

ATTACHMENT G – FEIS COMMENTS AND RESPONSES

Comments on the FEIS were received from federal and state agencies as well as the general public. Only responses to new and substantive comments received on the FEIS are provided in this attachment. Many comments received on the FEIS were the same or similar to comments received on the DEIS and are not addressed in this attachment. Responses to comments from federal agencies are presented first followed by responses from state agencies and individuals.

Federal Agency Comments and Responses

Comments on the FEIS were received from two federal agencies, Department of the Interior – Office of Environmental Policy and Compliance and the Environmental Protection Agency. The letters received from each of these agencies are presented on the left side of the following pages and the responses to comments contained in the letters are presented on the right side of the following pages.

Comments from Department of the Interior	Responses
<div data-bbox="270 347 380 456" data-label="Image"> </div> <div data-bbox="413 360 848 391" data-label="Section-Header"> <p>United States Department of the Interior</p> </div> <div data-bbox="483 396 779 470" data-label="Text"> <p>OFFICE OF THE SECRETARY Office of Environmental Policy and Compliance 1849 C Street, NW - MS 2462 - MIB Washington, D.C. 20240</p> </div> <div data-bbox="577 472 688 498" data-label="Text"> <p>JUL 07 2016</p> </div> <div data-bbox="858 485 949 527" data-label="Text"> <p>9043.1 PEP/NRM</p> </div> <div data-bbox="283 526 382 548" data-label="Text"> <p>ER 15/0216</p> </div> <div data-bbox="283 566 512 670" data-label="Text"> <p>Ms. Melissa McGill Community Planner Federal Transit Administration 1900 K Street, NW, Suite 510 Washington, DC 20006</p> </div> <div data-bbox="283 686 384 709" data-label="Text"> <p>Ms. McGill:</p> </div> <div data-bbox="283 714 978 799" data-label="Text"> <p>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.</p> </div> <div data-bbox="283 803 959 928" data-label="Text"> <p>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.</p> </div> <div data-bbox="283 933 978 1154" data-label="Text"> <p>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.</p> </div> <div data-bbox="283 1161 978 1224" data-label="Text"> <p>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.</p> </div> <div data-bbox="407 1307 854 1330" data-label="Text"> <p>TRANSMITTED ELECTRONICALLY – NO HARDCOPY TO FOLLOW</p> </div>	<div data-bbox="1108 906 1946 989" data-label="Text"> <p>FTA acknowledges that DOI has indicated that the Draft EIS, Final EIS, and Section 4(f) documentation for the proposed Potomac Yard Metrorail Station were developed to the satisfaction of the NPS and that DOI has no further comments on the Final EIS.</p> </div> <div data-bbox="1108 1049 1890 1107" data-label="Text"> <p>FTA acknowledges DOI concurrence with the findings of the least harm analysis included in the Final Section 4(f) Evaluation.</p> </div>

Comments from Department of the Interior, cont'd	Responses
<p style="text-align: right;">2</p> <p>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.</p> <p>Sincerely,</p> <p></p> <p><i>for</i> Mary Josie Blanchard Acting Director, Office of Environmental Policy and Compliance</p> <p style="text-align: center;">TRANSMITTED ELECTRONICALLY – NO HARDCOPY TO FOLLOW</p>	

Comments from Environmental Protection Agency	Responses
<div data-bbox="310 375 422 477" data-label="Image"> </div> <div data-bbox="449 393 873 466" data-label="Text"> <p>UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III 1650 Arch Street Philadelphia, Pennsylvania 19103-2029</p> </div> <div data-bbox="600 503 707 526" data-label="Text"> <p>July 11, 2016</p> </div> <div data-bbox="289 544 554 647" data-label="Text"> <p>Ms, Melissa Barlow Environmental Protection Specialist Federal Transit Administration 1990 K Street NW, Suite 510 Washington, DC 20006</p> </div> <div data-bbox="289 678 945 727" data-label="Text"> <p>Re: Final Environmental Impact Statement, Potomac Yard Metrorail Station, Alexandria Virginia, June 2016, CEQ No. 20160133</p> </div> <div data-bbox="289 743 428 766" data-label="Text"> <p>Dear Ms. Barlow:</p> </div> <div data-bbox="289 779 982 946" data-label="Text"> <p>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.</p> </div> <div data-bbox="289 958 974 1247" data-label="Text"> <p>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.</p> </div> <div data-bbox="289 1255 959 1305" data-label="Text"> <p>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</p> </div>	<div data-bbox="1125 1195 1944 1294" data-label="Text"> <p>FTA acknowledges EPA's comments regarding impacts associated with the project. In addition to the minimization and mitigation commitments that are specified in the ROD, FTA and the City of Alexandria will strive to reduce impacts as the project moves into final design.</p> </div>

Comments from Environmental Protection Agency, cont'd	Responses
<p>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.</p> <p>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.</p> <p>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.</p> <p>Sincerely,</p>  <p>Barbara Rudnick NEPA Team Leader Office of Environmental Programs</p> <p>Enclosure</p>	<p>FTA recognizes the importance of maintaining close coordination with affected residents and to continue to avoid and minimize construction and operational impacts associated with the Preferred Alternative, as suggested in the letter from EPA to FTA regarding the Potomac Yard Metro Station Final EIS dated July 7, 2016. The City of Alexandria has committed to establishing a Public Communication Plan to continue outreach through the design, engineering, and construction phases of the Potomac Yard Metrorail Station project. The Public Communication Plan will describe in detail strategies to inform the public of construction plans, provide regular updates on construction impacts including traffic detours and noise and vibration, and resolve any issues that may arise during construction. The Public Communication Plan includes establishment of a website, hotline, regular emails, outreach specialist, posting notifications, public meetings, media press releases, and establishing a publicly accessible construction office to field questions from area residents and businesses.</p> <p>FTA and the City of Alexandria will continue to address concerns related to the Project's design and will strive to reduce impacts, including potential impacts to contaminated soils and groundwater, as the project moves into final design. These commitments by FTA and the City of Alexandria are addressed in the Record of Decision.</p> <p>Responses to attached technical comments are provided on following pages.</p>

Comments from Environmental Protection Agency, cont'd	Responses
<p style="text-align: center;">Enclosure Technical Comments for Final Environmental Impact Statement, Potomac Yard Metrorail Station, Alexandria Virginia</p> <p><i>General</i></p> <ul style="list-style-type: none"> 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. <p><i>Stormwater, Aquatic Resources, and Vegetation</i></p> <ul style="list-style-type: none"> 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. <p><i>Environmental Justice</i></p> <p>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.</p> <ul style="list-style-type: none"> 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 	<p>General</p> <ul style="list-style-type: none"> As the project sponsor, the City of Alexandria is committed to continuing a robust public involvement process during the construction of the Potomac Yard Metrorail Station that includes outreach to Environmental Justice populations. Commitments to continued public outreach activities throughout construction will be detailed in the ROD and include a public communication plan and site management work plan to handle on-going coordination with communities and construction teams. A public communication plan will be developed to continue outreach through design, engineering, and construction phases of the Potomac Yard Metrorail Station. The Public Communication Plan will describe in detail strategies to (1) inform the public of construction plans, (2) provide regular updates on construction, traffic detours and other impacts such as noise and vibration, and (3) solve problems that arise during construction. The project sponsor will achieve these goals in part by requiring the construction contractor to commit to a spectrum of outreach activities and efforts to mitigate the impacts of construction. Information regarding final design and construction activities will be disseminated via the City of Alexandria project website, the City's social media accounts, the project e-mail distribution list, newsletters, public meetings, and news releases, as necessary. Details of continued public involvement and commitments to public outreach throughout construction will be included in the ROD. <p>Stormwater, Aquatic Resources, and Vegetation</p> <ul style="list-style-type: none"> FTA will continue project coordination with the US Army Corps of Engineers (USACE) in regard to Section 404 of the Clean Water Act. Design refinements to avoid and minimize impacts to aquatic resources by the project are presented in the FEIS. A Joint Permit Application (JPA) will be developed for both permanent and temporary project-related wetland impacts in compliance with Section 404 of the Clean Water Act; the permitting process will be initiated with USACE, Virginia Department of Environmental Quality, and NPS. If wetlands are deemed tidal wetlands, the permitting process would also be initiated with the Virginia Marine Resources Commission. Further details of mitigation measures will be developed in accordance with NPS and USACE during the final design phase of the project when detail of the project components and the construction scenarios are finalized. Further details of mitigation measures will be developed in accordance with NPS and USACE during the final design phase of the project when details of the project components and the construction scenarios are finalized. A wetland function and values assessment was prepared as part of the wetlands Statement of Findings prepared under NPS Director's Order 77-1 and is summarized in the FEIS Section 3.14. The NPS draft Statement of Findings document is included in Volume II of the FEIS. Following the JPA process and the completion of construction activities the existing ecological functions and values of the wetland will be restored in accordance with the permit requirements. The Final Statement of Findings will be included in the NPS ROD. As part of the Joint Permit Application process to obtain a Section 404 of the Clean Water Act permit or nationwide permit (NWP), specific wetland mitigation strategies will be further developed for review and consideration by United States Army Corps of Engineers (USACE), the Virginia Department of Environmental Quality (VDEQ), and Virginia Marine Resources Commission (VRMC), and will meet all federal, state, and local requirements. While the overall construction period may be as long as three years, temporary impacts to resources will be of shorter durations depending on the type of construction activity that impacts particular resources. Efforts to avoid and minimize the duration of these impacts will continue to be prioritized as more detailed project design and construction plans are developed.

Comments from Environmental Protection Agency, cont'd	Responses
<p>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."</p> <p>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.</p> <ul style="list-style-type: none"> • 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. <p><i>Children's Environmental Health</i> As suggested in our comments on the Draft EIS:</p> <p>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.</p> <ul style="list-style-type: none"> • 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. 	<p>Environmental Justice</p> <ul style="list-style-type: none"> • The environmental justice analysis, including how minority communities are identified, follows FTA guidance (FTA Circular 4703.1), which incorporates CEQ's guidance on environmental justice. FTA's guidance on environmental justice is not wholly reliant on the meaningfully greater threshold set forth by CEQ, and, as such, FTA encourages alternative means beyond the meaningfully greater threshold for identifying environmental justice populations and potential disproportionate adverse impacts to EJ populations. The environmental justice analysis took into consideration the meaningfully greater threshold and outreach conducted to identify other possible environmental justice populations that may have been omitted from a simple census tract or block search. Based on the analysis and the very limited area for potential direct and indirect effects, there is no potential for disproportionate adverse impacts on environmental justice populations. Thus, the suggested benchmarks used were not revised for the FEIS. Additional details on the methodology used in the environmental justice analysis are included in the <i>Neighborhoods and Environmental Justice Technical Memorandum</i> in Volume II of the FEIS. • Additional details on the methodology used in the environmental justice analysis are included in the <i>Neighborhoods and Environmental Justice Technical Memorandum</i> in Volume II of the DEIS and FEIS. • Section 3.25 of the FEIS describes construction impacts from the project for toxic substances, noise and vibration, fugitive dusts, and truck traffic. Additional detail on the impacts resulting from these construction activities are also summarized in response to comments received from EPA on the DEIS as shown in Section 6.2.1 Environmental Protection Agency on Page 6-3 of the FEIS. As described in FEIS Section 3.25, best management practices will be used to avoid exposure to toxic substances and safety risks due to truck traffic and to minimize noise and vibration, and fugitive dusts that could affect residents, including at-risk populations, within the neighborhoods adjacent to the construction activities. As described in FEIS Section 3.7.3.3, potential impacts related to these activities would not adversely or disproportionately affect the identified environmental populations, as these impacts would be primarily borne by the communities that are immediately adjacent to the proposed Metrorail station and its construction staging areas and access routes, which are not minority or low-income communities. <p>Children's Environmental Health</p> <ul style="list-style-type: none"> • The DEIS and FEIS describe the analysis related to Executive Order 13045 on Children's Health and Safety, and additional information is provided in the <i>Neighborhoods and Environmental Justice Technical Memorandum</i> in Volume II of the DEIS and FEIS. Children's Environmental Health is addressed in the FEIS in Section 3.6.2 (Affected Environment) on page 3-41 and Section 3.6.3.2 (Environmental Consequences of Preferred Alternative) on page 3-44.

Comments from Environmental Protection Agency, cont'd	Responses
<ul style="list-style-type: none"> 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. <p><i>Cumulative Impacts</i> 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.</p> <p><i>Greenhouse Gas/ Climate Change</i> As suggested in our comments on the Draft EIS:</p> <ul style="list-style-type: none"> 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. <p>[1] http://nca2014.globalchange.gov/</p>	<p>Children’s Environmental Health (cont’d)</p> <ul style="list-style-type: none"> No negative permanent impact to concentrations of children or children-serving facilities was identified due to any of the Build Alternatives described in the DEIS. The FEIS describes impacts of the Preferred Alternative, which include the temporary closure of two playgrounds and construction traffic along residential streets in the Old Town Greens and Potomac Greens neighborhoods. The FEIS provides additional details with regard to effects to children’s health and safety and measures that will be used to avoid and minimize them. <p>Cumulative Impacts</p> <ul style="list-style-type: none"> FTA determined the appropriate geographic bounds for consideration of reasonably foreseeable and past actions for purposes of cumulative effects. As such, potential indirect and cumulative effects were taken into consideration for its effect determinations. Further detail regarding these project elements is further expounded upon and presented in the FEIS, Section 3.24.3 Geographic and Temporal Boundaries and Section 3.24.4 Past, Present, and Reasonably Foreseeable Future Projects. FEIS Section 3.24.6 Cumulative Effects describes potential cumulative effects relative to transportation, neighborhoods and environmental justice, visual resources, cultural resources, air quality, climate change, utilities, and construction activities. No cumulative effects to wetland are expected with mitigation. <p>Greenhouse Gas / Climate Change</p> <ul style="list-style-type: none"> As described in the FEIS Section 3.11.1, based on the scale of the project as a single infill transit station versus a new transit system, expected annual GHG emissions from ongoing project operations would be below the minimum reference point used by CEQ in its draft guidance for quantitative assessments of GHG emissions that was available at the time of the FEIS preparation (2014 Revised Draft Guidance, Section III. D., Page 18). As a result, FTA used a qualitative analysis of emissions for this type of project. To estimate changes in GHG emissions from vehicular trips under the No Build Alternative and Preferred Alternative, the numbers of vehicle trips and VMT were estimated using the MWCOG regional travel model (Version 2.3.57a, 2015) as part of the separate travel demand analysis for the project (see Section 3.2.1.4 Ridership Methodology). Relative differences in VMT were compared to the regional total to determine if the effects of the project on regional GHG emissions would be substantial. The qualitative analysis also discussed the relative contribution of the operations of the new Metrorail station compared to the system’s on use of local electricity sources. These effects are described in the FEIS Section 3.11.3.2, Preferred Alternative, Greenhouse Gas Emissions. The station design has established a goal of obtaining Leadership in Energy and Environmental Design (LEED) Silver Certification for the station. LEED-certified buildings are designed to be resource efficient and use less water and energy and reduce greenhouse gas emissions. LEED Silver Certification goal for the station will be noted in the mitigation measures under air quality included in the ROD. In addition, the Washington Metropolitan Area Transit Authority’s 2014 Sustainability Agenda commits the agency to various sustainability targets, including several energy and GHG emissions targets. The FEIS addresses the potential effects related to climate change in Section 3.24.6.6 Floodplains (Climate Change). The assessment considers a range of sea level-rise projections based on several global climate models that result in a rise in the median sea level during high tide from 2 feet in 2012 to 4.96 feet by 2100. Mitigation measures described in the FEIS include a commitment to incorporate resiliency measures for foreseeable cumulative climate change impacts, in particular flooding, including elevation of structures above the 500-year floodplain.

State Agency Comments and Responses

Two comments were received from the Virginia Department of Conservation and Recreation, Division of Natural Heritage, and one comment was received each from the Virginia Department of Historic Resources and the Virginia Marine Resources Commission.

Virginia Department of Conservation and Recreation, Division of Natural Heritage

Comment: 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.

Response: Project information will be re-submitted if the scope of the project changes and/or six months has passed before it is utilized.

Comment: 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. The 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).

Response: As part of the Project permitting process prior to construction, the Project sponsor will coordinate with the Virginia Department of Conservation and Recreation, Division of Natural Heritage and the Virginia Department of Game and Inland Fisheries with regard to state natural heritage resources and to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 - 570).

Virginia Department of Historic Resources

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

Response: Comment received.

Virginia Marine Resources Commission

Comment: 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.

Response: Comment received.

Public Comments and Responses

Public comments on the FEIS covered a wide range of issues. However, special issues that were a particular focus of public comment included construction impacts, land use and zoning, noise, parking, pedestrian and bicycle facilities, public involvement, and safety and security, as well as questions related to the selection of the Preferred Alternative and analysis developed for the FEIS. Summaries of new and substantive public comments received and responses to those summary comments are provided on the following pages. The table on the following page provides an index showing where commenters can find the summary comments and responses that address the new and substantive comments submitted to FTA.

Last Name	First Name	Affiliation	Sub-section for Summary Comments and Responses
Birgin	Ilhan		G.3
DeLorey	Shawn A.	Old Town Greens Townhome Owners Association, Unit Owners Association of Old Town Greens Condominium, Potomac Greens Homeowners Association	G.2, G.7, G.8, G.10, G.12, G.13, G.16, G.17, G.18, G.19, G.22, G.26
Farnam	Thomas		G.8, G.18, G.20, G.21
Ferguson	Zach		G.5
Flynn	Kurt		G8, G.9, G.10, G.12, G.15, G.16, G.19, G.23,
Friedrichs	Scott		G.1
Gaw	Mike		None*
Hertel	Poul		G.2, G.11, G.14, G.18, G.15, G.17, G.22, G.25
Martin	Catherine		None*
McGinley	Judy		G.1, G.4, G.6
McQueen	Kathleen	Metro Management Services, LLC	None*
Novak	Louis		G.5
Ribadulla	Katelyn		None*
Robinson	Cassie		None*
Swistak	Suzanne		None*

*Agency or individual expressed support/concurrence, asked to be contacted or consulted in regard to project updates, added to the mailing list, or asked a basic clarification question.

G.1 Construction Impacts

Summary of Comments: Two commenters requested consideration of alternative construction access routes for the proposed station, including greater use of the WMATA traction power substation access driveway, to minimize use of Potomac Greens Drive and Carpenter Road.

Response: Given the location of the station east of the active CSXT and Metrorail tracks and the need to maintain operations on those rail lines during construction, construction access via Potomac Greens Drive, Carpenter Road, and the WMATA traction power substation driveway is necessary for construction. The WMATA traction power substation access driveway is located west of the existing Metrorail tracks (across the tracks from the proposed station building site), so most of the construction activities and access for the proposed station building and realigned tracks must occur on to the east of the existing tracks. Design refinements to further minimize and mitigate the impacts of using Potomac Greens Drive and Carpenter Road for construction access will be explored and considered in the final design process for the station. Construction vehicle access from the George Washington Memorial Parkway is prohibited by the National Park Service, and

access from areas west of the site is constrained by the existing Metrorail track and the CSXT rail line which must remain operational during the construction of the new Metrorail Station.

To ensure safe conditions at the entrance into the construction staging area at the northern end of Potomac Greens neighborhood at Potomac Greens Park, the Project will temporarily relocate or close the playground for the duration of construction.

To minimize the volume of construction traffic within the Old Town Greens and Potomac Greens neighborhoods, the City of Alexandria and WMATA are actively pursuing off-site parking locations for construction employees and will establish shuttle operations to connect the off-site parking with the construction site. To further minimize the volume of construction traffic along Potomac Greens Drive and Carpenter Road north of Old Town Greens, the Project will also locate various construction functions, as feasible, within the area west of the Metrorail tracks that can be accessed by the WMATA substation access driveway. These functions will include construction elements such as contractor's offices that do not depend on direct access to the area east of the Metrorail tracks.

G.2 Land Use and Zoning

Summary of Comments: Several commenters suggested additional considerations relative to land use and zoning. One suggested restrictions to land use and zoning that could limit height, density, and parking requirements and one suggested that the additional standards for a Certificate of Appropriateness for buildings fronting on Washington Street be applied to the Metrorail Station. One commenter suggested rezoning to maximize development for other build alternatives.

Response: The design refinements described in Section 5 and Attachment C of this ROD result in a preferred alternative that is consistent with Co-ordinated Development District (CDD) #19 zoning and the Height District (HD) 1: Old and Historic Alexandria Height District which limits building height to 50 feet. Since the project is not fronting on Washington Street, the additional standards for a Certificate of Appropriateness for buildings fronting on Washington Street are not applicable.

The City of Alexandria's North Potomac Yard Small Area Plan recommends that the station be located closest to the highest density of population and employment. The Plan also allows the most density if the station is constructed in the Preferred Alternative location. The station is within walking distance (0.25 – 0.5 miles) of most of the built and planned development in Potomac Yard and North Potomac Yard. This proximity to density creates the best opportunity for smart growth and implementing the City's adopted vision in its plans of the neighborhood as a walkable, transit-oriented urban community. Heights in North Potomac Yard are limited by several factors, including a Federal Aviation Administration (FAA) flight path that limits building heights within much of the central portion of Potomac Yard. Heights are also limited by the need to transition between the density of Potomac Yard and the lower-scale established neighborhoods of Lynhaven and Del Ray to the west, and the GWMP to the east.

G.3 Noise

Summary of Comments: One commenter expressed concern regarding the existing noise in the Potomac Greens neighborhood from Metrorail tracks and the potential for increased noise from the operations of the Potomac Yard Metrorail Station.

Response: Existing background noise levels are dominated by roadway and rail sources as well as aircraft take-offs and landings at Ronald Reagan Washington National Airport. Residences at Potomac Greens were constructed alongside the pre-existing Metrorail alignment, and current Metrorail operations exceed WMATA noise criteria at seven residences. The Preferred Alternative is expected to have no exceedances of FTA criteria or WMATA criteria above those occurring in the No Build Alternative.

Other ancillary noise sources associated with the proposed station, such as Metrorail door chimes, train conductor announcements, station public address announcements, and brake noise, may be audible in the community as a new noise source. Even within the Potomac Greens neighborhood, the future noise from the Metrorail station is expected to be well below the existing noise sources in the vicinity. As described in FEIS Section 3.12.4, the Project will minimize new noise impacts from station public address announcements, and train announcements would be minimized by the following station design features: solid platform windscreens

that would mostly enclose the platform area and help screen internal noise from the outside; and design of the station public address system with speakers at relatively close spacing, permitting lower audio volumes.

To confirm that the noise mitigation measures described above effectively limit noise from the station and Metrorail operations on the realigned track, more detailed noise testing will be conducted during Project design phases as station architectural details and materials are refined. All noise and vibration mitigation measures for the Project are memorialized in Attachment A of the ROD.

G.4 Parking

Summary of Comments: One commenter raised concerns about impacts to available parking in the Potomac Greens neighborhood and noted the potential for minimization of impacts through parking passes.

Response: A noted concern from the residents near the Metrorail station is the impact of commuter parking, given that there are no parking restrictions in place on the local residential streets closest to the proposed Metrorail station entrances. As currently written, City of Alexandria code only allows residents to request that a parking district with residential parking restrictions be established. Under current City regulations, before such a request can be considered by the Traffic and Parking Board and City Council, the parking conditions in the proposed district must meet the requirements outlined in the Code. Specifically, 75% of the parking spaces must be occupied, and, of those vehicles, 25% must be owned by non-residents of the proposed district.

At this time, these streets would likely not meet these minimum requirements for creating a district, and the City does not have an adopted process for its staff to initiate a review that would take future conditions into consideration. However, as part of the City's parking work plan, the Council has asked staff to evaluate when a staff-initiated process may be appropriate. This task is currently proposed to begin in Fiscal Year 2018, which would be well in advance of when the Metrorail station would be open. As part of that process, City staff will evaluate a proactive process for regulating residential parking near new Metrorail stations and deterring commuter parking.

G.5 Pedestrian and Bicycle Facilities

Summary of Comments: Two commenters raised concerns regarding pedestrian and bicycle facilities in the station area. Comments specifically related to:

- Investment in the pedestrian and bicycle network around the station; and
- Connections to the Mount Vernon Trail.

Response: As described in FEIS Section 2.5.2, the station includes two pedestrian/bicycle bridges from the station over the CSXT ROW to the existing and planned development. The bridge at the southern end of the station would provide pedestrian/bicycle access between Potomac Yard and the Potomac Greens neighborhood during WMATA's station operating hours. The station entrances will be connected to the planned sidewalk, bicycle route, and multi-use trail network in North and South Potomac Yard. Bicycle parking facilities will also be provided at each station entrance in accordance with Metrorail station access guidelines and design criteria. The City of Alexandria is responsible for planning pedestrian and bicycle access between the station and surrounding origins/destinations and will review potential station access routes during future Project design phases to identify any further improvements needed beyond those already contained in local small area plans and the Citywide *Pedestrian and Bicycle Master Plan*.

The addition of the pedestrian and bicycle bridge over the CSXT and Metrorail tracks will enhance access to the Mount Vernon Trail from Potomac Yard by creating a shorter connection through the Potomac Greens neighborhood to the Slaters Lane access point to the Trail via the Potomac Greens Park trail and West Abingdon Drive. No direct connection to the Mount Vernon Trail is planned as part of the Project.

G.6 Safety and Security

Summary of Comments: One commenter expressed concern regarding the closing hours of the station and the presence of safety features and Metro police in the station.

Response: Public access between the neighborhoods via the pedestrian/bicycle bridge at the south end of station will be available during Metrorail station operating hours rather than 24 hours. The City decision to have

the pedestrian bridge owned and maintained by WMATA and open only when the station is in operation was based on concerns expressed by residents, the costs to be borne by the City for operating and maintaining the facilities, and consideration that the facilities would remain open 80 percent of the time.

Some residents of Potomac Greens and Old Town Greens have expressed concern that adding an access point to Metrorail would increase the opportunity for crime in their neighborhood. City staff will continue working with the Alexandria Police Department and the Metro Transit Police to ensure that the principles of Crime Prevention Through Environmental Design (CPTED) are integrated into the station design. Staff will also work with the police to address community concerns during and after construction.

G.7 Selection of the Preferred Alternative

Summary of Comments: Several commenters questioned the selection of the Preferred Alternative and expressing a preference for B-CSX Design Option rather than Build Alternative B as the Preferred Alternative. Another comment was raised about potential developer contributions towards the Project and whether that influenced identification of the Preferred Alternative.

Response: All reasonable alternatives, including the B-CSX Design Option, were described and evaluated in detail in Chapter 3 of the DEIS, along with supporting technical memoranda and **Attachment H** of this ROD. Following the release of the DEIS, the City of Alexandria City Council selected Build Alternative B with Option 2 Construction Access as the Locally Preferred Alternative (LPA). Prior to the Council's consideration of the LPA, City staff provided to City Council members for their review copies of the DEIS, City staff summary of comments received during the public comment period, the City staff recommendation report (*Potomac Yard Metrorail Station: Staff Recommendation for the Preferred Alternative*, April 24, 2015), and copies of resolutions by City boards and commissions regarding the LPA. The City Council's selection of the LPA is documented in Alexandria City Council Resolution 2676 (https://www.alexandriava.gov/uploadedFiles/2015-04-24%20Staff%20Report_w%20appendices.pdf).

A summary of the specific reasons for FTA's selection of the Preferred Alternative is set forth below.

The Preferred Alternative: Alternative B Option 2 Construction Access was selected as the Preferred Alternative because it best meets the purpose and need of the Project while providing environmental benefits to the GWMP through a Net Benefits Agreement with NPS. The Preferred Alternative would be located within walking distance of the highest-density development in North Potomac Yard and would best support the highest density and greatest mix of uses, including office uses, to be constructed. The Preferred Alternative would facilitate the highest number of trips taken by transit and encourage a variety of transportation options due to the dense mix of uses that it enables. At a cost of \$268 million (estimate cited in *Potomac Yard Metrorail Station: Staff Recommendation for the Preferred Alternative*, April 24, 2015, based on DEIS cost estimate), the Preferred Alternative has the most economic, community, and transportation benefits of all the alternatives.

Alternative A: Alternative A was not selected as the Preferred Alternative because it provides less support for the Project purpose and need compared to Alternative B and would impose substantial impacts on the Potomac Greens neighborhood. Alternative A would have located the station immediately adjacent to the Potomac Greens community. Residents of the Potomac Greens community would have experienced noise impacts from operation of the station immediately adjacent to residences and vibration impacts from new track switches in proximity to residences, as described in the DEIS, Section 3.12.3.3. Construction impacts would also be greater than Alternative B due to the proximity of the station to the neighborhood.

Alternative A would locate the station furthest from the dense redevelopment and planned office uses in North Potomac Yard (1,650 feet away walking distance) making this location a potentially less attractive option for riders. Because Alternative A would be furthest from the development at North Potomac Yard, the planned redevelopment would have less density and fewer office uses than in the approved North Potomac Yard plan. This would result in decreased economic benefit, fewer riders, and fewer benefits to surrounding neighborhoods when compared to Alternative B.

B-CSX Design Option: The B-CSX Design Option was not selected as the Preferred Alternative because it provides less support for the Project purpose and need compared to Alternative B and would require the use of 5 acres of land in Potomac Yard that would otherwise be available for development. The B-CSX Design Option would undermine the Project's goal of facilitating transit-oriented development at Potomac Yard. The B-CSX Design Option would also cost substantially more than Alternative B. The DEIS estimated that the B-CSX

Design Option would cost \$83 million more than Alternative B (estimate cited in Potomac Yard Metrorail Station: Staff Recommendation for the Preferred Alternative, April 24, 2015, based on DEIS cost estimate),. That increase is likely to be greater given the conditions CSXT has placed on its agreement, as discussed below.

In addition, there are substantial questions about whether the City could secure the property rights needed to build the B-CSX Design Option. Construction of the B-CSX Design Option would require the relocation of the CSXT tracks and right-of-way, which are used extensively by CSXT freight railroad operations, Amtrak intercity passenger operations, and the Virginia Railway Express commuter service. In comments on the DEIS, both the Virginia Department of Rail and Public Transportation (May 4, 2015 letter) and the Virginia Railway Express (VRE) (May 15, 2015 letter) objected to the B-CSX Design Option based on impacts to railroad operations. The relocation of the CSXT tracks was anticipated to result in substantial disruption to CSXT, Amtrak, and VRE rail operations along the line due to track shutdowns during construction. VRE expressed concern in its comments that the disruptions would degrade its on-time performance and customer satisfaction and reduce its ridership in an unacceptable manner.

Because the B-CSX Design Option calls for the station to be located on the current CSXT right-of-way, the City and WMATA would have to obtain the consent of CSXT, which holds a permanent easement for its existing right-of-way. Neither WMATA nor the City may use its power of eminent domain to acquire CSXT's property. Although CSXT has not categorically ruled out the possibility of its agreement, it stated in its April 30, 2015 letter that it strongly preferred that the B-CSX Design Option not be chosen for the Project due to anticipated disruption of CSXT's operations. Moreover, in both the April 30, 2015 letter and an earlier May 28, 2014 letter, CSXT set certain general conditions that must be met if any agreement were to be reached. Those conditions include reimbursement for all of CSXT's costs for the relocation, including design, land acquisition, construction, and payment of passenger delay costs and penalties to Amtrak and VRE, additional pedestrian access structures, and additional undefined roadway and railroad access. The potential amount of those costs has not been determined and it is uncertain that the City could pay the necessary amount. Furthermore, negotiations could take considerable time with no certainty that an agreement could be reached (or reached at a cost-effective price). Accordingly, it is not certain that the B-CSX Design Option could be built and even pursuing the B-CSX Design Option exposes the Project to substantial risk, uncertainty, and delay while an agreement with CSXT is pursued.

Alternative D: Alternative D was not selected as the Preferred Alternative because it provides less support for the Project purpose and need compared to Alternative B, costs substantially more, and imposes greater environmental impacts. Alternative D would also require the use of the GWMP for construction access, which NPS will not permit given the availability of other alternatives (e.g., Alternative B).

To build Alternative D, which would be located in Potomac Yard, the Metrorail alignment would have to cross the CSXT tracks on an elevated structure to get into Potomac Yard and then re-cross the railroad to re-connect with the existing Metrorail alignment. The aerial design of the station, two bridge structures, and greater real estate acquisition needs make Alternative D substantially more expensive than the other alternatives. The City of Alexandria found that Alternative D would cost an estimated \$493 million compared to Alternative B's cost estimate of \$268 million (estimates cited in Potomac Yard Metrorail Station: Staff Recommendation for the Preferred Alternative, April 24, 2015, based on DEIS cost estimate),. The City concluded that Alternative D was financially infeasible.

In addition, Alternative D would impose greater environmental impacts, including the acquisition of the greatest amount of public parkland of any of the Alternatives, 1.43 acres of the GWMP and 5.38 acres from City of Alexandria parks. The elevated alignment necessary for Alternative D would also cause noise and vibration impacts (DEIS Section 3.12.3.6) and increased visual impacts to residents of Potomac Greens (DEIS Section 3.8.3.5). Alternative D would have also required the construction of a new bridge over Four Mile Run, a tributary to the Potomac River and Navigable Water of the United States, and would also result in the greatest increase in new impervious surface (9.24 acres), when compared to the other Alternatives.

Finally, Alternative D would occupy parts of the area planned for parks and dense office and mixed-use development, reducing the amount of parkland and overall development potential of North Potomac Yard. Alternative D would also displace one existing business. Alternative D would require construction access from the GWMP, which NPS will not permit.

These alternatives were not advanced for further study and design refinement, as their shortcomings relative to Build Alternative B were primarily related to their station location or general alignment, which would not be

substantially changed through design refinements. As these alternatives were already documented in detail in the DEIS, the findings regarding their environmental consequences were cited in the FEIS through reference to the DEIS.

Based on the comparison of the environmental effects of each alternative and the degree to which they meet the stated purpose and need, along with supporting technical memoranda, the DEIS, and FEIS, FTA has selected its Preferred Alternative as Build Alternative B, Option 2 Construction Access. The Preferred Alternative also represents FTA's environmentally preferable alternative in accordance with 40 CFR 1505.2. . The selection of the environmentally preferable alternative is based on the overall benefits of the Preferred Alternative and the beneficial impact of the mitigation commitments for the Preferred Alternative balanced against the long-term adverse impacts of the other build alternatives. Further, FTA has determined that the environmental benefits of the total mitigation commitments for the Preferred Alternative make it environmentally preferable to the No Build Alternative.

Section 1.4 of the *Staff Recommendation for the Preferred Alternative* describes the financing plan for the Potomac Yard Metrorail Station. Potential developer contributions were not used as a factor in the staff recommendation for the Preferred Alternative.

G.8 Alternatives Included in the FEIS

Summary of Comments: Several commenters questioned why Chapter 3 the Environmental Consequences section of the FEIS focuses on just the No Build and Preferred Alternatives and does not include all of the alternatives considered in the DEIS.

Response: The DEIS and FEIS, along with supporting technical memoranda, public and agency involvement, and prior planning efforts, taken together, satisfy the requirement to consider all reasonable alternatives in accordance with 40 CFR 1502.14 and 23 CFR 771.111. Planning and review of the Project under NEPA was initiated in 2011. Per 40 CFR 1508.22, the Notice of Intent (NOI) described the proposed action and alternatives being considered and requested that interested individuals, organizations, and agencies provide comments on the scope of the EIS, including the Project's purpose and need, the alternatives to be considered, the impacts to be evaluated, and the methodologies to be used in the evaluations.

The scoping process for the EIS began with the publication of the NOI and identified a full range of potential alternatives. A total of 36 initial alternatives were evaluated and screened to select those that were responsive to the Project purpose and need, consistent with land use and development plans, and technically feasible. This review is described in detail in the DEIS, Section 2.2 *Screening Process*, the 2011 *Initial Screening of Alternatives* technical report, and the 2012 *Refinement of Alternatives, Constructability, and Construction Staging* technical report. The build alternatives which met the screening criteria were developed in more detail for evaluation in the DEIS.

The B-CSX Design Option was developed as a variation of Build Alternative B in an effort to avoid and minimize impacts of Build Alternative B to the George Washington Memorial Parkway. B-CSX Design Option was among three additional alternatives that were suggested by cooperating and participating agencies for consideration after the EIS scoping process and initial screening of alternatives was complete. The same screening process that was applied to the initial set of alternatives during the scoping process was applied to these additional alternatives suggested after scoping. The additional alternatives and the screening process are described in the FEIS, Section 2.2.3.

Throughout the environmental review process, the City of Alexandria and FTA considered public comments, validity of assumptions, and any significant new information. This approach included a detailed analysis of all reasonable alternatives as required by the CEQ regulations 40 CFR 1502.14. The organization of the DEIS and FEIS documents focused on the issues related to the decisions under consideration at each stage: the analysis in the DEIS focused on broad issues related to four technically feasible alternatives, while the analysis in the FEIS focused on a direct comparison of the No Build Alternative and the Preferred Alternative, incorporating refinements made to Build Alternative B to address more detailed design considerations and to minimize adverse environmental impacts. No further design work or refinements were made to Alternatives A, B-CSX Design Option, and D subsequent to the DEIS, so the FEIS was able to reference the evaluation of impacts for them in the FEIS. Consistent with 23 USC 139(f)(4)(D), FTA can develop the Preferred Alternative to a higher level of detail than other alternatives to facilitate the development of mitigation measures or concurrent

compliance with other applicable laws. Development of a higher level of detail of the Preferred Alternative did not prevent FTA from making an impartial decision as to whether to accept another alternative.

The FEIS made reference to the DEIS, which included a comparative evaluation of the alternatives. Section 2.5.2 of the DEIS described the environmental consequences of Build Alternatives A, B, D, and B-CSX Design Option and the No Build Alternative, and Table 2-14 provided a side-by-side comparison of the effects of each of these alternatives. No further refinements were made to Build Alternatives A, D, and B-CSX Design Option subsequent to the DEIS, so the FEIS was able to reference the evaluation of impacts for them in the DEIS. **Attachment H** provides a summary of the environmental impacts of all of the alternatives studied.

G.9 Federal Funding for the Project

Summary of Comments: One commenter requested more specificity regarding the federal funds being pursued for the Project, the need for funding, funding process, criteria for the approval of funds, status of the City's application for funds, and FTA's authority and ability to provide funding.

Response: The City of Alexandria is seeking a federal Transportation Infrastructure Finance and Innovation Act (TIFIA) Direct Secured Loan for \$88 million needed to support construction of the proposed station. The City submitted its TIFIA application in July 2016. Eligible transit projects include the design and construction of stations, track, and other transit-related infrastructure, purchase of transit vehicles, and any other type of project that is eligible for grant assistance under the transit title, Chapter 53 of title 49 of the U.S. Code (49 U.S.C.). The application process includes the submittal of a Letter of Interest that describes the project, demonstrates that the project meets eligibility requirements, and outlines the proposed financial plan, including the requested TIFIA credit assistance. The project will also be subject to a Creditworthiness Review, and require an oral presentation to USDOT on the proposed financial plan. USDOT will then invite applications from projects that meet eligibility requirements. USDOT will notify project sponsors within 30 days that their applications are complete or request additional information to complete the application. Project sponsors will be notified regarding project approval or disapproval within 60 days after receiving notice that their application was complete. No other sources of Federal funding have been identified at this time besides the TIFIA loan.

G.10 Project Purpose and Need

Summary of Comments: Two commenters suggested that the defined Project purpose and need unnecessarily limits the range of reasonable alternatives and one comment questioning whether the Project purpose stated in the Final EIS is FTA's purpose.

Response: The purpose of the Project is to improve local and regional transit accessibility to and from the Potomac Yard area for current and future residents, employees, and businesses. Potomac Yard already includes several local bus lines to serve the relatively short trips within the Project study area and to and from adjacent areas. However, the Potomac Yard area lacks convenient direct access to frequent high-capacity, higher-speed, all-day transit service that crosses multiple jurisdictions to serve trips to and from locations throughout the metropolitan area. The forecast demand in 2040 for the station at Potomac Yard is approximately 11,300 trips per day.

The Project purpose and need are the same for the City of Alexandria and FTA.

G.11 Wetland Impacts

Summary of Comments: One commenter questioned whether wetland impacts were assessed in the FEIS and noting the impact of stormwater runoff on the wetlands.

Response: Section 3.14 Waters of the U.S. (Wetlands) of the FEIS describes the impacts to wetlands resulting from the No Build Alternative and Preferred Alternative. The temporary construction impacts to wetlands are summarized in Section 3.25 of the FEIS. The Preferred Alternative will permanently impact between 1.28 and 1.65 acres of wetlands and temporarily impact between 2.92 and 3.24 acres of wetlands.

A Joint Permit Application would be developed for both permanent and temporary Project-related impacts in compliance with Section 404 of the Clean Water Act to obtain a Section 404 permit or nationwide permit (NWP). Specific wetland mitigation strategies, including strategies to address the implications of stormwater runoff on

the wetlands, would be determined through the JPA and NPS processes for unavoidable impacts resulting from the Preferred Alternative.

G.12 Timing of Preferred Alternative Selection and Net Benefits Agreement

Summary of Comments: Two commenters questioned the selection of the Preferred Alternative by the City of Alexandria before the close of the public comment period on the DEIS.

Response: The City of Alexandria City Council selected the Preferred Alternative following the close of the comment period on the DEIS. The City's *Potomac Yard Metrorail Station Staff Recommendation for the Preferred Alternative* from April 2015 recommended Build Alternative B over B-CSX Design Option.

Prior to the selection of the Preferred Alternative, the City of Alexandria provided multiple opportunities for public input on the staff recommendation during the comment period on the DEIS. Staff presented the recommendation at meetings of the Board of Architectural Review – Old and Historic Alexandria District, the Environmental Policy Commission, the Planning Commission, the Park and Recreation Commission, the Transportation Commission, and the Potomac Yard Metrorail Station Implementation Work Group. In addition to formal meetings, staff met with members of the public at local gatherings to provide information on the project and invite comment. These events included the Alexandria Earth Day Celebration, the Del Ray Farmers Market, and the Four Mile Run Farmers Market. The City of Alexandria City Council also held a public hearing regarding selection of the Preferred Alternative prior to the close of the public comment period on the DEIS.

G.13 Unknown Impacts

Summary of Comments: One commenter questioned why some impacts are unknown at this stage in the Project development process.

Response: The assessment of certain impacts as described in the FEIS is based on the current conceptual level of design developed for the EIS phase of the Project. Certain impacts (e.g., noise and vibration and visual) will be better defined as the Project advances through the design and development processes. Commitments and mitigation measures are in place (see Attachment A to this ROD) that address impacts as a result of the Project. Any of these impacts that cannot be avoided would be mitigated. Changes to the Project impact findings or committed mitigation may require a re-evaluation per FTA regulations and 23 CFR 771.129.

G.14 Consideration of Light Rail

Summary of Comments: One commenter questioned why light rail along the Crystal City/Potomac Yard Transitway was not considered as an alternative.

Response: A new light rail line along the transitway was considered during scoping, but not evaluated as an alternative since it would not respond to the Project purpose and need. While a new light rail line would improve local transit accessibility, including connecting service to regional transit stations outside of Potomac Yard, it would not provide direct regional transit access to and from the Potomac Yard area.

G.15 Definition of the No Build Alternative

Summary of Comments: One commenter questioned the definition of the No Build Alternative indicating that it needed to specifically address the FTA and NPS actions (i.e., the lack of federal funding by FTA and permitting by NPS).

Response: Section 2.5 of the FEIS describes the assumptions used for the No Build Alternative in detail. The No Build Alternative includes the existing transportation network, plus all of the committed projects within the study area. "Committed projects" are those listed in the region's Constrained Long Range Plan and Transportation Improvement Program. Under the No Build Alternative, the Preferred Alternative would not be built and associated federal action by either NPS or FTA, including permitting and funding, would not be undertaken. Without federal actions such as funding and permitting, the City of Alexandria and WMATA would not be able to build the Preferred Alternative. FTA's No Build Alternative was evaluated in accordance with 40 CFR 1502.14.

G.16 Public Comments

Summary of Comments: Two commenters suggested that the FEIS did not adequately address and consider public comments on the DEIS individually and collectively.

Response: During the Potomac Yard Metrorail Station DEIS 46-day comment period that ended on May 18, 2015, 160 comment submissions were received from public entities (including the federal government, state government, local government, and public agencies), community organizations/non-profits, and individuals. Complete comments with responses, along with original copies of comments submitted, without annotations are included in the *Public Hearing Staff Report* and report *Supplement* as noted in Section 6.1 of the FEIS. Consistent with WMATA Compact requirements, the *Public Hearing Staff Report* was released for a 10-day public review and comment period during September 2015, and comments received were incorporated into the *Supplement* report. The *Public Hearing Staff Report* and *Supplemental* report were completed before the preparation of the FEIS. Comment responses included in the reports make references to proposed FEIS provisions to address comments; these provisions were subsequently incorporated into the FEIS document released in June 2016. Copies of the *Public Hearing Staff Report* and report *Supplement* were included in Volume II of the FEIS, and summaries of comments and responses were presented in Sections 6.2 and 6.3 of the FEIS.

FTA and the City of Alexandria evaluated all comments received on the DEIS for the Project and developed responses to substantive comments received. The consideration of all comments and the associated responses was performed in accordance with 40 CFR 1503.4 and 23 CFR 771.125(a)(1).

G.17 FEIS Format

Summary of Comments: One commenter indicated that the FEIS was not readily understandable to readers, should have included an index, and should have incorporated cumulative and secondary impacts and construction impacts into the discussion of each resource rather than in a separate section.

Response: The FEIS was written in plain language and avoided the use of scientific language and terms to the extent possible, so that decision-makers and the public could more easily understand the information included in the document. The document also included an executive summary, glossary of terms, and list of acronyms to assist the reader. The FEIS was divided into a series of chapters, sections, subsections, and appendices addressing the range of information in the document including assessments of environmental effects by resource. The table of contents listed each of the chapters, sections, subsections, figures, and tables included in the document and the page numbers for each. An index is not a specific requirement for the FEIS, and the detailed table of contents can assist the reader in quickly accessing the information that is of greatest interest to them.

Construction Impacts were presented in their own separate section because these represent temporary effects; the section was divided into subsections corresponding to the resource sections for permanent effects. Secondary and Cumulative Effects were also presented in their own separate section, because these analyses consider broader geographic and temporal boundaries than the assessment of direct environmental effects and other reasonably foreseeable future projects in addition to the proposed Potomac Yard Metrorail Station. The presentation of Secondary and Cumulative Effects as a separate section is commonplace for FEIS documents.

G.18 Mitigation Measures

Summary of Comments: Commenters requested clarifications regarding mitigation measures described in the FEIS. The requests include making stronger commitments to enacting the mitigation measures, including mitigation measures rather than Best Management Practices (BMPs), and clearly identifying who will be responsible for their implementation. Another comment related to BMPs for potential contaminated soil encountered during excavation.

Response: **Attachment A** of this ROD describes the avoidance, minimization, and mitigation measures for the Project and identifies the responsible party for implementing each of these measures. FTA will ensure that the City of Alexandria, in coordination with WMATA, designs and builds the Project in accordance with the mitigation measures contained in the FEIS and listed in **Attachment A**. In addition, FTA will require that the City of Alexandria establish a mitigation-monitoring program to ensure adequate communication of mitigation and design commitments to the teams working on final design and construction, and to provide a means for the City of Alexandria and FTA to track the progress in accomplishing the mitigation commitments. FTA will monitor

implementation of mitigation measures through quarterly reviews during design and construction. Mitigation measures included in this ROD were refined after the FEIS based on agency consultation and coordination.

G.19 Net Benefits Agreement

Summary of Comments: Two commenters expressed concern that the Net Benefits Agreement was only released for public review in the FEIS, that it results in a substantial change to FTA's and NPS's Proposed Action, and that this change would require the preparation of a Supplemental DEIS.

Response: The Draft Net Benefits Agreement between the City of Alexandria and the National Park Service (NPS), included as Appendix L in the FEIS, describes mitigation measures to minimize harm to the George Washington Memorial Parkway (GWMP) as a result of the Project. The Net Benefits Agreement is the result of efforts to further mitigate effects described in the DEIS on the Greens Scenic Area easement and GWMP and does not change the proposed action for the Project. Inclusion of the Net Benefits Agreement would not require supplemental NEPA documentation pursuant to 23 CFR 771.130 as it does not change the Proposed Action nor does it result in new significant impacts not previously evaluated.

The specific mitigations included in the Net Benefits Agreement were published in the City's *Potomac Yard Metrorail Station Staff Recommendation for the Preferred Alternative* (April 2015) as a framework. The mitigations were also discussed at meetings of the Board of Architectural Review – Old and Historic Alexandria District, the Environmental Policy Commission, the Planning Commission, the Park and Recreation Commission, the Transportation Commission, and the Potomac Yard Metrorail Station Implementation Work Group during the public comment period on the DEIS, and at the Alexandria City Council public hearing on May 16, 2015. The Net Benefits Agreement framework continued to be discussed publicly through the preparation of the FEIS, including at the September 21, 2015 meeting of the Potomac Yard Metrorail Implementation Work Group.

The first draft of the Net Benefits Agreement was presented to the Alexandria City Council at the December 8, 2015 City Council meeting and was published as part of the docket for that meeting.

G.20 Visual Impacts

Summary of Comments: One commenter expressed concern that the nighttime visualization for the Preferred Alternative included in the FEIS was not included for all the alternatives in the DEIS and that short-term effects are not adequately considered.

Response: The assessment of nighttime visual impacts included in the FEIS was a comparative analysis of light levels at locations near existing Metrorail stations at Braddock Road and Naylor Road with existing light levels along public streets in the general vicinity of the Project. The nighttime visual analysis was included in the FEIS at the request of NPS. The FEIS includes a visual analysis for both a short-term Year 2020 (opening year of the station) and long-term Year 2040 condition.

G.21 Recreation Facilities

Summary of Comments: One commenter suggested that the FEIS did not comment on the loss of use of recreation facilities for local residents.

Response: Section 3.25.3.5 of the FEIS indicates that the construction access route and staging area for the Preferred Alternative would impact Potomac Greens Park (City of Alexandria) and require closure of the playground facility during the duration of construction. This section of the FEIS also notes that construction access along the WMATA substation access driveway would also require the temporary closure of the Old Town Greens Homeowners Association private recreation facilities that include a playground and tennis courts.

G.22 Pile Driving Activities

Summary of Comments: One commenter noted that in response to comments on the DEIS it was noted that pile driving was not anticipated for the project but that it was listed in the text of possible construction impacts.

Response: Further design work since the completion of the DEIS and responses to DEIS comments indicate that the soils in the area will likely require deep foundations of which piles will probably be the preferred method. This would be the case for all of the alternatives considered in the DEIS. Section 3.25.3.11 of the FEIS notes

that the use of pile drivers would be conducted in accordance with local noise ordinances. It also states that construction activities that require driving of piles would have the potential for vibration impacts at nearby sensitive receptors. As the project will meet local noise control ordinances and any vibration impacts are anticipated to be minor, no temporary relocations of noise-sensitive receptors are anticipated. Any damage from vibration impacts would be repaired as part of the project. Potential for noise and vibration impacts from pile driving is also noted in **Table 3** in this ROD.

G.23 Section 4(f)

Summary of Comments: One commenter expressed the following concerns with the overall sufficiency of the Final 4(f) Evaluation:

- **4(f) Requirements** - FTA's Final 4(f) Evaluation determination is based on an incorrect analysis that fails to document that FTA met the substantive 4(f) requirements.
- **Feasible and Prudent Avoidance Alternatives Analysis** - FTA's reasons for determining that B-CSX Design Option is not a prudent avoidance alternative are not substantiated and not valid. FTA would not have determined B-CSX was a reasonable alternative under NEPA, if B-CSX was determined not to be prudent, or would result in "unique problems and impacts of extraordinary magnitude."
- **Prudence Factors** - The Evaluation's prudence factors are not the same as the 4(f) policy.
- **Least Overall Harm Analysis** - The least overall harm analysis is not in compliance because it is greatly skewed in favor of the Preferred Alternative. The Net Benefits Agreement resulted in over-mitigation of the Preferred Alternative and under-mitigation of the remaining alternatives. B-CSX Design Option should have been determined to be a feasible and prudent avoidance alternative and cause the least overall harm, and FTA should have selected B-CSX Design Option as the alternative that best meets the 4(f) requirements.
- **Transparency** - Failure of the Draft or Final Evaluation to mention three letters from NPS stating their objections to Alternative B is a failure of transparency that favors the Preferred Alternative.

Response:

4(f) Requirements

The Final 4(f) Evaluation was prepared in accordance with Section 4(f) of the U.S. Department of Transportation Act of 1966 (49 USC 303), as amended, and with the joint FTA and FHWA regulations for Section 4(f) compliance as codified in 23 CFR Part 774. Additional guidance was obtained from FHWA's 2012 *Section 4(f) Policy Paper*, which supplements the Section 4(f) regulations and has been adopted by FTA.

Feasible and Prudent Avoidance Alternative Analysis

Section 6.2 of the Final 4(f) Evaluation determined that B-CSX Design Option, after additional coordination and correspondence from VRE and CSXT, is feasible but not prudent because it would result in:

- substantial disruption to CSXT, Amtrak, and VRE rail operations due to track shutdowns during construction (VRE and the Virginia Department of Rail and Public Transportation (DRPT) provided comments during the Draft EIS comment period opposing B-CSX Design Option, stating that it posed the greatest potential negative impacts to rail operations);
- the permanent relocation of CSXT ROW;
- reduction of the amount of developable land for the North Potomac Yard redevelopment area;
- displacement of the existing the Potomac Yard movie theater;
- substantially higher capital costs and penalty costs from delay of CSXT; and
- a three-year delay in the opening of the station due to CSXT negotiations [estimate at time of preparation of Final 4(f) Evaluation].

The B-CSX Design Option was deemed feasible because it could be constructed as a matter of sound engineering. Typically, alternatives that are studied in a Draft EIS are feasible; otherwise they would not have been carried forward for detailed study. As a result of detailed study during the Draft EIS stage and additional comment from VRE and CSXT, FTA determined in the Final 4(f) evaluation that the B-CSX Design Option does not meet the criteria for a prudent avoidance alternative set forth in 23 CFR 774.17. Though the terms “reasonable” alternative and “prudent” alternative are similar, the terms stem from two different laws and regulations. The Section 4(f) regulations refer to an alternative that would not require the use of any Section 4(f) property as an avoidance alternative. Feasible and prudent avoidance alternatives are those that avoid using any Section 4(f) property and do not cause other severe problems of a magnitude that substantially outweigh the importance of protecting the Section 4(f) property (23 CFR 774.17).

In accordance with 23 CFR 774.17(a), FTA determined that when taking account the above factors cumulatively, B-CSX Design Option would cause unique problems and impacts of extraordinary magnitude and, therefore, would not be a prudent avoidance alternative. A least overall harm analysis of the remaining alternatives under consideration (including B-CSX Design Option) was prepared and documented in Section 8.0 of the Final 4(f) Evaluation. An avoidance alternative must be both feasible and prudent.

Prudence Factors

The prudence factors listed in Section 6.2 of the Final 4(f) Evaluation were taken verbatim from 23 CFR 774.17 and the 2012 *Section 4(f) Policy Paper* (page 14):

“An alternative is not prudent if:

- a) It compromises the project to a degree that it is unreasonable to proceed in light of the project’s stated purpose and need (i.e., the alternative doesn’t address the purpose and need of the project);*
- b) It results in unacceptable safety or operational problems;*
- c) After reasonable mitigation, it still causes severe social, economic, or environmental impacts; severe disruption to established communities; severe or disproportionate impacts to minority or low-income populations; or severe impacts to environmental resources protected under other Federal statutes;*
- d) It results in additional construction, maintenance, or operational costs of extraordinary magnitude;*
- e) It causes other unique problems or unusual factors; or*
- f) It involves multiple factors as outlined above that, while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.”*

Least Overall Harm Analysis

No feasible and prudent avoidance alternative was identified in the Final 4(f) evaluation that fully avoids Section 4(f) properties. Therefore, pursuant to 23 CFR 774.3(c), FTA may approve only the alternative that causes the “least 1013 overall harm” in light of the purposes of Section 4(f). The Project’s Final 4(f) Evaluation compared the seven factors set forth in 23 CFR 774.3(c)(1) for the Build Alternatives. The first four factors relate to the net harm that each alternative would cause to Section 4(f) property. Although a Net Benefits Agreement was prepared for the Preferred Alternative, the Final 4(f) Evaluation states that most, but not all impacts to Section 4(f) resources, could effectively be mitigated under most alternatives to indicate comparable mitigation measures could be incorporated.

The remaining three least overall harm factors enable FTA to take into account any substantial problem with any of the alternatives remaining under consideration on issues beyond Section 4(f). By balancing the seven factors, four of which concern the degree of harm to Section 4(f) properties, FTA considered all relevant concerns for each alternative under consideration to determine that the Preferred Alternative would cause the least overall harm in light of the statute’s preservation purpose.

All three officials with jurisdiction, NPS, City of Alexandria, and DHR, acknowledged the Preferred Alternative would have impacts to Section 4(f) resources, but have determined that most (but not all) of these impacts can be mitigated through measures that would be implemented as part of the Section 106 MOA and the Net Benefits Agreement. When considering the seven factors, FTA took into consideration the views of NPS and their unwillingness to permit an alternative with access from the GWMP. 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 population and employment served by the station, based on the amount of development permitted in North Potomac Yard and forecast 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. Taking all these factors into account, FTA determined that the Preferred Alternative would cause the least overall harm in light of Section 4(f)'s preservation purpose.

Transparency

NPS has worked collaboratively with the City of Alexandria, FTA, and WMATA throughout the environmental review process. As stated in Section 8.4.2 of the Final 4(f) Evaluation, early in the process NPS made it clear the agency had serious concerns about the amount of disturbance to park resources proposed by construction access through a known wetland and about the duration of closures necessary for construction vehicle use of the Parkway roadway associated with the original Build Alternative B (this May 2012 letter is contained in Appendix H of the DEIS). Due to their early involvement, construction access options avoiding the GWMP were developed and evaluated in the Draft EIS.

NPS acknowledged that the Preferred Alternative will have impacts to Section 4(f) resources, but stated that most, but not all, of these impacts will be mitigated through a net benefits agreement. The Department of the Interior concurred with FTA's findings of the least overall harm analysis and the Final 4(f) Evaluation in a letter dated July 7, 2016 (see Attachment F of this ROD for agency correspondence).

G.24 Statement of Findings

Summary of Comments: One commenter provided comments on the Draft Statement of Findings for Floodplains and Wetlands published to comply with National Park Service's Director's Orders in the DEIS.

Response: The National Park Service addressed substantive comments on the Statement of Findings and published revisions in an errata to the document that will be published in the National Park Service's ROD for the Project.

G.25 Hazardous Materials

Summary of Comments: One commenter provided comments related to the potential to uncover hazardous materials in soil during excavation.

Response: The Preferred Alternative has the potential to excavate fill material consisting of ballast, fly ash, and soil with potentially elevated metals (arsenic). Residual petroleum may also be encountered in subsurface fill material near the location and depth of former oil/water separator ponds. However, the Project would not result in long-term or permanent adverse effects due to mitigation of risks through engineering controls and other measures that would be used during construction.

Temporary measures taken during construction, such as construction worker health and safety practices, management of excavated contaminated soil, and construction dewatering management and permitting would be implemented during construction to prevent exposure to potential contaminants at Recognized Environmental Condition (REC) sites. The avoidance measures will be outlined in a Site Management Work Plan or in equivalent site plans in accordance with Virginia Hazardous Waste Management Regulations (VHWMR). The Site Management Work Plan will be site specific and will also include pre-emergency planning and coordination with outside parties, personnel roles, lines of authority, and communication, emergency recognition and prevention, safe distances and places of refuge, site security and control, evacuation routes and procedures, decontamination procedures, emergency medical treatment and first aid, emergency alerting and response procedures, critique of response and follow-up.

Soil disturbance can be lessened by use of driven piles, shafts, or sheeting, rather than drilled shafts to accommodate any excavations. In areas of the site where pile foundations may need to be installed by alternative methods due to geotechnical and/or vibration concerns, impacts from the generation of potentially contaminated fill, soil, and groundwater would be mitigated in accordance with the Site Management Work Plan.

The Virginia Pollutant Discharge Elimination System (VPDES) are standards for discharging pollutants into surface waters of the Commonwealth. The project would file a notice of intent for coverage under the VPDES construction general permit and stormwater management program regulations. A site-specific stormwater

pollution prevention plan (SWPPP) would be developed, outlining the steps that the contractor would take to comply with the permit, including water quality and quantity requirements, to reduce pollutants in the stormwater runoff from the construction site. The SWPPP also specifies all potential pollutant sources that could enter stormwater leaving the construction site and covers methods used to reduce pollutants in stormwater runoff during and after construction.

During construction, an onsite Health and Safety Manager/Officer will be present at all times during activities, to include excavation and removal of onsite contaminated materials. This individual must have the authority to stop work if unsafe or hazardous conditions related to contaminants are observed.