

FINDING OF NO SIGNIFICANT IMPACT

Peaks of Otter Parking Lot Improvements and Trail Accessibility Bedford County, Virginia Blue Ridge Parkway Milepost 86 USDI, National Park Service

Introduction

The National Park Service has prepared an Environmental Assessment to evaluate the effects of rehabilitation of the trail around Abbott Lake to meet American Disability Act accessibility requirements and the addition of parking at the Peaks of Otter Lodge located in the Ridge District, Blue Ridge Parkway, Augusta County, Virginia. The purpose of the parking will be to provide accessible access and parking for the trail, serve as an overflow parking area, a parking area for oversize vehicles such as buses and RV's, and employee parking. The parking area will provide for handicapped access to the trail around the lake as well as access through a safe corridor to the lodge/restaurant building. Because of the non-controversial nature of these proposals and the requirements of ADA, no scoping letters were issued or public information meetings or public hearings held for this project. Federal and State regulatory agencies were called for information and consultation.

The purpose of this document is to record the selection of the proposed alternative and to declare a Finding of No Significant Impact (FONSI) pursuant to the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act.

Alternative Selection

Based on the analysis documented in the Environmental Assessment and regulatory agency input, it is our decision to adopt The Proposed Action— Construct additional parking immediately to the north of the existing parking for the restaurant and lodge units; and make improvements to the trail such that the entire trail is accessible.

The following are mitigation measures agreed to by the Concessioners and NPS during the NEPA process:

- Landscaping associated with construction would use only native species, endemic to the region;
- Any transportation of necessary fill from outside the park would come from approved sites, so as not to import exotic plant species into the park. Actions would be taken to prevent invasive exotic species establishment in disturbed sites;
- The location of southern rein-orchid will be verified prior to trail placement to eliminate or minimize impact to this species;
- Springs and seepages areas will be spanned with boardwalks or bridges to protect these areas (with consultation from the U.S. Army Corps of Engineers, if necessary);
- Rain and snowmelt runoff will be dispersed in such a way as to not adversely impact the wetland between the restaurant and first lodging unit. In addition, there will be no direct drain or runoff into Abbott Lake;
- Construction would come to a halt and the Superintendent would be notified immediately upon discovery of archeological, paleontological, or historical findings;
- The Superintendent would notify Parkway staff when work could be restarted;
- In order to be sure that the proposed action does not adversely effect the existing visual resources of the Peaks of Otter, the following design guidelines should be adhered to;
- Curbing should be kept to a minimum. Where required, curbing shall be stone to match the existing stone curb on the site;
- All pedestrian walkways shall be asphalt in order to match existing walks in the area;
- In area of the proposed parking, all islands shall be planted with 2" dbh trees to match the species found in the area. These plantings are to help the overall site blend in to the forest edge behind the proposed parking lot;
- For the accessible trail, all bridges and boardwalks should use a similar detail to provide consistency throughout the site. These structures should also be constructed of similar materials. Materials that would be suitable for this type of construction would be dimensioned lumber, dimensioned recycled plastic or a combination of the two materials;
- The material for the trail tread should also be uniform. If a paved surface is required, it should be asphalt to match the remainder of the site. If asphalt is not used, then a compacted, crushed granite should be utilized that is dark gray in color.

Summary of Environmental Compliance

The National Park Service, as a federal land-holding agency, is required to locate, inventory, and nominate properties to the National Register, and to exercise caution to protect such properties under Section 106 of the ***National Historic Preservation Act*** (16 U.S.C. 470). The Park Cultural Resource Specialist reviewed this project, and determined that no historic or pre-historic resources would be impacted.

In accordance with Section 7 of the ***Endangered Species Act of 1973***, as amended, (16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service was consulted for potential impacts to federally listed threatened and endangered species and their critical habitat. Data provided by the Virginia Department of Conservation and Recreation Resources, Division of Natural Heritage, determined that no threatened or endangered animals, or their critical habitat, would be adversely affected by the proposal and that *Plantanthera flava* var. *herbiola* (southern rein-orchid) is in the vicinity. Since the proposal would not jeopardize the continued existence of any federally listed species, no Biological Assessment or further Section 7 consultation with the U.S. Fish and Wildlife Service is required.

In accordance with the ***U.S. Fish and Wildlife Coordination Act*** (16 U.S.C. 661 *et seq.*), the U.S. Fish and Wildlife Service, the Virginia Department of Game and Inland Fisheries, and the Virginia Department of Agriculture and Consumer Services have been consulted regarding wildlife resources. According to those agencies, there are no endangered or threatened species, no trout, anadromous species, or other special resource areas of concern in the project area. Thus, the National Park Service is in compliance with this regulation.

In accordance with the ***Clean Water Act*** of 1977 (33 U.S.C. 1251 *et seq.*), applicable state and federal permits (Section 401 Certification and Section 404 Permit) will not be required for this project since no streams are affected by this project. Thus, the National Park Service will be in compliance with both federal and state requirements.

The ***Farmland Protection Policy Act*** of 1981 (7 U.S.C. 4201 *et seq.*) is designed to protect farmland from permanent conversion to other uses by federal programs. According to soil maps prepared by the Soil Conservation Service and updated by the Natural Resource Conservation Service, no prime or unique farmlands on the Parkway right-of-way would be affected by the proposal.

Executive Order 11988 (*Floodplain Management*) requires federal agencies, to the extent possible, to avoid adverse impacts associated with development in floodplains, and to avoid direct and indirect support of floodplain development

wherever there is a practicable alternative. The proposal would not affect 100-year floodplains within the Blue Ridge Parkway, and is thus, in compliance with this regulation.

Executive Order 11990 (*Protection of Wetlands*), requires federal agencies, to the extent possible, to avoid long- and short-term adverse impacts associated with construction in wetlands, and to avoid direct and indirect support of development in wetlands wherever there is a practicable alternative. In accordance with U.S. Army Corps of Engineers parameters, no wetlands will be affected on Parkway lands within the proposed project area.

The proposed project will not have an adverse impact on any streams on the **National Park Service Nationwide Inventory, Final List of Rivers, potential state Scenic Rivers** or existing or potential State Scenic Byways, and it is not anticipated to have any adverse impacts on planned or existing recreational facilities.

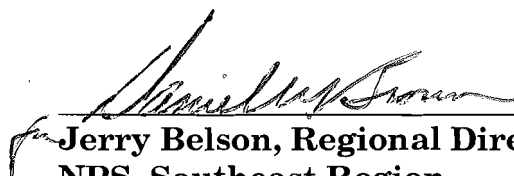
The proposal was reviewed for compliance with the intent of the ***Architectural Barriers Act of 1968***, as amended, the ***Rehabilitation Act of 1973***, as amended (Section 504), and the ***Uniform Federal Accessibility Standards*** (UFAS), and the ***Americans with Disabilities Act*** (ADA of 1990).

Executive Order 12989 (*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*) requires federal agencies to integrate environmental justice considerations into the NEPA process. There would be no disproportionately high and adverse impacts upon minority and low-income populations resulting from the proposal.

CONCLUSION

The National Park Service has made a Finding of No Significant Impact since implementation of the proposal does not constitute a major Federal action significantly affecting the human environment, and an Environmental Impact Statement will not be prepared. Implementation may take place immediately after the date of this decision.

Approved:


for Jerry Belson, Regional Director
NPS, Southeast Region

5/12/99
Date