

13 Record of Decision

13.1 Introduction

This chapter is the Record of Decision (ROD) for the Washington Union Station (WUS) Expansion Project (the Project) issued by the Federal Railroad Administration (FRA) and the Federal Transit Administration (FTA). FRA is the lead Federal agency to evaluate the Project in accordance with the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 *et seq.*).

Union Station Redevelopment Corporation (USRC) is the Project Sponsor for the Project. As Project Sponsor, USRC is responsible for implementing the Project through final design and construction, in coordination with Amtrak. USRC is also responsible for implementing the measures listed in **Section 13.6, *Measures to Minimize Harm***, of this ROD. Should there be a future change in Project sponsorship, the new Project Sponsor will assume USRC's responsibilities and commitments defined in the ROD.

Cooperating Agencies for the Project are listed below. The respective roles of these agencies are described in **Section 1.8, *Cooperating Agencies***, of the Final Environmental Impact Statement (FEIS).

- National Capital Planning Commission (NCPC);
- Federal Transit Administration (FTA); and
- District Department of Transportation (DDOT).¹

13.2 Federal Railroad Administration Decision

FRA determined, pursuant to the regulations of the Council on Environmental Quality (CEQ) implementing NEPA and the FRA *Procedures for Considering Environmental Impacts* (64 Federal Register [FR] 28545, May 26, 1999, as updated by 78 FR 2713, January 14, 2013) that the requirements of NEPA are satisfied for the Project. This ROD memorializes FRA's review of the Preferred Alternative described in **Section 13.5.5, *Preferred Alternative*** of this ROD and in **Section 3.5 and Appendix F2, *Description of the Preferred Alternative***, of the FEIS as well as FRA's approval of the Preferred Alternative as the Selected Alternative.

FRA selects the Preferred Alternative as the Selected Alternative for the Project based on a thorough and careful consideration of the potential short-term and long-term benefits and impacts of this alternative; mitigation of those impacts; and public and agency comments. FRA weighed and balanced the environmental effects associated with the Preferred Alternative against those associated with the other alternatives considered, including the No-Action Alternative. Considering these factors, FRA determined that, on balance, the adverse environmental impacts associated with the Preferred

¹ The National Park Service (NPS) was originally identified as a Cooperating Agency. However, on January 24, 2023, NPS indicated that they would no longer serve as such due to the lack of Project impacts on lands under their jurisdiction.

Alternative are similar to or less substantial than the impacts associated with the other alternatives considered, including the No-Action Alternative. Although in the short term the No-Action Alternative would have somewhat lesser impacts on the environment than the Preferred Alternative, the beneficial impacts that the Preferred Alternative would have on transportation outweigh the adverse impacts that would result from implementing it.

FRA also finds that the Preferred Alternative satisfies the Project's Purpose and Need. Specifically, the Preferred Alternative would support current and future long-term growth in rail service and operations; achieve compliance with the Americans with Disabilities Act of 1990 (ADA) and emergency egress requirements; facilitate intermodal travel; provide a positive customer experience; enhance integration with the adjacent neighborhoods, businesses, and planned land uses; sustain WUS's economic viability; and support continued preservation and use of the historic station building. The Preferred Alternative would address the need to improve rail capacity, reliability, safety, efficiency, accessibility, and security for both current and future long-term railroad operations at WUS.

FRA also completed a Section 4(f) Determination in accordance with Section 4(f) of the U.S. Department of Transportation Act of 1966 and its implementing regulations. The Final Section 4(f) Determination is included in the FEIS as Chapter 6, *Final Section 4(f) Evaluation*.

13.3 Federal Transit Administration Decision

FTA accepted FRA's invitation to become a cooperating agency pursuant to 23 CFR § 771.111(d) and participated in the NEPA process beginning with the NEPA scoping period. Potential future financial assistance for the Project could be provided by FTA; therefore, FTA is adopting the FEIS pursuant to 23 U.S.C. § 139(c)(5) and is jointly issuing this FEIS/ROD with FRA in accordance with 23 U.S.C. § 139(d)(8) and 23 U.S.C. § 139(n)(2).

FTA participated in the NEPA process and reviewed the FEIS and other NEPA documentation for the Project. Based on participation and review of the NEPA documentation, FTA has determined that the supporting documentation fulfills FTA's NEPA requirements pursuant to 23 CFR Part 771 and other applicable environmental regulations.

13.4 Environmentally Preferable Alternative

CEQ regulations implementing NEPA require that an agency identify the environmentally preferable alternative in its ROD. The environmentally preferable alternative is the alternative that, on balance, causes the least harm to the natural and physical environment and that best protects, preserves, and enhances historical, cultural, and natural resources, after consideration of relevant factors and national policy.² FRA weighed and balanced the environmental effects associated with the alternatives considered, including the No-Action Alternative and the Preferred Alternative, and found that the Preferred Alternative is the Environmentally Preferable Alternative.

² CEQ's "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations."

In the No-Action Alternative, the Project would not be implemented. While smaller projects by USRC and Amtrak would address some of the shortcomings of the existing station over time, they would not address these shortcomings in a comprehensive manner. Without the reconstruction of the rail terminal included in the Preferred Alternative, the capacity of WUS to accommodate anticipated future growth in rail travel would remain substantially constrained, with effects on the availability of rail service along the entire Northeast Corridor. Without the substantial improvements included in the Preferred Alternative, the anticipated growth would aggravate crowded conditions at the station and result in a deterioration of user experience.

In the short term, the No-Action Alternative would have somewhat lesser impacts on the environment than the Preferred Alternative. The difference is lessened by the foreseeable development of the privately owned air rights above the rail terminal, which would generate impacts similar to those of the Preferred Alternative, including on the cultural resources affected by the Project.

By better supporting long-term growth in rail travel, the Preferred Alternative would better fulfill long-term transportation needs than the No-Action Alternative. The *U.S. National Blueprint for Transportation Decarbonization* notes that the transportation sector is the largest source of greenhouse gas emissions in the United States and identifies as one of three key strategies the need to improve efficiency by expanding affordable, efficient, and reliable options like public transportation and rail.³

13.5 Basis of Decision

The documents considered in making this decision include the June 2020 Draft Environmental Impact Statement (DEIS), May 2023 Supplemental DEIS (SDEIS), and FEIS;⁴ the Final Section 4(f) Evaluation (**Chapter 6** of the FEIS); the Section 106 Programmatic Agreement (PA) for the Project (**Appendix F4** of the FEIS); the public and agency comments received on the DEIS and SDEIS (**Appendices F3a and F3b**, respectively, of the FEIS); and technical memoranda, correspondence, and other supporting technical documents.

13.5.1 NEPA Process

Table 13-1 shows key milestones of the NEPA process for the Project.

³ U.S. Department of Energy. *Fact Sheet. U.S. National Blueprint for Transportation Decarbonization*. https://www.energy.gov/sites/default/files/2023-01/EERE_TranspoDecarb_factsheet-508_0.pdf. While, as noted in the FEIS, the increased energy needs of the expanded station may potentially result in new GHG emissions, design strategies that would be incorporated into Project design, would minimize the quantity of new emissions (see **Table 13-2**, Items # 31 through 34).

⁴ These documents are available online at the following location: <https://railroads.dot.gov/rail-network-development/environment/environmental-reviews/washington-union-station-expansion-5>.

Table 13-1. Key NEPA Steps and Milestones

Date	Steps or Milestone
November 4, 2015	Publication of Notice of Intent (NOI) in the <i>Federal Register</i> , scoping period begins
January 4, 2016	End of 60-day scoping period
July 2016	FRA and the Project Proponents identified Preliminary Concepts retained for screening
July 2017	FRA identified five concepts for further refinement and evaluation
August 2017	FRA identified five Preliminary Action Alternatives
February 2018	After refinement of the Preliminary Action Alternatives, FRA identified five Action Alternatives to be analyzed in the DEIS (Alternatives A through E)
July 2019	After further refinements, FRA identified a sixth Action Alternative for analysis in the DEIS (Alternative A-C)
June 4, 2020	FRA released the DEIS for public review
June 12, 2020	Publication of the Notice of Availability (NOA) of the DEIS in the <i>Federal Register</i>
July 2, 2020	Publication of an amended NOA in the <i>Federal Register</i> extending the comment period through September 28, 2020
July 14, 2020	FRA held a public hearing on the DEIS
September 28, 2020	End of 116-day DEIS public review period
October 2, 2020	FRA paused the NEPA process
July 11, 2022	FRA resumed the NEPA process, identified Alternative F as the new Preferred Alternative
May 12, 2023	FRA released the SDEIS for public review
May 19, 2023	Publication of the NOA of the SDEIS in the <i>Federal Register</i>
June 27-28, 2023	FRA held public hearings on the SDEIS
July 6, 2023	End of 55-day SDEIS public review period
March 2024	FRA published the FEIS/ROD for the Project

FRA initiated the NEPA process for the Project by publishing an NOI to prepare an EIS in the *Federal Register* on November 4, 2015. The NOI announced the beginning of the environmental review and Scoping process for the Project. The Scoping process ended on January 4, 2016.

Public and agency coordination are integral aspects of the NEPA process. FRA coordinated with Cooperating Agencies that have jurisdiction by law or have special expertise related to the Project. Cooperating agencies included NPS (until January 2023), NCPC, FTA, and DDOT. FRA also coordinated with Participating Agencies through multiple Interagency Coordination Meetings. Participating Agencies are identified in **Section 8.2.2, Participating Agencies**, of the FEIS. FRA conducted regular outreach with the Cooperating and Participating Agencies throughout the Project, notifying them of important events and developments, and requesting agency review of key technical documents.

FRA provided information to the public early in the NEPA process and continued to solicit public feedback throughout the process. FRA engaged the public using public meetings to present information and solicit comments at Project milestones. These milestones included a public Scoping meeting (December 7, 2015); a public forum to present and discuss Project concepts (March 30, 2016); a public

meeting to solicit feedback on the Preliminary Concepts and screening (October 19, 2016); and a public meeting to present the DEIS Action Alternatives (March 22, 2018). FRA also held a public hearing to receive comments on the DEIS on July 14, 2020, and two public hearings to receive comments on the SDEIS (in-person on June 27, 2023, and virtual on June 28, 2023). All public meeting and hearing materials were made available on the Project website.

Additionally, in late 2018, FRA and the Project Proponents initiated a public and stakeholder engagement action plan to help ensure that the public and stakeholders remained aware of the Project and NEPA process. This effort was conducted through briefings or by having a presence at various public events. These events are detailed in **Table 8-5** of the FEIS. During the preparation of the SDEIS, FRA further conducted an environmental justice-focused outreach, which is described in **Section 13.9.5** below.

13.5.2 Purpose and Need

The purpose of the Project is to support current and future long-term growth in rail service and operational needs; achieve compliance with the ADA and emergency egress requirements; facilitate intermodal travel; provide a positive customer experience; enhance integration with the adjacent neighborhoods, businesses, and planned land uses; sustain WUS'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 WUS.

13.5.3 Alternatives Considered

The CEQ regulations implementing NEPA require that Federal agencies use the NEPA process "to inform decision makers and the public of reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment" (40 CFR § 1502.1).

Leading up to the publication of the DEIS, FRA, working with the Project Proponents, developed six Action Alternatives (Alternatives A through E and Alternative A-C) through a multi-step alternative development process, as documented in **Section 3.1, Summary of Alternatives Development and Screening Process Through the DEIS**, of the FEIS. All six Action Alternatives included the following elements: preserving the historic station; reconstructing the tracks and platforms; a new bus facility; a new train hall; parking; concourses and retail; for hire-vehicles; and bicycle and pedestrian access. The DEIS Action Alternatives differed in the size and location of the train hall, bus facility, and parking facility. The DEIS identified Alternative A-C as the Preferred Alternative. Alternative A-C featured an east-west train hall north of the historic station building; an above-ground, 1,600-space parking facility; and a 40-slip bus facility. Both the parking facility and the bus facility were in a new structure to be built approximately where the existing WUS parking garage stands, primarily within the Federally owned property.

Most the comments received on the DEIS were about the design of the Project and specifically the size and location of the parking and bus facilities. FRA paused the NEPA process in October 2020 and worked

with the Project Proponents to develop a new Action Alternative (Alternative F) to address the DEIS comments. The process to develop Action Alternative F is described in **Section 3.2, *Development of the Preferred Alternative***, of the FEIS. In June 2022, FRA identified Alternative F as the new Preferred Alternative.

FRA determined that, relative to the 2020 DEIS Action Alternatives, the new Preferred Alternative (Alternative F) included substantial changes with potential to alter the Project's environmental impacts. Therefore, FRA initiated the preparation of a SDEIS in accordance with Paragraph 13 Section (e) of the *Procedures for Considering Environmental Impacts* (64 FR 28545, May 26, 1999, as updated by 78 FR 2713, January 14, 2013) to analyze the impacts of the new Preferred Alternative.

The FEIS provided a response to the comments received on the DEIS and SDEIS.⁵ Because FRA developed the Preferred Alternative to address substantive agency and public comments on the Action Alternatives presented in the DEIS, the FEIS considered only two alternatives: the No-Action Alternative and the Preferred Alternative (Alternative F).

13.5.4 No-Action Alternative

The No Action Alternative represents the state of the environment in the Project horizon year of 2040 if the Project is not implemented. The future state of the environment includes the effects of projects that would result in changes to existing conditions in the Project Area and have independent utility relative to the Project. These include near-term station and track improvements at WUS as well as reasonably foreseeable projects in the Project Area such as the development of the privately owned air rights above the rail terminal, the reconstruction of the H Street Bridge, and upgrades to the Union Station Metrorail station. Where no changes are anticipated to occur, the No-Action Alternative consists of the continuation of existing conditions at WUS and in the Project Area. The No-Action Alternative does not meet the Project's Purpose and Need. It establishes the conditions that would exist in the absence of the Project and serves as a baseline to which the potential benefits and impacts of the other alternatives can be compared.

13.5.5 Preferred Alternative (Alternative F)

A detailed description of the Preferred Alternative is provided in **Appendix F2, *Description of the Preferred Alternative***, of the FEIS. In the Preferred Alternative,

- The rail terminal would be reconstructed to replace the existing tracks and platforms with 19 new tracks: 12 stub-end tracks on the west side and seven run-through tracks on the east side, along with associated platforms.
- Four new concourses would be provided to facilitate public access and circulation; the concourses would also accommodate new retail.

⁵ The comments and FRA's responses are in **Appendix F3a, *Comments on the DEIS***, **Appendix F3b, *Comments on the SDEIS***, and **Appendix F3c, *Responses to Comments on the DEIS and SDEIS***, of the FEIS.

- An east-west train hall would be constructed just north of the historic station building, replacing the existing, non-historic Claytor Concourse.
- Parking would be a one-level, below-ground parking facility shared with the pick-up and drop-off facility. The parking facility would provide from 400 to 550 spaces. Access would be via ramps on G Street NE and First Street NE. In addition, there would be an exit ramp on the east side of WUS allowing taxis to drive to the front of the station to pick up passengers.
- A 39-slip bus facility integrated into the H Street deck and connecting directly to the train hall would be built.
- Bicycle access would be facilitated by two ramps, one on the west side and one on the east side of the station. Bicycle parking and storage would be provided beneath the ramps and in the H Street Concourse near the entrances on First and Second Streets NE. Additional Bikeshare spots would also be provided near WUS.
- New pedestrian access would be provided under the H Street Bridge, on the sides of the train hall, and via headhouses at the deck level on both sides of the H Street Bridge.⁶
- A “Visual Access Zone” (area free of Project elements between H Street and the train hall) and a “Daylight Access Zone” (area in which skylights would be installed to provide the new station concourse underneath with natural light) would enable the establishment of a centralized civic space on the H Street deck. The private air rights developer would have primary responsibility for the design of the civic space and would implement it in coordination with the Project Sponsor for the shared elements supporting the Project.
- Federal air rights would be made available by the demolition of the existing parking garage. While not part of the Project, these air rights could be available for potential future transfer and development.

13.5.6 Selected Alternative (Alternative F) and Major Impacts of the Selected Alternative

FRA selected the Preferred Alternative (Alternative F) for implementation after considering the Purpose and Need; the potential short-term and long-term benefits and impacts on the human and natural environment; and public and agency comments. The Selected Alternative (Alternative F) is estimated to cost approximately \$8.8 billion and would take approximately 13 years to construct. There is currently no funding for further design and construction of the Selected Alternative. Below is a summary of the major impacts of the Selected Alternative. A complete description of the impacts is provided in **Chapter 5, *Environmental Consequences***, of the FEIS.

The Selected Alternative would have major beneficial operational impacts on the following resources:

- **Transportation—Commuter and Intercity Railroad Service:** The reconstruction of the tracks and platforms at WUS would support a substantial expansion of rail capacity. It would meet projected growth in ridership while remedying existing deficiencies (such as antiquated

⁶ A headhouse is an entrance to a train station that provides access to tracks and platforms.

- platforms that are not ADA-compliant). A detailed description of these impacts is in **Section 5.5.3.1, *Direct Operational Impacts, Commuter and City Railroads***, of the FEIS.
- **Transportation—Pedestrians:** Additional access points and new concourses would improve pedestrian circulation inside WUS. A detailed description of these impacts is in **Section 5.5.3.1, *Direct Operational Impacts, Pedestrians***, of the FEIS.
 - **Transportation—Bicycle Activity:** The provision of approximately 100 Bikeshare spaces and up to 900 bicycle storage spots would support and facilitate bicycle access to WUS. A detailed description of these impacts is in **Section 5.5.3.1, *Direct Operational Impacts, Bicycle Activity***, of the FEIS.
 - **Land Use:** The Selected Alternative would enhance multimodal transportation uses and connectivity within the Project Area, providing a more accessible, up-to-date multimodal facility capable of accommodating more passengers and more train and bus service. A detailed description of these impacts is in **Section 5.9.3.1, *Direct Operational Impacts, Zoning, Land Use and Development***, of the FEIS.
 - **Local and Regional Plans:** The Selected Alternative is consistent with the goals and objectives of the relevant plans, including the Federal and District elements of the Comprehensive Plan for the National Capital. A detailed description of these impacts is in **Section 5.9.3.1, *Direct Operational Impacts, Consistency with Local and Regional Plans***, of the FEIS.
 - **Social and Economic Conditions—Local Communities:** The Selected Alternative would improve community cohesion by providing new pedestrian connections between WUS and the surrounding neighborhoods. A detailed description of these impacts is in **Section 5.14.3.1, *Direct Operational Impacts, Community Disruption and Other Social Benefits or Impacts***, of the FEIS.
 - **Security and Safety:** The Selected Alternative would enhance security at WUS through improved facilities and implementation of the recommendations made in the Threat, Vulnerability, and Risk Assessment (TVRA) prepared for the Project. The Selected Alternative would fully meet emergency exit and life and safety code requirements. A detailed description of these impacts is in **Section 5.15.3.1, *Direct Operational Impacts***, of the FEIS.
 - **Transportation and Mobility of Elderly and Persons with Disabilities:** The Selected Alternative would improve the transportation and mobility of the elderly and persons with disabilities by making WUS easier to access and navigate, and by bringing WUS into full compliance with ADA standards. A detailed description of these impacts is in **Section 5.16.3.1, *Direct Operational Impacts***, of the FEIS.

The Selected Alternative would have major adverse operational impacts on the following resources:

- **Transportation—Vehicular Traffic:** Increased WUS-related traffic volumes in the Selected Alternative would cause three intersections out of 35 studied intersections to degrade to level of service (LOS) F, 12 intersections to experience an increase in average delay of more than 5 seconds during at least one peak period, and 15 intersections to experience an

- increase in queue length of more than 150 feet. A detailed description of these impacts is in **Section 5.5.3.1, Direct Operational Impacts, Vehicular Traffic**, of the FEIS.
- **Property Ownership and Land Acquisitions:** The Selected Alternative would require acquiring approximately 2.9 acres of currently undeveloped privately owned air rights to construct Project elements. A detailed description of these impacts is in **Section 5.9.3.1, Direct Operational Impacts, Property Ownership, Land Acquisitions, and Displacements**, of the FEIS.
 - **Cultural Resources:** The Selected Alternative would have an adverse effect to WUS, WUS Historic Site, and the Railway Express Agency (REA) Building due to expansion of the station and reconstruction of the rail terminal. A detailed description of these impacts is in **Section 5.12.3.1, Direct Operational Impacts**, of the FEIS.
 - **Social and Economic Conditions—WUS Revenue:** The reduction and relocation of on-site WUS parking in the Selected Alternative would substantially reduce USRC's revenue, which is used for the preservation of the historic station building. A detailed description of these impacts is in **Section 5.14.3.1, Direct Operational Impacts, Washington Union Station Revenue**, of the FEIS.

Construction of the Selected Alternative would have major adverse impacts on the following resources during the stated construction timeframes (construction phasing and the duration of each of the phases are presented in **Table 3-9** of the FEIS and described in **Appendix F2, Description of the Preferred Alternative**, Section F11, *Construction Methods and Activities*):

- **Transportation—Loading:** During Phase 4 of construction (approximately 4 years and 3 months), WUS's west loading dock would be closed whenever construction activities occur in its vicinity. The new loading dock at Second and K Streets NE would not be operational until the end of Phase 4 because the area is needed for construction material laydown and storage. A detailed description of these impacts is in **Section 5.5.3.3, Construction Impacts, Loading**, of the FEIS.
- **Transportation—Parking:** During the entire Phase 4 of construction, there would be no parking at WUS because the existing parking garage (which currently accommodates approximately 2,450 vehicles) would be demolished during that phase and the new parking facility would not be operational until the completion of the phase. A detailed description of these impacts is in **Section 5.5.3.3, Construction Impacts, Vehicular Parking and Rental Cars**, of the FEIS.
- **Transportation—Rental Cars:** During the entire Phase 4 of construction, there would be no space for rental cars at WUS because the existing parking garage, which contains WUS's rental car facilities, would be demolished during that phase and the new parking facility would not be operational until the completion of the phase. A detailed description of these impacts is in **Section 5.5.3.3, Construction Impacts, Vehicular Parking and Rental Cars**, of the FEIS.

- **Transportation—For-Hire Vehicles:** The demolition of the existing ramps on the east and west sides of WUS would disrupt for-hire vehicle operations at WUS. A detailed description of these impacts is in **Section 5.5.3.3, *Construction Impacts, For-Hire Vehicles***, of the FEIS.
- **Transportation—Vehicular Traffic:** Temporary roadway closures and construction truck traffic (for a cumulative total of approximately four years out of the 13-year construction period) would disrupt traffic near WUS. A detailed description of these impacts is in **Section 5.5.3.3, *Construction Impacts, Vehicular Traffic***, of the FEIS.
- **Noise and Vibration:** Modeled noise levels would exceed the FTA threshold for severe noise impacts at up to 32 locations near the Project Area, especially during support of excavation (SOE) construction and at the start of excavation. Vibration levels during drilling and excavating activities would create potential structural risks at four locations, including the REA Building, the Kaiser Permanente Medical Center, WUS, and the City Post Office (Postal Museum). A detailed description of these impacts is in **Section 5.10.3.3, *Construction Impacts***, of the FEIS.
- **Cultural Resources:** Vibration levels during drilling and excavating activities would create potential structural risks to four historic properties: REA Building, WUS, WUS Historic Site, and City Post Office (Postal Museum). A detailed description of these impacts is in **Section 5.12.3.3, *Construction Impacts***, of the FEIS.
- **Security:** Construction operations would require granting access to WUS and the rail terminal to many persons and vehicles, which would create security risks. A detailed description of these impacts is in **Section 5.15.3.3, *Construction Impacts***, of the FEIS.
- **Transportation and Mobility of Elderly and Persons with Disabilities:** Disruptions to pathways and circulation space in and around WUS during construction would make the station and surrounding area challenging to navigate for the elderly and persons with disabilities. A detailed description of these impacts is in **Section 5.16.3.3, *Construction Impacts***, of the FEIS.

13.6 Measures to Minimize Harm

The commitments to implement avoidance, minimization, and mitigation measures listed in **Table 13-2** are the result of agency consultations, comments on the DEIS and SDEIS, and regulatory requirements. They reflect the practicable means to minimize environmental harm from the Selected Alternative. USRC as the Project Sponsor is responsible for implementing these measures, unless otherwise specified. Some of the measures involve coordination with other agencies and organizations, as noted in the table. The measures will be implemented, as appropriate, during design, construction, or following construction, as specified in the table.

Table 13-2. Avoidance, Minimization, and Mitigation Measures, and Project Commitments

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
Water Resources and Water Quality			
1	<ul style="list-style-type: none"> ▪ USRC to ensure that Project design incorporates stormwater management features, including green infrastructure practices such as rainwater collection and reuse, green roofs, and bioretention facilities, as appropriate to manage stormwater flows in accordance with the Department of Energy and Environment (DOEE)'s <i>Stormwater Management Guidebook</i> and restore pre-development site hydrology to the maximum extent technically feasible in compliance with Section 438 of the Energy Independence and Security Act (EISA). 	Operational-phase stormwater runoff.	During Project Engineering & Design.
2a	<ul style="list-style-type: none"> ▪ Prior to the beginning of construction, USRC to conduct additional groundwater studies, including: <ul style="list-style-type: none"> ▪ Performing additional borings to depths of 120 to 150 feet inside and along the perimeter of the Project Area to better characterize the lower aquifer's composition and extents and any discontinuities of the Potomac Clay layer separating the aquifers. ▪ Performing research of adjacent properties to understand the local impacts of ongoing or periodic dewatering systems acting around the Project Area. ▪ Performing additional pump testing that targets zones of clay discontinuity in the lower aquifer. ▪ If warranted by the above, performing further modeling to map the areas that have high potential to experience ground subsidence from drawdown. 	Construction-phase groundwater dewatering.	During Project Engineering & Design.
2b	<ul style="list-style-type: none"> ▪ If warranted by the studies listed in Item #2a, USRC to require the construction contractor to monitor and control the amount of active dewatering on the site so dewatering does not create subsidence in and around adjacent properties. 		During Construction.
2c	<ul style="list-style-type: none"> ▪ USRC to require that the construction contractor provide on-site monitoring and treatment of pumped groundwater and obtain a Temporary Discharge Authorization permit for discharge through the District's combined sewer system. 		During Final Design and Construction.
3	<ul style="list-style-type: none"> ▪ USRC to require the construction contractor to implement erosion and sedimentation controls compliant with National Pollutant Discharge Elimination System (NPDES) construction general permit and District Department of Environment and Energy (DOEE)'s <i>Erosion and Sediment Control Manual</i>. 	Construction-phase erosion and sedimentation.	During Final Design and Construction.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
Solid Waste Disposal and Hazardous Materials			
4	<ul style="list-style-type: none"> USRC to update existing Spill Prevention Control and Countermeasure (SPCC) Plan to reflect any major changes to on-site petroleum product or liquid hazardous waste storage. 	Operational-phase petroleum and hazardous waste storage.	Post-construction.
5	<ul style="list-style-type: none"> USRC to require the construction contractor to develop and implement a construction-specific SPCC. 	Construction-phase petroleum and hazardous waste storage.	During Final Design and Construction.
6a	<ul style="list-style-type: none"> USRC to require the construction contractor to identify hazardous building materials (asbestos-containing materials, lead-based paint, polychlorinated biphenyls [PCBs], mercury, etc.) prior to any demolition work. 	Construction-phase demolition and disposal of hazardous building materials and debris.	During Final Design and Construction.
6b	<ul style="list-style-type: none"> As warranted by Item #6a, USRC to require that abatement of hazardous materials be conducted by a licensed contractor in accordance with District regulations; debris to go to a receiving facility licensed to handle the relevant type of waste in compliance with applicable shipping regulations. 		During Construction.
7	<ul style="list-style-type: none"> USRC to require the construction contractor to develop a Soil Management Plan (SMP) based upon subsurface investigations, as needed. The purpose of these investigations will be to pre-characterize the soils to be removed during the construction of the Project. The SMP typically outlines standards and procedures for the identification and disposal of contaminated materials encountered during construction. 	Construction-phase removal and disposal of potentially contaminated soils.	During Final Design and Construction.
8	<ul style="list-style-type: none"> USRC to require the construction contractor to exclusively use certified clean soil to replace excavated soil. 	Construction-phase excavation and replacement of potentially contaminated soils.	During Construction.
9	<ul style="list-style-type: none"> USRC to require the construction contractor to control fugitive dust through wetting, sweeping, and other suppression techniques. 	Construction-phase fugitive dust emissions.	During Construction.
10	<ul style="list-style-type: none"> USRC to require the construction contractor to develop and implement a Health and Safety Plan that provides the minimum health and safety specifications that must be met during construction, including requirements for environmental monitoring, personnel protective equipment, site control and security, and training. 	Construction-phase human and environmental health and safety risks.	During Final Design and Construction.
11	<ul style="list-style-type: none"> USRC to maximize opportunities for recycling or other waste diversion methods in support of the District's vision of an 80% or more solid waste diversion. 	Construction- and operational-phases solid waste disposal.	During Final Design and Construction.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
Transportation			
12	<ul style="list-style-type: none"> ▪ USRC to require the construction contractor to prepare and implement an <i>Integrated Construction Transportation Management Plan</i>. The Plan will define the measures to be implemented by the construction contractor to avoid, minimize, or mitigate impacts from construction on all transportation modes in each phase of construction, along with procedures to enforce, monitor, and evaluate these measures and ensure consistency with District requirements for managing construction impacts: <ul style="list-style-type: none"> ▪ The Plan will minimize sidewalk and bicycle lane closures, and ensure safe passage for pedestrians and cyclists around the construction site with as little inconvenience, impact, and delay as possible, in accordance with the District's Safe Accommodation law (DCMR 24-3315). ▪ As needed, the plan will identify adequate passenger loading/unloading and layover locations for the DC Circulator during Phases 3 and 4 of construction. ▪ The plan will identify ways to route vehicular traffic around the construction site with as little inconvenience and delays as possible, including avoiding impacts on residential streets. ▪ The plan will identify an adequate interim transfer and screening location for use when the First Street Loading Dock is closed and the new Second Street Loading Dock not yet operational. ▪ The plan will be coordinated with the District Department of Transportation (DDOT), the Washington Metropolitan Area Transit Authority (WMATA), Architect of the Capitol (AOC), and other relevant agencies. ▪ See also Items #13a, 26, 29a, and 41. 	All construction-related transportation impacts.	During Final Design and Construction.
13a	<ul style="list-style-type: none"> ▪ Amtrak to coordinate with Maryland Area Regional Commuter trains (MARC), Virginia Railway Express (VRE), and USRC to (1) refine construction-period operating plans as appropriate (including further modeling if needed) to ensure that construction-period travel demand is reasonably accommodated and (2) identify feasible solutions to reasonably accommodate operators' layover, storage, and inspection needs during the construction period. Outcomes to be incorporated into the Integrated Construction Transportation Management Plan (see Item #12). 	During construction, several Amtrak, MARC, and VRE trains may be cancelled daily.	During Project Engineering & Design.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
13b	<ul style="list-style-type: none"> Amtrak to coordinate with USRC, MARC, and VRE to identify opportunities to avoid service cancellation as much as possible and identify reasonable travel alternatives for passengers affected by construction-period service adjustments. 		During Construction.
14a	<ul style="list-style-type: none"> USRC to fund a new Union Station WMATA Station Access and Capacity Study. 	Increased passenger volumes at the WUS WMATA Station.	During Project Engineering & Design.
14b	<ul style="list-style-type: none"> USRC to contribute to improvements identified in the study (see Item #14a) that have not been addressed by the Concourse Modernization Project or by WMATA by the time of implementation. 		During Final Design and Construction.
15a	<ul style="list-style-type: none"> USRC, in coordination with DDOT, to engage with WMATA about the determination of the Preferred Alternative for a new core line in the context of the Blue/Orange/Silver Capacity & Reliability Study. 	Increase in passenger volumes and capacity issues on WMATA Red Line.	During Project Engineering & Design.
15b	<ul style="list-style-type: none"> USRC to coordinate with WMATA during the engineering and design phase of the Project to work on maintaining compatibility between the Project and a potential construction of a new Metrorail tunnel and station as an outcome of the Blue/Orange/Silver Capacity & Reliability study. 		
16	<ul style="list-style-type: none"> USRC to develop and implement, with WMATA, construction approaches that minimize delays or stoppages on the Red Line. 	Need for schedule adjustments or temporary stoppage on the Red Line during Phase 4 of construction.	During Final Design and Construction.
17a	<ul style="list-style-type: none"> USRC to develop, with DDOT, options for temporary access to WUS DC Streetcar station during construction and take steps with the District State Safety Office to address issues that may affect Streetcar certification. 	Construction activities may block direct access from DC Streetcar station to WUS facilities.	During Final Design and Construction.
17b	<ul style="list-style-type: none"> USRC to implement any changes to public access required, subject to DDOT approval, and provide safe accommodations for pedestrians in accordance with the District's Safe Accommodation law. 		During Construction.
18a	<ul style="list-style-type: none"> USRC to develop a <i>Bus Facility Operations Plan</i> in coordination with the bus carriers using the facility, DDOT, and the Mayor's Office of Special Events. The private air rights developer will be given the opportunity to comment on the draft plan. At a minimum, the plan will address: <ul style="list-style-type: none"> Approach to gate management, including use of zones and patterns to improve wayfinding and operations; Technology used to implement management approach; 	Impacts to the operation of the bus facility.	During Project Engineering & Design.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	<ul style="list-style-type: none"> ▪ Management of special events in the District to minimize impacts to core operations and adjacent streets, including the streets of the private air rights development; ▪ Management of peak intercity periods; ▪ Management and allocation of revenues, costs, and slip fees to balance operational and maintenance needs and bus industry economics; ▪ Safety and security systems planning; and ▪ Exclusion of non-reserved, non-paying bus service from the facility. 		
18b	<ul style="list-style-type: none"> ▪ USRC to coordinate with the bus carriers on the design of the future facility to facilitate connections and provide amenities for bus passengers, including bus slip design in light of the operators' need to back up and turn safely and serve passengers with mobility challenges. ▪ As part of the design, USRC to consider accommodating infrastructure supporting zero-emission vehicles, which may include accommodations for electric/zero emission commercial or alternative fuel vehicles. 		During Project Engineering & Design.
18c	<ul style="list-style-type: none"> ▪ USRC to regularly evaluate trends in bus demand at WUS and in the District to identify future refinements to operations planning or design. 		During Operation.
19	<ul style="list-style-type: none"> ▪ USRC to confirm that hop-on/hop-off sightseeing bus operations can be accommodated in the middle lanes in front of WUS as part of the Performance Monitoring Plan (see Item #28a). If they cannot be accommodated, USRC to coordinate with DDOT to identify a nearby location for these operations. 	Accommodation of hop-on/hop-off buses at the front of WUS.	During Project Engineering & Design.
20	<ul style="list-style-type: none"> ▪ USRC to accommodate Gallaudet University shuttle on the H Street Deck level/train hall curbside. 	Loss of space for Gallaudet University shuttle.	During Operation.
21	<ul style="list-style-type: none"> ▪ USRC to work with the private air rights developer to build the interim bus facilities as close as possible to an access point to the station and Metrorail, and with the best user amenities achievable; USRC to coordinate with bus carriers in its design. 	Unavailability of a permanent bus facility in Phase 4, possibly starting during Phase 3.	During Final Design and Construction.
22a	<ul style="list-style-type: none"> ▪ USRC to perform a pedestrian crossing study to identify and recommend to DDOT signal timing adjustments needed to provide sufficient crossing time for pedestrians exiting the front of WUS. ▪ The study also to identify opportunities to provide enhanced pedestrian accommodations at the front of WUS and to work with DDOT to implement such opportunities. ▪ USRC to design, permit, and install the agreed-upon upgrades. 	Increases in passenger volumes may have a moderate impact on pedestrian crossing and queueing conditions adjacent to WUS.	During Operation.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	<ul style="list-style-type: none"> ▪ USRC to coordinate with the National Park Service (NPS), which has jurisdiction on Columbus Plaza, about the agreed-upon improvements, as appropriate. 		
22b	<ul style="list-style-type: none"> ▪ USRC to design, permit, and install signalization at the intersection of First and G Streets NE, and a raised crosswalk at the H Street Concourse on First and Second Streets NE, subject to warrant study and DDOT review and approval. 		During Final Design and Construction.
22c	<ul style="list-style-type: none"> ▪ USRC to design, permit, and install pedestrian safety improvements, such as raised crosswalks or Americans with Disabilities Act (ADA) improvements, at Level of Service (LOS) F intersections on North Capitol Street and K Street NE, in coordination with DDOT. ▪ These intersections to be defined based on the analysis presented in the FEIS and confirmed through the Performance Monitoring Plan to be implemented under Item #28a. 		During Operation.
23	<ul style="list-style-type: none"> ▪ USRC, in coordination with DDOT, to develop strategies for and design, permit, and install upgrades to bicycle facilities as needed to reduce conflicts among bicyclists, pedestrians, and vehicles on First Street NE, between Massachusetts Avenue and M Street NE at the First Street Loading Dock, the entrance to the H Street Concourse, and the ramp to the below-ground bus facility. ▪ USRC, in coordination with DDOT, to incorporate into the design of the new Second Street loading dock measures to minimize as much as possible conflicts between users of the Metropolitan Branch Trail and vehicular traffic in and out of the loading dock. ▪ USRC to coordinate with DDOT to identify, design, permit, and install bicycle facilities or upgrade existing facilities on I (Eye) Street between Fifth and Second Streets NE and on the east side of WUS, between Columbus Circle and F Street NE. ▪ Upgrades to be considered may include, as appropriate: <ul style="list-style-type: none"> ▪ New standard or separated bicycle facilities on priority streets; ▪ Conventional bike lanes & intersections to separated facilities; ▪ Floating bus island or modular bus landings within separated bike facilities; ▪ Reconstruction of existing bicycle facilities at sidewalk level; or ▪ Reconstruction of existing bicycle facilities with pre-cast or raised concrete buffer separation. 	Conflicts between bicycles, pedestrians, and vehicles.	During Project Engineering & Design.
24	<ul style="list-style-type: none"> ▪ USRC to develop, with DDOT and in accordance with the District’s Safe Accommodation law, appropriate bicycle accommodations and wayfinding plan to 	Work on First Street NE would disrupt use of the cycle track	During Construction.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	direct bicyclists to the Second Street NE shared-use portion of the Metropolitan Branch Trail when the First Street Cycle Track is disrupted. <ul style="list-style-type: none"> ▪ See also Items #42c and 42d. 	during parts of the construction period.	
25a	<ul style="list-style-type: none"> ▪ USRC, in coordination with DDOT and WMATA, to reallocate the middle lanes in front of WUS to be used for transit bus passenger boarding and alighting for Metrobus, Circulator, and hop-on/hop-off routes terminating or passing through the area in front of the station; the middle lanes also to provide layover space for the DC Circulator if possible (see also Item #25f). 	Multiple bus lines would experience increased overcrowding and delays.	During Operation.
25b	<ul style="list-style-type: none"> ▪ USRC, in coordination with DDOT and WMATA, to relocate bus stops from adjacent streets, including Columbus Circle and E Street, to these middle lanes, based on which services are relocated to the front of WUS. ▪ USRC also to evaluate whether context-appropriate bus passenger amenities can be installed in the median serving the middle lanes; USRC also to evaluate whether electric bus charging stations can be installed. 		During Project Engineering & Design.
25c	<ul style="list-style-type: none"> ▪ USRC, in coordination with DDOT and WMATA, to provide a bus stop on H Street adjacent to, or incorporated into, the north and south station headhouses with shelter, seating, and real-time information displays. 		During Project Engineering & Design.
25d	<ul style="list-style-type: none"> ▪ USRC in coordination with DDOT and WMATA, to design, permit, and install improved wayfinding, shelters, and other accommodations for major commuter bus stops serving WUS on North Capitol Street. ▪ USRC to obtain all DDOT’s approval for bus shelters and street furniture, as required (also applicable to all other measures involving bus shelters and street furniture). 		During Project Engineering & Design.
25e	<ul style="list-style-type: none"> ▪ USRC to coordinate with DDOT and WMATA to identify, study, design, and construct bus priority measures in the vicinity of Union Station, consistent with the District of Columbia’s Long Range Transportation Plan, Move DC., within the following corridors: <ul style="list-style-type: none"> ▪ Massachusetts Avenue between New Jersey Avenue NW and 4th Street NE; and ▪ North Capitol Street between Massachusetts Avenue and New York Avenue. 		During Project Engineering & Design.
25f	<ul style="list-style-type: none"> ▪ If DC Circulator layover space cannot be provided in the middle lanes in front of WUS (see Item #25a), USRC to work with DDOT to identify, design, and install a layover location, including electric bus charging, adjacent to or near WUS. 		During Project Engineering & Design.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
26	<ul style="list-style-type: none"> USRC to develop a for-hire vehicle operations plan as part of the <i>Integrated Construction Transportation Management Plan</i> (see #12 above). The plan to prioritize maintaining safe traffic operations and distributing pick-ups and drop-offs to minimize congestion. 	During Phase 4 of the construction period, the west ramp and back ramp would become unavailable, forcing for-hire vehicles to queue on the southeast road and east ramp. This queue could interfere with traffic operations on the deck.	During Final Design and Construction.
27a	<ul style="list-style-type: none"> USRC to ensure that there is sufficient staffing to manage curb activity along USRC-controlled curbsides. 	Increased traffic congestion may negatively affect pick-up and drop-off operations.	During Construction & Operation.
27b	<ul style="list-style-type: none"> USRC to coordinate with the District Department of Public Works and the Metropolitan Police Department (MPD) to provide coordinated enforcement of active curb areas along public streets and discourage use of non-designated curb areas. 		Post Construction.
27c	<ul style="list-style-type: none"> USRC to coordinate with MPD to provide coordinated enforcement to prevent queues on public roadways. 		During Operation.
27d	<ul style="list-style-type: none"> USRC to coordinate with DDOT and the District Department of For-Hire Vehicles (DDFHV) to develop and implement regulatory strategies to reduce excess taxi and Transportation Networking Companies (TNC) pick-up and drop-off activity at WUS; promote shared rides; and avoid adjacent spillovers or excessive congestion, including the creation of a geofenced area that determines specific pick-up locations; incentives; and pricing policies for for-hire vehicles. 		Post Construction.
27e	<ul style="list-style-type: none"> USRC to develop, in coordination with DDOT and DDFHV, an advanced vehicle dispatching and dynamic wayfinding strategy to distribute taxis and TNC vehicles within the below-ground facility, from the facility to the front of WUS, and around the site, alongside an internal wayfinding strategy to direct passengers to appropriate curbsides based on traffic and queueing conditions. 		During Operation.
27f	<ul style="list-style-type: none"> USRC to monitor through the Performance Monitoring Plan (see Item #28a) future pick-up and drop-off conditions to support the refinement of operational approaches, as needed. 		During Operation.
28a	<ul style="list-style-type: none"> USRC, in coordination with DDOT, to develop and implement a Performance Monitoring Plan (PMP) consistent with DDOT’s Comprehensive Transportation 	Increases in traffic volumes would result in increases in	During Project Engineering & Design,

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	<p>Review (CTR) guidelines for Performance Monitoring. Key steps and elements will include (may be refined during Scoping):</p> <ul style="list-style-type: none"> ▪ PMP Scoping; ▪ PMP Baseline Travel Demand Study (prior to Phase 1 of construction or during the Intermediate Phase, as determined during scoping); ▪ PMP Monitoring Study #1 (one year following end of construction); ▪ PMP Monitoring Study #2 (three years following end of construction); ▪ If needed, PMP Monitoring Study #3 (five years following end of construction); ▪ If needed, PMP Monitoring Study #4 (ten years following end of construction). ▪ The need for Monitoring Studies #3 and 4 to be determined based on achievement of performance metrics results and mitigations completed. <ul style="list-style-type: none"> ▪ At a minimum, the PMP Baseline Travel Demand Study to include data on (may be refined during Scoping): <ul style="list-style-type: none"> ▪ Existing peak period (AM, PM, weekend) vehicular trip generation at all publicly accessible WUS entrances; ▪ Existing peak period trip generation at pick-up/drop-off zones at or adjacent to WUS; ▪ Existing peak WUS parking occupancy; ▪ Existing intercity bus vehicle trips using the bus facility; ▪ Existing tour/charter bus vehicle trips using the bus facility; ▪ Existing transit bus and hop-on/hop-off vehicle trips at Columbus Circle; ▪ Union Station Metrorail Station ridership; and ▪ Capital Bikeshare usage. ▪ The PMP Baseline Travel Demand Study to include the intersections anticipated to be adversely impacted by the Project in the FEIS as well as other intersections within a half-mile of WUS determined to warrant inclusion during the Scoping step. ▪ PMP Monitoring Studies to include performance targets or thresholds for data collection for the following metrics (may be refined during Scoping): <ul style="list-style-type: none"> ▪ Increases in peak period vehicular trip generation at station access points; ▪ Increases in pick-up/drop-off activity in designated zones; ▪ Increases in Metrorail ridership; ▪ Peak parking occupancy; ▪ Intercity bus vehicle trips using the 39-slip facility; 	<p>delay and queueing at multiple intersections.</p>	<p>Construction, and Operation.</p>

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	<ul style="list-style-type: none"> ▪ Tour/charter bus vehicle trips using the 39-slip facility; ▪ Days tour/charter buses and number of vehicle trips using the 15-space deck-level area; ▪ Days intercity buses and number of vehicle trips using the 15-space deck-level area; ▪ Transit and hop-on/hop-off bus vehicle trips using the center lanes in front of WUS; and ▪ Traffic analysis metrics, including volume/capacity ratio, LOS, delays, and queue increases. ▪ Specific mitigations strategies to be agreed upon between USRC and DDOT based on the result of the monitoring and whether targets or thresholds have been exceeded by a pre-determined amount. Strategies may include measures to incentivize the use of non-auto modes to travel to or from WUS as well as improvements at specific intersections, including, for instance: <ul style="list-style-type: none"> ▪ Turning movement restrictions; ▪ Alternative signal phasing; ▪ Signal timing adjustments and optimization; ▪ Geometry modifications or travel lanes reconfiguration; ▪ Traffic control device improvements, including modifications to existing traffic signals or new traffic signals where warranted; ▪ Pedestrian crossing safety treatments, including markings, signs, beacons, or raised crossings; ▪ Sidewalk widening or enhancement; and ▪ On-street parking restrictions. ▪ USRC to be responsible for the design, permitting, and installation of the agreed-upon improvements, subject to DDOT approvals. ▪ Items #28c through 28g below to be reviewed and refined, as needed, based on the results of the PMP. 		
28b	<ul style="list-style-type: none"> ▪ USRC to coordinate with the U.S. Government Publishing Office (GPO) to open up currently closed sections of First Street and G Street NW to public access and to fund costs associated with this opening to meet GPO requirements and requirements for public access. 		During Project Engineering & Design.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
28c	<ul style="list-style-type: none"> ▪ USRC to perform a signal and mobility study of the portion of the Study Area encompassing Study Intersections 13 (North Capitol Street/Massachusetts Avenue), 19 (North Capitol Street/E Street), 20 (Louisiana Avenue/D Street NW), and 21 (Louisiana Avenue/North Capitol Street) to identify how changes to signalization could improve operations. ▪ USRC, in coordination with DDOT, to install study-identified improvements and support DDOT signalization changes. 		During Project Engineering & Design, Construction, and Operation.
28d	<ul style="list-style-type: none"> ▪ USRC to coordinate with the private air rights developer on strategies for traffic distribution and circulation to improve traffic conditions on H Street, as needed and possible. ▪ USRC, in coordination with the private air rights developer, to design and install wayfinding and other measures to improve traffic distribution on H Street. 		During Project Engineering & Design, Construction, and Operation.
28e	<ul style="list-style-type: none"> ▪ USRC to participate in DDOT’s mobility study for the North Capitol Street corridor to understand how Project and DDOT policies and strategies could reduce congestion along the North Capitol Street corridor. USRC to provide technical support and information on future WUS operations to inform the study’s recommendations. 		During Project Engineering & Design.
28f	<ul style="list-style-type: none"> ▪ USRC to advance facility design that implements internal wayfinding prioritizing transit access and balancing pick-up and drop-off demand across different locations based on congestion; this wayfinding to be provided through static and variable signage. 		During Project Engineering & Design.
28g	<ul style="list-style-type: none"> ▪ USRC, in coordination with DDOT, to develop external wayfinding to reduce turn pressures on congested intersections, including, as appropriate, static and variable signage on the Center Leg Freeway to direct traffic to appropriate locations. USRC to design, permit, and install the agreed-upon wayfinding. 		During Project Engineering & Design, Construction, and Operation.
28h	<ul style="list-style-type: none"> ▪ USRC to allot sufficient resources to implement identified mitigations. 		During Project Engineering & Design, Construction, and Operation.
28i	<ul style="list-style-type: none"> ▪ On a case-by-case basis, USRC, in coordination with DDOT, to look for opportunities within each traffic mitigation approach to inform and involve the Section 106 PA Signatories and relevant Consulting Parties on a case-by-case basis: see also Item # 41. 		During Project Engineering & Design, Construction, and Operation.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
29a	<ul style="list-style-type: none"> ▪ USRC to incorporate a Truck Traffic Plan into the <i>Integrated Construction Transportation Management Plan</i> (see #12) that identifies ways to avoid impacts of truck traffic on residential neighborhoods. The Truck Traffic Plan to be coordinated with DDOT. Affected Advisory Neighborhood Commissions (ANCs) to be given an opportunity to comment on it. The Truck Traffic Plan to be consistent with District commercial vehicle regulations and oversize permitting requirements and make use of DDOT routing tool, as needed.⁷ ▪ See also Items #39a and 39b. 	During excavation, up to 120 daily construction trucks would enter and exit the site.	During Final Design and Construction.
29b	<ul style="list-style-type: none"> ▪ USRC to coordinate with Amtrak to evaluate and maximize to the extent practicable the use of work trains instead of dump trucks to haul away excavation spoil during construction. This approach would substantially eliminate the work truck traffic associated with excavation. Typical construction truck traffic is to be addressed by the Truck Traffic Plan (see Item #29a). 		During Final Design and Construction.
30	<ul style="list-style-type: none"> ▪ USRC to coordinate with DDOT and the new owner, transferee, or lessee of the Federal air rights to follow required transportation demand management practices to reduce traffic activity associated with the development of the Federal air rights through the CTR process. 	Potential Federal air rights development would generate additional vehicular activity.	Post Construction.
Air Quality			
31a	<ul style="list-style-type: none"> ▪ USRC to ensure that Project design places ventilation fans at least 30 feet from the nearest operable windows, louvers, or doors and emergency generators at least 30 feet from the nearest building or on a rooftop. 	Operational-phase air pollutant emissions.	During Project Engineering & Design.
31b	<ul style="list-style-type: none"> ▪ USRC to coordinate with rail operators to minimize diesel locomotive idling in order to reduce Mobile Source Air Toxics (MSAT) emissions. ▪ USRC to ensure that signs promoting awareness of the District’s anti-idling laws are posted in the below-ground facility and the bus facility. 		During Construction and Operation.
32a	<ul style="list-style-type: none"> ▪ USRC to require the construction contractor to implement measures to reduce pollutant emissions, including but not limited to dust suppression; idling restrictions; use of zero-emissions equipment and Ultra Low Sulfur Diesel (ULSD) fuel; proper maintenance of all motor vehicles, machinery, and equipment; and 	Construction-related air pollutant emissions.	During Construction.

⁷ DDOT. *Commercial Vehicles*. Accessed from <https://ddot.dc.gov/service/commercial-vehicles>. Accessed on March 11, 2023.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	fitting of equipment with mufflers or other regulatory-required emissions control devices.		
32b	<ul style="list-style-type: none"> USRC to require the construction contractor to limit non-road engine idling to 3 minutes in compliance with District anti-idling law in all phases of construction, and place idling restriction signs on the premises. Drivers and equipment operators to be trained accordingly. 		During Construction.
32c	<ul style="list-style-type: none"> USRC to require the construction contractor to fit all diesel-fuel construction equipment with after-engine emission controls; use ULSD fuel for all off-road construction vehicles; use nonroad diesel equipment rated 50 horsepower or greater to meet U.S. Environmental Protection Agency (EPA)'s Tier 4 emission limits or retrofitted with appropriate emission reduction equipment. Emission reduction equipment potentially to include EPA-verified or California Air Resource Board-verified diesel oxidation catalysts or diesel particulate filters. 		During Construction.
32d	<ul style="list-style-type: none"> USRC to require the construction contractor to implement measures to protect local residents, visitors, passengers, and passers-by from off-site exposure to dust and debris. Appropriate methods of dust control to be determined according to the surfaces concerned (roadways or disturbed areas) and include, as applicable: application of water during ground-disturbing activities; stone surfacing of construction roads; seeding of areas of exposed or stock-piled soils; wheel washing; and regular sweeping of paved roadways. Recycling construction waste and demolition materials may also reduce dust emissions 		During Construction.
32e	<ul style="list-style-type: none"> During construction in or immediately adjacent to the historic station building (demolition of the Claytor Concourse, column removal), USRC to require the construction contractor to set up airtight walls or partitions around the construction areas as needed to eliminate the risk of train engine exhaust fumes or dust drifting into the indoor areas accessible to the public or station employees. 		During Construction.
Greenhouse Gas Emissions and Resilience			
33	<ul style="list-style-type: none"> USRC to prepare a <i>Life Cycle Assessment</i> of total greenhouse gas (GHG) emissions associated with the Project (embodied emissions). USRC to use the <i>Life Cycle Assessment</i> to inform future decisions regarding the type of materials used and their sourcing so that associated GHG emissions are minimized to the extent practicable. 	Potential net emissions of GHG.	During Final Design and Construction.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	<ul style="list-style-type: none"> ▪ To the extent practicable, USRC to use low GHG emissions materials for the Project. 		
34	<ul style="list-style-type: none"> ▪ USRC to design and operate the Project to achieve compliance with EO 14057, <i>Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability</i>, Section 205, as applicable, and, wherever possible, to ensure that at least the Federally owned portion of the Project achieves the requirements and standards of Public Buildings Service (PBS)-P100. PBS-P100 provides performance-based standards and prescriptive requirements focused on energy efficiency, carbon neutrality, and practices that protect against climate risks (excluding the historic station building). ▪ As required by PBS-P100, USRC to direct that at least the Federally owned portion of the Project achieve a Leadership in Energy and Environmental Design (LEED) v4 Gold rating within a boundary encompassing all station areas that support typical operations (excluding the historic station building). ▪ Examples of measures the USRC could include in Project design include but are not limited to: <ul style="list-style-type: none"> ▪ Design and technology features to minimize buckled railroad tracks. ▪ Power supply redundancy and backup generation. ▪ Reduced dependency on centralized power by installing renewable energy systems at WUS, including for instance solar panels. ▪ Shelter facilities to provide shading and natural ventilation for passenger comfort and safety. ▪ Water conservation features (See also <i>Water Resources and Water Quality</i> above). ▪ Reflective roofs or green roofs to reduce urban heat island effect. ▪ Appropriate glazing for the train hall so that it can control solar heat gain by season. ▪ Placement of electrical components above ground level to protect them from flash flood events during extreme storm events. ▪ Use of building materials that can withstand inundation or installing flood barriers at openings of below-grade structures that may become vulnerable to flooding. ▪ Dry and wet floodproofing measures for below-grade parking areas. 	Need for greater resilience in the context of climate change.	During Project Engineering & Design.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
Energy Resources			
35a	<ul style="list-style-type: none"> USRC to develop and incorporate Net-Zero Energy strategies into the design of the Project to the greatest extent practicable, including for instance, solar panels. 	Energy consumption increases.	During Project Engineering & Design.
35b	<ul style="list-style-type: none"> USRC to incorporate cost-effective energy efficiency technologies in Project design. Examples include but are not limited to programmable and learning thermostats; energy management systems that react to utility price signals and energy demand in the region; and light motion sensors and dimmers. 		During Project Engineering & Design.
35c	<ul style="list-style-type: none"> USRC to develop a <i>Tenant Manual</i> to help current and future tenants make their operations more sustainable and energy efficient, and reduce overall energy demand. 		During Construction.
35d	<ul style="list-style-type: none"> USRC to coordinate with AOC regarding any increase in chill water and steam demand from the expanded station and any revisions to the existing Memorandum of Understanding. 		During Project Engineering & Design.
Land Use, Land Planning, and Property			
36	<ul style="list-style-type: none"> USRC to ensure that the acquisition of the privately owned air rights needed to construct the Project is conducted in accordance with the applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended. 	Need to use approximately 2.9 acres of private air rights for Project elements.	During Project Engineering & Design.
Noise and Vibration			
37a	<ul style="list-style-type: none"> USRC to require the construction contractor to prepare and implement a <i>Construction Noise and Vibration Control Plan</i>. The plan to: <ul style="list-style-type: none"> Include detailed predictions of construction noise and vibration levels; requirements for conducting construction noise and vibration monitoring; and, if necessary, detailed approaches to mitigate potential construction-period noise and vibration impacts. Set acceptable vibrations limits and address the need for a pre-construction crack survey, install crack detection monitors, and conduct vibration monitoring. Define a process to alert the contractor of any limit exceedances and implement corrective actions. 	General construction noise and vibration.	During Final Design and Construction.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	<ul style="list-style-type: none"> ▪ Contain a public engagement plan specifying measures that will be implemented to inform neighbors and other relevant parties (including as required by the Section 106 Programmatic Agreement [PA]) of anticipated noisy activities, noise or vibration level projections and exceedances, and measures to be taken to remedy these exceedances. ▪ At a minimum, include the following measures, unless equivalent but more Project-or location-specific measures are identified during the preparation of the plan: <ul style="list-style-type: none"> - Ensuring equipment is properly functioning and equipped with mufflers and other noise-reducing features. - Locating especially noisy equipment as far from sensitive receptors as possible. - Using quieter construction equipment and methods, as feasible. - Using noise control measures along construction paths such as temporary noise barriers, portable enclosures for small equipment (such as jackhammers and concrete saws). - Replacing back up alarms with strobes if and as allowed by Occupational Safety and Health Administration (OSHA) regulations. - Maintaining smooth truck route surfaces within and next to the Project Area. - Establishing and implementing procedures to maintain robust communications with neighbors. ▪ See also Items #38 and 39a. 		
37b	<ul style="list-style-type: none"> ▪ If warranted by the projections in the <i>Construction Noise and Vibration Control Plan</i>, USRC to require the construction contractor to construct a temporary noise wall approximately 12 feet tall along the perimeter of the Project Area where there are no adjacent buildings. 		During Construction.
38	<ul style="list-style-type: none"> ▪ USRC to require that the <i>Construction Noise and Vibration Control Plan</i> (see Item #37a): <ul style="list-style-type: none"> ▪ Include an assessment of the buildings at risk to determine the appropriate threshold applicable to each based on its type of construction and condition. Such buildings to include at a minimum: Washington Union Station, Railway Express Agency (REA) Building, City Post Office (Postal Museum), and Kaiser Permanente Medical Center. 	Risk of structural damage to buildings from construction vibration.	During Final Design and Construction.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	<ul style="list-style-type: none"> ▪ Define measures to be taken to minimize the risk of damage to the buildings at risk based on these thresholds. As warranted by the assessment and projections in the plan, and as technically feasible, alternative construction methods to be implemented may include, but are not limited to, the following: <ul style="list-style-type: none"> - Using a hydromill instead of a clam shovel for slurry wall construction when working close to a building. - Using push-in type sheeting equipment rather than vibratory equipment to install sheet-pile walls. - Using sonic drill rigs instead of traditional drill rigs. 		
39a	<ul style="list-style-type: none"> ▪ USRC to require in the <i>Construction Noise and Vibration Control Plan</i> (See Item #37a) that, when there is a choice, construction trucks use those truck routes with the fewest residential receptors. ▪ See also Item #29a. 	Annoyance from construction trucks.	During Final Design and Construction.
39b	<ul style="list-style-type: none"> ▪ USRC to require that the <i>Construction Noise and Vibration Control Plan</i> limit truck speeds or direct trucks to use the travel lanes farthest from receptors on multi-lane roads such as New York Avenue. ▪ See also Item #29a. 		During Final Design and Construction.
Aesthetics and Visual Quality			
40	<ul style="list-style-type: none"> ▪ USRC to design the Project with context-compatible architecture and materials, and in a manner sensitive to surrounding structures. 	Potential impacts to views around WUS.	During Project Engineering & Design.
Cultural Resources			
41	<ul style="list-style-type: none"> ▪ USRC to implement the mitigation stipulations outlined in the Project's Programmatic Agreement (PA) to resolve the known adverse effects of the Project on historic properties in accordance with 36 CFR § 800.14(b)(1)(ii). The Final PA is available in Appendix F4 of the FEIS. Measures stipulated in the PA include (the following bullets are brief summaries; refer to the PA for the complete stipulations): <ul style="list-style-type: none"> ▪ To the extent authorized by law, prior to any transfer of air rights property out of Federal ownership, FRA to include a historic preservation covenant in the transfer instrument to be recorded in the real estate records of the District of Columbia. 	Mitigates adverse effects on WUS, WUS Historic Site, REA Building, and potential adverse effects on the City Post Office (Postal Museum). Avoids adverse effects to other historic properties in the Area of Potential Effects.	During Project Engineering, Construction, and Operation.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	<ul style="list-style-type: none"> ▪ USRC, in consultation with the PA Signatories, to develop and comply with one set of Design and Planning Guidelines that are tailored to and guide the future design and review of the Project and the future design and review of the potential development within the Federally owned air rights. ▪ USRC, in consultation with the PA Signatories, to establish and implement a Design Review process to review specified phases of the Project’s architectural design. ▪ Prior to 60 percent design or the initiation of any demolition, construction, or ground-disturbing activity, USRC to complete the documentation of the WUS Historic site in accordance with the <i>Secretary of the Interior’s Guidelines for Architectural and Engineering Documentation</i> for inclusion in the Historic American Buildings Survey (HABS) and the Historic American Engineering Record (HAER). ▪ USRC, in consultation with the PA Signatories, to prepare and implement an Architectural Salvage Plan to identify and salvage historic materials and elements that contribute to the WUS Historic Site and must be removed to construct the Project. ▪ USRC to interpret the history, evolution, and significance of the WUS Historic Site from its prehistory, its construction, and its continued and future use. In consultation with the PA Signatories and Consulting Parties, USRC to develop and implement an Interpretation Plan that identifies the most appropriate methods for interpretation. ▪ USRC, in coordination with FRA, to prepare a National Register of Historic Places (NRHP) Nomination Form for the WUS Historic Site, based on the Determination of Eligibility Form for the WUS Historic Site finalized in 2019. ▪ USRC, in consultation with the PA Signatories, to prepare and implement a Historic Properties Construction Protection and Signage Plan to protect against, monitor for, and manage construction-related effects on identified historic properties during Project Implementation. ▪ USRC to require the construction contractor to prepare and implement a Construction Noise and Vibration Control Plan that incorporates an assessment of buildings (including historic properties) at risk of structural damage from construction vibration, as identified in the SDEIS and FEIS. 		

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	<ul style="list-style-type: none"> ▪ USRC to require the construction contractor to prepare and implement an integrated Construction Transportation Management Plan that aims to provide safe passage for pedestrians, cyclists, and vehicular traffic around a construction site with as little inconvenience, impact, and delay as possible. USRC also to work with DDOT to identify traffic mitigation approaches to address congestion at the most impacted intersections in the transportation study area. ▪ USRC, in consultation with the PA Signatories, to prepare a feasibility study that identifies and evaluates a range of projects to rehabilitate the historic station building. ▪ Prior to 30 percent design or prior to any ground disturbing activities, USRC to complete a Phase IB archaeological identification and survey. If archaeological sites are identified in the Phase IB, prior to any ground-disturbing activities, USRC to consult with the District’s State Historic Preservation Officer (SHPO) on the need to complete one or more Phase II survey(s) to evaluate NRHP eligibility of any intact archaeological resources and determine if there is an adverse effect on a historic property. If adverse effects on NRHP-eligible archaeological historic properties are identified, USRC, in consultation with the PA Signatories, to either propose a minimization and/or Phase III recovery plan or commensurate strategy agreed upon by SHPO; or propose a resource-specific Memorandum of Agreement or amendment to the PA to resolve the adverse effects. ▪ If a previously undiscovered archeological or cultural resource that is or could reasonably be a historic property is encountered or a previously known historic property would be affected in an unanticipated manner during construction, USRC to follow the Unanticipated Discovery or Effect to Cultural Resources procedures specified in the PA. 		
Parks and Recreation Areas			
42a	<ul style="list-style-type: none"> ▪ USRC to coordinate with NPS during construction planning to develop measures to maintain as much as possible access to Columbus Plaza during the construction of the Columbus Circle improvements. 	Partial reduction in access to Columbus Plaza and the Metropolitan Branch Trail.	During Final Design and Construction.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
42b	<ul style="list-style-type: none"> USRC to prohibit the construction contractor from using Columbus Plaza as a staging area during construction. 		During Construction.
42c	<ul style="list-style-type: none"> USRC to coordinate with the DDOT to plan and maintain alternative routes for users of the Metropolitan Branch Trail when parts of the trail are closed, in accordance with the District’s Safe Accommodation law. See also Item #24. 		During Final Design and Construction.
42d	<ul style="list-style-type: none"> USRC to work with DDOT to appropriately advertise construction-related closures of the Metropolitan Branch Trail and establish alternative routes, as needed, in accordance with the District’s Safe Accommodation law. See also Item #24. 		During Construction.
Social and Economic Conditions			
43	<ul style="list-style-type: none"> USRC to identify new funding sources sufficient, at a minimum, to ensure the continued preservation and maintenance of the historic station building. 	Loss of WUS revenue from parking.	During Project Engineering & Design, Construction, and Operation.
Safety and Security			
44	<ul style="list-style-type: none"> USRC to develop and implement a <i>Safety and Security Operations Plan</i> that identifies procedures appropriate to the level of passenger activity; evaluates appropriate passenger screening practices; and identifies funding for these purposes. 	Safety and security issue associated with increased passenger volumes.	During Project Engineering and Design.
45	<ul style="list-style-type: none"> USRC, in coordination with Federal law enforcement and security agencies, as necessary, to identify security features that the Project design will incorporate, including measures recommended in the Project’s Threat and Vulnerability Risk Assessment (TVRA), as appropriate. 	Increased risks and threats from increased vehicular volumes.	During Project Engineering and Design.
46	<ul style="list-style-type: none"> USRC to develop a <i>Construction Safety and Security Plan</i> for the Project. This plan to include procedures to screen people, equipment, and goods, and to reduce the risk of injury to workers, passengers, and passers-by from construction activities. May also include background checks for contractors and their employees. 	Public safety and security threats during construction.	Final Design and Construction.
47	<ul style="list-style-type: none"> USRC to require the construction contractor to ensure that the movement of heavy motorized equipment and trucks in and out of the construction site is through designated access points and designated truck routes only; use flaggers as needed 	Public safety risks from construction traffic.	During Construction.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	to prevent conflicts between trucks and street traffic; and ensure that construction-related traffic proceed in compliance with applicable speed limitations and other District traffic laws.		
48	<ul style="list-style-type: none"> During column removal work within WUS, USRC to require the construction contractor to close off the portions of the historic station building where the column removal work is conducted from the areas remaining accessible to the public or to station or Amtrak employees. Walls and partitions to be sufficient to provide fire protection at least equal to that provided by the existing floor and walls. Only authorized personnel to have access to the area. 	Public safety risks from column removal work.	During Construction.
49	<ul style="list-style-type: none"> USRC to ensure that the bus facility and structural deck are designed in accordance with the recommendations of the TVRA and in a manner that minimizes risks to adjacent development. 	Potential Risks to WUS from bus facility integrated within the Deck Structure.	During Project Engineering and Design.
50	<ul style="list-style-type: none"> FRA and USRC to ensure that any new owner, transferee, or lessee develop a safety and security plan that Amtrak and FRA will review and approve in any sale, transfer, or lease of the Federal air rights. 	Indirect impacts of potential Federal air rights development on safety and security.	Post Construction.
Public Health, Elderly and Persons with Disabilities			
51a	<ul style="list-style-type: none"> USRC to require the construction contractor to install temporary walls and partitions to close off the portions of the Retail and Ticketing Concourse where the column removal work is conducted from the areas remaining accessible to the public or to station or Amtrak employees. These walls and partitions are to be sufficient to prevent the fumes from train operations in the tunnel, as well as dust from the demolition or construction work and emissions from construction equipment, from entering these areas. They will also provide adequate shielding from noise. 	Construction impacts to transportation and mobility of elderly or persons with disabilities.	During Construction.
51b	<ul style="list-style-type: none"> USRC to ensure that the construction contractor maintains accessibility during construction in compliance with ADA requirements and <i>DDOT's Pedestrian Safety and Work Zone Standards</i>, including avoiding or minimizing narrow passages, bottlenecks, or areas otherwise difficult for persons with disabilities or elderly persons with reduced mobility to navigate. 		During Construction.
51c	<ul style="list-style-type: none"> Outside WUS, USRC to require the construction contractor to provide protected pedestrian passages along with appropriate signage and compliant with the District's Safe Accommodation law. As appropriate, signs will be clear and concise 		During Construction.

No.	Measure/Project Commitment	Impacts Addressed/Commitment Goal	Timeframe (To Start No Later Than)
	and designed to communicate information to visually impaired as well as non-visually impaired persons. Where possible, audible direction will be provided. Pedestrian pathways will be kept clear of debris and obstructions, adequately drained, and provide adequate passing spaces. Pedestrian pathways will have detectable edges or channelizing equipment. Pedestrians will be protected from vehicular traffic with crash-worthy barriers. Barriers will be equipped with reflective material for delineation on the side exposed to traffic.		
51d	<ul style="list-style-type: none"> ▪ USRC to require the construction contractor to properly and clearly advertise lane closures, detours, alternative parking access, or use of metal plates to cover temporary trenches across roadways. 		During Construction.
51e	<ul style="list-style-type: none"> ▪ USRC to require the construction contractor to notify the owners and occupants of the Kaiser Permanente Medical Building of any planned road or sidewalk closures sufficiently in advance to allow them to publicize these disruptions to their patients and customers as appropriate. Temporary entrances or pathways will be clearly marked and advertised. ADA-compliant access to the building will be maintained at all times. 		During Construction.
Environmental Justice			
52	<ul style="list-style-type: none"> ▪ When implementing mitigation measures, USRC to incorporate EJ considerations informed by the targeted community outreach effort documented in Sections 5.17 and 8.8.2 of the FEIS, as appropriate, including information sharing activities. 	Impacts on EJ communities.	During Project Engineering & Design, Construction, and Operation.
53	<ul style="list-style-type: none"> ▪ USRC to require that, if and when the construction contractor encounters persons in situation of homelessness during staging and construction, the contractor will contact and coordinate with the appropriate authorities and organizations to ensure the displaced persons are given access to assistance services, including opportunities for shelter, and health and mental health care; that they are not deprived of their belongings or otherwise mistreated; and that neither they nor the workers interacting with them are put at risk of harm. 	Impacts on people experiencing homelessness.	During Construction.

13.7 Monitoring and Enforcement

If FRA provides financial assistance for the Project, the grant agreement will include a requirement to implement the mitigation identified in the ROD. In addition, FRA will conduct periodic monitoring in accordance with its established grant monitoring program throughout the period of performance of the grant. During monitoring, FRA will verify that a grantee complies with all applicable Federal requirements as laid out in the grant agreement, including implementation of mitigation.

As the Project Sponsor, USRC is ultimately responsible for monitoring and implementing the measures in **Table 13-2**, unless otherwise specified in the table. Where measures would be implemented by contractors, USRC is responsible for ensuring that the contractors adequately meet the terms defined in the table.

13.8 Project Implementation

Following issuance of the ROD, USRC will continue to coordinate with Project stakeholders, including but not limited to, FRA, Amtrak, VRE, MTA, DDOT, WMATA, and bus operators, to implement the Project and the commitments identified in the ROD.

During the preparation of the FEIS, USRC participated in the Union Station Expansion Project Delivery and Governance Study that Infrastructure DC (IDC) led in partnership with the District Government. Starting in May 2023, IDC worked with an Advisory Group composed of representatives from FRA, USRC, Amtrak, USDOT, DCOP, and DDOT to identify delivery, financing, and governance mechanisms needed to realize the Project. At the time of the preparation of the ROD, the Study has not been finalized.

FRA anticipates that the Project may be implemented in phases. As funding is secured, USRC will initiate the engineering and design phase of the Project, which will further develop and refine the station elements as well as the Terminal Infrastructure (TI) Plan outlined in the EIS. Amtrak may lead the TI portion of the Project in coordination with USRC. Along with this effort, USRC will develop a cost and constructability implementation study, a real estate site assembly framework, and stakeholder cost sharing agreements, as well as conduct geotechnical surveys.

In parallel and informed by these steps, USRC will identify funding sources and develop a capital funding plan. Reduced parking revenue and an expanded station require new sources of income to maintain and operate the station. FRA looks to the governments of the District of Columbia, Maryland, and Virginia as well as others to become funding partners for the Project and to ensure the continued viability of the station.

13.9 Determinations and Findings Regarding Other Laws

13.9.1 Section 106 of the National Historic Preservation Act of 1966

FRA completed consultation in accordance with Section 106 of the National Historic Preservation Act of 1966 and its implementing regulations (36 CFR Part 800), which requires Federal agencies to consider the impacts of their undertakings on historic properties. Section 106 regulations require that FRA identify historic properties listed in or eligible for listing in the National Register of Historic Places (NRHP) within the Project's Area of Potential Effects (APE); assess effects to historic properties; avoid, minimize, or mitigate any adverse effects; and consult with the State Historic Preservation Officer (SHPO), and other consulting parties throughout the Section 106 process.

On March 10, 2023, in accordance with 36 CFR § 800.5 FRA determined that the Selected Alternative would have an adverse effect on the following historic properties because it would alter characteristics that qualify them for inclusion in the NRHP in a manner that would diminish their integrity:

- Washington Union Station
- Washington Union Station Historic Site
- REA Building

The Selected Alternative also has the potential to alter characteristics of the City Post Office (Postal Museum) that qualify it for the NRHP in a manner that diminishes its integrity.

A fully executed Section 106 Programmatic Agreement (PA) among FRA, SHPO, the Advisory Council on Historic Preservation (ACHP), NCPC, FTA, USRC, and Amtrak (the Signatories) containing conditions and stipulations that would mitigate, minimize, or avoid the Selected Alternative's adverse effects on historic properties is in **Appendix F4** of the FEIS. The PA is a refinement of the Draft PA that was included in the SDEIS. Refinements to the PA since the SDEIS was published are the result of further coordination among the Signatories regarding Project minimization and mitigation commitments related to the affected historic properties.

13.9.2 Section 4(f) of the U.S. Department of Transportation Act of 1966

Section 4(f) prohibits an operating administration of the Department of Transportation, including FRA, from approving a project that uses public parks and recreational lands; wildlife refuges; and public or private historic properties listed or eligible for listing in the NRHP unless it determines there is no feasible and prudent avoidance alternative to avoid the use and the project includes all possible planning to minimize harm to the resources, or the use meets the requirements for a *de minimis* impact.

FRA's *Procedures for Considering Environmental Impacts* (64 Federal Register [FR] 28545, Section 12, May 26, 1999, as updated by 78 FR 2713, January 14, 2013) outlines the Section 4(f) process that is applicable for this Project. FRA applied Section 4(f) implementing regulations at 23 CFR Part 774 in preparing the Section 4(f) evaluation for the Project.

The Selected Alternative would result in the Use of the following three Section 4(f) properties:

- **Washington Union Station:** The Selected Alternative would physically impact WUS and permanently incorporate it into the expanded multimodal transportation hub the Project would construct. Physical impacts would include the removal of the Claytor Concourse and the construction of a new passenger concourse and train hall on the north side of the historic station building as well as the removal of original columns in the portion of the First Street Tunnel below the historic Retail and Ticketing Concourse. Further physical impacts on WUS would include the demolition of approximately 15,000 square feet of the Retail and Ticketing Concourse floor to allow for column removal in the underlying tunnel. There may also be as yet undetermined physical effects related to the design of the Project, including interior changes that would affect the historic materials, design, workmanship, or circulation flow in the station. Physical impacts could also occur during excavation activities because of the use of vibration-generating equipment. Although WUS was designed to facilitate train operations and may be capable of withstanding high vibration levels, its sensitivity to vibration has not been specifically determined at the current stage of planning.
- **Washington Union Station Historic Site:** The Selected Alternative would physically impact the WUS Historic Site and permanently incorporate it into the expanded multimodal transportation hub the Project would construct. The Selected Alternative would cause extensive physical impacts within the rail terminal, including the reconstruction of all tracks, platforms, and associated infrastructure. The Selected Alternative would also cause physical changes to the portion of the First Street Tunnel underneath the historic station building due to the column removal work. The H Street Underpass would be removed and converted to a concourse. A portal to provide access to and from the below-ground parking facility would be constructed in the western wall along First Street NE. The ventilation intake required for the operation of the expanded station may require the potential reconstruction and the insertion of vents in the southwest portion of the Burnham Wall.
- **REA Building:** The Selected Alternative would permanently incorporate some land within the REA Building historic property boundary into the expanded multimodal transportation hub the Project would construct. The new H Street Concourse would be constructed along the old alignment of H Street, replacing the H Street Underpass. The portion of the old alignment within the REA Building historic property boundary, which is approximately 9,800 square feet in size, would be used, like the rest of the underpass, for the new concourse. Construction of the H Street Concourse would also modify or eliminate the direct access to the basement of the building from the H Street Underpass, resulting in a potential physical impact to the building.

USRC would minimize or mitigate the impacts on these three resources by implementing the measures specified in the Project's PA prepared in accordance with 36 CFR § 800.14(b)(1)(ii). The PA is included in **Appendix F4** of the FEIS.

FRA finds that there is no feasible and prudent alternative to the Use of Section 4(f) properties for the Project and that the Selected Alternative includes all possible planning to minimize harm to the Section 4(f) properties resulting from such use. USRC as the Project Sponsor and FRA have committed to minimizing the harm to these resources associated with the Project by implementing the measures in

the Section 106 PA. The Selected Alternative would cause the least overall harm in light of Section 4(f)'s preservation purpose in comparison to the other Project alternatives considered.

13.9.3 Air Quality Conformity

13.9.3.1 General Conformity

The Clean Air Act of 1970, as amended, and its implementing General Conformity Rule are the primary Federal laws regulating air quality. The regulations play a role in setting the nation's air quality standards for pollutants and adopting emission control programs. The District is classified as a moderate non-attainment area for ozone (O₃) and is located in an O₃ transport region. The *de minimis* thresholds for the O₃ precursors nitrogen oxides (NO_x) and volatile organic compounds (VOCs) are 100 tons per year and 50 tons per year, respectively.⁸ NO_x and VOC combine to generate O₃.

The General Conformity Rule applies to any Federal action in a nonattainment area. It is designed to ensure that Federal actions do not interfere with a state's or tribe's ability to attain and maintain the NAAQS. If the total direct and indirect emissions from the Federal action are below the applicable *de minimis* threshold rates, the emissions are exempt from the provisions of the General Conformity regulations. If a project's emissions of a criteria pollutant exceed the applicable *de minimis*, a Conformity Determination must be performed.

FRA conducted an analysis of potential criteria pollutant emissions from the Project pursuant to 40 CFR Part 93. Based on that analysis, FRA determined that predicted Project-generated annual criteria pollutant emissions would be below the applicable *de minimis* thresholds. Therefore, no General Conformity determination is required.

13.9.3.2 Transportation Conformity

Per 40 CFR § 93.101, any portions of the project utilizing chapter 49 funds must satisfy the relevant transportation conformity requirements. As the Washington DC Urbanized Area (UZA) is currently in non-attainment for O₃, should Chapter 49 funding for the Selected Alternative be identified, FTA would ensure those project elements meet project-level transportation conformity requirements as required by the Clean Air Act section 176(c) (42 U.S.C. § 7506(c)).

13.9.4 Section 7 of the Endangered Species Act

Section 7 of the Endangered Species Act (ESA) and its implementing regulations (50 CFR Part 402) require Federal agencies to consult with the U.S. Fish and Wildlife Services (USFWS) to ensure that their actions are not likely to jeopardize the continued existence of threatened or endangered fish, wildlife, or plant species or result in the destruction or adverse modification of designated critical habitat for any such species.

The Selected Alternative is in a fully urbanized area with no natural habitat known to support Federally protected species.

⁸ EPA. *De Minimis Tables*. Accessed from <https://www.epa.gov/general-conformity/de-minimis-tables>. Accessed on February 11, 2023.

Pursuant to the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action" (16 U.S.C. § 1536 (c)), on August 25, 2023, FRA obtained a list of such species from USFWS's Information for Planning and Consultation (IPaC) system. The list identified two species potentially present in the vicinity of the Project Area: the Northern Long-eared Bat (*Myotis septentrionalis*), which is Federally Endangered, and the Monarch Butterfly (*Danaus plexippus*), a Candidate Species. No critical habitat for either species was reported.

The amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) satisfies requirements under section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. § 1531 et seq.). On August 25, 2023, USFWS issued a Letter of Consistency for the Project (**Appendix F6** of the FEIS) stating that the Project "will have no effect on the endangered Indiana Bat (*Myotis sodalis*) or the endangered Northern Long-eared Bat (*Myotis septentrionalis*)." No requirements apply to Candidate Species under Section 7.

13.9.5 Environmental Justice

FRA evaluated whether the Selected Alternative would cause disproportionately high and adverse impacts on environmental justice (EJ) populations in accordance with Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*. EO 12898 requires that Federal agencies identify and address disproportionately high and adverse. EO 14096, *Revitalizing Our Nation's Commitment to Environmental Justice for All*, was enacted on April 21, 2023. EO 14096 on environmental justice does not rescind EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, which has been in effect since February 11, 1994, and is currently implemented through DOT Order 5610.2C. Assessment of Disproportionately High and Adverse Effects

The Selected Alternative would not cause disproportionately high and adverse effects on EJ populations. In the SDEIS, FRA identified the following impact areas as having potential to result in such impacts: Transportation (Intercity Buses, City and Commuter Buses, and Vehicular Traffic); Noise and Vibration; and Social and Economic Conditions (Community Disruption).

Analysis in the FEIS indicated that, with the minimization measures listed in **Table 13-2** above:

- Adverse impacts would not be predominantly borne or concentrated in minority or low-income populations.
- Adverse impacts to EJ populations would not be appreciably more severe or greater in magnitude than those on non-EJ populations.
- The Project would not affect resources especially important to EJ population (such as social, religious, or cultural functions).
- No benefits would be accompanied by impacts to environmental justice populations.

The analysis is documented in **Section 5.17.3, Impacts of the Preferred Alternative**, of the FEIS.

13.9.5.1 Outreach to EJ Communities

During the preparation of the SDEIS, in February 2023, after having identified a potential disproportionately high and adverse effect on EJ populations from traffic increases associated with Alternative F, FRA conducted a focused outreach effort to meaningfully engage the EJ communities near WUS. This effort focused on neighborhoods and communities west of WUS along the North Capitol Street corridor because preliminary analysis of the traffic impacts indicated a concentration of adverse impacts in that area. The steps taken as part of this outreach effort included:

- Formation of an EJ-focused Community Communications Committee (CCC) geographically centered on neighborhoods west of WUS. The role of the EJ-focused CCC members was to help share information on the Project with their respective constituencies and obtain meaningful feedback from the community.
- Monthly meetings with the EJ-focused CCC between February 2023 and May 2023 to discuss EIS topics of relevance to local EJ communities and share information on the EIS process.
- From February through June 2023, multiple “pop-up” events at public places or events during which Project team members were available to provide information on the Project and the EIS process.
- In-person SDEIS public hearing in addition to a virtual hearing to provide local residents another opportunity to participate without relying on specific technology. The public hearings were advertised in local print and digital newspapers, (*Washington Post*, *Hill Rag*, *El Tiempo*, *Washington City Paper*, and *Washington Informer*.) and information was sent via email to the Project’s mailing list (1,207 recipients, including people who had requested to be added to the list during the EJ-focused outreach effort). American Sign Language interpretation was provided at the in-person public hearing. Language translation service was offered upon request.

13.10 Conclusion

FRA has carefully considered the Project record including the DEIS, SDEIS, FEIS, and associated technical reports and analyses; the Section 4(f) Evaluation; the mitigation measures required to be implemented along with the Selected Alternative, including the commitments made in the Section 106 PA; and the comments offered by agencies, stakeholders, and the public during the EIS process. Based on this consideration, FRA determined that the Selected Alternative is the best option for the Washington Union Station Expansion Project and that its approval is in the best interest of the public. FRA selected this alternative for approval because it best satisfies the purpose and need and minimizes impacts to the natural and human environment. FRA further determined that appropriate commitments to avoid, minimize, and mitigate impacts are defined in this FEIS/ROD and will be implemented by USRC, the Project Sponsor, during the engineering, design, construction, and operational phases of the Project.

Record of Decision

Prepared by:

United States Department of Transportation – Federal Railroad Administration

With Cooperating Agencies:

Federal Transit Administration
National Capital Planning Commission
District Department of Transportation

Pursuant to:

The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. § 4321et seq.) and Council on Environmental Quality Implementing Regulations for NEPA (40 CFR Parts 1500-1508); the Federal Railroad Administration Procedures for Considering Environmental Impacts (64 FR 28545, May 26, 1999, as updated by 78 FR 2713, January 14, 2013); Efficient Environmental Reviews for Project Decisionmaking (23 U.S.C. § 139); Section 4(f) of the United States Department of Transportation Act of 1966 (49 U.S.C. § 7401); Section 106 of the National Historic Preservation Act of 1966 (36 CFR Part 800); the Clean Air Act of 1970 as amended (42 U.S.C. § 7401 et seq.); the Clean Water Act of 1972 (33 U.S.C. § 1251-1387); and the Endangered Species Act of 1973 (50 CFR Part 17).



Marlys Osterhues
Director
Office of Environmental Program Management
Federal Railroad Administration

DATE

Record of Decision

Prepared by:

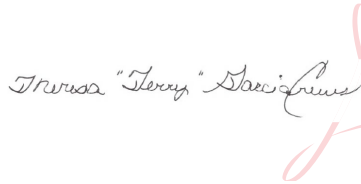
United States Department of Transportation – Federal Railroad Administration

With Cooperating Agencies:

Federal Transit Administration
National Capital Planning Commission
District Department of Transportation

Pursuant to:

The National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. § 4321et seq.) and Council on Environmental Quality Implementing Regulations for NEPA (40 CFR Parts 1500-1508); the Federal Railroad Administration Procedures for Considering Environmental Impacts (64 FR 28545, May 26, 1999, as updated by 78 FR 2713, January 14, 2013); Efficient Environmental Reviews for Project Decisionmaking (23 U.S.C. § 139); Section 4(f) of the United States Department of Transportation Act of 1966 (49 U.S.C. § 7401); Section 106 of the National Historic Preservation Act of 1966 (36 CFR Part 800); the Clean Air Act of 1970 as amended (42 U.S.C. § 7401 et seq.); the Clean Water Act of 1972 (33 U.S.C. § 1251-1387); and the Endangered Species Act of 1973 (50 CFR Part 17).



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THERESA GARCIA CREWS
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Theresa Garcia Crews
Regional Administrator
Federal Transit Administration Region III

DATE