Supplemental Draft
Environmental Impact Statement and
Updated Draft Section 4(f) Evaluation

APPENDIX J

MLS VISUAL IMPACT ASSESSMENT SCOPING QUESTIONNAIRE

MLS Visual Impact Assessment Scoping Questionnaire

Project Name:	I-495 & I-270 MLS	Site Visit Date:	n/a
Location:	Montgomery and Prince George's Counties, Maryland and Fairfax County, Virginia	Time:	n/a
Special conditions/ Notes:	[NOTES]	Conducted By:	MDOT SHA

Environmental Compatibility

1. ***Will the project result in a noticeable change in the physical characteristics of the existing environment?***

   Consider all project components and construction impacts - both permanent and temporary, including landform changes, structures, noise barriers, vegetation removal, railing, signage, and contractor activities.

   ☐ High level of permanent change (3)
   ☒ Moderate level of permanent change (2)
   ☐ Low level of permanent or temporary change (1)
   ☐ No Noticeable Change (0)

   Rationale: *The Preferred Alternative would include the expansion of structures, noise barriers, railing, and signage throughout the study corridors. This construction would also require vegetation removal, diminishing the buffer between static viewpoints and the highway. The Preferred Alternative would require modification at existing interchanges to accommodate the mainline widening and direct access ramps. This may require the reconstruction of structures spanning the study corridor to lengthen or raise the elevation of these structures. These impacts would include widened roadways, increased amounts of pavement, and new ramps and elevated structures adjacent to the existing study corridors. However, views outside of the study corridors and to the periphery would not be affected. The design of all highway elements would follow aesthetic and landscaping guidelines and would be visually consistent with the existing highway setting. The aesthetic and landscaping guidelines would be developed by the P3 Developer in consultation with local jurisdictions, private interest groups (private developers or companies), local community or business associations, as well as local, state, and federal agencies.*

2. ***Will the project complement or contrast with the visual character desired by the community?***

   Evaluate the scale and extent of the project features compared to the surrounding scale of the community. Is the project likely to give an urban appearance to an existing rural or suburban community? Do you anticipate that the change will be viewed by the public as positive or negative? Research planning documents or talk with local planners and community representatives to understand the type of visual environment local residents envision for their community.

   ☐ Low Compatibility (3)
   ☒ Moderate Compatibility (2)
   ☐ High compatibility (1)

Rationale*: Construction would not introduce new elements incompatible with the existing visual character or qualities along the study corridors as the Preferred Alternative would expand existing interstates. Where new direct access at-grade auxiliary lanes or ramps would be constructed, visual impacts would be readily apparent, but would not contribute to a change in the character of the existing viewsheds. As described above, the design of all highway elements would follow aesthetic and landscaping guidelines that would be developed by the P3 Developer in consultation with local jurisdictions, private interest groups (private developers or companies), local community or business associations, as well as local, state, and federal agencies.*

3. ***What level of local concern is there for the types of project features (e.g., bridge structures, large excavations, sound barriers, or median planting removal) and construction impacts that are proposed?***

Certain project improvements can be of special interest to local citizens, causing a heightened level of public concern, and requiring a more focused visual analysis.

☐ High concern (3)
☒ Moderate concern (2)
☐ Low concern (1)
☐ Negligible Project Features (0)

Rationale: *Public comments received to date, including those received during the public comment period for the DEIS, did not express local concern for visual impacts; however, reviewing agencies have noted their concern for potential impacts to viewsheds as a result of construction of the proposed improvements. NPS and M-NCPPC have noted their concern for vegetation removal during construction and the resulting potential impacts to views from their park properties.*

4. ***Is it anticipated that to mitigate visual impacts, it may be necessary to develop extensive or novel mitigation strategies to avoid, minimize, or compensate for adverse impacts or will using conventional mitigation strategies, such as landscape or architectural treatment adequately mitigate adverse visual impacts?***

☐ Extensive Non-Conventional Mitigation Likely (3)
☐ Some non-conventional Mitigation Likely (2)
☒ Only Conventional Mitigation Likely (1)
☐ No Mitigation Likely (0)

Rationale: *Through coordination with local jurisdictions, private interest groups (private developers or companies), local community or business associations, as well as local, state, and federal agencies, the P3 Developer will develop aesthetic and landscaping guidelines that detail materials, lighting, signage, and vegetation standards that mitigate visual impacts. While it is anticipated that aesthetic and landscaping guidelines may vary along the study corridor to incorporate the aesthetic and context of the surrounding resources.*

5. ***Will this project, when seen collectively with other projects, result in an aggregate adverse change (cumulative impacts) in overall visual quality or character?***

Identify any projects [both state and local] in the area that have been constructed in recent years and those currently planned for future construction. The window of time and the extent of area applicable to possible cumulative impacts should be based on a reasonable anticipation of the viewing public's perception.

☐ Cumulative Impacts likely: 0-5 years (3)

☒ Cumulative Impacts likely: 6-10 years (2)

☐ Cumulative Impacts unlikely (1)

Rationale: *Past transportation projects have had impacts to communities, including visual and aesthetic impacts from construction and the expansion of transportation facilities. Some examples of major past projects have included the Intercounty Connector (MD 200) completed in 2014 and the previous widening of I-270 completed in 1990. A current major project with community impacts, including visual and aesthetic impacts, is the Purple Line, currently under construction. The Maryland Transit Administration worked with adjacent communities, reviewing agencies and local jurisdictions on avoidance, minimization and mitigation strategies for the design of the Purple Line.*

Viewer Sensitivity

1. ***What is the potential that the project proposal may be controversial within the community, or opposed by any organized group?***

   This can be researched initially by talking with the state DOT and local agency management and staff familiar with the affected community's sentiments as evidenced by past projects and/or current information.

   ☐ High Potential (3)

   ☒ Moderate Potential (2)

   ☐ Low Potential (1)

   ☐ No Potential (0)

   Rationale: *Public comments received to date, including those received during the public comment period for the DEIS, expressed some concern that the reduction in the vegetative buffer would increase air, noise, and visual impacts of the proposed improvements. Additionally, NPS and M-NCPPC have noted their concern for vegetation removal during construction and the resulting potential impacts to views from their park properties. Renderings are being developed to demonstrate viewshed impacts for the Preferred Alternative. These renderings are being coordinated with the reviewing agencies and will be provided as supporting documentation to the FEIS.*

2. ***How sensitive are potential viewer-groups likely to be regarding visible changes proposed by the project?***

   Consider among other factors the number of viewers within the group, probable viewer expectations, activities, viewing duration, and orientation. The expected viewer sensitivity level may be scoped by applying professional judgment, and by soliciting information from other DOT staff, local agencies and community representatives familiar with the affected community's sentiments and demonstrated concerns.

   ☐ High Sensitivity (3)

   ☒ Moderate Sensitivity (2)

   ☐ Low Sensitivity (1)

   Rationale: *The Preferred Alternative would not introduce new elements incompatible with the existing visual character or qualities along the study corridors as the Preferred*

Alternative would expand existing interstates. Where new direct access at-grade auxiliary lanes or ramps would be constructed, visual impacts would be readily apparent, but would not contribute to a change in the character of the existing viewsheds. Additionally, NPS and M-NCPPC have noted their concern for vegetation removal during construction and the resulting potential impacts to views from their park properties. The design of all highway elements would follow aesthetic and landscaping guidelines that would be developed by the P3 Developer in consultation with the local jurisdictions, private interest groups (private developers or companies), local community or business associations, as well as local, state, and federal agencies.

3. *To what degree does the project's aesthetic approach appear to be consistent with applicable laws, ordinances, regulations, policies or standards?*

☐ Low Compatibility (3) ☐ Moderate Compatibility (2)

☒ High compatibility (1)

Rationale: *Aesthetic and landscaping guidelines would be developed by the P3 Developer in consultation with local jurisdictions, private interest groups (private developers or companies), local community or business associations, as well as local, state, and federal agencies. By inviting these varied stakeholders to take part in the development of these guidelines, the Preferring Alternatives would be consistent with applicable laws, ordinances, regulations, policies and standards. Areas identified for tree removal on the NPS and M-NCPPC property will be further minimized as the study progresses. Mitigation for tree removal in areas under the jurisdiction of NPS and M-NCPPC will be completed in accordance with applicable requirements developed in partnership between MDOT SHA, NPS and M-NCPPC.*

4. *Are permits going to be required by outside regulatory agencies (i.e., Federal, State, or local)?*

Permit requirements can have an unintended consequence on the visual environment. Anticipated permits, as well as specific permit requirements - which are defined by the permitter, may be determined by talking with the project environmental planner and project engineer. Note: coordinate with the state DOT representative responsible for obtaining the permit prior to communicating directly with any permitting agency. Permits that may benefit from additional analysis include permits that may result in visible built features, such as infiltration basins or devices under a storm water permit or a retaining wall for wetland avoidance or permits for work in sensitive areas such as coastal development permits or on Federal lands, such as impacts to Wild and Scenic Rivers.

☒ Yes (3) ☐ Maybe (2)

☐ No (1)

Rationale: *Permits from outside regulatory agencies are required and will be obtained for various elements of the project, as will be detailed in the FEIS.*

5. *Will the project sponsor or public benefit from a more detailed visual analysis in order to help reach consensus on a course of action to address potential visual impacts?*

Consider the proposed project features, possible visual impacts, and probable mitigation recommendations.

☐ Yes (3) ☒ Maybe (2)

☐ No (1)

Rationale: *While the project would result in minimal changes and visual impacts, additional public concern or agency interest may require more detailed visual analysis.*

Determining the Level of Visual Impact Assessment

Total the scores of the answers to all ten questions on the Visual Impact Assessment Scoping Questionnaire.

Total score: 19

Based on this score, the recommended level of VIA for this project is:

☐ **Score 25-30: Expanded VIA**
An Expanded VIA is usually reserved for very complex or controversial projects where resolving visual issues has been identified as being key to public acceptance of a project. To report an Expanded VIA, follow the same outline as a Standard VIA, except report findings with more detail. In particular, the inventory of Landscape Units and Viewers Groups may be more fine-grained, rendering more subtlety in defining existing visual quality and impacts to it.

☐ **Score 20-24: Standard VIA**
A Standard VIA would typically be used for EA or EIS projects that are anticipated as having substantial adverse or beneficial visual impacts. In the Standard VIA document, report the findings of the establishment, inventory, analysis, and mitigation phases of the VIA process. The Standard VIA is developed with input from the NEPA public involvement process to directly and accurately ascertain viewer preferences.

☒ **Score 15-19: Abbreviated VIA**
An Abbreviated VIA is a document that succinctly reports the findings of a VIA. It includes a brief project description and a report of the findings of the VIA's establishment, inventory, analysis, and mitigation phases. Maps, aerial photography and photographs are used sparingly and only when such illustrations reduce the need for text. An Abbreviated VIA is typically used for an EA or EIS-level project when it has been identified during scoping that there are minimal visual concerns. It may also be used for CEs, if a VIA Memorandum will not suffice and a slightly more detailed analysis is needed to address visual impacts.

☐ **Score 10-14**: **VIA Memorandum**
A VIA Memorandum is simply a short memorandum from the VIA author to the NEPA project manager stating that the potential for the project to cause adverse or beneficial impacts to visual resources, viewers, or visual quality is negligible and explaining the approach used to reach that conclusion. A VIA Memorandum is usually reserved for projects that are Categorical Exclusions (CEs) but may include Environmental Assessment (EA) or Environmental Impact Statement (EIS)-level projects with little or no visual impacts.

☐ **Score 6-9: No physical changes**
No noticeable physical changes to the environment are proposed and no further analysis is required. Print out a copy of this completed questionnaire for your project file to document that there is no effect. A *VIA Memorandum* may be used to document that there is no effect and to explain the approach used for the determination.

Find the requirements for the different types of VIAs in the FHWA's VIA Guidelines for Highway Projects, Appendix D.

Confirm that the level suggested by the checklist is consistent with the project teams' professional judgments. If there remains doubt about whether a VIA needs to be completed, it may be prudent to conduct an Abbreviated VIA. If there remains doubt about the level of the VIA, begin with the simpler VIA process. If visual impacts emerge as a more substantial concern than anticipated, the level of VIA documentation can always be increased.