



## FINDING OF NO SIGNIFICANT IMPACT

### Relocate and Replace Washington Suburban Sanitary Commission Sewer Line at Still Creek in Greenbelt Park

Greenbelt, Maryland

National Capital Parks- East, (the Park), an administrative unit of the National Park Service (NPS), prepared an Environmental Assessment (EA) to evaluate the environmental impacts associated with the proposed relocation of a 400-foot section of a 21-inch sanitary sewer pipe located along Still Creek within the Greenbelt Park by Washington Suburban Sanitary Commission (WSSC). The purpose of this proposal is to address the poor condition of the existing pipe and to accommodate a new bridge over Still Creek currently under construction. During the construction of the Still Creek bridge it was determined that a WSSC-owned 21-inch reinforced concrete sewer line along the south abutment required relocation. The existing pipe is in a threatened condition and the lateral distance between sewer line and south abutment is less than 12 inches. The WSSC standards state that the sewer line must be approximately five feet from another utility or infrastructure. The urgency of action is prompted by the unforeseen delays and costs associated with stopping work on the roadway infrastructure and bridge in this location. In addition, this section of sanitary sewer pipe has reached the end of useful life and is at an increased threat of failure. A potential failure of the sewer line could cost millions of dollars in repair costs, dump sewage into the stream, and could affect services to the surrounding area

In an effort to address this immediate problem, the Park is proposing to issue a right-of-way (ROW) permit to the WSSC to realign the existing sewer line south of its current location and grant a special use permit (SUP) for the work associated with the relocation effort. The work is anticipated to begin in June 2020.

The EA was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), the regulations of the Council on Environmental Quality (CEQ) for implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508), and NPS Director's Order (DO) 12, *Conservation Planning, Environmental Impact Analysis, and Decision-making*. The statements and conclusions reached in this finding of no significant impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file. To the extent necessary, relevant sections of the EA are incorporated by reference below.

### SELECTED ALTERNATIVE

Based on the analysis presented in the EA, NPS selected Alternative 2 – Action (p. 5) for implementation. The Park will issue WSSC a SUP for construction and access to relocate the sewer line and a ROW permit for the ongoing maintenance of the utility infrastructure. Specifically, WSSC proposes to relocate the existing 21-inch sewer line fifteen feet south of the existing alignment for a course of approximately 400 feet. WSSC would use a cut and cover (conventional excavation) to install the proposed new line, which would be installed at a depth at approximately 10 feet. The selected alternative would temporarily impact approximately .21 acres of wetland. Construction of this segment is anticipated to require 4-6 months to complete. The realignment will require the installation of three new manholes; the abandonment of an existing manhole; the construction of two temporary access roads, both approximately 180 feet in length, and the temporary installation of a bypass system as the relocation work is completed.

### RATIONALE FOR DECISION

The NPS selected the preferred alternative for implementation because the existing pipe is located less than 12-inches from the new southern bridge abutment. Determining a solution to correct this situation has prompted unforeseen delays and costs associated with stopping work on the roadway infrastructure

and bridge in this location. In addition, this section of sanitary sewer pipe has reached the end of its useful life and is at an increased threat of failure. A potential failure of the sewer line could cost millions of dollars in repair costs, dump sewage into the stream, and could affect services to the surrounding area. As such, this section, as well as other sections of sanitary sewer within the Park, have been identified for rehabilitation as part of WSSC's 2005 Sanitary Sewer Overflow (SSO) Consent Decree. The SSO Consent Decree, entered into with the United States Environmental Protection Agency, the Maryland Department of the Environment and citizen groups, mandates that the WSSC reduce the total number of SSO events as well as the total quantity of untreated wastewater discharged into Maryland's wetlands, streams, parklands, and other environmentally sensitive areas, and to protect the health of the public and wildlife. Relocation of this section of sanitary sewer would reduce the potential sewer failure and associated impacts at this location while also meeting the mandate of the SSO Consent Decree and helping WSSC towards its goal of reaching full compliance.

## MITIGATION MEASURES

The NPS places a strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. To help ensure the protection of cultural and natural resources, and the quality of the visitor experience, the following protective measures would be implemented as part of the selected alternative:

- In an effort to protect turf and forest and wetland vegetation, the WSSC will be using a heavy-duty mulch mat when constructing the access roads to complete the relocation of the sewer line. Since the installation of super-silt fence will require driving poles within the project areas, WSSC will not be installing super silt fence.
- To avoid and minimize impacts to the topsoil from directly spreading mulch on topsoil, WSSC will first lay down two layers of geotextile filter fabric (25-30-foot-wide) and then spread 12-24 inches of mulch across the width of the access road. Once the mulch is spread, the overhanging portion of the geotextile will be used to wrap the mulch around to avoid spreading on topsoil. Trees would be replaced on a 1:1 DBH replacement and the .45 acres would be revegetated using an NPS approved wetland plants and native seed mix. The grasses impacted would be replaced with NPS-approved native species based on MDE Standards and Specifications.
- Stockpiling of excess fill or construction material would be avoided in non-tidal wetlands, buffers, or waters; and stormwater runoff will be controlled to prevent washing of silt and debris into wetlands and waterways.

## FINDING OF NO SIGNIFICANT IMPACT

As documented in the EA, the selected alternative will have temporary short-term impacts to visitor access and temporary adverse impacts to wildlife and wetlands, but collectively the relocation of the sewer line to accommodate a new bridge would be a beneficial impact to the wildlife and wetlands by reconnecting the stream channel that is currently undercut and disconnected on either side of Still Creek. However, the NPS has determined that the selected alternative can be implemented without significant adverse effects as defined in 40 CFR §1508.27.

Impacts to visitor use and experience will continue as the road is currently closed to visitor traffic while the Still Creek culvert is replaced with a bridge. Proposed work would be started in June 2020 and conclude by September 2020, at which point in time the project area would reopen for visitors pending final safety/assessment. The road will reopen at the conclusion of the road and bridge project. The selected action will also temporarily impact the Greenbelt Park cultural landscape by erecting the project staging in the area surrounding the LOD. This includes the construction of the bypass system and necessary access roads. However, the sewer line relocation itself will occur underground, thereby not impacting the character of the cultural landscape. To mitigate the impacts of the construction, WSSC will remove all staging and restore the area after the completion of the project.

The construction and the relocation of the new sanitary pipe will temporarily impact vegetation and wildlife habitat. The clearing of vegetation would consist of the removal of 29 trees (greater than 5-inch DBH), and the trees would be replaced on a 1:1 DBH replacement and the .45 acres would be revegetated using an NPS approved wetland plants and native seed mix. The new alignment for the sewer line is located just south of the existing pipeline and is perpendicular to a road and nearby bridge, which is currently under construction. The construction would be done during the day, which would limit the disturbance to most wildlife in the area. According to the U.S. Fish and Wildlife Service, the Northern Long-eared Bat (*Myotis septentrionalis*) is a federally listed threatened species within the project area. Trees cannot be removed within a 150m radius of a known maternity roost tree during the pup season (June 1 through July 31). No maternity roost trees were documented during recent studies. There is also no other state listed threatened or endangered species within the project area.

This project would also temporarily impact wetlands during the relocation of the sewer line and in the temporary construction of access roads. It is estimated that approximately .21 acres of wetlands would be impacted. However, any disturbed wetland areas would be re-vegetated on site with similar native wetland plant species approved by the NPS. As part of the nearby bridge construction, which necessitated the relocation of the sewer line, restoration to the stream would also be conducted to improve the function of the stream channel that is currently highly eroded and scoured. Through coordination with NPS Water Resource Division, it was concluded that a Wetlands Statement of Findings (WSOF) was not necessary for the action. DO 77-1 states that this is an excepted action under 4.2.1.9: Actions designed to restore degraded streams. This excepted action allows for 0.25 acre of permanent wetland loss. Since there will be no permanent wetland loss, let alone 0.25 acre, there is no need for a WSOF.

Lastly, this project will also temporarily impact a section of floodplain during the relocation of the sewer line and in the temporary construction of access roads. Any disturbed floodplain areas would be re-vegetated on site with similar native plant species approved by the NPS. As part of the nearby bridge construction—which necessitated the relocation of the sewer line, restoration to the stream would also be conducted to improve the function of the stream channel that is currently highly eroded and scoured. These stream restoration activities may enhance stream-floodplain connectivity, potentially increasing the natural beneficial value of the Still Creek floodplain. Per DO 77-2, since impacts to the floodplain are not expected to have significant negative impacts on human health and safety, federal capital resources, or natural beneficial floodplain values, it was determined that a Floodplain Statement of Findings (FSOF) was not necessary for the action.

As described in the EA, cumulative impacts were determined by combining the impacts of the NPS preferred alternative with other present and reasonably foreseeable future actions. These cumulative actions include other current/future work being undertaken by WSSC. The relocation of the sewer line to accommodate the new bridge structure, as well as future sewer and manhole improvements throughout the park would limit visitor access to certain areas on the park during construction, which will temporarily impact visitor experience. There would be temporary impacts to historic resources, specifically the cultural landscape and the views would also be impacted by the staging and access roads, as well as the bypass systems. There will be temporary adverse impacts to floodplains and vegetation, particularly wetland vegetation, due to construction equipment access and a larger construction footprint; however, in the long-term the improvements to the sewer and manhole infrastructure at the park and the construction of a new bridge will produce a measurable improvement to vegetation. Beneficial impacts to vegetation would occur due to the more natural restoration of Still Creek and the careful rehabilitation of disturbed areas using native vegetation and careful monitoring by NPS to ensure the eradication of exotic/invasive species. Also, relocation of the sewer line to accommodate the newly constructed bridge will temporarily impact aquatic wildlife and habitat. However, ultimately the new bridge would be beneficial to aquatic wildlife by allowing for fish and aquatic organism passage that does not currently exist. Connectivity of the floodplain would also benefit wildlife passage.

Overall, there will be no significant impacts on public health, public safety, or 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 NPS selected alternative will not violate any federal, state, or local environmental protection law.

**CONCLUSION**

As described above, the selected alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement (EIS). The selected alternative will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA.

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

**Recommended:** **MATTHEW CARROLL**  Digitally signed by MATTHEW CARROLL  
Date: 2020.05.27 15:56:08 -04'00'

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Matthew Carroll,  
Superintendent  
Baltimore-Washington Parkway and Greenbelt Park  
Region 1- National Capital Area

Date

**Approved:** **LISA MENDELSON-IELMINI**  Digitally signed by LISA MENDELSON-IELMINI  
Date: 2020.05.28 23:57:48 -04'00'

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Lisa Mendelson,  
Acting Regional Director  
Region 1- National Capital Area

Date

Attachment A – Non-Impairment Determination  
Attachment B – Section 106 Documentation

## **ATTACHMENT A: NON – IMPAIRMENT DETERMINATION**

By enacting the National Park Service (NPS) Organic Act of 1916 (Organic Act), Congress directed the US Department of Interior and the NPS to manage units “to conserve the scenery and the natural and historic objects and wildlife therein and to provide for the enjoyment of the same in such a manner and by such a means as will leave them unimpaired for the enjoyment of future generations” (54 USC 100101). Congress reiterated this mandate in the Redwood National Park Expansion Act of 1978 by stating that the NPS must conduct its actions in a manner that will ensure no “derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress” (54 USC 100101).

NPS Management Policies 2006, Section 1.4 explains the prohibition on impairment of park resources and values. While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

This determination on impairment has been prepared for the selected alternative described in this Finding of No Significant Impact. An impairment determination is made for resource topics of water quality, wetlands, historic structures and districts, archeological resources, and cultural landscapes. These resources are considered fundamental to Greenbelt Park, and the NPS as a whole. An impairment determination has been made for historic districts and cultural landscapes; vegetation, wildlife, and special status species; wetlands; and floodplains. Non-impairment determination is not made for visitor use and experience because impairment findings relate back to park resources and values, and these impact areas are not generally considered to be park resources or values according to the Organic Act and cannot be impaired in the same way that an action can impair park resources and values. This determination on impairment has been prepared for the preferred alternative described in Chapter 2 of the EA.

***Historic Districts and Cultural Landscapes:*** The cultural landscape would be temporarily impacted by project staging in the area surrounding the LOD including the construction of the bypass system and necessary access roads. However, the sewer line relocation itself will occur underground, thereby not impacting the character of the cultural landscape. The project will not impact the alignment or design integrity of the historic park road. Based on the 2012 Phase IA Archeological Report that was completed for the bridge and roadway rehabilitation EA and through consultation with the NPS, National Capital Area Regional Archeologist, no known recorded sites will be impacted by the project and that there is a limited potential to effect subsurface resources. Because the impacts are temporary and will not be visible after the work is complete, there will be no impairment to the historic district or cultural landscape.

***Vegetation, Wildlife, and Special Status Species:*** The construction and the relocation of the new sanitary pipe will require the clearing of vegetation and impact some wildlife habitat. The new alignment for the sewer line is located just south of the existing pipeline and is perpendicular to a road and nearby bridge, which is currently under construction. According to the U.S. Fish and Wildlife Service, the Northern Long-eared Bat (*Myotis septentrionalis*) is a federally listed threatened species within the project area. Trees cannot be removed within a 150m radius of a known maternity roost tree during the pup season (June 1 through July 31). No maternity roost trees were documented during recent studies. There is also no other state listed threatened or endangered species within the project area. The project area will include aquatic habitat alteration and disturbance within a small area of wetlands that are located within the limits of the project. Habitat alteration and displacement of wildlife species that are commonly encountered within the Park would result from the proposed action. There will also be a temporary access road for construction that would also have minor impacts to vegetation. Because the impacts are temporary, occur

in a generally small area, and proper mitigations will be implemented, there will be no impairment to vegetation, wildlife, and special status specie within Greenbelt Park.

**Wetlands:** It is estimated that approximately .21 acres of wetlands would be temporarily impacted. Once completed, the affected area will be restored, and the ecological functions and values of the existing wetland will return. This coupled with the beneficial impacts of restoring Still Creek back to its natural condition will not result in an impairment determination for wetlands within Greenbelt Park.

**Floodplains:** The limit of disturbance of the new sewer line includes a significant area within the class I regulatory (100-year) floodplain. Since impacts to the floodplain are not expected to have significant negative impacts on human health and safety, federal capital resources, or natural beneficial floodplain values, it was determined that a Floodplain Statement of Findings (FSOF) was not necessary for the action and will not constitute as an impairment to floodplains within Greenbelt Park.

### **Conclusion**

The NPS has determined that the implementation of the NPS selected alternative will not constitute an impairment of the resources or values of Greenbelt Park. As described above, adverse impacts anticipated as a result of implementing the selected alternative on a resource or value whose conservation is necessary to fulfill specific purposes identified in the establishing legislation or proclamation of these parks, key to their natural or cultural integrity or to opportunities for enjoyment, or identified as significant in relevant NPS planning documents, will not constitute impairment. This conclusion is based on consideration of the park's purpose and significance, a thorough analysis of the environmental impacts described in the EA, the comments provided by the public and others, and the professional judgment of the decision-maker guided by the direction of the NPS *Management Policies 2006*.

**ATTACHMENT B: SECTION 106 DOCUMENTATION**

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# United States Department of the Interior

National Capital Parks-East  
NATIONAL PARK SERVICE  
Interior Region 1- National Capital Area  
1900 Anacostia Drive, S.E.  
Washington, D.C. 20020

IN REPLY REFER TO:

1. A.1. (NCR-NACE)

April 28, 2020

Elizabeth Hughes  
State Historic Preservation Officer  
Maryland Historical Trust  
Division of Historical & Cultural Programs  
100 Community Place  
Crownsville, Maryland 21032



Dear Ms. Hughes:

National Capital Parks-East (NACE), a unit of the National Park Service (NPS), in collaboration with Washington Suburban Sanitary Commission (WSSC), has prepared an Environmental Assessment, in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA), to relocate a 400 foot section of a 21-inch sanitary sewer pipe located along Still Creek within the Greenbelt Park, located in Prince George's County, Maryland..

Concurrent with the NEPA process, NPS and WSSC is consulting with the Maryland Historical Trust (MHT) in compliance with Section 106 of the National Historic Preservation Act (NHPA) (16 U.S.C. § 470f) and its implementing regulations (36 CFR § 800). We submit for your review and concurrence this finding of a No Adverse Effect for this undertaking.

### Management Summary

The NPS, in cooperation with the Federal Highway Administration (FHWA), previously prepared an Environmental Assessment (EA) that analyzed the impacts of proposed improvements to the rehabilitation of the Park's roadways, parking lots, guardrails and drainage structures (2012). The EA looked at the replacement of an existing double culvert with a bridge over Still Creek. It was determined that undertaking was found to have "No Significant Impact" on the environment (FONSI) and "No Adverse Effect" to cultural resources.

On January 31, 2019, the Federal Highway Administration (FHWA) entered into a contract with Eclipse Co. LLC ("Contractor") to rehabilitate existing Greenbelt Park roadways and make improvements to drainage features, including building a new bridge over Still Creek (PEPC #28240). During construction of the Still Creek bridge it was determined that a WSSC-owned 21-inch reinforced concrete sewer line along the south abutment required relocation. The existing pipe is in threatened condition and the lateral distance between sewer line and south abutment is less than 12-inches. WSSC standards state that the sewer line must be approximately five feet from another utility or infrastructure.

INTERIOR REGION 1 • NORTH ATLANTIC-APPALACHIAN

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS,  
NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, VERMONT,  
VIRGINIA, WEST VIRGINIA

#2NA BC 5/1/2020 PL:1.7-1.0

The relocation is required due to the poor condition of the pipe and to accommodate a new bridge over Still Creek currently under construction. WSSC proposes to relocate the sanitary sewer line approximately thirty feet south of its original location

### **Description of the Undertaking Relevant to Section 106 of the National Historic Preservation Act and Identification of Historic Properties**

WSSC proposes to relocate the existing 21-inch sewer line 30-feet south of the existing alignment for a course of approximately 400-feet. The WSSC would use a cut and cover (conventional excavation) to install the proposed new line, which would be installed at a depth at approximately 10-feet. The realignment would temporarily impact approximately .01 acres of wetland. Construction of this segment is anticipated to require 4-6 months to complete. The realignment will require the installation of three new manholes; the abandonment of an existing manhole; the construction of two temporary access roads, both approximately 180-feet in length, and the temporary installation of a bypass system as the relocation work is completed. This work would also require the loss of 29 trees.

The Area of Potential Effects (APE) includes a portion of the existing Greenbelt Park road and adjacent wetlands. (see attachment of location map). The APE is within the boundaries of Greenbelt Park. Situated along the scenic and historic Baltimore-Washington Parkway, Greenbelt Park, established in 1950, is part of the comprehensive and continuous development of the park system of the national capital region. The park provides high quality camping, picnicking, and hiking in wooded area and along stream corridors, preserving forests, and contributing to the protection of water quality in the Anacostia River watershed. This 1,100-acre park features a 174- site campground, nine (9) miles of trails, and three picnic areas.

Though it has not been formally nominated or listed, nor has a determination of eligibility been done, the NPS, in consultation with Maryland Historical Trust, has discussed that Greenbelt Park is potentially eligible for listing in the National Register of Historic Places. The NPS considers Greenbelt Park potentially significant under National Register Criterion A, C, and D due to social history, historic structures associated with the NPS Mission 66 era, cultural landscape, and potentially both information yielding prehistoric and historic archeological resources.

### **Description of Potential Effects to Historic Properties**

With the proposed project actions, the Greenbelt Park cultural landscape would be temporarily impacted by project staging in the area surrounding the identified LOD including the construction of necessary access roads. However, the sewer line relocation itself will occur underground, thereby not impacting the character of the cultural landscape. The project will not impact the alignment or design integrity of the historic park road. Based on the 2012 Phase IA Archeological Report that was completed for the bridge and roadway rehabilitation EA and through consultation with the NPS, National Capital Area Regional Archeologist, no known recorded sites will be impacted by the project and that there is a limited potential to effect subsurface resources.

### **Consultation with Native American Groups**

Based on known information about Native American groups in the study area, we have determined that there are no federally recognized tribes listed that might attach cultural or religious significance to the APE. Therefore, no consultation with Native American groups has occurred. Additionally, it is not believed that this undertaking would affect ethnographic resources.

**Finding of Effects**

After applying the criteria of adverse effect in accordance with 36 CFR Part 800.5 we have determined that the proposed undertaking will have a No Adverse Effect upon historic properties within Greenbelt Park.

**Unanticipated Discoveries**

If during the relocation of the sewer line, archeological resources are discovered, all work in the immediate vicinity of the discovery would be halted until the resources can be identified and documented and an appropriate mitigation strategy developed. If necessary, consultation with your office and/or the NPS Regional Archeologist will be coordinated to ensure that resources are protected. 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 would be followed.

Enclosed are relevant maps to illustrate the location of the APE, photos of existing conditions, and design of the relocation of the sewer line. We request your concurrence with the determination of 'No Adverse Effect on historic properties.'

Sincerely,

*Matthew D. Carroll*

Matthew Carroll  
Superintendent

Enclosure

I concur that the planned relocation of the WSSC 21-inch sewer line does not reflect an adverse effect on historic properties

*Beth Cole*

\_\_\_\_\_  
Maryland Historical Trust (SHPO)

*5/1/2020*

\_\_\_\_\_  
Date