

Supplemental Draft Environmental Impact Statement

Appendix D2

Draft Programmatic Agreement



U.S. Department of Transportation
Federal Railroad Administration

May 2023

WASHINGTON
UNION STATION
STATION EXPANSION

SUPPLEMENTAL DRAFT ENVIRONMENTAL IMPACT STATEMENT
May 2023

This page intentionally left blank.

1 **DRAFT**
2 **PROGRAMMATIC AGREEMENT**
3 **AMONG**
4 **THE FEDERAL RAILROAD ADMINISTRATION,**
5 **THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER,**
6 **AND**
7 **THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
8 **REGARDING THE WASHINGTON UNION STATION EXPANSION PROJECT**
9 **WASHINGTON, DC**
10
11

12 **WHEREAS**, the Union Station Redevelopment Corporation (USRC) is proposing the Washington Union
13 Station Expansion Project (the Project) in the District of Columbia (DC), in coordination with the
14 National Railroad Passenger Corporation (Amtrak), to expand and modernize Washington Union
15 Station’s multimodal transportation facilities to meet current and future transportation needs while
16 preserving the historic station building; and

17 **WHEREAS**, the Project consists of reconstructing and realigning the tracks and platforms; constructing a
18 train hall and new concourses; enhancing accessibility; improving multimodal transportation services and
19 connectivity; and improving and expanding infrastructure and other supporting facilities; and

20 **WHEREAS**, the Federal government, acting through the Federal Railroad Administration (FRA) owns
21 the Washington Union Station (WUS) building, the WUS parking garage and underlying real property,
22 and the rail terminal north of the WUS; and

23 **WHEREAS**, the Project requires the acquisition of privately-owned air rights that are subject to a historic
24 preservation deed covenant that by its terms runs with the land and binds future owners of the air rights;
25 and

26 **WHEREAS**, the Project constitutes an “Undertaking” pursuant to Section 106 of the National Historic
27 Preservation Act of 1966 (54 U.S.C. § 306108) (NHPA), as amended, and its implementing regulations at
28 36 Code of Federal Regulations [C.F.R.] part 800 (hereinafter collectively referred to as Section 106)
29 because FRA or U.S. Department of Transportation may issue approvals; provide funding; and be
30 involved with the transfer, lease, or disposal of Federally-owned air rights if the Project occurs; and

31 **WHEREAS**, FRA is the lead Federal agency responsible for compliance with Section 106 for the
32 Project; and

33 **WHEREAS**, the Project requires review under the National Environmental Policy Act (NEPA) (42 U.S.C.
34 § 4321 *et seq.*), and FRA is the lead Federal agency preparing an Environmental Impact Statement (EIS).
35 FRA has coordinated Section 106 compliance with the NEPA process pursuant to 36 C.F.R. § 800.8; and

36 **WHEREAS**, pursuant to 36 C.F.R. § 800.3(c)(3), FRA initiated consultation with the DC State Historic
37 Preservation Office (SHPO), in a letter dated November 23, 2015 (Attachment 1); and

38 **WHEREAS**, FRA coordinated with the SHPO to identify organizations and agencies with a
39 demonstrated interest in the Project, and in a letter dated March 1, 2016, FRA, invited them to participate
40 as Consulting Parties in the Section 106 process (Attachment 1), and 28 organizations and agencies
41 elected to serve as Consulting Parties (Attachment 2); and

42 **WHEREAS**, pursuant to 36 C.F.R. § 800(3)(f)(2), in a letter dated April 5, 2023 (Attachment 1), FRA
43 invited Federally-recognized Indian tribes: Pamunkey Indian Tribe and the Cherokee Nation (herein
44 collectively referred to as Tribes) to participate in the Section 106 process; and

45 **WHEREAS**, pursuant to 36 C.F.R § 800.4 and 800.16(d) and in consultation with SHPO and Consulting
46 Parties, FRA defined the Project’s Area of Potential Effects (APE) and identified 49 historic properties
47 and six culturally significant viewsheds in the APE during a Consulting Parties meeting on September 7,
48 2017, and SHPO concurred with the APE and identification of historic properties in a letter dated
49 September 29, 2017 (Attachment 1), and due to the passage of time FRA re-confirmed the historic
50 properties identified in the APE during a Consulting Parties meeting on July 17, 2022 (Attachment 3);
51 and

52 **WHEREAS**, pursuant to 36 C.F.R § 800.6(a) and in consultation with SHPO and Consulting Parties, FRA
53 considered avoidance and minimization measures during concept development and screening, the
54 development of the Project alternatives, and the development of the Project’s Preferred Alternative and
55 documented these measures in the 2023 Supplemental Assessment of Effects Report (SAOE) and the 2023
56 Supplemental Draft EIS (SDEIS); and

57 **WHEREAS**, pursuant to 36 C.F.R § 800.5 and in consultation with SHPO and Consulting Parties, FRA
58 determined in a letter dated March 10, 2023 that the Project will have an adverse effect on historic
59 properties as it would alter characteristics of Washington Union Station, Washington Union Station
60 Historic Site, and the Railway Express Agency (REA) Building and has the potential to alter
61 characteristics of the City Post Office (Postal Museum) that qualify them for inclusion in the National
62 Register of Historic Places (NRHP) in a manner that would diminish their integrity (Attachment 1); and

63 **WHEREAS**, FRA, along with the SHPO, determined that it is appropriate to enter into this
64 Programmatic Agreement (PA) to resolve adverse effects pursuant to 36 C.F.R § 800.14(b), which will
65 govern the implementation of the Project and satisfy FRA’s obligation to comply with Section 106; and

66 **WHEREAS**, pursuant to 36 C.F.R. § 800.6(a)(1), FRA notified the Advisory Council on Historic
67 Preservation (ACHP) of its adverse effect determination and intention to enter into a PA on March 10,
68 2023, and the ACHP, in a letter dated March 22, 2023, elected to participate in the consultation pursuant
69 to 36 C.F.R. § 800.6(a)(1)(iii) (Attachment 1); and

70 **WHEREAS**, the National Capital Planning Commission (NCPC) has review and approval authority over
71 Federal projects located within DC pursuant to the National Capital Planning Act of 1952, 40 U.S.C. §
72 8722(b)(1) and (d), and elected to fulfill its Section 106 responsibilities by participating in this
73 consultation, designated FRA as the lead agency, and requested to be a signatory to the PA in a letter
74 dated May 9, 2019 (Attachment 1); and FRA invited NCPC to sign this PA as an Invited Signatory; and

75 **WHEREAS**, USRC is the Project Sponsor who will be responsible for implementing the Project through
76 final design and construction, including implementation of the mitigation Stipulations in this PA, and
77 FRA invited USRC to sign this PA as an Invited Signatory; and

78 **WHEREAS**, Amtrak may have roles and responsibilities in the implementation of this PA, and FRA
79 invited Amtrak to sign this PA as an Invited Signatory; and

80 **WHEREAS**, the FRA invited the U.S. Commission of Fine Arts (CFA) to be an Invited Signatory to this
81 PA. CFA declined to sign the PA, but has a statutory obligation under the Shipstead Luce Act of 1930
82 (Public Law 71-231) to regulate height, exterior design, and construction of private and semiprivate
83 buildings in certain areas of the National Capital within which the Project falls. CFA has design review

84 authority over new structures erected in the District of Columbia under the direction of the Federal
85 government (Executive Order 1862) and plans for parks which “in any essential way affect the
86 appearance of the City of Washington, or the District of Columbia” (Executive Order 3524); and

87 **WHEREAS**, as documented in the SAOE, FRA undertook a reasonable and good faith effort to seek and
88 consider the views of Consulting Parties and the public in identifying and assessing effects to historic
89 properties within the APE; and

90 **WHEREAS**, the USRC is the Project Sponsor that will implement measures that contribute to avoiding
91 and minimizing adverse effects to historic properties, which include the following: coordinating with the
92 District Department of Transportation (DDOT), which has jurisdiction over road rights-of-way in the
93 District, to minimize increased traffic volumes at intersections with unacceptable levels of service due to
94 the Project through implementation of measures such as regular monitoring activities, turn restrictions,
95 alternative intersection phasing, lane reassignment, parking restrictions, and circulation changes; prepare
96 an integrated Construction Transportation Management Plan that defines measures, procedures,
97 enforcement mechanisms, monitoring, and evaluation to avoid or minimize impacts from construction on
98 all transportation modes in each phase of construction; and also to evaluate and maximize the use of work
99 trains instead of dump trucks to haul away excavation spoil; and

100 **WHEREAS**, FRA is making the draft PA available to the Consulting Parties and the public for review
101 and comment by appending it to the SDEIS, and FRA will consider comments received prior to executing
102 this PA;

103 **NOW, THEREFORE**, FRA, SHPO, ACHP, USRC, Amtrak, and NCPC (collectively referred to as the
104 Signatories) agree that the Project will be implemented in accordance with the following stipulations in
105 order to take into account the effect of the Project on historic properties.

106 **STIPULATIONS**

107 FRA, in coordination with the Project Sponsor, will ensure the following measures are carried out:

108 **I. APPLICABILITY**

- 109 A. This PA applies to FRA’s Undertaking and only binds FRA if the agency provides funding;
110 issues approvals; or is involved with the transfer, lease, or disposal of Federal air-rights for the
111 Project.
- 112 B. FRA and NCPC will use the terms and conditions of this PA to fulfill their Section 106
113 responsibilities, as will any other Federal agencies that designate FRA as the lead Federal agency,
114 pursuant to 36 CFR § 800.2(a)(2). Federal agencies that do not designate FRA as the lead Federal
115 agency remain individually responsible for their compliance with Section 106.
- 116 C. In the event that a Federal agency issues Federal funding, permits, licenses, or approvals for the
117 Undertakings associated with the Project and the Project remains unchanged, such Federal agency
118 may become a Signatory to this PA as a means of satisfying its Section 106 compliance
119 responsibilities, as outlined in Stipulation IX (Adoptability).

120 **II. TIMEFRAMES, REVIEW PROCEDURES, AND COMMUNICATIONS**

121 The timeframes, review procedures, and communication protocols described in this Stipulation apply to
122 all Stipulations in this PA, unless otherwise specified.

- 123 A. All time designations are in calendar days. If a review period ends on a Saturday, Sunday, or
124 Federal holiday, the review period will be extended until the next business day.
- 125 B. All official notices, comments, requests for further information, documentation, and other
126 communications will be sent in writing by e-mail or other electronic means.
- 127 C. All review periods are 30 calendar days unless otherwise stated, starting on the day the
128 documents are provided for review. The Signatories may request a meeting within that review
129 period.
- 130 D. The entity responsible for preparing documentation stipulated in this PA (responsible entity) will
131 ensure that all written comments received from the Signatories within the 30-day review period
132 are considered and incorporated as appropriate and will consult with Signatories as appropriate.
- 133 E. If a Signatory does not submit written comments to the responsibility entity within the comment
134 period, it is understood the non-responding Signatory has no comments on the submittal.
- 135 F. If the responsible entity receives an objection or request for extensive revisions to a document,
136 the responsible entity will work expeditiously with the Signatories to resolve the issue. If no
137 agreement can be reached within 30 days, FRA may proceed with Stipulation XII (Dispute
138 Resolution). FRA will notify the Signatories of FRA's decision.
- 139 G. If no Signatory provides written comments within the specified timeframe stipulated in this PA,
140 the responsible entity may proceed to the next step of the process and/or finalize the document.
141 The portion of the Project subject to the documentation may proceed without taking additional
142 steps to seek comment from the Signatories.
- 143 H. If the responsible entity receives substantive (non-editorial) comments and incorporates them into
144 the documentation, the responsible entity will provide a track-changes copy of the documentation
145 to the Signatories for back check review. The Signatories will provide their comments on only the
146 revised text within 15 days. Should additional comments be received on revised text, the 15-day
147 review process will repeat until the responsible entity, in coordination with FRA, determines that
148 the additional review is unnecessary because comments are not substantive. Should the
149 Signatories object, FRA may proceed with Stipulation XII (Dispute Resolution). FRA will notify
150 the Signatories of its decision. The responsible entity will finalize the documentation following
151 confirmation with the Signatories or upon completion of the dispute resolution process.
- 152 I. In exigent circumstances (e.g., in post-review discovery situations, or concerns over construction
153 suspensions or delays, all Signatories and Consulting Parties agree to expedite their respective
154 document review within seven (7) days.

155 **III. ROLES AND RESPONSIBILITIES**

156 A. FRA

- 157 1. Pursuant to 36 CFR § 800.2(a)(2), FRA has the primary responsibility to ensure the
158 provisions of this PA are carried out. FRA remains legally responsible for all findings and
159 determinations, including determinations of NRHP eligibility, assessment of effects of the

- 160 Project on historic properties, and resolution of adverse effects, as well as resolution of
161 objections and dispute resolution.
- 162 2. FRA is responsible for enforcing the applicable provisions of the Archaeological Resources
163 Protection Act of 1979 (16 U.S.C. 470aa et seq.) (ARPA), including but not limited to the
164 timely issuance of permits for archaeological investigations and investigation of any damages
165 resulting from prohibited activities within their jurisdictional areas.
- 166 B. SHPO
- 167 SHPO will review Project submittals according to the timeframes defined within this PA and
168 participate in consultation, as requested by FRA.
- 169 C. NCPC
- 170 NCPC will review Project submittals according to the timeframes defined within this PA and
171 participate in consultation, as requested by FRA. These reviews do not supersede the statutory or
172 regulatory obligations this body has, and their Commissions or Boards will review and approve
173 the project components as required.
- 174 D. ACHP
- 175 ACHP will review Project submittals according to the timeframes defined within this PA and
176 participate in consultation, as requested by FRA.
- 177 E. PROJECT SPONSOR
- 178 1. USRC is the Project Sponsor (hereafter referred to as the Project Sponsor) and will be
179 responsible for implementing the Project through final design and construction, including
180 implementation of the mitigation Stipulations in this PA.
- 181 2. Pursuant to 36 CFR § 800.2(c)(4) FRA will authorize the Project Sponsor to conduct
182 investigations and produce analyses, documentation, and recommendations in a timely
183 manner to address effects to historic properties pursuant to the terms of the PA.
- 184 3. The Project Sponsor is responsible for continued compliance with all commitments outlined
185 in this PA and will comply with applicable conditions of the PA until such time as the terms
186 of this PA are complete or this PA is terminated or expires. The Project Sponsor may engage
187 consultants to assist in carrying out the PA commitments, but the Project Sponsor ultimately
188 remains responsible for compliance.
- 189 4. The Project Sponsor is responsible for the funding and completion of measures to resolve
190 adverse effects pursuant to this PA. The Project Sponsor will consider these measures to be
191 successfully completed upon review, concurrence and/or acceptance in writing by the SHPO
192 and FRA.
- 193 5. The Project Sponsor is responsible for obtaining Archaeological Resources Protection Act of
194 1979 (ARPA) permits for any archaeological investigations on federally owned or
195 administered lands.

196 F. CONSULTING PARTIES

- 197 1. Consulting Parties were provided the opportunity to actively participate in the development
198 of this PA and to assist in the resolution of adverse effects pursuant to 36 C.F.R. § 800.6.
- 199 2. Pursuant to 36 CFR § 800.6(c)(3), Consulting Parties are invited to sign this PA as
200 Concurring Parties within 30 days of the execution of this PA. The refusal of any Consulting
201 Party to concur does not invalidate or affect the effective date of this PA. Consulting Parties
202 who choose not to sign this PA as a Concurring Party will continue to receive and have an
203 opportunity to review and comment upon documents pursuant to the PA once executed.

204 **IV. PROFESSIONAL QUALIFICATIONS STANDARDS**

205 The Project Sponsor will ensure that all actions prescribed by this PA are carried out by, or under the
206 direct supervision of, qualified professional(s) who meet the appropriate standards in the applicable
207 disciplines as outlined in the *Secretary of the Interior's Professional Qualifications Standards* (48 Fed.
208 Reg. 44716, 44738 (Sept. 29, 1983) or subsequent adopted modifications of the *Standards* at the time of
209 the action.

210 **V. DOCUMENTATION STANDARDS**

211 All studies, reports, plans, and other documentation prepared pursuant to this PA will be consistent with
212 pertinent standards and guidelines outlined in the *Archaeology and Historic Preservation: Secretary of*
213 *the Interior's Standards and Guidelines* (48 Fed. Reg. 44716, Sept. 29, 1983). In addition,
214 documentation will also follow applicable guidance issued by the Secretary of the Interior, ACHP, and
215 any applicable SHPO standards/required formats or subsequent revisions or replacements to these
216 documents.

217 **VI. TREATMENT MEASURES**

218 FRA and the Project Sponsor will ensure the following measures to avoid, minimize, and/or mitigate
219 adverse effects on historic properties are carried out:

220 A. ARCHITECTURAL HISTORIC PROPERTIES

221 1. Historic Preservation Covenant

- 222 a. Prior to any transfer of real property out of Federal ownership, FRA will seek to
223 include a historic preservation covenant in the transfer instrument to be recorded in
224 the real estate records of the District of Columbia.
- 225 b. FRA will consult with Signatories on the language to be included in any historic
226 preservation covenant.
- 227 c. FRA will provide any draft historic preservation covenant to Signatories for review
228 per Stipulation II.

230 2. Design Review for the Project

231 The Project Sponsor, in consultation with the Signatories, will establish and implement a Design
232 Review process (Design Review) to review design documents at various phases of design.

- 233 a. The Project Sponsor will provide the draft Design Review process to Signatories for
234 review, per Stipulation II, and finalize the process prior to completion of 15% design
235 documents.

- 236 b. Design Review will ensure the Project adheres to the Secretary of the Interior's
237 *Standards for the Treatment of Historic Properties* (the *Standards*). Design Review
238 will be conducted to minimize adverse and potentially adverse effects of the Project
239 to historic properties, especially WUS, WUS Historic Site, and REA Building.
240 c. Design Review will acknowledge the existing required federal and District approvals
241 processes and the parties involved. The Project Sponsor will submit preliminary and
242 final design packages for NCPC approval and concept and final design packages for
243 CFA approval in accordance with the applicable agency's procedures.
244 d. Design Review will be limited to determining whether the proposed designs are
245 compatible with affected historic properties and in conformance with the *Standards*.
246 Design review will address, but is not limited to the mass, form, materials,
247 architectural features, circulation patterns, lighting, and signage of the following (but
248 not limited to) unresolved design elements: a) new integrated train hall and bus
249 facility; b) new H Street Headhouse; c) Project elements on the deck, including
250 skylights; d) new ramps to the east and west of WUS connecting the deck to the front
251 of the station; e) three vehicular ramps leading to the belowground facility; f)
252 architectural features of new concourses and platforms, including entries to the
253 concourse at First and Second Streets NE; g) new service building to the north of the
254 REA Building; and h) restoration and reconstruction of sections of the Burnham
255 Wall.
256

257 3. Design Guidelines for the Federal Air Rights:

258 The Project Sponsor, in consultation with Signatories, will establish Design Guidelines that will
259 guide the future design of development within the Federally-owned air rights.

- 260 a. The Project Sponsor will provide the draft Design Guidelines to Signatories for
261 review, per Stipulation II, and will finalize the guidelines prior to the transfer of real
262 property out of Federal ownership.
263 b. Design Guidelines will adhere to the Secretary of the Interior's *Standards for the*
264 *Treatment of Historic Properties*. Design Guidelines will address, but are not limited
265 to, topics of mass, volume, set-back, architectural expression, materials, architectural
266 features, landscape features, exterior signage, exterior lighting, and portions of
267 central civic space located within the Federal air-rights.
268 c. Design Guidelines will be referenced in any Historic Preservation Covenant
269 developed per Stipulation VI(A)(1).
270

271 4. HABS/HAER Documentation Plan:

272 The Project Sponsor will prepare individual Level II Historic American Building Survey (HABS)
273 and Historic American Engineering Record (HAER) written, drawing, and photographic
274 documentation for the following (but not limited to) contributing resources within the WUS
275 Historic Site: rail yard, including the location of tracks, umbrella sheds, platforms serving Tracks
276 11-30, the middle retaining wall that separates the stub and run-through tracks, one representative
277 pneumatic switch valve, single catenaries, catenary with cross beam, and the Pennsylvania,
278 Baltimore & Washington Railroad ownership marker; K Tower; REA Building; bridge
279 underpasses at H, K, L, and M Streets and Florida Avenue; Signal Bridges H, J, and K; the
280 Burnham walls; and the section of the First Street Tunnel below WUS.

- 281 a. The Project Sponsor will contact the NPS HABS/HAER Region 1 North Atlantic
282 office to determine whether the documentation will be deposited with the agency for
283 inclusion in its HABS/HAER collection at the Library of Congress, and if so, seek

284 guidance on the final scope, content, and format of required documentation in
285 fulfillment of this PA. This includes consideration of a procedure for an interim
286 submission of the photographic documentation for NPS review and approval. If NPS
287 declines the documentation, the Project Sponsor will coordinate with SHPO, and
288 further coordination with NPS is not required.

- 289 b. The Project Sponsor will prepare photographic recordation and narrative
290 documentation that describes the physical characteristics and history of the
291 contributing resources that are listed above and are confirmed with the NPS
292 HABS/HAER office, consistent with *Heritage Documentation Program's*
293 *HABS/HAER/HALS Guidelines for Historical Reports* and *HABS/HAER/HALS*
294 *Photography Guidelines*.
- 295 c. Where possible, the HABS/HAER documentation will draw upon primary sources,
296 such as construction documents, historic photographs, period publications, and oral
297 interviews with railroad experts or individuals possessing special knowledge of the
298 history and operation of the facility. As relevant, the content of the HABS/HAER
299 documentation will draw upon research and documentation included in the *DC State*
300 *Historic Preservation Office Determination of Eligibility Form for the Washington*
301 *Union Station Historic Site (including Columbus Plaza, Terminal Rail Yard, and*
302 *First Street Tunnel)*, completed in 2019 (WUS Historic Site DOE Form). Inclusion
303 of Amtrak records or potentially security sensitive information is subject to Amtrak
304 corporate approval.
- 305 d. The Project Sponsor will complete the photographic recordation prior to 60% design
306 or the initiation of any demolition, construction, or ground disturbing activity
307 associated with the resource to be documented.
- 308 e. Following SHPO, and NPS if applicable, acceptance of the photographic recordation,
309 the Project Sponsor will complete the HABS/HAER documentation. The Project
310 Sponsor will provide the draft narrative and related materials to Signatories, and if
311 applicable NPS, for review per Stipulation II. This does not preclude the Project
312 Sponsor from submitting draft narrative and graphic materials prior to, or with, the
313 photographs per Stipulation VI (A)(4)(b).
- 314 f. Unless otherwise agreed to by NPS and the SHPO, the Project Sponsor will provide
315 archival final copies of each HABS/HAER documentation to NPS and the SHPO.
316 The Project Sponsor will also provide a digital copy of the final documentation to
317 FRA. The Project Sponsor will also retain archival and/or digital versions of the final
318 documentation for its records.

319
320 5. Architectural Salvage Plan:

321 The Project Sponsor, in consultation with Signatories, will prepare an Architectural Salvage Plan
322 to establish a process for determining which contributing resources to the WUS Historic Site that
323 require removal or relocation could be salvaged. The Architectural Salvage Plan will also provide
324 guidance and standards for the removal, treatment, relocation, storage, and reuse of resources that
325 are determined to be salvageable.

- 326 a. Examples of WUS Historic Site contributing resources that may be salvaged and
327 either stored or reused throughout the site as design elements or as components of
328 interpretive displays include, but are not limited to: sections of umbrella sheds and
329 support columns, the entirety of K Tower, quarried stone from the bridge underpasses
330 at H Street, single catenaries, the catenary with cross beam, stone from the retaining
331 wall dividing the stub and run-through tracks, pneumatic switch valves, and the
332 Pennsylvania, Baltimore & Washington Railroad ownership marker.

- 333 b. The Project Sponsor will provide the draft Architectural Salvage Plan to Signatories
334 for review, per Stipulation II, and finalize the plan by 60% design or prior to
335 demolition and ground disturbing activities.
336 c. The Project Sponsor will coordinate the Architectural Salvage Plan with the
337 Interpretation Plan noted in Stipulation VI(A)(6).
338

339 6. Interpretation Plan:

340 The Project Sponsor, in consultation with the Signatories, will develop and implement an
341 Interpretation Plan that will communicate the history, evolution, and significance of the WUS
342 Historic Site, especially the WUS as originally constructed and used until the implementation of
343 the Project.

- 344 a. The Interpretation Plan may establish both physical signage and digital interpretation
345 strategies. The Plan will recommend the number, placement, and design of
346 interpretation waysides and content for the development of a website.
347 b. The Project Sponsor will provide the draft Interpretation Plan for Signatories to
348 review, per Stipulation II, and finalize the plan by 60% design or prior to demolition
349 and ground disturbing activities.
350 c. The Project Sponsor will coordinate the Interpretation Plan with the Architectural
351 Salvage Plan noted in Stipulation VI(A)(5) as interpretation methods may document
352 or make use of salvaged materials or objects.
353

354 7. Nomination of WUS Historic Site to NRHP:

355 The Project Sponsor, in coordination with FRA, will prepare a NRHP Nomination Form for the
356 WUS Historic Site, based on the WUS Historic Site DOE Form reviewed by FRA, SHPO,
357 Amtrak, USRC, and finalized in 2019.

- 358 a. Each step of the application process will comply with *District of Columbia Municipal*
359 *Regulations Title 10A Historic Preservation Chapter 2: Designation of Historic*
360 *Landmarks and Districts*.
361 b. The application will be submitted to the DC Historic Preservation Review Board
362 (HPRB), in the format prescribed by the SHPO, for listing in the DC Inventory of
363 Historic Sites prior to the completion of 35% design. The application will recognize
364 the site's local and national significance for its association with the early 20th century
365 development of Washington, DC, and for its association with architect Daniel
366 Burnham as an exemplary example of Beaux-Arts architecture and rail infrastructure.
367 c. The Project Sponsor will attend and present the nomination at the HPRB hearing.
368 HPRB will decide whether to accept the application for listing in the DC Inventory of
369 Historic Sites and whether to recommend the property for listing in the NRHP.
370 d. If the HPRB recommends the WUS Historic Site for listing in the NRHP, the SHPO,
371 in coordination with the Project Sponsor, will continue the nomination process per
372 *District of Columbia Municipal Regulations Title 10A Historic Preservation Chapter*
373 *2: Designation of Historic Landmarks and Districts*.
374

375 8. Historic Properties Construction Protection and Signage Plan:

376 The Project Sponsor, in consultation with the Signatories, will prepare a Historic Properties
377 Construction Protection and Signage Plan (Protection Plan) to protect against, monitor for, and
378 manage construction-related effects to identified historic properties.

- 379 a. The Protection Plan will apply to historic properties located inside, adjacent to, or
380 above the Project limits of disturbance, stockpile locations, construction staging
381 areas, tunneling zones, and any other area in which Project activities may take place.
382 The Protection Plan will require security fencing; establish vibration and noise
383 thresholds; provide monitoring; require a signage plan that may incorporate
384 interpretive displays as part of the Interpretation Plan per Stipulation VI(A)(6); and a
385 publicly accessible telephone hotline and emergency response procedure for
386 reporting and addressing threats or physical damage to historic properties.
387 b. The Project Sponsor will submit the Protection Plan to the Signatories for their
388 review, per Stipulation II, and finalize the plan prior to 90% design or prior to
389 demolition or ground disturbing activities.
390 c. The Project Sponsor has the right to require the Signatories and any other review
391 parties to sign a Non-Disclosure Agreement certifying confidentiality of any sensitive
392 information for security reasons.
393

394 9. Construction Noise and Vibration Control Plan:

395 The Project Sponsor, in consultation with the Signatories, will require the construction contractor
396 to prepare and implement a Construction Noise and Vibration Control Plan (CNVCP), which will
397 incorporate an assessment of buildings at risk of structural damage from construction vibration, as
398 identified in the SDEIS. The assessment will determine appropriate vibration thresholds and
399 define measures to be taken to minimize the risk of damage based on those thresholds.

- 400 a. The CNVCP will define measures to be taken to minimize the risk of damage to the
401 buildings at risk based on the assessed vibration thresholds. As warranted by the
402 assessment and projections, and as technically feasible, the CNVCP would require
403 alternative construction methods to be implemented.
404 b. The CNVCP will require the construction contractor to address the need for a
405 preconstruction crack survey, install crack detection monitors, and conduct vibration
406 monitoring. It will also define a process to alert the contractor of any limit
407 exceedances and implement corrective actions.
408 c. The CNVCP will contain an engagement plan specifying measures that would be
409 implemented to inform the Signatories and other relevant parties (e.g. Consulting
410 Parties, property owners) of instances of exceedance of vibration thresholds,
411 vibration projections, and measures to be taken to remedy these exceedances.
412 d. At a minimum, the CNVCP will include the following measures, unless equivalent or
413 more Project- or location-specific measures are identified during the preparation of
414 the CNVCP: ensure equipment is properly functioning and equipped with mufflers
415 and other noise-reducing features; use quieter construction equipment and methods,
416 as feasible; use noise control measures along construction paths, such as temporary
417 noise barriers and portable enclosures; replace back up alarms with strobes if and as
418 allowed by Occupational Safety and Health Administration (OSHA) regulations;
419 maintain smooth construction truck route surfaces within and next to the Project; and
420 ensure that, when there is a choice, construction trucks use truck routes with the
421 fewest residential receptors.
422 e. The Project Sponsor will submit the draft CNVCP to the Signatories for their review
423 of the vibration assessment and related measures for at risk buildings, per Stipulation
424 II, and finalize the CNVCP prior to 90% design or prior to any demolition or ground
425 disturbing activities.
426

427 B. ARCHAEOLOGICAL RESOURCES

428 The Project Sponsor, in consultation with the Signatories, will continue identification and
429 evaluation of archaeological historic properties in accordance with 36 CFR § 800.4 and 800.5.

430 1. The Project Sponsor will ensure additional identification and evaluation of archaeological
431 resources is accomplished in accordance with the relevant performance and reporting
432 standards in Stipulation V, in addition to the *Guidelines for Archaeological Investigations in*
433 *the District of Columbia*, applicable Secretary of the Interior’s Standards, and appropriate
434 ACHP guidance.

435 2. The Project Sponsor, in coordination with FRA, will notify and consult as appropriate with
436 the Tribes in the event pre-Contact cultural resources are identified during archaeological
437 investigations.

438 3. For archaeological studies undertaken by the Project Sponsor, the Project Sponsor will ensure
439 payment for the permanent curation or arrange for long-term management and preservation of
440 the archaeological collections, field records, images, digital data, maps, and associated
441 records in accordance with 36 CFR § 79, *Curation of Federally-Owned and Administered*
442 *Archaeological Collections*, and the relevant SHPO Guidelines. A digital copy of all field
443 records, reports, and collections data will be supplied to FRA and the SHPO.

444 4. Prior to 35% design or prior to any ground disturbing activities, the Project Sponsor will
445 complete a Phase IB archaeological assessment and survey (Phase IB). The Phase IB will
446 build upon the findings and recommendations of the *Archaeological Assessment for the*
447 *Washington Union Station* (Karell Archaeological Services, 2015) and the *Phase IA*
448 *Archaeological Assessment Washington Union Station Subbasement Structural Slap*
449 *Replacement Project* (Richard Grubb & Associates, 2021), and any other subsequent
450 archaeological assessments conducted within the APE. The Project Sponsor will prepare and
451 submit to FRA for review a technical document containing the results of the Phase IB. Upon
452 FRA’s approval, the Project Sponsor will submit the Phase IB to the Signatories and Tribes
453 for review per Stipulation II.

454 5. If archaeological sites are identified in the Phase IB, prior to any ground disturbing activities,
455 the Project Sponsor will complete one or more Phase II survey(s), as appropriate to evaluate
456 the NRHP eligibility of any intact archaeological resources that may be affected by the
457 Project and determine if there is an adverse effect to a historic property. The Project Sponsor
458 will prepare and submit to FRA for review technical document(s) containing the results of
459 each Phase II survey, together with proposed recommendations for NRHP eligibility and
460 assessment of Project effects on archaeological historic properties. Upon FRA’s approval, the
461 Project Sponsor will submit the Phase II document(s) to the Signatories and Tribes for review
462 per Stipulation II.

463 6. If adverse effects to archaeological historic properties are identified, the Project Sponsor, in
464 consultation with Signatories, will do one of the following:

- 465 a. Propose a minimization and data recovery plan; or
 - 466 b. Depending upon the significance of the resource(s) identified, propose a resource-
467 specific Memorandum of Agreement (MOA) to resolve adverse effects. The MOA
468 may address multiple historic properties.
- 469

470 **VII. PROJECT MODIFICATION AND DESIGN CHANGES**

471 The Project Sponsor will notify the Signatories and Consulting Parties of any proposed modifications to
472 the Undertaking or changes to Project design that may result in additional or new effects on historic
473 properties. Before the Project Sponsor takes any action that may result in additional or new effects on
474 historic properties, the Project Sponsor, in coordination with FRA, will consult with SHPO and
475 Consulting Parties to determine the appropriate course of action. This may include revision to the APE,
476 identification of historic properties, assessment of effects to historic properties, and treatment measures to
477 resolve adverse effects. If FRA determines that an amendment to the PA is required, it will proceed in
478 accordance with Stipulation XI.

479 **VIII. POST-REVIEW DISCOVERIES**

480 **A. UNANTICIPATED DISCOVERY OR EFFECT TO CULTURAL RESOURCES**

481 In accordance with 36 C.F.R. § 800.13(a)(2), if a previously undiscovered archaeological or
482 cultural resource that is or could reasonably be a historic property is encountered or a previously
483 known historic property will be affected in an unanticipated manner during construction, as
484 determined by staff who meet the qualifications set forth in Stipulation IV, the Project Sponsor
485 will implement the following procedures. Each step within these procedures will be completed
486 within seven (7) days unless otherwise specified:

- 487 1. The Project Sponsor will require the contractor to immediately cease all ground disturbing
488 and/or construction activities within a 50-foot radius buffer zone of the discovery. For any
489 discovered archaeological resources, the Project Sponsor will also halt work in surrounding
490 areas where additional subsurface remains are reasonably expected to be present. The Project
491 Sponsor, in coordination with FRA, may seek written SHPO concurrence during notification
492 that a smaller buffer is allowable based on facts in the field specific to the unanticipated
493 discovery.
- 494 2. The Project Sponsor will ensure that no excavation, operation of heavy machinery, or
495 stockpiling occurs within the buffer zone. The Project Sponsor will secure the buffer zone
496 through the installation of protective fencing. The Project Sponsor will not resume ground
497 disturbing and/or construction activities within the buffer zone until the specified Section 106
498 process required by this PA is complete. Work in all other Project areas may continue.
- 499 3. The Project Sponsor will notify the Signatories within 24 hours of any unanticipated
500 discovery or unanticipated effect. The Project Sponsor, in coordination with FRA, will also
501 consider if new Federally recognized Indian tribes and/or Consulting Parties should be
502 identified and invited to consult regarding unanticipated discoveries or unanticipated effects.
- 503 4. Following notification of an unanticipated discovery or effect, the Project Sponsor, will
504 investigate the discovery site and evaluate the resource(s) according to the documentation
505 standards contained in Stipulation V. The Project Sponsor, in coordination with FRA, will
506 prepare and submit a written document containing a proposed determination of NRHP
507 eligibility for the resource and/or, if relevant, an assessment of the Undertaking's effects on
508 historic properties which could include avoidance or minimization measures. The Project
509 Sponsor will provide that document for review to the Tribes and Consulting Parties in
510 addition to Signatories in accordance with the timeframes and communications protocols
511 identified in Stipulation II. If SHPO does not concur with the eligibility and/or effects
512 determination, FRA may elect to assume eligibility and/or adverse effects for expediency. If

- 513 the unanticipated discovery is found to be not eligible for the NRHP, the Project may
514 proceed.
- 515 5. If the unanticipated discovery is determined to be eligible for listing in the NRHP and adverse
516 effects cannot be avoided, the Project Sponsor, in coordination with FRA, will propose in
517 writing to Tribes and Consulting Parties in addition to Signatories, treatment measures to
518 resolve adverse effects following the timeframes and communications protocols identified in
519 Stipulation II.
- 520 6. If it is necessary to develop treatment measures, the Project Sponsor, in coordination with
521 FRA, will implement the approved treatment measures.
- 522 7. The Project Sponsor will ensure construction-related activities within the buffer zone do not
523 proceed until:
- 524 a. The resource is determined not eligible for the NRHP consistent with the process
525 identified in Paragraph A.4 of this Stipulation; or
- 526 b. The treatment measures proposed under Paragraph A.5. of this Stipulation specify
527 that they will be completed within a specified time period after construction-related
528 activities have resumed; or
- 529 c. The treatment measures have been implemented.

530
531

B. UNANTICIPATED DISCOVERY OF HUMAN REMAINS

- 532 1. If human remains are encountered during ground disturbing or construction activities, the
533 Project Sponsor will immediately halt subsurface disturbance in that portion of the Project
534 area and immediately secure and protect the human remains and any associated funerary
535 objects in place in such a way that minimizes further exposure or damage to the remains from
536 the elements, looting, and/or vandalism. The Project Sponsor will ensure a perimeter with a
537 50-foot radius buffer zone around the human remains is established where there will be no
538 excavation, operation of heavy machinery, or stockpiling. The Project Sponsor will secure the
539 buffer zone through the installation of protective fencing. The Project Sponsor, in
540 coordination with FRA, may seek written SHPO concurrence during notification that a
541 smaller buffer is allowable based on facts in the field specific to the unanticipated discovery.
542 The Project Sponsor will not resume ground disturbing and/or construction activities within
543 the buffer zone until the specified Section 106 process required by this PA is complete. Work
544 in all other Project areas may continue.
- 545 2. The Project Sponsor will immediately notify the local police department to determine if the
546 discovery is subject to a criminal investigation by law enforcement and notify the Signatories
547 within twenty-four (24) hours of the initial discovery.
- 548 3. If a criminal investigation is not appropriate, the Project Sponsor will apply and implement
549 all relevant laws, procedures, policies, and guidelines concerning the treatment and
550 repatriation of burial sites, human remains, and funerary objects.
- 551 4. In the event the human remains encountered could be of Native American origin (Pre-Contact
552 or Post-Contact), FRA in coordination with the Project Sponsor, will consult with the Tribes
553 and SHPO to determine treatment measures for the avoidance, recovery or reburial of the
554 remains. When applicable, FRA will follow the principles within the ACHP's *Policy*
555 *Statement on Burial Sites, Human Remains, and Funerary Objects*, dated March 1, 2023.

- 556 5. If the remains are not of Native American origin, the Project Sponsor, in coordination with
557 FRA, will consult with the Signatories and Consulting Parties pursuant to Stipulation
558 VIII.A(4)-(6).
- 559 6. The Project Sponsor will ensure the Project contractor will not proceed with work in the
560 affected area until FRA, in consultation with SHPO and Tribes, as appropriate, determines
561 that the development and implementation of an appropriate research design/treatment plan or
562 other recommended mitigation measures are completed. However, work in all other Project
563 areas may continue.
- 564 7. The Project Sponsor, in coordination with FRA, will also ensure ground disturbing and
565 construction-related activities within the buffer zone do not proceed until the Project Sponsor
566 has complied with the Code of the District of Columbia Title 43. Cemeteries and Crematories
567 (§§ 43-101 – 43-131).

568 **IX. ADOPTABILITY**

569 In the event that a Federal agency, not initially a party to or subject to this PA, receives an application for
570 financial assistance, permits, licenses, or approvals for the Project as described in this PA, such Federal
571 agency may become a signatory to this PA as a means of complying with its Section 106 responsibilities
572 for its undertaking. To become a signatory to this PA, the agency official must provide written notice to
573 the Signatories that the agency agrees to the terms of the PA, specifying the extent of the agency's intent
574 to participate in the PA, and identifying the lead Federal agency for the undertaking. The participation of
575 the agency is subject to approval by the Signatories. Upon approval, the agency must execute a signature
576 page to this PA, file the signature with the ACHP, and implement the terms of this PA, as applicable.
577 Any necessary amendments to the PA will be considered in accordance with Stipulation XI.

578 **X. MONITORING AND REPORTING**

579 Once yearly, beginning one (1) year from the date of execution of this PA until it expires or is terminated,
580 the Project Sponsor will provide all Signatories and Consulting Parties to this PA a summary report
581 detailing work undertaken pursuant to its terms. Such report will include any progress on implementation,
582 proposed scheduling changes, any problems encountered, and any disputes or objections received as a
583 result of FRA and the Project Sponsor's efforts to carry out the terms of this PA.

584 **XI. AMENDMENTS**

585 If any amendment is required or any Signatory to this PA requests that it be amended, FRA will notify the
586 Signatories and Consulting Parties and consult for no more than thirty (30) calendar days (or another time
587 period agreed upon by all Signatories) to consider such amendment. Project activities subject to previous
588 consultation and resolution of effects that are unaffected by a proposed amendment, may continue to progress
589 during an amendment process. An amendment will become effective immediately upon execution by all
590 Signatories. The attachments included in this PA may be revised without amending this PA.

591 **XII. DISPUTE RESOLUTION**

- 592 A. Any Signatory to this PA, Tribes, or Consulting Party may object to any proposed Project
593 action(s) or the manner in which the terms of this PA are implemented by submitting its objection
594 to FRA in writing, after which FRA will consult with all Signatories to resolve the objection. If

595 FRA determines such objection cannot be resolved, FRA will, within thirty (30) days of such
596 objection:

- 597 1. Forward all documentation relevant to the dispute, including FRA's proposed resolution, to
598 the ACHP (with a copy to the Signatories and the objecting party). ACHP may provide FRA
599 with its comments on the resolution of the objection within thirty (30) days of receiving
600 documentation.
 - 601 2. If the ACHP does not provide comment regarding the dispute within thirty (30) days, FRA
602 will make a final decision on the dispute and proceed accordingly.
 - 603 3. FRA will take into account any timely comments received regarding the dispute from ACHP
604 and the Signatories and document its decision regarding the dispute in a written response to
605 Signatories, Tribes, and Consulting Parties.
 - 606 4. FRA will then proceed according to its final decision.
 - 607 5. The Signatories remain responsible for carrying out all other actions subject to the terms of
608 this PA that are not the subject of the dispute.
- 609 B. A member of the public may object to the manner in which the terms of this PA are being
610 implemented by submitting their objection to FRA in writing. FRA will notify the other
611 Signatories of the objection in writing and take the objection into consideration. FRA will consult
612 with the objecting party, and if FRA determines it appropriate, the other Signatories for not more
613 than thirty (30) days. Within fifteen (15) days after closure of this consultation period, FRA will
614 provide the Signatories, Consulting Parties, and the objecting party with its final decision in
615 writing.

616 **XIII. TERMINATION**

- 617 A. If any Signatory to this PA determines that its terms will not or cannot be carried out, that
618 Signatory will immediately consult with the other Signatories to attempt to develop an
619 amendment per Stipulation XI. If within thirty (30) days (or another time period agreed upon by
620 all Signatories) an amendment cannot be reached, any Signatory may terminate the PA upon
621 written notification to the other Signatories.
- 622 B. Once the PA is terminated, and prior to work initiating or continuing on the Undertaking, FRA
623 must either: 1) execute a new PA pursuant to 36 C.F.R. § 800.6, or 2) request, take into account,
624 and respond to the comments of the ACHP under 36 C.F.R. § 800.7. FRA will notify the
625 Signatories as to the course of action it will pursue.

626 **XIV. EFFECTIVE DATE**

- 627 A. This PA will become effective immediately upon execution by all Signatories. In the event
628 another federal agency elects to use this PA, their responsibilities under the PA will become

629 effective on the date that other federal agency completes the process identified in Stipulation IX
630 of this PA.

631 B. Counterparts. This PA may be executed in counterparts, each of which constitutes an original and
632 all of which constitute one and the same Agreement.

633 C. Electronic Copies. Within one (1) week of the last signature on this PA, the Project Sponsor will
634 provide each Signatory with one high quality, legible, full color, electronic copy of the fully
635 executed PA and all of its attachments fully integrated into one, single document. If the electronic
636 copy is too large to send by e-mail, the Project Sponsor will provide each Signatory with an
637 electronic copy of the fully executed PA as described above via other suitable, electronic means.

638 **XV. DURATION**

639 This PA will expire when all treatment measures identified in Stipulation VI and any additional treatment
640 measures established in consultation under Stipulations VII and VIII have been completed and the Project
641 Sponsor has completed a final yearly summary report, or in 20 years from the effective date, whichever
642 comes first, unless the Signatories extend the duration through an amendment in accordance with
643 Stipulation XI. The Signatories to this PA will consult 12 months prior to expiration to determine if there
644 is a need to extend or amend this PA. Upon completion of the Stipulations set forth above, the Project
645 Sponsor, in coordination with FRA, will provide a letter (with attached documentation) of completion to
646 SHPO, with a copy to the Signatories. If SHPO concurs the Stipulations are complete within 30 days, the
647 Project Sponsor will notify the Signatories, and Consulting Parties in writing and this PA will expire, at
648 which time the Signatories will have no further obligations hereunder. If SHPO objects, FRA and the
649 Project Sponsor will consult further with SHPO to resolve the objection. If the objections cannot be
650 resolved through further consultation, FRA will resolve the dispute pursuant to Stipulation XII. FRA will
651 provide written notification to the Signatories, and Consulting Parties on the final resolution.

652 **XVI. EXECUTION AND IMPLEMENTATION**

653 Execution of this PA by the Signatories demonstrates that FRA has taken into account the effect of the
654 Undertaking on historic properties, has afforded the ACHP an opportunity to comment, and FRA has
655 satisfied its responsibilities under Section 106 of the NHPA and its implementing regulations.

656

657 **PROGRAMMATIC AGREEMENT**
658 **AMONG**
659 **THE FEDERAL RAILROAD ADMINISTRATION,**
660 **THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER,**
661 **AND**
662 **THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
663 **REGARDING**
664 **THE WASHINGTON UNION STATION EXPANSION PROJECT**
665 **WASHINGTON, DC**
666

667 Signatory

669 FEDERAL RAILROAD ADMINISTRATION

670
671
672 By: _____ Date: _____

673 Marlys Osterhues
674 Director, Office of Environmental Program Management

675 **PROGRAMMATIC AGREEMENT**
676 **AMONG**
677 **THE FEDERAL RAILROAD ADMINISTRATION,**
678 **THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER,**
679 **AND**
680 **THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
681 **REGARDING**
682 **THE WASHINGTON UNION STATION EXPANSION PROJECT**
683 **WASHINGTON, DC**
684

685 Signatory

687 DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER

688
689
690 By: _____ Date: _____

691 David Maloney
692 State Historic Preservation Officer

693 **PROGRAMMATIC AGREEMENT**
694 **AMONG**
695 **THE FEDERAL RAILROAD ADMINISTRATION,**
696 **THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER,**
697 **AND**
698 **THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
699 **REGARDING**
700 **THE WASHINGTON UNION STATION EXPANSION PROJECT**
701 **WASHINGTON, DC**
702

703
704 Signatory

705 ADVISORY COUNCIL ON HISTORIC PRESERVATION
706
707

708 By: _____ Date: _____

709 Reid J. Nelson
710 Executive Director
711

712 **PROGRAMMATIC AGREEMENT**
713 **AMONG**
714 **THE FEDERAL RAILROAD ADMINISTRATION,**
715 **THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER,**
716 **AND**
717 **THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
718 **REGARDING**
719 **THE WASHINGTON UNION STATION EXPANSION PROJECT**
720 **WASHINGTON, DC**
721

722
723 Invited Signatory

724 NATIONAL CAPITAL PLANNING COMMISSION
725
726

727 By: _____ Date: _____

728 Marcel C. Acosta
729 Executive Director

730 **PROGRAMMATIC AGREEMENT**
731 **AMONG**
732 **THE FEDERAL RAILROAD ADMINISTRATION,**
733 **THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER,**
734 **AND**
735 **THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
736 **REGARDING**
737 **THE WASHINGTON UNION STATION EXPANSION PROJECT**
738 **WASHINGTON, DC**
739

740 Invited Signatory (Project Sponsor)

741 *UNION STATION REDEVELOPMENT CORPORATION*

742
743
744
745 By: _____ Date: _____

746 [*Name,*

747 *Title]*

748 **PROGRAMMATIC AGREEMENT**
749 **AMONG**
750 **THE FEDERAL RAILROAD ADMINISTRATION,**
751 **THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER,**
752 **AND**
753 **THE ADVISORY COUNCIL ON HISTORIC PRESERVATION**
754 **REGARDING**
755 **THE WASHINGTON UNION STATION EXPANSION PROJECT**
756 **WASHINGTON, DC**
757

758
759 Invited Signatory

760 *NATIONAL RAILROAD PASSENGER CORPORATION (Amtrak)*

761
762
763 By: _____ Date: _____

764 [*Name,*

765 *Title]*

DRAFT



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

NOV 23 2015

Mr. David Maloney
State Historic Preservation Officer
Washington, DC Office of Planning
1100 4th Street, SW, Suite 650 East
Washington, DC 20024

Re: Initiation of Section 106 Consultation, Washington Union Station Expansion Project

Dear Mr. Maloney:

By way of this letter, the U.S. Department of Transportation's (DOT) Federal Railroad Administration (FRA) is initiating consultation under Section 106 of the National Historic Preservation Act (NHPA) (36 CFR § 800.3) for the Washington Union Station Expansion Project (Project). The Project is proposed by the Union Station Redevelopment Corporation (USRC) in coordination with the National Railroad Passenger Corporation (Amtrak). Section 106 applies because the Project is anticipated to require federal funding and approvals; USDOT-FRA owns the station building and parking garage, and Amtrak will receive funding from FRA for improvements to Amtrak facilities and infrastructure.

Statement of Undertaking

The Project, which constitutes the Section 106 undertaking, includes expanding and modernizing the multi-modal transportation facilities at Washington Union Station, while preserving the historically significant station building. The Project involves increasing station capacity to accommodate anticipated growth in passenger traffic and railroad operations, and achieving compliance with the 2006 U.S. DOT Americans with Disabilities Act of 1990 (ADA) Standards for Transportation Facilities as well as security and life-safety standards. This will be achieved through reconstructing and expanding the rail terminal (track and platforms); constructing new concourses; improving connectivity among transportation modes; changing and improving access; and improving and expanding infrastructure and other supporting facilities. At this time, FRA does not anticipate that the Project will involve any significant direct/physical changes to the historic station building itself.

Washington Union Station was listed on the DC Inventory of Historic Sites on November 8, 1964 and listed on the National Register of Historic Places (NRHP) on March 24, 1969. The Project area is adjacent to the Capitol Hill Historic District and in proximity to several buildings and structures listed on the DC Inventory of Historic Sites and the NRHP.

Project Background

In 2012, Amtrak prepared a Union Station Master Plan in coordination with USRC and other stakeholders, including regional transportation agencies and a real estate development

company, Akridge, who owns development rights above the rail terminal. Akridge purchased the right to develop above the Amtrak property between Union Station and K Street NE from the U.S. General Services Administration in 2006. In June 2011, the Akridge property was rezoned "USN" by the DC Zoning Commission, which allows for a three million square foot-plus mixed use development, referred to as Burnham Place, to be constructed on a concrete deck over the Amtrak rail terminal. The 2012 Master Plan addressed future rail capacity needs, including additional tracks, a new train shed, and passenger concourses, and it provided a concept envisioning improved rail services at Washington Union Station in coordination with the Burnham Place development.

The Amtrak 2012 Master Plan is the starting point and framework for the 2nd Century Plan for Washington Union Station being planned by USRC and Amtrak, in partnership with Akridge (collectively referred to as the Partners). The Partners' 2nd Century Plan will serve to coordinate multiple near-term and long-term public and private projects at Washington Union Station as those projects are further developed and implemented. USRC in coordination with Amtrak proposes the Washington Union Station Expansion Project to expand and modernize the multimodal transportation facilities at Washington Union Station; this transportation-focused Project is the primary project within the 2nd Century Plan. The Project does not include other projects identified in the 2nd Century Plan, such as the Burnham Place development, which will be subject to separate review and approval processes as applicable for each project.

Section 106 Consultation

As defined in 36 CFR § 800.16(f), Section 106 consultation "means the process of seeking, discussing, and considering the views of other participants, and where feasible, seeking agreement." FRA will manage the consultation process to ensure the meaningful involvement of all consulting parties while working to seek agreement, where feasible, among all the parties about: why properties are historically significant, and to whom; what historic properties may be affected by the undertaking; and how any adverse effects to historic properties might be avoided, minimized, or mitigated.

FRA will prepare an Environmental Impact Statement (EIS) in accordance with the National Environmental Policy Act (NEPA) for the Project. The Notice of Intent to prepare an EIS was issued on November 4, 2015 with a scoping comment period extending through January 4, 2016. The Public Scoping Meeting is scheduled for December 7, 2015. Public outreach will include outreach to an extensive list of agencies, organizations, and individuals to facilitate information exchanges and solicit input during the development and evaluation of alternatives. In accordance with the Section 106 implementing regulations issued by the Advisory Council on Historic Preservation (36 CFR part 800), FRA will coordinate Section 106 compliance with the preparation of the EIS, beginning with the identification of consulting parties through the scoping process, in a manner consistent with the standards set out in 36 CFR 800.8.

FRA will provide a schedule for Section 106 public involvement and consultation, and invite

you to meetings relevant to the Section 106 process for the Project. FRA looks forward to consulting with you on the Washington Union Station Expansion Project. If you have questions about or would like to discuss this undertaking or the Section 106 process, please contact my staff as follows: Ms. Laura Shick, Federal Preservation Officer, (202) 366-0340 or laura.shick@dot.gov; or Ms. Michelle Fishburne, NEPA Project Manager, (202) 493-0398 or michelle.fishburne@dot.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Valenstein". The signature is fluid and cursive, with a long horizontal stroke at the end.

David Valenstein
Division Chief, Environmental & Corridor Planning
Office of Railroad Policy and Development

cc: Laura Shick, FRA
Michelle Fishburne, FRA



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 1, 2016

**Re: Invitation to be a Section 106 Consulting Party for the Washington Union Station
Expansion Project**

Dear Consulting Party Invitee:

The U.S. Department of Transportation's (DOT) Federal Railroad Administration (FRA) is writing to request your participation and consultation in the Washington Union Station Expansion Project (Project). The Project is proposed by the Union Station Redevelopment Corporation (USRC) in coordination with the National Railroad Passenger Corporation (Amtrak). Section 106 of the National Historic Preservation Act (NHPA) applies because the Project is anticipated to require federal funding and approvals; USDOT-FRA owns the station building and parking garage, and Amtrak will receive funding from FRA for improvements to Amtrak facilities and infrastructure.

The Project, which constitutes FRA's Section 106 undertaking, includes expanding and modernizing the multi-modal transportation facilities at Washington Union Station, while preserving the historically significant station building. The Project involves increasing station capacity to accommodate anticipated growth in passenger traffic and railroad operations, and achieving compliance with ADA, security, and life-safety standards. This will be achieved through reconstructing and expanding the rail terminal (track and platforms), constructing new concourses, improving connectivity among transportation modes, changing and improving access; and improving and expanding infrastructure and other supporting facilities.

FRA is aware that there are other planning and development activities occurring in the vicinity of the station that do not require FRA approval or funding. One such project is the mixed use private development known as Burnham Place. Burnham Place is being developed by Akridge, a real estate company, and is subject to its own district and federal approvals. In 2006 Akridge purchased the right to develop above the Amtrak property between Union Station and K Street from the U.S. General Services Administration and has secured zoning approval to construct its proposed project. Because of the proximity of the Burnham Place development to the station expansion project, FRA will consult with Akridge, other property owners, and the public as necessary and appropriate to ensure FRA conducts an accurate and informed review of its Project.

Washington Union Station was listed on the DC Inventory of Historic Sites on November 8, 1964 and listed on the National Register of Historic Places (NRHP) on March 24, 1969. The Project area is adjacent to the Capitol Hill Historic District and in proximity to several buildings and structures listed on the DC Inventory of Historic Sites and the NRHP. At this time, FRA does not anticipate that the Project will involve any significant direct/physical changes to the historic station building itself.

FRA has initiated consultation with the Washington, DC State Historic Preservation Officer (DCSHPO) and is identifying additional consulting parties to participate in the Section 106 process, including identifying historic properties, assessing potential effects to those properties, and identifying possible ways to avoid, minimize, or mitigate adverse effects to historic properties. By way of this letter, FRA is inviting your agency or organization to be a consulting party in the Section 106 process pursuant to 36 CFR 800.3(f). As a consulting party you will be given an opportunity to share your views regarding project alternatives and the potential effects of those alternatives on historic properties; to receive, review, and comment on Section 106-related documents; and to offer and consider possible solutions to resolve any adverse effects together with the FRA, DCSHPO, and other consulting parties.

FRA intends to hold the first consulting parties meeting later this winter or early spring. If your agency or organization accepts this invitation to be a consulting party, we request that one primary representative and one alternate be identified and their contact information be provided to FRA. To accept this invitation, please complete the enclosed form and reply in writing my attention as follows:

Mailing Address: U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development (RPD-13)
1200 New Jersey Avenue, SE
Washington, DC 20590

Or

Email: laura.shick@dot.gov

If you do not respond to this invitation, you may request consulting party status in the future; however, the Project will advance and you may not have an opportunity to comment on previous steps.

FRA appreciates your interest in the Washington Union Station Expansion Project. If you have questions about the Project or would like to discuss the Section 106 process, please contact me at (202) 366-0340 or laura.shick@dot.gov.

Sincerely,



Laura Shick
Federal Preservation Officer
Environmental & Corridor Planning Division
Office of Railroad Policy and Development

cc:

David Valenstein, FRA
Michelle Fishburne, FRA
David Maloney, DCSHPO
Andrew Lewis, DCSHPO
Gretchen Pfahler, Beyer Blinder Belle



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

April 5, 2023

Chuck Hoskin
Principal Chief
Cherokee Nation
P.O. Box 948
Tahlequah, OK 74465

RE: Washington Union Station Expansion Project
National Historic Preservation Act Section 106 Consultation - Washington, District of Columbia

Dear Chief Hoskin:

The Union Station Redevelopment Corporation (USRC) and National Railroad Passenger Corporation (Amtrak) (collectively, Project Proponents) are proposing the Washington Union Station Expansion Project (the Project) to expand and modernize the station's multimodal transportation facilities to meet current and future transportation needs while preserving the iconic historic station building. The Project constitutes an "Undertaking" pursuant to Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108) (NHPA), as amended, and its implementing regulations at 36 Code of Federal Regulations [C.F.R.] part 800 (hereinafter collectively referred to as Section 106). The Federal Railroad Administration (FRA) owns Washington Union Station and is the lead Federal agency responsible for compliance with Section 106. The purpose of this letter is to invite your Tribe to be a Consulting Party and notify you of FRA's determination of adverse effect to historic properties. FRA is also available for Government-to-Government consultation on this Project.

Project Background

The Project is located at the site of the existing Washington Union Station in the center of the District of Columbia. The purpose of the Project to support current and future long-term growth in rail service and operational needs; achieve compliance with the Americans with Disabilities Act and emergency egress requirements; facilitate intermodal travel; provide a positive customer experience; enhance integration with the adjacent neighborhoods, businesses, and planned land uses; sustain the Station's economic viability; and support continued preservation and use of the historic station building. The Project is needed to improve rail capacity, reliability, safety, efficiency, accessibility, and security, for both current and future long-term railroad operations at this historic station.

A full description of the Project; the Area of Potential Effect (APE); and assessment of effect to historic properties is included in Attachment 1. The Project generally consists of: replacing the station's existing non-historic Claytor concourse constructed in the 1980s with a train hall; excavating below the existing tracks and platforms to construct underground parking and pick-up/drop-off areas and concourses; replacing all tracks and platforms; constructing a deck above the tracks and platforms that would support a bus facility and additional pick-up/drop-off areas; construction of ramps to access vehicular areas; and construction of support facilities for the station.

Pursuant to 36 C.F.R. § 800.5(d)(2), on March 9, 2023, FRA determined that the Project would have an adverse effect on historic properties as it would alter characteristics of Washington Union Station,

Washington Union Station Historic Site, and the Railway Express Agency Building that qualify them for inclusion in the National Register of Historic Places (NRHP) in a manner that would diminish their integrity. There is also *potential* to alter characteristics of the City Post Office which qualifies it for the NRHP in a manner that diminishes its integrity. FRA notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect determination on March 9, 2023. ACHP notified FRA of their decision to participate in consultation on March 22, 2023.

Previous Archaeological Assessments

A Phase IA assessment conducted in 2015 for another project (Attachment 2) found the area where ground disturbing activities for the current Project would take place could contain a range of archaeological materials; although these are most likely resources that date to the 19th-century Swampoodle neighborhood (e.g. building foundations, wells, privies, or trash pits) upon which the station was constructed from 1903-1908.

Next Steps

Pursuant to 36 C.F.R. § 800.6, FRA will consult with Consulting Parties to resolve the adverse effects by developing a Programmatic Agreement (PA). A draft PA will be made available for Consulting Party and public review when the Project's Supplemental Draft Environmental Impact Statement (SDEIS) is published in May 2023. During the SDEIS 45-day public review period, FRA will hold virtual and in-person public hearings, and also a virtual Consulting Parties meeting to discuss the draft PA.

Request for Information and Comments

FRA respectfully requests that you: 1) review the attached materials and provide any information you have regarding historic properties of religious or cultural significance to your Tribe that may be present in the APE and/or may be affected by the Project, and 2) notify FRA within 30 calendar days from the date of your receipt of this letter whether you accept or decline this invitation to be a Consulting Party. Please e-mail your response to me at Amanda.Murphy2@dot.gov. If you have questions or wish to discuss the Project, I can be reached at 202-339-7231. Thank you for your cooperation on the Project.

Sincerely,



Amanda Murphy
Acting Federal Preservation Officer
Federal Railroad Administration

cc: Elizabeth Toombs, Cherokee Nation Tribal Historic Preservation Officer

Attachment 1: *Final Supplemental Assessment of Effects Report for the Washington Union Station Expansion Project* (March 2023) available at <https://railroads.dot.gov/elibrary/washington-union-station-expansion-project-supplemental-assessment-effects-historic>

Attachment 2: *Archaeological Assessment for the Washington Union Station*, prepared by Karell Archaeological Services, 2015 available at https://drive.google.com/file/d/1IplPosMOFdUEebpxHGOKDUZoiotHupy8/view?usp=share_link



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

April 5, 2023

Chief Robert Gray
Pamunkey Indian Tribe
1054 Pocahontas Trail
King William, VA 23086

RE: Washington Union Station Expansion Project
National Historic Preservation Act Section 106 Consultation - Washington, District of Columbia

Dear Chief Gray:

The Union Station Redevelopment Corporation (USRC) and National Railroad Passenger Corporation (Amtrak) (collectively, Project Proponents) are proposing the Washington Union Station Expansion Project (the Project) to expand and modernize the station's multimodal transportation facilities to meet current and future transportation needs while preserving the iconic historic station building. The Project constitutes an "Undertaking" pursuant to Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108) (NHPA), as amended, and its implementing regulations at 36 Code of Federal Regulations [C.F.R.] part 800 (hereinafter collectively referred to as Section 106). The Federal Railroad Administration (FRA) owns Washington Union Station and is the lead Federal agency responsible for compliance with Section 106. The purpose of this letter is to invite your Tribe to be a Consulting Party and notify you of FRA's determination of adverse effect to historic properties. FRA is also available for Government-to-Government consultation on this Project.

Project Background

The Project is located at the site of the existing Washington Union Station in the center of the District of Columbia. The purpose of the Project to support current and future long-term growth in rail service and operational needs; achieve compliance with the Americans with Disabilities Act and emergency egress requirements; facilitate intermodal travel; provide a positive customer experience; enhance integration with the adjacent neighborhoods, businesses, and planned land uses; sustain the Station's economic viability; and support continued preservation and use of the historic station building. The Project is needed to improve rail capacity, reliability, safety, efficiency, accessibility, and security, for both current and future long-term railroad operations at this historic station.

A full description of the Project; the Area of Potential Effect (APE); and assessment of effect to historic properties is included in Attachment 1. The Project generally consists of: replacing the station's existing non-historic Claytor concourse constructed in the 1980s with a train hall; excavating below the existing tracks and platforms to construct underground parking and pick-up/drop-off areas and concourses; replacing all tracks and platforms; constructing a deck above the tracks and platforms that would support a bus facility and additional pick-up/drop-off areas; construction of ramps to access vehicular areas; and construction of support facilities for the station.

Pursuant to 36 C.F.R. § 800.5(d)(2), on March 9, 2023, FRA determined that the Project would have an adverse effect on historic properties as it would alter characteristics of Washington Union Station, Washington Union Station Historic Site, and the Railway Express Agency Building that qualify them for

inclusion in the National Register of Historic Places (NRHP) in a manner that would diminish their integrity. There is also *potential* to alter characteristics of the City Post Office which qualifies it for the NRHP in a manner that diminishes its integrity. FRA notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect determination on March 9, 2023. ACHP notified FRA of their decision to participate in consultation on March 22, 2023.

Previous Archaeological Assessments

A Phase IA assessment conducted in 2015 for another project (Attachment 2) found the area where ground disturbing activities for the current Project would take place could contain a range of archaeological materials; although these are most likely resources that date to the 19th-century Swampoodle neighborhood (e.g. building foundations, wells, privies, or trash pits) upon which the station was constructed from 1903-1908. Additionally, per correspondence from September 24, 2021, related to the Subbasement Structural Slab Replacement Project, we understand that your Tribe is unaware of any site of cultural significance at Washington Union Station that may be impacted (Attachment 3).

Next Steps

Pursuant to 36 C.F.R. § 800.6, FRA will consult with Consulting Parties to resolve the adverse effects by developing a Programmatic Agreement (PA). A draft PA will be made available for Consulting Party and public review when the Project's Supplemental Draft Environmental Impact Statement (SDEIS) is published in May 2023. During the SDEIS 45-day public review period, FRA will hold virtual and in-person public hearings, and also a virtual Consulting Parties meeting to discuss the draft PA.

Request for Information and Comments

FRA respectfully requests that you: 1) review the attached materials and provide any information you have regarding historic properties of religious or cultural significance to your Tribe that may be present in the APE and/or may be affected by the Project, and 2) notify FRA within 30 calendar days from the date of your receipt of this letter whether you accept or decline this invitation to be a Consulting Party. Please e-mail your response to me at Amanda.Murphy2@dot.gov. If you have questions or wish to discuss the Project, I can be reached at 202-339-7231. Thank you for your cooperation on the Project.

Sincerely,



Amanda Murphy
Acting Federal Preservation Officer
Federal Railroad Administration

Attachment 1: *Final Supplemental Assessment of Effects Report for the Washington Union Station Expansion Project* (March 2023) available at <https://railroads.dot.gov/e-library/washington-union-station-expansion-project-supplemental-assessment-effects-historic>

Attachment 2: *Archaeological Assessment for the Washington Union Station*, prepared by Karell Archaeological Services, 2015 available at https://drive.google.com/file/d/1IplPosMOFdUEebpxHGOKDUZoiotHupy8/view?usp=share_link

Attachment 3: *Email correspondence from Chief Robert Gray to Katherine Hummelt*, Re: Washington Union Station Subbasement Structural Slab Replacement Project Initiation of Section 106, 9/24/2021



Preserving America's Heritage

September 29, 2017

Ms. Amanda Murphy
Environmental Protection Specialist
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Ref: *Washington Union Station Expansion Project
Area of Potential Effect and Identification of Historic Properties Report and Concept Screening Report
Washington, D.C.*

Dear Ms. Murphy:

The Advisory Council on Historic Preservation (ACHP) has reviewed the draft *Area of Potential Effects and Identification of Historic Properties Report* and the *Concept Screening Report* regarding the referenced undertaking. We are providing the Federal Railroad Administration (FRA) with the ACHP's comments on these two reports, which take into account remarks shared by the D.C. State Historic Preservation Office (DC SHPO) and other consulting parties regarding the Section 106 review for this undertaking.

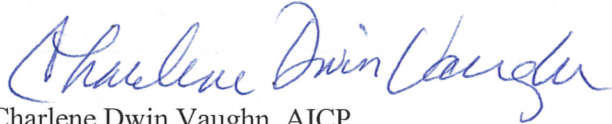
On August 7, 2017, ACHP received the draft *Area of Potential Effects and Identification of Historic Properties Report* and participated in the follow up consultation meeting on September 7th. The ACHP understands FRA expanded the Area of Potential Effect (APE) in response to comments from the consulting parties in order to consider indirect and cumulative effects from the undertaking. FRA indicated that it will finalize the identification of the historic properties based on this revised APE and the comments from the DC SHPO. As such, the ACHP has nothing further to add to FRA's APE determination.

On July 31, 2017, FRA issued the *Concept Screening Report* and also followed up with discussions at the September 7th consultation meeting. ACHP believes that the analysis required in our regulations for evaluating alternatives (36 CFR 800.6(a)) has not been fully met in this report. Therefore, the ACHP recommends that FRA share additional, more in-depth information with consulting parties that explains how FRA evaluated these concepts, and the basis for determining which concepts should be eliminated. The analysis of the advanced concepts should take into account potential effects on historic properties surrounding Union Station. Further, FRA should include consulting parties in the analysis of measures that will avoid, minimize, or mitigate potential adverse effects to historic properties as FRA continues to refine the proposed alternatives.

We commend FRA's commitment to coordinating the Section 106 review with consulting parties. Please consider the ACHP's comments along with those submitted by other consulting parties as FRA continues

with the planning of the Washington Union Station Expansion Project. If you have any questions, please contact Sarah Stokely at (202) 517-0224 or via email at sstokely@achp.gov.

Sincerely,

A handwritten signature in blue ink that reads "Charlene Dwin Vaughn". The signature is written in a cursive style with a large initial "C".

Charlene Dwin Vaughn, AICP
Assistant Director
Office of Federal Agency Programs
Federal Permitting, Licensing and Assistance Section



Preserving America's Heritage

May 22, 2019

Katherine Zeringue
Federal Preservation Officer
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington, DC 20590

Ref: Proposed Washington Union Station Expansion Project
Washington, District of Columbia
ACHP Connect Case #009904

Dear Ms. Zeringue:

On March 29, 2019, the Federal Railroad Association (FRA) provided the Advisory Council on Historic Preservation (ACHP) with its draft Section 106 Assessment of Effects to Historic Properties Report (Effects Report) for the referenced undertaking. The Effects Report is submitted as part of the FRA's compliance with the Section 106 (54 U.S.C. § 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) and its implementing regulations, "Protection of Historic Properties" (36 C.F.R. Part 800). As the ACHP is participating in consultation, we are providing our comments regarding FRA's preliminary assessment of effects. Our comments are also informed by the April 30th, 2019, consultation meeting regarding this Effects Report.

The Effects Report provides a good overview of the consultation conducted thus far, and appropriately describes the historic properties within the Area of Potential Effect (APE). In the Effects Report, FRA analyzed the potential effects to 49 historic properties and 6 culturally significant viewsheds under 5 "Project Action" alternatives (Section 7 Assessment of Effects). However, the ACHP is concerned certain potential effects have not been adequately addressed in this Effects Report. We suggest that additional information and further revisions will be required to address the following:

- *Reasonably foreseeable effects from the proposed private air rights development.* During the recent consultation meeting, FRA stated that it will analyze these effects in the Draft Environmental Impact Statement (DEIS). While these effects should be assessed pursuant to the National Environmental Policy Act (NEPA), they are also reasonably foreseeable effects that should also be considered pursuant to 36 C.F.R. § 800.5(a)(1). Accordingly, in revising the Effects Report, FRA should provide a discussion of these effects, the methodology for assessing them, and a summary of these effects for each alternative. Additionally, during the last Section 106 consultation meeting and discussed in the Effects Report, some of the alternatives include the creation of developable air-rights available on current federal property and if one of these alternatives is selected as the preferred alternative, a property transfer, lease or disposal may occur (Section 1.5 Agency Official for the WUS Expansion Project; page 10). FRA should provide additional information in the Effects Report explaining how these air rights could be developed for certain

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street, Suite 308 • Washington, DC 20001-2637
Phone: 202-517-0200 • Fax: 202-517-6381 • achp@achp.gov • www.achp.gov

alternatives, their relation to the proposed private air rights development, and the potential effects of their development for each alternative. This analysis is needed to ensure FRA is considering all the potential effects related to the air rights development and ways to avoid, minimize or mitigate these potential adverse effects earlier in consultation.

- *The effects of increased traffic to the historic residential neighborhoods.* FRA explained in the last consultation meeting that the DEIS will provide more information related to the traffic studies, and the DEIS will be available for review and comment in the early fall of 2019. However, there is concern that the potential for increased traffic could adversely affect the integrity of historic properties, including the Capitol Hill Historic District. The traffic studies completed to date do not include certain roads, which results in insufficient data to consider the range of effects on historic properties. The ACHP requests that FRA consider expanding the scope of the traffic studies if certain roads were not included, so that consulting parties can better understand the percentage of traffic increase within certain historic properties during and after construction.
- *The undertaking's visual effects, cumulative effects, and effects to the interior of the Washington Union Station (WUS).* The Effects Report would benefit from a more robust discussion of how each alternative would affect the integrity of location, design, setting, materials, workmanship, feeling, and association for the identified adversely effected historic properties (Section 7.2 Summary of Effects). This includes providing additional information and graphics related to potential visual impacts, and additional information related to the potential effects to the interior of the WUS. Additionally, the ACHP requests FRA include a thorough analysis of cumulative effects in the Assessment of Effects Section.
- *Noise and vibration effects.* Because the undertaking could have noise and vibration effects, FRA should consider developing a Monitoring Plan to be included with the proposed Programmatic Agreement (PA). While some of the historic properties within the APE may not be adversely affected by the noise and vibration from construction and operation, it may be appropriate to monitor these properties and have baseline information in order to confirm that they remain unaffected.

Although FRA is proposing a Programmatic Agreement (PA) that will allow for further Section 106 consultation once a preferred alternative is selected and its design is developed and refined, additional analysis of the effects is needed at this point to understand which alternative(s) has the least and the most potential to affect historic properties. A more thorough effects assessment would facilitate the selection of a preferred alternative. Additionally, while FRA has stated that it cannot make a finding of effect for the No Action Alternative, the ACHP recommends FRA make a finding of effect for it (Section 4 Methodology, page 20). The analysis and comparison of all alternatives will allow the federal agency to meet the consultation requirements of the Section 106 regulations and to seek ways to avoid, minimize or mitigate any adverse effects on historic properties (36 C.F.R. § 800.1(a)).

We look forward to receiving a revised Effects Report. Our comments should be considered along with other relevant comments and edits submitted by other consulting parties who are participating in the Section 106 consultation process. If you have questions or concerns, please contact Sarah Stokely at (202) 517-0224, or via e-mail at sstokely@achp.gov.

Sincerely,



Jaime Loichinger
Assistant Director

Federal Permitting, Licensing, and Assistance Section
Office of Federal Agency Programs



Preserving America's Heritage

December 20, 2019

Ms. Katherine Zeringue
Federal Preservation Officer
Federal Railroad Administration
1200 New Jersey Ave SE
Washington DC 20590

Ref: *Washington Union Station Expansion Project*
Washington, D.C.
ACHP Connect Log Number: 009904

Dear Ms. Zeringue:

On November 19, 2019, the Advisory Council on Historic Preservation (ACHP) participated in a consultation meeting for the referenced undertaking. We offer the following comments and recommendations to the Federal Railroad Administration (FRA) to assist in complying with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) and its implementing regulations, "Protection of Historic Properties" (36 C.F.R. Part 800).

The Union Station Redevelopment Corporation (USRC), in coordination with Amtrak, proposes to expand and modernize Washington Union Station, which is owned by FRA. Additionally, FRA will be required to approve the undertaking. The FRA or the U.S. Department of Transportation (USDOT) may provide funds for the undertaking as well. FRA initiated consultation in 2015, and has multiple opportunities for consulting parties to review and comment on FRA's determinations and findings as required by the Section 106 implementing regulations. Recently, however, consulting parties have raised concerns that there has been insufficient information provided prior to the consultation meetings regarding the undertaking and its effects on historic properties, and that there is difficulty in reviewing and commenting on Section 106 related documents within 30 days. The ACHP recommends FRA address these concerns by providing an updated consultation schedule to the consulting parties, ensuring that reasonable accommodations are made to provide advance notice to the consulting parties for scheduled consultation meetings, and sharing updates to the consulting parties when the schedule is delayed or changed. Additionally, FRA should take the necessary steps to provide the relevant meeting materials prior to the meeting so that consulting parties have the opportunity to review them and effectively participate in the consultation meeting.

The ACHP is concerned that FRA considered the November consultation meeting an "informational meeting" and shared a modified alternative that had not previously been reviewed by the consulting parties. By identifying a preferred alternative prior to a consultation meeting, FRA may have given the impression that the federal agency made this selection before meaningfully considering comments from the consulting parties. To address these concerns, the ACHP suggests that FRA conduct a consultation meeting to provide an opportunity for consulting parties to comment on the modified alternative, and to discuss potential modifications to alternative A-C that could avoid and minimize potential effects to historic properties.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637
Phone: 202-517-0200 • Fax: 202-517-6381 • achp@achp.gov • www.achp.gov

FRA presented new graphics and information at this recent meeting on potential federal air rights development. The ACHP understands FRA plans to conduct a separate Section 106 review for the development of these FRA air rights; however, the ACHP is concerned that providing the information at this time gives the impression that the current undertaking includes the development of these air rights. Accordingly, the ACHP requests that FRA clarify how the development of these air rights is not part of this undertaking, and provide information, to the extent it is available, regarding the timeline for initiating the Section 106 process on the development of the federal air rights.

Finally, the ACHP recommends FRA address the comments and requests from the consulting parties articulated during the recent consultation meeting. In particular, the ACHP supports the consulting parties' request for a summary of the consulting parties' comments on the first draft *Section 106 Assessment of Effects to Historic Properties* and FRA's responses to them in the next revised assessment of effects report.

We look forward to continuing consultation on this undertaking. If you have any questions regarding our comments, please contact Sarah Stokely at (202) 517-0224, or via e-mail at sstokely@achp.gov.

Sincerely,



Jaime Loichinger
Assistant Director
Federal Permitting, Licensing, and Assistance Section
Office of Federal Agency Programs



October 6, 2020

Mr. David Valenstein
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington, DC 20590

Ref: *Proposed Washington Union Station Expansion Project*
Washington, District of Columbia
ACHP Project Number: 009904

Dear Mr. Valenstein:

On June 4, 2020, the Federal Railroad Association (FRA) provided the Advisory Council on Historic Preservation (ACHP) with its draft revised Section 106 Assessment of Effects to Historic Properties Report (Effects Report) for the referenced undertaking. The Effects Report is submitted as part of the FRA's compliance with Section 106 (54 U.S.C. § 306108) of the National Historic Preservation Act (NHPA) (54 U.S.C. § 300101 et seq.) and its implementing regulations, "Protection of Historic Properties" (36 C.F.R. Part 800). As the ACHP is participating in consultation, we are providing our comments regarding FRA's revised assessment of effects. Our comments are also informed by the June 18, September 2, and September 21, 2020, consultation meetings.

The Effects Report responds to the consulting parties' comments and requests for additional information and detail regarding the undertaking's effects, particularly regarding traffic. The ACHP appreciates the time and effort undertaken by FRA to conduct additional consultation meetings and address questions regarding the undertaking's potential traffic effects, FRA's preferred alternative, and the Effects Report.

The ACHP offers the following comments on the Effects Report. We ask FRA to take these comments into account prior to proceeding with the drafting of the programmatic agreement (PA) for this undertaking:

- *Modifications to the Preferred Alternative.* The District of Columbia State Historic Preservation Officer (DC SHPO) and several consulting parties have requested that FRA modify the preferred alternative to avoid adversely affecting historic properties, including the Washington Union Station, the Washington Union Station Historic Site, and the Capitol Hill Historic District prior to drafting the PA. The ACHP supports all the comments in the DC SHPO letter sent on September 28, 2020. The ACHP recommends FRA address these concerns from the DC SHPO and the consulting parties, and modify the preferred alternative A-C to the extent possible prior to drafting the PA. It appears this point in the Section 106 review process is the best opportunity to make these modifications.

- Cumulative Effects.* In the revised Effects Report, FRA restricts its analysis to the cumulative effects from the proposed undertaking itself, and does not include consideration of any other past, present, and future planned actions that would be completed by other agencies and individuals (Section 5.2; pages 49 – 71). This limited analysis is inconsistent with our regulations. As provided in 36 C.F.R. § 800.5(a)(1), adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance, or be cumulative. When the Section 106 regulations were revised in 1999 to include this language, the ACHP looked to the consideration of direct and indirect effects, including consideration of cumulative effects, as was similarly done at that time in the implementation of the National Environmental Policy Act (NEPA) (64 FR 27044, 27064 (May 18, 1999); see also 65 FR 77698, 77719-20 (Dec. 12, 2000)). Prior to the recent comprehensive revision, the NEPA regulations defined cumulative impact as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.” (15 C.F.R. § 1508.7) Therefore, the ACHP interprets this language in the Section 106 regulations to mean that a federal agency must consider the cumulative effects of the proposed undertaking when added to the context of other occurring and proposed actions in the area of potential effects, regardless of the actor.

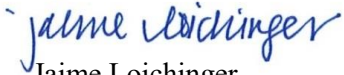
The projects listed under the No-Action alternative are the type of projects that should be considered in the cumulative effects analysis for the Section 106 review of this undertaking (Section 5.1; page 50). While the effects considered in the Effects Report currently primarily focus on the rail right-of-way and its vicinity, FRA’s consideration of cumulative effects should not be limited to just the undertaking itself and its related parts. A revised analysis that appropriately takes into account the potential cumulative effects of this undertaking with other occurring and proposed actions within the area of potential effects would assist FRA and consulting parties to understand whether the preferred alternative may be modified to minimize the undertaking’s effects on historic properties, or to assist in identifying potential mitigation measures that could offset the undertaking’s adverse effects to historic properties.

- Reasonably foreseeable effects and the proposed private air-rights development.* The ACHP requested in our letter sent on May 21, 2019, that FRA assess the reasonably foreseeable effects of the undertaking as they relate to the proposed private air-rights development. However, FRA has stated in the Effects Report that “the Section 106 process for the Project **does not** assess effects to historic properties from all projects included in the No-Action Alternative, including the development of the private air-rights” (Section 2.1; page 19). While we recognize that FRA may have no jurisdiction or approval authority over the development of the private air-rights, we do believe the proposed undertaking may have reasonably foreseeable effects related to those air-rights, such as increased development within the air-rights, that is dependent on and coordinated with the work to be done for the undertaking. We understand that private development is currently being proposed immediately adjacent to and in certain places directly above the undertaking. Such proposals do not appear in this situation to be either speculative or remote. Consulting parties have raised concerns about the cumulative visual effects that may occur as a result of the undertaking and the private development. We request FRA further consider these potential effects and consult with consulting parties to address these concerns.

We note that similar recommendations were made after reviewing the first draft of the Effects Report in May 2019. Given that these recommendations appear to have not been incorporated into the revised Effects Report, it would be helpful for FRA to articulate the rationale it used in revising the Report. The ACHP is available to participate in a teleconference at FRA’s convenience to discuss the matter further.

We appreciate the opportunity to provide our comments, and look forward to continued consultation. Should you have questions or concerns, please contact Ms. Sarah Stokely at (202) 517-0224, or via e-mail at sstokely@achp.gov.

Sincerely,



Jaime Loichinger
Assistant Director
Federal Permitting, Licensing, and Assistance Section
Office of Federal Agency Programs

Hon. Sara C. Bronin
Chair

Jordan E. Tannenbaum
Vice Chairman

Reid J. Nelson
Executive Director



March 22, 2023

The Honorable Amit Bose
Administrator
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Ref: *Washington Union Station Expansion Project*
Washington, DC
ACHP Project Number: 009904

Dear Mr. Bose:

In response to the recent notification by the Federal Railroad Administration, the Advisory Council on Historic Preservation (ACHP) will participate in consultation to develop a Section 106 agreement document for the referenced undertaking. Our decision to participate in this consultation is based on the *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, contained within the regulations, "Protection of Historic Properties" (36 CFR Part 800), implementing Section 106 of the National Historic Preservation Act. The criteria are met for this proposed undertaking because of the potential for procedural problems and substantial impacts to important historic properties.

Section 800.6(a)(1)(iii) of these regulations requires that we notify you as the head of the agency of our decision to participate in consultation. By copy of this letter, we are also notifying Ms. Amanda Murphy, Acting Federal Preservation Officer, of this decision.

Our participation in this consultation will be handled by Ms. Rachael Mangum, who can be reached at (202) 517-0214 or via email at rmangum@achp.gov. We look forward to working with your agency and other consulting parties to seek ways to avoid, minimize, or mitigate the undertaking's potential adverse effects on historic properties.

Sincerely,

Reid J. Nelson
Executive Director



IN REPLY REFER TO:
NCPC FILE No. 7746

May 9, 2019

Ms. Katherine Zeringue
Federal Preservation Officer
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Washington Union Station Expansion Project Comments on Draft Assessment of Effects Report, Section 106 Consultation

Dear Ms. Zeringue:

Thank you for the opportunity to provide scoping comments on the draft Assessment of Effects Report (dated March 2019) for the proposed Washington Union Station Expansion Project. The Project includes reconstructing and relocating tracks, developing new concourse facilities, maintaining multimodal transportation services, and improving and expanding infrastructure and other facilities. The National Capital Planning Commission (NCPC) authority includes approval of site development and building plans on federal lands (40 U.S.C. Section 8722(b)(1) and (d)), and approvals of certain sales or transfers of jurisdiction within the District of Columbia. NCPC also reviews certain zoning districts and developments, including the Union Station North (USN) Zone and the future Burnham Place project. NCPC will rely on the Environmental Impacts Statement (EIS) prepared by the Federal Railroad Administration (FRA) to fulfill its responsibility under the National Environmental Policy Act (NEPA) for any necessary approvals. NCPC also has an independent obligation to comply with Section 106 of the National Historic Preservation Act (NHPA), and therefore requests to be a signatory on the Programmatic Agreement (PA) prepared during the consultation process.

NCPC staff supports efforts to enhance multimodal transportation service and access for the nation's Capital. The *Comprehensive Plan for the National Capital* states the importance of developing and maintaining a multi-modal regional transportation system that meets the travel needs of residents, workers, and visitors. At the same time, the important historic and cultural resources of the capital should be protected and enhanced.

As such, NCPC staff remain particularly interested in the potential effects of the proposed undertaking on the Union Station building, the Union Station Historic Site, and how additional development may alter the perception of the building and the critical viewsheds of the Plan for the City of Washington. We appreciate the general thoroughness of the draft assessment and the

Ms. Katherine Zeringue
Page two

significant number of historic properties that were evaluated. Staff also concurs that the alternatives, as currently described, are likely to result in adverse effects on those properties specified in the report. However, the assessment should also include additional narrative and analysis that compare the various alternatives, particularly regarding visual effects. This analysis will provide a basis by which the consulting parties can discuss ways to further avoid, minimize or mitigate impacts for each alternative, and may help inform selection of the preferred alternative. We also request the report include a more robust description and analysis of cumulative effects.

Regarding the process moving forward, we request that the Commission have an opportunity to formally provide comments and recommendations on the alternatives prior to selection of the preferred alternative. Please coordinate with NCPC staff to discuss submission for a concept review that will allow this to occur. We appreciate the continued coordination on this important and complex project, and we look forward to continued consultation. If you have any questions regarding our comments, please contact Matthew Flis at 202.482.7236 or matthew.flis@npsc.gov or Lee Webb at 202.482.7240 or lee.webb@npsc.gov.

Sincerely,



Diane Sullivan, Director
Urban Design and Plan Review Division

cc: Andrew Lewis, District of Columbia State Historic Preservation Office
Jamie Loichinger, Advisory Council on Historic Preservation
Frederick Lindstrom, US Commission of Fine Arts



IN REPLY REFER TO:
NCPC FILE No. 7746

September 28, 2020

Mr. David Valenstein
Senior Advisor
Federal Railroad Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Comment of Draft Environmental Impact Statement –
Washington Union Station Expansion Project

Dear Mr. Valenstein:

Thank you for the opportunity to provide comments on the Draft Environmental Impact Statement (DEIS) for the Washington Union Station Expansion Project (Project). The Union Station Redevelopment Corporation (USRC), in coordination with the National Railroad Passenger Corporation (Amtrak), has proposed expanding and modernizing the multimodal transportation facilities at Washington Union Station, while preserving the historically significant station building. The Project includes reconstructing and relocating tracks, developing new concourse facilities, maintaining multimodal transportation services, and improving and expanding infrastructure and other facilities.

National Capital Planning Commission (NCPC) staff appreciates the on-going coordination with the Federal Railroad Administration (FRA) regarding the Project, and we look forward to continued collaboration through the remainder of the National Environmental Policy Act (NEPA) process, Section 106 of the National Historic Preservation Act (NHPA) process, and ultimately the Commission's review and approval of the project. NCPC is a cooperating agency as part of the project to satisfy the Commission's own NEPA compliance requirements because of its approval over projects on federal land. The historic station, existing parking structure, and bus facilities are located on federal (FRA) land.

The primary goal of the project is to support current and future growth in rail service and to support multimodal connectivity for Washington, DC and the National Capital Region well into the 21st Century. Union Station is an important historic resource and is a gateway into the National Capital, and therefore the function, design and experience of the facility impacts the first impression for visitors. At the same time, the station is a critical transportation hub for residents and workers.

Policy language in the 2019 federal Transportation Element of the *Comprehensive Plan for the National Capital* expresses support for the expansion of high speed and high capacity passenger rail to improve inter-city connectivity across the eastern United States, with Washington Union Station as a regional hub. The Commission has expressed support for the overall project purpose, including accommodating future growth in rail service; improving accessibility and egress; enhancing the user experience; enhancing integration with surrounding uses; sustaining the station's economic viability; and preserving the historic train station.

As noted in the Memorandum of Understanding executed in 2016, NCPC is the central planning agency for the federal government in the National Capital Region. Pursuant to 40 U.S.C. § 8722(d), NCPC also has zoning authority for projects on federal land in the District of Columbia. As such, NCPC's review of this project will be comprehensive and will continue through 50-70 percent design development. At the concept review held in January 2020, the Commission raised several planning issues including the amount of parking, vehicle access and circulation, general massing and placement of uses. Following the DEIS, and prior to releasing the Final EIS (FEIS), FRA should address these issues in a revised concept design to the Commission. It is critical this occur before the FEIS is issued so that FRA and NCPC can align on a single preferred alternative.

This letter identifies the five areas of comment which should be addressed prior to the next iteration of the EIS. These include: 1) coordination of other regional rail projects; 2) urban design and the user experience; 3) historic preservation and viewsheds; 4) transportation and circulation; and 5) the parking program. We also provide an overview of the NCPC review process moving forward. NCPC previously provided a comment letter regarding the proposed parking program, dated July 21, 2020. We supplement those prior comments here, as they are covered extensively in our previous correspondence. However, a copy of that letter is attached so that it may be included in the record.

Regional Rail Plan Coordination

According to the DEIS, existing rail capacity is insufficient to meet long-term passenger service needs. We understand that the NEC FUTURE study provides a basis for the analysis and findings for the expected growth in service. It is unclear, however, how the Long Bridge Project and the Washington DC to Richmond Southeast High Speed Rail (DC2RVa) projects have been accounted for in the proposed train volumes and infrastructure needs. While the DEIS does reference these studies, it suggests they may have different approaches and therefore some discrepancies may exist between the analyses. In particular, it is unclear if all three projects have been coordinated to address the expected rail volumes and the potential for through-running service by MARC or VRE. The recent agreement between the Commonwealth of Virginia and CSX for rail lines between Washington, DC and Richmond also does not appear to be included in the analysis. It will be helpful to understand how this new agreement will change rail service to/from Union Station, particularly from the south.

We recommend clarifying how the WUS analysis incorporates the findings and analysis of the related studies (NEC FUTURE, Long Bridge and DC2RV). Further, it may be necessary to consider and incorporate any changes resulting from the new Virginia/CSX agreement that may impact projected levels of rail service from the south. NCPC staff seeks to ensure that the proposed improvements at Union Station have best accommodated the expected growth in service projected by each of these studies.

Urban Design and User Experience

At the EIS level of design development, it can be difficult to fully ascertain the impacts of proposed development on the urban environment. In this instance, the proposed project, along with the adjacent Burnham Place development, will alter this portion of central Washington, DC by introducing new, higher-density development. If designed appropriately, the expansion project will create opportunities for better access, improved multimodal functionality, and a more lively public realm.

The Commission has underscored the need for an overarching vision and high-quality urban design. At this time, the DEIS does not speak to these aspects of the project clearly. Overall, the project should maximize accessibility for station users, including the surrounding neighborhoods. Circulation should prioritize pedestrian and bicycle movement, effective passenger pick-up and drop-off, and avoid or minimize conflicts with vehicles. The height and bulk of the new development should respect the historic station building. Active ground floor uses, civic spaces and other placemaking opportunities, should be integrated into the project plans. In January 2020, the Commission requested that, as part of the next review, the applicant further develop plans and renderings that show how active uses, amenities and architectural features can enhance the public realm and create a design that is compatible with adjacent development. These components should be clearly and specifically described in the revised concept submission to the Commission.

The Urban Design Element of the *Comprehensive Plan for the National Capital* states that activated uses, such as retail or other commercial enterprises, be provided at the ground level to help enhance the pedestrian experience. Active uses, such as retail, be incorporated to support pedestrian activity, particularly along streets, pedestrian routes and facing other active uses. The existing bus and garage facility, an exposed structure, is not particularly attractive or conducive to a quality urban experience and should not be replicated. Similarly, the location and treatment of the proposed parking program is an issue that has been raised by many stakeholders and consulting parties in the Section 106 process. Locating a more limited parking program below grade could address many of the urban design challenges faced by accommodating a large parking structure above-grade. However, it will be helpful to understand the implications of access, circulation and constructability for such an approach.

The DEIS does not appear provide sufficient detail to assess the user experience, which is described as a part of the project purpose, however each of the action alternatives appear to have challenges. The urban experience can be evaluated through a number of measures, including pedestrian and bicycle accessibility, distance to or proximity of amenities, and the overall comfort of the user, including access to daylighting, shade, wayfinding and public spaces. As such, it may be necessary to include in the EIS a framework for how these issues will be measured or accommodated as the project is further designed.

Historic Preservation and Viewshed Impacts

Staff appreciates the detailed assessment of effects prepared pursuant to Section 106 of the NHPA. In particular, the renderings and massing diagrams are helpful in understanding the proposed impacts of the project on views and the setting. The Commission has expressed support for the east-west train hall to create a wider setback between the historic train station and new development to the north, as a way to help mitigate the visual impacts of the new development. While the setback is beneficial, we concur that the project will still have an adverse visual effect on the historic Union Station due to the bulk and height of the development that will occur to the north. The views from the south, including First Street and C Street NE will be impacted by the preferred alternative.

Likewise, we find there will be adverse visual effects on the Union Station Historic Site due to the bulk and height of the proposed project as viewed from the south. We also find that the proposed development will also adversely effect views from the north, including H Street and New York Avenue, which alter the setting of the station and railyard, as well as its relationship to the surrounding context. The alternatives should be evaluated for changes to help further avoid adverse effects prior to the consideration of minimization or mitigation measures. We agree that design guidelines and a design review process could be considered to help ensure the expansion project meets the high level of design quality reflected in the historic station. Given NCPC's in-lieu zoning authority, the Commission may consider these and other factors when reviewing and approving the ultimate design for the project, including the height and bulk of new development.

Transportation and Circulation

The Commission has found the primary goal of the project is to support current and future growth in rail service and multimodal connectivity for Washington, DC and the National Capital Region well into the 21st Century. It is an important federal interest to support multimodal connections and transportation alternatives in the regional system. The Commission has expressed support for many of the proposed transportation improvements, including reconfiguration of the station platforms, the new concourse level with pedestrian entrances at 1st Street and 2nd Street to

improve access from the surrounding neighborhoods, and the creation of new pedestrian entrances at the level of the H Street bridge and new train hall to improve access to the station. The Commission has also found that the rail station, bus facility and Metrorail Station should be located in close proximity to each other to facilitate intermodal connections for travelers. Several stakeholders have questioned the size of the bus program, and we recommend FRA further evaluate those comments to confirm the facility size necessary to accommodate long-term bus growth at the station.

Ultimately, the project must reduce single-occupancy vehicle use as much as possible, while maximizing pedestrian and bicycle access, as well as promoting other transit access to the station, including bus and rail. Related to this, the project must minimize impacts on the local street network as much as possible, or otherwise mitigate those impacts if necessary. It is clear from the DEIS that there will be impacts to the transportation network as a result of the expected user growth at the station. We concur that a robust transportation management plan (TMP) must be developed with a variety of transportation demand management (TDM) strategies to help achieve the plan goals. FRA should provide detailed TDM measures and commit to them as part of the EIS.

NCPC staff agrees that pick-up and drop-off (PUDO) is an important issue that must be addressed. We request continued coordination with the District Department of Transportation (DDOT) and District Office of Planning (DCOP) regarding the feasibility of a purpose-built PUDO facility to assist in the further distribution of vehicular trips around the station. Additional discussions with the private developer of Burnham Place will also be necessary. Finally, we reiterate the Commission's previous request that FRA coordinate with DDOT to evaluate the proposed circulation system and any impacts to the transportation network, including Columbus Circle, the H Street Bridge, and adjacent streets.

Parking Program

Pursuant to the Commission's comments to substantially reduce the number of proposed parking spaces at the concept review in January 2020, we recommend the EIS include an alternative that responds to this request. The District has provided documentation in support of significantly less parking and Amtrak has indicated that they do not require parking for their riders. Therefore, the burden is on FRA and the Union Station Redevelopment Corporation (USRC) to justify the higher parking numbers proposed for the EIS analysis.

Regarding the DEIS analysis, questions remain as to the sources of the baseline parking information as well as the assumptions about future need. The existing conditions analysis (from 2015) data is not clear, and it does not appear that detailed data on user trends for the parking garage are available. As this is the case, it raises questions regarding the baseline parking and how parking use may have changed over the past five years.

NCPC previously provided a comment letter regarding the proposed parking program, dated July 21, 2020. We will not repeat those comments here, but they are attached so that they may be made part of the record. We reiterate again it will be necessary to revise or update one or more alternatives to include a parking program that responds to the Commission's request that substantially reduces parking.

NCPC Review Process

Following the DEIS, and prior to releasing the Final EIS, FRA should submit the project as a revised concept design to the Commission. This submission must address the planning issues raised by the Commission during the initial concept review in January 2020. The major issues that must be resolved through the next review include the amount of parking, vehicle access and circulation, general massing and placement of uses. It is critical this occur before the FEIS is issued so that FRA and NCPC can align on a single preferred alternative. If the Commission determines that a new or revised alternative is necessary, then additional NEPA analysis may be required.

NCPC will conduct preliminary review of the project when design for the entire project is at 30-50 percent development. Final review will occur when all of the design decisions have been made (including building and landscape materials) and prior to advertisement and award of construction contracts (e.g. 50-70 percent design development). The Commission will finalize its Record of Decision at the time of final approval. Please refer to NCPC's *Submission Guidelines* for more information.

We recognize that the expansion project and private air rights development will be implemented independently. While NCPC will not take action on adjacent private development as part of FRA's submission, it will review the zoning case in the future. In fact, the Commission is the only entity that will review both projects. For both projects, it is the Commission's role to consider general neighborhood interests as well as cumulative impacts. While the expansion project is independent of adjacent private development, all projects can significantly benefit from coordination. The Commission has clearly articulated their interest in the relationship of circulation, parking and urban design. As part of future submissions to the Commission, it is critical to show how the expansion project will relate to the context, including Burnham Place and any other future projects, to maximize the potential for beneficial synergies.

Next Steps

The expansion project is a critical multimodal infrastructure investment in the nation's capital. NCPC will continue to work with FRA on the EIS and review process. We will also utilize the expertise of DCOP and DDOT, per the direction of the Commission, in evaluating the project and making further recommendations. As the process advances, we request FRA provide an updated schedule and a request FRA outline next steps and how it anticipates responding to all comments.

Again, we appreciate the coordination of FRA on this important and complex project. If you have any questions or would like to further discuss the review process or the Commission's actions thus far, please do not hesitate to contact me or Matthew Flis at matthew.flis@ncpc.gov or (202) 482-7236.

Diane Sullivan 09/25/20

Sincerely,

Diane Sullivan
Director, Urban Design and Plan Review Division

cc: Andrew Trueblood Director, DCOP
David Maloney, State Historic Preservation Officer, DCOP
Jeff Marootian, Director, DDOT
Frederick Lindstrom, Assistant Secretary, US Commission of Fine Arts

Attachments: July 21, 2020 Letter – Parking Program



IN REPLY REFER TO:
NCPC FILE No. 7746

July 21, 2020

Mr. David Valenstein
Senior Advisor
Federal Railroad Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Comments on Washington Union Station Expansion Project Draft Environmental Impact Statement – Parking Program

Dear Mr. Valenstein:

In January 2020, NCPC reviewed the concept plans for the Washington Union Station Expansion Project. The Commission provided a series of comments and recommendations to help facilitate the project development. In particular, they requested that FRA substantially reduce the number of parking spaces. The Commission also asked that the applicant, private development owner, and staff work with the District of Columbia Office of Planning (DCOP) and District Department of Transportation (DDOT) to evaluate and confirm the appropriate amount of parking given the mix of uses, traffic and urban design impacts, and transit-oriented nature of the project, prior to the next stage of review. The result of this request was the creation of the parking working group which met through the spring of 2020 to discuss the proposed parking program.

At the July 9, 2020 Commission meeting, NCPC staff presented an initial analysis of the parking program included in the Draft Environmental Impact Statement (DEIS) for the project. Staff advised that FRA had not altered the proposed parking levels in the DEIS since the concept review in January. Commission members were unanimous in expressing significant concern that FRA had not undertaken a good-faith effort to reduce the parking program per the Commission's previous request, and further, expressed frustration that their initial comments did not appear to have been heard by FRA. The Commission was clear that the next project submission should include a substantial parking reduction and that it is incumbent upon FRA to accommodate that reduction in the EIS documentation.

Commission members noted the unusual consensus from a number of stakeholders about reducing the parking program, including the Advisory Neighborhood Commission, (ANC), Congresswoman Eleanor Holmes Norton, the District agencies, and several District Councilmembers. They noted that such unanimity is unusual in such a large and complex project.

The Commission underscored the importance of accommodating the projected increase in ridership while recognizing the project's implications for infrastructure, urban design, and land use will likely impact federal, District and neighborhood interests. The Commissioners also expressed the need for an overarching vision that will help frame these issues and provide a guide to the decision-making necessary for such a complex and interwoven undertaking. While the Commission's comments largely focused on parking, staff will provide additional comments on circulation, urban design and other aspects of the alternatives during the public comment period.

Proposed Parking

Staff noted the parking report developed by the District Office of Planning and the District Department of Transportation recommended substantially less parking (300 spaces) than proposed by FRA (1,600 spaces). Commissioner Trueblood, in prepared remarks (attached), stated that there are federal, District, and neighborhood concerns. And further, the project does not meet good land use or urban design standards. He maintained that the context has changed substantially since the station was last redeveloped, and the assumptions about how the facility will operate into the future are outdated. He concluded requesting the Commission ensure that FRA will advance a project that is not only respectful of the historic laws and context, but also embodies the highest quality urban design and transportation infrastructure for this highly transit accessible area of the District.

The Commission requested additional clarity about the process moving forward, and particularly how a substantial reduction in the parking program would be reconciled with the NEPA process and NCPC's review responsibilities. They reiterated that NCPC has approval authority regarding the project, and the Commission could make a separate determination regarding the appropriate parking levels. They strongly recommended FRA work collaboratively now to avoid delays, cost increases, and changes to the project later in the process.

The Commission reiterated that the burden of proof remained with FRA and USRC to justify the necessary parking, and thus far had not done so. Below are a series of comments and requests to assist in better understanding both the existing parking needs and the future trends that may inform the proposed parking program:

- The number of train users parking at the garage appears to be declining, according to more recent Amtrak ridership information. Further, Amtrak has indicated they do not require passenger parking for their operations at Union Station (see attached Amtrak Memorandum). The District of Columbia has reiterated that they do not believe long-term parking for train and bus users is necessary at the station given its multimodal function. Given this, FRA should provide additional documentation or support to justify the inclusion of long-term parking at the station.
- An increase in monthly parkers and decrease in train riders parking at the station suggest the purpose of the garage may be shifting from traveler-oriented to one more serving neighboring commercial uses. FRA should evaluate whether these trends are in fact

changing the occupancy and nature of the garage, and if so, whether the need for substantial long-term parking for Union Station users remains justified.

- The District of Columbia agencies recommend no parking for retail uses and some limited parking for office uses. They note that retail may be supported by increased station visitation through 2040. Therefore, FRA and USRC should evaluate whether parking is necessary for retail uses at the station given the station's anticipated growth in visitation and high level of multimodal accessibility.
- While parking demand for train riders appears to be declining, the overall parking occupancy levels appear constant. This suggests other users are taking advantage of the available parking supply. FRA and USRC should evaluate if this is the case. Further, NCPD is interested in understanding whether parking related to non-station office use is increasing and whether the provision of such parking is consistent with the project's purpose and need. The Commission's perspective on such parking may be a consideration for the next concept review.
- Based on FRA information, existing rental operations support both station and local neighborhood users. At the same time, some amount of parking within the garage also appears to be dedicated to other car-sharing services for whom the primary user is not clear. DCOP and DDOT found that there was not sufficient data to support a rental car facility within that station at this time. As such, FRA and USRC should provide additional information to explain how these services support multimodal functionality at the station.
- Commissioners questioned how the project will advance given the still-outstanding questions about the parking program. In particular, FRA should describe how it envisions the NEPA process unfolding if changes are mandated to the EIS based on Commission and other public comments. It was also recommended that the EIS be robust enough to accommodate any potential changes to the parking program to not require backtracking. We recommend that FRA include an alternative reflecting the District's recommended parking level to capture the potential minimum program. This is in FRA's best interest since it would ultimately save time and effort down the road should the selected parking count fall between this number and the one initially proposed by FRA.

Project Vision

Commissioners underscored the need for an overarching vision and high-quality urban design. At this time, the DEIS does not speak to these aspects of the project clearly. Over the next few months, staff will review the DEIS and provide additional comments regarding access, circulation and urban design. Overall, the project should maximize accessibility for station users, including the surrounding neighborhoods. Circulation should prioritize pedestrian and bicycle movement, effective passenger pick-up and drop-off, and avoid or minimize conflicts with vehicles. In terms of urban design, the overall height and bulk of the new development should respect the historic station building. Active ground floor uses, civic spaces and other placemaking opportunities,

should be integrated into the project plans. These components should be clearly described in the revised concept submission to the Commission.

NCPC advises continued dialogue with Akridge, the private developer of Burnham Place. We recognize the two projects are independent and will be implemented separately, but given the scale and adjacencies of each development, great opportunities exist to align the transit-oriented visions for each in a manner that is mutually beneficial. Together, the Washington Union Station Expansion Project and Burnham Place will be one of the most complex and consequential interventions proposed within the District of Columbia. Continued conversations and coordination among both owners is critical to getting each accomplished.

NCPC will continue to work with FRA on the EIS process and will continue to provide comments and planning expertise as this is a critical multimodal infrastructure investment in the nation's capital. We will also rely on the expertise of the District Office of Planning and District Department of Transportation, per the direction of the Commission at the January 2020 meeting, in evaluating the project and making further recommendations to the Commission. Again, we appreciate the coordination of FRA on this important and complex project. If you have any questions or would like to further discuss the review process or the Commission's actions thus far, please do not hesitate to contact me or Matthew Flis at matthew.flis@ncpc.gov or (202) 482-7236.

Sincerely,



Marcel Acosta
Executive Director

Cc: Andrew Trueblood, Director, DC Office of Planning
Jeff Marootian, Director, DC Office of Transportation
Beverly Swaim-Staley, President and CEO, Union Station Redevelopment Corporation
Frederick Lindstrom, Assistant Secretary, US Commission of Fine Arts

Attachments: January 2020 - Commission Action
July 2020 - Testimony of Commissioner Trueblood
January 2020 - Amtrak Memorandum



Commission Action

January 9, 2020

PROJECT Washington Union Station Expansion Project Union Station 50 Massachusetts Avenue, NE Washington, DC	NCPC FILE NUMBER 7746
SUBMITTED BY United States Department of Transportation Federal Railroad Administration	NCPC MAP FILE NUMBER 1.11(38.00)45049
REVIEW AUTHORITY Federal Projects in the District per 40 U.S.C. § 8722(b)(1) and (d)	APPLICANT'S REQUEST Approval of comments on concept plans
	ACTION TAKEN Approved comments on concept plans

The Commission:

Finds the primary goal of the project is to support current and future growth in rail service and multimodal connectivity for Washington, DC and the National Capital Region well into the 21st Century.

Finds it is the federal interest to support multimodal connections and transportation alternatives in the regional system.

Supports the overall project purpose, including accommodating future growth in rail service; improving accessibility and egress; enhancing the user experience; enhancing integration with surrounding uses; sustaining the station's economic viability; and preserving the historic train station.

Finds that Union Station is an important historic resource and is a gateway into the National Capital, and therefore the function, design and experience of the facility impacts the first impression of visitors. At the same time, the station is a critical transportation hub for residents and workers.

Notes Union Station Redevelopment Corporation (USRC) oversees the station operations and maintenance, and USRC funding supports preservation of the station, maintains the station as a multimodal transportation center, and enhances the retail and amenities within the station.

Notes the major project components include reconfiguration of the station tracks, a new train hall, bus facilities, and replacement parking facilities.

Finds the realignment and placement of the station tracks form the foundation of the design and configuration of other project elements. Changes in grade, limited points of access, constrained

site boundaries, and varying jurisdictions also create constraints that influence the placement of the proposed facilities.

Notes the applicant has developed six alternatives (A, B, C-East and West, D, E, and “A-C”) that share the same project components, but differ primarily in the placement of the train hall, parking and bus facilities.

Notes the applicant has indicated that Alternative “A-C” is their preferred alternative because it minimizes the duration, depth, complexity, and cost of construction as there would be no extensive construction below the concourses; keeps intermodal uses close to each other and close to the main station like today; and minimizes operational traffic impacts on the H Street Bridge and public street network by optimizing deck-level vehicular circulation and re-using the existing east and west ramps.

Regarding the transportation facilities:

Supports the reconfiguration of the train platforms to create greater efficiency, improve accessibility, and enhance the user experience.

Finds the addition of a new concourse level with pedestrian entrances at 1st Street and 2nd Street will greatly improve pedestrian access from the adjacent neighborhoods.

Supports the addition of a new east-west train hall that helps create a large, gracious entry to the track platforms, creates a setback from the historic train station and brings natural light into the facility.

Finds that the rail station, bus facility and Metrorail Station should be located in close proximity to each other to facilitate intermodal connections for travelers.

Supports the creation of new pedestrian entrances at the level of the H Street bridge and new train hall to improve accessibility to the station, and to relieve demand for drop-offs at the front of the station.

Notes the traffic impacts of the proposed alternatives were not part of the concept submission, but will be included as part of the impacts analysis within the Draft Environmental Impact Statement.

Requests the applicant coordinate with the District Department of Transportation to evaluate the proposed circulation system and any impacts to the transportation network, including Columbus Circle, the H Street Bridge, and adjacent streets.

Regarding the parking facilities:

Notes the site currently has about 2,200 striped parking spaces with an average utilization rate over 80 percent. Rental car areas and the mezzanine accommodate about 250 additional vehicles.

Presently, a majority of the spaces (1390) appear to be used by monthly pass holders whereas the use of the garage for daily retail or rail users appears substantially less.

Notes the preferred alternative reduces the proposed number of spaces by approximately one-third to 1,575 spaces, with approximately 600 spaces for retail, 900 flexible spaces for general use, and 75 spaces for rental cars.

Notes the federal Transportation Element provides specific guidance for federal employee parking, but in this case, much of the parking is for non-federal commercial use and other station users.

Notes the proposed 2019 federal Transportation Element of the Comprehensive Plan states agencies should consult the parking policies of local jurisdictions to determine appropriate parking standards for non-workplace federal uses, including residential, commercial, and institutional uses.

Requests the applicant substantially reduce the number of parking spaces, and that the applicant, private development partner, and staff work with the District Office of Planning and the District Department of Transportation to evaluate and confirm the appropriate amount of parking given the mix of uses, traffic and urban design impacts, and transit-oriented nature of the project prior to the next stage of review.

Notes the applicant has evaluated off-site locations for parking, including other federal properties and private sites, but has determined they all face significant challenges regarding acquisition or implementation.

Regarding historic preservation and urban design:

Finds the applicant seeks to enhance the functionality of the Union Station, and the proposed alternatives generally do not directly alter the historic station building itself.

Notes that proposed development behind the station should consider the setting of the historic building and the critical views from the National Mall, U.S. Capitol, and other viewsheds.

Supports the use of the east-west train hall to create a wider setback between the historic train station and new development to the north, as a way to help mitigate the visual impacts of the new development.

Supports the provision of a pedestrian access corridor between the top of the H Street Bridge and the station / train hall to create a new way to access the station from the H Street-Benning Streetcar Station. The “access zone” will require coordination with adjacent private development.

Finds the placement of parking beneath the station tracks and lower concourses may be challenging due to constructability and cost and therefore, the smaller the massing of the above grade garage, the better.

Finds that bus and parking facilities can be designed in a manner that can support compatibility with other adjacent uses, including the integration of retail and other active uses, the architectural treatment of buildings and facades, and the incorporation of other public amenities.

Requests for the next review the applicant further develop plans and renderings that show how active uses, amenities and architectural features can enhance the public realm and create a design that is compatible with adjacent development.

Requests the applicant prepare elevations and renderings to show how the height and mass of the alternatives will look from key viewsheds, including from the U.S. Capitol building, the National Mall, Delaware Avenue, and 1st Street, NE. The renderings should also include the massing of any private development permitted in the USN zone.

Regarding further coordination:

Requests the applicant coordinate with the Washington Metropolitan Area Transit Authority regarding the proposed improvements and new entry to the Metrorail station along 1st Street, NE.

Requests the applicant coordinate with District Department of Energy and Environment regarding stormwater management and other environmental issues related to the site.

Requests the applicant provide a phasing plan that describes the timing and implementation of each project component, where applicable, as part of the next review.

Julia A. Koster
Secretary to the National Capital Planning Commission

Introductory Remarks Delivered by Commissioner Trueblood at the NCPC Meeting of July 9, 2020, RE: the DEIS for the Washington Union Station Expansion Project

Thank you, Mr. Flis, I think your presentation was quite helpful and accurately summarized quite a complex set of issues.

Since I'm first-up on responding to NCPC's staff presentation, I think that it is important to take a quick step back and underscore that the driver of the Union Station Expansion Project is to accommodate a projected increase in rail ridership in the year 2040 that is approximately 2.5 times today's ridership. How we accommodate this passenger increase is the key to this project and has implications across infrastructure, urban design, and land use that impact federal, District and neighborhood interests.

While the infrastructure planning for the project as proposed is quite good in terms of accommodating this increase in ridership, its land use planning is poorly developed, reflecting an outmoded suburban condition rather than an immensely vibrant, urban context in the heart of our Nation's Capital. While the alternatives do not delve deeply into urban design, it is clear that the current approach would make high-quality urban design impossible to achieve.

While the District is strongly in support of the expansion and renovation of Union Station, I am quite concerned that Preferred Alternative A-C, as proposed in the DEIS, remains unchanged since its release last fall. I worry that the time and effort this Commission put into reviewing and commenting on the proposed Project at our January 9 meeting was ignored. At that meeting, the Commission explicitly directed FRA to substantially reduce the number of parking spaces and to work with OP and DDOT to evaluate and confirm the appropriate amount of parking given the mix of uses, traffic and urban design impacts, and transit-oriented nature of the Project, prior to the next stage of review.

In response to NCPC's request, OP and DDOT, along with NCPC staff, devoted hundreds of hours to analyzing, meeting about, and supporting development of a reasonable approach to parking at Union Station, as documented in the District's Parking Memo referenced by NCPC staff today. It seems that our effort had no effect on FRA's Preferred Alternative A-C, which has been incorporated into the Draft EIS without change.

But it isn't just feedback from NCPC and DC government agencies that this proposal has failed to account for. Congresswoman Norton, the DC Council, the ANC, nearby landowners, and other stakeholders have expressed strong opposition to too much parking. In fact, other than FRA, I have not heard a single voice in favor of the proposed excessive parking. In a place known for diverse perspectives and robust debates about appropriate development, particularly for projects of this complexity, the level of consensus that the planned parking should be substantially reduced speaks volumes. Recognizing the value of such input is even more important given that this is a major, long-term, public infrastructure project.

Opposition aside, one of the most troubling aspects about FRA's approach is its attachment to outdated parking assumptions and disregard for their negative impacts on the project and the

surrounding area. The existing parking garage may have made economic and land use sense in 1983 when USRC was tasked with overseeing a revitalized Station, when the District was in a starkly different economic position, when shopping malls were an economic driver, when rail travel's future was uncertain at best, and when private cars were planned for as the primary mode of transportation.

It is clear to me, and the other parties examining this project, that the context has significantly changed since then, and so should the perspective and approach to parking needs. If it does not, this obsolete perspective will constrain the station for the next 100 years and hamper the potential of the Project to add to, rather than detract from, the excellence of urban form and optimal uses the Station can and absolutely should contribute to the District.

The District is preparing comments to share with FRA during the DEIS review period. But I want to emphasize that FRA's approach of retaining Preferred Alternative A-C largely unchanged has put a much greater burden on the community to review and analyze the proposal than, in my opinion, is appropriate. My concern is magnified by a similar lack of consideration of response we have seen on the Section 106 review for compliance with the National Historic Preservation Act.

If I have one piece of advice for the project sponsors it is that what may on paper appear to be easiest and fastest path now may become the opposite later if it does not have the support of the various parties involved. Such an approach for such a complex project is all but certain to result in numerous delays and increased costs. It is better to work collaboratively together now. That may result in some additional costs or complexity on the front end, but it is better to plan for those now than to be caught changing plans midstream or stuck in litigation later. I hope the project sponsors are able to change their approach and views to be more collaborative moving forward, as without significant adjustments to the project in line with our recommendations, the District will be unable to support this project.

As for today, I hope my fellow NCPC Commissioners will join me in underscoring our previous recommendation for a substantially reduced parking program at Union Station. As importantly, I hope we can commit to hold the project to such reduced parking program when it comes before the Commission for approval. In addition, I hope NCPC will continue to ensure that FRA produces a project that is not only fully respectful of the historic laws and context, but also embodies the highest quality urban design and transportation infrastructure for this critical part of our city.

We look forward to continuing to work with FRA, USRC, Amtrak and NCPC to ensure that Washington Union Station is positioned to continue to be a gem in our city for the next century and beyond.



Memorandum

To: David Valenstein; Beverley Swaim-Staley
CC: David Handera; Daniel Sporik; Kevin Forma; Bradley Decker
From: Gretchen Kostura
Date: January 7, 2020
Re: Amtrak Parking for the Washington Union Station Expansion Project

Passenger parking is not essential to Amtrak's operation of intercity passenger rail at Washington Union Station and is regarded as an ancillary passenger amenity. Although existing conditions provide for rail passenger parking, a majority of Amtrak and commuter rail passengers access the Station via alternate transportation modes. Amtrak strongly encourages passengers to travel to the Station through modes other than private vehicle to park. This advocacy coupled with major planned rail infrastructure investments north and south of the Station and a shifting culture away from private automobile use leads Amtrak to anticipate passenger parking demand to continually decrease in the future.

Currently, based on our ridership and survey responses from passengers, Amtrak estimates 600-700 passengers are parking at the Station¹. We do not assume that parking will increase proportionally as rail ridership increases. Additionally, there will likely be a considerable period where there is no parking available at the Station during construction and passengers will need to figure out an alternative means of accessing the Station. Therefore, Amtrak believes the current parking program targeted for Amtrak passengers in the Station Expansion Project is over planned and Amtrak supports refinement of the parking estimate in the future. Amtrak does not support any entity building a parking garage specifically to support Amtrak passengers.

In a public setting, Amtrak will continue to support Alternative A-C and will offer testimony to the elements directly related to the core business of operating intercity passenger rail. However, given the parking garage is located on federal property and overseen by Union Station Redevelopment Corporation, Amtrak will defer to the property owner and operator to determine the appropriate use for their property given market demand, land use analysis and transportation mode shifts as the planning progresses into design. The City should also be involved with determining the overall appropriate amount of parking for the Station as they are responsible for setting parking requirements for development projects in DC. Amtrak, FRA, USRC, and the City should commence a working group to refine the parking program.

January 27, 2020

We do not believe the EIS process needs to be stalled or postponed as this refinement work can move in parallel to the current process with the current numbers serving as a stress test for the Project.

Finally, in the event the property owner and operator, in coordination with local and regional transportation officials and Amtrak, determines the parking program should be downsized, Amtrak encourages the reevaluation of locating the parking facility below the tracks and platforms.

¹ Daily Amtrak ridership is approximately 16,000. It can be assumed that Union Station is the origin station for half those riders and 8% of those riders are parking at the Station given our survey results from 2017. Note that the most recent survey of passengers in December 2019, only 4% of riders from Union Station drove and parked.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



March 16, 2017

Ms. Amanda Murphy
Environmental Protection Specialist
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Washington Union Station Expansion Project Study Area

Dear Ms. Murphy:

Thank you for providing the District of Columbia State Historic Preservation Office (SHPO) with an opportunity to review the Washington Union Station Expansion Project Study Area, which we understand the Federal Railroad Administration (FRA) will use as a basis for developing the undertaking's Area of Potential Effect (APE) in accordance with 36 CFR 800.4. We appreciate the conscientious efforts that FRA has made to identify historic properties thus far and we offer the following comments for consideration as the Section 106 review process continues.

To address the immediate project area first (No. 3 on the Study Area Map), most of this area is referred to as the Terminal Rail Yard (see historic image below) and is generally considered eligible for listing in the National Register of Historic Places. However, a formal Determination of Eligibility (DOE) form has yet to document the basis for eligibility, the boundaries of the area, and the contributing and non-contributing elements. The Study Area map appears to suggest that only [parts of] two retaining walls, the K Street Tower and the REA Building are historically significant, while the list of historic properties on the reverse side of the map identifies train platforms, umbrella sheds and other resources as contributing. The completion of a DOE Form to clarify these matters should be made a priority. The recently completed Union Station Historic Preservation Plan provides a great deal of relevant information in this regard. The Eckington Power Plant DOE Form that Amtrak prepared in 2010 should be also considered in determining the boundaries of the Terminal Rail Yard.



With regard to the larger Study Area, we share some of the concerns recently expressed by consulting parties about the boundaries being too limited to adequately consider all of the Expansion Project's likely indirect effects – particularly the visual and traffic-related effects of new construction. For example, it seems possible that the newly proposed train concourse and/or parking garage may be visible from areas outside of the Study Area. It also seems reasonable to anticipate that increased traffic may result in backups that extend beyond the blocks immediately surrounding Union Station. Although it is too early in the consultation process to determine the full extent of such indirect effects, it is important that the APE include all areas where *potential* effects may occur. To that end, we recommend that the APE be drawn as generously as possible rather than being a subset of the Study Area as was recently suggested.

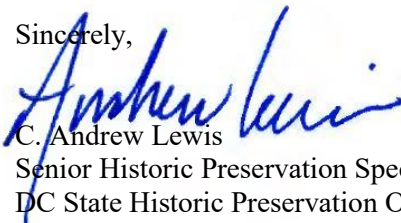
On a related note, all of the streets, avenues, parks and reservations that contribute to the National Register of Historic Places-Listed Plan of the City of Washington (L'Enfant Plan) should be designated on the Study Area Map and incorporated, collectively rather than individually, in the list of historic properties since these resources are among the most likely to be subject to indirect effects.

Finally, we offer the following list of specific edits to the Study Area Map itself:

1. Although Capitol Square and its landscape are technically exempt from Section 106, the entirety of the area (i.e. bounded by 1st Streets SE and SW, Constitution Avenue, and Independence Avenue) is a DC Landmark and unquestionably makes up a significant resource upon which the effects of the project should be evaluated.
2. Similarly, the landscaped area known as Senate Park (i.e. bounded by Constitution, Delaware and New Jersey Avenues) is included among the Architect of the Capitol's Heritage Assets and should be identified as an important resource to consider.
3. Numbers 42, 45, 48 and 51 should also be identified as DC Landmarks.
4. Numbers 43, 44, 46, 47, 49, 50 and 81 should also be identified as potential DC Landmarks.
5. Number 32 should be revised to clarify that the St. Aloysius Catholic Church is a landmark/listed, but the adjacent school and related buildings are not. However, these buildings are potential DC landmarks and potentially eligible for listing in the National Register.
6. The Acacia Building at 311 1st Street NW should be identified as a potential DDC Landmark potentially eligible for listing in the National Register.
7. The historic building currently used as a Sun Trust Bank at 2 Massachusetts Avenue, NW should be identified as a potential DDC Landmark and potentially eligible for listing in the National Register.
8. The former National Capital Press Building at 301 N Street, NE should be identified as a potential DDC Landmark potentially eligible for listing in the National Register.
9. The Union Market Historic District/Union Market Terminal Buildings along Morse, 4th, 5th, and 6th Streets NE should be identified as a DC and National Register-Listed Historic District.

We look forward to continuing consultation with all parties and to assisting FRA in determining and documenting the APE. If you should have any questions or comments regarding this matter, please contact me at andrew.lewis@dc.gov or 202-442-8841. Otherwise, thank you for providing this additional opportunity to review and comment.

Sincerely,



C. Andrew Lewis
Senior Historic Preservation Specialist
DC State Historic Preservation Office

16-0114

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



September 29, 2017

Ms. Amanda Murphy
Environmental Protection Specialist
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Washington Union Station Expansion Project Area of Potential Effect and Concept Screening Report

Dear Ms. Murphy:

Thank you for continuing to consult with the District of Columbia State Historic Preservation Office (SHPO) regarding the Washington Union Station Expansion Project (Expansion Project). We are writing to provide additional comments regarding effects on historic properties pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

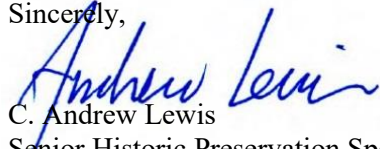
The Draft Report for the Area of Potential Effects and Identification of Historic Properties for the Washington Union Station Expansion Project provides a thorough analysis of historic properties in the initial study area and a comprehensive evaluation of the geographic limits and view sheds where potential direct and indirect effects of the project may occur. We appreciate that FRA circulated this report for comment and provided additional opportunities to discuss the Area of Potential Effect (APE) during the September 7, 2017 Consulting Parties' meeting. We were especially pleased to learn that the Determination of Eligibility (DOE) form for the Terminal Rail Yard is nearly complete and will be submitted for review in the near future. Since it appears that all APE-related concerns have been addressed, we agree that FRA's proposed APE (see attached) provides an appropriate basis upon which to continue Section 106 consultation.

Although the primary purpose of the Consulting Parties' meeting was to discuss and finalize the APE, much of the presentation and discussion focused on the *Washington Union Station Expansion Project Concept Screening Report* dated July 31, 2017. This report provides FRA's analysis of the nine initial project concepts as well as "...some ideas and issues raised by the public, agencies, and Project Proponents...." The Consulting Parties provided general comments on the initial concepts approximately a year ago, but it came as a surprise that four concepts had been eliminated without opportunities for more detailed discussion or analysis. It was even more surprising to learn that many ideas, including one which our office has been formally advocating since 2008 – "Reinstating the Ends of the Historic Passenger Concourse" – had also been dismissed without any further consultation with our office or the Consulting Parties.

We understand that FRA must continue to make decisions as part of project planning, but the Section 106 regulations require Federal agencies to consult in a manner that 36 CFR 800.2(a)(4) describes as "...appropriate to the scale of the undertaking and the scope of the Federal involvement..." Fulfilling this responsibility is particularly important before concepts and potential alternatives are eliminated from further consideration. In fact, 36 CFR 800.1(c) states that Federal agencies may conduct project planning provided it does not "...restrict the subsequent consideration of alternatives to avoid, minimize or mitigate the undertaking's adverse effects on historic properties." In our opinion, some of the dismissed ideas, and possibly the dismissed concepts, have potential as avoidance, minimization and mitigation measures. They may also have potential to address broader urban design and transportation-related issues as well as the effects of private development in the project area but, at the very least, we believe many of them warrant further analysis and discussion before being entirely dismissed.

We very much appreciate FRA's consultation efforts to date and we look forward to consulting further in a manner that thoroughly vets all potential alternatives and ensures our common goal of establishing a new, world class rail facility that preserves and compliments the historic significance of Union Station. If you should have any questions or comments regarding this matter, please contact me at andrew.lewis@dc.gov or 202-442-8841. Otherwise, thank for providing this additional opportunity to review and comment.

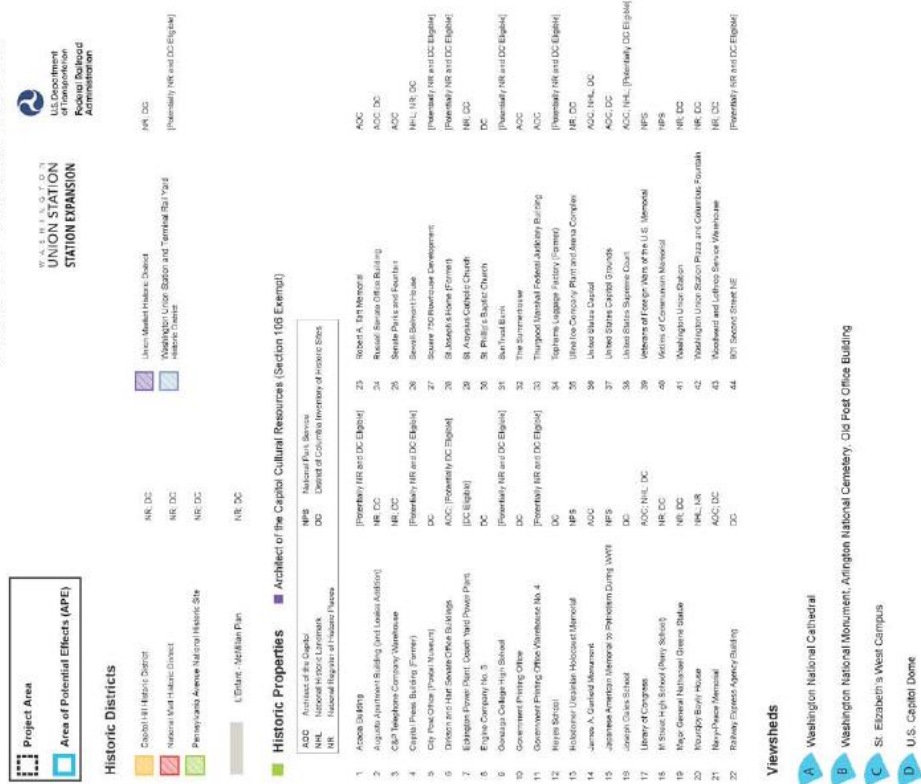
Sincerely,



C. Andrew Lewis
Senior Historic Preservation Specialist
DC State Historic Preservation Office

16-0114

Washington Union Station Expansion Project: Area of Potential Effects



8/9/2017

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



March 30, 2018

Ms. Amanda Murphy
Environmental Protection Specialist
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Washington Union Station Expansion Project Action Alternative Comments

Dear Ms. Murphy:

Thank you for continuing to consult with the District of Columbia State Historic Preservation Office (SHPO) regarding the Washington Union Station Expansion Project (Expansion Project). We are writing to provide additional comments in accordance Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

Based upon discussions held during the March 12, 2018 Cooperating Agency Meeting and other recent communications, we understand that FRA intends to carry five “action alternatives” forward for further consideration. These alternatives, currently identified as “A, B, C, D & E”, are illustrated in the attachment to this letter for reference.

Given the complexities and scope of the Expansion Project, we recognize that further study of all the alternatives will be necessary to fully identify the range of effects on historic properties and the rest of the affected environment, but we are offering the following general comments to help guide decisions from a historic preservation standpoint as consultation continues.

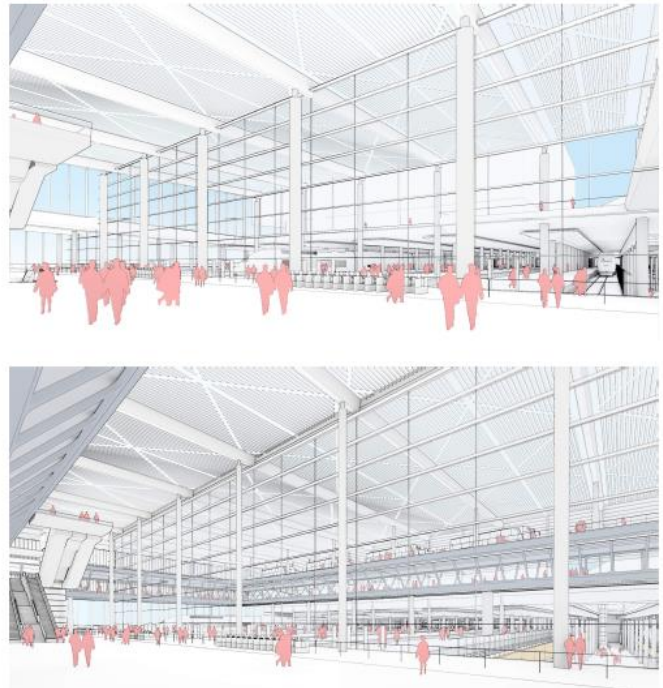
Since Alternatives A and B represent relatively little change from existing conditions they may fall short of achieving the goals of the Expansion Project. However, we note that the larger, north-south oriented portion of the train hall proposed in these alternatives has potential to create a grander presence on H Street and result in a more fitting entrance into the new facility.

Alternatives D and E propose significant changes that appear to further many of FRA’s goals. For example, concentrating all bus-related facilities near the historic station may offer advantages in terms of proximity. On the other hand, we are concerned that this concentration may compromise the architectural quality of the new train hall and intensify already constricted traffic patterns by requiring all buses to circulate south of H Street regardless of whether they are picking up/dropping off passengers or simply parking for extended periods of time.

By contrast, Alternative C proposes many improvements that further project goals while also offering a number of advantages including the potential to:

- Provide the most substantial buffers between the historic station and the proposed new development. These buffers would be achieved not only through the north-south set back between the existing building and new construction, but also through the east-west setback of the new train hall. Such buffers should help to minimize the visual effects of the new development on Union Station.

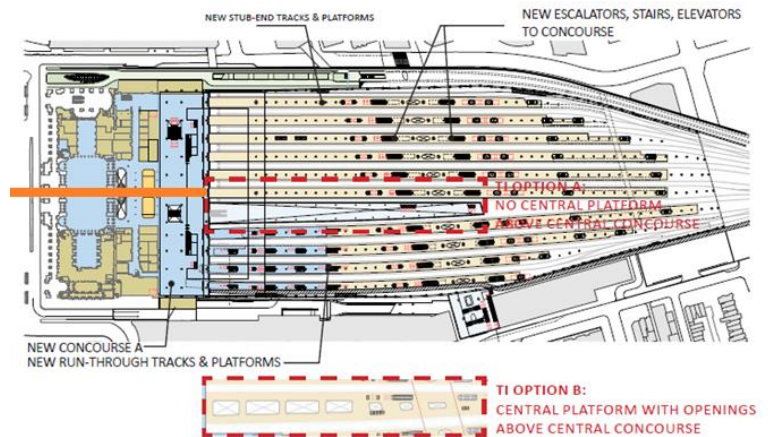
- Allow for greater architectural flexibility and expression in the new train hall by unencumbering it from most of the bus-related functions proposed in Alternatives D and E. Locating bus parking north of H Street should improve views to the new train hall, views out of the new facility, and allow the structure to be designed as a signature piece of architecture that would complement the historic station and establish a visual connection with it. The renderings to the right illustrate potential differences between the two approaches. Note how Alternative C (above) could provide uninterrupted views to the sky as compared to Alternatives D & E (below).
- Potentially improve traffic circulation by limiting bus traffic to those vehicles that are picking up/dropping off passengers.



Alternative C has two sub-options – one with parking on the east and the other with parking on the west. It is not possible to comment extensively on the advantages/disadvantages of these two sub options without more fully developed plans, but we note that the east parking option will require careful consideration of the historic REA Building since it is located in the same general area as the proposed parking facility.

Regardless of the alternative that is ultimately selected, one of the most important historic preservation considerations is that all new construction should respect the prominent symmetry of Union Station’s design. This will be important near the station and also from long views where asymmetrical buildings would have even more potential to result in adverse visual effects. At present, none of the action alternatives adequately address this concern because they all propose buildings of radically different sizes on either side of a off-centered axis. We raised this issue during the March 12, 2018 meeting and are reiterating the concern in this letter to underscore its importance as a likely “adverse effect” for which avoidance and minimization alternatives must be evaluated.

Specifically, the concern stems from the proposal to locate the new “central” concourse platform off center (i.e. to the east) of the true central axis of the historic station (represented by the orange line in the plan to the right). We understand the proposed location relates to the existing change in grade between the upper tracks and the lower tracks and recognize that shifting the location may not be a simple matter, but we are also very concerned about this one decision because it manifests itself not only within the station, but also throughout the entire project area by dictating the shape and location of all new above grade development.



To address this concern, we are requesting FRA to analyze the possibility of shifting the new concourse platform further to west so that it will align with Union Station’s central axis. We do not have an east-west section of Alternative C, but in the Alternative B section below, this could potentially be achieved by “swaping” the locations of the Train Hall with the easternmost, upper level train track and platform (i.e. shifting the “Train Hall” to the left, and by shifting the easternmost train and platform to the right). We appreciate that FRA has verbally indicated their willingness to conduct further study on this topic.




In addition to resulting in symmetrical above-grade development, a centered concourse platform would help establish a logical circulation spine that could extend throughout the new and historical portions of Union Station and visually tie them together. This could reinforce the importance of the grand new entrance on H Street and assist station users in orienting themselves.

Although work within the historic station is not part of the current project, a central spine could also encourage, or at least not preclude, future improvements within the historic station that could provide functional and aesthetic benefits. For example, future relocation of the existing Amtrack ticketing desk and removal of all or portions of the 1980s mezzanine in the historic train concourse could facilitate direct passenger circulation through the historic Main Hall to the new train hall and improve views between the two grand spaces. Such improvements would go beyond merely preserving the historic station by fully integrating it into the new facility instead.

If you should have any questions or comments regarding any of these matters, please contact me at andrew.lewis@dc.gov or 202-442-8841. Otherwise, thank you for providing this additional opportunity to review and comment. We look forward to working further with FRA and all consulting parties to continue the Section 106 review of this important project.

Sincerely,


C. Andrew Lewis
Senior Historic Preservation Specialist
DC State Historic Preservation Office

16-0114

UNION STATION EXPANSION PROJECT ACTION ALTERNATIVES



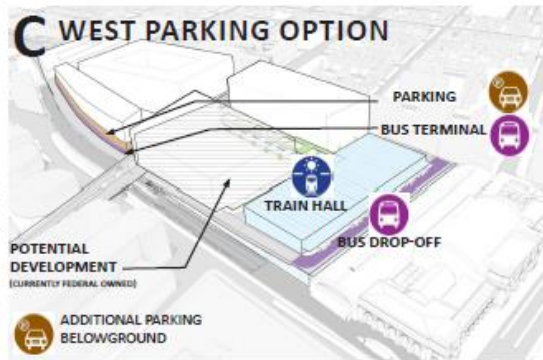
- NORTH-SOUTH TRAIN HALL
- SOUTHEAST BUS TERMINAL
- PARKING ABOVE: 1578 CARS (6 LEVELS)



- NORTH-SOUTH TRAIN HALL
- SOUTHEAST BUS TERMINAL
- PARKING BELOW: 1756 CARS (2 LEVELS)



- EAST-WEST TRAIN HALL
- SOUTH BUS DROP OFF AND NORTH BUS TERMINAL
- PARKING ABOVE AND BELOW
 - TOTAL 1668 CARS
 - PARKING ABOVE: 1056 CARS (4 LVLS)
 - PARKING BELOW: 612 CARS



- EAST-WEST TRAIN HALL
- SOUTH BUS DROP OFF AND NORTH BUS TERMINAL
- PARKING ABOVE AND BELOW
 - TOTAL 1668 CARS
 - PARKING ABOVE: 1056 CARS (4 LVLS)
 - PARKING BELOW: 612 CARS



- EAST-WEST TRAIN HALL
- SOUTH BUS TERMINAL
- PARKING:
 - TOTAL 1620 CARS
 - PARKING ABOVE: 1008 CARS (4 LEVELS)
 - PARKING BELOW: 612 CARS



- EAST-WEST TRAIN HALL
- SOUTH BUS TERMINAL
- PARKING:
 - PARKING BELOW: 1756 CARS

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



August 29, 2018

Ms. Amanda Murphy, Environmental Protection Specialist
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Washington Union Station Expansion Project Comments

Dear Ms. Murphy:

Thank you for meeting with the DC SHPO on August 21, 2018 to discuss the on-going development of concepts for the WUS Expansion Project. As explained during the meeting, the DC SHPO's goal is to ensure compatibility of new development with the historic character and exceptional importance of Union Station by applying urban design approaches that visually and physically integrate the new and historic train facilities in a manner consistent with that goal.

We appreciate the introduction of the concept for a multi-function open zone ("Station & Visual Access Zone") that relates spatially and symmetrically to the main vault of Union Station along its central axis. Even at this conceptual level of development, the inclusion of this zone in each alternative reflects an important design principle that should continue to guide any further development of alternatives, including such items as: achieving consistency with Union Station's civic nature and monumentality through appropriate materials, details, scale and overall character; incorporating a prominent entry plaza inspired by the grandeur of Columbus Plaza; centering upon and framing important views to the historic station to provide visual cues and orient patrons; and establishing direct physical links to Union Station's historic circulation patterns.

Addressing these issues during continuing Section 106 consultation will be necessary to ensure that the new development avoids "adverse effects" by being consistent with the Secretary of the Interior's Standards, especially Standard No. 9 which requires new additions and related new construction to be compatible with historic properties to protect their integrity and environment. This requirement is applicable to new development in both the Federal and Private Air Rights Development Areas.

We appreciate that renderings showing views of the new development from a variety of locations were presented. These views show that development will be visible in the frontal approach to station and from other areas, and will thus need to be considered further as development concepts proceed. Additional views from multiple vantage points will also be needed for evaluation of more developed concepts since no single view will completely capture the visual effects of the new development in its entirety. If you should have any questions or comments regarding any of these matters, please contact me at andrew.lewis@dc.gov or 202-442-8841. We look forward to working further with FRA and all consulting parties to continue the Section 106 review of this important project.

Sincerely,

C. Andrew Lewis
Senior Historic Preservation Specialist
DC State Historic Preservation Office

16-0114

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



May 17, 2019

Ms. Katherine Zeringue, Federal Preservation Officer
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: *Draft Section 106 Assessment of Effects to Historic Properties; Washington Union Station Expansion Project; March 2019*

Dear Ms. Zeringue:

Thank you for providing the DC State Historic Preservation Officer (DC SHPO) with a copy of the *Draft Section 106 Assessment of Effects to Historic Properties; Washington Union Station Expansion Project; March 2019* (AOE), and for hosting a consulting parties' meeting to discuss the proposed findings on April 30, 2019. We are writing in accordance with Section 106 of the National Historic Preservation Act to provide additional comments regarding effects on historic properties. These comments are based upon our review of the AOE and our participation in the consulting parties' meeting.

The AOE was well-written and organized and we appreciate the effort that obviously went into developing the document. Since we generally agree with the majority of the AOE's findings of "no adverse effect," our comments will focus primarily on the three properties that were identified as being adversely affected by the Washington Union Station Expansion Project, specifically the historic train station, the Railway Express Agency (REA) Building, and the Union Station Historic Site (i.e. the station, the railyard and the 1st Street Tunnel which were recently determined eligible in a Determination of Eligibility Form).

It is critically important that the full range of potential adverse effects be thoroughly identified and described in the AOE since the report will serve as the basis for the forthcoming Programmatic Agreement (PA) and the avoidance, minimization and mitigation measures that it will include. Although the AOE addresses adverse effects related to physical, visual, and noise and vibration-related causes, it does so only in general terms. More specificity about the range/array/types of potential adverse effects will be required to make meaningful suggestions for the types of actions that may be taken to resolve the adverse effects. The following comments address the types of adverse effects which we believe the AOE should evaluate in more detail.

The AOE should provide more specifics about the adverse effects that will result from failing to preserve distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize the property (i.e. *Secretary of the Interior's Standard No. 5*). Incorporating a detailed list or table that outlines all of the historic fabric that will be destroyed by each alternative would be helpful in this regard.

We are particularly concerned about the types of adverse effects that may result from the massing, scale and other design-related aspects of the proposed new construction, specifically as they relate to the *Secretary of the Interior's Standards No. 2 and No. 9* in terms of “not destroying spatial relationships that characterize the property” and in terms of “being compatible with the historic materials, features, size, scale and proportion and massing to protect the integrity of the property and its environment.”

For example, the AOE describes adverse visual effects “from various vantage points of the L’Enfant Plan” but does not appear to evaluate them from the H Street Bridge where important views of the historic train station will be either be appropriately preserved, framed and celebrated, or inappropriately compromised or blocked. The AOE should include photo simulations looking south from the H Street Bridge to properly evaluate the potential that each alternative has for adverse effects of this type at this important location.

On a related note, the potential for adverse effects that could result from improperly designed “Access Zones” in Alternatives C (East/West), D and E is not sufficiently evaluated. The illustrations suggest these zones might be solids rather than voids and the footnote on page 50 describes them as follows:

³⁹ The designated “Access Area” delineates an area within which visual connections, vehicular access, pedestrian access points to the station, and daylighting features to the central concourse could be established. These objectives should be achieved through a design that reflects the civic importance and identity of the station and enhances integration with and connectivity to the adjacent neighborhoods. The physical points of access and connections are intended to occupy only a portion of this area.

We are concerned that these zones are described as areas where critically important visual connections and access could be established, and that a design reflecting the civic importance and identity of the station merely should be achieved. Failure to provide critically important visual and physical access to the historic station and/or to develop a design commensurate with the civic importance and identity of Union Station would significantly increase the number and intensity of adverse effects. The AOE should provide more information about the potential adverse effects of this sort.

Similarly, the AOE should provide a detailed analysis of how the visual effects of each alternative compare to each other. For example, the Summary of Effects Matrix Table uses the exact same language for each alternative even though Alternatives A, B, D and E locate taller new construction closer to the historic station than Alternative C which proposes a lower volume adjacent to the station and also incorporates a buffer to minimize the visual effects. In other words, the AOE should summarize what the illustrations suggest. This may be best achieved through an additional narrative summary.

Page 173 of the AOE describes the potential beneficial effect that would result from the removal of the Amtrak ticket office inside the historic passenger concourse. We fully agree with this statement but note that adverse effects may not be limited to the exterior. The AOE should also identify potential adverse effects that may result on the interior of Union Station. Examples may include attached new construction and/or related interior renovations that disrupt historic circulation patterns, impede important interior site lines, or directly alter historic fabric.

Comments to this point have focused primarily on the three adversely affected properties but the following comments relate not only to station, REA Building and historic site, but also to other properties which were identified as not being adversely affected, including the Capitol Hill Historic District.

With regard to noise and vibration, we acknowledge that train-related sounds and vibrations are associated with Union Station but we cannot agree that the intensive levels of noise and vibration caused by what is likely to be decades of significant new construction have no potential to adversely affect Union Station's integrity of "feeling" and "association." Jackhammers, pile drivers, and related heavy construction equipment are not associated with train operations but they do have potential to affect these aspects of Union Station's integrity. On the other hand, we also recognize that noise and vibration will be necessary to construct the project so we are not suggesting these likely adverse effects must be completely avoided, but we are strongly recommending that they be minimized as much as possible through reasonable approaches such as building monitors; using trains to remove debris instead of trucks; establishing noise level thresholds during working hours; installing temporary sound dampening walls; drilling rather than pile driving (when possible); and other industry standards.

Similar statements can be made for potential adverse effects associated with traffic. We understand that future study will provide more definitive data, not only on the noise and vibration associated with possible traffic increases, but also the potential increases in the volume (i.e. amount) of traffic. We believe that this data may support a finding of adverse effect since traffic jams also have the potential to affect the integrity "feeling" and "association" of historic neighborhoods. The AOE should be revised to incorporate and analyze the data if it is possible to do so within project timelines. If not, the AOE should be revised to document that further analysis will be conducted as soon as the data becomes available, and to recommend reasonable approaches that could be used to minimize any traffic-related adverse effects, if the data support it. The PA should also be drafted accordingly.

Notwithstanding the comments about more specificity above, we recognize that the AOE can only go "so far" in identifying the range of potential adverse effects at this point so we stress that the PA must be drafted in a manner that provides opportunities for the reevaluation of known adverse effects, and the identification of new and/or intensified adverse effects once more thoroughly developed plans and related project information are available for review.

Finally, the AOE should better address the cumulative effects of the project and related development. This includes the potential adverse effects referenced above and, to the extent possible, those associated with the eventual construction of Burnham Place. We understand that Burnham Place is not part of FRA's undertaking but there is nothing in the Section 106 regulations that prohibits FRA from working collaboratively with Akridge to plan for the best possible outcome and, as several consulting parties expressed during the meeting, it is impossible to fully evaluate the effects of the Expansion Project on Union Station and the surrounding historic properties without simultaneously considering Burnham Place.

Ms. Katherine Zeringue

Draft Section 106 Assessment of Effects to Historic Properties; Washington Union Station Expansion Project; March 2019

May 17, 2019

Page 4

If you should have any questions or comments regarding any of these matters, please contact me at andrew.lewis@dc.gov or 202-442-8841. Otherwise we look forward to reviewing a revised version of the AOE when it becomes available and to working further with FRA and all consulting parties to continue the Section 106 review of this important project.

Sincerely,



C. Andrew Lewis
Senior Historic Preservation Specialist
DC State Historic Preservation Office

16-0114



December 18, 2019

Ms. Katherine Zeringue, Federal Preservation Officer
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: *Washington Union Station Expansion Project; Comments on the Preferred Alternative A-C*

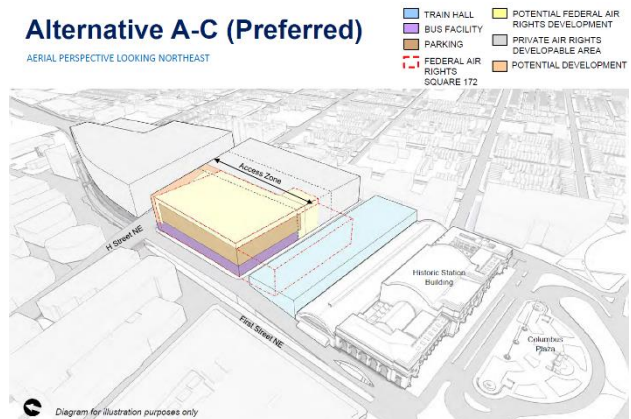
Dear Ms. Zeringue:

Thank you for continuing to consult with the DC State Historic Preservation Officer (DC SHPO) regarding the above-referenced undertaking and for hosting a Consulting Parties' meeting on November 19, 2019 to introduce the new Preferred Alternative A-C (see image below). This letter provides additional comments regarding effects on historic properties in accordance with Section 106 of the National Historic Preservation Act.

We appreciate that the Preferred Alternative responds to many of the comments the Federal Railroad Administration (FRA) has received thus far and we are encouraged by the progress that many aspects of the revised concept represent.

For example, we applaud FRA for selecting an east-west orientation for the new concourse/train hall; for eliminating the proposal to surround the upper level of the train hall with a bus facility; for pulling development back from 1st Street; and for connecting the new concourse directly to the historic train station. These decisions should facilitate greater architectural expression, improve views to and from the concourse, provide for better internal circulation between the old and new sections of the station, and ensure that the taller, mixed-use buildings will be located far enough to the north to minimize their visibility from Columbus Plaza and points south.

We also appreciate that Alt A-C incorporates a vehicular circulation route to H Street that does not significantly impede upon the "access zone". This design appears to offer efficient vehicular access/egress while separating cars and pedestrians as much as reasonably possible. Reducing vehicular parking to approximately 2/3 of the current capacity is also a notable improvement.



Constructing the bus facility on the deck level is logical from a transportation standpoint since adjacencies among the various modes increase efficiency and convenience. Downsizing the bus facility from the current sixty (60) to between twenty (20) to forty (40) slips provides the added benefit of reducing the amount of space devoted to bus-related functions. We are pleased that FRA is open to limiting the bus facilities to one level rather than two, if possible.

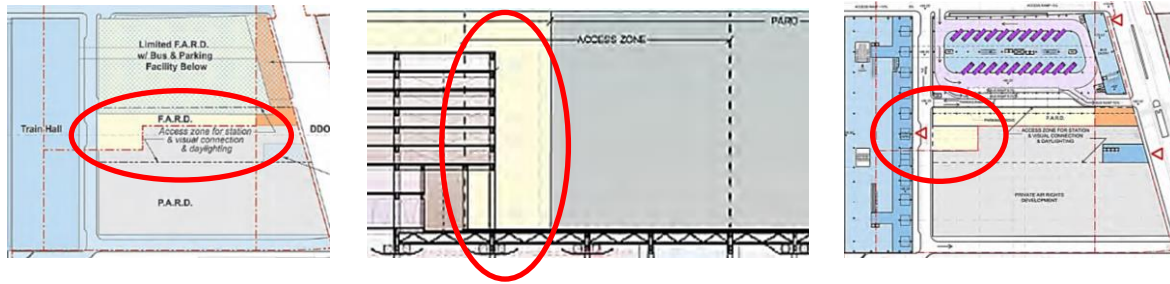
Now that we have had an opportunity to evaluate the Preferred Alternative in more detail, we offer the following recommendations for how FRA's progress can continue and how adverse effects on historic properties can be better avoided and/or minimized. Our comments focus on three primary themes: 1.) civic character, 2.) parking refinements and 3.) public/private coordination.

Civic Character:

Union Station is unquestionably among the most important buildings in the District of Columbia. Part of what sets important buildings apart is their designed context. Columbus Plaza provides the grand, civic setting for Union Station. So important was this notion to Union Station's Architect Daniel Burnham that he developed a series of elaborate designs for the plaza, some of which were far grander than what exists today. The image below illustrates Burnham's concept for a semicircular peristyle that would have enclosed the plaza.



The importance of creating a civic context for the Expansion Project cannot be overemphasized. Failure to do so will result in an "adverse effect" on historic properties. In order to provide civic character, the space must be open, ceremonial in scale, feature the highest caliber architecture and provide uninterrupted views to and from the historic station. We have raised this concern repeatedly in meetings and letters, and we were under the impression that the Access Zone had been introduced specifically to provide the civic character that is so fundamental. As currently proposed, however, the Preferred Alternative's Access Zone fails to achieve this critically important goal because it proposes development that will obscure views to/from the station, projects the upper level parking deck and support columns into the open space, and potentially hides the primary public entrance behind some new construction. These issues are illustrated in the images on the next page which were borrowed from FRA's November 19, 2019 meeting materials (red ovals added for emphasis).



The fact that the Access Zone will be located “behind” Union Station only increases the urgency to provide an appropriate civic space. For some patrons, this will serve as the primary, and possibly the only entrance they will ever experience. Therefore, the Access Zone must exhibit the highest standards of urban design to signal arrival at an important civic space and to visually tie the historic station and its counterpart to the north together. The image below illustrates the care which Burnham devoted to his design for the rear of Union Station despite the fact that it would rarely be seen from this perspective. How much more does the Expansion Project warrant equal or greater consideration given that it will serve as Union Station’s “new entrance”? For additional comments about the importance of civic character and an explanation of why and how failure to provide it will meet the criteria of adverse effect specified at 36 CFR Part 800.5(a)(1), please refer to our letters of March 30, 2018, August 29, 2018, and May 17, 2018.



Parking:

Another way the Preferred Alternative should be improved is by reducing the amount of parking, especially above-grade parking. Up to 6 levels are currently proposed above the bus facility. This would essentially replicate the existing garage and place empty automobiles in spaces that should be designed for people. This is a historic preservation concern because proximity to the grand historic station calls for higher, more active and compatible uses. Parking garages simply do not contribute to great civic spaces. The fact that parking currently exists in this location neither justifies replacement nor avoids or minimizes adverse effects. The Expansion Project is a new project charged with improving current conditions and avoiding development that would result in adverse effects, even if some conditions that would result in adverse effects already exist.

The preferred design locates a considerable amount of Amtrak's "back of house" functions in the lower level concourse. We assume some of these areas will be housed by employees who would be better served above ground. The remainder of the lower level concourse is slated for pedestrian circulation and retail. Improved circulation is an important goal, but we question if some circulation might also be accommodated above-grade. The same is true for retail. Considering current on-line shopping trends, we question the potential for success of some commercial ventures in what would effectively be an underground shopping mall. We are pleased that in the most recent Consulting Parties' meeting FRA indicated a willingness to devote further study to determining how much retail and how many "back of house" functions could be moved to the upper levels, and how much parking could be moved below.

Public/Private Coordination:

Another continual theme that has echoed throughout this consultation process is the need to coordinate FRA's project with the adjacent private Burnham Place development by Akridge. We understand successful coordination among the various parties occurred to determine how/where structural supports for new decking and related infrastructure would be located so we question why such coordination cannot occur for other key areas. The benefits of greater coordination could be significant. For example, parking that could not be accommodated underground might be divided between the federal and private development areas, located on fewer levels and screened behind mixed-use functions. A coordinate approach such as this might be an ideal way to diminish the visual effects of parking.

Improved coordination could also help to improve the quality of the civic space by allowing a coherent, coordinated design to be developed for both halves of the area north of the historic station and south of H Street. Such a coordinated design could help signal arrival at Union Station much better than two, unrelated buildings on either side of the Access Zone.

As you are aware, the Expansion Project and related federal air rights areas are subject to our review in accordance with 36 CFR Part 800 and we have approval authority over the private air rights development. For these reasons, we must consider the cumulative effects of both developments as carefully as possible. The potential for additional benefits is substantial. We encourage FRA and Akridge to work together to identify mutually beneficial solutions that avoid and minimize adverse effects and further the common goal of creating the high-quality context that Union Station deserves.

We look forward to consulting with FRA and all consulting parties to continue the Section 106 review of this important undertaking. If you should have any questions or comments regarding any of these matters, please contact me at andrew.lewis@dc.gov or 202-442-8841. Otherwise, thank you for providing this additional opportunity to review and comment.

Sincerely,


C. Andrew Lewis

Senior Historic Preservation Specialist
DC State Historic Preservation Office

16-0114



May 19, 2020

Ms. Katherine Zeringue, Federal Preservation Officer
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: *Washington Union Station Expansion Project; Comments Regarding On-Going Consultation*

Dear Ms. Zeringue:

During the November 19, 2019 consulting parties meeting, the Federal Railroad Administration (FRA) announced that it planned to host two more meetings for Section 106 purposes. One meeting would focus on the revised Assessment of Effects Report (AOE) and the other on the proposed Programmatic Agreement (PA). Through recent emails, we understand that the subject of one meeting may be revised to focus on traffic impacts but, regardless of the subject matter, one or both meetings may have to be conducted “virtually” due to the current health crisis.

As explained during the last consulting parties meeting, the DC State Historic Preservation Office (DC SHPO) is very concerned that meaningful opportunities for consulting parties to contribute to a discussion about potential alternatives that may avoid or minimize adverse effects have not yet been provided. The last meeting consisted almost entirely of FRA explaining the rationale for its preferred alternative. A dialogue about potential modifications to the proposed concept could not and did not occur because the consulting parties had not yet had an opportunity to consider the updated proposal and identify potential revisions.

The regulations that implement Section 106 define consultation as “...the process of seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them regarding matters arising in the Section 106 process.” (36 CFR 800.16). They also direct Federal agencies to “...plan consultations appropriate to the scale of the undertaking and the scope of Federal involvement...” (36 CFR 800.2(a)(4)).


The scale and scope of the Washington Union Station Expansion Project clearly warrant extraordinary consultation efforts. While FRA did invite written comments on its preferred alternative, the important two-way dialogue that can often be useful in identifying ways to resolve adverse effects and improve projects in other ways has still not occurred. The predominantly negative consulting party comments provided thus far also suggest that FRA’s efforts to seek agreement have not been successful either.

To provide the level of consultation that this project warrants, we believe that FRA should host at least one or two additional consulting parties meetings, provide opportunities for meaningful, two-way dialogue, and give serious consideration to the suggestions that are made. We do not believe that FRA can appropriately revise the AOE without first providing such opportunities for comment.

For example, one topic that requires further consultation is the amount of parking. Our letter of December 18, 2019 identified this as one of the primary causes of adverse effects which stem from the inability of parking structures to contribute to the quality of civic space that Union Station deserves. More recently, the DC Office of Planning (OP) and the District Department of Transportation (DDOT) conducted a study that the National Capital Planning Commission (NCPC) requested to determine the appropriate number of parking spaces that should be provided for the project (see attached letter). The very substantial difference between FRA's proposed 1,575 spaces and the OP/DDOT recommendation of 295 spaces (with a maximum of 375) demonstrates just how much potential may yet exist for avoiding and/or minimizing adverse through the reduction of parking alone.

The realities of COVID 19 and "virtual" meetings may limit the potential for meaningful dialogue, but this only reinforces the need to provide additional opportunities for discussion and comment. We urge FRA to expand its Section 106 consultation schedule in advance of issuing the revised AOE and the Draft Environmental Impact Statement (DEIS). We will be pleased to assist FRA in any way possible. Please contact me at andrew.lewis@dc.gov or 202-442-8841 if you should have any questions or comments regarding this matter.

Sincerely,



C. Andrew Lewis
Senior Historic Preservation Specialist
DC State Historic Preservation Office

Enclosure
cc: Consulting Parties
16-0114



September 28, 2020

David Valenstein
 U.S. Department of Transportation
 Federal Railroad Administration
 Office of Railroad Policy and Development
 1200 New Jersey Avenue, SE
 Washington, DC 20590

RE: *Washington Union Station Expansion Project; Additional Comments on the Draft Assessment of Effects Report and Resolution of Adverse Effects*

Dear Mr. Valenstein:

Thank you for continuing to consult with the DC State Historic Preservation Office regarding the Washington Union Station Expansion Project and for hosting two additional consulting parties' meetings on September 2 and 22, 2020. The first meeting focused on the Draft Assessment of Effects (AOE) Report and the second on the resolution of adverse effects. This letter provides additional comments on each topic in accordance with Section 106 of the National Historic Preservation Act and other applicable laws.

ASSESSMENT OF EFFECTS:

As summarized in the table below, the AOE indicates that the Expansion Project Preferred Alternative A-C will adversely affect three historic properties within the Area of Potential Effect, specifically Washington Union Station, the Washington Union Station Historic Site and the Railway Express Agency (REA) Building. The Capitol Hill Historic District will also be potentially adversely affected. We generally concur with these determinations of effect with the following caveats.

Property	Type of Effect					Determination of Effect
	Physical	Visual	Noise	Vibration	Traffic	
Washington Union Station	✓	✓	✓	✓	✓	Adverse Effect
Washington Union Station Historic Site	✓	✓	✓	✓	✓	Adverse Effect
REA Building	✓	✓	✓	✓		Adverse Effect
Capitol Hill Historic District		✓	✓	✓	✓	Potential Adverse Effect

(Note: Adverse Effects are highlight in red)

Assessment of Effects on Washington Union Station

We agree that adverse visual effects will result due to the visibility of the Expansion Project (and the adjacent Private Air Rights development) from points south, but we also maintain that adverse visual effects will occur on views from the north. Although the northern aspect is not the station's primary



vantage point, it provides an important orienting view of the station's iconic main vault and is a historically significant, well-designed and highly symmetrical elevation that will become more visible and prominent because the Expansion Project will demolish the existing parking garage and establish a major new entrance along the H Street Bridge. Like any new construction project adjacent to a historic building, new additions should be designed to be compatible with their historic contexts in accordance with *Secretary of the Interior's Standards*, including *Standards No. 2 and No. 9* by "not destroying spatial relationships that characterize the property" and in terms of "being compatible with the historic materials, features, size, scale and proportion and massing to protect the integrity of the property and its environment."

As currently proposed, the Preferred Alternative will diminish the integrity of the historic station's design and setting and result in an adverse visual effect from the north because it does not guarantee an adequately sized and centered civic space along the Delaware Avenue axis to protect and frame views to the station's prominent main barrel vault and because the inadequate design gestures that are proposed to address this concern (i.e. the Visual Access and Daylight Access Zones) are too narrow and largely defined by a six-story parking garage and a bus facility which do not provide the civic character essential to achieve compatibility with the historic setting or respond appropriately to the urban design context. When compared to existing conditions, the additional height that could be allowed under the Preferred Alternative is likely to exacerbate these adverse effects.

As stated in our letter of May 17, 2019, we acknowledge that train-related sounds are associated with Union Station, but construction-related noises are not. More than a decade of immediately adjacent construction-related noise is very likely to diminish Union Station's integrity of feeling and association. While such noises may be somewhat muted within the station itself, they will be more perceptible in the building's immediate setting so we believe they should be identified as an adverse effect and closely monitored.

Although traffic congestion at Union Station is already problematic, we contend that the significant increases in traffic that the Expansion Project is projected to generate, either directly or indirectly, combined with the resulting, ever-increasing gridlock meet the criteria of adverse effect by introducing and intensifying visual, atmospheric and audible elements that will further diminish the historic station's integrity of setting, feeling and association. Some of the traffic-related adverse effects may be exacerbated by perpetuating the existing traffic "loop" that currently encircles the historic station rather than sensitively redirecting vehicles onto or below the new deck on the north, and by failing to establish a designated Pick-Up and Drop-Off (PUDO) facility that could lessen traffic effects on Columbus Plaza and other areas of the site.

Assessment of Effects on Washington Union Station Historic Site

The Preferred Alternative would cause the same effects on the WUS Historic Site as on Union Station but we find that additional adverse effects on the historic site would result from other Action Alternatives which propose above-grade parking garages north of the H Street Bridge (i.e. Alternatives C-East, C-West and D) because these facilities will further diminish the integrity of the Terminal Rail Yard's design, setting, feeling and association and interrupt important, character-defining views between the tracks, Union Station and the REA Building.

The additional noise caused by approximately eleven to fourteen years of new construction directly within the WUS Historic Site will also adversely affect the historic property. Noises from jackhammers, pile drivers, and related heavy construction equipment which are not associated with train operations will be audible to station users and rail commuters and will diminish the WUS Historic Site's integrity of feeling and association.

The Preferred Alternative A-C does not reflect the recommendations of multiple planning agencies and consulting parties that the planned number of parking spaces is excessive and does not reflect reasonable demand projections or sound transportation planning principles for a centrally located multimodal transit station. The bulk and location of the planned parking significantly exacerbates the potential for adverse effects on the station through an out-of-character parking garage looming as a backdrop for the historic architecture. It increases reliance on parking ramps fully exposed to view from the front of the station and expands vehicular intrusion into areas intended for pedestrians, even despite recent efforts to improve the amenity of the front plaza immediately adjacent to the Metro entrance.

Expanded reliance on these ramps perpetuates egregious damage to the architectural and historic integrity of the station caused by truncation of the historic train concourse and removal of its public entrances to the station forecourt. These building elements modulated the sculptural composition stepping down from the main vault, shielded utilitarian components of the complex from frontal view, defined pedestrian plazas, and promoted free-flowing customer access to the terminal through multiple entrances. Failure to pursue any amelioration of this disfiguring disruption undermines the purported support for restoring the architectural and historic character of the station. It also fails to recognize significant opportunities to improve station access from the east and enhance multi-modal facilities on the west, such as through expansion of the Metro station entrance and bicycle terminal facilities. In contrast, the claimed benefit of aligning new building elements along First Street as a kind of street wall is historically inappropriate and draws attention to the lack of a satisfactory resolution to this condition.

Assessment of Effects on REA Building

Construction-related noises also have potential to result in an adverse audible effect on the REA Building and should be monitored closely to determine whether they meet the criteria of adverse effect.

Assessment of Effects on Capitol Hill Historic District

The AOE states that the Expansion Project may result in a potential traffic-related adverse effect on the Capitol Hill Historic District. We understand FRA's assertion that insufficient data exists to make a final determination of effect at this point but the Capitol Hill Restoration Society and Advisory Neighborhood Commission 6C have strongly objected to the potential nature of this determination and asserted that the traffic study, which was the subject of discussion during a June 30, 2020 consulting parties meeting, provides sufficient information to determine that an adverse effect will occur. The likely decreases in levels of service on some neighborhood streets and intersections, the anticipated increased number of for-hire and ride share vehicles circulating in the area, and Preferred Alternative recommendations such as the "U-Turn" option from the East Ramp and the right-hand turn out of the bus facility, both of which direct traffic eastward towards the historic district, suggest that the adverse effect is much more probable than potential.

Prior to addressing the resolution of adverse effects, we note that the comments above focus primarily on the Preferred Alternative and are based upon information that has been provided to date. Our determinations of effect may need to be revised as we learn more about what is proposed and review more detailed information relating to the manner in which the Expansion Project will be implemented.

RESOLUTION OF ADVERSE EFFECTS:

Though not an exhaustive list, the following comments outline some of our primary recommendations for how the Preferred Alternative should be revised to avoid and/or significantly minimize as many adverse effects as possible. We are requesting FRA to incorporate these and other consulting party recommendations directly into a Revised Preferred Alternative in advance of, or as part of the Final Environmental Impact Statement, as appropriate, because we consider these revisions essential to respond appropriately to Union Station's significance. We also believe this approach will be more effective than relying upon a Programmatic Agreement if the current Preferred Alternative is adopted and options for meaningful revisions are precluded.

Resolution of Adverse Effects on Washington Union Station and the WUS Historic Site

Avoiding and minimizing adverse effects associated with the proposed new construction are among our top priorities – especially the lack of assurances that a civic space will be provided to protect and frame views to the north side of the historic station. We consider such a civic feature an essential component of a successful design solution for the historic and urban context and for the major new entry that FRA proposes.

With the exception of a small section on the southern end, however, the currently proposed Visual Access Zone (VAZ), which the Preferred Alternative suggests may achieve this important goal, is located almost entirely with the Private Air-Rights Development Area and the responsibility to construct the civic space will rest fully on the private developer. By contrast, we understand that FRA plans to provide daylighting features for the lower concourse within the related Daylight Access Zone (DAZ) despite the fact that it falls entirely within Private Air-Rights. If FRA can ensure that daylighting will be provided within private property, it seems reasonable that FRA can also ensure that civic space will be provided within the whole of the VAZ. Not precluding a private developer from establishing this critically important civic feature does not equate to ensuring that it will be constructed. To avoid the adverse effect, FRA should revise the Preferred Alternative in whatever ways are necessary to guarantee civic space will be integrated into the design.



On a related note, the AOE states that the VAZ "...may be centered on the historic station building." (emphasis added). An off-centered VAZ would significantly diminish the integrity of the historic station's design and setting by skewing views to the main barrel vault. This would defeat the purpose, as would a VAZ that is too narrow to provide meaningful views. To avoid these adverse effects, the VAZ must be centered on the historic station and wide enough to allow users to view as much of the barrel vault as possible. The most effective way to accomplish this appears to be to expand the VAZ into the

portion of the Federal Air Rights east of the currently proposed parking garage and bus facility so that it is centered on the historic station, includes the DAZ, and is wide enough to create the civic space that Union Station deserves.

Furthermore, the currently proposed VAZ/DAZ is going to be largely defined by a six-story parking garage that is not compatible with and does not contribute to the civic character which is so important for the new entrance. We once again request FRA to reduce the amount of parking and revise the Preferred Alternative to remove most or all parking from this area. Since a significantly reduced number of parking spaces could be more easily accommodated below grade than the excessive number FRA currently proposes, we also request FRA to include a below grade parking deck in the Preferred Alternative. While we appreciate that FRA hoped to minimize temporary, indirect adverse effects of a long construction period by eliminating underground parking from the Preferred Alternative, it is much more important to avoid the permanent, direct adverse effects that the above-grade parking garage would cause. In addition to improving civic character, removing parking from the main deck could provide many other benefits such as improving the pedestrian experience, reducing vehicular traffic in the civic space, providing more area for “people friendly” uses, introducing greater flexibility for improved urban design approaches and potentially reducing the height of new construction.

We support the proposed location of the bus facility, but buses do not contribute to civic character any more than parking garages and we remain concerned that the proposed forty bus slips exceed the twenty-five that FRA has identified as necessary. For this reason, we also requesting FRA to eliminate the unnecessary slips and promote better bus management practices to facilitate improved design options for the bus facility and its surroundings.

As referenced earlier, adverse effects on Union Station will also result from the visibility of the Expansion Project (and the adjacent Private Air Rights development) from points south. The intensity of these adverse effects will depend upon the height of new construction on either side of Union Station’s barrel vault and the extent to which incongruous asymmetry or a visually incompatible parking garage disrupts or competes with the historic character of the station. To minimize these adverse effects, we request FRA to work with appropriate entities to develop design guidelines that would apply to all new development, both public and private, north of Union Station. Such guidelines should also address approaches to avoid or minimize adverse interior effects that may result from interior circulation routes or building elements that are inconsistent with historic circulation patterns, predominant visual axes and other character-defining features.

The preferred alternative should also be revised to reflect parking facilities consistent with the recommendations of local and federal planning agencies. Below-grade parking options reflected in other Action Alternatives should be pursued, and the proposed vehicular circulation around the terminal should be revised to avoid and minimize the use of ramps and roads directly encircling the historic building. Alternative treatments of the historic train concourse should also be considered to restore its historic integrity, improve pedestrian access, and enhance intermodal transit facilities

Resolution of Adverse Effects on the Capitol Hill Historic District

We stress the importance of FRA committing to collecting traffic-related data and continuing to evaluate and implement alternative solutions that may avoid or substantially minimize traffic-related effects at both the station and the adjacent historic district.

Mr. David Valenstein

WUS Expansion Project; Additional Comments on the Draft Assessment of Effects Report & Resolution of Adverse Effects

September 28, 2020

Page 6

As previously noted, the list of avoidance and minimization measures listed above is not exhaustive. There are many other adverse effects, including cumulative adverse effects, that will need to be thoroughly addressed through the development of a Programmatic Agreement. However, the recommendations we have cited focus on the avoidance and minimization measures that we consider most urgent at this time, and those that we believe should be addressed through a Revised Preferred Alternative in advance of a Programmatic Agreement. We will provide additional recommendations for avoidance, minimization and mitigation measures as consultation on the Programmatic Agreement continues.

Section 4(f) Evaluation:

The comments provided in this letter relate primarily to the Section 106 and NEPA reviews of the Expansion Project but as the “Official with Jurisdiction” (OWJ) for purposes of the related Section 4(f) review, we clarify that the references to favorable comments in our letters of March 30, 2018 and December 18, 2019 which are cited on pages 6-24 and 6-25 of the DEIS Draft Section 4(f) evaluation should not be taken to indicate that we agree the Expansion Project includes all possible planning to minimize harm to historic properties.

We look forward to continuing our consultation with FRA and all consulting parties toward achieving FRA’s transportation needs while also enhancing the historic character of one of the nation’s most admired historic rail terminals. If you should have any questions or comments regarding any of these matters, please contact me at andrew.lewis@dc.gov or 202-442-8841. Thank you for providing this additional opportunity to comment.

Sincerely,



C. Andrew Lewis
Senior Historic Preservation Specialist
DC State Historic Preservation Office

cc: Consulting Parties
16-0114



February 9, 2023

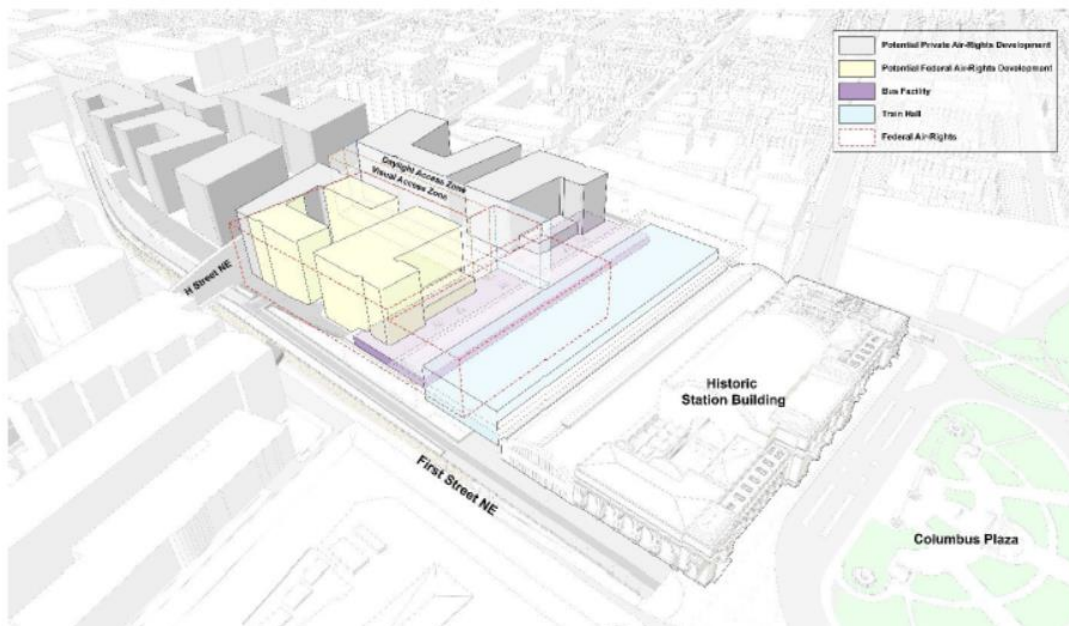
Ms. Amanda Murphy
Acting Federal Preservation Officer
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Washington Union Station Expansion Project; *Supplemental Assessment of Effects Report* and Resolution of Adverse Effects

Dear Ms. Murphy:

Thank you for providing the DC State Historic Preservation Office (DC SHPO) with a copy of the above-referenced *Supplemental Assessment of Effects Report* (SAOE) and for hosting an additional consulting parties meeting on January 31, 2023 to discuss the report's findings. We provided verbal comments during the meeting and are writing to reiterate and provide additional comments in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

Prior to addressing effects, however, we applaud FRA, USRC, Amtrak and Akridge for working cooperatively to develop the Revised Preferred Alternative known as "Alternative F" (see rendering below). This revised scheme represents a very substantial improvement over the previously proposed "Alternative A-C" and addresses many of the consulting parties' comments in meaningful ways. We recognize that a project of this magnitude cannot be implemented without causing some adverse effects and we sincerely appreciate that many of the most significant, such as those associated with above-grade parking, were avoided or greatly minimized by developing the revised alternative.



ADVERSE EFFECTS:

The DC SHPO concurs with FRA's finding that three historic properties will be adversely affected by the Station Expansion Project (SEP), specifically:

- 1.) Washington Union Station,
- 2.) the Washington Union Station Site, and
- 3.) the REA Building.

According to the SAOE, the SEP will result in physical, visual, and noise & vibration-related adverse effects on each of these historic properties. We agree with these determinations but find that the SAOE's analysis of the nature, severity and degree of adverse effects may not be sufficiently comprehensive or precise. In other words, we believe the identified adverse effects are likely to be more extensive than the SAOE suggests. Moreover, the design refinements that will inevitably occur as the Project is implemented over time are almost certain to cause new and unanticipated adverse effects that the SAOE does not identify. A few examples to illustrate these points are provided below.

Page 70 of the SAOE describes the view from H Street looking south towards Union Station's barrel vault as "not a historic view" and uses National Environmental Policy Act (NEPA) terminology to describe the related SEP effect as a "potential moderate visual effect." It is unclear whether that NEPA term equates to an "adverse effect" under Section 106 but we have long maintained that views south from H Street are historically significant because they capture Daniel Burnham's well-planned design for the rail yard and contribute greatly to the character of the Union Station Site and its public visibility. Therefore, it is our position that the SEP will have an adverse visual effect on the Union Station Site and Union Station's overall setting when viewed from H Street. This will be especially true if the critically important "central space" which has been one of the most consistent themes of our comments, is not constructed. Although the SAOE states that the central space is not part of the Project, it has effectively been integrated into the Preferred Alternative as part of the Daylight Access and Visual Access Zones and its construction is essential to provide critically important civic character to the overall development. We hope that the spirit of cooperation that produced the revised Preferred Alternative will continue to ensure this vital element will be fully realized.

Another example relates to the proposed ramps on the east and west of the station (see rendering below). We understand some of these ramps are primarily intended for bike and pedestrian circulation while others will exclusively serve vehicular traffic. Although the comparatively smaller size of the upper ramp may prove less visually intrusive than the existing ramp, any benefit from that reduction is completely undermined by the introduction of a new ramp cut into the flat ground of the east station plaza. Like its twin on the west, this plaza, bounded by a balustrade topped by a row of elegant lamp standards, defines the station's visual and architectural base and the ground plane upon which the building rests. The once grand character of these "outdoor rooms" can be seen in the historic photographs on the following page. The solid, formally designed platform has never before been violated by such an inappropriate intrusion. Like the pit once introduced into the Main Hall, it will further destroy the intended design of the plaza as an outdoor room, converting it to an ill-designed landing for intrusive ramps stretching into full frontal view.



This adverse effect is further exacerbated by the failure to restore the original ends of the historic train concourse that established the most important façade defining these outdoor rooms. It is unclear whether the SAOE specifically includes these ramps among the SEP’s identified adverse effects, but they will adversely affect both Union Station and the Union Station Site, including Columbus Plaza – which the SAOE has determined will not be adversely affected – since these ramps will be visible from within that formal space. We also count what Page 73 describes as the “severe noise effects” associated with ramp construction among the Project’s cumulative noise & vibration-related adverse effects despite the SAOE suggesting they will not be adverse due to their temporary nature.



A related rendering of the west end of the station illustrates another adverse effect that will result from implementation of the Project over time, especially as it relates to the design of the proposed new train hall and anticipated air rights development shown in the Project renderings. To be clear, we fully support the proposed location and massing of the train hall and other primary elements of the Preferred Alternative and we recognize that the illustrations in the SAOE are based upon a design concept that has not yet been fully reviewed. We also agree that it is important for the new train hall to convey its prominence and centrality as a primary public entrance hall through distinctive and memorable contemporary architecture.

However, a train hall featuring an overhanging canopy or other element as visually prominent as the one shown in the rendering on the right risks competing with and detracting from the prominence of the historic station, as has already been discussed in public consultation.



Once again, the failure to reconstruct the ends of the historic train concourse exacerbates the adverse effects on the station as a whole, while in contrast, their restoration would completely eliminate this adverse effect and further mitigate other adverse effects by restoring the historic character of the east and west plazas.

As mentioned during the consulting parties meeting, the SAOE does not identify the adverse effect that would result from the transfer of the Federal Air Rights Area out of Federal ownership “without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance” as required by at 36 CFR 800.5(2)(vii). Such restrictions or conditions will be necessary because the Federal Air Rights Area falls within and contributes to the Union Station Site and some mechanism will be required to ensure new development in this area conforms with the *Secretary's Standards* and, where they are consistent with the *Standards*, the massing, scale and organizational layout defined by the Preferred Alternative.

The previous draft Assessment of Effects report was more detailed than the SAOE and we note that the earlier document is incorporated into the SAOE as an appendix but we believe the SAOE should better document the full extent of adverse effects that will result from the SEP, most notably the enormous adverse effect that will result from the near complete destruction of Union Station's historic rail yard. All the historic train platforms, umbrella sheds, cast iron column supports, electrical systems and signals used to control train traffic, some First Street tunnel infrastructure and even the open space that has defined the rail yard for generations will be lost. We stress the importance of documenting the extent of this loss to demonstrate the importance of providing a commensurate degree of avoidance, minimization and mitigation in return.

On a related note, the cumulative effects of the SEP are discussed to a limited degree in the SAOE but the document lacks a single section that evaluates the cumulative adverse effects as a whole. As you are aware, the criteria of adverse effect at 36 CFR 800.5(a)(1) specifically include cumulative effects. These must be fully considered because they can collectively diminish historic properties' integrity to a greater degree than individual adverse effects alone. This provides yet another reason to establish appropriate avoidance, minimization and mitigation measures.

Other examples to illustrate the importance of expanding upon the nature, severity and degree of adverse effects exist but this letter cannot provide an exhaustive list. In addition to establishing the need for appropriate avoidance, minimization and mitigation measures, however, the few examples we have provided also demonstrate the importance of developing a Programmatic Agreement (PA) that establishes an on-going review process to more fully identify and evaluate adverse effects that will occur over time.

OTHER FINDINGS OF EFFECT:

The SAOE finds that the SEP will have a potential adverse effect on the historic City Post Office due to temporary vibration resulting from construction of a new ramp within the adjacent G Street, NW right-of-way. We agree with this finding.

On the other hand, the previously proposed potential traffic-related adverse effect on the Capitol Hill Historic District has been revised to “no adverse effect.” This revised determination is based upon several modifications to the previous Preferred Alternative and related findings including: 1) locating approximately one half of the “Pick Up/Drop Off” (PUDO) below grade, 2) shifting access to all below-grade functions, including parking and PUDO, to the west side of Union Station and away from Capitol Hill, 3) eliminating the ramp at F Street NW, which would have routed traffic directly east into the historic district, and 4) using traffic modeling to demonstrate that most intersections in the historic district will operate at acceptable Levels of Service (LOS). The SAOE further documents that FRA will continue to study traffic effects and develop traffic control measures based upon best management practices. In our opinion, these steps are likely to avoid any general traffic-related adverse effects that can be directly tied to the SEP.

Since we are not objecting to the SAOE’s finding that traffic will have “no adverse effect” on every other historic property in the Area of Potential Effect – including those properties that are being adversely affected in other ways – it would be difficult to argue that traffic would only adversely affect the Capitol Hill Historic District and no other historic properties. However, we do believe that construction-related traffic has some potential to cause adverse effects on the historic district if trucks are used to remove all debris rather than trains and those trucks are not managed in ways that would direct them outside of the historic district and minimize their frequency, noise and vibration when alternative routes were not available. We understand that FRA is considering measures such as routing trucks away from residential areas and using construction phasing to address these types of concerns and we believe these measures should be formalized and incorporated into the PA to ensure that potential adverse effects do not become actual adverse effects in the future.

RESOLUTION OF ADVERSE EFFECTS:

We appreciate that several general minimization and mitigation measures were suggested during the most recent consulting parties meeting and we agree that all the recommended approaches will be appropriate – most notably those that address how the review of the Preferred Alternative will be implemented over time. Design guidelines were suggested as one approach and we fully support their development but note that they would not likely meet the “legally enforceable” requirement established by 36 CFR 800.5(2)(vii). On the other hand, a Federal Air Rights Area covenant such as the one that currently requires compliance with the *Secretary’s Standards* within the Private Air Rights Area would be legally enforceable and could conceivably be tied to the Preferred Alternative and, to the degree it would be appropriate to do so, the SEP Master Development Plan. As you will recall from the consulting parties meeting, we are requesting FRA to provide more information about this plan – what it entails, who will be responsible for implementing it, and how – since it, along with the Preferred Alternative, could provide

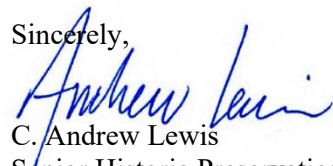
a useful framework for guiding future reviews, especially if coupled with the existing Private Air Rights Area covenant and a new covenant for the Federal Air Rights Area. Since the anticipated land swaps between the Federal government and the air rights owner will have effects on historic properties and subject the Federal government to the existing covenant, we request FRA to provide us with detailed maps and other information to illustrate and define the exact areas that are to be exchanged as well as a timeline for when the necessary land swaps are scheduled to take place.

Another mitigation measure that should be included in the PA is the nomination of the Union Station Site to the National Register of Historic Places and the DC Inventory of Historic Sites. Despite the future alterations that will occur, the outstanding architectural and historical significance of this important site unquestionably warrants formal recognition. In fact, we recommend that the parties in this project support eventual nomination of Union Station and its site for the highest level of recognition the Federal government affords historic properties – National Historic Landmark status. On a local level, an added benefit of DC Inventory designation is that on-going design review of actions requiring DC building permits could be guided by the well-established DC Historic Preservation Review Board process and/or by DC SHPO staff, as appropriate.

We also agree that salvage and interpretive displays featuring historic fabric and images will serve as appropriate mitigation measures since they could be used to establish visible and tangible connections between old and new, perhaps most efficiently within areas such as the new H Street Headhouse, the long below-grade concourses and transitional areas between original and new construction.

We look forward to receiving a draft PA, developing and expanding upon these and other appropriate avoidance, minimization and mitigation measures, and to continuing to work with FRA and all consulting parties to complete the Section 106 review of this important project. If you should have any questions or comments regarding any of these matters, please contact me at andrew.lewis@dc.gov or 202-442-8841. Thank you for providing this additional opportunity to comment.

Sincerely,



C. Andrew Lewis
Senior Historic Preservation Specialist
DC State Historic Preservation Office



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

March 10, 2023

Rachael Mangum
Program Analyst
Advisory Council on Historic Preservation
401 F Street NW
Washington, DC 20001

RE: Notice of Section 106 National Historic Preservation Act Adverse Effect Determination: Washington Union Station Expansion Project –District of Columbia

Dear Ms. Mangum:

Union Station Redevelopment Corporation and the National Railroad Passenger Corporation (Amtrak) (collectively, Project Proponents) are proposing the Washington Union Station Expansion Project (the Project) to expand and modernize the station's multimodal transportation facilities to meet current and future transportation needs while preserving the iconic historic station building. The Project constitutes an "Undertaking" pursuant to Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108) (NHPA), as amended, and its implementing regulations at 36 Code of Federal Regulations [C.F.R.] part 800 (hereinafter collectively referred to as Section 106). FRA is the lead Federal agency responsible for compliance with Section 106 for the Project.

The purpose of this letter is to notify the Council of FRA's determination of adverse effect for the Undertaking and formally invite the Council to participate in Section 106 consultation per 36 CFR 800.6(a)(1). Enclosed for your review is the Council's Electronic Section 106 Documentation Submittal System (e106) Form for the Project, and all 36 CFR 800.11(e) documentation (Enclosure).

Section 106 Consultation to Date

As documented in the Final SAOE, FRA initiated Section 106 consultation with the District of Columbia State Historic Preservation Officer (DC SHPO) by letter on November 23, 2015. Over the past 7 years, FRA undertook a reasonable and good faith effort to consult and establish a methodology to ensure FRA produced enough information, in enough detail, to determine the Undertaking's likely effects to historic properties. To date, FRA has held 13 Consulting Party meetings; five public meetings; and has produced detailed reports to identify the Area of Potential Effect (APE), identify historic properties within the APE, assess effects to those historic properties, and seek ways to avoid and minimize adverse effects.

In June 2020, FRA issued a Draft Environmental Impact Statement (DEIS) and draft Assessment of Effects Report (AOE), which evaluated impacts and assessed effects to historic properties from six action alternatives as well as a No Action Alternative.¹ Consulting Party and other stakeholder comments on the action alternatives prompted FRA and the Project Proponents to refine the Project element design.

¹ The 2020 DEIS and Draft AOE identified Alternative A-C as the preferred alternative.

For over a year and a half, FRA and the Project Proponents worked with key stakeholders, including Consulting Parties, to develop a new alternative (Alternative F) that substantially addressed the comments received. FRA identified Alternative F as the Preferred Alternative in July 2022. The Preferred Alternative avoids and/or minimizes effects to many historic properties.

On December 22, 2022, FRA issued a draft Supplemental Assessment of Effects (SAOE) report that documents the effects of the Preferred Alternative on historic properties within the APE. FRA provided Consulting Parties 49 calendar days to review the draft SAOE, and during the review period, FRA held a consulting party meeting to discuss the draft SAOE. A copy of all comment letters from Consulting Parties on the draft SAOE and a comment matrix of FRA's responses is enclosed. The comment matrix explains revisions made in the Final SAOE based on Consulting Party comments.

In their comments on the draft SAOE, the National Trust for Historic Preservation, Capitol Hill Restoration Society, and ANC6C disagreed with FRA's assessment that the Preferred Alternative's traffic would cause no adverse effect to the Capitol Hill Historic District (CHHD). FRA considered their comments, took a hard look at the findings, did some additional research into existing traffic conditions in the CHHD, and we provide some additional clarifying information in the Final SAOE on this matter.

Determination of Effect

In accordance with 36 CFR Part 800.5, FRA determines the Undertaking would have an adverse effect on historic properties. The Preferred Alternative would alter characteristics of Washington Union Station, Washington Union Station Historic Site, and the Railway Express Agency Building that qualify them for inclusion in the National Register of Historic Places (NRHP) in a manner that would diminish their integrity. The Preferred Alternative also has the *potential* to alter characteristics of the City Post Office which qualifies it for the NRHP in a manner that diminishes its integrity.

Invitation to Consult

FRA invites the Council to participate in Section 106 consultation to resolve the Undertaking's adverse effect per 36 CFR 800.6(a)(1). FRA respectfully requests Council response within 15 calendar days. FRA looks forward to working with the Council, DC State Historic Preservation Officer, Project Proponents, and other Consulting Parties to resolve the adverse effects by developing a Programmatic Agreement in a timely manner consistent with the project schedule on the Federal Permitting Dashboard. Thank you for your continued cooperation on this important project.

Sincerely,



Amanda Murphy
Acting Federal Preservation Officer

Enclosures:

1. Advisory Council on Historic Preservation Electronic Section 106 Documentation Submittal System (e106) Form: Washington Union Station Expansion Project
2. Comment letters from Consulting Parties on the Draft SAOE
3. Comment matrix with FRA's responses to Consulting Party comments



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 10, 2023

C. Andrew Lewis
Senior Historic Preservation Specialist
DC State Historic Preservation Office
1100 4th Street SW
Washington, DC 20024

RE: National Historic Preservation Act Section 106 Determination of Adverse Effect –
Washington Union Station Expansion Project, District of Columbia

Dear Mr. Lewis:

Union Station Redevelopment Corporation (USRC) and the National Railroad Passenger Corporation (Amtrak) (collectively, Project Proponents) are proposing the Washington Union Station Expansion Project (the Project) to expand and modernize the station's multimodal transportation facilities to meet current and future transportation needs while preserving the iconic historic station building. The Project constitutes an "Undertaking" pursuant to Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108) (NHPA), as amended, and its implementing regulations at 36 Code of Federal Regulations [C.F.R.] part 800 (hereinafter collectively referred to as Section 106). FRA is the lead Federal agency responsible for compliance with Section 106. The purpose of this letter is to formally notify you of FRA's determination of adverse effect for the Undertaking and transmit the Final Supplemental Assessment of Effect Report (SAOE) which supports this finding.

Section 106 Consultation to Date

As documented in the Final SAOE (Enclosure 1), FRA initiated Section 106 consultation with your office by letter on November 23, 2015. Over the past 7 years, FRA undertook a reasonable and good faith effort to consult and establish a methodology to ensure FRA produced enough information, in enough detail, to determine the Undertaking's likely effects to historic properties. To date, FRA has held 13 Consulting Party meetings; five public meetings; and has produced detailed reports to identify the Area of Potential Effect (APE), identify historic properties within the APE, assess effects to those historic properties, and seek ways to avoid and minimize adverse effects.

In June 2020, FRA issued a Draft Environmental Impact Statement (DEIS) and draft Assessment of Effect Report (AOE), which evaluated impacts and assessed effects to historic properties from six action alternatives as well as a No Action Alternative.¹ Consulting Party and other stakeholder comments on the action alternatives prompted FRA and the Project Proponents to

¹The 2020 DEIS and Draft AOE identified Alternative A-C as the preferred alternative.

refine the Project element design. For over a year and a half, FRA and the Project Proponents worked with key stakeholders, including Consulting Parties, to develop a new alternative (Alternative F) that substantially addressed the comments received. FRA identified Alternative F as the Preferred Alternative in July 2022. In contrast to the 2020 action alternatives, the Preferred Alternative avoids and/or minimizes effects to many historic properties.

On December 22, 2022, FRA issued a draft SAOE report that documents the effects of the Preferred Alternative on historic properties within the APE. FRA provided Consulting Parties 49 calendar days to review the draft SAOE, and during the review period, FRA held a consulting party meeting to discuss the draft SAOE. A copy of all comment letters from Consulting Parties on the draft SAOE and a comment matrix of FRA's responses is included in Enclosure 2 and 3, respectively. The comment matrix explains revisions made in the Final SAOE based on Consulting Party comments.

In their comments on the draft SAOE, the National Trust for Historic Preservation, Capitol Hill Restoration Society, and ANC6C disagreed with FRA's assessment that the Preferred Alternative's traffic would cause no adverse effect to the Capitol Hill Historic District (CHHD). FRA considered their comments, took a hard look at the findings, and conducted additional research into existing traffic conditions in the CHHD. FRA provides some additional clarifying information in the Final SAOE on this matter.

Determination of Effect

In accordance with 36 CFR Part 800.5(d)(2), FRA determines that the Undertaking would have an adverse effect on historic properties. The Preferred Alternative would alter characteristics of Washington Union Station, Washington Union Station Historic Site, and the Railway Express Agency Building that qualify them for inclusion in the National Register of Historic Places (NRHP) in a manner that would diminish their integrity. The Preferred Alternative also has the *potential* to alter characteristics of the City Post Office which qualifies it for the NRHP in a manner that diminishes its integrity. FRA will notify the Advisory Council on Historic Preservation of the adverse effect determination for the Undertaking and officially invite them to participate in Section 106 consultation. Pursuant to 36 CFR Part 800.6, FRA will consult with you and other Consulting Parties to resolve the adverse effects by developing a Programmatic Agreement.

Thank you for your continued cooperation on this important project.

Sincerely,



Amanda Murphy
Acting Federal Preservation Officer

Enclosures:

1. Supplemental Assessment of Effects to Historic Properties – Final Report for the Washington Union Station Expansion Project
2. Comment letters from Consulting Parties on the Draft SAOE
3. Comment matrix with FRA's responses to Consulting Party comments

Cc:

Kyle Nembhard, Amtrak
Johnette Davies, Amtrak
USRC
Advisory Council on Historic Preservation
Akridge
ANC 6C
ANC 6E
Architect of the Capitol
Capitol Hill Restoration Society
Commission of Fine Arts
Committee of 100 on the Federal City
Council Member Ward 6 (Charles Allen)
DC Preservation League
District Department of Transportation
Federal Highway Administration
Federal Transit Administration
General Services Administration
Government Printing Office
Greyhound
MARC/MTA
Megabus
Metropolitan Council of Governments
National Capital Planning Commission
National Park Service, National Mall and Memorial Parks
National Railway Historical Society, DC Chapter
National Trust for Historic Preservation
VRE
WMATA

Hon. Sara C. Bronin
Chair

Jordan E. Tannenbaum
Vice Chairman

Reid J. Nelson
Executive Director



March 22, 2023

The Honorable Amit Bose
Administrator
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Ref: *Washington Union Station Expansion Project*
Washington, DC
ACHP Project Number: 009904

Dear Mr. Bose:

In response to the recent notification by the Federal Railroad Administration, the Advisory Council on Historic Preservation (ACHP) will participate in consultation to develop a Section 106 agreement document for the referenced undertaking. Our decision to participate in this consultation is based on the *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, contained within the regulations, "Protection of Historic Properties" (36 CFR Part 800), implementing Section 106 of the National Historic Preservation Act. The criteria are met for this proposed undertaking because of the potential for procedural problems and substantial impacts to important historic properties.

Section 800.6(a)(1)(iii) of these regulations requires that we notify you as the head of the agency of our decision to participate in consultation. By copy of this letter, we are also notifying Ms. Amanda Murphy, Acting Federal Preservation Officer, of this decision.

Our participation in this consultation will be handled by Ms. Rachael Mangum, who can be reached at (202) 517-0214 or via email at rmangum@achp.gov. We look forward to working with your agency and other consulting parties to seek ways to avoid, minimize, or mitigate the undertaking's potential adverse effects on historic properties.

Sincerely,

Reid J. Nelson
Executive Director

767 **ATTACHMENT 2 –CONSULTING PARTIES**

Advisory Council on Historic Preservation	Greyhound
Akridge	Government Printing Office
Amtrak	Jones Lang LaSalle ¹
Advisory Neighborhood Commission 6C	Maryland Area Regional Commuter (MARC)/Maryland Transit Administration (MTA)
Advisory Neighborhood Commission 6E ²	Maryland DOT ¹
Architect of the Capitol	Megabus ²
Ashkenazy Acquisition Corporation ¹	Metropolitan Council of Governments
Capitol Hill Business Improvement District (BID) ¹	National Capital Planning Commission
Capitol Hill Restoration Society	National Park Service, National Mall & Memorial Parks
Commission of Fine Arts	National Railway Historical Society, DC Chapter
Committee of 100 on the Federal City	National Trust for Historic Preservation
Congresswoman Eleanor Holmes Norton ¹	NOMA (North of Massachusetts Ave) BID ¹
Council Member Ward 6 ¹	Peter Pan ²
DC Preservation League	Special Events at Union Station ¹
District of Columbia SHPO	Transportation Security Administration ¹
District Department of the Environment ¹	USRC
District Department of Transportation (DDOT)	Virginia Department of Rail and Public Transportation ¹
Federal Highway Administration	Virginia Railway Express (VRE)
Federal Transit Administration	Washington Chapter of the American Institute of Architects ¹
General Services Administration	WMATA

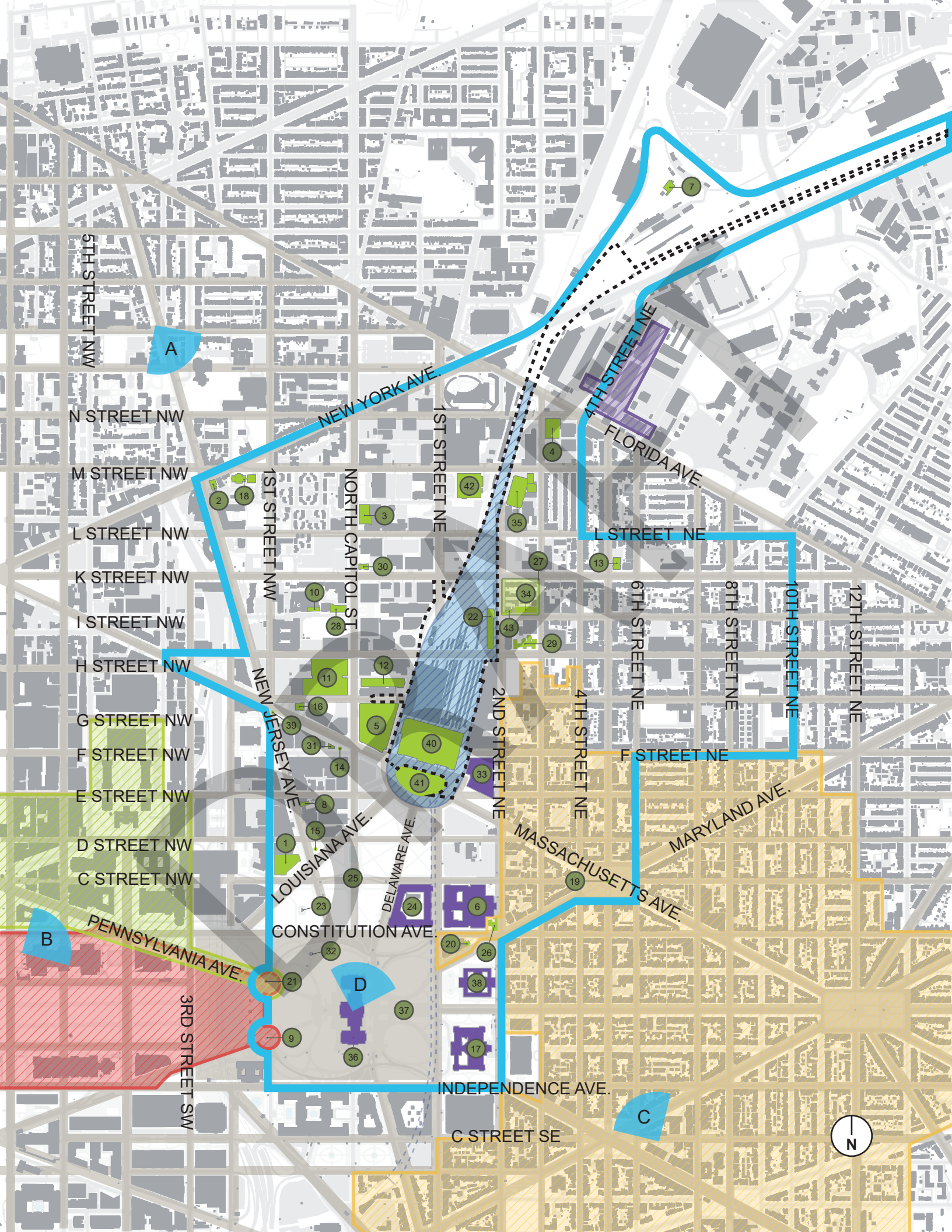
768 ¹ These organizations did not respond to the Consulting Party invitation or declined to participate as
 769 Consulting Parties; therefore they were not included as Consulting Parties for the Project.

770 ² These organizations requested to be Consulting Parties after Consulting Party invitations were issued.

771

DRAFT

Washington Union Station Expansion Project Section 106 Area of Potential Effects and Identification of Historic Properties



- Project Area
- Area of Potential Effects (APE)

Historic Districts and Sites

- Capitol Hill Historic District NR; DC
- National Mall Historic District NR; DC
- L'Enfant - McMillan Plan NR; DC
- Pennsylvania Avenue National Historic Site NR; DC
- Union Market Historic District NR; DC
- WUS (Proposed Designation Expansion) [NR and DC Eligible]
- First Street Tunnel (Below-grade)

Historic Properties

AOC Architect of the Capitol	NPS National Park Service
NHL National Historic Landmark	DC District of Columbia Inventory of Historic Sites
NR National Register of Historic Places	

1	Acacia Building	[Potentially NR and DC Eligible]	24	Russell Senate Office Building	AOC
2	Augusta Apartment Building (and Louisa Addition)	NR; DC	25	Senate Parks, Underground Parking and Fountain	AOC
3	C&P Telephone Company Warehouse	NR; DC	26	Belmont-Paul Women's Equality National Monument	NHL; NR; DC
4	Capital Press Building (Former)	[Potentially NR and DC Eligible]	27	Square 750 Rowhouse Development	[Potentially NR and DC Eligible]
5	City Post Office (Postal Museum)	DC	28	St. Aloysius Catholic Church	NR; DC
6	Dirksen and Hart Senate Office Buildings	AOC	29	St. Joseph's Home (Former)	[Potentially NR and DC Eligible]
7	Eckington Power Plant; Coach Yard Power Plant	[DC Eligible]	30	St. Phillip's Baptist Church	DC
8	Engine Company No. 3	DC	31	SunTrust Bank (Former Childs Restaurant)	[Potentially NR and DC Eligible]
9	Garfield Memorial	AOC	32	The Summerhouse	AOC
10	Gonzaga College High School	[Potentially NR and DC Eligible]	33	Thurgood Marshall Federal Judiciary Building	AOC
11	Government Printing Office	DC	34	Topham's Luggage Factory (Former)	[Potentially NR and DC Eligible]
12	Government Printing Office Warehouse No. 4	[Potentially NR and DC Eligible]	35	Uline Ice Company Plant and Arena Complex	NR; DC
13	Hayes School	DC	36	United States Capitol	AOC
14	Holodomor Ukrainian Holocaust Memorial	NPS	37	United States Capitol Square	AOC
15	Japanese American Memorial to Patriotism During WWII	NPS	38	United States Supreme Court	AOC
16	Joseph Gales School	DC	39	Victims of Communism Memorial	NPS
17	Library of Congress, Thomas Jefferson Building	AOC	40	Washington Union Station (WUS)	NR; DC
18	M Street High School (Perry School)	NR; DC	41	WUS Plaza (Columbus Plaza) and Columbus Fountain	NR; DC
19	Major General Nathaneal Greene Statue	NR; DC	42	Woodward and Lothrop Service Warehouse	NR; DC
20	Mountjoy Bayly House	NHL; NR	43	901 Second Street NE	[Potentially NR and DC Eligible]
21	Peace Monument	AOC			
22	Railway Express Agency Building	[DC Eligible]			
23	Robert A. Taft Memorial	AOC			

Viewsheds

- Washington National Cathedral
- Washington Monument, Arlington National Cemetery, Old Post Office Building
- St. Elizabeths West Campus
- U.S. Capitol Dome