would be approximately 140 feet long to accommodate multiple buses at one time. Left turns would be prohibited from the transitway, with the exception of left turns at 19th Street from the westbound direction. Left turns would be prohibited from the general purpose lanes at all but 14th Street in the eastbound direction and 11th and 10th Streets in the westbound direction during the peak periods.

A complete description of the Preferred Alternative is provided in ***Section 2.2*** of the Final EA.

ALTERNATIVES CONSIDERED BUT NOT SELECTED

In addition to evaluating Alternative 2, the EA and Final EA considered the No-Build Alternative (Alternative 1) and the Two-lane Transitway with Passing Alternative (Alternative 3), as well as other alternatives that were considered but not retained for detailed analysis.

Under the No-Build Alternative, the existing roadway, median, service lanes, and sidewalks would remain as they are today, with no major modification to K Street within the study area. Currently programmed, committed, and/or funded roadway projects in the study area (with the exception of the K Street project) would be completed.

Alternative 3 would provide an exclusive two-way, two-lane median transitway between 20th Street and 9th Street plus provide opportunities for bus passing in blocks that could accommodate a third bus lane. Alternative 3 would include two 10-foot general purpose travel lanes and a five-foot bike lane in each direction. A raised median would separate the general purpose travel lanes from the transitway. The transitway would include one 12-foot lane in each direction, plus an 11-foot center passing lane adjacent to the bus stop area. Passing would be provided at eight locations where the roadway width permits. East of 12th Street, this alternative would be identical to Alternative 2 with one general purpose lane and one bus lane per direction. The typically 140-foot long bus platforms would be located approximately every block on the near side of the intersections. Seven platforms would be located in the eastbound direction and eight platforms would be located in the westbound direction.

Eight additional alternatives that were evaluated in the 2005 *K Street Transitway Report* were also considered during the scoping process conducted for the K Street EA. These alternatives were not carried forward for further study.

More detailed descriptions of the alternatives are provided in ***Sections 2.2 and 2.3*** of the Final EA.

ANALYSIS OF SIGNIFICANT IMPACT

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

(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 Section 3 of the Final EA, the project would not result in significant impacts. Given the project's urban environment, there would be no impacts to streams, wetlands, floodplains, coastal zones, wild and scenic rivers, farmland, forests, wildlife habitat, or habitat for threatened and endangered species. The project would improve water quality by incorporating Low Impact Development techniques such as rain garden cells, vegetative filter strips, and permeable pavers. Stormwater would be managed through the use of DCWASA water quality inlets to treat the pavement runoff. 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 effects to air quality. The National Capital Region Transportation Planning Board has approved the 2010 to 2015 Transportation Improvement Program (TIP), which includes the "K Street, NW Priority Busway" as a major project;
- Not result in any changes to land use or zoning;
- Not result in right-of-way acquisition or in any residential or business displacements; and
- Result in no adverse effect to historic properties, as concurred by the District of Columbia State Historic Preservation Officer on August 27, 2009.

The project would result in some adverse effects to the human and natural 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.

Social Characteristics – Neighborhoods and Community Cohesion: The K Street project area's neighborhood is defined as the business and residential community that exists on K Street and on the side streets immediately adjacent to K Street. Persons who spend non-work time in the corridor for other pursuits (recreation, school, shopping, dining, and professional appointments) are also part of the community. Social groups include employers and employees, residents, commuters, visitors/shoppers/diners, and through travelers.

Adverse effects to the community and businesses would occur as a result of changes in parking and delivery availability and in travel patterns. One hundred thirty of the approximately 330 curbside, two-hour parking spaces would be removed; and parking, curbside deliveries and valet parking would be restricted to off-peak hours. Approximately 200 curbside parking spaces would continue to be available during off-peak hours. There would be no change in availability

of the 409 parking spaces on the side streets within one block of K Street and the more than 8,000 garage parking spaces. Impacts caused by parking and delivery restrictions would include inconveniences to business patrons who normally park on K Street and adjustments in delivery times normally scheduled during peak hours. Deliveries during peak hours would be restricted to side streets or alley loading docks. Any potential for a reduction in business patronage attributable to reduced availability of parking would be offset by improved transit efficiency and reliability that would attract more business patrons who elect to use transit. Urban design improvements of the Preferred Alternative would include increased accessibility due to lowered congestion and higher efficiency of traffic movement along K Street that would attract more consumers to K Street, providing long-term benefits for the K Street business community.

Community cohesion refers to the interaction of the business owners and others who populate K Street as employees, customers, or visitors. None of the improvements would change this interactivity; rather, the urban design and streetscape improvements would enhance community cohesion through the creation of a strong sense of neighborhood character on K Street.

Based on the analysis summarized above, the direct effects to neighborhoods and community cohesion do not meet the criteria for either context or intensity per the CEQ definition. The improvements would not adversely affect public health or safety. Furthermore, those members of the public who commented on the K Street EA did not consider these effects to the human environment controversial (Final EA, Appendix F).

While the proposed action is a site specific action, the effects do not rise to a level of "significance" that would require a higher classification of NEPA documentation or study.

Social Characteristics – Population and Employment: The Preferred Alternative would not change the availability of housing; therefore, impacts to the residential population are not expected. The Preferred Alternative would attract employment and visitors by providing more efficient transportation that would facilitate faster, more reliable work trips and by creating a more inviting street subsequently creating a beneficial effect directly attributable to the proposed action. The effects of the proposed action on social characteristics were not considered controversial by commenters of the EA. The direct effects on population and employment do not rise to a level of "significance" as defined by the CEQ definition. .

Social Characteristics – Environmental Justice: There are minority and low-income populations located within the block groups that surround and abut K Street at either end of the project, however, the project improvements would occur away from predominantly low-income or minority populations. Only one block group with a high proportion of low income/minority population would be directly affected by the project's improvements. The impacts to environmental justice populations would primarily occur as a result of the elimination of 130 on-street parking spaces, making low-cost parking less available. This would impact low-income persons more than others because a higher parking cost would represent a higher proportion of

their income. However, the preferred alternative would also provide transportation improvements that would result in improved travel times and more reliable and efficient transit which would benefit all populations. Therefore, the analysis concludes that the project's impacts on minority and low-income populations are neither disproportionately high nor adverse. There would also be no adverse effect to public health or safety of minority and low-income populations. Overall, the effects do not meet the CEQ criteria for either context or intensity; therefore, the impacts of the action on social characteristics do not rise to a level of "significance" as defined by CEQ.

Businesses and Economic Vitality: Completion of the Preferred Alternative would provide a high quality design and streetscape that could attract businesses, consumers and visitors to this already successful street. Design and streetscape strategies would be developed to improve traffic conditions and provide faster, more reliable transit that would enhance and support the continuing economic vitality of K Street. Elimination of some parking and a prohibition on parking and deliveries during peak hours would impact businesses and visitors; however, (1) most on-street parking and loading would remain available during off-peak periods, and side street and garage parking would remain the same as existing conditions; (2) alley loading docks would remain open and available; and (3) the more efficient transit system would attract transit riders, decreasing the number of automobile drivers entering the area. These factors would serve to mitigate the impact on the human environment. Therefore, while there are some anticipated direct impacts to businesses and economic vitality caused by the Preferred Alternative, those impacts do not rise to a level of "significance" regarding their context or intensity as defined by the CEQ definition. .

Community Facilities: The Preferred Alternative would improve mobility and access to community facilities as a result of lowered congestion, faster travel times and more efficient, reliable transit. Emergency vehicles would use the transitway to avoid automobile traffic during emergencies, thus improving response times. The Preferred Alternative would directly impact community facilities through changes in the availability of on-street parking and deliveries. Therefore, similar to impacts to businesses, community facility parking and delivery restrictions would not result in severe impacts on community facilities. Based on the analysis provided in the EA, the direct effects of the proposed action to community facilities do not rise to a level "significance" as defined by CEQ.

Traffic and Transportation: With the Preferred Alternative, end-to-end travel times in the general purpose lanes would be up to four minutes faster than the No-Build Alternative. The K Street transitway would improve bus travel time and reliability, and encourage greater transit usage. End-to end travel times for buses on the transitway would be up to six minutes faster than the No-Build Alternative in 2030. The proposed 140-foot long bus stops would accommodate more than one bus at a time. By placing buses (which carry more persons per vehicle than automobiles) in an exclusive transitway, thus allowing more buses to travel along K Street during a single hour period, the project would provide more person-carrying capacity. The

improvements in bus service would facilitate greater accessibility to employment and entertainment destinations.

Based on an analysis of the effect of the preferred alternative on vehicular traffic, there would be a benefit providing an increase in travel times through the corridor even with two intersections operating at a LOS F during the AM peak period and one intersection during the PM peak period. The impact of the preferred alternative regarding traffic within the corridor considering the "context" and "intensity" of the site specific action, inclusive of the effect on transit operations, would be beneficial overall and therefore not rise to a level of "significance" as defined by CEQ.

The Preferred Alternative would accommodate bicyclists in a 12-foot wide curbside general purpose shared lane with automobiles, during the peak periods. During off-peak hours, the curb lane would accommodate bicyclists and parking/loading. Cycle tracks or separated bicycle lanes could not be included with Alternative 2 because of the desire to maintain existing sidewalk widths. The District's *Bicycle Master Plan* does not designate K Street as a bicycle corridor; rather, bicycle use is promoted on the adjacent parallel streets, L and M Streets. The wider curbside lane would provide approximately two to three feet of accommodation for bicyclists wishing to use K Street during the peak and slightly more space during the off-peak. Pedestrians would continue to be accommodated on wide sidewalks with marked crosswalks, timed crossing intervals, and wider median refuge widths. All pedestrian improvements would be in accordance with the District of Columbia *Pedestrian Master Plan* objectives and recommendations to correct pedestrian deficiencies and increase pedestrian safety. The effects of the project on pedestrians and bicycles / pedestrian mobility and safety are not significant either in context or intensity per the CEQ definitions.

As discussed previously, parking and loading would be impacted by the removal of approximately 130 of the existing 330 on-street parking spaces within the project area, and the restriction of the remaining approximately 200 spaces to off-peak use only. This would increase the demand for on-street parking on K Street and in the first blocks of the side streets. It is anticipated that this change is expected to cause inconveniences to those seeking to park on the street during peak hours and to those service providers delivering goods requiring loading and unloading on K Street during peak hours; however, parking impacts and restrictions to both the service providers and the general public do not rise to a level of "significance" as defined by the CEQ critieria.

Terrestrial Habitat – Street Trees: The Preferred Alternative would require the removal of all of the street trees within the existing medians between 21st Street and 9th Street. Existing sidewalk vegetation would be removed as needed; however, existing, healthy mature trees would be preserved as much as possible. All tree removal would be in accordance with the DDOT Urban Forestry Administration guidelines. Replacement and additional trees would be planted in accordance with an urban streetscape design plan that includes green street technologies as

determined during final design. Given the provided mitigations, the effects on street trees and vegetation would not rise to a level of "significance" as defined by CEQ.

Visual and Aesthetic Resources: Under the Preferred Alternative, the aesthetic character of K Street would be slightly modified during and following construction. The project would continue to provide the four-row street tree configuration and would utilize DDOT's standards for roadway and sidewalk paving, lighting and streetscape furnishings to provide a consistent and complementary aesthetic view within the corridor. The project goals for urban character would be manifested in landscaping and design that would include plantings, stormwater management LID, and street furnishings. The enhanced landscaping would maintain the historic views and vistas of the L'Enfant Plan of the City of Washington within the contemporary dense urban fabric. The effects on visual quality would therefore not be adverse and are not deemed "significant" either in context or intensity per the CEQ guidance.

Indirect and Cumulative Impacts: An indirect and cumulative impacts analysis was completed in accordance with CEQ, FHWA and EPA guidance. The project is not anticipated to cause any indirect impacts to land use in relation to what has been proposed in the comprehensive plans and approved development projects. Indirect impacts would be both adverse and beneficial, and include changes in travel patterns that would affect mobility on other streets; potential loss of customer base due to the inconvenience to customers attributable to on-street parking losses and restrictions; potential increases in delivery costs because of loss/restriction of loading times which would likely be passed on by businesses to consumers; increases in transit reliability and efficiency which could result in increases in transit ridership; and improved attractiveness of the area for new business.

Cumulative impacts would include the incremental changes that occur over time in conjunction with other surrounding development. Beneficial cumulative impacts to employment would include the increase in jobs created by the project and other projects as they are constructed (temporary) and completed (permanent employment opportunities); incremental increases to visual impacts that modify the views and vistas associated with the L'Enfant Plan; potential increases in traffic growth due to this and other development projects; and an incremental beneficial impact to water quality improvement within the Rock Creek watershed with the incorporation of green technologies for stormwater management. Regarding CEQ's criteria for "context" and "intensity", indirect and cumulative impacts associated with the proposed action do not rise to a level of "significance" requiring further NEPA study or documentation.

Construction Impacts: Business on K Street would be temporarily inconvenienced during construction. Construction would disrupt daily flow of business in the corridor. Landscaping, paving, street and/or sidewalk closures may cause some loss of business clientele as a result of this inconvenience. All utilities (electrical power, water and sewer, telephone and cable) are expected to be maintained throughout construction. Licensed street vendors may be temporarily relocated during construction. Construction noise and dust, although minimized, would

temporarily disrupt outdoor dining areas. DDOT would require their contractor to employ noise and dust suppression techniques to limit the impact on outdoor activities such as cafes.

A public information program would be used to inform businesses and residents of the duration of construction, phasing, construction methods, and possible effects. Access would be maintained to all businesses during construction, and pedestrian walkways would be protected from construction so that they could remain open to the extent practicable. DDOT would work with businesses, including street vendors, to develop ways to minimize construction impacts as much as possible. The construction-related effects on business activities would be temporary, and would be minimized through a concerted effort to communicate with, and be responsive to, business owners throughout the construction period. Given the temporary nature of impacts associated with construction activities coupled with the proposed DDOT commitments to mitigation during the period of construction activity, in addition to the support expressed by the business community, agency and public stakeholders for the proposed action; construction impacts, based on the analysis provided and with consideration of "context" and "intensity" do not rise to a level of "significance", as defined by CEQ requiring a higher classification of NEPA documentation.

MITIGATION MEASURES

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

- The DC SHPO will be consulted at 60% and 90% design on a landscaping plan, including way-finding signage, lighting, bus stops, pavement, sidewalks, and any proposed street furniture. The consultation with SHPO will also include NCPC and the Commission on Fine Arts.
- The proposed landscaping will respect and complement project area viewsheds, including historic vistas.
- Any trees removed from the corridor will be appropriately replaced through coordination with the DDOT Urban Forestry Administration.
- During final design, the provision of bus shelters will be coordinated with WMATA.
- Stormwater will be managed as much as practicable with Low Impact Development techniques such as rain garden cells, vegetative filter strips, and permeable pavers.
- A detailed maintenance of traffic plan will be developed during final design to ensure that through traffic is maintained to the extent practicable, pedestrians are provided safe passage through the work zone, businesses are accessible, and deliveries can be made.
- The contractor will be required to comply with the DC Code of Municipal Regulations with regard to construction noise. Noise levels would be minimized to the extent practicable.
- During final design, consideration will be given to signage, pavement markings, and other accommodations/amenities for bicyclists.

- During construction, DDOE regulations will be adhered to regarding protection of workers from exposure to petroleum-contaminated soils and treatment of contaminated soils prior to disposal when petroleum concentrations exceed regulatory thresholds.
- During construction, activities will comply with the District noise regulations.
- During construction, dust-suppression measures would be used to mitigate fugitive dust emissions.
- During construction, pro-active street-side signing would be provided regarding access to businesses and alternative parking locations.
- During construction, DDOT will work with street vendors to assist them in finding new locations along the corridor.
- During construction, a public information program will be used to inform the public concerning construction phases, work hours, access/parking changes, avenues for communication, and possible effects.

AGENCY CONSULTATION

In accordance with Section 106 of the National Historic Preservation Act, the FHWA has determined that the proposed project would have no adverse effect on historic properties. In a letter dated August 27, 2009, the State Historic Preservation Officer (SHPO) concurred with the condition that detailed project plans are provided for the SHPO's review at 60% and 90% design.

A scoping meeting was conducted on July 1, 2009, followed by meetings with the interagency team on July 31, 2009 and October 14, 2009. The interagency team consisted of representatives from the National Capital Planning Commission, National Park Service, Commission on Fine Arts, Arlington County, Metropolitan Washington Council of Governments, DC Water and Sewer Authority, Washington Metropolitan Area Transit Administration, DC Office of Planning, and DC Department of the Environment. Individual meetings with each of the agencies were also conducted throughout July, 2009.

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

PUBLIC INVOLVEMENT

A public meeting was held on July 29, 2009, and attended by 47 citizens. Attendees were provided the opportunity to comment in writing or orally to a court reporter. The major themes of these comments were as follows:

- accommodate bicycle lanes,
- maintain on-street parking,
- provide loading zones with ample length and maneuvering room,
- provide separate transit lanes to more efficiently move transit along K Street, and

- be mindful of sidewalk width and landscaping.

Following circulation of the EA, a Public Hearing was conducted on October 14, 2009. The hearing was attended by 36 citizens. Eleven people provided public testimony and six people provided private testimony. Following the hearing, approximately 300 emails and letters were received. Copies of all comments received and responses to those comments are contained in Appendix F of the Final EA. The major themes and concerns were as follows:

- preference for a particular alternative
- desire for a dedicated bike facility, bicyclist safety, details on bike lanes, preference for bike lanes on L and I Streets
- impacts to businesses from loss of curbside parking, impact on valet parking, loss of sidewalk space, loss of loading zones, and effects during construction
- support for dedicated bus lanes to improve transit travel times, and other accommodations for transit users
- concerns with landscaping plans maintaining and complementing the historic viewsheds
- pedestrian safety, preservation of sidewalk widths
- concerns with left turn prohibitions
- accommodating emergency vehicles
- design suggestions
- automobile congestion and mobility, conflicts with buses/bicyclists, loss of parking
- construction impacts
- effects of changing traffic patterns on parallel streets
- effects to NPS properties

CONCLUSION

The FHWA has determined that the Preferred Alternative/Alternative 2, will not have a significant impact on the natural, human or built environment. This Finding of No Significant Impact (FONSI) is based on the findings of the proposed project's Final Environmental Assessment (EA), and comments submitted during preparation of the EA. The Final EA has been evaluated by the FHWA 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 (EIS) is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the attached EA.

Approved: Mark R. Kehl 12/7/09

Division Administrator Date
Federal Highway Administration