

# 1 Introduction

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## 1.1 Purpose of this Draft Environmental Impact Statement

1 The Federal Railroad Administration (FRA) prepared this Draft Environmental Impact  
2 Statement (DEIS) in accordance with the National Environmental Policy Act of 1969 (NEPA)  
3 (42 United States Code [USC] 4321 *et seq.*), the Council on Environmental Quality (CEQ)  
4 *Implementing Regulations for NEPA* (40 Code of Federal Regulations [CFR] 1500-1508), and  
5 the FRA *Procedures for Considering Environmental Impacts* (64 Federal Register [FR] 28545,  
6 May 26, 1999, as updated by 78 FR 2713, January 14, 2013). Consistent with those  
7 regulations and procedures, this DEIS identifies the direct, indirect, and cumulative effects  
8 the proposed Washington Union Station (WUS) Expansion Project (the Project) could have on  
9 the human and natural environment. The DEIS also identifies measures to avoid, minimize, or  
10 mitigate potential adverse impacts.

11 The DEIS further documents FRA's compliance with various applicable Federal, state, and  
12 local environmental laws and regulations including, but not limited to, Section 106 of the  
13 National Historic Preservation Act of 1966 (NHPA) (54 USC 603108), Section 4(f) of the U.S.  
14 Department of Transportation Act of 1966 (49 USC 303 and 23 USC 138), the Clean Air Act of  
15 1970 (42 USC 7401 *et seq.*), and the Clean Water Act of 1972 (33 USC 1251 *et seq.*).

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## 1.2 Proposed Project

16 Union Station Redevelopment Corporation (USRC) and the National Railroad Passenger  
17 Corporation (Amtrak) (collectively, Proponents) jointly proposed the Project. Under a long-  
18 term lease with FRA, USRC is responsible for the rehabilitation, redevelopment, and ongoing  
19 management and operation of WUS. Amtrak controls the tracks and platforms. The Project  
20 includes expanding and modernizing the multimodal transportation facilities at WUS to meet  
21 current and future needs while preserving the historic station building. Proposed Project  
22 activities include: reconstructing and realigning the tracks and platforms; developing a train  
23 hall and new concourse facilities; enhancing WUS accessibility; improving multimodal  
24 transportation services and connectivity; and improving and expanding infrastructure and  
25 other supporting facilities. The Proponents are engaged in ongoing conceptual design and  
26 formal planning for the Project. USRC has principally been developing concept plans while  
27 Amtrak has principally been developing improvements to the tracks and platforms.

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## 1.3 Project Area

28 The Project Area (**Figure 1-1**), includes the existing WUS, the WUS parking garage (including a  
29 rental car facility) and bus facility, the rail terminal, and the railroad infrastructure that  
30 extends north from WUS to the lead tracks to the Eckington Rail Yard and the Ivy City Rail  
31 Yard, located just north of New York Avenue NE. Neither the Eckington Rail Yard nor the Ivy  
32 City Rail Yard is included in the Project Area. The Project Area also includes the Railway  
33 Express Agency (REA) Building, which Amtrak owns, as well as the H Street Bridge, which is  
34 the property of the District Department of Transportation (DDOT).<sup>1</sup> DDOT also owns the old  
35 H Street right-of-way below the tracks. The Project Area covers approximately 53 acres. The  
36 EIS Study Area, which differs for each environmental resource as appropriate, is generally  
37 larger than the Project Area to allow for the evaluation of direct and indirect impacts. The  
38 DEIS Study Area is described in **Chapter 4, Affected Environment**, and **Chapter 5,**  
39 *Environmental Consequences*.

40 A private developer owns certain development air-rights above the rail terminal between  
41 WUS and K Street NE.<sup>2</sup> The developer bought these air-rights from the U.S. General Services  
42 Administration (GSA) in 2006 for future development. In June 2011, the private air-rights  
43 property was rezoned and designated as Union Station North (USN) by the D.C. Zoning  
44 Commission. This zoning designation allows for a maximum height ranging from 90 feet to  
45 130 feet above the elevation of H Street NE.<sup>3</sup> The private developer envisions constructing a  
46 3-million-square-foot plus mixed-use development on a new concrete deck over the rail  
47 terminal.<sup>4</sup> This private air-rights development project, including the underlying deck, is a  
48 separate project from the WUS Expansion Project. It has a separate, private sector  
49 proponent, does not need FRA approvals, and can go ahead independently of the Project.  
50 The private air-rights development is not part of the Project evaluated in this DEIS. **Figure 1-2**  
51 shows ownerships in the Project Area.

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<sup>1</sup> DDOT is leading a project to replace the H Street Bridge (<https://www.hstreetbridgeproject.com/>). This is a separate and independent action from the Project.

<sup>2</sup> The current owner of the private air-rights is Akridge.

<sup>3</sup> Beyond this limit, an extra 20 feet of height for an inhabitable penthouse is permitted.

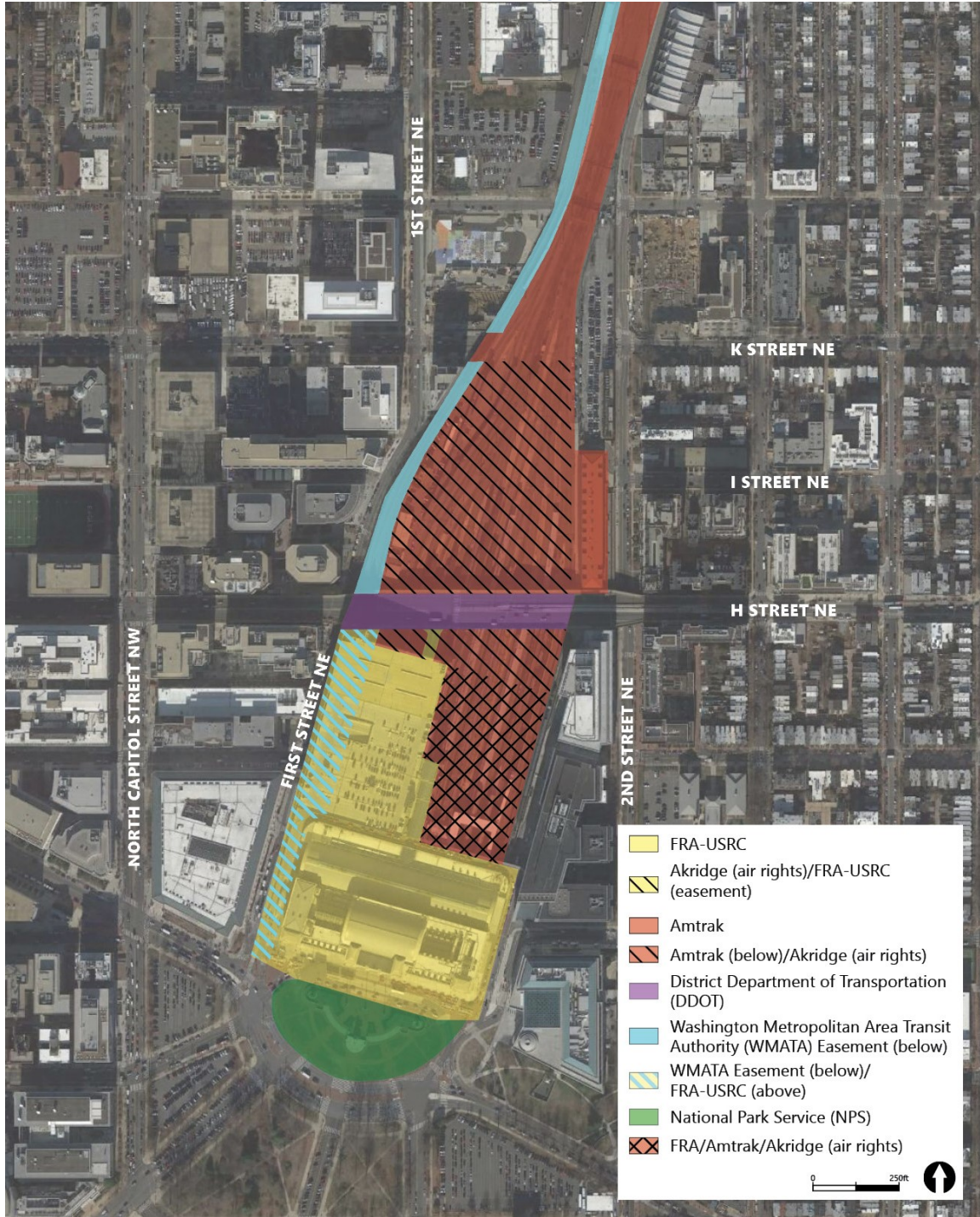
<sup>4</sup> The envisioned private project is known as "Burnham Place." Akridge has not submitted a formal proposal to the District for the Burnham Place development.

**Figure 1-1. Washington Union Station Expansion Project Area**





Figure 1-2. Current Controlling Interests at WUS<sup>5</sup>



<sup>5</sup> Smaller easements not shown.

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## 1.4 Project Setting

52 WUS is in the Northeast quadrant of the District, north of the U.S. Capitol Complex and at the  
53 intersection of five neighborhoods: The Monumental Core; Capitol Hill; Near Northeast/H  
54 Street Corridor (including Swampoodle and the Atlas District); North of Massachusetts  
55 (NoMA); and Downtown DC (**Figure 1-3**). WUS sits just north of Massachusetts Avenue.  
56 Columbus Plaza, between the avenue and the historic station building, was designed by  
57 renowned architect Daniel Burnham as a grand entrance to WUS and the nation’s capital.

58 Today, the National Park Service (NPS) owns and manages Columbus Plaza. The Plaza is  
59 semicircular with vehicle entrances to WUS on its outermost edges. The Columbus Fountain  
60 stands in the middle of the Plaza, facing the U.S. Capitol building. A 15-foot statue of  
61 Christopher Columbus was placed in the Plaza after its construction and dedication in 1912.  
62 Next to the Plaza is Columbus Circle, the roadway system that includes Massachusetts  
63 Avenue NE, Columbus Circle NE, First Street NE, and Union Station Drive NE.

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## 1.5 Union Station History

64 Designed by the architecture firm D.H. Burnham & Company, WUS was constructed between  
65 1903 and 1908 to serve as the central train terminal for the Nation’s Capital. As passenger  
66 rail service declined, WUS was converted into a National Visitor Center by the National Visitor  
67 Center Facilities Act of 1968.<sup>6</sup> As WUS deteriorated and passenger rail ridership began to  
68 rebound, Congress passed the Union Station Redevelopment Act of 1981 (USRA).<sup>7</sup> The USRA  
69 authorized the Secretary of Transportation to rehabilitate and redevelop WUS as a multi-use  
70 transportation facility and commercial complex. The USRA articulated the following four  
71 goals:

- 72 ■ Preserve the historic station building;
- 73 ■ Restore and run the historic station building as a passenger rail station with facilities  
74 for charter, transit, and intercity buses;
- 75 ■ Financially support the continued maintenance and operations of WUS through  
76 commercial development; and
- 77 ■ Allow the Federal government to withdraw from active operation and management  
78 of WUS as soon as practical and with the least possible expense to the Federal  
79 government.

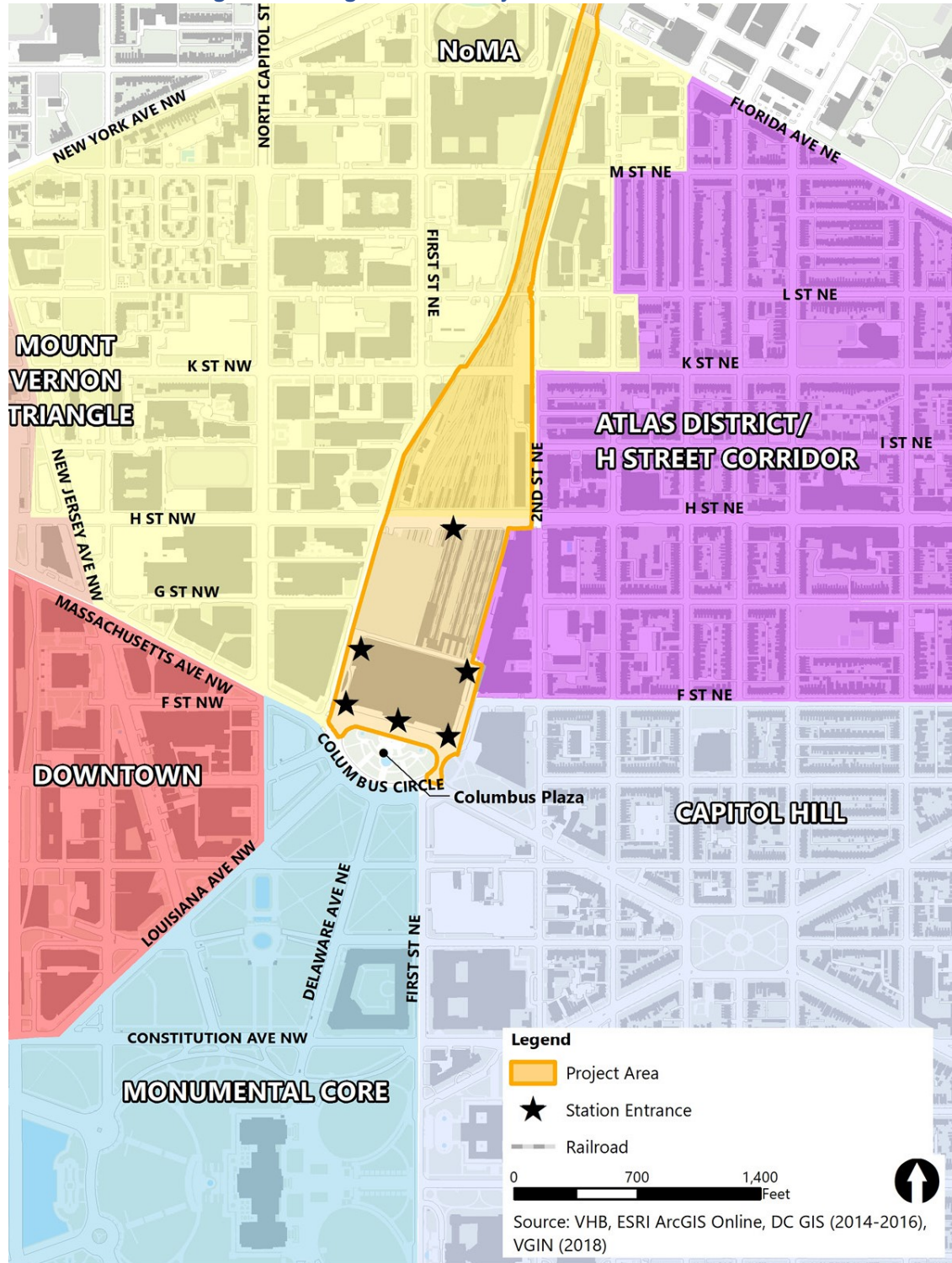
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<sup>6</sup> National Visitor Center Facilities Act of 1968, Pub. L. 90-264, 82 Stat. 43 (1968).

<sup>7</sup> Union Station Redevelopment Act of 1981, Pub. L. 97-125, 95 Stat. 1667 (1981).



**Figure 1-3. Neighborhoods Adjacent to WUS**



80 The Secretary of Transportation delegated responsibility for WUS to FRA. The USRA limited  
81 the role of FRA in managing WUS by creating USRC in 1983. USRC was to oversee WUS's  
82 restoration and redevelopment to transform it into a modern transportation hub as well as a  
83 shopping and tourist destination. In 1985, FRA sub-leased<sup>8</sup> WUS to USRC for 99 years. Under  
84 this agreement, USRC is responsible for the rehabilitation, redevelopment, and ongoing  
85 management and operations of WUS. As part of the 1985 sub-lease, USRC in turn sub-leased  
86 most of the station to a real estate development company.<sup>9</sup>

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## 1.6 Project Background

87 Following the rehabilitation of WUS in the 1980s, rail service improvements and changes to  
88 the bus program led to increased and more varied uses of the station. Between 1988 and  
89 1993, the number of daily Maryland Area Regional Commuter (MARC) trains increased from  
90 36 to 70. In 1992, the Virginia Railway Express (VRE) commuter rail service was introduced.  
91 Ridership for both services has grown considerably in the past two decades: VRE ridership  
92 grew by 87 percent between 2001 and 2015, while MARC ridership grew by 55 percent.<sup>10</sup>  
93 Amtrak service also has seen substantial growth as it made a series of improvements along  
94 the Northeast Corridor, including the introduction of the Acela Express service in 2000. In  
95 2000, 37 percent of rail or airline passengers between New York and Washington took the  
96 train. By 2012, that number had jumped to 75 percent.<sup>11</sup>

97 Since the 1980s rehabilitation, buses have been a significant part of WUS as an intermodal  
98 facility, with the type of buses serving the station broadening in recent years. The USRA  
99 called for "Restoration and operation of a portion of the historic Union Station building as a  
100 rail passenger station, together with holding facilities for charter, transit, and intercity buses  
101 in the Union Station complex."<sup>12</sup> While WUS initially served primarily as a facility for tour and  
102 charter buses, in 2011 intercity service in Washington, DC was consolidated there.<sup>13</sup> The

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<sup>8</sup> Until 1988, FRA leased WUS from Terminal Realty Baltimore Co. and Terminal Realty Penn Co. In 1988, the Federal government, acting through the FRA, bought the WUS historic station building, the parking garage, and the underlying real property.

<sup>9</sup> Office of Inspector General. 2014. *Inadequate Planning, Limited Revenue, and Rising Costs Undermine Efforts to Sustain Washington, DC's Union Station*. Accessed from <https://www.oig.dot.gov/sites/default/files/FRA%20and%20USRC%20Oversight%20of%20Union%20Station%20Final%20Report%2004-01-14.pdf>. Accessed on March 10, 2020.

<sup>10</sup> Ridership numbers provided by MARC and VRE.

<sup>11</sup> Kamga, Camille. 2015. "Emerging travel trends, high-speed rail, and the public reinvention of U.S. transportation." *Transport Policy* 37: 111-120. Accessed from <https://www.sciencedirect.com/science/article/pii/S0967070X14002133>. Accessed on March 10, 2020.

<sup>12</sup> Section 112(b) of the Union Station Redevelopment Act of 1981, Pub. L. 97-125, 95 Stat. 1667 (1981).

<sup>13</sup> "Union Station to Become Intercity Bus Center." *Washington Post*. July 30, 2011. Accessed from **Error! Hyperlink reference not valid.** [https://www.washingtonpost.com/local/union-station-to-become-intercity-bus-center/2011/07/29/g!QAFCpwjl\\_story.html](https://www.washingtonpost.com/local/union-station-to-become-intercity-bus-center/2011/07/29/g!QAFCpwjl_story.html). Accessed on March 10, 2020.

103 Georgetown-Union Station route of the DC Circulator, a District-run transit bus service, now  
104 uses the bus facility as well.

105 In 2012, Amtrak released the *Washington Union Terminal Master Plan* (Master Plan),<sup>14</sup> the  
106 culmination of a collaboration effort with USRC and the private air-rights owner. The Master  
107 Plan presented a high-level vision for addressing existing deficiencies, supporting future rail  
108 service growth at WUS, and accommodating the planning for private air-rights development.  
109 The Master Plan focused on improving WUS's primary functions, core needs, and customer  
110 experience by:

- 111 ■ Increasing capacity: Tripling passengers, doubling train service, and moving towards  
112 more sustainable transportation;
- 113 ■ Providing quality: Improving passenger and visitor experience and offering efficient,  
114 multimodal transportation options; and
- 115 ■ Enhancing vitality: Providing transportation and economic growth to support  
116 Washington, DC as the touchstone of cultural, political, and business opportunity in  
117 the region and nation.

118 The Master Plan was a conceptual vision for WUS and the private air-rights development. It  
119 did not fully address issues of feasibility and implementation.

120 Developed by USRC in 2015, the *Historic Preservation Plan* (HPP)<sup>15</sup> is complementary to  
121 Amtrak's *Washington Union Terminal Master Plan* and offers preservation guidance for  
122 future rehabilitation, restoration, and development projects at WUS. The HPP establishes the  
123 extent and condition of the remaining historic features of WUS and emphasizes that any  
124 future changes and development should be designed to protect the historic architectural  
125 character of WUS's original design.

126 In addition to these station-specific planning documents, recently developed plans for  
127 passenger rail service also have implications for the Project. Amtrak updated its *Vision for the*  
128 *Northeast Corridor* in 2012.<sup>16</sup> FRA published the *NEC FUTURE Tier I FEIS*, a corridor-wide  
129 vision for the future of rail in the Northeast, in 2016,<sup>17</sup> followed by a Record of Decision in  
130 2017.<sup>18</sup> MARC updated its *Growth and Investment Plan* in 2012.<sup>19</sup> VRE published a *2040*

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<sup>14</sup> Amtrak. 2012. *Union Station Master Plan*. Accessed from <https://nec.amtrak.com/wp-content/uploads/2017/08/Washington-Union-Station-Master-Plan-201207.pdf>. Accessed on March 10, 2020.

<sup>15</sup> Union Station Redevelopment Corporation. 2015. *Historic Preservation Plan*. Accessed from <https://www.usrcdc.com/projects/historic-preservation-plan/>. Accessed on March 10, 2020.

<sup>16</sup> Amtrak. 2012. *The Amtrak Vision for the Northeast Corridor*. Accessed from <http://www.gcpvd.org/wp-content/uploads/2012/07/Amtrak-Amtrak-Vision-for-the-Northeast-Corridor.pdf>. Accessed on March 10, 2020.

<sup>17</sup> U.S. Department of Transportation. Federal Railroad Administration. 2016. *NEC FUTURE Tier I FEIS*. Accessed from [https://www.fra.dot.gov/necfuture/tier1\\_eis/feis/](https://www.fra.dot.gov/necfuture/tier1_eis/feis/). Accessed on March 10, 2020.

<sup>18</sup> U.S. Department of Transportation. Federal Railroad Administration. 2017. *NEC FUTURE Record of Decision*. Accessed from [https://www.fra.dot.gov/necfuture/tier1\\_eis/rod/](https://www.fra.dot.gov/necfuture/tier1_eis/rod/). Accessed on March 10, 2020.

<sup>19</sup> Maryland Area Regional Commuter. 2013. *MARC Growth and Investment Plan Update 2013 to 2050*.



131                    *System Plan Study* in 2014.<sup>20</sup> These plans all contemplate substantial increases in service into  
132                    and out of WUS. These earlier efforts informed Amtrak and USRC’s work on the planning and  
133                    high-level design of the Project.

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## 1.7      Lead Agency for the Project

134                    The Federal government, acting through the FRA, owns the WUS historic station building and  
135                    Claytor Concourse, the parking garage and bus facility and underlying real property, and the  
136                    rail terminal north of the historic station building. Therefore, FRA is the Lead Agency  
137                    preparing the DEIS for the proposed Project. FRA’s actions relating to the proposed Project  
138                    may include issuing approvals or funding design or construction. The Project alternatives (see  
139                    **Chapter 3, Alternatives**) include the creation of various amounts of developable air-rights  
140                    above Federal property. FRA may potentially be involved with the transfer, lease, or disposal  
141                    of this air-rights property as a separate Federal action.

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## 1.8      Cooperating Agencies

142                    As Lead Agency, FRA invited other agencies having jurisdiction by law or agencies with special  
143                    expertise on resources potentially affected by the Project to be cooperating agencies. Those  
144                    agencies that have accepted cooperating agency status are: The National Capital Planning  
145                    Commission (NCPC); the Federal Transit Administration (FTA); NPS; and DDOT. FRA has  
146                    coordinated closely with these agencies throughout the development of the DEIS and will  
147                    continue to do so for the duration of the NEPA process.

148                    ■ **NCPC** is the Federal government’s central planning agency for the National Capital  
149                    Region. The Commission provides overall planning guidance for Federal land and  
150                    buildings in the region by reviewing the design of Federal and certain local projects,  
151                    overseeing long-range planning for future development, and monitoring capital  
152                    investment by Federal agencies. NCPC is responsible for preserving and enhancing  
153                    the historical, cultural, and natural features of Federal assets in the National Capital  
154                    Region under the authority of 40 USC 71 *et seq.*, *Physical Development of National*  
155                    *Capital*. Under 40 USC 8722(d), NCPC has authority to approve the location, height,  
156                    bulk, number of stories, and size of Federal public buildings in the District. NCPC has  
157                    approval authority over all land transfers and physical alterations involving Federal  
158                    property. As applicable, NCPC may rely on this EIS in satisfying its obligations under  
159                    NEPA as they pertain to the Project.

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<sup>20</sup> Virginia Railway Express. 2014. *VRE 2040 System Plan* Accessed from <https://www.vre.org/vre/assets/File/2040%20Sys%20Plan%20VRE%20finaltech%20memo%20combined.pdf>. Accessed on March 10, 2020.

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- **FTA** is a modal administration within the United States Department of Transportation. FTA’s purview is public transportation and transit systems. FTA has a Federal interest in transit operations, including the Washington Metropolitan Area Transit Authority (WMATA), which runs transit services in the Washington Metropolitan Area and has a Metrorail station at WUS. FTA provides grant assistance to WMATA and may rely on this EIS to satisfy possible Project-related obligations under NEPA.
  - **NPS**, a bureau of the United States Department of the Interior, is the Federal agency with authority over Columbus Plaza, which is next to WUS. NPS has authority over any work associated with the redevelopment of Columbus Plaza or other NPS features. Such work would need direct permission from NPS to move forward. NPS may rely on this DEIS to satisfy its obligations under NEPA if plans affect the views, structure, or historic integrity of Columbus Plaza or any other features requiring NPS approval. NPS carries out its responsibilities in parks and programs under the authority of 36 CFR 2-199.
  - **DDOT** manages and maintains the District’s publicly-owned transportation infrastructure and is the owner of the District’s street network. It has jurisdiction over rights-of-way (ROW) in the District, including travel lanes, on-street parking, sidewalk space, and public space between the property line and the edge of the sidewalk nearest to the property line. DDOT follows the *Right of Way Policies and Procedures Manual*<sup>21</sup> to establish a fair and efficient manner to complete the acquisitions or transfers of property, and to issue permits to allow for uses of the ROW that are compatible with overall operations. DDOT is leading projects to replace the H Street Bridge and extend the DC Streetcar from WUS to Benning Road Metrorail Station and eventually to Georgetown, creating a need for coordination between DDOT and FRA as part of planning for the Project.

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<sup>21</sup> District Department of Transportation. 2019. *Right of Way Policies and Procedures Manual*. Approved July 31, 2019. Accessed from <https://ddot.dc.gov/page/right-way-policies-and-procedures-manual>. Accessed on March 10, 2020.