



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION VI  
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New Mexico, Oklahoma,  
Texas

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August 30, 2010

Keith Parker, President/CEO  
VIA Metropolitan Transit  
800 West Myrtle  
P. O. Box 12489  
San Antonio, TX 78212

**Re: Finding of No Significant Impact (FONSI): VIA Primo – Fredericksburg Road BRT Project**

Dear Mr. Parker:

This letter is to inform you that the Federal Transit Administration (FTA) has reviewed the Final Environmental Assessment (EA) document submitted by VIA Metropolitan Transit for the VIA Primo – Fredericksburg Road BRT Project.

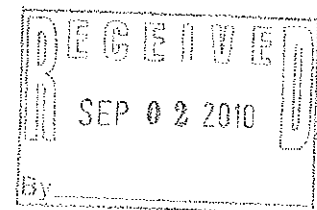
FTA has determined that the proposed project is a Finding of No Significant Impact (FONSI) for an Environmental Assessment, in accordance with the regulation implementing the National Environmental Policy Act. The Environmental review process has been completed, in accordance with 23 CFR Part 771.119 and 771.121). By adopting the EA, FTA adopts the description of the project and all mitigation commitments presented therein that are relevant to the selected alternative.

A copy of the FONSI is enclosed. A notice of the availability of the FONSI must be sent by VIA to the affected units of Federal, State, and local government, and the document shall be made available upon request by the public, in accordance with 23 C.F.R. 771.121 (b). VIA may also want to send copies to all the consulting parties.

Thank you for your cooperation in meeting the requirements of the National Environmental Policy Act. If you have any questions regarding the FTA's environmental determination, please contact Tony Ogboli of my staff at (817) 978-0566.

Sincerely,

Robert C. Patrick  
Regional Administrator



cc: Jose Campus, FHWA, Texas

Attachment:  
FONSI - VIA Primo: Fredericksburg Road BRT Project

**FEDERAL TRANSIT ADMINISTRATION  
REGION 6**

**Finding of No Significant Impact**

Project: VIA Primo – Fredericksburg Road BRT Project

Applicant: VIA Metropolitan Transit

Project Location: San Antonio, Texas

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**Proposed Project**

VIA Metropolitan Transit (VIA) proposes the construction of eight Bus Rapid Transit (BRT) stations and two transit centers in southwest San Antonio which is referred to as the VIA Primo – Fredericksburg Road BRT Project (VIA Primo). VIA Primo would operate from the University of Texas at San Antonio (UTSA) main campus through downtown San Antonio to provide a one-seat ride for commuters. However, the only physical improvements would occur between the South Texas Medical Center Transit Center (STMCTC) and the Westside Multimodal Transit Center (WSMMTC). The extensions through downtown and to UTSA would not include any physical improvements except for possible bus stop branding. No existing bus route changes would occur resulting from either of these extensions. Therefore, impacts related to these extensions are not part of the Environmental Assessment (EA). The VIA Primo would operate in mixed-flow traffic along a nine mile corridor. The alignment for the proposed VIA Primo would begin at the proposed STMCTC, which would be located on VIA-owned property on the southwest quadrant of the intersection of Babcock Road and Medical Drive. The route would extend east on Medical Drive to Fredericksburg Road (also designated as Loop 345). At the Medical Drive/Fredericksburg Road intersection, the route would then turn south on Fredericksburg Road through the City of Balcones Heights (COBH). The route would continue on Fredericksburg Road through the Deco District. At the intersection with IH-10, the route would travel south on IH-10 to Martin Street. The route would continue west on Martin Street and turn south on North Medina Street to the proposed WSMMTC near the intersection of North Medina Street and West Commerce Street. The proposed VIA Primo Downtown Extension would travel east on Buena Vista Street, which becomes Dolorosa and Market Streets, to IH-37. It would then travel north to serve the existing Robert Thompson Transit Station at the Alamodome and existing Ellis Alley Park-and-Ride, then travel west via Commerce Street back to the WSMMTC. In addition to the downtown circulator, there would be an extension from the South Texas Medical Center to the UTSA main campus on the northern end of the route. This route would travel north on IH-10 to Loop 1604 and serve the University Park and Ride, referred to as the proposed VIA Primo UTSA Extension.

**Agency Coordination and Public Opportunity to Comment**

VIA completed an extensive public involvement effort for the VIA Primo project. Meeting summaries are included in Chapter 8 of the EA. Three public scoping meetings were conducted in July, 2008. Three Public meetings were held in May, 2009. Finally, three public hearings were held during the official public comment period for the Draft EA.

The Draft EA was circulated for review on May 10, 2010. Its 30-day comment period ended June 10, 2010. The public meeting notice ran in the in the *San Antonio Express News* on May 9, 2010 in English and *La Prensa* in Spanish on May 12, 2010. Copies of the EA were also available at San Antonio area public libraries, the City of San Antonio, the City of Balcones Heights, and VIA offices. Newsletters were sent to 6,195 recipients including interested parties and affected property owners. The public hearing notice was also posted on the VIA website. Appendix A of the Final EA includes copies of the hearing sign-in sheets and public meeting summaries.

### **Comments on the EA**

VIA received a total of 19 written and 20 oral comments from the public and five written comments from agencies during the public comment period. Comments addressed the following issues:

- Safety and security (e.g., crossing Fredericksburg Road to get to BRT stations, security around the STMCTC);
- Aesthetics of the VIA Primo stations (e.g., sensitivity to local neighborhood styles);
- Property acquisition;
- Bicycle access to VIA Primo; and
- Possible reductions in bus service on Fredericksburg Road.

Section 8.4 of the Final EA includes these comments and responses. In addition, comments and responses for previous public meetings are included in Appendix A of the Final EA.

### **Mitigation Measures to Minimize Harm**

As a result of the analysis during the EA process and comments received, VIA made mitigation commitments. These commitments are described below by impact area. VIA has taken all reasonable, prudent, and feasible means to avoid or minimize impacts from the proposed action.

### **Determinations and Findings**

#### **National Environmental Policy Act (NEPA) Finding**

FTA served as lead agency under NEPA for the project. VIA prepared an EA in compliance with NEPA, 42 U.S.C. Section 4321 et.seq., and with FTA's regulations, 23 CFR Part 771. The EA analyzes and describes the project's potential significant impacts.

FTA reviewed preliminary versions of the EA. The EA was issued in May of 2010. The EA found that the project's construction and operation would cause no significant adverse environmental effects that would not be mitigated. This would apply to all applicable environmental elements including Air Quality; Land Use and Zoning, Environmental Justice, Social Impacts, Transportation, Noise, Geology and Soils, Hazardous Materials, Water Resources, Biological Resources, Visual Quality, Cultural Resources, Recreation and Section 4(F) Resources, Safety and Security, and Public Services and Utilities.

After carefully considering the Final EA, its supporting documents, and the public comments and responses, FTA finds under 23 CFR 771.121 that the proposed project, with the mitigation to which VIA has committed, will have no significant adverse impacts on the environment. The record provides sufficient evidence and analysis for determining that an EIS is not required.

### **Environmental Justice Findings**

Executive Order 12898 provides that “each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations.” The Department of Transportation similarly requires FTA to explicitly consider human health and environmental effects related to transit projects that may have a disproportionately high and adverse effect on minority and low-income populations. It also requires them to implement procedures to provide “meaningful opportunities for public involvement” by members of these populations during project planning and development. (DOT Order No. 5680.1)

VIA performed an environmental justice analysis as part of the EA. Based on that analysis, FTA finds that the construction and operation of the VIA Primo – Fredericksburg Road BRT Project would not have disproportionately high and adverse effects on low-income or minority populations. The proposed project would likely have beneficial effects on these populations by providing new mobility options.

### **Transportation and Traffic Findings**

A traffic study was performed for the project area, which analyzed level of service on a 24-hour basis for roadway intersections located in the study area. The analysis found that proposed action would not degrade the operations of the analyzed intersections beyond acceptable levels.

The project creates no substantial loss of parking or negative impacts traffic. FTA finds that the local roadway system is adequate to support the anticipated bus and automobile traffic generated by the proposed transit centers and VIA Primo in mixed flow traffic.

### **Noise Findings**

Potential noise impacts from the project were assessed using FTA noise assessment criteria following FTA’s Transit Noise and Vibration Impact Assessment (2006). Noise modeling demonstrated that noise generated by operation of the eight VIA Primo stations and WSMMTC would not reach “impact” or “severe impact” levels. However, noise impacts at the STMCTC necessitate the construction of a noise barrier due to a multi-family residential parcel adjacent to the southwest portion of the property. This noise barrier will be constructed as part of the STMCTC plans, and therefore will not result in any additional required mitigation. Because this noise barrier is part of the plans at STMCTC, FTA concludes that the project does not result in significant noise impacts.

### **Air Quality Conformity**

The project is located in Bexar County, which is an area in attainment of all National Ambient Air Quality Standards ; thus, the transportation conformity rule does not apply. Due to the nature of the project, further air quality analysis was not deemed necessary. At both the regional and “project” level, the project conforms with the State Implementation Plan and meets all requirements of the state and federal clean air acts.

### **Floodplain Findings**

Pursuant to Executive Order 1198 (Floodplain Management), VIA assessed floodplains within the 100-year floodplains and floodways defined by the Federal Emergency Management Agency (FEMA) and locations with reported flooding problems or within locally managed floodplains. FTA finds that direct impacts to flood storage would occur due to Station 8 encroaching onto 0.004 acres of identified 100-year floodplain. In addition, for the total project, construction of 6.21 acres of new impervious surface could lead to additional downstream flooding impacts. VIA will participate in the Regional Storm Water Management Program and construct on-site detention at the STMCTC. With these commitments made by VIA, FTA determines that no significant impacts to floodplain will result from the proposed project.

### **Wetlands Findings**

The United States Department of Transportation seeks to assure the protection, preservation, and enhancement of the nation's wetlands to the fullest extent practicable during the planning, construction, and operation of transportation facilities and projects (DOT Order 5660.1A; Executive Order 11990).

The proposed action will not result in any direct impacts to wetlands, including clearing or filling of wetland areas. FTA finds that the project meets the federal wetlands requirements described above.

### **Endangered Species Act Findings**

The Endangered Species Act of 1973, as amended (ESA), intends to protect threatened and endangered species and the ecosystems on which they depend. The ESA requires a federal agency to ensure that any action it authorizes funds or carries out is not likely to jeopardize the continued existence of any listed species or result in direct mortality or destruction or adverse modification of critical habitat of listed species. This requirement is fulfilled under section 7 of the ESA by review of the proposed actions and consultation with the appropriate agency responsible for the conservation of the affected species. If necessary, mitigation will be required to avoid jeopardizing listed species or their habitat.

The proposed project is located in an urbanized area. No threatened or endangered species are located in the proposed project area. FTA concurs that the project will have no effect on federally listed species. No adverse impacts are expected to occur.

### **Section 106 Compliance**

Section 106 of the National Historic Preservation Act of 1966, as amended, requires the review of federally assisted projects for impacts to districts, sites, buildings, structures, and objects listed in, or eligible for inclusion in, the National Register of Historic Places. Federal agencies must coordinate with the State Historic Preservation Officer (SHPO) and potentially affected Tribes to make this determination. Coordination with the Texas Historic Commission (THC) has been conducted along with field surveys and archival research. THC concurred that there would be no adverse effects on eligible historic resources resulting from the eight proposed VIA Primo stations or the STMCTC. In addition, there would be no adverse effects on the International and Great Northern (IGN) Depot and the other historic resources within the WSMMTC if the following conditions are met:

The proposed work will be in keeping with the Secretary of the Interior's *Standards for Rehabilitation*;

Plans, specifications and construction drawings of the proposed work to the building will be reviewed and approved by THC at the 35%, 95%, and final stages of development prior to the start of any physical work on the building;

Any interior finishes will be reviewed and approved by THC prior to the start of any physical work to the building;

Plans and elevations of the proposed site modifications will be reviewed and approved by THC prior to the start of any construction work to the site; and

Archeological monitoring will be conducted during the initial excavation activities on the 1.5-acre tract south of the IGN Depot.

**Based on historic resource analysis and coordination with the SHPO and THC and any affected Tribes, FTA finds that the project will have no effect on any identified or likely cultural resources, and that the Section 106 coordination and consultation requirements for this project have been fulfilled.****Section 4(f) Findings**

Section 4(f) of the Department of Transportation Act of 1966, codified at 49 U.S.C. 303, declares a national policy that a special effort should be made to preserve the natural beauty of the countryside, public park and recreational lands, wildlife and waterfowl refuges, and historic sites. The Secretary of Transportation may not approve transportation projects that adversely affect such resources unless a determination is made that there is no feasible and prudent alternative, and that all possible planning has been done to minimize harm (23 CFR 774.3). FTA finds that the proposed project will not adversely affect any park, historic resource, or recreational resources protected by Section 4(f) of the DOT Act of 1966.

### **Environmental Finding**

The following documents are attached and incorporated by reference as part of this Finding of No Significant Impact:

Attachment A: Final Environmental Assessment (August, 2010)

VIA Primo – Fredericksburg Road BRT Project  
**Finding of No Significant Impact**  
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Based on the Final Environmental Assessment and its associated supporting documents, the Federal Transit Administration finds pursuant to 23 CFR 771.121 that there are no significant impacts on the environment associated with the development and operation of the VIA Primo – Fredericksburg Road BRT Project.