



## FINDING OF NO SIGNIFICANT IMPACT

### OLD RAG RIDGE TRAIL PARKING FACILITY SHENANDOAH NATIONAL PARK, VIRGINIA

The National Park Service (NPS) plans to construct a parking lot to serve visitors wishing to hike the Old Rag Ridge Trail in Shenandoah National Park, Madison County, Virginia. Old Rag Ridge Trail, one of the most popular hikes in the park, is hiked by approximately 50,000 people each year. This trailhead has historically been serviced by a small 12-space parking lot situated within park boundaries. Since 1974, to accommodate the heavy visitor use of the Old Rag Ridge Trail, the park has leased a 250-space parking lot in the community of Nethers, 0.8 miles from the Old Rag Ridge Trailhead. The NPS seeks to solidify parking availability by building a parking lot on a suitable site near Old Rag Ridge Trailhead that would remain secure on an indefinite basis. The purpose for taking action is to provide visitors with access to the Old Rag Ridge Trail in a way that protects the resources and values of Shenandoah National Park. The new parking lot is needed for several reasons: visitor experience is diminished by poor trailhead access when park visitors parking at the lower leased lot are required to hike an additional 0.8 miles along State Route 600 to reach the trailhead; park neighbors are being impacted by this heavy visitor use; the 250-car lower leased parking lot is leased through 2017 and extending this lease beyond this date is not certain; and there are visitor safety concerns related to vehicular and foot traffic sharing the same narrow roadway (State Route 600).

The NPS completed an environmental assessment (EA) that provides an analysis of the environmental consequences of the alternatives considered for the establishment of this parking lot. This EA was prepared in accordance with National Environmental Policy Act of 1969, as amended (NEPA), its implementing regulations by the Council on Environmental Quality (40 CFR 1500-1508), and Director's Order #12, *Conservation Planning, Environmental Impact Analysis and Decision-Making*, and accompanying Handbook (DO-12).

### SELECTED ALTERNATIVE

Within the EA, the NPS identified alternative B as the preferred alternative in the EA (reference page 22 of the EA). However, as a result of public comments and changing sentiment by the park, the NPS has chosen to modify alternative B as its preferred and selected alternative.

Under this alternative, the NPS will construct a new gravel parking lot to serve Old Rag Ridge Trail on the south side of State Route 600 on a six-acre tract of land owned by the Potomac Appalachian Trail Club (PATC) and leased to the NPS under a long-term lease agreement. The parking area will have a capacity of between 140 and 160 vehicles, including four spaces for buses and six to eight spaces designed in accordance with the 2006 Architectural Barriers Act Accessibility Standards (ABAAS) for park visitors with limited mobility. To avoid impacts to wetlands on the site, the parking will be divided into two smaller parking lots. The footprint of the proposed parking lot will not exceed two acres. Staging areas for construction equipment and vehicles will be located within the new parking lot construction site itself. If necessary, the park will also seek the cooperation of adjacent landowners to stage construction vehicles.

The shed-style kiosk (approximately 120 square feet) will be moved to within the footprint of the proposed parking lot and continue to serve as a temporary visitor contact station. Vault toilets will also be constructed within the footprint of the proposed parking lot. Minimal security lighting will be installed to illuminate the contact station and vault toilets. A permanent, but small, public contact station may be constructed in the future, but this potential project was not analyzed in this EA. There will be a need to

construct one footbridge to cross the wetland area between the two parking lots being considered on the PATC land. If a connector trail from the parking lot to Old Rag Ridge Trail is constructed in the future, a second bridge would need to be constructed to cross the southernmost wetland as part of the new trail head.

Under the selected alternative, the park will discontinue public use of the current 12-space NPS upper parking lot. This lot will be rehabilitated, trash cans and portable toilets removed, and the lockable fire road gate presently located at Weakley Hollow Fire Road will be relocated to eliminate public vehicle access. The lot space will be used exclusively by the NPS for administrative access purposes to respond to incidents on Old Rag.

The need for construction of the proposed connector trail was reconsidered due to anticipated substantially reduced vehicle traffic on Rt. 600 between the new lot and NPS upper lot resulting from closure of the upper lot, and due to resistance by neighbors adjacent to the proposed connector trail. Therefore the proposed connector trail will not be constructed at this time; however, as an adaptive management strategy, the connector trail proposal will remain as a future option if the need and interest for a connector trail changes.

As described in the EA, the preferred alternative proposed a connector trail which would tie the new parking lot to the Old Rag Ridge Trail. The connector trail would be sited on an adjoining tract of land also owned by the PATC. The proposed width of the trail is up to 5 feet wide, and the trail is designed to avoid steep and rocky areas. The trail would also be designed to accommodate intermittent high use visitation and to avoid trees greater than two inches in diameter. The trail would traverse about 0.4 miles of forested land outside the park (PATC property), and upon crossing the park boundary, the trail route would be within federally designated wilderness within the park for about 0.2 miles before connecting with the existing Old Rag Ridge Trail. All trail construction conducted in the designated wilderness area would adhere to regulations provided in the Wilderness Act, which prohibits the use of motorized equipment.

A small privately owned tract of land located immediately adjacent to the proposed parking area was recently willed to PATC by a local resident. This land could potentially be used for the development of a point of access to the new parking lot. While the tract could be acquired by the PATC in the foreseeable future, no NPS development will occur on this tract without a site survey for Section 106 archaeological resources, and wetlands, to confirm that no additional impacts would occur.

Another difference between the selected alternative and the preferred alternative as described in the EA is the inclusion of a parking reservation system. Development and implementation of a parking reservation system was originally presented as a management option in alternative C but not in alternative B, the preferred alternative. Upon further consideration, the NPS has decided that a reservation system will be included in the selected alternative in order to manage parking availability at the new parking lot on PATC land on a seasonal (March through November) basis. Visitors wishing to use the new parking lot will be required to make reservations by mail-in requests or over the phone or internet (as NPS campground reservations are presently conducted), and by self-registration on non-holiday weekdays. An administrative reservation fee, in addition to the park entrance fee, will be collected. The purpose of including the parking reservation system is not to limit access to the Old Rag Ridge Trail, since the parking lot size itself will limit access, but to provide visitors with an opportunity to plan a successful trip to Old Rag and secure parking prior to leaving home. If parking is reserved full (seasonal weekends), visitors can be redirected to other park trails prior to their arrival at the park. In the absence of a parking reservation system, upon filling the lot on certain busy weekends on a "first-come, first-served" basis, many visitors may have to be turned away on site and redirected to other areas. The reservation system will be phased in as the new parking lot is completed and the lower leased parking lot is reduced to a lower parking capacity.

It is the long-term goal of the National Park Service to provide a permanent arrangement for parking for visitors to Old Rag. The Service believes that gradual reduction in the use of the leased lot is imperative

to achieving this objective. Construction of the new lot will take several months to complete. Implementation of the reservation system is likely to occur incrementally. During construction of the new lot, the leased lot will continue to function at its current size of 250 vehicles. Once the new lot is completed, the leased lot will be reduced in size. The parking capacity of the leased parking lot would be reduced by approximately 90 to 110 spaces so that the maximum vehicle parking for the Nethers area would not exceed the 262 vehicle capacity currently maintained by the existing lower leased parking lot and NPS upper parking lot. During the phasing in of the reservation system, it is prudent to continue to allow some limited use of the leased lot. Concurrently, the Service wants to monitor the condition and trends of natural resources on and around Old Rag Mountain. Once the new construction is completed, the reservation system is in place, and better information on park resources is available, the Service will make a final decision regarding whether or not the leased lot will be closed.

Road shoulder parking along State Route 600 by park visitors will be prohibited, including the road shoulder pull-off frequently used for visitor parking at the Nicholson Hollow Trail trailhead just west of the PATC parcel containing the new lower parking lot. Effective public information and education, signage, and enforcement strategies will be necessary to redirect excess weekend vehicle and public use to other trail areas and Skyline Drive in the park.

Under the selected alternative, the park will conduct all the actions listed in the EA as "Elements Common to All Alternatives." In addition, the NPS upper parking lot will be decommissioned and closed to public vehicle access and use. If the future decision is made to decommission the lower leased parking lot, all property previously installed, maintained, and/or owned by the NPS would be removed from the property and the site made safe for the landowner's use (i.e., all utilities will be cut off, excess debris will be removed, and post holes will be filled).

#### **OTHER ALTERNATIVES CONSIDERED**

The environmental assessment prepared for this project also analyzed two other alternatives: the no action alternative (alternative A) and one other action alternative (alternative C).

Under the no action alternative, the NPS would continue to manage two parking areas that serve the Old Rag Mountain Ridge Trail, the NPS upper parking lot and the lower leased parking lot. The NPS upper parking lot is located in close proximity to the Old Rag Ridge Trailhead, within Shenandoah National Park, at the end of State Route 600, and provides parking for up to 12 vehicles. The lower leased parking lot provides overflow parking for up to 250 vehicles and is located in Weakley Hollow, approximately 0.8 miles from the trailhead, on three acres of pastureland along State Route 600.

The lower parking lot is leased from a private landowner through the year 2017. The lot is undeveloped except for a small shed-style building used as a contact station and graveled driving lanes between the parking spaces. The lot accommodates up to 250 cars. The contact station in the lower leased parking lot is staffed by two NPS employees. Their responsibilities include taking entrance fees, answering questions and providing information to the public and general upkeep of the area. When the NPS upper parking lot is at capacity (i.e., on weekends and during peak visitor season, generally April through early November), park staff place a temporary barricade in the roadway near to the contact station to discourage vehicles from proceeding to the NPS upper parking lot. Visitors are then directed to park in the lower leased parking lot and walk approximately 0.8 miles along State Route 600 to reach the trailhead. Restroom facilities are provided at the lower leased parking lot through rented portable toilets. This alternative was not selected because it would not meet the purpose, need and objectives identified for the project. In particular, the purpose for taking action is to provide visitors with access to the Old Rag Ridge Trail in a way that protects the resources and values of Shenandoah National Park and that: improves the quality of the visitor experience; reduces impacts to park neighbors; and improves public safety by reducing vehicle and pedestrian congestion. Under the no action alternative, the quality of the visitor experience, including visitor safety, would continue to be adversely impacted by poor trailhead access when people parking at the lower leased lot are required to hike an additional 0.8 miles along State Route 600 to reach the trailhead with vehicular and foot traffic sharing the same narrow roadway. Moreover, impacts to park

neighbors would continue to occur under the no action alternative from vehicular congestion at the lower leased parking lot and pedestrian traffic up and down State Route 600 from the approximately 50,000 people per year visiting Old Rag.

Alternative C is similar to the modified alternative B except that under alternative C, the park would immediately decommission the current lower leased lot upon completion of construction of the new lot, and the connector trail from the new parking lot to Old Rag Ridge Trail would be constructed. This alternative was not selected because, with the immediate decommissioning of the lower lot, there would be a decrease in the overall parking capacity compared to both the no action and alternative B. Also, a modified alternative B with a reservation system would provide the same advantages as the system previously proposed only for alternative C.

#### **ENVIRONMENTALLY PREFERRED ALTERNATIVE**

The environmentally preferred alternative is defined by CEQ as the alternative that best meets the following criteria or objectives, as set out in section 101 of NEPA.

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
2. Ensure for all generations safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
3. Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences;
4. Preserve important historic, cultural, and natural aspects of our national heritage and maintaining, wherever possible, an environment that supports diversity and variety of individual choice;
5. Achieve a balance between human population and resource use that will permit high standards of living and a wide sharing of life's amenities; and
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources (NEPA, Section 101).

Simply put, this means that the environmentally preferred alternative is the alternative that causes the least damage to the biological and physical environment; it also means it is the alternative that best protects, preserves, and enhances historic, cultural, and natural resources (CEQ Q6a). After completing the environmental analysis, the NPS identified alternative C as the environmentally preferred alternative because it best meets the definition established by the CEQ. Alternative C provides the park visitor a more aesthetically pleasing approach to the trail and also increases visitor safety by not encouraging park visitors to walk along State Route 600 to reach the Old Rag Ridge Trailhead. Alternative C protects all known cultural resources on the PATC property to the greatest extent possible and improves water quality within the watershed by incorporating a properly designed stormwater management system and 25- to 50-foot buffers around all water features into the final parking lot design. In addition, under alternative C there will be fewer direct impacts to park neighbors. With less available parking and the proposed reservation system, over time there will be a slight decrease in the amount of vehicular traffic traveling along State Route 600. Because of this, the need for people to hike along the road to reach the trailhead will be greatly reduced. In addition, with the proper design, the parking lot will be less visible and produce less noise than the current lower leased parking lot.

#### **MITIGATION MEASURES**

The NPS places a strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. To help ensure the protection of natural and cultural resources and the quality of the visitor experience, the mitigation measures identified in Table A will be implemented as part of the selected alternative. The NPS will implement an appropriate level of monitoring throughout the

construction process to help ensure that protective measures are being properly implemented and are achieving their intended results.

**TABLE A: MITIGATION MEASURES TO BE IMPLEMENTED**

Resource	Mitigation
Soils	<ul style="list-style-type: none"> <li>▪ During construction, alter drainage so that water is not directed down steep slopes, thus decreasing its velocity and erosion potential.</li> <li>▪ Armor ditches on a site-by-site basis to prevent scouring and erosion.</li> <li>▪ Provide culvert outlet protection (riprap aprons or basins) to reduce water velocity and prevent scour erosion.</li> <li>▪ Revegetate all disturbed soil.</li> </ul>
Air Quality	<ul style="list-style-type: none"> <li>▪ Limit idling times on diesel-powered engines to three to five minutes.</li> <li>▪ Utilize water or appropriate liquids for dust control on materials stockpiled on ground surfaces and during land clearing, grading, and other activities.</li> <li>▪ Cover open-body trucks while transporting materials.</li> <li>▪ Implement dust control measures to the greatest extent practical.</li> </ul>
Water Quality	<ul style="list-style-type: none"> <li>▪ Prior to construction, the NPS will apply for registration coverage under the General Permit for Discharges of Stormwater from Construction Activities through the DCR. DCR's construction site stormwater permits are based upon EPA's construction stormwater general permit, and requires construction site operators to develop and implement a stormwater pollution prevention plan that uses best management practices for erosion and sediment control at the construction site. As part of the General Permit, an erosion and sediment control plan consistent with Virginia</li> <li>▪ Erosion and Sediment Control Law, Regulations, and Certification Regulations (VESCL&amp;R) will also be prepared (DCR 2006).</li> <li>▪ Avoid impacts to streams associated with the placement of fill, modification of channels, or changes in natural flows.</li> <li>▪ Minimize erosion from construction activities through the use of silt fences and/or erosion control blankets.</li> <li>▪ Prior to construction, submit a hazardous spill plan stating what actions will be taken in case of a spill. This plan will incorporate preventative measures to be implemented such as the placement of refueling facilities, storage and handling of hazardous materials, and notification procedures for a spill. Ensure that waste oil, antifreeze, hydraulic fluid, and grease are not spilled or disposed of anywhere in the park.</li> <li>▪ Minimize adverse effects of fuel spills through the following: <ul style="list-style-type: none"> <li>○ Storage of oils and hazardous materials with secondary containment.</li> <li>○ Locate construction staging areas away from surface water features.</li> <li>○ Locate activities such as refueling well away from surface water features.</li> <li>○ Designate areas where refueling or construction vehicle and equipment maintenance will be performed and have containment devices such as temporary earth berms around these areas.</li> <li>○ Have absorbent pads available to clean up spills.</li> </ul> </li> <li>▪ Appropriate method(s) for controlling the stormwater runoff generated from the proposed parking lot under both alternatives B and C will be determined during the design phase of the project, and will be based on which will best serve the surrounding watershed. Specific stormwater controls that could be incorporated into the project design either alone or in combination could include: <ul style="list-style-type: none"> <li>○ Vegetated Swales - A vegetated swale is a broad, shallow channel with a dense stand of vegetation covering the side slopes and bottom. Swales can be natural or manmade and are designed to trap particulate pollutants (suspended solids and trace metals), promote infiltration, and reduce the flow velocity of storm water runoff.</li> <li>○ Bio-Retention Basin – Bio-retention basins are landscaped depressions or shallow basins used to slow and treat on-site stormwater runoff. Stormwater is directed to the basin and then percolates through the system where it is treated by a number of physical, chemical and biological processes. The slowed, cleaned water is allowed to infiltrate native soils or</li> </ul> </li> </ul>

Resource	Mitigation
	<p>directed to nearby stormwater drains or receiving waters.</p> <ul style="list-style-type: none"> <li>○ Filterra® treatment system - The Filterra® treatment system is a manufactured bioretention stormwater Best Management Practice (BMP) that filters stormwater runoff from impervious surfaces. The Filterra® treatment system consists of a concrete container filled with an engineered soil filter media, a mulch layer, an underdrain system and a tree, shrub or other plant selection. This filtration system can be integrated into the site design of both new development and redevelopment projects. Runoff drains directly from the impervious surface, through the filter media, and then out of the container through the under drain system to be discharged to a receiving system or infiltrated into the surrounding soil.</li> <li>○ Underground Detention – Underground detention systems are structural BMPs used to control the flow of stormwater. These provide a temporary storage area for excess stormwater. Runoff is stored and discharged over time whenever runoff inflow exceeds the allowable discharge rate and will be used in conjunction with the bio-retention basin.</li> </ul>
Wetlands	<ul style="list-style-type: none"> <li>▪ The proposed parking lot will be sited to allow for a minimum of a 25-foot vegetated buffer protecting wetlands and the other water resources on the site, wherever possible, 50-foot will be used.</li> <li>▪ Any bridge installed over the wetland will span the entire wetland.</li> <li>▪ Construction limits will be clearly delineated to ensure no encroachment upon the site wetlands.</li> <li>▪ Erosion controls (see above) will be implemented during construction to ensure no sediment laden runoff will be transported into the wetlands on the site.</li> </ul>
Night Sky	<ul style="list-style-type: none"> <li>▪ Restrict the use of artificial lighting in parks to those areas where security, basic human safety, and specific cultural resource requirements must be met.</li> <li>▪ Use minimal-impact lighting techniques.</li> <li>▪ Shield the use of artificial lighting where necessary to prevent the disruption of the night sky.</li> </ul>
Vegetation	<ul style="list-style-type: none"> <li>▪ Minimize cutting trees whenever possible.</li> <li>▪ Minimize trimming and removing vegetation to accommodate construction equipment ingress and egress.</li> <li>▪ Avoid collision of equipment with trees and other vegetation. Place protective fencing around tree trunks in close proximity to construction activities to minimize potential adverse effects to bark or other tree attributes resulting from collision.</li> <li>▪ As a potential future action, avoid removing trees greater than two inches in diameter during the construction of the connector trail.</li> <li>▪ Assure that any fill material imported to the site is certified free of exotic plants and seeds.</li> <li>▪ Require the construction contractor to powerwash all construction vehicles and equipment prior to initial arrival at the park to remove seed and plant material.</li> <li>▪ Re-vegetate disturbed areas (including staging areas) as soon as possible with a native seed mix to help prevent the spread of exotic invasive plant species.</li> <li>▪ Enact monitoring protocol to ensure no new or additional exotic invasive plant species are spread into the project area.</li> <li>▪ Ensure that all protection measures are clearly stated in construction specifications and that workers be instructed to avoid conducting activities beyond the construction zone, as defined by the roadway and construction zone fencing.</li> </ul>
Wildlife	<ul style="list-style-type: none"> <li>▪ Require the project area be surveyed by an NPS biologist prior to the onset of construction for the presence of listed or rare species.</li> <li>▪ Prohibit the feeding of wildlife in contracting documents.</li> <li>▪ Ensure food is stored in enclosed portions of vehicles or in hard-sided containers.</li> <li>▪ Ensure trash from meals is disposed of via complete removal from the work site or via construction site trash cans and dumpsters. Open barrels, pickup truck beds, and dump truck beds are not to be used for disposal or accumulation of food scraps or food wrappers or containers.</li> </ul>
Threatened And Endangered Species	<ul style="list-style-type: none"> <li>▪ Another BCD search was conducted in March 2008 to ensure the information gathered in the previous 2002 BCD database search was current No new species of concern have moved into the project area.</li> </ul>

Resource	Mitigation
Cultural Resources	<ul style="list-style-type: none"> <li>▪ The one potentially significant archeological site identified on the six-acre PATC parcel during the Phase I archeological survey will be avoided during all construction activities.</li> <li>▪ If during construction significant archeological resources are discovered, all work in the immediate vicinity of the discovery will be halted until the resources could be identified and documented and an appropriate mitigation strategy developed, if necessary, in consultation with the Virginia State Historic Preservation Officer. In the unlikely event that human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (25 USC 3001) of 1990 will be followed.</li> </ul>
Transportation And Traffic	<ul style="list-style-type: none"> <li>▪ Develop a safety plan prior to initiation of construction to ensure the safety of park visitors, workers, and park personnel.</li> </ul>
Park Neighbors	<p>Mitigations will be enacted as part of either action alternative to minimize disturbance to the private landholders located near the proposed parking lot. Such mitigations will include:</p> <ul style="list-style-type: none"> <li>▪ Additional signage will be installed along State Route 600 and within the parking areas, and informational literature will be provided describing where and how to park and delineating the public use areas from private property.</li> <li>▪ The park will work closely with the VDOT to develop strategies aimed at reducing illegal parking along State Route 600. The park will also collaborate with the Madison County Sheriff's Department to have greater presence and better enforcement of parking violators.</li> <li>▪ As a potential future action, Park visitors hiking along the proposed connector trail located on PATC land will be kept from wandering off the trail onto nearby private property with a visually non-obtrusive fence (i.e. fencing or other type of physical barrier). The fencing will end at the park boundary. The trail will be constructed so as to provide the greatest level of land area and vegetation buffer from adjoining private lands.</li> <li>▪ Vegetative buffers, including plantings, will be maintained between Route 600 and the new parking lots.</li> <li>▪ Project information regarding construction schedules will be made available to visitors and nearby residents by several means and methods, including but not limited to: <ul style="list-style-type: none"> <li>○ Local newspapers and media outlets;</li> <li>○ Visitor centers and contact locations throughout the park;</li> <li>○ The park's website; and</li> <li>○ Park mailings.</li> </ul> </li> </ul>

## WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined in 40 CFR §1508.27, significance is determined by examining the following criteria:

***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.*** As described in the EA, several resource areas will experience both beneficial and adverse impacts as part of establishing this new parking lot; however, no significant adverse impacts were identified.

Short-term and long-term minor adverse impacts to soils will occur from construction activities associated with establishing the parking lot and soil productivity will be completely eliminated for those areas within the footprint of the new parking lot. Long-term, negligible to minor adverse impacts to topography and geology can be expected as a result of grading and the potential need to excavate and remove underground boulders. Short-term minor adverse impacts to the water quality within the Hughes River Watershed will possibly occur as a result of implementation of alternative B due to introduced sediments and other pollutants transported by runoff from activities associated with the construction of the new parking lot. BMPs will be implemented during construction to avoid and minimize these potential adverse impacts to water quality. Long-term minor adverse impacts to vegetation within and adjacent to the PATC parcel area will occur due to complete removal of two acres of vegetation associated with the construction of the new parking lot and the potential for the introduction and spread of invasive species.

Implementation of alternative B will result in short-term minor adverse impacts to wildlife associated with construction activities. Long-term negligible beneficial impact and the long-term negligible adverse impacts to wildlife will also occur from disturbance created by cars and attendant human activities. Implementation of alternative B will have long-term, minor adverse impacts on park operations and management as park personnel and resources will be diverted to overseeing the construction and operation of the new PATC lot. Overall, implementation of alternative B will result in long-term minor beneficial impacts on visitor use and experience, as although visitors will continue to access the Old Rag Ridge Trailhead by walking along the road, the closure of the NPS upper parking lot will substantially reduce vehicle traffic impacts. Long-term minor adverse impacts will occur to those park visitors who are unable to get a reservation for the day they want to hike Old Rag Mountain, while short-term minor adverse impacts will occur from construction and the staging of construction staging.

***The degree to which the proposed action affects public health or safety:*** Implementation of the selected alternative will result in long-term minor beneficial impacts to the health and safety of park visitors and staff. The newly resurfaced parking areas and closure of the NPS upper lot will correct the safety deficiencies that currently exist at the trailhead. During construction activities, risks to public safety activities will be very low, resulting in short-term negligible adverse impacts to health and safety. As a result of implementing the reservation system, visitor safety will increase as the number of visitors will be maintained at a manageable level, creating a safer environment on the trail and roadside.

***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:*** No prime farmlands, ecologically critical areas, wild and scenic rivers, or sites sacred to American Indians or other significant ethnographic resources occur within the vicinity of the project area. There are wetlands within the boundaries of the PATC parcel, however no impacts will occur. The parking lot will be sited to allow for a minimum of a 25-foot vegetated buffer protecting wetlands (50-foot buffer will be utilized whenever possible) and the other water resources on the site, and one footbridge will be constructed to completely span the separate wetland section and accommodate pedestrian traffic between the two new parking lot sites. In addition, construction limits will be clearly delineated to ensure no encroachment upon the site wetlands. Erosion controls will also be implemented during construction to ensure no sediment-laden runoff will be transported into these wetlands. Additionally, groundwater flows feeding these wetlands will not be affected because during the construction of the new parking lot, there will be no need to



excavate beyond the depth of the existing water table, nor will any new barriers to groundwater flows be introduced as a result of the proposed action.

***The degree to which the effects on the quality of the human environment are likely to be highly controversial:*** No highly controversial effects were identified during either preparation of the EA or the public comment period. Under existing conditions, park neighbors continue to be affected by the large numbers of park visitors who access the Old Rag Ridge Trail via Weakley Hollow, especially during periods of heavy visitor use. Implementation of alternative B will result in short-term minor adverse impacts to park neighbors during the initial construction of the new parking lot. However, long-term minor beneficial impacts to park neighbors will occur as the potential for visitors to illegally park on the roadside and/or trespass will be diminished as a result of implementation of a seasonal reservation system for parking at the new parking lot.

***The degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks:*** No highly uncertain, unique or unknown risks were identified during either preparation of the EA or the public comment period.

***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:*** The selected alternative neither establishes a NPS precedent for future actions with significant effects nor represents a decision in principle about a future consideration.

***Whether the action is related to other actions with individually insignificant but cumulatively significant impacts:*** Implementing the selected alternative will have no significant, cumulative impacts. The EA addressed cumulative impacts for each of the resources affected by the preferred alternative. As described in the EA, no adverse or beneficial cumulative impacts were identified to geologic resources, vegetation, wildlife, health and safety, or park neighbors, and minor cumulative impacts will be expected to water quality and park operations and management. There will be long-term, minor beneficial cumulative impacts to visitor experience by improving the park's facilities, increasing interpretation, and by directing appropriate visitor recreation use.

***The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources:*** As described in the EA, a Phase I archeological survey of three acres of the PATC parcel identified a potentially significant archeological site in one location, which will be avoided during all construction activities. If during construction of the proposed new parking lot, significant archeological resources are discovered, all work in the immediate vicinity of the discovery will be halted until the resources can be identified and documented and an appropriate mitigation strategy developed, if necessary, in consultation with the Virginia State Historic Preservation Officer. In the unlikely event that human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (25 USC 3001) of 1990 will be followed. There are no historic structures located within or adjacent to the six-acre PATC parcel designated for the proposed parking lot, and the parcel does not possess the historical significance for listing in the National Register of Historic Places.

***The degree to which the action may adversely affect an endangered or threatened species or its critical habitat:*** As described in the EA, in late 2002, the park sent letters to both the U.S. Fish and Wildlife Service (FWS) and the Virginia Department of Conservation (DCR) regarding the potential for any state or federally listed species that could be affected by the proposed construction of a parking lot on the six-acre PATC parcel. The DCR responded on December 9th, 2002, stating that it searched its Biological and Conservation Data System (BCD) for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered

plant and animal species, unique or exemplary natural communities, and significant geologic formations. While the BCD search documented the presence of a few natural heritage resources in the project area, they stated that due to the scope of the activity and the distance to the resources, the DCR did not anticipate the proposed project would adversely impact any of these natural heritage resources.

On January 28, 2003, the FWS responded to the park's initial informal consultation letter regarding the proposed parking lot on the six-acre PATC parcel. In their response, the FWS stated their concerns about the potential for the federally-threatened small whorled pogonia (*Isotria medeoloides*) to occur on the PATC site. This conclusion was based on potential habitat on the site, and the FWS recommended the NPS survey the site, which is included as a mitigation measure. The small whorled pogonia is protected under the Virginia Endangered Plant Act administered by the Virginia Department of Agriculture and Consumer Services (VDACS). Under the Memorandum of Agreement (MOA) established between VDACS and the DCR, the DCR has the authority to report for VDACS on state-listed plant and insect species. As stated above, the DCR did not anticipate the proposed project would adversely impact any of these natural heritage resources (Appendix A of the EA).

In March of 2008, as part of its ongoing review, NPS requested DCR to conduct another BCD search to confirm the findings gathered in the previous 2002 BCD database search. The new BCD search was accomplished and no new listed species were found in the project area. Because of the actions taken by the NPS to ensure no federal- or state-listed species will be impacted by the proposed actions, no impacts to these species will occur.

***Whether the action threatens a violation of federal, state, or local law imposed for the protection of the environment:*** The selected alternative violates no federal, state, or local environmental protection laws. The proposed action will be consistent with all existing local, state, and federal regulations.

## **IMPAIRMENT OF PARK RESOURCES OR VALUES**

The National Park Service Organic Act of 1916 and related laws mandate that the units of the national park system must be managed in a way that leaves them "unimpaired for the enjoyment of future generations." These laws give the NPS the management discretion to allow certain impacts to park resources and values when necessary and appropriate to fulfill the purposes of a park, so long as the impact does not constitute impairment of the affected resources and values. Director's Order 12 states that environmental documents will evaluate and describe impacts that may constitute an impairment of park resources or values. In addition, the decision document will summarize impacts and whether or not such impacts may constitute an impairment of park resources or values. An impact will be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

1. necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park,
2. key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or
3. identified as a specific goal in the park's general management plan or other relevant NPS planning documents.

The NPS has determined that implementation of the selected alternative will not constitute an impairment to the resources or values of Shenandoah National Park. This conclusion is based on a thorough analysis of the environmental impacts described in the Old Rag Parking Lot Environmental Assessment, relevant scientific studies, and the professional judgment of the decision-maker guided by the direction in NPS *Management Policies* (2006). The analysis did not identify any major adverse impacts that will likely result from implementation of the selected alternative. All adverse impacts identified were negligible to minor in intensity. Therefore, implementation of the selected alternative will not likely result in impairment of any park resource or value.

## **PUBLIC INVOLVEMENT**

An initial EA for a new parking lot was completed and a Finding of No Significant Impact (FONSI) was signed by the Northeast Regional Director in 2003; however, the project sat idle for several years. In 2006, the new superintendent of Shenandoah National Park reinitiated the project. After reviewing the original EA, the superintendent determined that a re-evaluation of the proposed actions was warranted based on new information and the desire to re-engage the public. As a result, in late 2007, a new EA was initiated to examine issues and alternatives for a long-term parking solution for visitors who use Old Rag Ridge Trail.

The park sent out mailings to park neighbors and an initial kick-off meeting was held on May 16<sup>th</sup>. The park then initiated a 30-day public scoping period from July 12, 2007 to August 31, 2007. On July 12, 2007, the park held a general public scoping meeting, which was advertised through a press release and individual mailings, to initiate public involvement and obtain community feedback on the proposed action to develop a new parking lot to serve the Old Rag Ridge Trail at Shenandoah National Park. The meeting was held from 6:00 p.m. to 8:00 p.m. at the Belle Meade Schoolhouse on Valley Road, Sperryville, Virginia. Twelve people signed in at the meeting. The public scoping period was subsequently extended to September 21, 2007. Both scoping periods were announced through press releases.

The public scoping meeting provided numerous methods for the community to comment. After the initial open house, the park engaged in an open dialog with the meeting participants, soliciting comments regarding the proposed action. These comments were recorded on a flip chart. If the commenter did not want to publically comment, comment forms were provided to be completed and returned during the meeting. If the attendee chose not to complete a comment form at the meeting, a return address was provided on the sheet to mail back to the park at a later date. Those attending the meeting were also instructed of additional opportunity to comment on the project through the NPS's Planning, Environment, and Public Comment (PEPC) website at: <http://parkplanning.nps.gov/shen>.

During the public scoping comment period, NPS received additional comments from five individuals via e-mail or other type of correspondence.

General questions and comment themes received during the public scoping meeting and over the course of the public scoping comment period regarding the proposed new parking lot included:

- Why not relocate the trailhead to Skyline Drive?
- Why is the Nethers side the primary access point to Old Rag Mountain?
- How will traffic be affected by this new parking lot?
- Why not expand the current 12-space NPS upper parking lot on NPS property?
- Will the proposed new lot bring more cars to the area?
- Why not move primary trailhead parking to Berry Hollow?
- The NPS should work with the Virginia Department of Transportation (VDOT) to enforce illegal parking along State Route 600.
- The NPS should close the NPS upper parking lot to parking to reduce visitor congestion.
- The NPS needs to improve education of Old Rag visitors to address impacts to park neighbors.
- The NPS needs more collaboration between neighbors and VDOT to enforce parking.
- The new parking lot should be made to look as natural as possible.

The Old Rag Parking Lot EA was released for a 30-day public review and comment period beginning April 14, 2008 and ending May 28, 2008. The EA was made available for public review on the NPS Planning, Environment, and Public Comment (PEPC) website ([www.parkplanning.nps.gov/SHEN](http://www.parkplanning.nps.gov/SHEN)). A public meeting was held on April 25, 2008 to provide a forum for questions and answers, clarification, and comments, as well as to explain the NEPA process and next steps. During the 30-day public comment period, the NPS received 16 comment letters. As previously described, as a result of these public comments and changing sentiment by the park, the NPS chose to modify alternative B as its preferred and selected alternative. The main concerns expressed in these letters are summarized below:

- The proximity of the parking lot and connector trail to the Old Rag Sportsman's Club and other private properties would exacerbate existing problems.
- Adequately accommodating equestrian vehicle parking should be a consideration.
- The parking lot gate closure would result in visitor traffic turning in and out of private driveways.
- Clear delineation of private property boundaries should be performed before construction begins.
- Limiting rather than increasing the overall supply of vehicle parking would minimize traffic impacts to pedestrians.
- Expanded parking supply and greater accessibility would result in higher visitor use and greater impacts to private property and natural resources.

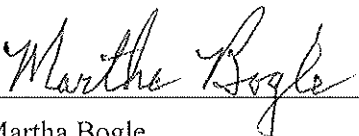
## CONCLUSION

The NPS has selected modified alternative B for implementation. The selected alternative is described on page 22 of the EA and the modifications to that alternative are described in this document. The impacts that will result from the selected alternative (alternative B) will not impair any park resource or values necessary to fulfill specific purposes identified in the national park's enabling legislation.

The selected alternative does not constitute an action that normally requires preparation of an environmental impact statement (EIS). The selected alternative will not have a significant effect on the human environment. Negative environmental impacts that could occur are minor in intensity. There are no significant impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the selected alternative will not violate any federal, state, or local environmental protection law.

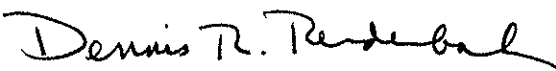
Based on the foregoing, it has been determined that an EIS is not required for this action and thus will not be prepared.

Recommended:

  
 Martha Bogle  
 Superintendent,  
 Shenandoah National Park

6/5/09  
 Date

Approved:

  
 Dennis R. Reidenbach  
 Regional Director,  
 Northeast Region

JUN 18 2009  
 Date

W. Tayloe Murphy, Jr.  
Secretary of Natural  
Resources



Joseph H. Maroon  
Director

COMMONWEALTH of VIRGINIA  
DEPARTMENT OF CONSERVATION AND RECREATION

217 Governor Street  
Richmond, Virginia 23219-2010  
Telephone (804) 786-7951 FAX (804) 371-2674 TDD (804) 786-2121

December 9, 2002

Rolf Guber  
Project Compliance Coordinator  
Shenandoah National Park  
3655 US Hwy 211 East  
Luray, Virginia 22835

Re: Weakley Hollow/Old Rag Mountain Access Development Project

Dear Mr. Guber:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biological and Conservation Data System (BCD) for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

BCD documents the presence of natural heritage resources in the project area. However, due to the scope of the activity and the distance to the resources, we do not anticipate that this project will adversely impact these natural heritage resources.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to BCD. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

Should you have any questions or concerns, feel free to contact me at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "S. René Hypes".

S. René Hypes  
Project Review Coordinator

*An Agency of the Natural Resources Secretariat*



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services  
6669 Short Lane  
Gloucester, VA 23061



January 28, 2003

Mr. Rolf Gubler  
Mr. Clayton Jordan  
Shenandoah National Park  
3655 US Hwy 211 East  
Luray, Virginia 22835

Re: Old Rag Mountain Access  
Development Project, #2732,  
Madison County, Virginia

Dear Mr. Gubler and Mr. Jordan:

The U.S. Fish and Wildlife Service has received your request for information on Federally listed or proposed endangered and threatened species and their habitats for the referenced project. This letter is submitted in accordance with provisions of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*).

The Potomac Appalachian Trail Club proposes to purchase land which would be leased by the National Park Service for the purpose of constructing a parking lot to accommodate about 250 vehicles and to build a trail across the property connecting the parking lot and Shenandoah National Park in Madison County, Virginia. The proposed parking lot will be used by people who hike Old Rag Mountain. A visitor contact station would also be constructed on the site. The favored alternative is alternative C. Based on the information you sent, the Service recommends that surveys be conducted for the following species:

- o Small whorled pogonia (*Isotria medeoloides*) - Federally listed threatened. Appropriate habitat for this orchid is mixed-deciduous or mixed deciduous/coniferous forests with an open understory on terrain that is almost level or gently to moderately sloping, but it has been found on steep slopes. Although the pogonia may be found more often on slopes with northerly or easterly exposures, all aspects with appropriate habitat may contain the pogonia. Small whorled pogonia sites can be generally characterized by their proximity to canopy openings, the presence of dead standing trunks, little herbaceous ground cover, and wood litter on the ground. The Service recommends a survey within appropriate habitat at the project site. Surveys should be conducted from June 1 through July 20 in Caroline County and counties to the north. Outside of these months, a site visit by a qualified individual can determine if appropriate habitat exists at the project site.

Mr. Rolf Gubler and Mr. Clayton Jordan

Page 2

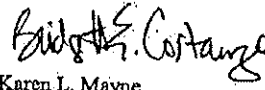
The small whorled pogonia is protected under the Virginia Endangered Plant and Insect Act, which is administered by the Virginia Department of Agriculture and Consumer Services (VDACS). Under the Memorandum of Agreement established between VDACS and the Virginia Department of Conservation and Recreation (VDCR), VDCR has the authority to report for VDACS on state-listed plant and insect species. You should contact VDCR at the address below:

Virginia Department of Conservation and Recreation  
Division of Natural Heritage  
217 Governor Street, 3rd Floor  
Richmond, VA 23219  
(804) 786-7951

The attached list contains individuals who are qualified to conduct surveys for the species listed above. This list does not include all individuals qualified or authorized to survey for this species. If you select someone not on the pre-approved surveyor list, please provide the proposed surveyor's qualifications to this office 30 days prior to the start of the survey. To ensure that an adequate survey is conducted, the surveyor names and proposed survey design should be submitted to this office prior to the survey. Send copies of all survey results to this office or inform this office if a survey will not be conducted. If the survey determines that any rare species are present, please contact this office to allow us the opportunity to work with you to ensure that this project avoids or minimizes adverse effects to rare species and their habitats.

The Service also recommends that you consider survey needs of and potential effects to state listed endangered and threatened species. If you have any questions or need further assistance, please contact Kerry Linehan of this office at (804) 693-6694, extension 127

Sincerely,

  
for Karen L. Mayne  
Supervisor  
Virginia Field Office

Enclosures



## COMMONWEALTH of VIRGINIA

W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

Department of Historic Resources  
2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick  
Director

Tel: (804) 367-2323  
Fax: (804) 367-2391  
TDD: (804) 367-2388  
www.dhr.state.va.us

July 3, 2002

Douglas K. Morris, Superintendent  
Shenandoah National Park  
United States Department of Interior  
National Park Service  
3655 U.S. Hwy. 211 East  
Luray, Virginia 22835-9036

RE: Proposed Parking Lot for the Old Rag Trail Extension  
Shenandoah National Park  
Augusta County, Virginia  
DHR File No. 2002-0833

Dear Mr. Morris:

Thank you for offering us the opportunity to participate in the Memorandum of Agreement for the referenced project. Our director's signature on the document evidences our concurrence. We appreciate the efforts of you and your staff, in particular Mr. Reed Engle, to bring this project to a successful conclusion.

If you have any questions or if we may provide any further assistance, please do not hesitate to contact me at (804) 367-2323, ext. 112; fax (804) 367-2391; e-mail [eeaton@dhr.state.va.us](mailto:eeaton@dhr.state.va.us). We look forward to working with you on future projects.

Sincerely,

Ethel R. Eaton, Ph.D., Manager  
Office of Review and Compliance

Administrative Services  
11 Courthouse Avenue  
Petersburg, VA 23805  
Tel: (804) 863-1685  
Fax: (804) 863-6196

Petersburg Office  
19-B Bollingbrook Street  
Petersburg, VA 23803  
Tel: (804) 863-1620  
Fax: (804) 863-1627

Portsmouth Office  
612 Court Street, 3rd Floor  
Portsmouth, VA 23704  
Tel: (757) 396-6709  
Fax: (757) 396-6712

Roanoke Office  
1030 Pecanur Avenue, SE  
Roanoke, VA 24013  
Tel: (540) 857-7585  
Fax: (540) 857-7585

Winchester Office  
107 N. Kent Street, Suite 203  
Winchester, VA 22601  
Tel: (540) 722-3427  
Fax: (540) 722-7535





**WHEREAS**, Shenandoah National Park (hereinafter the Service) in partnership with the Potomac Appalachian Trail Club (PATC) desires to develop a parking lot for visitors of the Old Rag Trail extension, and

**WHEREAS**, the PATC is seeking grant funding from the Federal Highways Work Administration (FHWA) through the Virginia Department of Conservation and Recreation (DCR) Trails Fund Program for partial purchase of the parking lot site, and

**WHEREAS**, the Service is coordinating NHPA 106 and NEPA environmental review for the proposed project as the lead federal governmental agency, and

**WHEREAS**, the Service has conducted an Identification (Phase I) Survey of all areas of ground disturbance proposed for this project;

**THEREFORE**, the Service will ensure that the following measures are carried out:

**Identification and Evaluation of Archeological Properties.**

The Service shall submit two copies of the draft report of the Identification (Phase I) Survey to the Virginia SHPO for a thirty-day review period. All comments received within thirty days shall be addressed. If no comments are received within thirty days, the Service may assume concurrence with its findings and proceed.

Prior to affecting any potentially eligible sites, the Service shall develop a program to evaluate archeological sites in consultation with the Virginia SHPO. The testing program shall be of sufficient intensity to provide an evaluation of eligibility for the National Register of Historic Places by the Service in consultation with the Virginia SHPO for all identified properties, following the regulations outlined in 36 CFR 800.4 (c).

**Treatment of Archeological Properties.**

If archeological properties are identified as a result of the testing program, the Service will develop a plan for their avoidance, protection, or recovery of information in consultation with the Virginia SHPO and approved by the Virginia SHPO prior to implementation.

All data recovery plans prepared under the terms of this agreement shall include the following elements:

- Information on the archaeological property or properties where data recovery is to be carried out, and the context in which such properties are eligible for the National Register;

Construction work may then continue in the project area outside the site area. Within 10 working days of the original notification of discovery, the Service in consultation with the Virginia SHPO will determine the National Register eligibility of the resource.

If the resource is determined to meet the National Register Criteria (36 CFR Part 60.6), the Service will ensure compliance with Section 800.13 of the Council's regulations. Work in the affected area shall not proceed until either (a) the development and implementation of an appropriate data recovery or other recommended mitigation procedures, or (b) the determination is made that the located remains are not eligible for inclusion on the National Register.

#### **Dispute Resolution.**

Should the Virginia SHPO object within 30 days to any actions proposed pursuant to this Agreement, the Service shall consult with the SHPO to resolve the objection. If the objection cannot be resolved, the Service shall request the further comments of the Council pursuant to 36 CFR § 800.6(b). Any Council comment provided in response to such a request will be taken into account by the Service in accordance with 36 CFR § 800.6 (c)(2).

At any time during the implementation of the measures stipulated in this agreement, should an objection to any such measures or its manner of implementation be raised by a member of the public, the Service shall take the objection into account and consult as needed with the objecting party, the SHPO, or the Council to resolve the objection.

#### **Administrative Provisions:**

All archeological work, including data recovery plan(s), shall be consistent with the Secretary of the Interior's *Standards and Guidelines for Archeological Documentation* (48 FR 4434-37) and the Virginia SHPO's *Guidelines For Conducting Cultural Resource Survey In Virginia: Additional Guidance for the Implementation of the Federal Standards Entitled Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines* (48 FR 44742, September 29, 1983) 1999; rev. 2000 and take into account the Council's publication, *Consulting About Archeology Under Section 106* (1990).

All archeological work will be conducted under the direct supervision of a qualified archeologist who meets, at a minimum, the qualifications set forth in the Secretary of Interior's *Professional Qualifications Standards* (48 FR 44738-9).

All appropriate field and research notes, maps, drawing and photographic records collected as part of this project (with the exception of the artifacts which remain the property of the land owner and human skeletal remains) will be cared for in accordance with the

This Agreement will continue in full force and effect for 5 years. At any time in the six-month period prior to expiration of the Agreement, the Service and the SHPO can agree to extend this agreement with or without amendments.

EXECUTION AND IMPLEMENTATION of this Agreement evidences that the Service has afforded the Advisory Council on Historic Preservation a reasonable opportunity to comment on the undertaking, and that the Service has taken into account the effects of this undertaking on historic properties.

VIRGINIA STATE HISTORIC PRESERVATION OFFICER

By: Kathleen S. Kilpatrick Date: 7/2/02  
Kathleen S. Kilpatrick  
Virginia State Historic Preservation Officer

By: Christine A. Kuld Date: 6/21/02  
Douglas K. Morris Superintendent  
Shenandoah National Battlefield Park

By: Walter Smith Date: June 4, 2002  
Walter Smith  
President, PATC

By: \_\_\_\_\_ Date: \_\_\_\_\_