

ATTACHMENT F – AGENCY CORRESPONDENCE



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
1849 C Street, NW - MS 2462 - MIB
Washington, D.C. 20240

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ER 15/0216

Ms. Melissa McGill
Community Planner
Federal Transit Administration
1900 K Street, NW, Suite 510
Washington, DC 20006

Ms. McGill:

The Department of the Interior (Department) has reviewed the Federal Transit Administration's (FTA) Potomac Yard Metro Station Final Environmental Impact Statement (EIS) and Section 4(f) Evaluation, Alexandria, Virginia. The Department provided comments on the Draft EIS and Section 4(f) Evaluation on May 14, 2015. We submit the following additional comments.

The Department understands that the FTA, as the Federal lead agency, in cooperation with the City of Alexandria, the Washington Metropolitan Area Transit Authority (WMATA), and the National Park Service (NPS) have worked closely in preparing both the draft and final EIS and Section 4(f) documentation for the proposed Potomac Yard Metrorail Station. In doing so, the documents are developed to the satisfaction of the NPS. The Department has no further comments on the Final EIS.

Upon review of the Final Section 4(f) Evaluation, the Department concurs with the findings of the least harm analysis. We agree that the Preferred Alternative will have impacts to Section 4(f) resources, but have determined that most of these impacts will be mitigated through measures that will be implemented as part of the Section 106 Memorandum of Agreement and the Net Benefits Agreement between the City of Alexandria and the NPS. The Preferred Alternative would also result in a net benefit to Section 4(f) resources and City of Alexandria residents. Moreover, the Preferred Alternative would maximize the amount of development permitted in North Potomac Yard and would accommodate the highest daily ridership among the alternatives, thereby best meeting the project's purpose and need. The Preferred Alternative, which is estimated to cost \$268 million, has the most economic, community, and transportation benefits of all the alternatives.

Thank you for the opportunity to provide comment, and for your consideration of our important resources. We also appreciate the close coordination FTA, the City of Alexandria, and WMATA has had with the NPS on this project, and we look forward to continued future coordination.

Any further coordination should be handled through Tammy Stidham, Chief, Planning, Compliance and GIS, National Capital Region, National Park Service, 1100 Ohio Drive SW, Washington, DC 20242, 202-619-7474.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. J. Blanchard", followed by a long horizontal flourish.

for Mary Josie Blanchard
Acting Director, Office of Environmental
Policy and Compliance

Barbara Rudnick <rudnick.barbara@epa.gov>

7/11/2016 1:05 PM

EPA FEIS comments Potomac Yard Metro Station

To comments@potomacyardmetro.com <comments@potomacyardmetro.com> Copy
Barbara Okorn <okorn.barbara@epa.gov>

Please find attached comments prepared by EPA Region III on the Potomac Yard Final EIS. If there are any questions, please contact me.

Barbara Rudnick, P.G.
NEPA Team Leader
EPA Region III
1650 Arch Street (3EA30)
Philadelphia, PA 19103
215-814-3322

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

July 11, 2016

Ms, Melissa Barlow
Environmental Protection Specialist
Federal Transit Administration
1990 K Street NW, Suite 510
Washington, DC 20006

Re: Final Environmental Impact Statement, Potomac Yard Metrorail Station, Alexandria Virginia, June 2016, CEQ No. 20160133

Dear Ms. Barlow:

In accordance with the National Environmental Policy Act (NEPA) of 1969, Section 309 of the Clean Air Act and the Council on Environmental Quality regulations implementing NEPA (40 CFR 1500-1508), the United States Environmental Protection Agency (EPA) has reviewed the Potomac Yard Metrorail Station Final Environmental Impact Statement (EIS) and the response to our May 18, 2015 comment letter on the Draft EIS. The Final EIS has been prepared by the Federal Transit Administration (FTA) in cooperation with the City of Alexandria, the Washington Metropolitan Area Transit Administration (WMATA) and the National Park Service.

The preferred alternative is Build Alternative B, Option 2 Construction Access (no construction access on the George Washington Memorial Parkway, GWMP). According to the Final EIS, the preferred alternative provides a new direct access point to the regional transit system and maximizes potential ridership, the shift of automobile trips to other modes, and accessibility to the regional transit system for the greatest number of area residents and employees. Construction activities would last up to three years. Opening of the station is expected in 2020. Access to construction staging areas would be from Potomac Greens Drive, Carpenter Road, the Old Town Greens common area, and the Rail Park, with relatively limited construction access from Potomac Yard. Affected portions of city parks and private common areas would be temporarily closed to the public. Permanent impacts associated with the preferred alternative would be up to 1.65 acres of wetlands, 3.03 acres of habitat, six view shed impacts from GWMP, one view shed from Potomac Greens and one view shed from Potomac Yard. In addition, seven residents (same as existing) will be exposed to WMATA noise criteria impacts.

As a result of our review, EPA has remaining concerns related to community impacts, climate change and aquatic impacts associated with this project. We suggest the project team

maintain close coordination with affected residents and continue to avoid and minimize construction and operational impacts associated with the build alternative. Since the construction period can last up to three years, we suggest that the team work with the local residents to mitigate for lost resources such as recreational areas. In addition, we suggest the Record of Decision (ROD) document these agreements and provide commitments to specific avoidance and mitigation measures. EPA would appreciate the opportunity to review the ROD when it is prepared.

While the Final EIS provides more detail related to the preferred alternative, additional information will not be available until the design progresses. Caution should be given to potential contaminated soil and groundwater. Wherever possible, impacts associated with this project should be further avoided and minimized as the project design moves forward. Please consider the attached Technical Comments.

If you have questions regarding these comments, the staff contact for this project is Ms. Barbara Okorn; she can be reached at 215-814-3330.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara Rudnick', written in a cursive style.

Barbara Rudnick
NEPA Team Leader
Office of Environmental Programs

Enclosure

Enclosure
Technical Comments for Final Environmental Impact Statement, Potomac Yard Metrorail Station, Alexandria Virginia

General

- We suggest that the possible outreach methods listed on Page 4-9 be listed in the Record of Decision (ROD). In addition, an adaptive management plan should be developed with how to address any issues that may arise. Given the proximity to residences and the potential for impacts, close coordination is warranted. The project team should work with the communities to address potential problems and minimize disruption. Additional outreach may be warranted for Environmental Justice communities that may be affected by the project.
- Establishing a public communication plan is recommended in order to keep the public informed and attempt to reduce public frustration. This plan could include regular public meetings, emails, a hotline, and other notices.
- Commitment to public communication (as above) should be stated in the ROD.

Stormwater, Aquatic Resources, and Vegetation

- While additional clarification has been provided regarding aquatic resources, it should be noted that this project must comply with Section 404 of the Clean Water Act, which includes avoiding and minimizing impacts to these resources, as well as mitigating for lost functions. Additional information may be required at the permitting stage describing the conditions of the existing resources and demonstrating adequate compensation for unavoidable impacts.
- The project team should investigate opportunities to maintain or re-establish hydrology across the transportation system. If hydrology is impounded by barriers such as bermed areas in rail right-of-way, engineered breaks in the berm may be considered.
- Additional information should be provided regarding a mitigation plan that will fully replace the functions and values of the wetlands proposed to be impacted.
- The mitigation should be in the respective subwatershed and have a monitoring plan with physical, chemical, and biological success criteria. An adaptive management plan should also be created to address mitigation issues.
- The construction timeframe is up to three years. Some impacts that are classified as temporary may be considered permanent given the loss of function over that time. In addition, the Final EIS states that wetlands that are temporarily filled for construction activities will be restored. It should not be assumed that this is an acceptable practice or that these will be considered temporary impacts. The areas may be permanently altered by the fill, compaction, changes in hydrology etc. Efforts should continue to avoid and minimize these impacts.

Environmental Justice

Please note that changes were not made for the Final EIS; comments below reflect ones presented for the Draft EIS in the EPA letter of May 2015.

- The analysis used to identify minority populations does not seem to reflect the intent of the Council on Environmental Quality, Environmental Justice – Guidance under the

National Environmental Policy Act, December 10, 1997. The guidance states: "Minority populations should be identified where either: (a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis. In identifying minority communities, agencies may consider as a community either a group of individuals living in geographic proximity to one another, or a geographically dispersed/transient set of individuals (such as migrant workers or Native American), where either type of group experiences common conditions of environmental exposure or effect. The selection of the appropriate unit of geographic analysis may be a governing body's jurisdiction, a neighborhood, census tract, or other similar unit that is to be chosen so as to not artificially dilute or inflate the affected minority population. A minority population also exists if there is more than one minority group present and the minority percentage, as calculated by aggregating all minority persons, meets one of the above-stated thresholds."

A population exceeding the 50% threshold is a minority community, so any population that is more than 50% minority is by definition a minority population. Figure 3-10: Minority Populations, uses a benchmark value of 58.1% minority in its identification of at risk populations. What is the justification for this value? Use of the 50% or some other more protective benchmark to identify areas of potential EJ concern is recommended.

- It would be helpful to have included all of the demographic information for the study area by census block group in the data used to identify areas of EJ concern.
- Greater detail should be provided as to the potential exposure of at-risk populations to toxic substances, noise, vibration, fugitive dusts, truck traffic, and other activities that may be a result of the activities of this project.

Children's Environmental Health

As suggested in our comments on the Draft EIS:

Executive Order 13045 on Children's Health and Safety directs that each Federal agency shall make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children, and shall ensure that its policies, programs, activities, and standards address these risks. Analysis and disclosure of these potential effects under NEPA is necessary because some physiological and behavioral traits of children render them more susceptible and vulnerable than adults to health and safety risks. Children may be more vulnerable to the toxic effects of contaminants because their bodies and systems are not fully developed and their growing organs are more easily harmed. The DEIS does not clearly describe the potential direct, indirect, and cumulative impacts of the project on children's health.

- Children's Environmental Health does not appear to have been included in the DEIS. FTA should address Executive Order 13045 for the Protection of Children from Environmental Health Risks and Safety Risks. Without analysis or documentation on this topic, it cannot be assumed that there is no potential risk associated with the proposed project that may adversely affect children's health.

- Evaluation of risks to children's health should include potential direct, indirect and cumulative health impacts in the project area. We also suggest evaluating noise and vibration impacts associated with the project specific to children, identifying areas where children reside or children's facility.

Cumulative Impacts

As stated in our comments on the DEIS, the EIS should include a thorough cumulative impact analysis for past, present and reasonably foreseeable projects occurring in the project areas. EPA suggests that a secondary and cumulative effects analysis begin with defining the geographic and temporal limits of the study; this is generally broader than the study area of the project. The document should address potential indirect and cumulative effects in the project areas, and analysis may aid in the identification of resources that are likely to be adversely affected by multiple projects, and sensitive resources that could require additional measures of protection. This includes an assessment of cumulative impacts to wetlands and other resources.

Greenhouse Gas/ Climate Change

As suggested in our comments on the Draft EIS:

- We recommend that the FEIS include an estimate of the GHG emissions associated with the project during construction, a qualitative description of relevant climate change impacts, and an analysis of reasonable alternatives and/or practicable mitigation measures to reduce project-related GHG emissions. We also recommend that the NEPA analysis should more robustly consider changes to the design of the proposal to incorporate GHG reduction measures and resilience to foreseeable climate change. EPA further recommends that the Record of Decision commit to implementation of reasonable mitigation measures that would reduce project-related GHG emissions and to adapt to climate change impacts.
- EPA recommends the NEPA Analysis thoroughly describe potential changes to the Affected Environment that may result from climate change. Including future climate scenarios would help decision makers and the public consider whether the environmental impacts of the alternatives would be exacerbated by climate change. If impacts may be exacerbated by climate change, additional mitigation measures may be warranted. In addition, we recommend the FEIS's alternatives analysis consider, as appropriate, practicable changes to the proposal to make it more resilient to anticipated climate change. While the FEIS references the City of Alexandria's Energy and Climate Change Action Plan 2012-2020 and some other sources, we suggest also using the National Climate Assessment (NCA), released by the U.S. Global Change Resource Program [1], or other peer reviewed climate scenarios to inform alternatives analysis and possible changes to the proposal can improve resilience and preparedness for climate change.

[1] <http://nca2014.globalchange.gov/>

nhreview (DCR) <nhreview@dcr.virginia.gov>

7/5/2016 2:19 PM

Potomac Yard Station Final EIS

To comments@potomacyardmetro.com <comments@potomacyardmetro.com> Copy dgif-ESS Projects (DGIF) <rr.dgif-essprojects@dgif.virginia.gov>

Mr. Farmer,

Please find attached the DCR-DNH comments for the above referenced project. The comments are in pdf format and can be printed for your records. Also species rank information is available at <http://www.dcr.virginia.gov/natural-heritage/help> for your reference.

Please note an updated information services order form is located on the Natural Heritage website at: http://www.dcr.virginia.gov/natural-heritage/nhserviceform/?non_fee

Please send a confirmation e-mail upon receipt of our comments. Let us know if you have any questions.

Thank you for your request.



Alli Baird, LA, ASLA
Locality Liaison
VADCR - Division of Natural Heritage
600 East Main Street, 24th Floor
Richmond, VA 23219
804-692-0984

alice.baird@dcr.virginia.gov

- image003.emz (1 KB)
- 71504, FTA, Potomac Yard Metro Station Final EIS.pdf (223 KB)
- image001.jpg (11 KB)
- image002.jpg (5 KB)
- image004.png (304 Byte)

Molly Joseph Ward
Secretary of Natural Resources

Clyde E. Cristman
Director



Rochelle Altholz
*Deputy Director of
Administration and Finance*

David C. Dowling
*Deputy Director of
Soil and Water Conservation
and Dam Safety*

Thomas L. Smith
Deputy Director of Operations

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

June 5, 2016

Federal Transit Administration
Potomac Yard Metrorail Station EIS
Alexandria, VA 22302

Re: Potomac Yard Metro Station Final EIS

To Whom It May Concern:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System 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.

Biotics historically documents the presence of natural heritage resources within two miles of 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.

There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

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 Biotics. Please re-submit project information and map for an update on this natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

The Virginia Department of Game and Inland Fisheries (VDGIF) maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from <http://vafwis.org/fwis/> or contact Ernie Aschenbach at 804-367-2733 or Ernie.Aschenbach@dgif.virginia.gov. This project is located within 2 miles of a documented occurrence of a state listed animal. Therefore, DCR recommends coordination with VDGIF, Virginia's regulatory authority for the management and protection of this species to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570).

Should you have any questions or concerns, feel free to contact me at 804-692-0984. Thank you for the opportunity to comment on this project.

Sincerely,

600 East Main Street, 24th Floor | Richmond, Virginia 23219 | 804-786-6124

*State Parks • Soil and Water Conservation • Outdoor Recreation Planning
Natural Heritage • Dam Safety and Floodplain Management • Land Conservation*

Alli Baird

Alli Baird, LA, ASLA
Coastal Zone Locality Liaison

Cc : Amy Ewing, VDGIF

Andrea (DHR) Burke <andrea.burke@dhr.virginia.gov>

7/15/2016 2:28 PM

Potomac Yard Metrorail - Final EIS Comments

To comments@potomacyardmetro.com <comments@potomacyardmetro.com> Copy
daniel.koenig@dot.gov <daniel.koenig@dot.gov>

We have reviewed the Final EIS and have no further comments.

Regards,

Andrea Burke

Andrea Burke

Tax Credit Reviewer, Preservation Incentives Division/Architectural Historian, Review and Compliance Division
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221
(804) 482-6084
Fax: (804) 367-2391
andrea.burke@dhr.virginia.gov

Mark (MRC) Eversole <mark.eversole@mrc.virginia.gov>

7/21/2016 9:24 AM

Potomac Yard Metrorail Station

To comments@potomacyardmetro.com <comments@potomacyardmetro.com>

Please excuse the late date of this response, I hope it still provides some useful information.

Based on a desktop review of the information provided, it appears that NO permit will be required by the Marine Resources Commission, for this metro rail expansion project. Please keep in mind, as plans are developed, that if the project involves any encroachment into tidal wetlands, or to State owned submerged lands, a permit may be required by this agency.

Thank you for the opportunity to review and provide preliminary comments on this project.

Mark Eversole
Virginia Marine Resources Commission
2600 Washington Avenue, 3rd Floor
Newport News, Virginia 23607
Office: (757)-247-8028
email: mark.eversole@mrc.virginia.gov