

NEPA and Potomac Yard Metrorail Station

NEPA

- National Environmental Policy Act of 1969 lays out a Federal process that prescribes how Federal agencies must plan and analyze projects. The presentation assumes Federal funding of a new station.
- Procedural law that assures that the environment and public comments are considered. Generally, Federal actions must complete NEPA review before ground disturbing activities.
- FTA NEPA: FTA uses the NEPA process as an umbrella to consider laws and EOs. FTA grant approval is considered a Federal Action.
- Other Federal actions potentially requiring NEPA clearance:
 - Corps of Engineers approval of wetlands permit
 - NPS approval of use of property
 - FAA approval of impacts to flight paths
 - FCC approval of antenna(e)
 - NCPD approval of station location
 - [The Dulles Extension project has two Records of Decision—FTA and FAA.]

Related Procedural Matters

The NEPA process serves as an umbrella under which applicable federal statutes, regulations, and executive orders are implemented, including:

- Section 4(f) Analysis: FTA cannot approve the use of publicly-owned parkland, . . . or historic site unless there is no “feasible and prudent alternative” and “[the] action includes all possible planning to minimize harm to the property resulting from such use.”
- WMATA Compact: Public hearing is required for amendments to the Adopted Regional System.
- Section 106: Any historic or archaeological resource impact must be coordinated with the State Historic Preservation Office.
- Clean Air Act Conformity
- Section 6(f) Parklands: Special coordination for certain local parklands [rare].
- Federal Executive Orders [for example, wetlands and floodplains]
- Coastal Zone Consistency Certification
- National Capital Planning Commission (NCPC) Approval
- City Zoning and 2232 Matters

Potomac Yard NEPA Analysis

- Multiple alternatives:
 - Alternative A: Existing Reservation
 - Alternative B: Northern Location, including variations
 - No Build Alternative

NEPA –Classes of Action

- Lead Federal agency issues a probable Class of Action determination
- Classes include
 - CE = Categorical Exclusion
(1 week to 4 months)
 - EA = Environmental Assessment/FONSI
(9 to 24 months)
 - EIS = Environmental Impact Statement/RoD
(24 to 36 months)

APPENDIX

Natural & Human Factors . . .

- Aesthetics
- Air Quality
- Bike & Pedestrian Impacts
- Coastal Zone Mgmt
- Community Impacts
- Cultural Resources
- Economic Impacts
- Environmental Justice
- Farmlands
- Financing
- Floodplains
- Geology and Soils
- Hazardous Waste
- Indirect & Cumulative
- Invasive Species
- Land Use
- Noise & Vibration
- Operations
- Ridership
- Water Quality
- Wetlands
- Wild & Scenic Rivers
- Wilderness Areas
- Threatened & Endangered Species
- Traffic & Transportation Systems
- Wildlife, Habitat, Ecosystems

Environmental Assessment (EA)

- Prepared for Federal actions not eligible for a CE and do not appear to be of sufficient magnitude to require an EIS
- Requires analysis of potentially significant issues, agency coordination, and, in this case, public involvement
- Analysis and documentation to determine whether an EIS or a FONSI should be prepared

Environmental Impact Statement (EIS)

- An intensive report that provides “full and fair discussion on significant environmental impacts and [informs] decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment.”
- Process
 - **Scoping** including a Public Hearing
 - **Draft EIS**
 - **Public Review & Comment** including a Public Hearing
 - **Final EIS**
 - **RoD**