

ATTACHMENT 1 – SECTION 106 CORRESPONDENCE RECORD



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

NOV 23 2015

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

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

Dear Mr. Maloney:

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

Statement of Undertaking

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

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

Project Background

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

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

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

Section 106 Consultation

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

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

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

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

Sincerely,

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

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

cc: Laura Shick, FRA
Michelle Fishburne, FRA



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 1, 2016

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

Dear Consulting Party Invitee:

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

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

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

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

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

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

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

Or

Email: laura.shick@dot.gov

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

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

Sincerely,



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

cc:

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



Preserving America's Heritage

January 15, 2016

Mr. David Valenstein
Federal Railroad Administration
Division Chief
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington, DC 20590

Ref: *Washington Union Station Expansion Project*
Washington, District of Columbia

Dear Mr. Valenstein:

The Advisory Council on Historic Preservation understands that the Federal Railroad Administration (FRA) is initiating the environmental review for the referenced undertaking. Since FRA will need to coordinate its compliance with the National Environmental Policy Act (NEPA) with its compliance under Section 106 of the National Historic Preservation Act, 54 U.S.C. § 306108, and its implementing regulations, *Protection of Historic Properties* (36 CFR part 800), for this undertaking, we are contacting FRA in the early stage of project planning. As you know, there is widespread public interest in the Union Station Expansion Project given the local and national importance of this historic property. In order to avoid the potential for delays that may occur without proper coordination of the environmental reviews for this undertaking and because the ACHP believes this undertaking has the potential for presenting procedural problems, in accordance with 36 CFR § 800.2(b)(1) and Appendix A to part 800, the ACHP has determined that our involvement in the Section 106 consultation is warranted. We will also be notifying the head of FRA of our intent to participate in the Section 106 consultation for this undertaking.

The Federal Register Notice issued on November 4, 2015, inviting the public to a scoping meeting regarding this undertaking explicitly stated that only the Union Station Expansion Project would be addressed in FRA's review process. Likewise, the NEPA scoping meeting held on December 7, 2015, clarified that the Union Station Expansion Project was a discrete undertaking, and not related to the proposed air rights development included in the Union Station Master Plan which we approved in 2012. Having attended the meeting, we noticed that the audience was obviously confused when FRA explained that the air rights development was not a part of the Expansion Project undertaking. To begin the Section 106 process, the agency first establishes the undertaking that will be subject to review. Without this crucial step, the subsequent steps in the Section 106 four-step process (identifying and evaluating historic properties, assessing effects, and resolving any adverse effects) cannot be completed. We are concerned that the FRA may be unreasonably restricting the scope of the undertaking subject to review at this juncture. Therefore, we are requesting that FRA respond to the following questions to attempt to clarify the Section 106 process.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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

1. **Definition of the Undertaking.** FRA has defined the Union Station Expansion Project as a discrete action proposed by AMTRAK that can be evaluated independent of any other activity. However, in reading the background information provided about this undertaking, it is evident that the Expansion Project will facilitate the adjacent development of the Burnham Place Project. How are these two projects related? Would the Expansion Project have separate, independent utility if constructed without the Burnham Place Project? Could the Burnham Place Project be constructed as proposed without the Expansion Project? Are there other background documents describing the Burnham Place Project that could be provided to further aid in our understanding of the possible interrelation of these two projects?
2. **Applicability of the Approved Union Station Master Plan.** The Union Station Master Plan discusses the expansion, redevelopment, and related development to create a new neighborhood. Have the terms of the 2012 Master Plan been revised? How will the Master Plan be used to guide both the Union Station Expansion and the Burnham Place Projects? Were the neighbors who participated in the Master Plan process advised of changes to this plan, and if so, when?
3. **NEPA-Section 106 Coordination.** FRA indicated in its letter of November 23, 2015, to the D.C. State Historic Preservation Office (SHPO) that it intends to prepare an Environmental Impact Statement for the Expansion Project to meet the requirements of NEPA. Does FRA intend to use the NEPA process for Section 106 purposes as provided in 36 CFR § 800.8(c)? If so, when does FRA intend to notify the ACHP of its intent to do so and clarify how the standards in 36 CFR § 800.(8)(c)(1) would be met? Has FRA applied the guidance in the ACHP's Handbook for Integrating NEPA and Section 106 to inform its decision regarding this process?
4. **Identification and Involvement of Consulting Parties.** Based upon our observation at the December 7, 2015 public meeting, there is widespread interest in the future of the Union Station historic property. Local and national preservationists, planners, and civic organizations have been intimately involved in the plans for this iconic structure that welcomes numerous visitors to Washington, DC. The National Trust for Historic Preservation shared with us their letter of January 4, 2016, to FRA explaining its concerns about the limited scope of this undertaking under review. We have heard from residents of the NoMA and Capitol Hill areas about the impact of the Union Station Expansion Project on their communities. We are certain that there are many other potential consulting parties who would want to be involved in the Section 106 review that are yet to be identified. Accordingly, we recommend that FRA consider inviting parties who have shared their interest in this historic property and/or the Section 106 review process during the recent scoping meeting, the Master Plan development, and other local administrative reviews to join the consultation. The sooner FRA identifies and invites appropriate consulting parties to join this process, the sooner FRA will be aware of the range of historic preservation issues it should consider in planning this project.
5. **Coordination of Section 106 and Local Administrative Reviews.** The Section 106 regulations require agencies to plan to involve the public in the review process. Likewise, the public is part of most local administrative reviews conducted by planning, zoning, and economic development agencies. It is our understanding that the Burnham Place Project has already been through a local review under the terms of a Section 106 air rights covenant negotiated in 2006. It is not clear to stakeholders what role the District of Columbia assumes in reviewing proposed air rights development. We believe that FRA should clarify what, if any, local reviews are required for the Union Station Expansion Project and the Burnham Place Project, and how these reviews will be coordinated with Section 106 during project planning to avoid a duplication of effort and possible project delays. Please describe the roles, if any, of the National Capital Planning Commission and the Commission of Fine Arts in these projects. Has either agency been involved in early planning discussions with FRA for the initiation of the Section 106 review?

We thank FRA in advance for responding to the issues raised above. We are eager to begin consultation with FRA, the DC SHPO, and other consulting parties on the Union Station Expansion Project. However, it is critical that we have a perspective and context for this undertaking to help guide the Section 106 review. Should you have any questions, please contact Christopher Wilson, Program Analyst, at (202) 517-0229, or via e-mail at cwilson@achp.gov.

Sincerely,

A handwritten signature in cursive script that reads "Charlene Dwin Vaughn".

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



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

Charlene Dwin Vaughn, AICP
Assistant Director
Federal Permitting, Licensing and Assistance Section
Office of Federal Agency Programs
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001-2637

MAY 5 2016

RE: Washington Union Station Expansion Project

Dear Ms. Vaughn:

This letter responds to your January 15, 2016 letter to the Federal Railroad Administration (FRA). In your letter, you asked FRA to respond to several questions and comments regarding the definition of the Washington Union Station Expansion Project, and the Section 106 process for this project. FRA's responses to your questions are provided below.

ACHP Comment 1. Definition of the Undertaking. FRA has defined the Union Station Expansion Project as a discrete action proposed by AMTRAK that can be evaluated independent of any other activity. However, in reading the background information provided about this undertaking, it is evident that the Expansion Project will facilitate the adjacent development of the Burnham Place Project. How are these two projects related? Would the Expansion Project have separate, independent utility if constructed without the Burnham Place Project? Could the Burnham Place Project be constructed as proposed without the Expansion Project? Are there other background documents describing the Burnham Place Project that could be provided to further aid in our understanding of the possible interrelation of these two projects?

FRA Response: The Washington Union Station Expansion Project is a proposal by the Union Station Redevelopment Corporation (USRC) made in coordination with the National Railroad Passenger Corporation (Amtrak) to expand and modernize Washington Union Station, the National Capital Region's principal intermodal transportation hub. FRA is the owner of Washington Union Station, USRC is a non-profit organization that operates and maintains Washington Union Station under a lease agreement with FRA, and Amtrak owns the rail infrastructure at Washington Union Station. Because FRA owns the building and provides funding to Amtrak, the proposal to expand and modernize the station must go through a Federal environmental review process that includes review pursuant to the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act.

The Burnham Place Project is a private mixed-use development project proposed by Akridge, a private commercial real estate firm, to be constructed in a portion of the air rights over the tracks and platforms at Washington Union Station. The General Services Administration (GSA) administered and approved the sale of the air rights to Akridge in 2006. FRA does not have an action under NEPA or a Section 106 undertaking pertaining to the Burnham Place Project.

The Washington Union Station Expansion Project and the Burnham Place Project are separate projects. The Washington Union Station Expansion Project could be constructed without the Burnham Place Project, and vice versa. Because of the proximity of the two projects, USRC, Amtrak, and Akridge are coordinating on conceptual design so that the Washington Union Station Project does not preclude the Burnham Place Project from being able to be constructed in the future. Akridge has informed FRA that the Burnham Place Project will be designed after the selected alternative for the Washington Union Station Expansion Project is identified in FRA's Record of Decision for the EIS.

The Washington Union Station Expansion Project has independent utility from the Burnham Place Project. The Washington Union Station Expansion Project is focused on transportation and proposes to reconstruct and realign tracks and platforms, develop new concourse facilities, maintain and modernize the multimodal transportation facilities, and improve and expand transportation infrastructure and other supporting facilities. The purpose of the Washington Union Station Expansion Project includes: increasing station capacity to accommodate growth of passenger traffic and railroad operations; achieving compliance with the Americans with Disabilities Act (ADA) and security and life-safety standards; maintaining the financial viability of the station; preserving and maintaining the historic Washington Union Station building and its features; improving connectivity among transportation modes; and providing better integration between Washington Union Station and its surrounding neighbors and planned uses.

At a meeting on February 24, 2016 among FRA, ACHP, the District of Columbia State Historic Preservation Office (DC SHPO), and Akridge, FRA affirmed its position that the Washington Union Station Expansion Project and the Burnham Place Project are separate projects.

ACHP Comment 2. Applicability of the Approved Union Station Master Plan. The Union Station Master Plan discusses the expansion, redevelopment, and related development to create a new neighborhood. Have the terms of the 2012 Master Plan been revised? How will the Master Plan be used to guide both the Union Station Expansion and the Burnham Place Projects? Were the neighbors who participated in the Master Plan process advised of changes to this plan, and if so, when?

FRA Response: The Amtrak 2012 Master Plan is an aspirational vision plan that was planned and coordinated by Amtrak, USRC, and Akridge, which are all private entities.

The Amtrak 2012 Master Plan was not an FRA initiative, FRA was not an author of that plan, and no federal or local approvals resulted from that planning effort. In short, the Amtrak 2012 Master Plan did not identify a project that is the subject of the EIS. While FRA may utilize some relevant transportation-related data from the Amtrak 2012 Master Plan rather than “reinventing the wheel,” it is the NEPA/EIS process being led by FRA that is guiding the development of alternatives and will ultimately result in the selected alternative for the Washington Union Station Expansion Project. FRA is committed to providing ample opportunity for public involvement in the NEPA and Section 106 processes for the Washington Union Station Expansion Project

ACHP Comment 3. NEPA-Section 106 Coordination. FRA indicated in its letter of November 23, 2015, to the D.C. State Historic Preservation Office (SHPO) that it intends to prepare an Environmental Impact Statement for the Expansion Project to meet the requirements of NEPA. Does FRA intend to use the NEPA process for Section 106 purposes as provided in 36 CFR § 800.8(c)? If so, when does FRA intend to notify the ACHP of its intent to do so and clarify how the standards in 36 CFR § 800.(8)(c)(1) would be met? Has FRA applied the guidance in the ACHP’s Handbook for Integrating NEPA and Section106 to inform its decision regarding this process?

FRA Response: FRA, as the lead federal agency, is coordinating the NEPA and Section 106 processes for the Washington Union Station Expansion Project. FRA is not substituting the NEPA process for Section 106 as contemplated in 36 CFR 800.8(c). In the Notice of Intent to prepare an EIS published in the Federal Register on November 4, 2015, FRA included the following: “The Project may affect historic properties and will be subject to the requirements of Section 106 of the NHPA (54 U.S.C. 306108). In accordance with regulations issued by the Advisory Council on Historic Preservation (36 CFR part 800), FRA may coordinate compliance with Section 106 of the NHPA with the preparation of the EIS, beginning with the identification of consulting parties through the scoping process, in a manner consistent with the standards set out in 36 CFR 800.8.” In its November 23, 2015 letter to the DC SHPO initiating Section 106 for the Washington Union Station Expansion Project, FRA indicated that it is coordinating the Section 106 process with the NEPA process.

ACHP Comment 4. Identification and Involvement of Consulting Parties. Based upon our observation at the December 7, 2015 public meeting, there is widespread interest in the future of the Union Station historic property. Local and national preservationists, planners, and civic organizations have been intimately involved in the plans for this iconic structure that welcomes numerous visitors to Washington, DC. The National Trust for Historic Preservation shared with us their letter of January 4, 2016, to FRA explaining its concerns about the limited scope of this undertaking under review. We have heard from residents of the NoMA and Capitol Hill areas about the impact of the Union Station Expansion Project on their communities. We are certain that there are many other potential consulting parties who would want to be involved in the Section 106 review that are yet to be identified. Accordingly, we recommend that FRA consider

inviting parties who have shared their interest in this historic property and/or the Section 106 review process during the recent scoping meeting, the Master Plan development, and other local administrative reviews to join the consultation. The sooner FRA identifies and invites appropriate consulting parties to join this process, the sooner FRA will be aware of the range of historic preservation issues it should consider in planning this project.

FRA Response: FRA recognizes that there is likely a high level of interest in the Washington Union Station Expansion Project. Shortly after initiating the Section 106 process with DC SHPO at the end of November 2015, FRA began identifying parties who may be interested in participating in the Section 106 process as consulting parties. In March 2016, FRA invited the following agencies, organizations, and businesses to be consulting parties, and the majority have accepted:

Advisory Neighborhood Commission (ANC) 6C
Akridge
Amtrak
Architect of the Capitol
Capitol Hill Business Improvement District
Capitol Hill Restoration Society
Committee of 100 on the Federal City
DC Department of Transportation
DC Preservation League
DC Historic Preservation Office
Federal Transit Administration
Government Printing Office
Greyhound Bus Lines, Inc.
Maryland Transit Administration/ MARC
National Capital Planning Commission
National Park Service
National Railway Historical Society
National Trust for Historic Preservation
Union Station Redevelopment Corporation
U.S. Commission of Fine Arts
Virginia Railway Express (VRE)
Washington Metropolitan Area Transit Authority (WMATA)

FRA hosted the first consulting parties meeting on March 28, 2016, and has scheduled a few additional meetings through the end of calendar year 2016.

In addition, during the scoping process, through the project website, and at the two EIS public meetings held to date, FRA included slides and boards specific to Section 106 and encouraged attendees to contact FRA to request consulting party status if they represented an organization having a demonstrated interest in the project due to the

nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties. FRA welcomes the participation of additional consulting parties at any time during the Section 106 process. Furthermore, FRA will hold public meetings at key points in the Section 106 process, coordinated with NEPA public meetings when appropriate (and advertised as such), so that members of the public who are not consulting parties will also have an opportunity to provide input.

ACHP Comment 5. Coordination of Section 106 and Local Administrative Reviews. The Section 106 regulations require agencies to plan to involve the public in the review process. Likewise, the public is part of most local administrative reviews conducted by planning, zoning, and economic development agencies. It is our understanding that the Burnham Place Project has already been through a local review under the terms of a Section 106 air rights covenant negotiated in 2006. It is not clear to stakeholders what role the District of Columbia assumes in reviewing proposed air rights development. We believe that FRA should clarify what, if any, local reviews are required for the Union Station Expansion Project and the Burnham Place Project, and how these reviews will be coordinated with Section 106 during project planning to avoid a duplication of effort and possible project delays. Please describe the roles, if any, of the National Capital Planning Commission and the Commission of Fine Arts in these projects. Has either agency been involved in early planning discussions with FRA for the initiation of the Section 106 review?

FRA Response: As previously explained, the Washington Union Station Expansion Project and the Burnham Place Project are separate projects. FRA will provide opportunities for public involvement in the Washington Union Station Expansion Project through the NEPA and Section 106 processes. The National Capital Planning Commission (NCPC) is participating in the Washington Union Station Expansion Project as a NEPA Cooperating Agency and both NCPC and the Commission on Fine Arts (CFA) are participating as Section 106 Consulting Parties; NCPC and CFA have attended relevant meetings hosted by FRA to date

Burnham Place is a private development project proposed by Akridge. It is FRA's understanding that the Burnham Place Project will be subject to the District of Columbia review and regulatory process that applies to any new private development in the District. In addition, it is FRA's understanding that the Burnham Place Project will be subject to an approval process through the DC SHPO as required by the Historic Preservation Covenant contained in the September 2006 Quitclaim Deed for the sale of the air rights to Akridge administered by the GSA. The Burnham Place Project does not require any approvals from FRA, nor does FRA have any role or jurisdiction in the District's review of the Burnham Place Project. The District of Columbia Office of Planning should be

able to provide additional information about its review and approval process for the Burnham Place Project.

FRA hopes you find this information helpful, and we look forward to continuing Section 106 consultation with the ACHP and other parties for the Washington Union Station Expansion Project. If you have further questions or require additional information, please contact Ms. Laura Shick, FRA's Federal Preservation Officer, at laura.shick@dot.gov or (202) 366-0340.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael M. Johnsen", with a long horizontal flourish extending to the right.

Michael M. Johnsen
Acting Division Chief, Environmental & Corridor Planning
Office of Railroad Policy and Development

From: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Sent: Wednesday, March 15, 2017 3:01 PM
To: Katherine Hummelt; Gretchen Pfaehler
Cc: Bernett, Carmen [USA]
Subject: FW: Washington Union Station: Historic Property Identification Concurrence

From: Koenig, Daniel (FTA)
Sent: Thursday, February 16, 2017 11:28 AM
To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Subject: RE: Washington Union Station: Historic Property Identification Concurrence

Hi Amanda – Thanks for providing. Not surprised that there are a lot of resources. My thinking though, is that the APE could be drawn to be a bit much narrower. The improvements to the station would have far less potential, if any, to affect resources to the south. Take for example, resource 51 (Botanical Garden), what is the likelihood that that property could experience any proximity effects from construction and operation of an enhanced station? This large APE will be also be very burdensome under 4f as each of the resources identified in this map would have to be evaluated under 4f and I would again argue that many of the properties have zero potential to be impacted, either directly or indirectly. Let me know if you'd like to discuss more, but our overall comment is that this could be narrowed substantially.

Thanks,
Dan

From: Murphy, Amanda (FRA)
Sent: Friday, February 10, 2017 4:04 PM
To: Murphy, Amanda (FRA)
Cc:

Subject: Washington Union Station: Historic Property Identification Concurrence

On behalf of the Federal Railroad Administration (FRA), I want to thank you for your participation in the National Historic Preservation Act Section 106 process for the Washington Union Station Expansion Project. This past October, FRA hosted the third Consulting Party meeting in which we presented the preliminary project concepts, discussed the proposed Section 106 study area, and identified the historic properties and sites within the proposed study area. The following is a link to those materials on the project website for your reference: <https://www.fra.dot.gov/Page/P0944>

As presented at the second and third Consulting Party meetings, the attached document is a map detailing the proposed study area and historic properties identified from the Consulting Parties, the National Register of Historic Places, the DC Inventory of Historic Sites, the Architect of the Capitol's List of Heritage Assets, the National Mall and Memorial Parks Sites, and the Washington Union Station Historic Preservation Plan (completed 2012).

Union Station is located in an area that has been thoroughly studied by many public and private historic preservation entities. As such, it is believed that all historic properties (built before the past 50 years) have been identified, and no further research to identify historic properties would be conducted as a part of the Washington Union Station Expansion Project Section 106 process.

With this correspondence we are confirming your concurrence on two specific topics as noted during the third meeting and with the attached revised map:

1. The Proposed Study Area, the geographic area surrounding the proposed project area, is appropriate with the scope of the federal undertaking.
2. The historic properties and features within and bordering the Proposed Study Area have been appropriately identified and that the appropriate view sheds are identified.

The Proposed Study Area takes a conservative approach towards the areas that may be affected by the proposed project and includes a wide area surrounding Union Station and the rail yard, as well as view sheds along adjacent historic streets, buildings, parkland, green space, memorials, and neighborhoods. The Proposed Study Area will be refined to an Area of Potential Effect once a preferred alternative is selected as part of the Environmental Impact Statement (EIS), occurring in tandem with the Section 106 Process.

If you have comments regarding the Proposed Study Area and the identified historic properties, I ask that you submit them to me **within 30 days** at Amanda.murphy2@dot.gov. Thank you for your continued cooperation on this important project!

Amanda Murphy

Environmental Protection Specialist
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
202-493-0624 (Office)

Katherine Hummelt

From: Gretchen Pfaehler
Sent: Friday, March 10, 2017 3:13 PM
To: Katherine Hummelt; Jill Cavanaugh
Subject: FW: Washington Union Station: Historic Property Identification Concurrence

FYI and for the files.

Gretchen Pfaehler AIA

BEYER BLINDER BELLE
ARCHITECTS & PLANNERS LLP
3307 M Street, NW, Suite 301
Washington, DC 20007

-----Original Message-----

From: Murphy, Amanda (FRA) [mailto:amanda.murphy2@dot.gov]
Sent: Friday, March 10, 2017 3:12 PM
To: Gretchen Pfaehler
Cc: Bernett, Carmen [USA]
Subject: FW: Washington Union Station: Historic Property Identification Concurrence

NCPC response

-----Original Message-----

From: Flis, Matthew [mailto:matthew.flis@ncpc.gov]
Sent: Friday, March 10, 2017 3:11 PM
To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Subject: Re: Washington Union Station: Historic Property Identification Concurrence

Good Afternoon Amanda,

Thank you for the opportunity to review the study area materials. We appreciate the conservative approach which captures a broad area of resources and viewsheds. We look forward to an update on the process and discussing when it may be appropriate to brief our Commission.

Best,
Matt

Matthew J. Flis, AICP-CUD
Senior Urban Designer
National Capital Planning Commission

From: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Sent: Friday, February 10, 2017 4:04:13 PM
To: Murphy, Amanda (FRA)
Cc: c

Subject: Washington Union Station: Historic Property Identification Concurrence

On behalf of the Federal Railroad Administration (FRA), I want to thank you for your participation in the National Historic Preservation Act Section 106 process for the Washington Union Station Expansion Project. This past October, FRA hosted the third Consulting Party meeting in which we presented the preliminary project concepts, discussed the proposed Section 106 study area, and identified the historic properties and sites within the proposed study area. The following is a link to those materials on the project website for your reference: <https://www.fra.dot.gov/Page/P0944>

As presented at the second and third Consulting Party meetings, the attached document is a map detailing the proposed study area and historic properties identified from the Consulting Parties, the National Register of Historic Places, the DC Inventory of Historic Sites, the Architect of the Capitol's List of Heritage Assets, the National Mall and Memorial Parks Sites, and the Washington Union Station Historic Preservation Plan (completed 2012).

Union Station is located in an area that has been thoroughly studied by many public and private historic preservation entities. As such, it is believed that all historic properties (built before the past 50 years) have been identified, and no further research to identify historic properties would be conducted as a part of the Washington Union Station Expansion Project Section 106 process.

With this correspondence we are confirming your concurrence on two specific topics as noted during the third meeting and with the attached revised map:

1. The Proposed Study Area, the geographic area surrounding the proposed project area, is appropriate with the scope of the federal undertaking.
2. The historic properties and features within and bordering the Proposed Study Area have been appropriately identified and that the appropriate view sheds are identified.

The Proposed Study Area takes a conservative approach towards the areas that may be affected by the proposed project and includes a wide area surrounding Union Station and the rail yard, as well as view sheds along adjacent historic streets, buildings, parkland, green space, memorials, and neighborhoods. The Proposed Study Area will be refined to an Area of Potential Effect once a preferred alternative is selected as part of the Environmental Impact Statement (EIS), occurring in tandem with the Section 106 Process.

If you have comments regarding the Proposed Study Area and the identified historic properties, I ask that you submit them to me within 30 days at Amanda.murphy2@dot.gov<<mailto:Amanda.murphy2@dot.gov>>. Thank you for your continued cooperation on this important project!

Amanda Murphy
Environmental Protection Specialist
Office of Railroad Policy and Development Federal Railroad Administration

1200 New Jersey Avenue, SE

Washington, DC 20590

202-493-0624 (Office)

*Please note email: Amanda.Murphy2@dot.gov<mailto:Amanda.Murphy2@dot.gov>



Government of the District of Columbia
**Advisory Neighborhood
Commission 6C**

March 13, 2017

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

Re: Section 106 Process for Union Station Expansion Project & Proposed Study Area

Dear Ms. Murphy:

On March 8, 2017, at a duly noticed regularly scheduled monthly meeting of ANC 6C, with a quorum of six out of six commissioners and the public present, the current matter came before ANC 6C. The commissioners voted 6-0 to adopt the position set forth below.

Thank you for your email of February 10, 2017 in which you requested ANC 6C's concurrence on two points:

1. *The Proposed Study Area, the geographic area surrounding the proposed project area, is appropriate with the scope of the federal undertaking.*
2. *The historic properties and features within and bordering the Proposed Study Area have been appropriately identified and that the appropriate view sheds are identified.*

This project is of great significant to ANC 6C, and in fact the majority of the Proposed Study Area (PSA) lies within this ANC. The low-scale residential neighborhoods immediately east of the rail corridor will almost certainly be among those most impacted by not only the rail yard construction and expansion, but also by very closely related projects such as the reconstruction of the H Street Bridge, and the Burnham Place air-rights project. We are very concerned by the narrow scope of the current EIS project. Members of our community have previously expressed reservations about the failure to include any information about those projects within the limited scope of this EIS/Section 106 effort. We believe this results in a fundamentally flawed process that will fail to capture the complexity of this project and ultimately diminish the overall plan.

Despite our reservations regarding the scope of this project, we will endeavor to respond to your current request on the above two points.

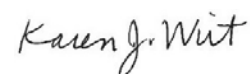
Item 1: We find the Proposed Study Area inadequate to address both the short and long term Area of Potential Effects (APE). In a meeting with USRC on March 2, you stated that the APE would be even more restricted than the PSA. We note that the PSA fails to include areas that undoubtedly would have significant traffic and other impacts under all of the concept development scenarios. As one example, it is impossible to travel from Union Station to New York Avenue without leaving the PSA. All of the development scenarios involve inter-city bus facilities and the impact of that activity must be addressed. As a second example, many of the proposed development alternatives envision a large parking structure below the rail corridor with access from the 100 block of K Street, NE. However, Third Street, NE—the closest north-south street immediately east of the H Street Bridge—is not fully included in the study area.

Item 2: This is a two-part question. For the first part, we believe you have adequately identified historic properties within the PSA. (One of those properties, No. 84 – 911 Second St., NE/former milk depot, is no longer extant.) For the second part, we believe the proposed view sheds also may be inadequate. The alternative development scenarios described potential parking structures, bus, and taxi facilities at various locations both above and below the rail corridor; and on property owned by FRA’s private sector partner. Because FRA has not more clearly defined the location and height of the project elements, we cannot determine whether the view sheds are or are not adequate. Therefore, we conclude that the appropriate view sheds have not been identified.

Finally, ANC 6C wishes once again to express in the strongest possible terms our concern for the overall project planning of the Union Station Expansion. This is a very complex project with Federal, District, and multiple private sector interests, as well as varied public/neighborhood interests. Assessment of the impacts of Union Station expansion must take account of the entirety of the project in order for the planning and design to achieve the goals we all anticipate for this very important project.

Thank you for giving great weight to the views of ANC 6C.

Sincerely,



Karen Wirt
Chair, ANC 6C



Capitol Hill Restoration Society, P.O. Box 15264, Washington, DC 20003-0264

March 14, 2017

Amanda Murphy
Environmental Protection Specialist
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590
amanda.murphy2@dot.gov

Re: National Historic Preservation Act Section 106 process for the Washington Union Station Expansion Project: Historic Properties and Proposed Study Area

Dear Ms. Murphy,

Thank you for your email of February 10, 2017. We write in response to your request for concurrence on these two points:

- 1. The Proposed Study Area, the geographic area surrounding the proposed project area, is appropriate with the scope of the federal undertaking.*
- 2. The historic properties and features within and bordering the Proposed Study Area have been appropriately identified and that the appropriate view sheds are identified.*

Regarding Item 1: Even restricting our comments to only the “Federal Undertaking” portion of this project we write in strong opposition to FRA's too narrowly identified "Proposed Study Area." FRA's massive, although entirely un-quantified, proposed increase in rail, bus, car, bike and pedestrian traffic will adversely affect the quality of life for residents and businesses on North/South as well as East/West streets far beyond the proposed boundaries, and especially for blocks immediately east of 3rd Street, NE. The same is true during the years of construction.

Regarding Item 2: we believe you have adequately documented the numerous historic properties in the surrounding area. However, what is far less clear is whether the view sheds are appropriate. It appears the view sheds are limited to the Proposed Study Area. Depending on the design and location of the “Project Elements”, portions of even just the Federal Undertaking may be visible from more distant locations.

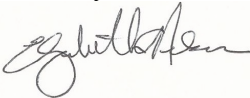
As one example of why we feel the Proposed Study Area is inadequate, several of the preliminary concept proposals indicate an underground garage with access from K Street, NE. This will inarguably add a large volume of traffic onto the nearby residential streets. Note also that Third St., NE - the closest north/south access east of the H Street Bridge – is not entirely included in the Study Area. The Proposed Study Area must include additional streets east of the Proposed Study Area

More broadly, our concern and objections to the Proposed Study Area extend beyond the inappropriately narrow “Federal Undertaking”. We cannot determine the extent of the Federal Undertaking versus District and Private undertakings; and therefore, we cannot endorse the Proposed Study Area without a clear understanding of the extent of the Federal Undertaking. We again state our objection to the failure to include the impacts of the air-rights project and reconstruction of the H Street Bridge in this analysis. Those projects are an integral part of the Union Station Redevelopment effort. Nonetheless, to date FRA has made no effort to anticipate or to coordinate the impacts of three million square feet of additional development by its closely-related partner, Akridge Development.

Further, FRA also has provided no information to CHRS or to the broader public regarding the scope and nature of effects to Metro’s already troubled capacity as well as related concerns to the area’s water, sewer, electricity and other infrastructure that could well affect residents, businesses and taxpayers outside the current, arbitrarily drawn borders of its Proposed Study Area.

For these reasons, CHRS finds the Proposed Study Area to be both deficient, and entirely lacking supporting evidence. Therefore, we find the Proposed Study Area to be unacceptable.

Sincerely,



Elizabeth Nelson, President
Capitol Hill Restoration Society

CC:

Councilmember Charles Allen, Ward 6, callen@dccouncil.us

Karen Wirt, Chair, ANC6C, kwirt@crs.loc.gov

Mark Eckenwiler, ANC6C04, 6C04@anc.dc.gov

C. Andrew Lewis, DC State Historic Preservation Office, andrew.lewis@dc.gov

Rob Nieweg, National Trust for Historic Preservation, RNieweg@savingplaces.org

Eric Hein, Exec. Director, NCSPPO, hein@ncshpo.org

Beverly Swaim-Staley, USRC, bswaimstaley@usrcdc.com

John Sandor, President, D.C. Preservation League, John_Sandor@nps.gov

Rebecca Miller, Executive Director, D.C. Preservation League, rebecca@dcpreservation.org

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



March 16, 2017

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

RE: Washington Union Station Expansion Project Study Area

Dear Ms. Murphy:

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

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



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

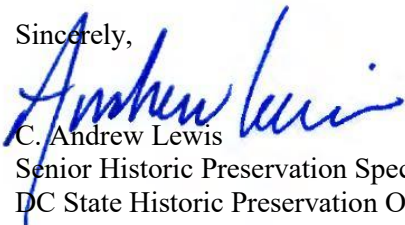
On a related note, all of the streets, avenues, parks and reservations that contribute to the National Register of Historic Places-Listed Plan of the City of Washington (L'Enfant Plan) should be designated on the Study Area Map and incorporated, collectively rather than individually, in the list of historic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

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

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

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

Sincerely,



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

16-0114



Preserving America's Heritage

September 29, 2017

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

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

Dear Ms. Murphy:

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

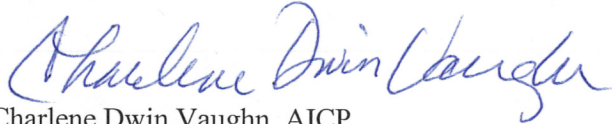
On August 7, 2017, ACHP received the draft *Area of Potential Effects and Identification of Historic Properties Report* and participated in the follow up consultation meeting on September 7th. The ACHP understands FRA expanded the Area of Potential Effect (APE) in response to comments from the consulting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

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

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

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

Sincerely,

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

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

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



September 29, 2017

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

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

Dear Ms. Murphy:

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

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

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

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

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

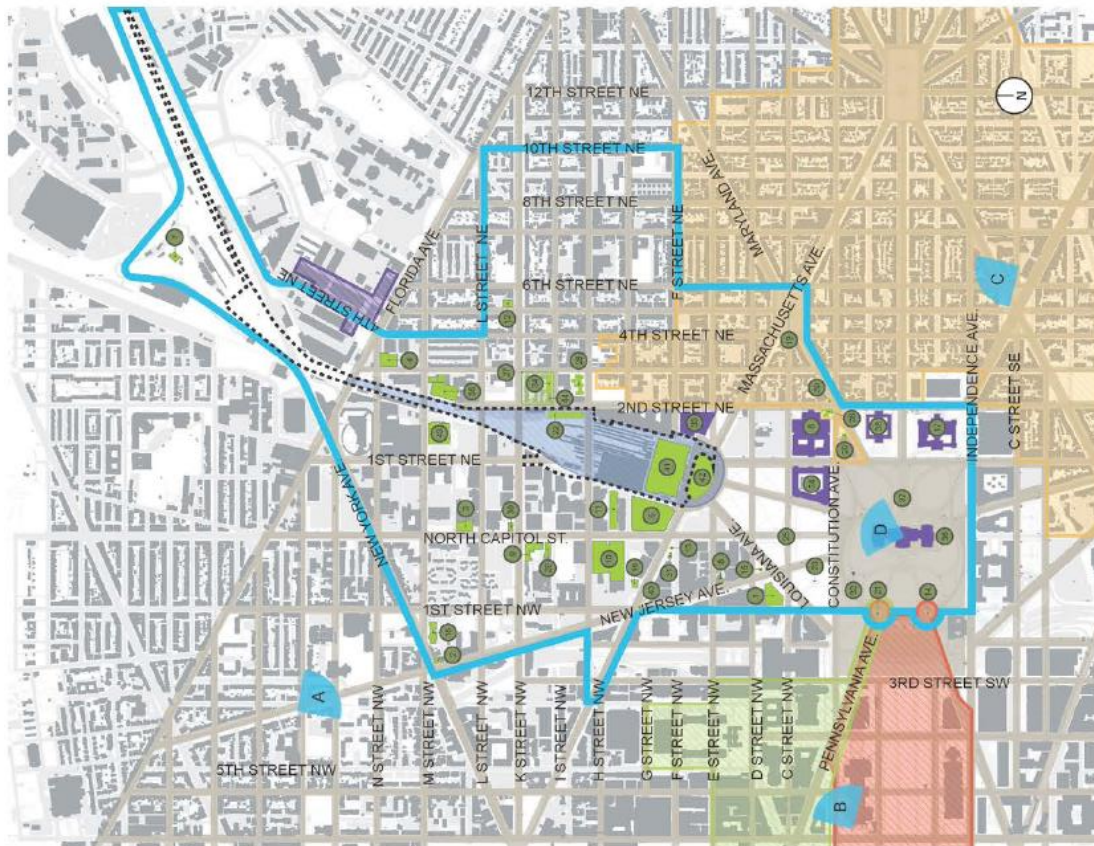
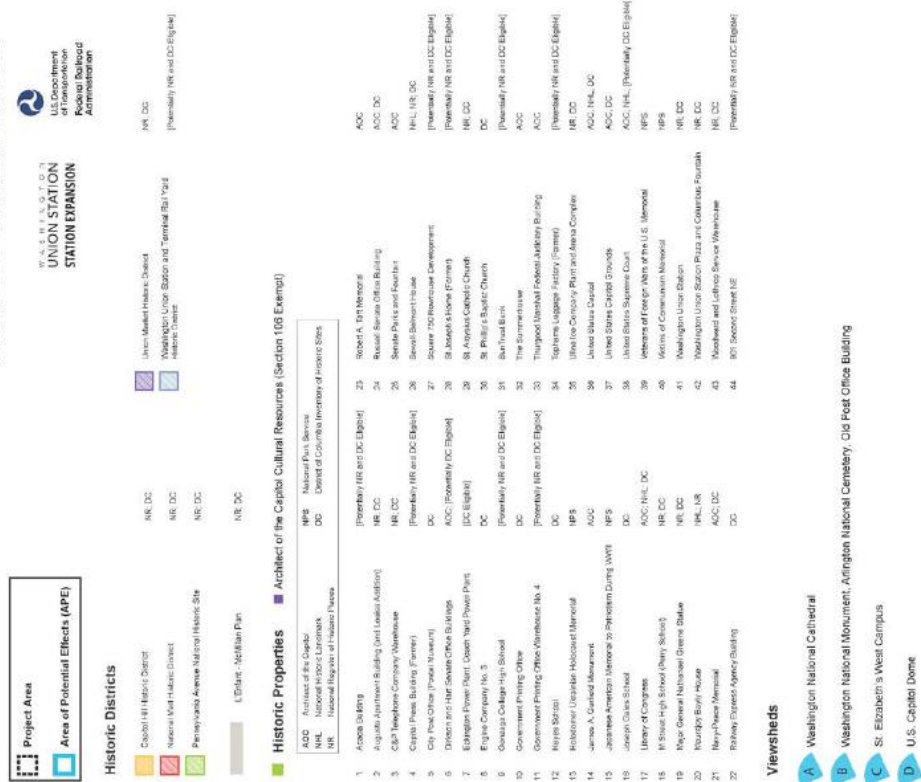
Sincerely,

A handwritten signature in blue ink that reads "Andrew Lewis". The signature is written in a cursive style with a large initial "A".

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

16-0114

Washington Union Station Expansion Project: Area of Potential Effects





megabus.com

Kevin J. Biggins, Jr.
Operations Manager,
Megabus, NE- Washington, D.C. and Landover, MD
2320 Beaver Road
Landover, MD 20785
Cc: Bryony Chamberlain, Regional Vice President;
James Rutherford, General Manager

Amanda Murphy
Environmental Protection Specialist
USDOT Federal Railroad Administration
Office of Railroad Policy and Development
1200 New Jersey Ave, SE
MS-20
Washington, D.C. 20590

Dear Amanda:

Thank you for affording us the opportunity to express our concerns and questions we have based on the meeting we attending this past week on September 7, 2017.

We have the following concerns and questions:

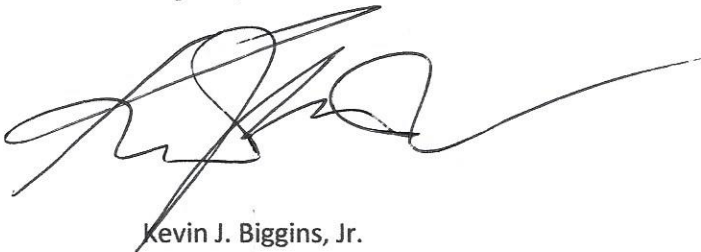
1. Slip reduction
 - a) During the meeting it was mentioned that intercity bus ridership was estimated to increase by 20% by completion of the new concourse. However, it was stated that the number of bus slips available would be reduced by 59%.
 - (1) How was the number of slips calculated?
 - (2) What is the dwell time per bus that has been used, is this split between charter and intercity buses?
 - (3) How is it envisaged the buses will be allocated to the slips? Will companies have some dedicated slips?
2. Concepts
 - a) Based on the concepts that were presented. We feel that moving the bus deck to K Street will be a too far a distance for our customers to travel. Concepts 1a and 1b and 5 seem to incorporate the bus deck into the plan a lot more visibly, and it is closer to the parking garage. And

would like to entertain looking at them after we receive further detail/information as noted below:

- (1) Concepts 1a/1b/5- Referencing the entrance and exit ramp: will this be a two lane roadway; did we factor traffic volume into this if we are expecting increases?
 - (2) Have we factored in layover areas for the vehicles/parking? Many of our services have break periods before returning to their origins, and will require parking spots/zones to accommodate them, I'm sure this would be in addition to other companies as well.
- b) Height/weight/length
- (1) With either of the concepts have we factored in the possibility that buses could be longer, wider, and/or taller in coming years?
 - (2) It was mentioned that the terminal would be lower in height than it is currently. Can this be expanded upon to provide detail of an exact height maximum in the terminal?

Looking forward to your responses.

Regards,

A handwritten signature in black ink, appearing to read 'Kevin J. Biggins, Jr.', with a long horizontal flourish extending to the right.

Kevin J. Biggins, Jr.

Comments and Questions

Washington Union Station Expansion Project

Section 106 Consulting Parties Meeting

Please provide your form to FRA or BBB at the end of the meeting.

Comments / Questions:

provide additional detail with respect
to overall project schedule e.g. ROD month/year

Additional questions and comments may be provided as follows:
Email consulting party comments to: Amanda.murphy2@dot.gov

Amanda Murphy
Environmental Protection Specialist
USDOT Federal Railroad Administration
Office of Railroad Policy and Development
1200 New Jersey Ave, SE
MS-20
Washington DC 20590

Comments from the public may be submitted to: info@WUSstationexpansion.com
Comments will be taken into consideration as the project progresses.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



March 30, 2018

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

RE: Washington Union Station Expansion Project Action Alternative Comments

Dear Ms. Murphy:

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

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

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

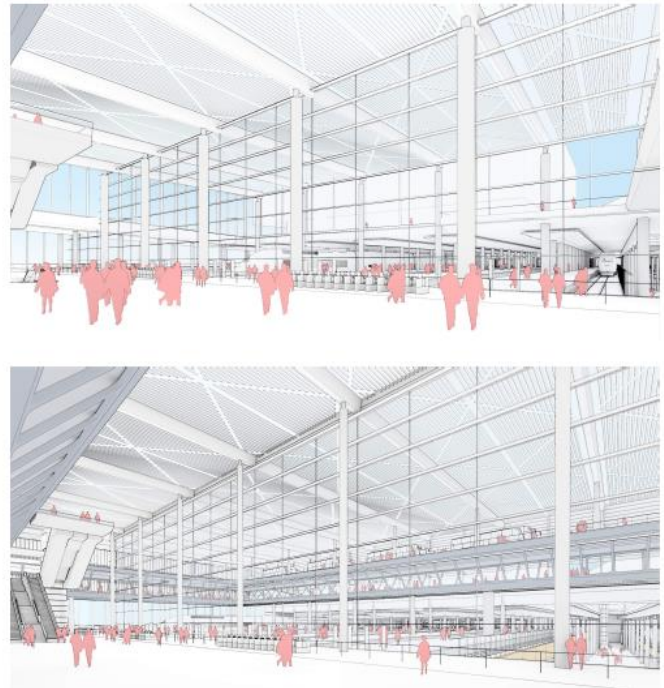
Since Alternatives A and B represent relatively little change from existing conditions they may fall short of achieving the goals of the Expansion Project. However, we note that the larger, north-south oriented portion of the train hall proposed in these alternatives has potential to create a grander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

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

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

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

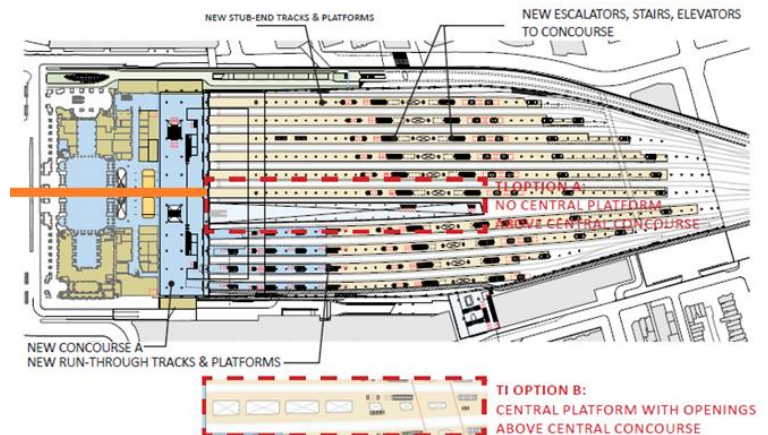
- Allow for greater architectural flexibility and expression in the new train hall by unencumbering it from most of the bus-related functions proposed in Alternatives D and E. Locating bus parking north of H Street should improve views to the new train hall, views out of the new facility, and allow the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



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

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

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



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

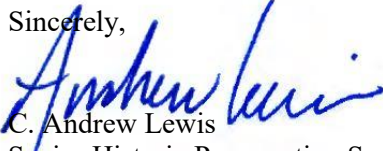


In addition to resulting in symmetrical above-grade development, a centered concourse platform would help establish a logical circulation spine that could extend throughout the new and historical portions of Union Station and visually tie them together. This could reinforce the importance of the grand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

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

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

Sincerely,


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

16-0114

UNION STATION EXPANSION PROJECT ACTION ALTERNATIVES



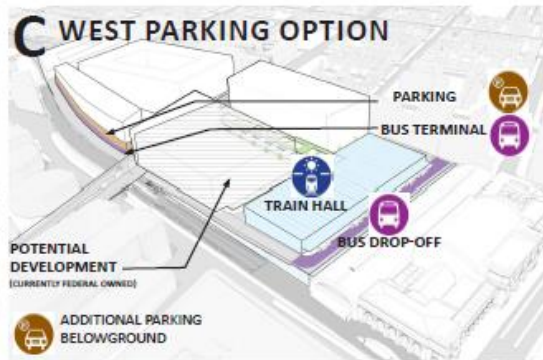
- NORTH-SOUTH TRAIN HALL
- SOUTHEAST BUS TERMINAL
- PARKING ABOVE: 1578 CARS (6 LEVELS)



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



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



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



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



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

The Committee of 100 on the Federal City



www.committeeof100.net

May 7, 2018

Amanda Murphy
Federal Railroad Administration
USDOT
MS-20 RPD-13
1200 New Jersey Avenue SE
Washington, DC 20590

Founded 1923

Chair

Stephen A. Hansen

Vice-Chair

Meg Maguire

Secretary

Erik Hein

Treasurer

Carol F. Aten

Trustees

Charlie Bien

Judy Chesser

George Clark

Monte Edwards

Larry Hargrove

Kathy Henderson

Kate Montague Perry

Elizabeth Purcell

Laura M. Richards, Esq.

Marilyn Simon

Jim Smailes

Pat Tiller

Kirby Vining

Beverly Wheeler

Evelyn Wrin

945 G Street, N.W.

Washington, D.C. 20001

202.681.0225

info@committeeof100.net

Dear Amanda:

Thank you for opportunity to comment on the methodology of assessing the effects of proposed alternatives for the expansion of Union Station, and on the alternatives themselves.

Overall, the methodology outlined in the presentation offered at the April 24th, 2018 Consulting Parties meeting does seem appropriate. We commend the Federal Railway Administration on their intention to evaluate visual effects on historic properties as well as those caused by noise and vibration.

We should note, however, that at this stage we are being asked to consider effects only on generalized placement of various station functions – a new concourse, bus staging area, and parking. This approach allows us only to look at various volumetric representations. These representations are very vague, provided in a small graphic format, and make it extremely difficult to actually assess effects. Without the information that will be gleaned as a part of the methodology of assessing effects, we do not have the visual representations from all necessary angles to determine the impact on the historic Union Station or the surrounding area. There is also, at this point, no indication of architectural approach, materials, or clear passenger circulation patterns.

That said, there are a few of the proposed options that we think are particularly problematic. Specifically, Options D and E would seem to add a significant height and volume immediately adjacent to the historic station. Even with only the sample visual effect provided in the presentation, this would have a dramatic impact (and adverse effect) on the view of the station from E Street NW and the surrounding area. Given the proposed function for the upper parts of these options would include bus loading and staging areas, it is hard for us to imagine how any design approach could mitigate the impact to the symmetrical Beaux-Arts architecture of Union Station.

Options A and B, on the other hand, replicate somewhat the existing alignment, while pushing the height back from the station and allowing the new concourse to be aligned alongside the historic one. This approach could have merit – however, its success will rest very heavily on the design of the new concourse and how it would be integrated. It is impossible to tell from a purely volumetric study devoid of illustrations depicting visual effects.

Option C could also have merit. It does respect more the symmetry of Union Station, but it appears that the new concourse would be elevated as would be bus circulation – leaving it unclear how the new construction would be integrated with the station.

Overall, while we appreciate the careful and deliberate manner the FRA has proceeded with consultation, we still feel as if the consultation process is more explanatory than consultative. Meaningful consultation on the potential impacts of expansion to Union Station will require adequate design studies, visual representations and circulation patterns. We hope that the information you glean from the application of the Methodology you have outlined will be presented to consulting parties so that we can provide meaningful input on the proposed options at that time, helping to inform a final selection.

Sincerely,



Erik M. Hein
Secretary, Committee of 100 on the Federal City
Co-Chair, Historic Preservation Subcommittee

cc: Sarah Stokely, Advisory Council on Historic Preservation



420 10th Street, SE Washington, DC 20003
info@chrs.org, 202.543.0425

May 8, 2018

USDOT Federal Railroad Administration
Attn: Amanda Murphy
Environmental Protection Specialist
Office of Railroad Policy and Development
1200 New Jersey Ave., SE MS-20
Washington, DC 20590

Re: Washington Union Station Expansion Project (WUS SEP)

Dear Sir or Madam,

The Federal Railroad Administration (FRA) has requested comments following the 5th Consulting Parties meeting on April 24, 2018. The Capitol Hill Restoration Society (CHRS) welcomes the opportunity to contribute to this very important project.

The Agenda for the April 24 meeting states that its purpose was to “describe the methods for assessing effects to the identified historic properties within the APE” (Area of Potential Effects). This meeting also included a brief overview of the project concept alternatives that were presented to the public on March 22, 2018. FRA has requested our comments on the proposed “methods for conducting the assessment of effects” on historic properties within the APE that will result from the concept alternatives.

CHRS finds that it is not feasible to evaluate the adequacy of the proposed methodology. The Environmental Impact Statement (EIS) and related Section 106 Review do not include the entirety of the Union Station Expansion. The on-going EIS presages the design not only of the Union Station Rail Terminal expansion, but also of the closely related Burnham Place air rights project and the H Street Bridge reconstruction. FRA has largely ignored the cumulative impact of these three integrally related projects. Alone, each of these projects represents a very significant investment in which the public and the surrounding community have a vital interest.

Taken together, these projects represent a transformation beyond even regional significance.

CHRS is very cognizant of the tremendous complexity of each of these three projects (Union Station Terminal Expansion, Burnham Place, H Street Bridge replacement). Each project taken alone poses complex issues not only in design but also in construction. We understand FRA's desire to simplify the scope of the EIS in order to make it more manageable. However, that simplification also renders the on-going EIS as an expensive, time consuming, but ultimately ineffective exercise. Even worse, the completed EIS is highly likely to hamstring later design opportunities by locking-in sub-optimal design and operational alternatives based on the narrow focus underpinning the EIS process.

We believe that limiting the scope of the EIS and Sections 106 processes will result in missed opportunities that will limit later design options and compromise Union Station's fundamental operational purpose: to accommodate both present and future rail service. We note the following examples of where the on-going process fails to provide useful information as the entire project moves into the design phase:

1. Coordination between the proposed and existing terminals is very weak due to the failure to include the former train shed in the concept alternatives for the expansion. Because the historic train shed is excluded from the project alternatives, the EIS and Section 106 reviews will not include in-depth analysis of that area. This will lead to designs that avoid integration of the existing and expanded train terminal.
2. Analysis of access to the expanded Union Station complex is inadequate. A facility, ostensibly designed as an intermodal hub, must take into consideration the network of roads and transportation options. However, current and projected ridership and trip generation numbers for the various modes of transportation have not been presented. Even more basic is the need for the EIS to take into account the ridership projections of Amtrak, VRE, MARC and High-Speed rail to the south and demonstrate how the proposed design accommodates those projections. At the April 24th meeting we were told a "transportation study" would be available in winter 2019. That is after our 6th meeting this summer or fall when comments on the draft Memorandum of Agreement (MOA or PA) are due, and perhaps even after or coincident with the final, 7th Consulting Parties meeting in spring 2019 when we apparently have a last chance to "consult."
3. Burnham Place with its anticipated 3 million square feet of building area will sit atop the terminal expansion. That Burnham Place is a private investment does not excuse excluding its impacts from this process. These projects are very closely related and need to be fully integrated with each other to be successful. In fact, every proposed development alternative for FRA's proposed expansion envisions some form of air-rights swap, sale, or expropriation between these two interconnected projects.
4. The H Street Bridge doesn't even get a mention in FRA's analysis. The H Street bridge and tunnel have been absent from the public presentations or consulting party

meetings. This overlooks the opportunity to explore reopening the H Street tunnel to vehicular traffic, or perhaps even doing away with the H Street Bridge and returning the street to grade level.

The Washington Metropolitan Area and Washington, DC, in particular, have undergone enormous change in the last few decades with significant new development throughout the District and the region. We are experiencing unprecedented congestion highlighting the urgent need for improved and widely distributed access to public transit. This greatly elevates the significance of this project as the region's single designated multimodal transport hub – a decision that looks back to the conditions that prevailed in the 1980s. Instead the EIS and Section 106 review need to look forward and envision the totality of the transformation proposed for Union Station within the context of a greatly expanded region. It would be ironic if the Washington region's premier intermodal transportation hub were itself to become practically inaccessible.

We thank you for considering our comments.

Sincerely,



Elizabeth Nelson, President

Amanda Murphy Amanda.murphy2@dot.gov

Cc
Charles Allen, Ward 6 Council Member, callen@dccouncil.us

Brian Kenner, Deputy Mayor for Economic Development, dmped.eom@dc.gov

Jennifer Steingasser, DC Office of Planning, Deputy Director for Development Review and Historic Preservation, Jennifer.steingasser@dc.gov

Jeff Marrotian, Director of DC DDOT, ddot@dc.gov

Karen Wirt, Chair, ANC 6C, 6C02@anc.dc.gov

Robin-Eve Jasper, President of NoMa BID, rjasper@nomabid.org

DC Committee of 100, jasmailes@gmail.com

Rob Nieweg, National Trust for Historic Preservation, rnieweg@savingplaces.org

David Tuchman, Akridge Development, dtuchmann@akridge.com

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



August 29, 2018

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

RE: Washington Union Station Expansion Project Comments

Dear Ms. Murphy:

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

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

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

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

Sincerely,

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

16-0114



Government of the District of Columbia
**Advisory Neighborhood
Commission 6C**

May 9, 2019

Ms. Katherine Zeringue
Federal Railroad Administration
US Dept. of Transportation
MS-20 RPD-13
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Washington Union Station Expansion Project
Draft Assessment of Effects to Historic Properties

Dear Ms. Zeringue,

Advisory Neighborhood Commission 6C (ANC 6C) welcomes this opportunity to comment on the March 2019 Draft Assessment of Effects to Historic Properties. Union Station is a crown jewel of our ANC and is an integral part of our neighborhood.

Although ANC 6C is accustomed to reviewing the many PUD projects in NOMA and the Union Market area, the Washington Union Station Expansion together with Burnham Place is undoubtedly the largest project we are likely to ever address. Critical among our review criteria for all large projects in ANC 6C has been an assessment of the traffic impacts on the adjacent neighborhoods, especially within the Capitol Hill Historic District (which includes roughly half of our constituents).

We object to the draft report's determination of "no adverse effect" on the Capitol Hill Historic District, which you concede was made without the benefit of a traffic analysis. *See* p. 25 n. 29. We are at a loss to understand how, as a process matter, the draft report can reach any determination of the impacts without such a traffic analysis. Substantively, we believe there will be significant adverse traffic effects on the Capitol Hill Historic District and the neighborhoods north of H Street NE directly attributable to the expansion of Union Station. Even under present conditions, these neighborhoods suffer from a sub-optimal traffic pattern that displaces traffic onto the residential streets east of Union Station.

Some of the Action Alternatives envision utilizing K Street NE as a primary vehicular entrance to underground parking areas. As we stated in our previous written comments, we strongly object to burdening the residential areas of Near Northeast with additional traffic volumes. The Action Alternatives uniformly fail to address vehicular circulation issues, and it is

sadly ironic that a project involving a multi-modal transit facility would omit meaningful analysis of the existing roadway usage.

In conclusion, ANC 6C disagrees with and objects to the determination of “no adverse effect” to the Capitol Hill Historic District. We strongly urge you to revisit the assumptions made in the draft report and to incorporate more rigorous transportation-impacts analysis.

Thank you for giving great weight to the views of ANC 6C.

Sincerely,

Handwritten signature of Karen Wirt in cursive script.

Karen Wirt
Chair, ANC 6C

cc: Councilmember Charles Allen, Ward 6
Jeff Marootian, Director, DC DDOT
C. Andrew Lewis, DC Historic Preservation Office
Rob Nieweg, National Trust for Historic Preservation
Ms. Beverly Swaim-Staley, USRC



IN REPLY REFER TO:
NCPC FILE No. 7746

May 9, 2019

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

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

Dear Ms. Zeringue:

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

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

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

Ms. Katherine Zeringue
Page two

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

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

Sincerely,



Diane Sullivan, Director
Urban Design and Plan Review Division

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



420 10th Street, SE Washington, DC 20003
info@chrs.org, 202-543-0425

May 10, 2019

Ms. Katherine Zeringue
Federal Railroad Administration
US Dept. of Transportation
MS-20 RPD-13
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Washington Union Station Expansion Project:
Draft Assessment of Effects to Historic Properties

Dear Ms. Zeringue,

The Capitol Hill Restoration Society (CHRS) appreciates this opportunity to comment on the Draft Assessment of Effects to Historic Properties (DA) report dated March, 2019. CHRS's representatives have attended the Consulting Party meetings that began in early 2016. The most recent meeting on April 30, 2019 provided additional information on the DA. With the exception of Union Station itself and the REA Baggage Express Building the DA identified no other properties with an adverse effect.

CHRS's primary concern is the effect of the WUS Expansion on the Capitol Hill Historic District. We disagree with the DA determination of "No Adverse Effect" on the Capitol Hill Historic District, in particular, footnote 29, which states:

Traffic Impact Analysis, conducted as part of the EIS, will fully evaluate the impacts (not just to historic properties) of future traffic, including WUS-generated traffic, on the operation of the street network near WUS for the No-Action Alternative and the Action Alternatives.

The DA's conclusion of "No Adverse Effect" cannot be made without due consideration of the effect that increased traffic will have on the Capitol Hill Historic District and object

to this presumption in the absence of a full traffic analysis. Some information contained in the DA with regard to traffic can be gleaned from Section 4.3 “Noise and Vibration Effects”. We disagree that only noise and vibration pose a potential adverse effect; traffic itself can greatly diminish the quality of the historic district.

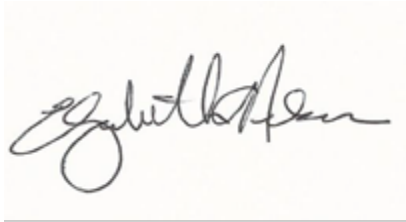
Table 2 “Existing and Projected Passenger Volumes at Union Station” envisions total daily passengers on Amtrak, MARC, VRE and Intercity bus to more than double with any of the Action Alternatives. Even at current levels, vehicular traffic associated with pick-up and drop-back up onto nearby streets at both the front and rear of Union Station, at peak periods. Taxis that drop off passengers near Union Station often return to the queue on the H Street Bridge using either Third Street or North Capitol to circle between the front and rear of Union Station. This pattern of vehicular circulation and the DA report’s estimate that this traffic pattern will more than double directly impacts the Capitol Hill Historic District. This is an adverse effect on the Capitol Hill Historic District

Table 3 “Projected Increases in Traffic Volumes over Existing Volumes (2040) employs misleading information in order to reach a conclusion of no adverse effect. The analysis is based on an unspecified, projected traffic volume in 2040. The “No-Action Alternative” includes an unspecified traffic volume from the Burnham Place air rights project - and presumably other as-yet-unbuilt projects - to reach its conclusions regarding Noise and Vibration. Setting aside the accuracy or usefulness of Table 3, this table indicates that WUS Expansion will result in significant increased traffic within the Capitol Hill Historic District. The Action Alternatives predict a 71% increase in traffic volume on the H Street Bridge (relative to existing plus Burnham Place). However, east of Fourth Street, NE the increase in traffic is only 42%. Even if we were to believe the traffic volumes in Table 3, it predicts that 29% of the traffic on H Street, NE (a major arterial) will either come from or be diverted onto residential Third and Fourth St, NE. This is a significant adverse effect on the Capitol Hill Historic District.

More generally, CHRS has been very critical of fundamental assumptions embedded within the EIS and Section 106 Review for the Union Station Expansion. The transformation of Union Station - inclusive of Burnham Place and the H Street Bridge - must be examined in its entirety. CHRS has repeatedly urged that the project alternatives should envision use of the H Street tunnel as a critically important link between 1st and 2nd Streets, NE for WUS traffic. Whether the H Street Bridge should be rebuilt or demolished (in whole or in part) and whether other road network changes are needed should also be part of the public discussion for a project of this significance.

On the narrow question of the Draft Assessment’s determination of No Adverse Effect on the Capitol Hill Historic District, CHRS disputes that determination. We are very disappointed that the EIS and Section 106 Review have not been used, as they should have been, to provide a meaningful review process focused on achieving the best possible outcome for the project, in its entirety. We are very concerned that any Programmatic Agreement resulting from this process will result in diminished opportunities for problem solving and limit design options for Burnham Place.

Sincerely,

A handwritten signature in black ink on a light-colored background. The signature is cursive and appears to read "Elizabeth Nelson".

Elizabeth Nelson, President
Capitol Hill Restoration Society

Cc:

Councilmember Charles Allen, Ward 6: callen@dccouncil.us
Beverly Swaim-Staley, Union Station Redevelopment Corporation: bswaimstaley@usrcdc.com
Brian Kenner, Deputy Mayor for Economic Development: dmped.eom@dc.gov
Jeff Marrotian, Director, District Department of Transportation: ddot@dc.gov,
jeffrey.marootian@dc.gov
Jennifer Steingasser, DC Office of Planning, Deputy Director for Development Review and
Historic Preservation: Jennifer.steingasser@dc.gov
C. Andrew Lewis: DC State Historic Preservation Office: andrew.lewis@dc.gov
Karen Wirt, Chair, ANC 6C: 6C02@anc.dc.gov
Mark Eckenwiler, ANC 6C04: 6c04@anc.dc.gov
David Valenstein: david.valenstein@dot.gov
Robin-Eve Jasper: President, NoMa BID: rjasper@nomabid.org
Katie Hummelt, Beyer, Blinder, Belle: khummelt@bbbarch.com
David Tuchman, Akridge: dtuchmann@akridge.com
James Smailes, Chair, Transportation Sub-committee, Committee of 100 on the Federal City:
jasmailes@gmail.com
Rob Nieweg, National Trust for Historic Preservation: rnieweg@savingplaces.org
Eric Hein, Exec. Director, National Conference of State Historic Preservation Officers:
hein@ncshpo.org

The Committee of 100

on the Federal City



Ms. Katie Hummelt
Associate, Architectural Historian
Beyer Blinder Belle Architects and Planners LLP
3307 M Street, NW, Suite 301
Washington, DC 20007

Founded 1923

Chair

Stephen A. Hansen

Vice-Chair

Kirby Vining

Secretary

Erik Hein

Treasurer

Carol F. Aten

Trustees

Charlie Bien
Judy Chesser
George R. Clark
Monte Edwards
Alma Gates
Larry Hargrove
Kathy Henderson
Naima Jefferson
Nancy MacWood
Meg Maguire
Elizabeth Purcell
Marilyn Simon
Jim Smailes
Pat Tiller
Evelyn Wrin

945 G Street, N.W.
Washington, D.C. 20001
202.681.0225
www.committeeof100.net
info@committeeof100.net

May 13, 2019

Dear Katie:

The Committee of 100 on the Federal City appreciates the opportunity to comment on the Draft Assessment of Effects Report for the Washington Union Station Expansion Project. Overall we find the document to be very well written and organized, and we concur with most of the findings of effect. That said, we do have comments and concerns we would like to address.

We believe that the finding of no adverse effect resulting from an increase in noise and traffic on the Capitol Hill Historic District is premature.

The conclusion that an increase in traffic and noise would have no adverse effect upon the Capitol Hill Historic District, in our view, is based upon both an incomplete and too narrow of an analysis. First, it was acknowledged that traffic impacts are being considered as a part of the Environmental Impact Statement (EIS) – a draft of which will not be ready until fall. We believe this information is necessary to properly evaluate the impact upon the historic district. The rationale provided for your determination of no adverse effect in the absence of this information seems to rest upon a narrow interpretation that increases in noise and traffic would simply not impact the significance of the historic district. While this may be true, it does not take into account other effects which could adversely affect the district. A substantial increase in traffic and noise, for example, could render a historic district no longer accessible or desirable – directly impacting the ongoing use and preservation of historic properties. The Advisory Council on Historic Preservation regulations (36 CFR 800.5(a)(1)) state that effects that are “reasonable and foreseeable” that may occur in the future must be considered. Further, the “introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features,” is provided as a specific example in 36 CFR 800.5(a)(2)(v). While the Capital Hill Historic District is an urban one, and traffic

and noise would be expected, we do not believe that that amount to necessarily be infinite. Therefore, those effects should be more closely evaluated once the traffic study is completed.

An analysis comparing the effects of various alternatives would be helpful.

While the effects on each of the historic properties in the Area of Potential Effect were individually evaluated, and some discussion of the adverse effects presented by each of the alternatives, there is not much in the way of analysis of advantages or disadvantages. While we appreciate the determination of adverse effects, it is hard to determine how the alternatives compare to each other in any quantifiable way.

The impact of various alternatives on subsequent air rights development(s) remains a concern.

We continue to have serious concerns about the impacts of the various alternatives upon the anticipated private and/or federal air rights development opportunities. While we appreciate the attempt at visually representing the potential impacts of the private and federal development opportunities, it is unclear to us how and whether these impacts will be assessed. Each of the alternatives will have a substantial effect upon these development projects – particularly in how new buildings will be aligned and will relate to the symmetrical nature of the station. While we certainly are not reviewing the development projects themselves, there is no reason why we can't consider how the various station expansion alternatives will influence the location, size and availability of the air-rights development. Since the development is both reasonable and foreseeable, we believe there needs to be some clear consideration and evaluation of how each alternative will impact development potential.

Sincerely,

A handwritten signature in blue ink that reads "S.A. Hansen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Stephen Hansen
Chair, Committee of 100 on the Federal City

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



May 17, 2019

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

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

Dear Ms. Zeringue:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ms. Katherine Zeringue

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

May 17, 2019

Page 4

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

Sincerely,



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

16-0114



**National Trust for
Historic Preservation**
Save the past. Enrich the future.

May 21, 2019

VIA EMAIL [khummelt@bbbarch.com]

Ms. Katherine Zeringue
Federal Railroad Administration USDOT
MS-20 RPD-13
1200 New Jersey Avenue SE
Washington DC 20590

Re: WUS Expansion Project / Draft Assessment of Effects

Dear Ms. Zeringue:

Thank you for the opportunity to comment on the “Draft Section 106 Assessment of Effects to Historic Properties” (DAOE) for the Washington Union Station Expansion Project, and for granting our request to extend the comment deadline for one additional week. We appreciate the valuable Section 106 consultation meeting that was convened on April 30 to discuss the issues raised by the DAOE report. The National Trust for Historic Preservation has been intensively involved in this matter since 2012, when the Second Century Master Plan was released to the public. The National Trust believes that, taken together, the Union Station expansion project and the Burnham Place private air-rights development project can be a golden opportunity to re-invest in historic Union Station, an iconic National Treasure. Indeed, in 2012, the Union Station Preservation Coalition advocated that: “Union Station must become a splendid neighborhood anchor. The expansion of Union Station is an unprecedented opportunity for the surrounding neighborhoods. The project should support community revitalization and create new connections that benefit travelers and neighbors.”

Throughout the year, the National Trust meets regularly with the Union Station Redevelopment Corporation and other agencies and stakeholders to confer about protection of Union Station pursuant to the indispensable Historic Preservation Plan. We commend USRC for its inspired work to restore Union Station.

Amtrak Expansion and Burnham Place

From the outset, the National Trust has advocated that the expansion/modernization of Union Station and the construction of Burnham Place should be reviewed simultaneously to ensure the best outcome. We continue to concur with USRC’s 2016 statement that: “The Burnham Place development is fully integrated with Amtrak’s proposed track and concourse improvements and will essentially create a new neighborhood center at Union Station that will better connect it to the surrounding communities of NoMa, H Street, and

Capitol Hill.” This will be one fully integrated and tremendously important project that will transform the District of Columbia and, certainly, the Capitol Hill Historic District.

The Draft Assessment of Effects begins to assess the impacts of Burnham Place as one aspect of the Non-Action Alternative. However, it is not sufficiently clear to us how the impacts of the Burnham Place development are evaluated. At the April 30 consultation meeting, the Advisory Council on Historic Preservation asked the Federal Railroad Administration to revise the draft to more clearly explain how the DAOE analyzes the impacts of Burnham Place.

The National Trust concurs with the assessments regarding adverse effects on the Washington Union Station Building, the Washington Union Station Historic Site, and the Railway Express Agency Building. However, we do not concur with the assessment regarding the Capitol Hill Historic District. In addition, we share the concerns articulated by the State Historic Preservation Office about the potential for adverse effects to the interior of Union Station building from construction or interior renovations that could disrupt historic circulation patterns or interior sight lines, or destroy historic fabric.

Capitol Hill Historic District

The DAOE report concludes there will be no adverse effect to the Capitol Hill Historic District from any of the alternatives. The National Trust disagrees with this finding, pursuant to 36 C.F.R. § 800.5(c)(2)(i).

This no-adverse effect finding in the DAOE report is based on the fundamental presumption, also articulated at the April 30 consultation meeting, that traffic by its nature does not inherently have the potential to adversely affect a historic district or historic property, unless it causes specific noise or vibration levels that rise above certain levels. We strongly disagree.

As the SHPO comments emphasized, “traffic jams ... [do] ... have the potential to affect the integrity ‘feeling’ and ‘association’ of historic neighborhoods.” We also agree with the SHPO that a thorough traffic study is needed in order to adequately assess the potential impacts of traffic on the Capitol Hill Historic District, especially the potential cumulative traffic impacts of the fully integrated Union Station and Burnham Place development.

But even the preliminary traffic information summarized in the DAOE shows that the cumulative impacts of the development at Union Station will foreseeably result in dramatic increases in traffic within the Capitol Hill Historic District. For example, as summarized in the comments of the Capitol Hill Restoration Society, the Action Alternatives predict a 71% increase in traffic volume on the H Street Bridge just from the Union Station expansion. East of Fourth Street NE the increase in traffic will be 42%. (DAOE, Table 3.) We believe these numbers understate the true cumulative impact of the traffic increases.

The exclusive focus on noise and vibration levels from increased traffic overlooks the many ways in which these extreme traffic impacts will adversely affect residents and business owners within the Historic District, by interfering with parking and access to

homes and businesses, safe mobility for pedestrians and bicycles, and general quality of life within the Historic District. We agree with the SHPO that these constitute potential adverse effects to the integrity, feeling, and association of the Capitol Hill Historic District.

The Capitol Hill Restoration Society, a dedicated and award-winning civic association, exists to preserve the neighborhood's historic character and to enhance the neighborhood's livability through attention to planning, zoning, preservation, and public safety. Indeed, CHRS has a longstanding special concern about existing and potential future "incursions into the neighborhood by increased cross-town traffic." The National Trust shares the concerns of the Capitol Hill Restoration Society, and the SHPO, that the increased volume of vehicular traffic through the historic neighborhood from the Union Station expansion project and Burnham Place development has the potential to adversely impact the Capitol Hill Historic District.

Conclusion

In sum, the "Draft Assessment of Effects" needs to be revised to acknowledge that all Action Alternatives -- and the No-Action alternative -- would have an adverse effect on the Capitol Hill Historic District. In addition, a full traffic impacts analysis needs to be conducted considering the integrated Union Station expansion and Burnham Place development.

In addition, the document needs to be revised to clearly explain how the potential impacts of the Union Station expansion and Burnham Place development are being considered pursuant to Section 106, consistent with the April 30 comments from the Advisory Council on Historic Preservation.

Thank you for considering the comments of the National Trust. We look forward to further consultation as the Section 106 review proceeds.

Sincerely,



Elizabeth S. Merritt
Deputy General Counsel
National Trust for Historic Preservation



Rob Nieweg
Senior Field Director & Attorney
National Trust for Historic Preservation

cc: Sarah Stokely, Jaime Loichinger, and Reid Nelson, Advisory Council on Historic Preservation
David Maloney and Andrew Lewis, D.C. Historic Preservation Office
Elizabeth Nelson, Capitol Hill Restoration Society
Stephen Hansen, Committee of 100 on the Federal City



Preserving America's Heritage

May 22, 2019

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

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

Dear Ms. Zeringue:

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

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

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

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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

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

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

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

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

Sincerely,



Jaime Loichinger
Assistant Director

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

From: [Kostura, Gretchen M](#)
To: [Katherine Hummelt](#); katherine.zeringue@dot.gov
Cc: [Davies, Johnette](#); [Jill Cavanaugh](#); [Kevin Forma](#); ["David Valenstein"](#); [Decker, Bradley \[USA\]](#)
Subject: WUS Expansion Project_2019_0326_Draft AOE Report_Amtrak Comments
Date: Monday, June 10, 2019 4:35:26 PM
Attachments:

FRA/Contractor team:

As you consider comments from Section 106 consulting parties, Amtrak would like to offer a few suggestions for the preparation of the revised Section 106 effects report.

1. Table 5: It is not clear what "DC HPO approval" means in this table (is it for local review approvals only?). Consider whether it is important to note which projects have already completed the 106 process (e.g. Satellite commissary, raising track 15/16, Track 22 rehab, etc.). Consider whether a separate column is warranted for this information.
2. Because the GSA (now private) air rights development is part of the No Action alternative, where discussed at the end of 6.1, Amtrak suggests including a massing diagram (aerial oblique view similar to illustrations for other alternatives) showing the location and extent of the developable GSA air rights in the No Action Alternative to illustrate the potential baseline context within which the effect of the project alternatives are assessed prior to introducing the EIS alternatives in 6.2. Of the numerous projects within the No Action alternative, the private developer element may be the only No Action scope item in the yard that survives the station expansion project in a visible way, and therefore provides a useful mechanism to assess the cumulative visual effect of the project on historic properties. An explicit statement to that effect (if correct) may be helpful.
3. Including the private air rights development in the visualizations of each action alternative could provide a helpful basis for assessing cumulative visual effects.
4. Regarding noise/vibration impacts discussion on page 205 or elsewhere, remember that there are several known federally-funded projects within the No-Action Alternative (see Table 5) – the "No Action" is not limited to the private development. Is it useful to note somewhere in this document that separate projects that have independent utility would undergo separate review processes for Section 106, if applicable? Or perhaps that the known federal projects for which consultation has been completed have resulted in no adverse effect findings?
5. If, as noted on page 205, the DEIS projects similar though lesser impacts than the action alternatives, does the DEIS provide any reasonable extrapolation or assumptions to inform its analysis of impacts under NEPA? If so, could the cumulative effect analysis be also informed by those adopted parameters?
6. Amtrak encourages the use of clear statements in the methodology regarding analysis assumptions for cumulative effects or other issues. Repeating those in other areas of the report may be helpful to readers of this long, informative document.

Thank you,

Gretchen

Gretchen Kostura, AICP, PMP

Senior Program Manager – Major Stations
Amtrak | 1 Massachusetts Avenue NW | Washington, DC 20001
Email: gretchen.kostura@amtrak.com | o: 202.906.3672 | c: 202.770.7119





COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20004

Charles Allen
Councilmember, Ward 6
Chairperson
Committee on the Judiciary and Public Safety

Committee Member
Business and Economic Development
Education
Transportation and the Environment

November 27, 2019

The Honorable Muriel Bowser
Executive Office of the Mayor
1350 Pennsylvania Avenue, NW
Washington, DC 20004

The Honorable Phil Mendelson
Chairman, Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Mayor Bowser and Chairman Mendelson:

The Federal Railroad Administration (FRA) recently released its preferred plan for the Union Station Expansion Project. After reviewing the concept and meeting with key stakeholders, including representatives from ANC 6C, I believe this federally-produced plan would create significant adverse effects for the District of Columbia, as well as the surrounding Capitol Hill, Near Northeast, and NoMa neighborhoods in Ward 6. The expansion of Union Station represents a once-in-a-century opportunity for one of the busiest transit hubs in the region, and the largest within the District, that will shape movement in and out of our city for generations to come. The plans released fall well short of capturing the extraordinary potential associated with this important project.

Union Station's expansion represents the single greatest economic development and transportation opportunity for the District of Columbia. By more than doubling the station's daily capacity for Amtrak and commuter rail passengers, the job growth, fiscal benefits, and mobility improvements are immeasurable. Unfortunately, the FRA's proposed plan disregards and subordinates the interests of District residents and stakeholders to objectionable or ill-advised priorities. The misguided direction of the current plan would be a costly investment in infrastructure that undermines rather than enhances the District of Columbia's efforts to increase economic vitality, livability, and urban experience.

Union Station is and should be a national gateway to the District of Columbia. The Station Expansion and related projects are an opportunity to produce a vital and nationally significant transportation center with great public spaces on par with those in any world class city. The FRA-preferred plan shrinks from

the opportunity before us, damages the District's long-term interests in Union Station's potential, and will create substantial harm that cannot be easily reversed in the future. I urge greater priority and engagement among District stakeholders in this project as we are at a serious inflection point, now entering the fifth and final year of a federal environmental review process.

I ask that we work collectively to strengthen the District's role and guide the needed course correction to shape this historic and monumental investment to ensure that the Union Station Expansion Project seizes on the opportunity before us to create a world-class transit hub that is integrated into the surrounding communities and protects the District's long-term needs.

Sincerely,



Councilmember Charles Allen, Ward 6
Chair, Committee on the Judiciary and Public Safety

cc: John Falcicchio, Interim Deputy Mayor for Planning and Economic Development
Andrew Trueblood, Director – Office of Planning
Jeff Marootian, Director – Department of Transportation
Karen Wirt, Chair – Advisory Neighborhood Commission 6C



December 18, 2019

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

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

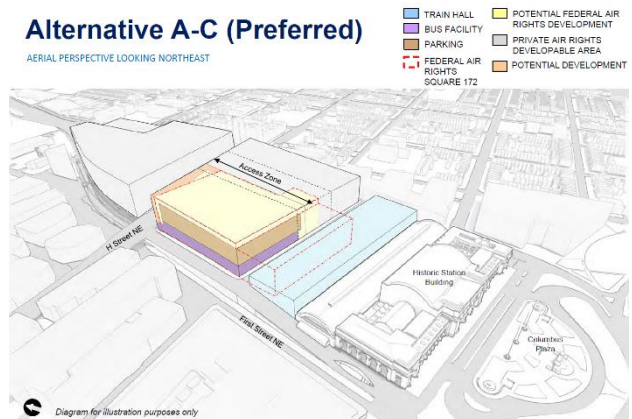
Dear Ms. Zeringue:

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

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

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

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



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

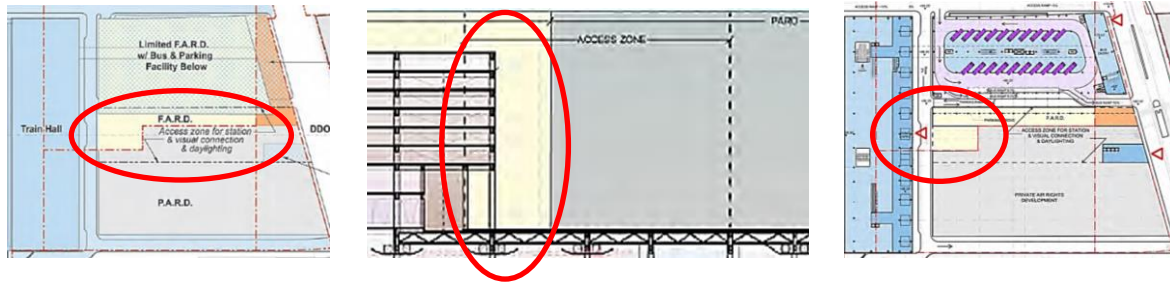
Now that we have had an opportunity to evaluate the Preferred Alternative in more detail, we offer the following recommendations for how FRA's progress can continue and how adverse effects on historic properties can be better avoided and/or minimized. Our comments focus on three primary themes: 1.) civic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

Civic Character:

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



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



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



Parking:

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

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

Public/Private Coordination:

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

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

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

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

Sincerely,


C. Andrew Lewis

Senior Historic Preservation Specialist
DC State Historic Preservation Office

16-0114

The Committee of 100

on the Federal City



December 19, 2019

Founded 1923

Chair

Stephen A. Hansen

Vice-Chair

Kirby Vining

Secretary

Erik Hein

Treasurer

Carol F. Aten

Trustees

Charlie Bien

Judy Chesser

George R. Clark

Monte Edwards

Alma Gates

Larry Hargrove

Kathy Henderson

Naima Jefferson

Nancy MacWood

Meg Maguire

Elizabeth Purcell

Marilyn Simon

Jim Smailes

Pat Tiller

Evelyn Wrin

945 G Street, N.W.

Washington, D.C. 20001

202.681.0225

www.committeeof100.net

info@committeeof100.net

Ms. Katherine Zeringue

Federal Preservation Officer

US Department of Transportation, Federal Railroad Administration

Office of Railroad Policy and Development

MS-20 RPD 13

1200 New Jersey Avenue SE

Washington, DC 20590

RE: Proposed Alternative A-C, Union Station Expansion Project

Dear Ms. Zeringue:

Thank you for the opportunity to comment on the additional alternative for the expansion of Union Station, identified as "A-C," which was presented to us at the November consulting parties meeting. Although we take issue with the manner in which the alternative was presented, with no accompanying materials provided to the consulting parties until December 6th for a December 20th comment deadline, and by the hostility exhibited by some members of the Federal Railroad Administration (FRA) staff at the meeting, we are somewhat encouraged by the direction in which this "preferred alternative" seems to be going.

We are pleased with the orientation of the proposed new train hall, mirroring the orientation of the existing concourse, and leveraged as a needed separation between the historic station and the taller massing proposed to the north. This approach will help minimize adverse effects to the historic station, and serve the public in terms of consistent circulation and orientation.

Consolidating the bus and parking functions into a single structure behind the new train hall, with bus access at the deck level makes sense - serving efficient multi-modal transportation goals while at the same time maintaining a separation from the historic train station.

Some refinement, however, is needed to the program and massing of the federal air rights development relative primarily to the designated Access Zone. The historic station, which embodies the classical, symmetrical and ceremonial characteristics that are the hallmarks of Beaux-Arts design, requires a simplified, ordered and ceremonial program for the Access Zone that will be a new public approach to the

historic station. As proposed, the garage seems to project over the Access Zone and minimize the visual approach to the station. This should be revisited and, in our opinion, coordinated in some manner with the Private Air Rights Development located parallel on the other side of the Access Zone. Symmetry between these two disparate developments is essential to achieve a successful approach to the station. Perhaps a public-private partnership opportunity exists here – to achieve a commitment to some cohesiveness to this complex project.

Respectfully,

A handwritten signature in blue ink, appearing to read "S. A. Hansen", with a stylized flourish at the end.

Stephen Hansen
Chair



Preserving America's Heritage

December 20, 2019

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

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

Dear Ms. Zeringue:

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

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

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

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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

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

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

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

Sincerely,



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

December 20, 2019

Ms. Katherine Zeringue
Federal Railroad Administration
US Department of Transportation
MS-20 RPD-13
1200 New Jersey Avenue SE
Washington, D.C. 20590

Dear Ms. Zeringue:

I am writing to submit comments about Preferred Alternative A-C for the Washington Union Station expansion project as part of the Section 106 Process. I have serious concerns that this alternative will do harm to the urban setting and significantly contribute to traffic problems in our neighborhood.

The proposed construction of a massive above ground parking structure runs directly counter to the District of Columbia's ongoing efforts to reduce automobile travel and to encourage the use of other modes of transportation. Just as importantly, a structure of this size would do real harm to the fabric of our community, precluding the development of public spaces or buildings that would both enliven our street life and bring meaningful benefits to our neighborhood.

The preferred alternative would also create a ring of traffic around Union Station that will inevitably spill out onto surrounding streets, contributing to congestion on nearby streets. Alternative A-C misses a major opportunity to focus our energy on supporting transportation alternatives like Metro and the Circulator which provide cleaner and more equitable options for our residents.

The expansion of Union Station provides a unique chance for our neighborhood, the District and our region to build infrastructure that reflects the needs of our community in the twenty-first century. Unfortunately, Preferred Alternative A-C will move us further away from that goal.

Thank you for your attention and assistance.

Sincerely,



Drew Courtney

Commissioner ANC6C06

CHRISTINE HEALEY, COMMISSIONER ANC 6C01

December 20, 2019

Ms. Katherine Zeringue
Federal Railroad Administration
US Department of Transportation
MS-20 RPD-13
1200 New Jersey Avenue SE
Washington, D.C. 20590

Re: Washington Union Station Expansion Project -- Section 106 process

Dear Ms. Zeringue:

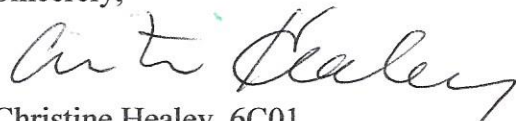
Thank you for the opportunity to submit comments about the Preferred Alternative A-C. I remain concerned that this alternative does not sufficiently enhance the urban setting, nor does it sufficiently minimize operational traffic or property impacts or show a close connection to local intermodal transit uses.

I believe the construction of a massive, above-ground parking garage at this location would be detrimental to the fabric of the area and the historic properties within it. An above-ground parking garage is out of keeping with the effort of the District of Columbia to reduce automobile travel and encourage other transportation modes. The garage's construction would preclude the development of buildings and public spaces that would better enliven the urban fabric at this location.

In addition, the Preferred Alternative suggests that there will be both a ring of traffic around the historic Union Station and a spill-over of traffic into the historic Capitol Hill neighborhood. This is a significant and continuing concern for nearby residents. At the same time, the Preferred Alternative does not seem to incorporate local intermodal transit uses into the plan, such as the Metro and Circulator buses, which are the connections that would seem to be the most important at Union Station.

I am writing to you as an individual advisory neighborhood commissioner but I refer you to the letters written by Advisory Neighborhood Commission 6C about this project during its development. I look forward to continued participation in this important project.

Sincerely,


Christine Healey, 6C01
Advisory Neighborhood Commissioner



Government of the District of Columbia

Advisory Neighborhood Commission 6C02

December 20, 2019

Katherine Zeringue, Esq.
Federal Railroad Administration
US DOT
MS-20 RPD-13
1200 New Jersey Ave SE
Washington DC 20590

Re: Comments on presentation materials from the seventh Section 106 Consulting Parties meeting on November 19, 2019

Dear Ms. Zeringue:

I am writing today as Single Member District ANC 6C02 commissioner. Please consider this a preliminary response for comments on the materials relating to the proposed Union Station Expansion Project from the seventh Section 106 Consulting Parties Meeting held on November 19, 2019. These preliminary comments have not been voted on by all commissioners of ANC6C; therefore, they are preliminary in nature.

As you know, USRCDC invited ANC6C to meet with it on January 7, 2020. Hopefully, at that time, the ANC 6C commissioners will provide further detailed comments.

ANC6C previously provided comments on the Union Station Expansion Project. See letter dated November 16, 2019, to Hon. Mayor Bowser and Hon. D.C. counsel. To the extent necessary, I incorporate the comments contained therein by reference.

At this point, the main concerns focus on two issues: massing the necessity of the proposed parking and traffic flow.

1. The project likely will not benefit from the number of proposed parking spaces given the public access to the project and the current diminution of private vehicular use. To extent parking is necessary, numerous private parking is available in the immediate neighborhood. In addition, the six proposed levels of parking creates a visual disruption of the Washington, DC sightline and detracts from the historical nature of the city.
2. A second concern is the proposed internal and external traffic flow. The internal flow is confusing and appears to promote congestion. The external traffic flow potentially interrupts the immediate neighborhood, is not workable given the current traffic flow

around Union Station, and places too much emphasis on secondary streets in and around Union Station.

Some of the preliminary concerns articulated above are ambitious. The ANC 6C commissioners and I hope to continue the dialogue at our meeting on January 7, 2020. Thank you for considering the above concerns.

On behalf of ANC6C02,



Karen Wirt
ANC 6C02

December 20, 2019

Ms. Katherine Zeringue
Federal Railroad Administration
US Dept. of Transportation
MS-20 RPD-13
1200 New Jersey Ave., SE
Washington, DC, 20590

Re: Comments on Alternative A-C
Presented November 19, 2019

Dear Ms. Zeringue,

Thank you for this opportunity to comment on FRA's draft preferred alternative A-C.


This proposal suffers from the same deficiencies that have been noted on several occasions both within the Consulting Party Meetings and in written responses. There is little to recommend Alternative A-C over any of the previous alternatives.

I am enclosing for your review the November 27, 2019 letter from Councilmember Charles Allen, and the May 10, 2019 letter from the Capitol Hill Restoration Society. Both letters describe the significant deficiencies in FRA's plans for the expansion of Union Station. FRA has given scant attention to the urban design implications of Alternative A-C and has consistently ignored traffic issues implicit in the station expansion. Rather than respond to CHRS's concerns about traffic within the Capitol Hill Historic District, FRA plans to divert traffic into the neighborhood via F St., NE. (See Page 10 of the November 19, 2019 presentation materials).

The time frame allowed to digest and respond to a project of this significance and complexity is inadequate. Katherine Hummelt's email of October 28, 2019 promised that presentation materials would be available prior to the November 19 meeting. That did not occur. The presentation materials were provided December 6, 2019, allowing only two weeks to review the materials and respond. If FRA were sincerely interested in what the Consulting Parties can contribute to this process, materials would be available ahead of meetings and adequate time allowed for review and response.

FRA has ignored the effects of the station expansion beyond the federally controlled property. In terms of urban design and traffic circulation FRA has failed to employ the EIS as a process to resolve complex issues. Thank you for considering these comments.

Sincerely,


Drury Tallant

Cc:

Councilmember Charles Allen, Ward 6: callen@dccouncil.us

John Falcicchio, Interim Deputy Mayor for Planning and Econ Devel: john.falcicchio@dc.gov

Andrew Trueblood, Director, DC Office of Planning: andrew.trueblood@dc.gov

Beverly Swaim-Staley, Union Station Redevelopment Corporation: bswaimstaley@usrcdc.com

Brian Kenner, Deputy Mayor for Economic Development: dmped.eom@dc.gov

Jeff Marrotian, Director, District Department of Transportation: jeffrey.marootian@dc.gov

Jennifer Steingasser, DC Office of Planning, Deputy Director: Jennifer.steingasser@dc.gov

C. Andrew Lewis: DC State Historic Preservation Office: andrew.lewis@dc.gov

Karen Wirt, Chair, ANC 6C: 6C02@anc.dc.gov

Mark Eckenwiler, ANC 6C04: 6c04@anc.dc.gov

David Valenstein: david.valenstein@dot.gov

Robin-Eve Jasper: President, NoMa BID: rjasper@nomabid.org

Katie Hummelt, Beyer, Blinder, Belle: khummelt@bbbarch.com

David Tuchman, Akridge: dtuchmann@akridge.com

James Smailes, Chair, Transportation Sub-committee, Committee of 100: jasmailes@gmail.com

Rob Nieweg, National Trust for Historic Preservation: rnieweg@savingplaces.org

Eric Hein, Exec. Director, Natl. Conf. of State Historic Preservation Officers: hein@ncshpo.org

Beth Purcell, President, Capitol Hill Restoration Society: beth@eapdc.com



**National Trust *for*
Historic Preservation**
Save the past. Enrich the future.

December 20, 2019

VIA EMAIL [katherine.zeringue@dot.gov]

Ms. Katherine Zeringue
Federal Railroad Administration / US DOT
MS-20 RPD-13
1200 New Jersey Ave SE
Washington DC 20590

Re: Washington Union Station Expansion Project / FRA's Preferred Alternative A-C

Dear Ms. Zeringue:

Union Station is a publicly owned and nationally significant historic property that serves as a major gateway to the Nation's Capital. The proposed transformation of Union Station will be a momentous public-works project of great interest to millions of residents, travelers, commuters, and tourists.

I am writing to share the National Trust for Historic Preservation's preliminary comments regarding new information provided by the Federal Railroad Administration (FRA) about "Alternative A-C," which the agency has identified as its Preferred Alternative for the Washington Union Station Expansion Project. Given the public's interest in Union Station as a historic landmark and as a transportation center, the National Trust believes the FRA has an obligation to lead a consultation process about the future of Union Station that matches the great care with which the Union Station Redevelopment Corporation is meticulously restoring Union Station's historic fabric.

However, the National Trust is seriously concerned about FRA's handling of the federal review process to date. To introduce the agency's new Preferred Alternative, FRA screened a slideshow depicting Alternative A-C for Consulting Parties on November 19, 2019. Some agencies had been briefed in advance, but other Consulting Parties had not previously seen Alternative A-C, including the National Trust, Union Station Preservation Coalition, and, we believe, the representatives of Advisory Neighborhood Commission 6C. FRA had promised but failed to share information about Alternative A-C before the November 19 meeting and, consequently, the non-governmental Consulting Parties' only opportunity to consult in-person with FRA and other experts and interested parties about Alternative A-C was unnecessarily constrained by a lack of relevant advance information – as the National Trust commented during the meeting. Seventeen days later, on December 6, FRA finally emailed to Consulting Parties the same slides the agency screened on

November 19, but only after FRA had missed the opportunity on November 19 for a meaningful exchange of information and views about Alternative A-C.

Since the 2012 release of the “Union Station 2nd Century Plan,” the interested public has known that Union Station will be dramatically transformed by the planned expansion and modernization of the multi-modal transportation center at Union Station, and by the planned construction of Burnham Place, the private air-rights development over Union Station’s railyard. Together, the expansion project and the air-rights development constitute an integrated and highly complex public-private development project that has the potential to create grand urban space while preserving the unique and iconic architectural qualities of the historic railroad station. Since 2012, the National Trust and other public-interest groups have participated actively and have contributed to the public dialogue about the transformation of Union Station. Unfortunately, however, the FRA has undermined the review process by choosing to bifurcate the federal review of this integrated development, notwithstanding the timely objections of the National Trust, DC SHPO, and many others. The National Trust continues to believe that the expansion project and the air-rights development must be reviewed holistically, to ensure the best outcome, and to achieve a meaningful review of the cumulative impacts of the development as a whole, as required by 36 CFR § 800.5(a)(1). Nevertheless, FRA is reviewing the expansion project in isolation and, apparently, already has chosen the new Alternative A-C as its Preferred Alternative.

Our assessment of FRA’s Alternative A-C concept, as we learn more about it, will draw upon certain guiding principles identified by the National Trust and its allies in the Union Station Preservation Coalition in 2012, including the following:

- **Restoration of Union Station must go hand-in-hand with its expansion.** As hundreds of millions of dollars are spent to expand the function of Union Station as a transportation center, the historic station should be restored to its original grandeur and protected against harmful future changes.
- **Transportation must remain Union Station’s primary function.** The station should serve travelers, commuters, and visitors in an efficient and positive way.
- **Future work must restore Union Station’s original pedestrian circulation patterns.** Modern-day impediments to convenient circulation should be removed, and any new concourses and facilities should be seamlessly integrated with the historic circulation patterns.
- **Development adjoining Union Station must embody exemplary and compatible architectural design.** The placement, massing, and design of new buildings near Union Station should be compatible with and enhance the historic station. They should strive to become respectful landmarks of our own time.

- **Union Station must become a splendid neighborhood anchor.** The expansion of Union Station is an unprecedented opportunity for the surrounding neighborhoods. The project should support community revitalization and create new connections that benefit both travelers and neighbors.

Restoration of Union Station is underway thanks to the Union Station Redevelopment Corporation's excellent stewardship, pursuant to the 2015 Preservation Plan. To be successful, FRA's Alternative A-C would need to incorporate measures to restore, protect, and ensure that historic Union Station is fully utilized as the heart of the modernized, multi-modal transportation center. In concept, Alternative A-C's proposed train hall is aligned with the historic passenger concourse and oriented in a way that could create efficient pedestrian circulation and could help assure that transportation remains the historic station building's primary function. Further consultation is needed to explore ways that Alternative A-C's new train hall can be aesthetically subordinate to the historic passenger concourse and can act as a buffer to reduce the visual impacts of the taller structures to the north associated with the private air-rights development, federal air-rights development, parking structure, and bus facility.

To be successful, expansion of the railroad station and redevelopment of the rail yard must result in exemplary new architecture, contributing new landmarks that respect the historic station and enhance DC's cityscape. The Alternative A-C diagrams indicate that more than half of the area between the new train hall and H Street would be occupied by a bus facility, parking structure, and potential federal air-rights development. According to the Alternative A-C diagrams, the remaining portion of this area from the train hall to H Street would be occupied by the private air-rights development. It is not clear to the National Trust whether or not Alternative A-C is compatible with Akridge's current plan for Burnham Place. The "Union Station 2nd Century Plan" depended upon private-public cooperation; we do not know whether Alternative A-C enables or precludes Burnham Place. Additional consultation about Alternative A-C, as the Advisory Council on Historic Preservation has recommended, can help to illuminate the answer to this question.

Finally, the Capitol Hill Historic District, Union Station's immediate neighbor, is one of the most important historic areas in Washington DC. Fortunately, the historic district is home to a community of residents and property owners who care deeply and are actively involved in DC's civic life to ensure that their neighborhood remains a thriving and livable place. The Capitol Hill Restoration Society, which participates actively as a Consulting Party, has repeatedly expressed concern about potential adverse impacts to the historic district that may result from the expanded transportation center and re-developed rail yard – especially potential adverse impacts from traffic. Indeed, DC City Councilmember Charles Allen has reviewed FRA's Preferred Alternative and wrote that it "would create significant adverse effects" and undermine "efforts to increase economic vitality, livability, an urban experience" in the neighborhoods surrounding Union Station. [Councilmember Allen

to Mayor Bowser, Nov. 27, 2019.] The Capitol Hill Restoration Society, National Trust, and other public-interest groups have requested an opportunity to review traffic impact studies for this project. Unfortunately, the FRA has not yet provided the requested studies.

Because of the way the FRA has conducted the consultation process, the National Trust does not fully understand Alternative A-C or its implications for historic Union Station or the Capitol Hill Historic District. We believe other Consulting Parties are in the same boat. The National Trust agrees with the Advisory Council on Historic Preservation that FRA should provide additional information and convene another Consulting Parties meeting, in order to remedy this problem and comply with Section 106. The Advisory Council wrote that, to address the concerns of the Consulting Parties, "ACHP suggests that FRA conduct a consultation meeting to provide an opportunity for consulting parties to comment on the modified alternative, and to discuss potential modifications to alternative A-C that could avoid and minimize potential effects to historic properties." [ACHP to FRA, Dec. 20, 2019.]

Thank you in advance for considering the National Trust's request for additional information about FRA's Preferred Alternative and for an additional Consulting Parties meeting to discuss Alternative A-C.

Sincerely,

A handwritten signature in black ink that reads "Rob Nieweg". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Rob Nieweg
Senior Field Director & Attorney
National Trust for Historic Preservation



January 2, 2020

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

Dear Ms. Zeringue:

On behalf of the DC Preservation League (DCPL), I am writing to express our profound frustration with the Section 106 process on Washington's Union Station to date. At the November Consultation meeting, the Federal Railroad Administration (FRA) presented a hybrid of previous alternatives now presented as the preferred alternative. Information promised to precede the meeting was not available until December. The lack of information provided in advance of the November meeting limited the ability of the consulting parties to participate in meaningful discussion about the substance of the newly presented proposal. Notably absent from the material made available are traffic impact studies previously requested and critical for assessing impact on the Historic District.

While much can depend on the quality on sensitivity of the design of the proposed additions and alterations to the overall property, design alone cannot compensate for a rigid framework assigning space and location to functions, some of which are inadequately evaluated for spatial needs or even their appropriateness for being located within the historic property. No part of the mix should remain unquestioned. The approach of moving boxes around the site is inherently limiting, making difficult a really effective solution for accommodating the needs of increasing rail traffic without leaving the existing historic station to be little more than a shopping-mall vestibule to newly built station facilities.

We also remain skeptical of the separation of the Expansion Project from the Air-Rights Development. Decisions made concerning one will inevitably affect the outcome of the other.

The number of parties currently involved in the property and the legal structures parsing out the turf understandably present a complex context for this project, but a landmark of the architectural and historical importance of Union Station deserves more of an effort to cross the boundaries previously established and strive for a more creative and integrated approach that best serves the building, its setting and its users.

Sincerely,

A handwritten signature in blue ink that reads 'Rebecca Miller'.

Rebecca Miller
Executive Director

1221 Connecticut Avenue NW, Suite 5A | Washington, DC 20036 | T: 202.783.5144 | F: 202.783.5596 | dcpreservation.org

Scott P. DeMartino, Esq., *President* | Fay Armstrong, *Vice President* | Howard S. Berger, *Treasurer* | Melissa Cohen, AIA, LEED AP, *Secretary*
Amy Ballard | M. Jesse Carlson, Esq. | John DeFerrari | Greta Fuller | Hany Hassan, FAIA | Gerard Heiber, LEED AP
Rob McLennan, AIA | D. Peter Sefton | Joseph E. Taylor, AIA | Benjamin L. Williams, Esq., LEED AP | Jason T. Young | Juliet Zucker



Government of the District of Columbia

Advisory Neighborhood Commission 6C

P.O. Box 77876 Washington, D.C. 20013 | (202) 547-7168

March 20, 2020

Mr. David Valenstein
Office of Railroad Policy and Development
USDOT Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Ms. Beverley Swain-Staley
Union Station Redevelopment Corporation
750 First Street, NE, Suite 1010
Washington, D.C. 20002

Re: Union Station Expansion Project

Dear Mr. Valenstein and Ms. Swain-Staley:

We are writing to thank you for appearing at the March 5 meeting of ANC 6C's Transportation and Public Space Committee meeting to discuss the Union Station Expansion Project. As a result of our discussion, we must reiterate that we remain strongly opposed to any expansion proposal that includes a large above-ground parking and bus garage. Furthermore, we remain concerned that we have not yet seen in the plans to date a solution to the circulation problems that currently plague access to Union Station under current conditions.¹

ANC 6C supports the goals of the expansion project. Improvements in the rail passenger experience are sorely needed. While we support in general the treatment of the platforms and concourse in Preferred Alternative A-C, we strongly oppose Preferred Alternative A-C's proposed above ground parking and bus garage.

In our view, each and every parking space created in this expansion project must be justified, on its own terms, starting from zero, and the preferred alternative envisions extraordinarily more parking spaces than necessary. In terms of justifying the appropriate amount of parking, we note the National Capital Planning Commission in January requested that FRA "evaluate and *confirm* the appropriate amount of parking given the mix of uses, traffic and urban design impacts, and transit-oriented nature of the project" (emphasis added).²

¹ On March 11, 2020 at a regularly scheduled, duly noticed monthly meeting of ANC 6C, with a quorum of 5 out of 6 commissioners and the public present, the above-mentioned item came before us. The commissioners voted unanimously, 5:0:0, to send this letter to express our continued concerns regarding the Union Station Expansion Project.

² National Capital Planning Commission, Executive Director's Recommendation, NCPC File No. 7746, page 5.

ANC 6C believes there are *no* parking space requirements that can be justified for Amtrak passengers, intercity bus travelers, or retail customers. Amtrak does not request parking spaces for its passengers at Washington Union Station and parking is not being provided in the renovation of other urban train stations. We believe intercity bus travelers are seeking a low-cost travel option and they will avoid expensive urban parking. Most retail customers are shopping as they travel through the station, not driving to the station to shop; those who are visiting Union Station as a shopping destination should understand that it is best accessed by one of many non-car transit options available.

ANC 6C understands that there may be the need for a small number of parking spaces at Union Station for rental car companies, tenants of station offices, and some other purposes. Because of this, we believe the parking program within the expansion project in total could be limited to a substantially smaller number of spaces (e.g., around 200) far below the 1575 currently envisioned in the FRA/USRC presentation.

Likewise, ANC 6C believes the number of intercity bus slips should be kept to a minimum so that intercity buses do not overwhelm the nearby neighborhoods of NoMa and Near Northeast. Although a bus station was historically located near Union Station before the residential growth in the area, intercity bus service does not require a close intermodal connection to intercity passenger rail service. Intercity bus companies compete with Amtrak; the intercity bus passengers need intermodal connections to mass transit, not a connection to Amtrak service.

Should an intercity bus station near Union Station remain in the project, the number of bus slips provided should be used as efficiently as possible, in order to keep the footprint of the bus garage as small as possible. Ensuring the numbers of parking spaces and bus slips are justified and right-sized is important in and of itself, but doing so will also provide flexibility in where those spaces can be located on the site, allowing more opportunity for the development of vibrant public spaces.

Finally, as ANC 6C has long advocated, the action alternatives must include specific plans to minimize the snarl of vehicle traffic at the station. The project must consider the routes and access points of pedestrians, bicyclists and mass transit users going to and around the station, as well as efficient and effective management of for-hire vehicles. We will continue to evaluate how the alternatives handle the ring of traffic around the historic Union Station and the spill-over of vehicle traffic into the historic nearby neighborhoods. These are a significant and continuing concern for nearby residents.

Union Station is and should be a national gateway to the District of Columbia. We see this project as an opportunity to create both a great public space that people will want to visit as well as a world class transportation center that can be a model for the country and the world. We look forward to continuing to work with you to realize these goals.

Thank you for giving great weight to the recommendations of ANC 6C.

On behalf of ANC 6C,



Karen Wirt
ANC 6C Chair

Cc: The Honorable Eleanor Holmes Norton
Mayor Muriel Bowser
Chairman Phil Mendelson
Council Member Charles Allen
Andrew Trueblood, OP
Jeff Marootian, DDOT
Johnette Davies, Amtrak
Marcel Acosta, NCPC



May 19, 2020

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

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

Dear Ms. Zeringue:

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

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

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


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

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

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

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

Sincerely,



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

Enclosure
cc: Consulting Parties
16-0114



Office of the Directors

June 19, 2020

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

RE: District of Columbia Request for Extension of Public Comment Period for the Washington Union Station Draft Environmental Impact Statement (DEIS)

Dear Mr. Valenstein,

The District of Columbia Office of Planning (OP) and the District Department of Transportation (DDOT) respectfully request that the Federal Railroad Administration (FRA) extend the comment period for the Draft Environmental Impact Statement and Draft Section 4(f) Evaluation for the Washington Union Station Expansion Project (DEIS) from July 27, 2020 to September 28, 2020. OP and DDOT have both been active participants in the NEPA process for the Washington Union Station Expansion Project, which looks to expand future operations at the station. Given the complexity of the Project, the voluminousness of the DEIS, and FRA's request for public comment on the Project's parking program, for which the DEIS fails to consider any alternative with reduced parking, as requested by the National Capital Planning Commission, OP, DDOT, DC Council, and the local Advisory Neighborhood Commission, among others, this extension is more than justified.

On Thursday, June 6, 2020, the FRA informed our agencies that the DEIS and Section 4(f) Evaluation were available for review and comment and stated that the deadline for sending comments is July 27, 2020. Considering the exigencies of the COVID-19 public health crisis, the comment period should have been set for the longer 60-day period allowed under 23 C.F.R. § 771.123(k), not the 45-day minimum.

Regardless, an extension to September 28, 2020 is necessary to give our agencies, the public, and other stakeholders adequate time to review the 1,017-page main body of the DEIS and its 3,733 pages of appendices. The proposed expansion of Union Station has the potential to dramatically change the urban environment in the station's surrounding area and requires a thorough review. The current 45-day review period does not provide adequate time for staff to review the technical document and coordinate a response that reflects the potential magnitude

of impact the proposed action in the DEIS would have on transportation, urban design, air quality, land use, noise and other topic areas.

An extension is further justified by FRA's call for comment on the Project's parking program, which, at approximately 1,600 spaces, greatly exceeds the amount needed to serve a project that is accessible by Metrorail, Streetcar, MARC, VRE, Circulator and WMATA bus routes, and is located adjacent to the District's highly walkable and bikeable downtown. This accessibility highlights the limited role private vehicle access should have in sustaining the future land use components of Union Station. On April 30, 2020, OP and DDOT sent a letter to FRA requesting that the DEIS include a substantially reduced parking program that substitutes the difference in parking with additional land use programming, and integrates pick-up and drop-off facilities. The request was supplemented by the District's Parking Report to NCPD, provided to FRA in advance of the DEIS release, that highlighted a recommendation for a reduced parking program based on District policies, analysis of the project's parking demand, and a review of comparable facilities.

Lacking analysis of an alternative with substantially reduced parking, we are concerned that the DEIS fails to "rigorously explore and objectively evaluate all reasonable alternatives" as required under 40 C.F.R. § 1502.14, or to "inform decisionmakers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment," the fundamental purpose of an Environmental Impact Statement, 40 C.F.R. § 1502.1. Instead, it places the onus on the public and other stakeholders to identify and analyze the impact of such a reasonable alternative, a burden shift that necessitates the requested extension.

We are similarly concerned about the aggressive schedule proposed for the consultation process required under Section 106 of the National Historic Preservation Act. The DC State Historic Preservation Office (SHPO), housed at OP, wrote to FRA on May 19, 2020 to request that additional consulting parties meetings be held in advance of the release of the Revised Draft Assessment of Effects Report (AOE) and DEIS so that there is a meaningful opportunity to discuss alternatives that might avoid adverse effects. FRA failed to respond to SHPO's request. Additional time to review the revised AOE and relevant sections of the DEIS is necessary to facilitate meaningful discussions about potential adverse effects, especially those related to traffic, urban design and open space.

The first Section 106 meeting is scheduled less than one month following the release of the DEIS, providing too little time to review the detailed technical document. A second meeting is tentatively scheduled the following week to address both the AOE and the Programmatic Agreement envisioned to conclude initial Section 106 consultations. To provide consulting parties adequate time to prepare for these discussions, these meetings should be rescheduled to a later date.

Thank you for considering our request to extend the DEIS public comment period to September 28, 2020 and to revise the Section 106 meetings schedule. Doing so will serve everybody's interest in allowing for substantive comments that will identify issues and offer recommendations to support an EIS that will provide for a successful future for Washington Union Station.

Sincerely,



Andrew Trueblood
Director
District of Columbia Office of Planning



Jeff Marootian
Director
District of Columbia Department of Transportation

CC: John Falcicchio, Deputy Mayor for Planning and Economic Development
Councilmember Phil Mandelson, Chair, Committee of the Whole
Councilmember Charles Allen, Ward 6
Advisory Neighborhood Commissioner Karen Wirt, Chair, ANC 6C
Beverley Swaim-Staley, President and CEO, Union Station Redevelopment Corporation
Marcel Acosta, Executive Director, National Capital Planning Commission
Gretchen Kostura, Senior Program Manager, Washington Union Station, Amtrak

Statement of Commissioner Drew Courtney, 6C06
Concerning Washington Union Station Expansion Project
Federal Rail Administration Public Hearing
July 14, 2020

Good morning.

My name is Drew Courtney, and I serve as Advisory Neighborhood Commissioner for ANC6C06; I'm presenting testimony today on behalf of our full commission.

I should start by saying how excited our neighbors are about the possibility this project represents. It's a truly unique opportunity for our city to create a world class transit hub for the 21st century and to transform a barrier that divides our neighborhood into an asset that connects and strengthens it.

Unfortunately, that's not what the proposed alternatives would accomplish. Instead, they would harm the urban setting and exacerbate traffic problems in our neighborhood.

The size of the parking structure envisioned in the alternatives presented would do real harm to the fabric of our community. Space is precious, and devoting such an enormous amount of it to overbuilding parking for cars and buses precludes the development of public spaces or buildings that would both enliven our street life and bring meaningful benefits to our neighborhood.

Perhaps even more importantly, the amount of parking proposed runs directly counter to our ongoing efforts to reduce automobile travel and to encourage the use of other modes of transportation. It would send an unambiguous message that Union Station is a destination designed not to fit within a rich urban landscape but to be driven to and from by private vehicle. There is no doubt that drivers will respond: more cars, more traffic, more congestion, more pollution, more collisions. All that baked in for the next hundred years.

I'm distressed not only that the proposed alternative would overbuild parking, but by the intransigence planners have displayed in ignoring community feedback throughout this process. Our ANC has repeatedly raised grave concerns about the amount of parking in this project, as has Councilmember Charles Allen, Chairman Phil Mendelson, Director of the Office of Planning Andrew Trueblood, Delegate Eleanor Holmes Norton and others. I attended the National Capital Planning Commission meeting at which that body explicitly directed the FRA to reduce the number of parking spaces. All that feedback seems to have been flatly ignored.

Our ANC is also deeply concerned about traffic circulation, including the process for pick-up and drop-off. As anyone who has recently driven to Union Station knows, station access and circulation is already a serious problem. That's more than an inconvenience for drivers; it detracts from our efforts to build a livable, walkable community. Our concern remains that the expanded Union Station would be surrounded by a snarl of cars and buses, creating a barrier to access for the residents of the surrounding neighborhoods and leading to an increase in traffic on neighborhood streets, including the narrow streets of the Capitol Hill historic district. Again, the

ANC's concerns are not adequately addressed by Preferred Alternative A-C, which we believe will place too great a stress on neighborhood streets.

I'm concerned about these features of the proposed alternatives, but in a deeper sense I'm concerned with the attitude they represent.

These proposals are premised on the idea that we're captive to the transportation habits of the last century. We should not assume that a project of this magnitude and symbolic importance can only respond to today's demands or project our past practices into the future. The expansion of Union Station can, and will, shape our transit system, our neighborhood and the capital region for the next century.

The billions of dollars that will be spent on transforming Union Station will either contribute to or help solve some of the most pressing challenges we face. In either case, the effects will last a lifetime.

FRA needs to reexamine these alternatives and choose a path that's responsible, forward looking, and sustainable.

Thank you.

###

From: Jim Lilly
To: [Union Station Expansion](#)
Subject: Commentary on Washington Union Station Expansion Project
Date: Sunday, July 26, 2020 12:55:15 PM

Hello,

Commentary on the Project is provided below.

I am frustrated that prior comments do not appear to have been specifically addressed in accordance with law, at least not in a meaningful way I can find.

Our organization has been originating trips from the station since the 1950s. Since the 1980s we have been operating private cars from Washington, D.C. This plan as identified in the preferred alternative aims to put our organization out of business.

As with all buildings, they need to evolve over time. Fundamentally, one can accept the premise that the station needs to expand to accommodate future growth and maintain viability, as long as key elements and operational features of the station are maintained/preserved. The project, to include the preferred alternative, fails to meaningfully and substantively consider in a significant way the preservation of key elements and services of the station that date to its construction and are still relevant.

- 1) Platform Covers/Canopies - The existing lower level platform covers date to the original construction of the station. The Roman Character of the Columns is an architectural extension of the station itself. Some of these must be preserved and used in some meaningful, related way.
- 2) K TOWER - K Tower is a historic structure dating to the construction of the station and controls the movements of all trains in and out of the station. It is a unique structure not designed to be hidden under ground or under a building. Many railroad towers have been moved and repurposed. K Tower must be preserved.
- 3) Private Railroad Car Parking - Since its opening, the station has provided parking for private railroad cars, to include Presidents, the well to do, and ordinary Americans. The current plan does not provide for any of this and by reducing the number of tracks in the station, the excuse that there is no more room for private cars will likely, but inaccurately, follow. Private railroad cars bring visitors to our Nations Capital. Since construction private rail cars have provided a safe, secure, and discreet means for transporting dignitaries, Congressmen, and Presidents, in and out of the facility. Simply eliminating private cars from the station is not adequate means of addressing the issue. Private car parking in Washington, D.C. must be preserved.

All three of these elements could be incorporated into a new facility just North of the Amtrak Ivy City shops. This facility has already been identified in the DC Rail Plan as a museum and a place for parking private railroad cars. The Tower could be moved there and preserved. One or more sections of the lower level platform canopies could be incorporated as a platform cover. A joint public-not-for-profit partnership, in conjunction with Amtrak, could build and operate the facility with construction costs that are in the noise for this project (\$2 - \$5M). This could be a variation on the "Garden" in Los Angeles. As a museum such a facility could bring additional visitors to the Capital and into the Ivy City Area. Moving private car parking to a facility switched by Amtrak maintains this service while relieving pressure on use of the station tracks as cars could be switched directly to and from trains without ever being "parked" on a station track. Routine servicing could be performed at the facility (water, sewage dumps, inspections). This facility must be built and incorporated into the plan to fully address the Section 106 requirements for federal funding and to provide a true multi-modal facility that incorporates all elements of travel present at the station today.

Finally, building a new station with LESS private automobile parking than currently exists today is a disservice to the traveling public.

James W. (Jim) Lilly,

National Railway Historical Society, Washington, D.C. Chapter, Inc.
(DCNRHS)

a not-for-profit 501(c)(3) organization founded in 1944

Visit us on the Internet at <http://www.dcnrhs.org>, or our legendary Pullman Dover Harbor at www.doverharbor.com or our railroad library at www.railroadlibrary.org

info@dcnrhs.org



Government of the District of Columbia

Advisory Neighborhood Commission 6C

P.O. Box 77876 Washington, D.C. 20013 | (202) 547-7168

September 22, 2020

Mr. David Valenstein
Office of Railroad Policy and Development
USDOT Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Re: Union Station Expansion Project Section 106 Comments

Dear Mr. Valenstein:

We are writing to provide Section 106 National Historic Preservation Act comments pertaining to the Washington Union Station expansion project Draft Environmental Impact Statement (DEIS). As you know, ANC 6C is strongly opposed to any expansion project proposal that includes a massive above-ground parking and bus structure. We are further concerned that the plans to date do not solve the circulation problems that currently plague access to Union Station even under today's conditions. While we believe more analysis is necessary, the DEIS's traffic analysis already demonstrates that traffic problems will worsen under all Action Alternatives. We thus disagree with the finding that the project will only "potentially" have an adverse effect on the Capitol Hill Historic District. We believe an adverse effect on the Capitol Hill Historic District is a certainty and must be addressed.¹

As you know, ANC 6C supports the overall goals of the expansion project. Improvements in the rail passenger experience at Washington Union Station are sorely needed. The station should be expanded to accommodate the increase in passenger rail travel expected, and desired, over the next 20 - 100 years. Nevertheless, one of the stated goals of the project is to "enhance integration with the adjacent neighborhoods, businesses, and planned land uses," and all of the Action Alternatives as laid out in the DEIS will fail to achieve this goal.

ANC 6C has made clear our view that a new above-ground parking garage should not be built. Such a structure is not needed and will preclude the development of vibrant urban placemaking. We have also raised our continuing concerns about circulation issues arising from plans for pick up and drop off and from inadequate connections with other modes of transportation such as walking, biking and public transit.²

¹ On September 9, 2020 at a regularly scheduled, duly noticed monthly meeting of ANC 6C, conducted on the WebEx platform, with a quorum of 6 out of 6 commissioners and the public present, the above-mentioned item came before us. The commissioners voted unanimously, 6:0:0, to send this letter to express our continued concerns regarding the Union Station Expansion Project.

² See, e.g., ANC 6C testimony of July 14, 2020.

These issues are themselves related to our concerns about the adverse effect the Action Alternatives will have upon the Capitol Hill Historic District and the historic Washington Union Station.

As we detailed in the analysis found in our March 20, 2020, letter to you and the executive director of the Union Station Redevelopment Corporation, the number of parking spaces should be justified and kept to a minimum. This will help minimize private vehicles traveling to the station and reduce the traffic congestion projected in the neighborhood. Likewise, intercity bus slips should be kept to a number that will ensure intercity buses remain a complementary transportation mode at the station and do not overwhelm the historic residential streets to the north and east.

The DEIS's Preferred Alternative A-C, however, provides for a 1600-car parking garage and allows for 40 bus slips in a two-level bus facility. Preferred Alternative A-C sends all intercity buses east on H Street NE, including buses bound for southern and western destinations, without clearly addressing how these buses will travel through the historic district. In addition, we are concerned that Preferred Alternative A-C sends automobiles down the proposed eastern ramp from the deck south of H Street on to F Street NE and the residential streets in the Capitol Hill Historic District. These concerns are in addition to the issue raised in the DEIS of automobile drivers prompted by traffic congestion seeking alternative routes to the station through these residential streets. We believe the seeking of alternative routes will certainly occur and have adverse effects.

Finally, ANC 6C considers historic Union Station to be one of the crown jewels of our area. We are concerned that the Section 106 analysis has found all Action Alternatives will have an adverse effect on the station, as well as on the station site and the nearby REA building. Although the DEIS repeatedly refers to the Visual Impact Zone and Daylight Access Zone on the deck south of H Street NE as one of the advantages of Preferred Alternative A-C, the DEIS also indicates that these zones are actually in the private air rights and are "not part of the project" but the project "would not preclude them." This treatment is insufficient. Raising the concept of these zones, to be created or maintained by another party, does not solve the historic preservation problem, or fulfill FRA's responsibilities, especially when Preferred Alternative A-C establishes a zone of revolving vehicles going through the same area.

ANC 6C thus urges the FRA to work in a constructive and creative manner prior to the issuance of a Final EIS with District of Columbia government officials, the owner of the private air rights, and other stakeholders to achieve an overarching vision and new preferred alternative for the Union Station project and the area as a whole that will truly meet the goals of the project and result in a world class transportation center that can be a model for the country and the world. We look forward to continuing to work with you to realize these important goals.

Thank you for giving great weight to the recommendations of ANC 6C.

On behalf of ANC 6C,



Karen Wirt
ANC 6C Chair

Cc: The Honorable Eleanor Holmes Norton
Mayor Muriel Bowser
Chairman Phil Mendelson
Council Member Charles Allen
Andrew Trueblood, OP
Jeff Marootian, DDOT
C. Andrew Lewis, SHPO
Johnette Davies, Amtrak
Marcel Acosta, NCPC
Beverley Swaim-Staley, USRC



September 25, 2020

Mr. David Valenstein
Office of Railroad Policy and Development
USDOT Federal Railroad Administration (MS-20 RPD-10)
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Washington Union Station Expansion Project:
Draft Environmental Impact Statement

Dear Mr. Valenstein,

The Capitol Hill Restoration Society (CHRS) appreciates this opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the Washington Union Station Expansion dated June 12, 2020. Since early 2016, CHRS's representatives have attended the Consulting Party meetings for this very important project. The massive DEIS document contains a large amount of very useful information and required considerable time to review.

CHRS's primary concerns are the potential effects of the Washington Union Station Expansion on the Capitol Hill Historic District (CHHD). However, we will also comment on compatibility with the historic Union Station and the implications for closely related developments inclusive of Burnham Place, H Street Bridge replacement, and potential federal air rights development. We will refer to the federal Washington Union Station Expansion as WUS, and to the entire project (Washington Union Station Expansion + Burnham Place + federal air rights + H Street Bridge/Tunnel) as the Washington Union Station Projects (WUSPs).

Comments on Urban Plan

CHRS's criticism throughout the WUS EIS process has been the restricted focus on the federal portion rather than the entirety of the WUSPs. We have not altered our position that it is impractical to evaluate the federal portion independent of the other integrated projects. This piecemeal approach fails to convey the potential transformation for this site.

Preferred Alternative A-C is the product of questionable early decisions by FRA. All alternatives considered within the EIS share common elements. Among those common elements are: 1) new passenger concourses below the rail yard; 2) use of the H Street tunnel exclusively for pedestrian access; and, 3) in kind replacement of the H Street Bridge. With those decisions in place, FRA's analysis became a process of moving the federal "project elements" around the site. There is no evidence that FRA seriously questioned these assumptions or considered the implications to the urban design for all the WUSPs.

Below Grade Concourses

Preferred Alternative A-C creates new passenger concourses below the track level and creates a maze of vehicular circulation at the upper deck. Light wells more than 60 feet above and surrounded by buildings as much as an additional 130 feet or more in height purport to illuminate the concourses and retail spaces below the rail yard. The DEIS contains several very attractive illustrations of the below track spaces. They present the design in the best possible light, but also in a way that almost certainly cannot be achieved. The report warns "this compressed, linear space would resemble the concourse's spatial quality of New York Penn Station. Therefore, the proposed concourse datum is lowered to +22', to provide approximately a 13' height clearance under the Run-Through tracks and 20' under the Stub End tracks." (Appendix A-3, P 86). An excavation of this depth could provide two levels of parking below the rail yard, and squanders an opportunity to enliven the passenger concourses with views of the train and platform activities from concourses located above the rail yard.

H Street Bridge

The existing H Street Bridge crests at elevation 82.47'. The DEIS assumes a starting height for Burnham Place nearly 4 feet higher, and with several large openings intended to bring sunlight beyond the rail yard to the H Street Concourse levels below. The District Department of Transportation website (DDOT) does not indicate any provision for the proposed light wells, nor do the graphic representations of the H Street Concourse depict the large piers required to support a new H Street Bridge (See for example Figure 97, Appendix A3, Page 82). It is critically important to fully incorporate the H Street bridge design into the WUSPs and to properly represent it within the Union Station DEIS.

Early in the EIS process FRA apparently gave some thought to integrating the H Street Bridge with the transfer deck required for Burnham Place (Appendix A3b, Page B-77). Unfortunately this concept was rejected, but warrants much further study. The opportunity to utilize the transfer deck above the rail yard - some 16 feet or more in depth - for concourse circulation, parking, and transportation functions promises attractive opportunities to design far more interesting solutions than Preferred Alternative A-C. This possibility is hinted at in renderings depicting an inhabited mezzanine structure (See for example Appendix A3, Figure 63, Page 67).

The urban design as well as pedestrian access to the upper deck would be greatly improved if the H Street Bridge were lowered rather than raised. Similarly, every effort should be made to lower the rail yard and design a transfer deck of sufficient depth to allow new passenger concourses and waiting areas above the rail yard enabling views of the trains and related activities.

Vehicular Circulation

The vehicular circulation pattern is fairly consistent for all of the project alternatives including Preferred Alternative A-C. The deck level circulation (Chapter 3, Page 3-84) does not include the additional roadways for Burnham Place or even a designated pick-up/drop off (PUDO) location. Significant PUDO activity should be anticipated in this area for rail passengers, as well as bus passengers, Burnham Place, and federal air rights development. The proposed circulation degrades significant areas of the sunlit deck and curtails opportunities for activated urban spaces. An “escape” from the snarl of traffic on the East Ramp introduces a very tight U-turn onto F Street and purposefully diverts traffic into the Capitol Hill Historic District. Busses exiting the station must turn east, with no provision for west-bound busses. Automobiles leaving the parking structure and PUDO activity follow a circuitous route if they wish to head west on H Street. In short, the proposed vehicular circulation is unworkable and creates new problems for the local road network that FRA does not attempt to mitigate. Interpretation and analysis of the report’s vehicular traffic conclusions is exceedingly difficult in part because the information is so scattered throughout the report and lacks actual numbers.

Excavation below the rail yard for concourses, retail space, and large waiting areas either side of the proposed H Street concourse is questioned. Spaces below-the-tracks would be far better utilized for vehicular functions (parking, taxi, PUDO) and with an east-west connection between 1st and 2nd St, NE utilizing the H Street tunnel area to facilitate both vehicular and pedestrian access. Greater reliance on the lightly used streets immediately west of Union Station (1st St., and the unit blocks of G St and G Place, NE) could reduce demand and improve vehicular circulation at other areas. Eliminating the proposed parking structure above the deck level opens the possibility for far better uses than a parking structure.

Integration with Historic Union Station

Preferred Alternative A-C proposes an east-west train hall (Concourse A, upper and lower) to replace the existing Claytor Concourse as the connector to the historic station. The DEIS is restrained on how Preferred Alternative A-C integrates into the historic station and areas now occupied by retail activities. Removal of the non-historic Claytor concourse and waiting area is appropriate. The proposed space (See Appendix A3, Figures 61- 68, pages 67-69) seems too vast and detached with little purpose, although the suggested possibility of an inhabited mezzanine structure could help. The proposed H Street Concourse comprises the main waiting areas and is linked to Concourse A by the 1st Street and Central Concourses. These areas are reminiscent of a similar concept at Penn Station in New York. The distance between H Street and Concourse A is about 700 feet (approximately two city blocks) and from the front doors of

the historic station the distance is about 1200 feet (three city blocks). The H Street Concourse waiting areas are a soulless space below a rail yard with no view to absorb the attention of waiting passengers; are 1000 feet+/- from the retail and architecturally interesting areas of the historic station; and are separated by the enormous, disengaged circulation spaces of the train hall. New waiting areas should be closer to the historic station, and incorporate views of rail and passenger activity.

Federal air rights development similar in scale to Burnham Place is not within the scope of the DEIS. Nevertheless, such development is anticipated and conceptual building masses are depicted. However, the appropriate height of both Burnham Place and any federal air rights should not be considered a settled matter. The Union Station North zone - the only place in the District that allows measurement from an artificial structure - opens the possibility for buildings significantly higher than any of the surrounding structures. This height threatens to diminish the District's iconic horizontal skyline. The impact of buildings rising above the skyline need to be understood not only in relation to Union Station, but also in a far broad urban context and image of the city.

Section 4(f) Comments

Chapter 6, Section 6.6.3 acknowledges that “the Capitol Hill Historic District may potentially experience an adverse effect under all Action Alternatives from an increase in peak-time traffic along 2nd Street NE and F Street NE as well as along some residential streets if congestion on H Street NE or Massachusetts Avenue prompts drivers to seek alternative routes to WUS through the neighborhood.” This section further concludes that any resulting traffic is not a “substantial impairment” and therefore “The Capitol Hill Historic District is not discussed further in this Draft Section 4(f) Evaluation.” (Page 6-16, Line 342-343) The Executive Summary discussion of Section 4(f) (Pages ES 62-63) does not even mention the potential adverse effect to the CHHD. Thus, the 4(f) evaluation conveniently concludes that an adverse effect is likely, but recommends no mitigation and evades addressing mitigation measures.

CHRS disagrees with this conclusion and notes that Preferred Alternative A-C directs traffic into the historic district by the proposed East Ramp U turn onto F Street, NE. This stands in direct contradiction to the statement that increased traffic in the historic district is the result of other drivers seeking “alternative routes” due to congestion. The Section 4(f) conclusion also fails to recognize the significant additional burden placed on Third St. to carry Union Station traffic from the new F Street U-turn to H Street and the H Street Bridge.

Missing from the 4(f) analysis is vehicular movement between the various pick-up and drop-off (PUDO) locations. In order to drop off a patron at one location and pick up a new patron at a different location, circulation around Union Station will be generated. Much of that circulation will be through the CHHD. This too stands in direct contradiction to the conclusion that increased traffic in the CHHD is not a direct result of Preferred Alternative A-C. While Section 4(f) ignores traffic diverted into the CHHD, the traffic analysis concludes that the intersection of

3rd and H St., NE (among others) will sink to level of service F because of the station expansion. Missing from both the Section 4(f) and traffic analysis, are actual traffic counts.

Table ES-2 “Passenger and Train Volumes by Service, All Action Alternatives” envisions total daily passengers on Amtrak, MARC, VRE and Intercity bus to more than double with any of the Action Alternatives (Executive Summary, Page ES-21). Additional traffic will also be generated by Burnham Place and any federal air rights development. Even at current passenger levels, the queue for taxis backs up onto nearby streets at both the front and rear of Union Station. Taxis as well as Uber and Lyft services routinely pick-up or drop off passengers near Union Station and return for additional passengers using either Third Street or North Capitol to circle between the front and rear of Union Station. This pattern of vehicular circulation will be multiplied by the increase in passenger volumes, the diversion of traffic onto F Street, NE, and movement between the various PUDO locations. This is a direct adverse impact to the Capitol Hill Historic District.

Conclusions

The report contains a staggering amount of information and is an ominous predictor of the problems ahead. Any recommendation arising from the WUS EIS must provide a compelling argument that the project warrants funding and is an worthwhile improvement. We do not believe the Preferred Alternative meets that requirement. The EIS and Section 106 Review have not focused on achieving the best possible outcome for all the WUSPs. The Union Station expansion projects - inclusive of Burnham Place, H Street Bridge and federal air rights development - must be understood in their entirety. We caution that a Programmatic Agreement resulting from a flawed EIS will result in diminished opportunities for problem solving, create a vehicular fiasco, and limit urban design objectives for federal and private air rights development.

Thank you,



Beth Purcell, President
Capitol Hill Restoration Society

cc: (via email)

Mayor Muriel Bowser, District of Columbia

Councilmember Charles Allen, Ward 6

Andrew Trueblood, Director, DC Office of Planning

David Maloney, State Historic Preservation Officer, DC Office of Planning

C. Andrew Lewis, DC Historic Preservation Specialist

Karen Wirt, Chair, ANC6C

Fredrick Lindstrom, Commission of Fine Arts

National Capital Planning Commission
Rob Nieweg, National Trust for Historic Preservation
Erik Hein, Exec. Director, NCSPO
Beverly Swaim-Staley, USRC
Kirby Vining, Chair, Committee of 100
David Tuchman, Akridge Development
Rebecca Miller, DC Preservation League

September 28, 2020

Mr. David Valenstein
Office of Railroad Policy and Development
USDOT Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Re: Union Station Expansion Project DEIS and Section 106 Comments

Dear Mr. Valenstein:

Last week, you received two letters from ANC6C, responding to the Draft Environmental Impact Statement (DEIS) and Section 106 process for the Washington Union Station redevelopment process.

Those letters reflect the work of several members of our Commission and its Transportation and Public Space Committee, and were authorized by a unanimous vote at our September 9, 2020 meeting.

After that meeting, at Section 106 Consulting Parties Meeting #10, held on September 22, presenters highlighted on several occasions that one reason for the proposal of Alternative A-C as the "Preferred Alternative" was the shorter construction time required by this plan. In particular, the shorter construction timeframe was cited as a reason not to locate the parking or pick-up/drop-off (PUDO) facilities underground.

Although our commission does not have a meeting before the deadline to approve further comments, we felt it appropriate as individual commissioners to make clear that we do not believe the difference in construction timelines should be the priority keeping FRA from choosing to build the best possible station, particularly as the expansion project will result in structures that should last for decades. We appreciate attention to the short term impacts on our community that construction represents, but we believe the most important priority is to develop a preferred alternative that adequately addresses the long term impacts of the expansion project, impacts not resolved but instead exacerbated by Alternative A-C.

Thank you for giving consideration to our views.

Sincerely,

Drew Courtney
Commissioner, ANC 6C06

Christine Healey
Commissioner, ANC 6C01

Jay Adelstein
Commissioner, ANC 6C03



**Comments Concerning the
Union Station
Draft Environmental Impact Statement
(Released June 12, 2020)**

September 28, 2020

The Union Station Draft Environmental Impact Statement (DEIS) proposes an expansion plan that will cost between 5.8 and 7.5 billion dollars¹ and require 11 to 14 years to build². The plan focuses on bus and automobile parking, station concourses, platforms and retail. But the plan does not adequately address Union Station’s role as a train station. The expansion plan needs to be substantially revised to address that deficiency.

Union Station is first and foremost a train station—a critical piece of the nation’s transportation infrastructure and an indispensable asset to help our region solve our transportation challenges: *vehicle congestion and parking caused by automobile commuters*. Two-thirds of the daily trips to and from the District are by car, leading to congestion and costly travel delays, compromised air quality and increased carbon emissions.

Commuter and passenger rail are essential in providing pragmatic alternatives to automobile commuting. 213 passenger trains pass through, depart, or arrive in the District on a typical weekday³, resulting in many economic and social benefits for the District.

- In FY 2015, Amtrak’s headquarters at Union Station employed 235 DC residents with wages totaling over \$18.5 million. Amtrak also spent \$24.2 million on goods and services in DC during that same year.
- VRE and MARC carry commuters who add a combined \$1.64 billion to the District economy each year.⁴

¹ DEIS, Executive Summary, page ES-34.

² *Id.*, page ES-1.

³ *DC Rail Plan*, page 3-34

https://ddot.dc.gov/sites/default/files/dc/sites/ddot/page_content/attachments/DC%20SRP%20FinalReport.pdf.

⁴ *Id.*, pages 3-70 thru 3-71.

Summary Recommendations

Because of outdated assumptions and projections, the Preferred Alternative fails to provide adequate trackage and adjustments to trackage to meet known needs even within the Draft Environmental Impact Statement timeframe. The DEIS falls short of meeting the needs of rail passengers and the project stakeholders. The Committee of 100 on the Federal City has repeatedly emphasized that rail transportation must be prioritized in any plan for the proposed Union Station Expansion Project. Major changes are needed in the DEIS to accomplish this. As explained in these comments, the Preferred Alternative and DEIS need to be revised to:

- Take into account the increased number of trains that will operate south of Union Station within the planning horizon of this expansion project due to separation of passenger and freight rail operations south of Union Station and the ability to electrify the passenger tracks south of Union Station.
- Update the trackage required to accommodate a much larger number of trains than the projections in this DEIS.
- Take into account the need for high-speed rail south of Union Station.
- Take into account VRE thru-running to Maryland and MARC thru-running to Virginia.
- Revise the trackage configuration to accommodate high-speed rail south of Union Station and electrification of the tracks south of Union Station.
- Reduce the size of the proposed parking garage to accommodate only the needs of Union Station.
- Address the need for an income stream for USRC during the proposed construction timeframe when the parking garage will not provide that income.

Erroneous Assumptions and Projections

The rail network that uses Union Station is operationally and physically fragmented among several service providers and owners. Likewise, the planning is fragmented, with three different plans for the rail system south of Union Station that will affect Union Station operations in the years encompassed by this DEIS:⁵

1. The plan that resulted from the December 2019 Agreement between CSX and the Commonwealth of Virginia that the Virginia Department of Rail and Public Transportation (DRPT) would build, own and operate the new two-track Long Bridge river-crossing as well as substantial CSX trackage in Virginia.⁶

⁵ These plans or projects do not address the need for a fourth rail track between 3rd and 2nd Streets, SW, the entrance to the First Street rail tunnel. Apparently this was not accomplished as a part of the Virginia Avenue Tunnel project and has been overlooked in the L'Enfant Station Expansion plans. Four tracks are essential from the Long Bridge to the First Street Tunnel to separate freight and passenger operational controls by providing two tracks for freight and two tracks for passenger rail.

⁶ The Long Bridge EIS ROD states at page 2-1: "It is anticipated that the Project will become the responsibility of the new Virginia Passenger Rail Authority, which formed on July 1, 2020, once

2. The Long Bridge FEIS plan to add a fourth track between the Long Bridge and 12th Street SW (FEIS issued September 2, 2020) that designates DRPT as Project Sponsor, responsible for designing and constructing the Project as presented in the Long Bridge FEIS.

3. The L’Enfant Station Expansion Plan will add a fourth track between 12th Street and 3rd Street, SW. It is projected to be completed in 2029⁷.

These three plans will result in separation of passenger and freight rail operation south of Union Station. This momentous change in rail operation will transform our rail system into a more modern, efficient and inclusive rail network that will better serve the DC region and the East Coast rail network. But this dramatic change in rail operations is completely ignored in the Union Station DEIS. In fact the DEIS clearly states the contrary – that passenger and commuter rail operations south of Union Station will continue to be controlled by CSX (Appendix B, page 23):

The 2040 simulation retains operating variability for trains arriving from the south, given assumed continued ownership and dispatch by freight railroads in the future. [emphasis added]

This assumption is wrong and the planning projections that result from it grossly understate the number of trains that will operate south of Union Station. The Virginia/DRPT and Long Bridge expansion projects are projected to be completed in five years (FEIS, page 1-7) and the VRE L’Enfant Station expansion by 2029. All three projects will be in service before the 11-14 years required for the Union Station expansion and must be taken into account in plans for the Union Station Expansion.

The Benefits of Separating Passenger and Freight Rail

The plans and projects now in progress to separate passenger from freight rail operations south of Union Station will allow a very large increase in the number and frequency of passenger trains because they can operate faster and be spaced more closely if passenger and freight operations are not intermixed and controlled by CSX as is now the case on these SW tracks.

New York City’s Penn Station illustrates the benefits of separating passenger from freight operations. The track arrangement for Penn Station is similar to our rail operations south of Union Stations, and like our First Street rail tunnels, is served by two tunnels (the North River Tunnels) under the Hudson River. In both cases, there are two tunnels with one rail track in each tunnel. The contrast is clear: DC’s 1st Street tunnels carry a total of

that body has the staff capable of administering the Project. Should there be a change in Project sponsorship, the new Project Sponsor will assume DRPT’s responsibilities.”

⁷ The L’Enfant Station Expansion was originally planned for completion in 2023 (Long Bridge DEIS, page 3-16), but the completion date has been extended to 2029.

about 6 trains per peak hour under the control and scheduling of CSX⁸, whereas NYC's North River Tunnels accommodate up to 24 trains per hour in each direction, a total of 48 trains in a peak hour, requiring very precise scheduling and control. Achieving this configuration south of Union Station would allow a substantial increase in passenger and commuter rail traffic south of Union Station.

Passenger Rail Projections Are Not Credible

A foundational element of the Union Station DEIS is anticipating and responding to predicted growth in passenger and commuter rail traffic over the next 20 years. Forecasting accurately that increase is critical. The estimates of number of trains found on pages 24-25, Appendix A3 [*Final Concept Development and Evaluation Report*] are broken out among Service Providers (Amtrak, MARC, VRE) and further between Peak Hours and Full Day Totals. These projections are critical—underlying most every future physical and service decision covered by this important document. These numbers must be credible and based on documentable data. Such appears not the case in the DEIS. 1) Some are thinly sourced, if at all. 2) Those estimates provided are derived from varying projection dates—Amtrak's numbers are derived from *Operating Plans for 2030+* (which purports to project to 2039); MARC projections are based on data applicable only through 2029; and **no** documentable projections for VRE are cited whatsoever. 3) Projections cited in Table 7-1 of Appendix B [*Terminal Infrastructure Report*] are apparently based on the estimates presented in Appendix A3. However, the DEIS does not explain how they were arrived at. Is there an algorithm that is not disclosed in the DEIS? The Table 7-1 projections appear low. There is no logical progression from the projections in Appendix A3 to the projections in Table 7-1 of Appendix B. It is widely understood that MARC, VRE, and Amtrak each plan for significant increases in the number of trains at Washington Union Station over the next 20 years. The DEIS's numbers must be credible, well sourced, and within the same time frame. They are not.

The DEIS Proposes Too Few Rail Tracks

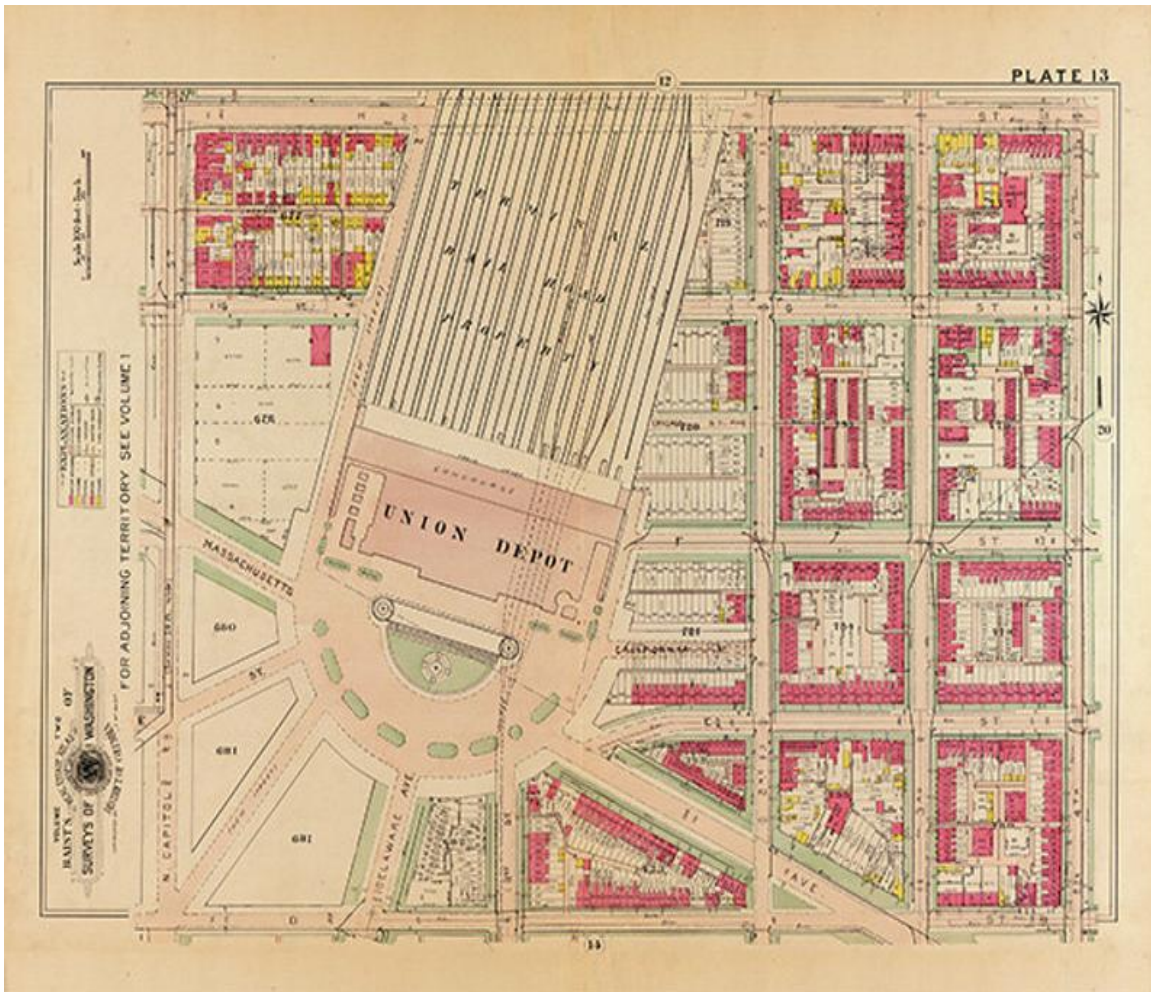
Because of the significant under projections based on outdated assumptions and information, the DEIS' Preferred Alternative proposes too few tracks.

Union Station originally had a total of 33 revenue tracks:⁹

- 24 stub-end tracks ran north of Union Station on the upper level;
- 9 run-through tracks on the lower level; and
- 2 non-revenue tracks that terminate on the lower level that are labeled “mail tracks.”¹⁰

⁸ As of 2016, during morning and afternoon peaks 6 passenger trains per hour depart or arrive at Union Station for points south. *DC Rail Plan*, page 3-35.

⁹ *Union Station Historic Preservation Application*, page 8, dated 2012, jointly sponsored by C100 and DC Preservation League.



Today, Union Station has 23 tracks, 20 of which are revenue producing:

- 14 stub-end tracks, located on the upper level;
- 6 run-through tracks on the lower level; and
- 3 other tracks exist, but they are used for storage and “pooling”.¹¹

¹⁰ DEIS page 2-5, Section, 2.2.3. But, according to Appendix A-3, page 23: “The Lower Level has nine (9) tracks, of which only six (6) are currently used for revenue service. ... Tracks 22 and 29 are through tracks without usable platform faces used by trains to travel through the station without loading/unloading passengers; Tracks 23 to 28 are used in revenue service to load and unload passengers, and Track 30 is a Stub End storage track used for midday storage and to switch locomotives.”

¹¹ DEIS page 2-5, Section, 2.2.3. But, according to Appendix A-3, page 23: “The Lower Level has nine (9) tracks, of which only six (6) are currently used for revenue service. ... Tracks 22 and 29 are through tracks without usable platform faces used by trains to travel through the station without loading/unloading passengers; Tracks 23 to 28 are used in revenue service to load and unload passengers, and Track 30 is a Stub End storage track used for midday storage and to switch locomotives.”

The DEIS proposes to provide only 19 revenue tracks:

- 12 stub-end tracks serving rail operations north of Union Station; and
- 7 run-through tracks.¹²

The reduced number of tracks is, in large measure, determined by the much wider platforms that are proposed. All of the current platforms are less than 20-feet wide, and many have columns supporting the parking garage or the H Street Bridge. Widening the platforms to accommodate capacity growth and safety standards requires realigning and re-spacing the station tracks that reduces the number of revenue tracks¹³ A key unaddressed issue in the plans: *Must the platforms be as wide as 30 to 35'6"?*¹⁴

Even Amtrak's July 25, 2012 *Union Station Master Plan* issued eight years ago called for more tracks and estimated that by 2030 those tracks would be at capacity. The plan called for:

- 12 west-side stub tracks (page 13);
- 8 east-side run-through tracks under the 1st Street tunnel to points south would have to be reconstructed;
- 2 new run-through tracks (p. 4 and 10) that by 2030 were estimated to be at capacity; and
- 6 - 9 new additional below grade tracks after 2030 to serve new rail operations north of Union Station.¹⁵

The DEIS eliminated all the below grade options: the 2 new run-thru tracks and the 6-9 additional tracks proposed to accommodate new rail service.¹⁶

¹² DEIS, page 3-3, section 3.1.1.2.

¹³ 2012 *Union Station Expansion Plan*, page 3.

¹⁴ DEIS, Appendix A-3a, pages 128-189.

¹⁵ 2012 *Union Station Master Plan*, page 13: "Demand for rail services will rise to the level where the practical capacity of these facilities is reached. This could happen as early as 2030, depending on the pace of growth and investment in overall rail system capacity. To provide for this future capacity the Master Plan allows for the development of a new lower level of tracks and platforms in a zone beneath the west side stub tracks that can be excavated to create six additional station tracks (or up to nine if needed for additional capacity)."

* * *

The lower track level would be connected to the Northeast Corridor main line by means of a bored tunnel from Union Station northeast to the vicinity of the Anacostia River."

¹⁶ DEIS, page ES-9: "The nine eliminated preliminary concepts included below-grade tracks [the 2012 Union Station Master Plan proposed these below-grade tracks would be located in the area below the west-side stub tracks] that Amtrak determined it did not need to meet its operational requirements."

Amtrak's *Union Station Master Plan* was issued in 2012. But now, eight years later, Amtrak, VRE and MARC have developed expansion plans that would greatly increase the number of trains and the number of rail passengers using Union Station, including plans for high speed rail south of Union Station.¹⁷ The state of Virginia and VRE have approved funding to acquire over 100 miles of CSX track, pay for, own and control the new Long Bridge Potomac River rail crossing, and thru-run its trains through Union Station into Maryland. In addition, MARC plans to run its trains into Virginia.¹⁸

The DEIS references the source documents it relied on in several sections.¹⁹ But those source documents were prepared as early as 2013 and last accessed by FRA in 2017. Perhaps that is the reason that the DEIS reaches its outdated planning conclusions.

High Speed Rail, but Only North of Union Station

The upper-level stub-end tracks (Tracks 7-20) are used by MARC and by Amtrak's Acela Express, Northeast Regional, Vermonter, and Capitol Limited trains (DEIS, Chapter 2, page 2-5). The DEIS states that at least four (4) tracks must have 1200' platforms for future Acela HSR service for future growth.²⁰

The 2012 *Union Station Master Plan* (page 13) "provides that future tracks from the lower level of Union Station could be extended to the south, enabling extension of high-

¹⁷ The Record of Decision for *Southeast High Speed Rail Washington, DC to Richmond Virginia*, issued September 5, 2019. Note that while the DC to Richmond High Speed rail plan included Washington, DC in its title, it in fact ended at the south end of the Long Bridge and did not address the Long Bridge or how to get to Union Station. (http://dc2rvarail.com/files/3115/6803/2848/DC2RVA_ROD_05Sept2019.pdf).

The Long Bridge FEIS resolves that discontinuity. On the Virginia side, the new two-track bridge would "tie into the four tracks at RO Interlocking proposed by the concurrent DC to Richmond Southeast High Speed Rail (DC2RVA) project." (ROD at page 2-7). This high-speed rail plan for Virginia is connected to the SW tracks that serve Union Station, but high-speed rail south of Union Station is assumed to not exist in the Union Station DEIS.

¹⁸ High speed rail south of Union Station will be further enhanced by the recent announcement to extend high speed rail from Richmond to Raleigh. <https://www.usnews.com/news/best-states/virginia/articles/2020-09-21/grant-to-help-north-carolina-buy-rail-for-high-speed-service>.

¹⁹ Federal Railroad Administration. 2017. *NEC FUTURE Tier I Final Environmental Impact Statement*. http://www.necfuture.com/tier1_eis/feis/. Accessed June 6, 2017.
Virginia Railway Express. 2014. *System Plan 2040*. <http://www.vre.org/vre/assets/File/2040%20Sys%20Plan%20VRE%20finaltech%20memo%20combined.pdf>. Accessed June 6, 2017.
Maryland Transit Administration. 2013. *MARC Growth and Improvement Plan Update: 2013 to 2050*. https://mta.maryland.gov/sites/default/files/mgip_update_2013-09-13.pdf. Accessed June 6, 2017.

²⁰ Appendix A-3, page 24.

performance high-speed rail service to Virginia, North Carolina, and the Southeastern United States.” High speed rail south of Union Station is not discussed or even acknowledged in the DEIS nor does it address efficiencies and greatly increased numbers of passenger and commuter trains that will result from separating passenger and freight operations south of Union Station, but it takes into account operational efficiencies and more frequent train service for passenger and commuter trains arriving from the north on the Northeast corridor.²¹ The DEIS recognizes the efficiencies of controlling the rail tracks north of Union station for passenger operations (rather than inter-mixed passenger/freight operations) but does not for tracks south of Union Station.

Thru-running of MARC and VRE

For a number of years, MARC and VRE discussed the benefits of thru-running VRE trains to Maryland and MARC trains to Virginia.²² The Metropolitan Washington Council of Governments Transportation Planning Board (TPB) recently issued a report prepared by Foursquare²³ stating that run-through rail service would have a positive impact on the labor pool by expanding access both for businesses and employees²⁴ and could alleviate capacity issues on Metrorail as well as issues with crowding and congestion on platforms at Union Station and other busy transfer points.²⁵ The Foursquare Report further concluded that a substantial number of people travel each day in each direction between the MARC and VRE service areas, and in the future, the potential for run-thru trips will increase considerably.²⁶

²¹ DEIS Appendix B, page 23: “The 2040 simulation retains operating variability for trains arriving from the south, given assumed continued ownership and dispatch by freight railroads in the future. In contrast, the 2040 simulation assumes much more reliable operation for trains arriving from the north, given the significant NEC reliability investments represented by NEC FUTURE.” [emphasis added].

²² In May 2014 MARC and VRE announced they are planning a true regional rail partnership to thru-run MARC to L’Enfant Station and on to Virginia and to extend VRE from Union Station into Maryland. <http://www.nbcwashington.com/news/local/MARC-VRE-Discuss-Regional-Rail-Partnership-259457971.html>.

²³ *Market Assessment and Technical Considerations for VRE-MARC Run-Through Service in the National Capital Region*, Foursquare Integrated Transportation Planning, June 2020.

²⁴ Nearly three-quarters of the District’s workforce commutes from outside the District while one-third of the District’s residents reverse commute to jobs outside the District (DC State Rail Plan, page 4-2).

²⁵ Foursquare Report, page 13.

²⁶ *Id.*, page 42.

The DEIS pays little attention to thru-running that will greatly increase the number of trains going through Union Station and reduce the need for MARC and VRE to find mid-day parking for their trains until they are needed for the evening rush-hour. It assumes that no VRE trains will thru-run when, in fact, VRE trains currently thru-run through Union Station to reach the Ivy City train yard where they are parked during mid-day, until their return to service for the afternoon/evening commute back to Virginia. VRE awaits only an agreement with Amtrak and MARC to thru-run to Maryland, and once that is accomplished, the VRE ridership using Union Station will increase substantially.

The DEIS assumes that only 8 of the MARC's 57 daily Penn line trains will thru-run to Virginia,²⁷ but no trains from MARC's Brunswick or Camden line will thru-run. The reason for not including trains from the Brunswick and Camden Lines is apparently because the FEIS does not propose any modification of the Brunswick and Camden line tracks coming into Union Station. Only the Penn Line has direct access to the 1st Street tunnel where the connecting thru-running tracks are practically inaccessible to MARC's Brunswick Line and to a lesser extent, the MARC Camden Line. For Brunswick and Camden Line trains to access the 1st Street tunnel, trains must traverse the entirety of Union Station's "throat" from east to west over multiple interlockings:



²⁷ Eight MARC trains is the same number used for the early Long Bridge expansion studies that FRA adopts for this Union Station FEIS with no discussion or analysis.

The Committee of 100 recommends that the DEIS be expanded to evaluate how to reconfigure the Brunswick and Camden tracks so they can access the First Street Tunnel. This not only affects the ability of Brunswick and Camden trains to thru-run to Virginia, but also affects VRE’s ability to thru-run to a substantial part of Maryland.

The Benefits of Electrification

Currently, CSX requires that trains traveling south of Union Station and using the Long Bridge use diesel locomotives because the overhead wires for electric locomotives would interfere with tall freight loads. This is the reason for the long lay-over at Union Station of Amtrak thru-trains—the required change of locomotives.²⁸ But with the addition of the fourth track in SW, and the fact that CSX will have their own dedicated tracks, this is no longer an issue and the tracks south of Union Station can be electrified.²⁹

As the Long Bridge FEIS explains at page 1-10:

[The addition of a fourth track] provides sufficient capacity for freight trains to pass through the Corridor unimpeded by passenger trains during peak passenger train hours.

This will mean that the time-consuming change of locomotives will no longer be required. Thus, thru-running MARC and VRE trains, as well as Amtrak regional trains, can move through Union Station much more quickly.

DEIS Parking Garage Plans are not Supported

The DEIS is proposing 1,575 parking spaces (Alternative A-C, Preferred Alternative, Appendix A6, page 3), consisting of 6 levels of parking in a 10-story building, at a height of 130 feet above the H Street Bridge, at approximately the same location as the existing garage. This would be a huge structure, towering over Union Station³⁰ and contrary to the

²⁸ FEIS, Appendix B, page 26: “Trains operating immediately south of the WUS utilize diesel-powered locomotives. Electric locomotives entering WUS whose route continues southbound must be switched from an electric to a diesel locomotive power at WUS, and vice-versa.”

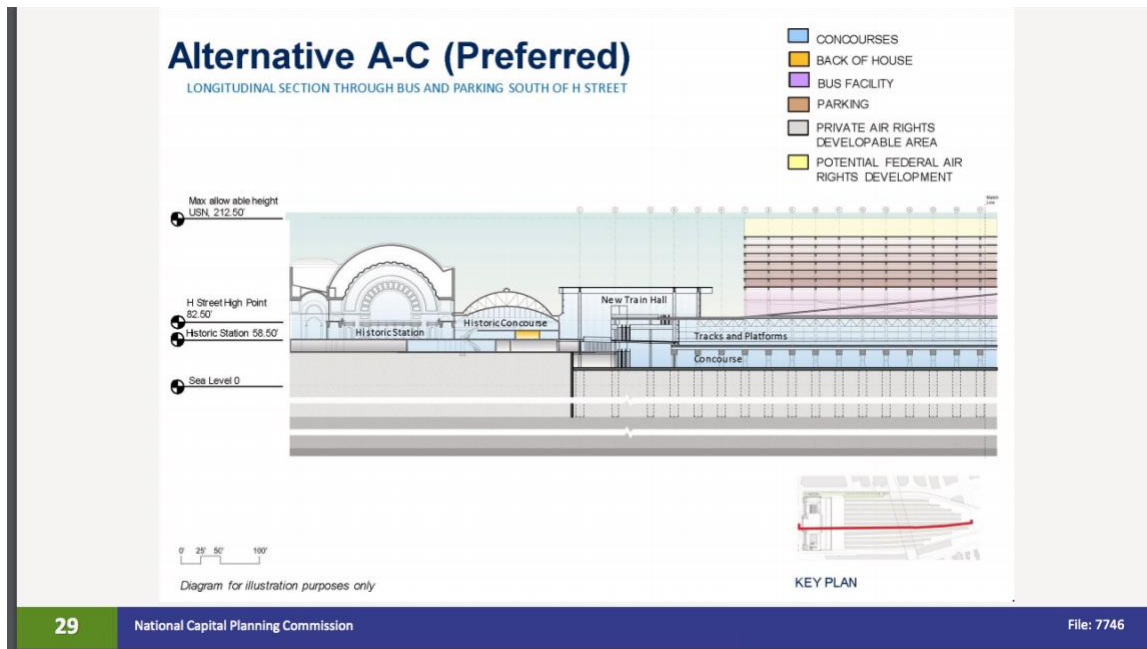
²⁹ The Long Bridge FEIS explains that:

“The existing railroad right-of-way is owned by CSXT. Action Alternative A [the preferred alternative] would require CSXT to commit a significant portion of its right-of-way to new tracks and ancillary structures, which would be used primarily for passenger operation.” (page 1-21). “The Long Bridge Project has been designed so as not to preclude electrification. Any future electrification in this location would use the lowest profile equipment available at the time. Based on industry trends, it is expected that the required clearance would be lower than required for current equipment.” (Appendix D4, pp. 14-15).

³⁰ NCPC expressed concerns about height and massing similar to DC’s concerns when the DC Zoning Commission approved the air rights development. At page 4 of its January 9, 2020 Commission Action, NCPC:

Requests the applicant prepare elevations and renderings to show how the height and mass of the alternatives will look from key viewsheds, including from the U.S. Capitol building, the

DEIS assumption that it would be subject to USN Zoning. In the first place, this is federal property, not subject to DC Zoning— zoning would be determined by the National Capitol Planning Commission (NCPC), and even if NCPC were to apply DC’s USN Zoning³¹, the proposed 130-foot garage height would be in violation of the 90-foot height limitation for air-rights structures adjacent to the Union Station historic building.³²



The Commission on Fine Arts (CFA),³³ the National Capital Planning Commission,³⁴ Amtrak,³⁵ the DC Office of Planning and DDOT³⁶ have challenged the DEIS parking proposal as excessive.

National Mall, Delaware Avenue, and 1st Street, NE. The renderings should also include the massing of any private development permitted in the USN zone.

³¹ Page 2 of the July 9, 2020 NCPC Information Presentation explained: NCPC reviews projects on federal land in the District of Columbia in-lieu of local zoning approval. In this instance, the historic Union Station and existing parking garage and bus facilities are located on federal land. Absent a zoning code, the Commission looks to the Comprehensive Plan to guide its decision making.

³² DC Municipal Code §11-305.1(c) and (d).

³³ On November 21, 2019, FRA and the Proponents presented the Preferred Alternative to CFA at an informational meeting. In a letter dated November 27, 2019, CFA expressed concern about the planning assumptions underlying the parking element and the volume represented by the combined bus and parking facilities. Therefore, CFA requested that FRA and the Proponents reconsider the above-ground parking element of the Project in order to develop a more “appropriately sized and sympathetically configured massing.”

³⁴ FRA submitted the Preferred Alternative to NCPC for conceptual review at the Commission’s January 9, 2020 hearing. The commissioners expressed concerns about the massing of an above-

The present parking garage consists of 2,200 parking spaces, located on four levels. Existing contracts established in the 1980s with the station’s retail operator call for 1,575 spaces—the exact number the DEIS proposes in the Preferred Alternative. These contracts will require renegotiation to address removal of the current garage that will be the initial step in reconfiguring the tracks and building the new deck. The FRA and USRC should employ modern parking parameters where each land use is assessed for parking demands in a new agreement with the station retail operator. **The C100 recommends that the EIS adopt the parking space estimating criteria the DC Office of Planning and DDOT have employed that reflects modern urban design and parking parameters.**

To justify the excessive 2040 parking requirement that FRA is projecting, the DEIS employed two inappropriate approaches:

1. Observed Demand-Based.

Cars that were in the garage more than 24 hours were assumed to be using Amtrak or intercity bus service. This number of 1,178 cars was then adjusted to 2040 based on the Amtrak growth factor of 95%, then reduced by 10% for people switching from cars to public transportation. The result was a parking requirement of 2,687 parking spaces for 2040.

2. Survey-Based.

This was based on an April 2015 - March 2016 Amtrak customer satisfaction survey that was interpreted to mean that 8%³⁷ of the passengers arriving or departing from Union Station accessed the Station by private vehicles, requiring 656 parking spaces. But because on average, they stayed 1.87 days, the DEIS uses a figure of 1,226 spaces-per-day, again adjusted to 2040 based on the Amtrak growth factor of 95%,

ground parking facility. The Commissioners approved the following language regarding the parking program:

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

³⁵ On January 7, 2020, Amtrak explained that parking for its passenger operations at WUS “is not essential to Amtrak’s operation of intercity passenger rail” and that “Amtrak does not support any entity building a parking garage specifically to support Amtrak passengers.”

³⁶ In an April 30, 2020 letter to FRA, DC Office of Planning and DDOT presented the District’s policy preferences for parking at WUS and a proposed 295 parking spaces.

³⁷ In its January 7, 2020 memorandum to FRA, Amtrak stated that the proportion of Amtrak passengers driving and parking at WUS had declined from 8 percent in 2015/2016 to 4 percent in December 2019 and that it did not support any parking for Amtrak passengers.

then reduced by 10% for people switching from cars to public transportation. The result was a parking requirement of 2,512 parking spaces for 2040.

The bases for those projections are deeply flawed. The starting point was the customer satisfaction survey in which only about 0.2% of the passengers responded to the survey.³⁸ In addition to the statistical significance of using only a 0.2% sample for the projection, there is no basis for the 8% figure for the Amtrak passengers that purportedly use the parking garage. Amtrak's January 7, 2020 memorandum to FRA explained that the percentage of Amtrak passengers driving and parking at WUS had declined from 8 percent in 2015/2016 to 4 percent in December 2019 and that Amtrak did not support any parking for Amtrak passengers.

Apparently recognizing the inadequacies of its "statistical" computations, the DEIS seeks to compare Union Station's parking need to the needs of shopping centers. Page 6 of Appendix A6 states:

WUS competes with urban retail centers throughout the region such as Chinatown, Georgetown, and Fashion Centre at Pentagon City, suggesting that its peers are urban hubs that have parking available and that the retail at WUS relies in part on the parking capacity.

But that comparison ignores Union Station's primary role of providing rail service and multimodal transportation connectivity for the National Capital Region. Nonetheless, the DEIS concludes at page 11:

Using 2040 projections for Amtrak ridership growth and the average Amtrak drive and park demand of 8 percent... the projection signals a demand for approximately 2,700 parking spaces.

* * *

FRA and USRC therefore considered statutory direction, legal agreements, and possible shifts in demand over time, and identified 1,600 spaces as the planning number for spaces at WUS, which is the amount reasonably required under USRC lease terms with some additional spaces added for flexibility.

But the 8 percent has no meaning when making a projection for 2040, since Amtrak has explained it needs no parking for 2040.³⁹ The statistical significance of the survey and practical basis for the adjustments are both questionable, but the most significant factor is what is ignored in coming up with the projection of 1,575 required parking spaces. Footnote 1, page 7, Appendix A6 states:

³⁸ Page 8, table 1.4 shows that 4,654 responded from the 2,462,747 passengers boarding, representing 0.18%. Page 9, table 1.5 shows that 5,448 responded from the 2,474,601 passengers arriving, representing 0.22%.

³⁹ See fn 38, above: Amtrak's January 7 memorandum to FRA stating it needs no parking at Union Station.

Cars in the garage for more than five hours, but less than one day, were assumed to be monthly parkers or other daily parkers associated with a 9-to-5-office use pattern and were not incorporated in the estimate. [emphasis added]

Although ignored in the DEIS, monthly parkers are currently the major users of the parking garage. The Capitol Hill neighborhood will be harmed by adverse traffic congestion on the local roadways near Union Station with an oversized parking garage for the use of monthly parkers from near-by office buildings, whose peak entry and exit times would be during rush hour, the same time rail commuters are arriving and leaving. The community already anticipates having to contend with the increased traffic from the Akridge air-rights development that plans to provide 1,320 parking spaces as a part of its development (DEIS Chapter 3 –Alternatives, page 3-43).

Union Station Needs an Alternative to Parking Income

Monthly parkers provide the majority of the income for the operations, maintenance and historic preservation of Union Station. Parking revenue sustains the Station's economic viability and supports USRC's continued preservation and use of the historic building (Appendix A6, pages 2-3):

Parking at WUS provides more than 70 percent of USRC's operating revenue. It supports station retail, office, and event uses, which facilitate the operation of the station as part of the retail lease agreement and contribute to WUS's civic role as a vibrant public space and visitor destination.

Parking revenue is used for the preservation and rehabilitation of the historic station building. As a major reliable source of revenue, parking is needed for the continuation of station preservation and operation activities.

The NCPC July 9, 2020 information presentation states on page 8:

[T]he number of monthly parkers has been growing over time. In 2017, the facility provided space for 536 monthly parkers on Level 3. These parkers were not included in the assessment of the long-term parkers. As of December 2019, FRA and USRC indicated there were a total of 1,390 monthly parkers in the garage.

The 2014 Audit Report concerning Union Station, prepared by DOT's Office of Inspector General explained that (page 2):

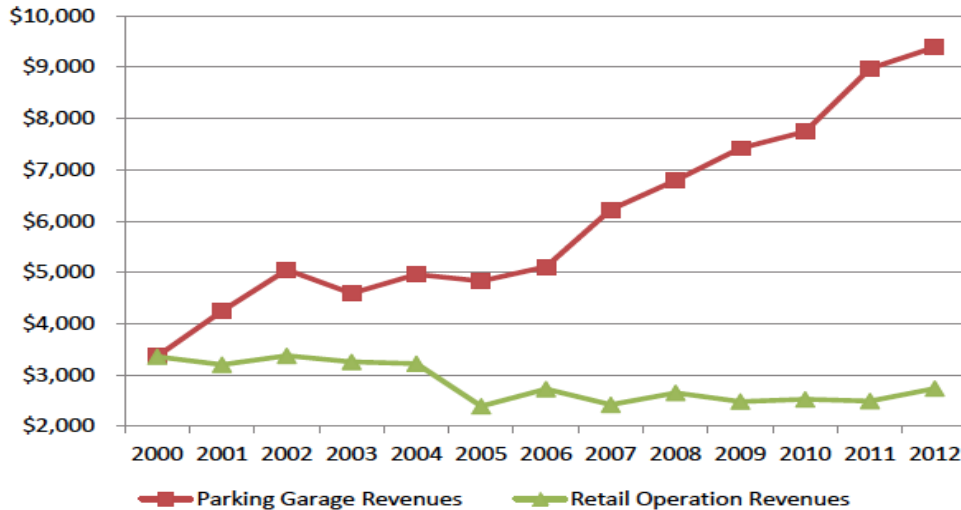
DOT and FRA have relied on USRC to effectively manage Union Station. However, USRC has not adequately planned for Union Station's future.

And the principal reason for this inadequacy is the fact that USRC has relied primarily on revenue from the parking garage to support its operation (Audit Report, page 10):

While revenues from garage operations have increased, revenues from commercial operations have decreased over the past few years. Specifically, between fiscal years

2000 and 2012, parking revenues increased from \$3.4 million to \$9.4 million, while commercial operations revenues decreased from \$3.4 million to \$2.7 million (see Figure 1).

Figure 1. Parking and Retail Revenues for Fiscal Years 2000 Through 2012, in thousands of dollars



Currently, approximately 210,000 square feet of leased retail space provides a source of revenue for USRC to fund Union Station operations, maintenance and preservation activities (DEIS Chapter C -*Purpose and Need*, page 2-14). “Current retail rents in WUS range from approximately \$75 to \$125 per square foot” (Appendix C – *Supporting Retail Information for Concept Development*, page C-3). This would indicate retail rental income of over \$20 million, but only something less than \$3 million has been made available to USRC.

The economics of this arrangement raise important questions:

- Why does USRC receive so little from its lease to Ashkenazy Acquisition Corporation, the company that manages the retail leases?
- Why do we now have benches in the East Hall and no restaurant in the Presidential Waiting Room?
- Why is the revenue from retail operations received by USRC so low?

The C100 appreciates the need for USRC to have a reliable source of income for its operations, maintenance and historic preservation activities, but building a parking garage whose primary purpose is to provide that income is not reasonable. In the near term, no parking revenue will be available once the parking garage is demolished and for several years thereafter during the period of track realignment and deck construction. For the 11-14 year construction period, the budget for the expansion project should contain a specific payment to USRC to compensate for the lost parking revenue.

A plan is needed for how to provide an alternative to parking revenue after the expansion of Union Station is complete. It may be time to investigate:

- Charging train operators for use of the station as airports charge airlines.
- A charge added to train tickets as a passenger ticket “tax”.

In the future, parking revenue will be reduced once a smaller garage is built, but there will be about 80,000 square feet of new retail space that is estimated to produce \$8.2 - 10.1 million annually (Appendix C – *Supporting Retail Information for Concept Development*, page C-10). Will USRC be able to use that for its operation, maintenance and historic preservation or will it be necessary to negotiate a new master lease with Ashkenazy Acquisition Corporation?

Conclusion

The rail projects now in progress south of Union Station are projected to be completed well within the 2040 time horizon of this project. Those projects, together with thru-running of commuter trains, electrification of the tracks south of Union Station and providing for high-speed rail south of Union Station will greatly increase the number of trains that will need to access Union Station.

Substantial revisions to the Preferred Alternative and the DEIS are required to adequately provide for these increases in future rail operation.

#####

Comments Concerning the Impacts to Historic Properties Under Section 106

On behalf of the Committee of 100 on the Federal City, thank you for the opportunity to comment upon the Draft Environmental Impact Statement (DEIS) for the proposed expansion project for Union Station. The comments below are focused upon the impacts to the historic station itself, and are meant to inform the Section 106 consultation process. As an iconic and significant work of architecture by Daniel Burnham, as a prominent feature in view of the United States Capitol building, and as one of the busiest transit points in the United States, we are keenly aware of the challenges that must be addressed and the priorities that must be balanced in planning for Union Station's expansion. From a historic preservation perspective, we believe there are four general principles which must be considered:

- The classical and symmetrical Beaux-Arts design of Union Station calls for a design that respects and complements these significant features
- Users should be able to still experience the historic station as a train station
- The impacts of any expansion on the surrounding historic neighborhood should be minimized
- The impacts to the historic station itself should be minimized

The classical and symmetrical Beaux-Arts design of Union Station calls for a design that respects and complements these significant features

The substantial parking and bus-staging structure proposed in preferred alternative A-C results in an asymmetrical view of the Northern façade of the historic station, and the height creates an intrusion in the primary front elevation of the station. It also inappropriately uses what will be pedestrian-level frontage for parking. The current parking program proposal of 1,600 spaces, which many have criticized as oversized, and a lack of a designated Pick-Up-Drop-Off (PUDO) space have put unreasonable design constraints upon the project that adversely affect the historic station. A reduced parking program, preferably one underground, would enable a reconfiguration of space to permit better civic and pedestrian use and experience at ground level.

By reducing the pressure on the parking program the massing of that structure could be reduced and the asymmetry between the proposed federal and the private development projects balanced. This would improve the view of the north side of the historic station between the two campaigns, and improve the adverse effect (we disagree with a no adverse effect determination on the north side) to the historic station that the development presents. A reduced height will also minimize effects visible from the front of the station. Given the highly ordered and symmetrical architecture of the historic station, given the expectation that the north end will be a new primary approach to the station, it is essential that FRA's expansion project and the private air rights development achieve a harmonious and similarly symmetrical design. To help achieve this, we would like to see a partnership between FRA and Akridge to establish some basic cohesive design guidelines and principles.

Users should be able to still experience the historic station as a train station

While the east/west alignment of the proposed new train hall makes good sense, it is very unclear how this addition will integrate with the historic station, or what functions will take place there. Given its great size, the new entrance to the North, and a new concourse proposed for H Street, we are concerned that the historic station itself runs the risk of functioning as nothing more than a shopping mall or a grand foyer to a completely new station. The proposed H Street concourse itself is a terrible substitute – a subterranean space below the railyard and far removed from the station is more akin to New York Penn Station. As a space considered to be universally a complete design failure, this should not be a goal.

The impacts of any expansion on the surrounding historic neighborhood should be minimized

We disagree with FRA's determination that increased traffic only has the *potential* to cause adverse effects to the neighboring Capitol Hill Historic District. The preferred alternative will clearly force increased traffic into the historic Capitol Hill neighborhood by, for example, sending all buses east on H Street NE directly into the neighborhood – instead of giving them an opportunity to travel west towards North Capitol Street. The impact on the setting, feeling and association of the historic district will be clearly adversely affected. As such, more study needs to be given to the impact of the increase in heavy traffic in the historic district, and strategies to avoid or mitigate should be employed. The only thing offered in the DEIS is a signage program, when the problem actually lies with the design itself.

The impacts to the historic station itself should be minimized

At this stage, with only functional massing to consider, it is extremely difficult to consider overall what effects the project will have on the historic station. We are very concerned that decisions made now will lead to both foreseen and unforeseen effects. As a Programmatic Agreement is negotiated as a part of this process to establish a process for evaluating effects to the historic station as design elements proceed, ongoing consultation with stakeholders must be robust and a set of design principles agreed to. Again, we encourage the development of design principles in conjunction with Akridge to assure both the expansion project and the private development work in harmony with each other as well as with the historic station itself.

Thank you for the opportunity or submit these comments on the DEIS.

Sincerely,




Kirby Vining, Chair, Committee of 100 on the Federal City



MEMORANDUM

To: David Valenstein
Senior Advisor, Federal Railroad Administration

From: Andrew Trueblood
Director 

Date: September 28, 2020

Subject: Comments on the Washington Union Station Expansion Project Draft Environmental Impact Statement from the DC Office of Planning

The District of Columbia Office of Planning (OP) is pleased to provide comments on the Draft Environmental Impact Statement (DEIS) released by the Federal Railroad Administration (FRA) on June 12, 2020, for the proposed Washington Union Station Expansion Project, in accordance with requirements of the National Environmental Policy Act (NEPA). These comments are furnished by the comment deadline of September 28, 2020.

OP has been an active participant in the NEPA process and has used the additional time to identify key concerns with the DEIS and conduct a detailed review of the DEIS. This transmittal includes themes from our early review (noted in a DC Office of Planning Director Statement, see Attachment 1), and a more-detailed comment matrix (see Attachment 2).

As noted in the August 28 Director Statement, OP's review of the DEIS highlighted six key concerns:

1. Parking
2. Urban Design
3. Optimizing Land Use for the Long-Term, 100-Year Vision for the Station
4. Pick-Up-and-Drop-Off
5. Circulation and Access
6. Proposed Mitigation Measures

Throughout the NEPA process OP has emphasized the importance of the following principles (also highlighted in Attachment 1):

- Prioritizing intermodal effectiveness and efficiency (including intercity bus, rideshare services and bicycle connections);
- Providing continued and enhanced quality of life for those who live, work, and visit the Washington Union Station area;
- Affirming the civic identity rooted in the transportation infrastructure at Washington Union Station;
- Reaffirming the importance of retaining intercity bus service at Washington Union Station; and
- Prioritizing pedestrian mobility in the design.

Attachment 1 provides specific areas of concern to my agency and includes OP's requests for modifications to the Preferred Alternative and additional analyses that should be conducted by FRA in advance of the release of the Final Environmental Impact Statement (FEIS).

The District also provides additional attachments (Attachments 3, 4, 5 and 6, below), that reflect prior correspondence on this project that directly pertain to the DEIS as currently proposed and should be made part of the official comment record for the DEIS.

I urge the FRA to develop a Project Alternative in the FEIS that is both visionary and implementable, since none of the DEIS Project Alternatives exhibits these combined characteristics. The attachments in this Transmittal provide an array of guidance, analysis, and approaches that collectively will help FRA build a new Project Alternative that can effectively accomplish this outcome.

Please accept the below attachments, which collectively represent the OP comments on the DEIS for the Washington Union Station Expansion Project; and please reach out should you have any questions.

We look forward to FRA's formal response to our comments and integration of our requests into the DEIS and FEIS processes.

cc: Eleanor Holmes Norton, Congresswoman, U.S. House of Representatives
John Falcicchio, Deputy Mayor, Planning and Economic Development, District of Columbia
Phil Mendelson, Chairman, Council of the District of Columbia
Charles Allen, Councilmember, Council of the District of Columbia
Karen Wirt, Chair, Advisory Neighborhood Commission 6C, District of Columbia
Marcel Acosta, Executive Director, National Capital Planning Commission
Gretchen Kostura, Director, Major Stations, Washington Union Station at Amtrak
Beverley Swaim-Staley, President and CEO, Union Station Redevelopment Corporation
Jeff Marootian, Director, District Department of Transportation
Tommy Wells, Director, District Department of Energy and Environment
David Maloney, State Historic Preservation Officer, Office of Planning

ATTACHMENTS:

Attachment 1: District of Columbia Office of Planning Director's Statement - Key Comments and Concerns on the Washington Union Station Expansion Project DEIS (August 28, 2020)

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Attachment 3: District of Columbia Office of Planning Director's Introductory Remarks to NCPC Commissioners at the July 9, 2020 NCPC Meeting (July 9, 2020)

Attachment 4: District of Columbia Request to FRA for Extension of Public Comment Period for the Washington Union Station DEIS (June 19, 2020)

Attachment 5: OP/DDOT Report to NCPC re: Appropriate Parking Numbers for the Washington Union Station Expansion Project (June 3, 2020)

Attachment 6: District of Columbia Office of Planning Director's Letter to FRA re: DC Comments on Preferred Alternative for Washington Union Station Expansion Project (April 30, 2020)



August 28, 2020

Statement from Director Andrew Trueblood on the District of Columbia Office of Planning's Key Comments and Concerns on the Washington Union Station Expansion Project DEIS

The District of Columbia Office of Planning (OP) has reviewed the Draft Environmental Impact Statement (DEIS) for Washington Union Station Expansion Project (Project). OP has identified several areas of critical concern for the Project Sponsor, the Federal Railroad Administration (FRA), so I am issuing this statement to support stakeholders who seek to review the DEIS and submit comments, by the rapidly approaching deadline of September 28. OP's documents related to this process can be found at: planning.dc.gov/washington-union-station.

As proposed in the DEIS, the Project falls short of what District residents, workers, visitors and stakeholders deserve and appears to be on a path to failure. To be successful, the Project must focus on the Station's relationship to the surrounding neighborhoods, its historic context, its impact on the District's transportation network, and its anchoring position in the District and the Eastern Seaboard. OP agrees with the strong and broadly-supported feedback provided by NCPC which made clear that the Project as outlined by the DEIS would not be approved and major changes, many of which are in line with those discussed in this statement, are required if the Project Sponsors want to achieve an approvable project and avoid years of redoing NEPA analyses.

This statement highlights problems that OP has identified with the DEIS in six areas:

1. Parking
2. Urban Design
3. Optimizing Land Use for the Long-Term, 100-Year Vision for the Station
4. Pick-Up-and-Drop-Off
5. Circulation and Access
6. Proposed Mitigation Measures

OP has actively participated in the National Environmental Policy Act (NEPA) process for the Washington Union Station Expansion Project and throughout the process OP has emphasized the importance of:

- Prioritizing intermodal effectiveness and efficiency (including intercity bus, rideshare services and bicycle connections);
- Providing continued and enhanced quality of life for those who live, work, and visit the Washington Union Station area;
- Affirming the civic identity rooted in the transportation infrastructure at Washington Union Station;
- Reaffirming the importance of retaining intercity bus service at Washington Union Station; and
- Prioritizing pedestrian mobility in the design.

The [Transportation Element](#) of the proposed Comprehensive Plan Update that Mayor Bowser submitted to the Council of the District of Columbia in April of this year articulates the District's goals for the expansion:

Policy T-2.2.4: Union Station Expansion

Ensure that expansion and modernization of Union Station supports its role as a major, intermodal, transit-focused transportation center. Changes to Union Station should improve intermodal connections and amenities; facilitate connections with local transportation infrastructure with an emphasis on transit, pedestrian and bicycle mobility; enhance integration with adjacent neighborhoods; minimize private and for-hire vehicle trips; reduce on-site parking; and provide a continued high quality of life for District residents and visitors.

As detailed below, these closely interrelated objectives are *collectively* critical to the Project's near- and, especially, long-term success and should be reflected in any Preferred Alternative identified in a Final Environmental Impact Statement (FEIS) if FRA truly wants to ensure a viable project without lengthy rework.

1. The Project Is Vastly Overparked

As the District articulated in a June 3, 2020 [Union Station Parking Working Group Memo](#) (Parking Memo) submitted to the National Capital Planning Commission (NCPC), the currently proposed 1,600 space parking program recommended for Union Station in Preferred Alternative A-C is excessive and not reflective of the 295 spaces the District recommends would adequately meet the station's parking needs.

In addition to incorporating District comments and points from the above Memo into the FEIS, OP encourages FRA to integrate the [comments](#) made, including my [statement](#) addressing the need for a reduced parking number, and [actions](#) taken by the NCPC at its July 9, 2020 meeting, into the FEIS.

OP calls for a significantly reduced parking program in the FEIS. This is not only consistent with the District's technical analysis, but also responds to concerns expressed by NCPC, Congresswoman Eleanor Holmes Norton, the Council of the District of Columbia, District Advisory Neighborhood Commission (ANC) 6C, the Federal City Council, nearby landowners and residents, and multiple other stakeholder groups and community members.

Additionally, OP disagrees with the following statement in the DEIS, which inaccurately characterizes the District's Parking Memo:

Neither DDOT nor DCOP provided projections supporting the recommended parking program. The agencies based their program on stated policy goals to reduce vehicular parking in the District's downtown core, generally shift users away from using private vehicles, and provide more space for residential, commercial, or mixed development (Washington Union Station DEIS, Chapter 3: Alternatives, page 3-36, lines 830-384).

This statement should be revised to reflect the fact that the District provided significant [data and analysis](#) in support of our recommended parking program, including parking demand by land use and travel mode, District policies, and a review of comparable facilities at a national level.

2. The Project's Urban Design Must Create a Great Place for Passengers and Surrounding Community

The DEIS for the Washington Union Station Expansion Project is not yet in the design stage, so the multitude of urban design opportunities and impacts associated with the expanded Station along with future private air-rights development cannot yet be fully assessed. However, despite the early stage of the current alternatives, there is not enough consideration given to the quality of the future Station's urban design and its surroundings. Greater emphasis should be placed on the following:

- The placement and scale of the parking garage and its potential impact on future open space activation, connectivity, vibrancy and character;
- The impact of parking access points, circulation, and potential queuing on pedestrian experience and on the streets and neighborhoods surrounding the Station;
- The importance of pedestrian-friendly connections between the H Street Bridge and the train halls, taking into account the challenged pedestrian streetscape and ensuring the new design creates a more vibrant, accessible, pedestrian-oriented streetscape through consideration of street furniture, lighting, wayfinding, street trees, and other means;
- The importance of enhanced pedestrian and bicycle connections between the multiple entrances of the Station, and to the surrounding neighborhood's sidewalks and bicycle network; and
- Greater consideration of northern views toward the Station from the direction of New York Avenue, which has a significantly higher elevation that will afford prominent views towards the new decking and buildings over the rail yards.

3. The Project's Land Use Program Is Obsolete and Must Look to the Long-Term, 100-Year Vision for Union Station

While the DEIS horizon year is 2040, the narrative for the long-term vision for Union Station does not match the significant opportunity or the needs for such a critical location, land uses, and multi-modal transit services in the District.

The proposed project design and improvements should maximize the investments proposed, which collectively will serve the District for the next 100 years and beyond. The DEIS's focus on preserving legacy revenue streams, especially for more than a thousand spaces of private automobile parking, weakens the proposal in several important ways, which include the following:

- Compromising the public realm,
- Detracting from historic preservation of the historic station, especially the head-house,
- Underutilizing a uniquely important location, and
- Failing to generate meaningful revenue to support the Project's costs.

OP also would like to point out that while the project horizon year is 2040, it is likely that a year or more will elapse before the NEPA process concludes when a Record of Decision (ROD) is issued. The Project will then undergo further local review and permitting, followed by over a decade of construction as described in the DEIS. Thus, 2040 is much more likely to be an opening year than horizon year for the Project.

The significant land use, design, and historic preservation potential surrendered by inclusion of the large above-ground parking garage in Preferred Alternative A-C also overlooks the significant income-generating and place-based enhancements that office, residential, hotel or other uses could provide to the Federal Air Rights development.

The existing parking garage may have been beneficial both to the Station and broader area in 1981 when USRC was established, when far fewer transportation options and lower demand for transit-oriented development existed. However, both Union Station and its local and citywide context have changed significantly, and so should the perspective and approach to parking. If the new Station does not evolve with its context, this obsolete perspective will constrain the Station for the next 100 years. This, along with the other constraints highlighted above, fatally compromise the proposed Project's potential to enhance and contribute to the excellence of urban form, vibrancy, and optimal uses the Station can and absolutely should contribute to the District.

This disconnect, among the Project's proposed retention of 1981 parking assumptions, the 2040 horizon year, and the Project's 100-year lifespan, clearly highlight the need to focus on a future for Union Station that accounts for the mobility needs of the 21st and well into the 22nd centuries, rather than replicating a 20th century obsolete vision for the design, uses, role and potential for the Station. This future will not be achieved without a significantly reduced parking program; a well implemented land use program that maximizes the potential of the location; public space that is pedestrian oriented and highlights the historical character of the Station; and a design that intentionally integrates into the surrounding neighborhoods.

4. A Dedicated Pick-Up-and-Drop-Off Facility Is Necessary for Efficiency and Convenience

OP appreciates the distributed pick-up-drop-off (PUDO) locations that FRA has included in many of its alternatives, intended to lessen the traffic impact on any one location. However, there continues to be a risk of queuing on District roadways from some of the PUDO locations. Therefore, OP encourages FRA to examine if a purpose-built PUDO facility, that in addition to the distributed facilities, could alleviate some of the traffic impacts and improve the ability of intercity travelers to connect with for-hire vehicles. OP is flexible as to the location of such a facility and encourages FRA to examine both above- and below-ground options. OP would expect to see such a facility explicitly integrated into the design of the alternatives so its impacts, including safe ingress and egress, can be analyzed. It will also be important to understand the effects of the facility on the surrounding transportation network, including impacts to pedestrian and cyclist comfort and safety.

5. Circulation and Access at the Station Need to Be Simplified to Reduce Conflicts

OP would like to see more flexibility articulated in each of the DEIS/FEIS Project Alternatives in order to accommodate future turning movement needs, site circulation, and to adjust for potential changes in demand. OP would also like to see the access points along H Street NE consolidated to reduce the number of curb cuts on the bridge deck. The significant number of access points and required signalization will create a challenging environment for all users, including pedestrians, cyclists, drivers, and transit vehicles.

OP is aware that DDOT requested that the following principles be integrated into the design of Project Alternatives during previous review. OP echoes this request and submits the following as part of this formal DEIS review and comment process:

- Higher flexibility for one-way movements and turn restrictions;
- The ability for intercity buses to move either east or west from the bus facility;
- No offset intersections; and
- Greater internal storage capacity within the site roadways for the overflow vehicles (which may be addressed by the PUDO facility noted above).

OP would like to see the following elements improved in the FEIS to address the negative impacts of the current design of Preferred Alternative A-C:

- The four closely spaced signalized intersections on the H Street Bridge;
- The restriction that buses can only make an eastbound right turn from the bus facility;
- The offset western intersection on H Street NE, which would require complex signal phasing; and
- The limited internal storage for vehicle queuing.

6. Mitigation Measures to Address Congestion and Construction Impacts

The following two sections address OP's concerns regarding mitigations for the Project when complete, and for the mitigations needed during the construction of the Project. We recognize that the DEIS contains an illustrative list of potential mitigations and that more detailed and additional mitigations will be developed as part of the FEIS development process. Therefore, comments address the set of mitigations currently contained in the DEIS and indicates what OP would like to see addressed as part of the FEIS.

Mitigation to Address Congestion

The FEIS should include a commitment from FRA and the Project Sponsors to a robust Transportation Demand Management (TDM) plan that details how the Project will achieve the needed mode split. This will require District agencies, WMATA, and the private air rights developer to work together to achieve an overall 20 percent reduction in total vehicle trip generation, across existing, no-action, and build alternatives. While this reduction has not been modeled, it is our opinion that this reduction in vehicular traffic will be critical to achieving a sustainable level of traffic. This level of traffic reduction would require multiple strategies and stakeholder collaboration, including the District's.

More detail should be included in the documentation of each Project Alternative that demonstrates how all trips are arriving to the Station. Tables should be included that show all modes of access to the Station, rather than providing this exclusively for vehicles. This table should include the following:

- Walk
- Bike/Scooter
- Metrorail
- Transit Bus
- Streetcar
- Private PUDO
- Parking
- For-Hire Vehicle
- Rental car

It is currently difficult for the DEIS reader to identify how all visitors are arriving to the Station without searching through multiple sections of the transportation assessment for each alternative.

Transportation Mitigation 29 in the DEIS currently references that the Project Proponents will work with DDOT to identify solutions to address increased traffic volumes generated using multiple approaches (Washington Union Station DEIS, Chapter 7: Mitigation Measures, Project Commitments, and Permits, page 7-6). This approach includes using a suite of solutions out of a toolbox of traffic mitigation tactics, coordination with WMATA to increase transit capacity, and a TDM strategy coordinated with DDOT. In the FEIS, OP expects that transportation mitigations will be expanded beyond what is described. Specific interventions should be detailed, including expectations of and points of collaboration with District agencies. Additional mitigations should be added that consider the

Project Proponent's ability to enhance transit access to the Station, including, but not limited to, the following:

- Enhanced bus infrastructure including priority treatments such as bus lanes and transit signal priority;
- Bus stop infrastructure;
- Charging and other supportive infrastructure for electric and alternative fuel buses; and
- Wayfinding and physical connections to facilitate intermodal transfers and incentivize transit bus use over for-hire vehicles.

OP is supportive of improvements to transit capacity in and around Union Station and believes that they should be prioritized as a means of improving access to the Station and managing the demand associated with the proposed expansion. The current narrative of the transportation assessment in Chapter 5: Environmental Consequences of the DEIS focuses on the traffic impacts associated with the Project and does not adequately contemplate or consider the improvements needed to encourage greater mode shift. As stated previously, OP believes that walk, bike and transit are the most important modes of access to the Station and should be prioritized and expanded by this project, consistent with the goals expressed in the [Transportation Element](#) of the Proposed Comprehensive Plan.

Mitigations to Address Construction Impacts

OP notes that there are several construction impacts that will push Station uses onto District roadways. These include storage and loading of intercity and charter buses, for-hire vehicles, parking, and private pick-up-and-drop off, among others. OP acknowledges that there are many unknowns at this time and that project proponents cannot commit to off-site locations for many of these uses. However, explicit acknowledgement of these impacts and a commitment to identifying a combination of off-site locations, a TDM program, and surface transit enhancements as mitigations should be included in the FEIS. OP also notes that construction will have significant impacts on people experiencing homelessness both at Union Station as well as surrounding areas, and request that the FEIS include more analysis on how the Project will address their needs and potential displacement induced by construction and long-term operation of the Station once it reopens.

OP recognizes that a final mitigation program will be included in the FEIS and emphasizes that FRA should engage DDOT as active participant in development and review of the transportation mitigation program for construction impacts.

As previously indicated, many of the same comments and concerns outlined above are also applicable to the [Project's Section 106 National Historic Preservation Act](#) review process. As has been expressed by the DC State Historic Preservation Officer and several Section 106 consulting parties, the excessive parking program does not contribute to the civic character that the historic context demands; the failure to maximize and better define the visual and daylight access zones falls short of the exemplary urban design goals that the Station warrants; and more analysis is needed to understand the impacts of additional traffic on adjacent historic neighborhoods. Addressing these issues by modifying the Preferred Alternative in meaningful ways in advance of the FEIS is critical to fulfill FRA's responsibilities to avoid and minimize adverse effects on historic properties.

Addressing the principles and themes detailed above will be critical to ensuring a successful project, one that maximizes opportunity and fully addresses challenges, and that therefore can shape an FEIS that truly supports, rather than detracting from, a forward-looking vision.

OP urges FRA to fully address all these issues before releasing the FEIS, in part by making the following specific modifications to the Preferred Alternative:

- Per Section 1, above, reduce the overall parking program from the current proposal of 1,600 vehicular parking spaces to 295 spaces (since the existing parking structure is slated for demolition and new construction to take its place, it makes no sense to rebuild a similarly oversized parking garage);
- Per Section 3, above, integrate land uses that are significantly more appropriate (such as retail, office, housing, hotel, etc.) than a vehicular parking structure, and retain an inter-city bus facility on site to ensure Union Station provides equitable and affordable transportation options;
- Per Section 4, above, add a dedicated pick-up-drop-off facility to the Preferred Alternative, assess its benefits, and develop mitigations for negative impacts;
- Per Sections 2 and 5, above, revise the design for the portion of the deck that lies south of H Street to address circulation and urban design concerns, including the four intersections that are too closely spaced, and eliminate intersections that are off set; and
- Per Section 6, above, provide detailed mitigation measures that include enhanced transit access and TDM measures (such as wayfinding, incentives for transit ridership, improved pedestrian/bicycle access, etc.), to enhance multimodal access to the Station. The current DEIS only provides a general outline of TDM measures; FRA should specify and commit to these measures.

OP is interested in facilitating the identification of a Preferred Alternative for the Project that provides for enhanced rail service well into the 22nd century, creates a vibrant community north of Union Station and emphasizes the importance of multimodal access to it. We recognize that a number of the issues we have identified present unique challenges, and we encourage FRA to work with our agency along with DDOT, NCPD, and stakeholders to identify a Preferred Alternative that allows for the future success of Union Station.

OP looks forward to continued engagement in the Union Station Expansion Project and will provide detailed comments on the DEIS by September 28, 2020.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
1	ES	ES.11.4 Summary of Impacts	ES-45	Table ES-6. Summary of Direct and Indirect Operational Impacts	The Table states that there is a total loss of revenue due for Parking at Union Station, under the Social and Economic Conditions Impacts in Alternatives B, C, D, and E.	More clarity is needed around the assumptions that determined that Alternatives B, C, D, and E represent a total loss of parking revenue, though they continue to have approximately 2,000 parking spaces. It is also flawed to only consider revenue generated by parking and not the potential income generated by the Federal Air Rights if developed under USN zoning.
2	ES	ES.13.2 What is the Status of the Section 106 Consultation Process for the Project?	ES-59 through ES-61	772-778	...adverse effects [on WUS, WUS Historic Site and the REA Building]... would result from permeant physical and visual impacts... and from construction-related vibration impacts...; ... a portion of the Capital Hill HD may potentially experience adverse effects from an increase in traffic;... the rail terminal has moderate to high potential to contain archaeological resources...	While SHPO generally agrees with this summation, our previous letter on the draft assessment of effects raised questions about a wider range of potential adverse effects including possible adverse effects on the interior of the historic station and others. FRA should acknowledge that, as pointed out on lines 792-794, Section 106 is ongoing and the assessment of effects report requires further consultation to identify the full range of adverse effects.
3	ES	ES.13.3 What are the Next Steps in the Section 106 Consultation Process?	ES-62	795-806	Once FRA has finalized the assessment of effects and received concurrence from SHPO...FRA will continue working to avoid, minimize or mitigate adverse effects... FRA anticipates preparing a Programmatic Agreement... that would include exploration of avoidance and minimization measures... [and] a process for on-going review...	SHPO requests that FRA revise the Preferred Alternative in ways that avoid the adverse effects that have already been identified in this process, rather than attempting to do so in a future consultation process (as defined in a Programmatic Agreement). This modification of the Preferred Alternative is consistent with coordination through the NEPA and Section 106 Process. The Preferred Alternative should mitigate adverse effect, rather than rely on the Programmatic agreement, because our ability to affect change is likely to be more limited once the Preferred Alternative is formally endorsed by the FEIS.
4	1	1.5 Union Station History	1-5	64 to 71	Designed by the architecture firm of D.H. Burnham & Company, ...	The history of site selection and visual relationship between the US Capitol and Union Station, as well as views toward the station along city streets and avenues, are critical for setting the context for urban design criteria, particularly the view of the station looking north on Delaware Avenue. Other important views that need to be discussed in this context are those from Louisiana Avenue, Massachusetts Avenue, and F Street. An understanding of the rail yards, imposing stone walls that support the elevated rail yard (aka. the Burnham Wall), and the H Street bridge are also needed to understand their relationship to any proposed changes. The design and layout of the rail yard, loading platforms, and ancillary facilities like the Railway Express Building all need to be discussed here too. Their relationship to the station and historic importance could lead to specific urban design recommendations. There should also be a discussion of the hierarchy of civic spaces in the Center City, the station's role in defining the neighborhoods, and its hierarchical relationship to its surroundings. Much of this research is already done, so what might be useful is to include a link to the report or documents that gives this full history.
5	3	3.3.1.2 Public and Agency Coordination	3-35	808-811	The commissioners requested that FRA and the Proponents further coordinate with the District to evaluate and confirm the appropriate amount of parking given the mix of uses, traffic and urban design impacts, and transit-oriented nature of the project prior to the next stage of NCPC review.	This text should reflect the totality of NCPC's request (https://www.ncpc.gov/docs/actions/2020January/7746_Washington_Union_Station_Expansion_Project_Commission_Action_Jan2020.pdf), which included: <i>Requests the applicant substantially reduce the number of parking spaces, and that the applicant, private development partner, and staff work with the District Office of Planning and the District Department of Transportation to evaluate and confirm the appropriate amount of parking given the mix of uses, traffic and urban design impacts, and transit-oriented nature of the project prior to the next stage of review.</i>

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
6	3	3.1.1 Identification of Project Elements	3-3	54-60	Project Elements are the different components of the multimodal Station. The key program elements for the Project are: historic station, tracks and platforms, bus facility, train hall, parking, concourse and retail, for-hire vehicles, and bicycle and pedestrian access. The Project Proponents identified the program elements through feedback received during stakeholder engagement activities conducted between Fall 2015 and Spring 2016 and from a review of the statutory requirements stated in the Union Station Redevelopment Act of 1981 (USRA).	Remove parking as an identified key program element in the refinement of the Preferred Alternative in the FEIS. Parking is a supportive use to station needs, and not a key element around which other station components should be designed.
7	3	3.1.1.5 Parking	3-7	103-109	Parking has been a component of the WUS program since the USRA and is a primary source of revenue for USRC. Parking at WUS serves Amtrak passengers, WUS users, and car rental companies. During concept development, the Proponents estimated 2040 peak parking demand to be 2,730 spaces to meet the needs of Amtrak passengers, WUS users, and rental car companies. Current total parking capacity is approximately 2,450 vehicles. The Proponents initially identified and evaluated eleven options for a parking facility, including five off-site options.	Revise this section to reflect existing parking utilization at Union Station. Existing Parking at Union Station does not primarily serve passenger rail, commuter rail or intercity bus. This minimal utilization is documented in Amtrak's passenger survey conducted December 12, 2019 through March 26, 2020. Parking is a secondary supportive use, and currently the majority of spaces are used by monthly parkers and minimally by Amtrak passengers or WUS users. This section must be modified to reflect the existing conditions at Union Station.
8	3	3.3.1.3 Parking Working Group	3-36	830-833	Neither DDOT nor DCOP provided projections supporting the recommended parking program. The agencies based their program on stated policy goals to reduce vehicular parking in the District's downtown core, generally shift users away from using private vehicles, and provide more space for residential, commercial, or mixed development.	The statement that OP and DDOT's parking recommendations were not supported by data or analysis is false and appears to be calculated to justify FRA's failure to consider reasonable parking alternatives. This statement should be revised to reflect the fact that the District provided significant data and analysis in support of our recommended parking program, including parking demand by land use and travel mode, District policies, and a review of comparable facilities at a national level. This analysis can be found here: https://planning.dc.gov/sites/default/files/dc/sites/op/page_content/attachments/June%203%202020_OP-DDOT%20Report%20to%20NCPC_Appropriate%20Parking%20Numbers%20for%20the%20Washington%20Union%20Station%20Expansion%20Project%20%28With%20Attach.pdf
9	3	3.4.1.5 Private Air-Rights Development	3-43	951-956	Through this transaction, the private developer acquired air rights for a 14-acre area starting 70 to 80 feet above the tracks and extending from north of the historic station to K Street NE, excluding the areas currently occupied by the Claytor Concourse, vehicular ramps, WUS's bus and parking facility, and the H Street Bridge.	The text needs to be modified to reflect that the appropriate height above the tracks is closer to 30 feet.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
10	3	3.4.1.5 Private Air-Rights Development	3-44	957-967	Following the acquisition, the private developer applied for specific zoning for the property. In response to the request, the District of Columbia Office of Planning (DCOP) developed the Union Station North (USN) Zoning District specifically for the private air rights. On June 3, 2011, the District issued a Notice of Final Rulemaking setting forth the USN Zoning District regulations. The USN Zoning District encompasses a total of 14 acres and two parcels: Lot 7000, which extends from H Street NE north to K Street NE; and Lot 7001, which extends from H Street NE south to WUS, east of the existing parking garage. The USN Zoning Regulations set maximum heights for buildings within the private air rights. These range from a maximum of 90 feet above the height of the H Street Bridge for areas closer to the historic station building to a maximum of 130 feet in those areas south of H Street NE closest to the bridge and in all areas north of H Street NE	Revise text for technical accuracy, as follows: Following the acquisition, the private developer applied for specific zoning for the property. In response to the request; the District of Columbia Office of Planning (DCOP) developed the Union Station North (USN) Zoning District specifically for the private air rights. On June 3, 2011, the District issued a Notice of Final Rulemaking setting forth the USN Zoning District regulations. The USN Zoning District encompasses a total of 14 acres, <u>consisting of the following lots: Square 717, Lots 7001 and 7002 (area north of H Street); and Square 720, Lots 7000 and 7001, (area between H Street and Union Station, east of the existing parking garage).</u> and two parcels: Lot 7000, which extends from H Street NE north to K Street NE; and Lot 7001, which extends from H Street NE south to WUS, east of the existing parking garage. The USN Zoning Regulations set maximum <u>matter-of-right</u> heights for buildings within the private air rights. These range from a maximum of 90 feet above the height of the H Street Bridge for areas closer to the historic station building to a maximum of 130 feet in those areas south of H Street NE closest to the bridge and <u>most of the area in all areas</u> north of H Street NE. <u>All development in the USN zone is subject to mandatory design review by the District's Zoning Commission.</u>
11	3	3.4.1.5 Private Air-Rights Development	3-44	968-974	In the sections where maximum permitted heights are below 130 feet, density bonuses are available that would add 20 feet of height (to a maximum of 110 feet adjacent to the station and 130 feet elsewhere). The USN District allows as a matter of right any use permitted in the C-3-C Zoning District, with the stipulation that 100 percent of the ground floor uses along the H Street Bridge must be retail, service, or arts uses. The regulations set a maximum nonresidential floor area ratio (FAR)57 of 5.5 with no minimum requirements for parking. At all heights, an additional 20 feet of inhabitable penthouse are permissible.	Revise text for technical accuracy, as follows: In the areas sections where maximum permitted heights are below 130 feet, <u>the Zoning Commission may permit, subject to review criteria, height increases</u> density bonuses are available that would add of u to 20 feet. of height (to a maximum of 110 feet adjacent to the station and 130 feet elsewhere). The USN District allows <u>a mix of uses consistent with the uses permitted in similar zones in downtown, DC</u> as a matter of right any use permitted in the C-3-C Zoning District; with the stipulation that 100 percent of the ground floor uses along the H Street Bridge must be retail, service, or arts uses. The regulations set a maximum nonresidential floor area ratio (FAR)57 of 5.5 with no minimum requirements for parking. At all heights, an additional 20 feet of in habitable penthouse are permissible.
12	3	3.4.1.5 Private Air-Rights Development	3-44	Footnotes	55 District of Columbia Municipal Regulations (DCMR) Section 11-2905. 56 DCMR Section 11-741. 57 The floor area ratio is the ratio of a building's total floor area to the size of the lot on which the building is built. 58 DCMR Section 11-2908.	Revise text for technical accuracy, as follows: 55 <u>11-K DCMR (District of Columbia Municipal Regulations) (DCMR) § 305 Section 11-2905.</u> 56 <u>11-K DCMR §§ 313 and 314 Section 11-741.</u> 57 The floor area ratio is the ratio of a building's total floor area to the size of the lot on which the building is built. <u>58 11-K DCMR § 308.</u> 58.5 11-K DCMR § 311 Section 11-2908.
13	3	3.4.1.5 Private Air-Rights Development	3-45	989-990	Buildings with heights in accordance with Section 2905 (up to 130 feet above the elevation of H Street NE);	Revise text for technical accuracy, as follows: Buildings with heights in accordance with <u>11-K DCMR § 305 Section 2905</u> (up to 130 feet above the elevation of H Street NE);
14	3	3.4.7.1 Summary Description	3-81	1694-1696	The portion of the Federally-owned air rights not used for the multimodal surface transportation center would be available for potential future development.	The term 'multimodal surface transportation center' is not an appropriate description of a structure's whose predominant function is to provide private vehicle storage. The facility should be referred to the Inter-city bus facility and parking garage. This comment is applicable to the use of 'multimodal surface transportation center' in all DEIS Project Alternatives.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
15	3	3.4.7.1 Summary Description	3-82	1725-1728	Potential Development of Federal Air Rights: The Federal air rights not needed for the new bus and parking facilities would be available for potential future transfer and development. The potentially developable envelope would encompass approximately 380,000 GSF.	<p>The FEIS should recognize that there would be significantly more development potential for office, hotel, or residential if the amount of GSF dedicated to parking were reduced; and that these uses would be a more productive use of developable area at this highly accessible locations.</p> <p>The footnote on the GSF available should be included in the body of the document; or at a minimum modify the last sentence to say: ...380,000 GFA, based on an assumption of rezoning the property from PDR-3 to USN.</p> <p><i>This is based on the assumption that development of the Federal air rights would be consistent with the USN zoning applied to the adjacent private air rights. This assumption is consistent across all Action Alternatives and supports a realistic assessment of potential indirect impacts. FRA determined that a change to USN zoning in the Federal air rights parcel was reasonably foreseeable based on coordination with the DCOP; the limitations of the existing zoning (PDR-3 precludes residential development), which is inconsistent with the adjacent USN zoning; and the goals of the DC SHPO to promote a symmetrical development north of the historic station. The nature of the potential future Federal air-rights development is undetermined. However, commercial development is likely. For the purposes of the impact analysis, the DEIS assumes that it would consist of office space. This is a conservative assumption because, of the likely uses for the Federal air rights in Alternative A-C, office space would generate the most vehicular trips. Per the ITE Trip Manual 10th Edition, 1,000 square feet of office space generate more trips than the same amount of residential uses.</i></p>
16	3	3.4.7.4 Bus Facility	3-85	1779-1781	Buses would exit the facility via a dedicated ramp directly onto H Street NE similar to the existing configuration. Only right turns would be possible.	There needs to be more flexibility in the future alternatives in the FEIS if right turns are only being provided at this location. Alternatives should show how intercity buses could access H Street heading west, which would allow for the possibility of different routes out of the District.
17	3	3.4.7.7 Pick-up and Drop-off Areas	3-87	1815-1816	Additionally, the second level of the bus facility could potentially be used for for-hire and private pick-up and drop-off activities if not needed for buses.	OP supports the inclusion of an on site inter-city bus facility as part of the project. There should also be a dedicated pick-up-drop-off facility integrated into the alternative, not included as a possibility. The impacts of this facility need to be analyzed and understood, and included in the FEIS.
18	3	3.5.7.2 Bus	3-94	1985-1987	At that time, in all Action Alternatives except Alternative C, East Option, temporary off-site bus facilities or loading zones would be needed, as provided by the District of Columbia, to help maintain operations.	The District has not committed to and does not anticipate having sole responsibility for proving an off-site bus facility. This narrative should be updated to note that one will need to be identified and its impacts assessed, but the reference to the District' providing a facility should be removed.
19	4	4.3.1 Regulatory Context and Guidance	4-6	108 - 114	District policies, regulations, and guidance that may pertain to water resources include:	Add Sustainable DC and the Comprehensive Plan as relevant District policy guidance.
20	4	4.4.1 Solid Waste and Hazardous Materials	4-13	243 - 266	District policies, regulations, and guidance that may pertain to solid waste and hazardous materials include:	Add Sustainable DC and the Comprehensive Plan as relevant District policy guidance.
21	4	4.5.2 Study Area	4-18	410-412	The Regional Study Area is the Metropolitan Washington Council of Governments (MWCOG) area of jurisdiction. MWCOG includes local Metropolitan Planning Organizations (MPO) in Maryland, the District, and Virginia.	Modify this text to reflect that MWCOG is the local MPO and that it includes local jurisdictions in Maryland, the District and Virginia.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
22	4	4.7.1 Regulatory Context and Guidance	4-42	904 - 906	District policies, regulations and guidance that pertain to GHG and resilience include:	Add D.C. Law 22-257. Clean Energy DC Omnibus Amendment Act of 2018
23	4	4.8.1 Regulatory Context and Guidance	4-45	969-971	District policies, regulations, and guidance that may pertain to energy resources include:	Include Sustainable DC, Clean Energy DC, and the 2018 Clean Energy Omnibus Act
24	4	4.9.1 Regulatory Context and Guidance	4-48	1012	NA	Update the list of applicable plans to include the District's Downtown East Framework Plan, Ward 5 Works, Florida Avenue Market Small Area Plan to provide a complete list of associated guidance.
25	4	Land Use, Zoning, and Local and Regional Planning	4-51	null	Figure 4-10. Local Study Area Land Uses	It is unclear what the land use base is for this map. The title needs to be updated with its relevant source, e.g. If it is Local Zoning, it is unclear if the map is based on current zoning, existing use, or the FLUM.
26	4	4.9.4.1 Land Use, Zoning, and Local and Regional Planning	4-52	1073-1074	Atlas District/H Street Corridor: The corridor is bounded by 2nd Street NE to the 1073 west...	Revise text for technical accuracy, as follows: Atlas District/H Street Corridor: The corridor, for the purpose of this EIS , is bounded by 2nd Street NE to the 1073 west...
27	4	4.9.4.1 Land Use, Zoning, and Local and Regional Planning	4-52	1081-1082	The corridor also has several Planned Urban Developments where specific land use proposals can be accommodated.	Revise text for technical accuracy, as follows: The corridor also has several Planned unit Developments where specific development proposals are approved by the District's Zoning Commission .
28	4	4.9.4.1 Land Use, Zoning, and Local and Regional Planning	4-52	Footnote	Planned Urban Developments can be implemented throughout the District.	Revise text for technical accuracy, as follows: Planned Urban Unit Developments can be approved in many parts of the District, subject to a finding by the Zoning Commission that the proposed development would not be inconsistent with the District's Comprehensive Plan .
29	4	4.9.4.1 Land Use, Zoning, and Local and Regional Planning	4-52	1083	This neighborhood is bounded by...	Revise text for technical accuracy, as follows: This neighborhood, for the purpose of this EIS , is bounded by...
30	4	4.9.4.1 Land Use, Zoning, and Local and Regional Planning	4-52	1083-1092	NA	A reference to the NoMa BID is needed as there is narrative around the Mount Vernon Triangle the text references the CID.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
31	4	4.9.4.1 Land Use, Zoning, and Local and Regional Planning	4-53	1112-1115	Between K Street and Florida Avenue, adjacent uses on the east are mostly industrial with rowhouses beyond. The east is zoned PDR-1, a commercial and industrial zone, immediately adjacent to the tracks while the residential areas are zoned RF-1. On the west, uses are a mix of surface parking lots and mixed-use developments zoned D-5.	This description of the areas along the tracks from K Street, to Florida Avenue sounds 5 years old. On the east of the tracks there used to be PDR uses and buildings but they have all been redeveloped into mixed use residential buildings. On the west side of the tracks there are high density office, residential, mix use buildings with one more planned and one under construction, and there are minimal parking lots. The narrative in the FEIS needs to updated to reflect existing land use conditions.
32	4	4.9.4.1 Land Use, Zoning, and Local and Regional Planning	4-53	1103	Much of the land is Federally owned and not subject to zoning.	Revise text for technical accuracy, as follows: Much of the land is Federally owned and federal use therefore not subject to zoning.
33	4	4.9.4.1 Land Use, Zoning, and Local and Regional Planning	4-53	1104-1106	Other areas have D zoning that promotes a dense downtown development with a mix of uses and a strong concentration of Federal uses.	This is an incorrect paraphrasing of the zoning code, and makes it sounds like the purpose of the D zone is to promote a mix of uses AND a strong concentration of Federal uses when the purpose is quite the opposite and it's one of incentivizing a mix of uses where a concertation of federal uses create ghost areas after 5pm. Revise text for technical accuracy to reflect that of the Zoning Office as follows: <u>The purpose of the D-4 zone is to provide for the orderly development and use of land and structures in areas the Comprehensive Plan generally characterized as Central Washington and appropriate for a high-density mix of office, retail, service and residential, entertainment, lodging, institutional and other uses, often grouped in neighborhoods with distinct identities.</u>
34	4	4.9.4.1 Land Use, Zoning, and Local and Regional Planning	4-53	1093 and 1101	Mount Vernon Triangle is the area bounded by... The Monumental Core includes the...	Revise text for technical accuracy, as follows: Mount Vernon Triangle, for the purpose of this EIS , is the area bounded by.... The Monumental Core, for the purpose of this EIS , includes the....
35	4	4.11.1 Regulatory Context and Guidance	4-70	1331	District policies, regulations, and guidance that may pertain to aesthetics and visual quality include:	Revise this list to include the DC Comprehensive Plan, specifically the Urban Design Element. There is specific language in the Urban Design Element about view corridors, Center City, and civic buildings and places. The Public Realm Design Manual should also be listed as a reference for general public space and streetscape regulations, standards, guidelines, etc.
36	4	4.11.2 Study Area	4-71	1341	In addition to individual cultural resources, the APE also include culturally significant viewsheds from . . .	Modify this text to include significant views not listed including: Louisiana Avenue, Massachusetts Avenue, and F Street. Please also acknowledge the view from New York Avenue, south toward the station and rail yards. These are included in Figure 4-18 but are worth mentioning here.
37	4	4.11.4.2 Existing Visual Quality	4-71	1361 to 1391	The visual quality of the environment surrounding WUS is influenced by topography, open space, vegetation, and the scale, form, location, and materials of the built environment.	Modify this section by integrating the important views toward the station from New York Avenue which is at a significantly higher elevation that will afford significant views toward the addition over the rail yards. This section should also note that architectural forms to the east, south, and west tend to be more traditional, while some buildings to the north in NoMA have tried to break from traditional forms and are more sculptural.
38	4	4.11.4.3 Existing Street Views and Significant Viewsheds	4-73	Figure 4-18	28. H Street Bridge looking south.	Modify the text to acknowledge that, all other view corridors along city streets will be lined with standard sidewalks, street trees, and landscaped areas framing views to and from the station. H Street is notable as a bridge because it will not have street trees and its urban condition is strikingly different. This should be identified as it could create opportunities for how the building relates to the street in a way not possible or supportable in other urban contexts in the District.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
39	4	Architectural History	4-82 through 4-84	Table 4-15	Table 4-15 Cultural Resources within the Area of Potential Effect	Please confirm, and update the table if needed, that the information listed in the table is accurate and comprehensive, we note two examples have issues: - The Railway Express (REA) Building is pending DC landmark and National Register Eligible - The City Post Office (Postal Museum) is listed in the DC Inventory, but also eligible for listing in the National Register. Double checking the status of each resource may be warranted - especially for resources that are adversely affected.
40	4	Architectural History	4-85	1513-1520	Description of WUS Historic Site	Modify the text to recognize that the First Street Tunnel which passes underneath Union Station is also a contributing element of the WUS Historic Site and that the WUS Expansion Project may have effects on this historic feature as well as the headhouse and related features in the rail yard.
41	4	4.13.1 Regulatory Context and Guidance	4-86	1553-1554	NCPC and District of Columbia Parks and Recreation (DCPR), Comprehensive Plan for the National Capital (2011);	This reference needs to be updated to accurately reflect the Comprehensive Plan for the District of Columbia. The Comprehensive Plan for the National Capital is a unified plan comprised of two components - the District Elements and the Federal Elements. The District Elements are authored by OP, including the Parks, Recreation and Open Space element of the Comprehensive Plan. NCPC authors the Federal Elements including the Parks and Open Space element. DPR and NCPC also collaborate and are responsible for Capital Space.
42	4	4.13.1 Regulatory Context and Guidance	4-86	1549	Relevant Federal and District policies, regulations, and guidance include:	This list should include DCMR Title 24: Public Space and Safety. Part of the District's right-of-way set aside as landscaped "parking" is legally part of the District's park and open space system. Its effect is to create a park-like character on all residential streets, which may be relevant for some public space around Union Station. The List should also include the NoMa Small Area Plan that has specific recommendations for the Metropolitan Bike Trail as well as Downtown East Re-Urbanization Strategy that has recommendations for connectivity and open space networks to the west of the station. There are other District documents (DDOT) related to the bike trail that should be listed here.
43	4	4.13.2 Study Area	4-88	Figure 4-28	Parks and Recreation Areas, Study Area	Update the park sites on this map as the information displayed is no longer correct. Many changes have happened in the area that should be reflected on this map including: Plans for the Plaza at Story Park Development which have changed significantly reducing the size of this space and should be assessed to determine if it should still be included on this list. NoMa also has plans for the NoMa Meander (shared alley spaces) that should be listed here, if this is to include all significant proposed outdoor spaces. NoMa has also created a small park on 2nd (or 3rd) Street that should be added to this inventory. "Public Parking" along city streets should also be considered as a park resource that will have views impacted. NoMa Parks foundation has also completed the Swampoodle Park. Each of these locations should be assessed to determine if they should be reflected as parks in the Study Area.
44	4	4.14.1 Regulatory Context and Guidance	4-90	Lines 1567 through 1573	The following are District regulations and guidance pertaining to social and economic conditions that are most relevant to the Project. DC Code 8-109.01 – 8.109.12, Subchapter V: Environmental Impact Statements; 1570 DC Workforce Investment Council, Workforce Innovation and Opportunity Act 2016-2020 Unified State Plan; 118 1571 and 1572 DC Office of the Deputy Mayor for Planning and Economic Development, DC's Economic Strategy: Strategy Report.	Modify this section to include The Comprehensive Plan for the National Capital in the list of regulatory guidance. Additionally, the Plan is also referenced in the subsequent section.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
45	4	4.14.4 Existing conditions	4-92-93	Lines 1585 through 1611	Full section of text. Included by reference.	Demographic data is assembled using 2015 data. These are among the oldest data in the document. Given the high-rate of housing production in the study area, these figures need to be updated in the FIES using the most recent possible data to more accurately reflect the impacts on the surrounding community.
46	4	4.14.4.4 Economic Planning Policy	4-94	Lines 1633 through 1635	The DC's Economic Strategy report provides two specific goals: raise the private sector GDP by 20 percent and reduce unemployment rates below 10 percent by the end of 2021.	This section mischaracterizes the unemployment component of the Economic Strategy's goal. These goals should be revised as follows: 1) grow the DC private sector economy to \$100 billion (by 20%), by the end of 2021. 2) Reduce unemployment across wards, races, and educational attainment levels, bringing unemployment levels below 10% in all segments by the end of 2021. This goal translates to the following targets: Reduce unemployment levels of African-American residents. Reduce unemployment levels of high school graduates without a Bachelor's degree. Reduce unemployment levels of Wards 7 and 8.
47	4	4.15.4.2 Fire and Medical Emergency Response	4-97	1705-1707	Five hospitals are located within 3 miles of WUS: Howard University Hospital, a Level 1 Trauma Center; 138 Bridgepoint Hospital, Capitol Hill Campus; and Children's National Medical Center	The narrative says there are 5 hospitals located within 3 miles of WUS, but only lists 3 hospitals. The number of hospitals needs to be confirmed and the language updated to reflect the accurate number.
48	4	4.16.4.1 Existing Conditions	4-106	NA	Table 4-19: Concentrations of Sensitive Populations in the Local Study Area	No primary or secondary schools are listed in the table, but are included in the map. Elementary and secondary schools, including public schools and charter schools, should be included in the table to reflect the risks to all school children, not just those in early learning centers.
49	4	4.16.4.1 Existing Conditions	4-106	1833-1835	Existing conditions pertaining to these aspects of the environment are characterized in Section 4.3, Water Resources and Water Quality, Section 4.4, Solid Waste 1834 Disposal and Hazardous Materials, and Section 4.10, Noise and Vibration. Air quality is the main potential stressor in the Local Study Area.	Modify this section to reflect the public health concerns mentioned in the Solid Waste Disposal and Hazardous Materials including the "High Risk: Former Underground Storage Tanks (USTs) and Spills, and Hazardous Materials Generated and Stored Identified Within the Project Area" or the "Moderate Risk: Active Railroad Right of Way Within the Project Area." Currently the Public Health section only calls out the potential impact of air quality on sensitive populations. This section limits the understating of impacts by only naming air quality impacts when there are other risks mentioned.
50	4	4.16.4.1 Existing Conditions	4-106	1840-1841	Children and the elderly are most susceptible to environmental stressors. There are several facilities in the Local Study Area that cater to these sensitive populations (Table 4-19).	In addition to senior wellness centers, FRA should consider other places that support special populations as susceptible places. FRA should consider public housing as susceptible places as well since they house both children, seniors, and other low-income individuals who may have health risks. FRA should also consider treatment facilities as susceptible places since they treat persons seeking treatment from substance abuse. FRA should consider shelters for persons experiencing homelessness as susceptible places since they provide services to individuals of all ages and individuals with higher health risks. FRA should include the public housing sites, treatment centers, and homeless shelters within the Local Study Area in the FEIS.
51	4	4.16.4.1 Existing Conditions	4-106	1840-1841	Children and the elderly are most susceptible to environmental stressors. There are several facilities in the Local Study Area that cater to these sensitive populations (Table 4-19).	It is well documented that low-income populations, including populations experiencing homelessness, are also high risk to environmental stressors, including air pollution, and face higher risks of poor health. The narrative needs to be updated to incorporate and evaluate the public health risks to low-income populations and populations experiencing homelessness that live in the Local Study Area.
52	4	4.16.4.1 Existing Conditions	4-106	1840-1841	Children and the elderly are most susceptible to environmental stressors. There are several facilities in the Local Study Area that cater to these sensitive populations (Table 4-19).	In addition to the early childcare centers listed, Table 4.19 should be revised to include: public housing sites, homeless shelters, and treatment centers. (Explanation provided above). There are several of each facilities located within the Local Study Area.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
53	4	4.16.4.2 Transportation and Mobility of the Elderly and Persons with Disabilities	4-107	1854-1856	According to ACS data for 2015, there were an estimated 1,350 individuals older than 65 within the Local Study Area in that year, or approximately 6.9 percent of the total population 1856 in the area.	The narrative needs to be modified to include ACS information on persons with disabilities since they are a special population in this section. There should be information on the District's total population of persons with disabilities. Information can be found here: https://planning.dc.gov/sites/default/files/dc/sites/op/publication/attachments/2015%20Disability%20Characteristics%20Among%20DC%20Residents.pdf
54	4	4.16.4.2 Transportation and Mobility of the Elderly and Persons with Disabilities	4-107	1843-1853	WUS received its last major renovation in the 1980s and some of its elements do not meet current accessibility standards. Such limitations impair mobility for the elderly and persons with disabilities with respect to accessibility to WUS, transit services, and facilities. Ramps that allow passengers access from WUS to the train level are difficult to navigate for wheelchair users and those with limited mobility. Amtrak Red Cap service is available to help users with reduced mobility reach their trains. However, existing platforms do not meet ADA requirements for warning strips, safety zones, vertical circulation, or pedestrian circulation. Existing platforms lack level boarding and have an excessive gap between the platform and train. Congestion within corridors and platforms; the narrow width of platforms; and single points of access and egress are a hazard to those with impaired mobility due to increased chances of trip and fall accidents.	According to a 2013 National Disability Rights Network report, while Union Station was mostly accessible, "access to the platform serving tracks 27 and 28, which serve trains going south to the Carolinas and Florida and other southern destinations, continues to lack an elevator. Thus, passengers heading south or detraining from trains using tracks 27 and 28 must wait for carts operated by Amtrak personnel that take a circuitous route out along uncovered portions of the platforms and crossing tracks to get to and from the station." The narrative needs be updated to reflect that there is no elevator to assist passengers to tracks 27 and 28. It is addressed later in the Environmental Consequences Section but not here and is important to note when discussing ADA accessibility.
55	4	4.16.4.2 Transportation and Mobility of the Elderly and Persons with Disabilities	4-107	1859-1861	The Local Study Area partially overlaps with the campus of Gallaudet University, an educational institution for the deaf and hard-of-hearing.	The size of the student body at Gallaudet needs to be included as parallel information to the size of the senior population. It is important to note the relative size of this population in the study area.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
56	4	4.17.3 Methodology	4-109	1902-1919	<p>The data source used to identify minority populations was the 2010 Census. Minority populations were considered at the block level. The CEQ guidance threshold of 50 percent was used as an indicator of minority population requiring consideration. The data source for identifying low-income populations was the ACS five-year average data for 2011 to 2015 and HHS poverty guidelines. Due to high median income in the District, households below 150 percent of the HHS poverty guidelines were considered low-income. Low-income populations were considered at the block group level. A threshold of 27 percent was used to identify concentrations of low-income residents requiring environmental justice consideration.</p> <p>Due to the rapid demographic change at WUS since 2010, additional data sources were used to confirm the location of minority and low-income populations. For Census blocks where the minority population was below the threshold, the presence of places of worship with predominantly minority congregations was used to determine whether distinct environmental justice populations may exist. Distinct low-income populations were confirmed through mapping the locations of low-income housing units. Populations in Census blocks without housing units were considered homeless if confirmed through newspaper articles or field observations.</p>	<p>In the FEIS the data for this section needs to be updated to Census data from 2014-2018 American Community Survey (ACS) 5-Year Estimates at the block group level. The other research and data points discussed in this section seem reasonable to include in the analysis.</p> <p>Minority Populations It was noted that rapid change has taken place in the study area since the 2010 Census, which was the data source used for the analysis. The 2014-2018 American Community Survey (ACS) 5-Year Estimates would provide a more recent snapshot of the population. The ACS data are available at the block group level. Not sure if using the block level data in the analysis was a requirement for this part of the analysis, but block group level data was used in the income analysis. At the very least, the 2014-2018 ACS data could verify if the original findings are still accurate.</p> <p>Low-Income Population 2011-2015 ACS data was used in the analysis. The 2014-2018 ACS estimates would provide an updated snapshot of income levels, and the data are available at the block group level.</p>
57	4	4.17.3 Methodology	4-109	1912-1913	Due to the rapid demographic change at WUS since 2010, additional data sources were used to confirm the location of minority and low-income populations.	Revise the narrative to say: 'due to the rapid demographic change in the area surrounding WUS' as WUS did not experience demographic change.
58	4	Figure 4-36	4-114	Figure	NA	The map appears to be out of date as EJ population still shows Sursum Corda as an existing public housing. OP suggests potentially change the map to "future mixed-income, affordable community" to reflect continuing changes in affordable housing.
59	5	3.4.3 Alternative	5-27	457-458	Groundwater withdrawal has the potential to cause soil settlement in the vicinity of the withdrawal. Due to lack of information, the extent of the area that could be affected cannot be determined at this time.	The lack of information about potential soil settlement makes it difficult (if not impossible) to evaluate what the potential impacts of the soil settlement from Alternatives B, C, D, and E will be on surrounding utilities, roadways, the WUS Metro Station, and nearby buildings. Obtaining further information about these potential impacts should be a priority, as they could have major impacts on infrastructure systems critical to the District. The text should specify the point in the process when the soil settlement information will be available to allow for an understand of the settlement impacts on the project.
60	5	5.3.6 Avoidance, Minimization and Mitigation Evaluation	5-45	858-862	Project Proponents to ensure that stormwater management features, including green infrastructure practices such as rainwater collection and reuse, green roofs, and bioretention facilities, are included in Project design as appropriate to manage post-construction stormwater flows in accordance with DOEE's Stormwater Management Guidebook.	In addition to DOEE's Stormwater Management Guidebook, the Green Area Ratio, found under Subtitle C of the District's 2016 Zoning Regulations, should be referenced as a tool to help to manage stormwater flows and would need to be adhered to for the private air-rights portion of the project.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
61	5	5.5.3 Methodology	5-70	50-51	FRA developed projections for each mode through a detailed multimodal model (model) using existing and projected ridership and developments, and estimated mode splits.	Clarify what modeling tool used to develop the projections. This will allow for a better understanding of the projections. OP also requests that the mode splits for arrival to the Station that are assumed under the No Action and Action Alternatives be documented in the DEIS to allow for a common understanding of how trips are made to and from the Station.
62	5	5.5.4.1 No-Action Alternative	5-73	151-154	The increase in Metrorail ridership at WUS in the No-Action Alternative would adversely affect passenger circulation. Passenger circulation is an existing issue at the station. It can take up to 8 minutes for passengers to clear the two sets of escalators from the platform level.	Clarify which of the two exits from Union Station the text is referring to. While it is likely the northern exit closer to the train platforms, the specific portal should be indicated so the impacts on Metrorail riders are better understood.
63	5	5.5.4.2 Alternative A	5-101	783-784	Alternative A, all parking and rental car activity would be in a new above-ground facility (multimodal surface transportation center) located within the same general foot print as the existing WUS parking garage, with access via H Street NE (west intersection) and the new southwest road.	Trying to rename the new parking garage multimodal surface transportation center is not an appropriate way to characterize a space which dedicated over 80% of its square footage to storing private vehicles. This facility should be referred to as the Intercity Bus Facility and Parking Garage, which explicitly reflects its nature. This comment carries forward to all uses of the term multimodal surface transportation center in each Action Alternative.
64	5	5.5.4.2 Alternative A	5-111	974-979	In Alternative A, approximately 323,720 square feet of air rights above the bus and parking facility would be potentially available for development, separately from the Project. Because the relatively small amount of available space, and its location on top of a multistory ground transportation facility with no direct street access, it was assumed for the purposes of the analysis that this space would be for additional parking. It was further conservatively assumed that the space would operate near capacity. Table 5-37 shows the trips the Federal air-rights development would generate under this assumption.	Assuming that the Federal Air Rights would be developed as parking in Alternative A is not appropriate. More appropriate use of the development potential needs to be integrated for Alternative A in the FEIS. Specific consideration should be given to office, hotel, residential or retail in this space. The impacts of this alternative will also need to be assessed in the FEIS.
65	5	5.5.4.2 Alternative A	5-117	1161-1175	The loss of parking capacity would likely lead WUS visitors or passengers to use alternative modes of transportation, including Metrorail, for-hire vehicles, and private pick-ups and drop-offs. Based on projected mode daily Metrorail trips, 431 daily for-hire trips, and 431 daily private pick-up and drop-off trips. Given the overall daily volumes of these modes, the added trips would be manageable.	The FEIS should include a discussion on the implications of providing parking on site, once users of Union Station have found alternative means of accessing intercity travel. If users can find new ways to the Station during the construction phase, it can be assumed that they can continue to travel to the station by means other than personally owned vehicles once the expansion is complete. The construction assumption for all Action Alternatives shows that it is possible for travelers to Union Stations to find other modes, or other near by locations to park. The FEIS should reflect on if it is necessary to include a garage once other viable ways of accessing the station are found during the construction phase.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
66	5	5.5.4.7 Alternative A-C (Preferred Alternative)	5-175	Figure 5-20: Key Transportation Elements, Alternative A-C	NA	OP appreciates the distributed pick-up-drop-off (PUDO) locations that FRA has included in many of its alternatives, intended to lessen the traffic impact on any one location. However, there continues to be a risk of queuing on District roadways from some of the PUDO locations. Therefore, OP encourages FRA to examine if a purpose-built PUDO facility, that in addition to the distributed facilities, could alleviate some of the traffic impacts and improve the ability of intercity travelers to connect with for-hire vehicles. OP is flexible as to the location of such a facility and encourages FRA to examine both above- and below-ground options. OP would expect to see such a facility explicitly integrated into the design of the alternatives so its impacts, including safe ingress and egress, can be analyzed. It will also be important to understand the effects of the facility on the surrounding transportation network, including impacts to pedestrian and cyclist comfort and safety.
67	5	5.5.4.7 Alternative A-C (Preferred Alternative)	5-178	2320	Adjacent to the north-south train hall on the deck level.....	Confirm if the narrative here is correct. OP's understanding is that the train hall in Alternative A-C is east-west.
68	5	5.5.4.7 Alternative A-C (Preferred Alternative)	5-181	Figure 5-21: Deck Level Circulation (All Movements), Alternative A-C	NA	More flexibility is needed in the FEIS Project Alternatives in order to accommodate future turning movement needs, site circulation, and to adjust for potential changes in demand. The following elements should be improved in the FEIS to address the negative impacts of the current design of Preferred Alternative A-C: <ul style="list-style-type: none"> • The four closely spaced signalized intersections on the H Street Bridge; • The restriction that buses can only make an eastbound right turn from the bus facility; • The offset western intersection on H Street NE, which would require complex signal phasing; and • The limited internal storage for vehicle queuing.
69	5	5.4.4.7 Alternative A-C (Preferred Alternative)	5-255	464-476	All Action Alternatives would have: No direct operational impacts because no Action Alternatives would create sources of CO2 emissions in the Project Area. Negligible indirect operational impacts, because CO2 emissions from energy consumption or vehicular and rail traffic would be small, amounting to 1 percent or less of both the District's 2017 CO2e emissions and its 2032 emission target. Negligible construction impacts, as the highest level of annual emissions (during Phase 4 if only trucks are used to remove excavation spoils) would amount to 1 percent or less of both the District's 2017 CO2e emissions and its 2032 emission target.	OP disagrees that a 1 percent impact on the District's 2032 emissions target is a negligible impact for a single project. FRA should update its analysis to more appropriately characterize the Project's significant impact on citywide emissions in the FEIS, and include mitigation measures to offset this significant impact.
70	5	5.8.4.1 No-Action Alternative	5-261	59-63	The additional electrical load from the private air-rights development may require a new substation. The new substation is likely to increase the electrical load on the local distribution system and could result in other necessary upgrades to ensure stable and reliable delivery of electricity to local customers. Such upgrades are typical for development project of that size.	A net-zero energy strategy should be considered and discussed in the FEIS, particularly for the development potential of the Federal air rights. The District's building energy codes, which are updated every three years, will soon be updated to require that all new buildings achieve net-zero energy use or better.
71	5	5.8.6 Avoidance, Minimization and Mitigation Evaluation	5-274-275	305-313	5.8.6 Avoidance, Minimization, and Mitigation Evaluation	Overall, the project proposal is carbon positive, which is directly in conflict with the District's carbon neutrality goals. The overall increase in energy use compared to existing uses may be defined as 'minor', but that baseline is soon to be antiquated relative to new development projects in the District. FRA should include tools and mitigation measures in the FEIS that will offset the carbon impact of the Preferred Alternative.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
72	5	5.9.3.1 Operational Impacts	5-277	42-45	USN zoning allows development to a maximum height of up to 130 feet above the crest of the H Street Bridge with a 20-foot height step down to 110 feet within 300 feet of the historic station building and another 20-foot height step down to 90 feet within 150 feet of it.	Add the following sentence to the end of the paragraph to correctly reflect what the USN zone allows: "Greater heights are permissible in the 110' and 90' areas if permitted by the Zoning Commission."
73	5	5.9.3.1 Operational Impacts	5-277	42-45	USN zoning allows development to a maximum height of up to 130 feet above the crest of the H Street Bridge with a 20-foot height step down to 110 feet within 300 feet of the historic station building and another 20-foot height step down to 90 feet within 150 feet of it.	Add this preamble to the statement to correctly reflect what the USN zone allows: "The USN zone permits greater heights and a mix of uses, but sets forth a mandatory design review process by the Zoning Commission."
74	5	5.9.4.1 No-Action Alternative	5-278	64-65	The No-Action Alternative would be consistent with DC Office of Planning (DCOP)'s Future Land Use Map.	Revise the narrative to correctly reflect the FLUM: "The No-Action Alternative would be consistent with the District of Columbia's Comprehensive Plan's Future Land Use Map."
75	5	Table 5-115	5-279	Table 5-115	NA	Integrate the following plans into this table as they provide relevant guidance to the Project: Downtown East Framework Plan, Ward 5 Works, Florida Avenue Market Small Area Plan and move DC. Please also include a clarification in the text noting that both the District of Columbia and NCPC have sections of the Comprehensive Plan that are applicable to this DEIS.
76	5	5.9.4.1 No-Action Alternative	5-280	105	surrounded by low-density residential	Update the text to correctly reflect that the Station is "surrounded by moderate-density residential".
77	5	5.9.4.2 Alternative A	5-281 & 5-285	132, 226	Federal property is not subject to local zoning...	This statement is incorrect. Federal public buildings are exempt from local zoning. Air rights development on Federal land for private use would be subject to zoning and is expected to comply with USN zoning.
78	5	5.9.4.2 Alternative A	5-281	149	DCOP Future Land Use Map.	Update the text to correctly reference the FLUM as follows: "the District of Columbia's Comprehensive Plan's Future Land Use Map".
79	5	5.9.4.2 Alternative A	5-284	Table 5-116	[Comp Plan Analysis]	The description of the Comprehensive Plan for the National Capital is currently only reflective of NCPC's Federal Elements. There should be a section that describes the District's portion of Comprehensive Plan, and its elements including the Central Washington Element, the Land Use Element, the Urban Design Element, the Economic Development Element, and the Transportation Element be included in this table. This comment carries forward to all other alternatives.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
80	5	5.9.4.2 Alternative A	5-285	233-240 (including bottom page reference 7)	<p>Because of its relatively modest size and location on top of a bus facility and parking facility, with no opportunity for direct access from the street level, it is assumed for the purposes of this DEIS that the space would be used for additional parking. This would be a beneficial impact because it would contribute to supporting WUS operations by making use of potentially developable space that otherwise would remain unproductive in a manner consistent with surrounding land uses. This beneficial impact would be minor because such a development would not be fully consistent with DCOP's Future Land Use Map, which shows mixed-use development with residential, retail, and office space at this location.</p>	<p>It is not appropriate to assume that the air rights left in this option should automatically be developed as parking, and it should not be assumed to be a benefit considering the oversupply of parking and its negative externalities. As stated in previous comments, please modify Alternative A to include land uses other than parking above the Bus Facility and assess their impacts in the FEIS.</p> <p>Comments on the FLUM (Carry Forward for All Alternatives) The characterization of the FLUM is incorrect, it is not OP's FLUM it is the District's. Update the text to reflect this.</p> <p>Impact can not be evaluated based on the use proposed uses in relation to the FLUM. The FLUM only displays uses that would not be inconsistent with the Comprehensive Plan. Whether it is mixed use or a single use does not matter and confers no greater or lesser benefit. Please note that the FLUM does not have "retail" and "office" categories, rather it has a Commercial. Also, the called out designation is not correct, the site of the parking garage is mixed use Comm HD / Federal. The narrative in the text should be updated to reflect these comments, and should no longer compare the use with the FLUM designation.</p> <p>The expansion project should be compared against the Comprehensive Plan in its totality, not just against the FLUM in the FEIS.</p>
81	5	5.9.4.6 Alternative E	5-304	729-735	<p>Relative to existing conditions, Alternative E would have major adverse indirect operational impacts on zoning. This is because the height of the potential Federal air-rights development would exceed what the existing PDR-3 zoning allows. Other impacts of Alternative E on land use, property ownership, and plans would be the same relative to existing conditions as they would be relative to the No-Action Alternative. These impacts would result from features of Alternative E or the Study Area that would not change with the baseline.</p>	<p>It is incorrect to characterize positive or negative impacts on zoning, which can be changed by the Zoning Commission and the change is not inherently an adverse impact. Modify this characterization of the impacts to zoning to reflect neutrality. There should also be a reference to the positive impact including parking underground in Alternative E would create by making more space available for active uses above ground and improving the project's overall design.</p>

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
82	5	5.11.3 Methodology	5-378	11 - 34	This section summarizes the methodology for evaluating the impacts of the alternatives on aesthetics and visual quality. Appendix C3, Washington Union Station Expansion Project Environmental Consequences Technical Report, Section 11.4, Methodology, provides a description of the analysis methodology. A summary is below. The assessment of impacts on aesthetics and visual quality was conducted based on 22 significant street views and six culturally significant viewsheds with views toward the Project Area, for a total of 28 views as shown in Figure 5-57 (viewsheds A, C, and D contain one view each and viewshed B containing three views). To assess the visual impacts of the alternatives, visual simulations were developed by superimposing building volumes onto photographs of the 28 views. These simulations convey building mass, height, and setback. Building volumes reflect the anticipated size of the Project elements or maximum allowable zoning volumes. They do not incorporate specific design elements, which are not known at this time. The simulations can be found in Appendix C3a, Washington Union Station Expansion Project Aesthetics and Visual Quality: Visual Assessment.	There is not enough consideration given to the quality of the future Station's urban design and its surroundings. Greater emphasis should be placed on the following: <ul style="list-style-type: none"> • The placement and scale of the parking garage and its potential impact on future open space activation, connectivity, vibrancy and character; • The impact of parking access points, circulation, and potential queuing on pedestrian experience and on the streets and neighborhoods surrounding the Station; • The importance of pedestrian-friendly connections between the H Street Bridge and the train halls, taking into account the challenged pedestrian streetscape and ensuring the new design creates a more vibrant, accessible, pedestrian-oriented streetscape through consideration of street furniture, lighting, wayfinding, street trees, and other means; • The importance of enhanced pedestrian and bicycle connections between the multiple entrances of the Station, and to the surrounding neighborhood's sidewalks and bicycle network; and • Greater consideration of northern views toward the Station from the direction of New York Avenue, which has a significantly higher elevation that will afford prominent views towards the new decking and buildings over the rail yards.
83	5	5.11.3 Methodology	5-380	Figure 5-57	The assessment of impacts on aesthetics and visual quality was conducted based on 22 16 significant street views and six culturally significant viewsheds with views toward the Project 17 Area, for a total of 28 views as shown in Figure 5-57 (viewsheds A, C, and D contain one view 18 each and viewshed B containing three views).	Include the significant views of Union Station from New York Avenue (in addition to the one shown) east of the railroad tracks in this section. Analysis of this viewshed will be important as the addition to Union Station is on the back of the station, and the elevation of New York Avenue allows for a view where the additional will be most visible.
84	5	5.11.4.1 No-Action Alternative	5-382	Table 5-121	Relative to existing conditions, the No-Action Alternative would result in direct operational impacts on 21 out of 28 views, as shown in Table 5-121	The view from New York Avenue east of the railroad tracks should be included as part of this assessment as the view would be most impacted by the proposed Air Rights development.
85	5	5.11.4.1 No-Action Alternative	5-384	Table 5-122	Moderate Adverse - 1 - H Street Bridge (#28)	The view from New York Avenue east of the railroad tracks should be included as part of this assessment as the view would be most impacted by the proposed Air Rights development.
86	5	5.11.4.2 Alternative A	5-384	NA	Alternative A	The view from New York Avenue east of the railroad tracks should be included as part of this assessment as the view would be most impacted by the proposed Air Rights development.
87	5	5.11.4.3 Alternative B	5-387	NA	Alternative B	The view from New York Avenue east of the railroad tracks should be included as part of this assessment as the view would be most impacted by the proposed Air Rights development.
88	5	5.11.4.4 Alternative C	5-389	NA	Alternative C	The view from New York Avenue east of the railroad tracks should be included as part of this assessment as the view would be most impacted by the proposed Air Rights development.
89	5	5.11.4.5 Alternative D	5-391	NA	Alternative D	The view from New York Avenue east of the railroad tracks should be included as part of this assessment as the view would be most impacted by the proposed Air Rights development.
90	5	5.11.4.6 Alternative E	5-393	NA	Alternative E	The view from New York Avenue east of the railroad tracks should be included as part of this assessment as the view would be most impacted by the proposed Air Rights development.
91	5	5.11.4.7 Alternative A-C (Preferred Alternative)	5-395	NA	Alternative A-C (Preferred Alternative)	The view from New York Avenue east of the railroad tracks should be included as part of this assessment as the view would be most impacted by the proposed Air Rights development.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
92	5	5.11.5 Comparison of Alternatives	5-399	Table 5-140	Comparison of Impacts, Aesthetics and Visual Quality	The view from New York Avenue east of the railroad tracks should be included as part of this assessment as the view would be most impacted by the proposed Air Rights development.
93	5	5.11 Aesthetics and Visual Quality	Entire Section	Mitigation	NA	Mitigation for impacted views should include aesthetic improvements to railroad bridges over K, L, and M streets and Florida Avenue wherever possible.
94	5	5.12.3 Methodology	5-403	51-53	Definition of adverse effect	The following section should be revised to be consistent with Section 106 regulations in the following manner: "An adverse effect is an effect that would alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for listing in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling and association."
95	5	5.12.3.1 Operational Impacts	5-404	72	negligible, minor, or adverse impact under NEPA	Update the narrative to read as moderate was left off the types of adverse impacts that are considered: "negligible, minor or moderate adverse impact under NEPA"
96	5	5.12.3.2 Construction Impacts	5-406	110-113	Assessment of noise and vibration impacts used the FTA thresholds applicable to construction noise and vibration. Steps to evaluate potential construction impacts to cultural resources included: identifying what physical construction effects may occur; potential visual impacts to cultural resources or visual character due to construction activities; and indirect impacts of noise and vibration.	The text should be updated to reflect the potential indirect impacts construction may have on congestion, specifically resulting from "temporary" road closures (which could be closed for long periods given the extensive construction schedules).
97	5	5.12.4.2 Alternative A	5-412	Table 5-145 (erroneously labeled 5-4151)	Major Adverse Impacts of Alternative A	The list is not exhaustive. Additional adverse impacts associated with Alt A should be added to the list, these include but are not necessarily be limited to, the visibility of the parking garage from the north (i.e. parking garages do not contribute to civic space); the loss of views to WUS from the central north-south oriented concourse; etc. This comment carries forward to the additional adverse impacts which may also result for other similar alternatives.
98	5	5.12.4.2 Alternative A	5-415	Table 5-148	Potential Adverse Effects on WUS, WUS Historic Site and REA Building	It is unreasonable from a Section 106 perspective to describe an 11-year construction schedule as anything but major adverse on the WUS Historic Site - especially when considering that it involves reconstruction of every track, removal of every historic umbrella shed etc. Similarly, the visual effects (e.g. fencing, construction equipment, temporary road closures etc.) of such a long period of construction would very likely result in major adverse effects on the WUS and REA Building. This significant impact should be recognized in the FEIS, and its impacts addressed and mitigated. This comment is applicable across all alternatives.
99	5	5.12.4.3 Alternative B	5-421	Table 5-151	Potential Adverse Effect on WUS, WUS Historic Site and REA Building	It is unreasonable from a Section 106 perspective to describe an 14-year construction schedule as anything but major adverse on the WUS Historic Site - especially when considering that it involves reconstruction of every track, removal of every historic umbrella shed etc. Similarly, the visual effects (e.g. fencing, construction equipment, temporary road closures etc.) of such a long period of construction would very likely result in major adverse effects on the WUS and REA Building. This significant impact should be recognized in the FEIS, and its impacts addressed and mitigated. This comment is applicable across all alternatives.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
100	5	5.12.4.4 Alternative C	5-422	329	Visual Impacts of Alt C (East & West Option)	<p>Although Alt C will probably still result in an adverse effect on WUS, it is worth noting that this is the first option that significantly minimizes the adverse visual impact through the introduction of a "visual access zone" to provide views to the historic station from the north.</p> <p>The condition discussed above should be integrated into the assessment of the impacts of the alternative. This comment is applicable to all Alts that incorporate the visual access zone rather than a central north-south concourse.</p>
101	5	5.12.4.4 Alternative C	5-427	Table 5-156	Comparison of Alt C Operational Visual Impacts on Cultural Resources Relative to the No-Action Alternative and Existing Conditions	<p>Union Station should be integrated and evaluated in this table. Not including Union Station suggests there is no potential for adverse effects. Perhaps it has something to do with it being relative to no-action and existing conditions but it seems unlikely that there is no potential for adverse effects on WUS in either scenario.</p>
102	5	5.12.4.5 Alternative D	5-433	Table 5-160	Comparison of Alt D Operational Visual Impacts....	<p>Union Station should be integrated and evaluated in this table. Not including Union Station suggests there is no potential for adverse effects. Perhaps it has something to do with it being relative to no-action and existing conditions but it seems unlikely that there is no potential for adverse effects on WUS in either scenario.</p>
103	5	5.12.6 Alternative E	5-442 & 443	628-647	Avoidance, Minimization and Mitigation Evaluation	<p>This section suggests that avoidance of adverse effects can be achieved through development of a Section 106 programmatic agreement. While this may be true to some degree, avoidance of the most significant adverse effects (e.g. the lack of civic space on the north side of WUS resulting, in part, from construction of too much parking rather than the grand, context specific architecture that WUS warrants) must be completed before the FEIS because the ROD will significantly limit FRA's ability to consider design alternatives that could avoid adverse effects in a meaningful way.</p> <p>Therefore, a Programmatic Agreement should be reached for the project prior to the issuance of the FEIS and associated ROD to ensure that adverse historic impacts are appropriately mitigated.</p>
104	5	5.13 Parks and Recreation Areas	5-444	Entire Section	Impact Analysis	<p>Landscaped "Public Parking" should be added as a park and recreation resource assessed for impacts, as they provide park-like amenities for the area.</p>
105	5	5.13 Parks and Recreation Areas	5-444	Entire Section	Impact Analysis	<p>The impact of increased trips on Columbus Plaza and other parks and open space resources in the area should be assessed in the FEIS.</p>
106	5	5.14.4.1 No-Action Alternative	5-462	166-173	<p>The H Street Bridge replacement would have the most impact, as it would make travel between the east and west sides of the Local Study Area more difficult during the construction period. DDOT would likely implement measures to minimize this impact. The private air-rights development construction would likely require temporary sidewalk and roadway closures along First Street NE (north of H Street) and 2nd Street NE and generate construction vehicle traffic along those streets. No sufficient information is available to assess the intensity and duration of those impacts but they would be those typical of medium- to large-scale urban construction projects.</p>	<p>FRA should reassess the impact closing of the H Street Bridge would have. It is currently characterized as a minor impact. This characterization requires further consideration. Closing a major thoroughfare in an area with significant structural barriers pertaining to the Union Station viaduct may prove more impactful than the initial assessment suggests. Alternate routes are narrow and have poorer connections to transit service.</p>

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
107	5	5.14.4.2 Alternative A	5-465	238-241	Alternative A would reduce the number of revenue-generating parking spaces at the station from approximately 2,205 in the No-Action Alternative to approximately 1,750, a 21 percent reduction. Assuming a proportional reduction in revenue, this would cause a loss of approximately \$1.79 million (2017 dollars) to WUS.	FRA should include more analysis of the potential parking revenue in the FEIS. The assumption that a reduced number of parking spaces reduces revenue by the same amount is not appropriate, especially when considering the premium pricing the remaining spaces could achieve due to the demand for fewer conveniently located parking spaces and the projected ridership growth. This analysis should also look at the potential revenue generated by potential air rights development consistent with what would be allowed under USN Zoning.
108	5	5.14.4.2 Alternative A	5-466	272-277	Alternative A may indirectly encourage development near WUS. As explained in Section 5.9.4.2, Alternative A, Indirect Operational Impacts , the District's zoning regulations and applicable plans would continue to guide the density and character of potential future development, including the development of the Federal air rights into parking space, as assumed for the purposes of the DEIS. This would avoid developments that could disrupt or dislocate local communities.	While OP acknowledges that the cited regulations and plans mitigate direct displacement, the FEIS should assess the project's potential to displace residents by establishing higher-market rents be evaluated.
109	5	5.14.4.2 Alternative A	5-466	287-290	Alternative A would have no indirect operational impacts on WUS revenue. The loss of parking and retail revenue described above in Section 5.14.4.2, Alternative A, Direct Operational Impact would cancel out any marginal increase in revenue that greater activity at the station could generate.	FRA should reassess their parking revenue assumptions, specifically the assumption that revenue drops at an equal rate per parking space. FRA should evaluate the price premium the reduced number of spaces can achieve, not assume that the price would remain static. This analysis should also look at the potential revenue generated by potential air rights development consistent with what would be allowed under USN Zoning.
110	5	5.14.4.2 Alternative A	5-467	316-318	This impact cannot be quantified at this time but it would at least partially offset the loss of revenue from the reduction in parking capacity.	The revenue generated by the potential land use development program for the site be included in the analysis for the FEIS. Without included this revenue, the benefit cost is skewed in favor of parking as a revenue source.
111	5	5.14.4.3 Alternative B	5-472	417-420	Therefore, WUS would not receive any revenue from the new parking. Based on fiscal year 2016 data, this would represent a loss of approximately \$8.5 million. In that year, parking revenue represented 59 percent of the station's total revenue.	The parking revenue generated by the garage, approximately \$8.5 million in 2016, is vastly disproportionate to the total estimated Project costs, estimated between \$5.8 and \$7.5 billion. The FEIS should acknowledge that USRC's authority to generate revenue will need to be revised, and increased in order to support a successful Project.
112	5	5.14.4.4 Alternative C	5-473	447-448	This impact cannot be quantified at this time but it would at least partially offset the loss of revenue from the reduction in parking capacity.	The revenue generated by the potential land use development program for Union Station should be included in the analysis for the FEIS. Without including this revenue, the benefit cost is skewed in favor of parking as a revenue source.
113	5	5.14.4.4 Alternative C	5-477	541-542	loss in revenue would be a major adverse impact as parking represents the majority of WUS's revenue.	The characterization of the loss of parking revenue as a major adverse impact is not appropriate. The amount of revenue highlighted in the DEIS as forgone if parking levels are diminished represents a small percentage of the overall project costs. As an example, approximately \$8.5 million in revenue was reported by USRC in 2016 which is a very small amount compared to total project costs estimated to be between \$5.8 billion to \$7.5 billion. If this revenue loss is, in fact, a major adverse impact, the Union Station Expansion Project will need very significant additional financial assistance to carry out the proposed project. This makes clear that any weight given to forgone parking revenues concern should be seriously limited. Moreover, and perhaps more importantly, the DEIS fails to provide an alternative use the Federal Air Rights that could be a revenue generator - such as commercial office, retail or hotel uses (such uses generally can generate far more revenue than parking uses). Thus, the claimed impact to revenue generation needs to be reassessed and a broader narrative around funding for the entirety of the Project should be integrated into the FEIS and include a clear analysis of revenues and costs for the project.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
114	5	5.14.4.4 Alternative C	5-478	562-566	The development of the remaining Federal air rights as approximately 952,600 square feet of office space, as is assumed for the purposes of the impact analysis, would have a beneficial impact on WUS revenue through the lease of the space (or other mechanism through which development would be achieved). This impact cannot be quantified at this time but it would at least partially offset the loss of revenue from the reduction in parking capacity.	The revenue generated by the potential land use development program for Union Station should be included in the analysis for the FEIS. Without including this revenue, the benefit cost is skewed in favor of parking as a revenue source.
115	5	5.14.4.5 Alternative D	5-483	698-699	This impact cannot be quantified at this time but it would at least partially offset the loss of revenue from the reduction in parking capacity.	The revenue generated by the potential land use development program for the site should be included in the analysis for the FEIS. Without including this revenue, the benefit cost is skewed in favor of parking as a revenue source.
116	5	5.14.4.7 Alternative A-C (Preferred Alternative)	5-490	828-830	This order-of- magnitude estimate does not account for the fact that decreasing the total number of spaces may increase the revenue generated by each space due to reduced supply and steady or increasing demand.	FRA should reassess the revenue it assumes parking at the station will command in the FEIS. Its asserted premium value should be accounted for, and if it is this alternative is unlikely to have a significantly negative impact on WUS revenue.
117	5	5.14.4.7 Alternative A-C (Preferred Alternative)	5-490	835-838	Altogether, Alternative A-C would cause a net loss in revenue for WUS. The loss would be a moderate adverse impact because all parking, which is the main source of income for WUS, would continue to generate revenue while the permanent loss of retail, if it occurs, would likely be small.	The proposed project design and improvements should maximize the investments proposed, which collectively will serve the District for the next 100 years and beyond. The DEIS's focus on preserving legacy revenue streams, especially for more than a thousand spaces of private automobile parking, weakens the proposal in several important ways, which include the following: <ul style="list-style-type: none"> • Compromising the public realm, • Detracting from historic preservation of the historic station, especially the head-house, • Underutilizing a uniquely important location, and • Failing to generate meaningful revenue to support the Project's costs.
118	5	5.14.4.7 Alternative A-C (Preferred Alternative)	5-491	860-861	This impact cannot be quantified at this time but it would at least partially offset the loss of revenue from the reduction in parking capacity.	An analysis of parking price sensitivity at WUS should be integrated into the FEIS. We believe this analysis would indicate the extent to which modified pricing could mitigate revenue losses generated from further reductions in parking spaces in the project. It is not clear that a negative impact is likely to be caused to WUS revenue. Preceding discussion for this alternative indicates that a price premium for parking at this high-value location may be able to offset revenue lost due to the reduced number of parking spaces after construction. The addition of revenue generating office indicates that WUS is likely to experience a beneficial impact to its revenue under this alternative.
119	5	5.14.5 Comparison of Alternatives	5-493	909-914	Among the Action Alternatives, the primary differentiator would be the employment and economic impacts from construction, which would be a function of cost and duration. Taking both factors into account, Alternatives B and E would support the most jobs and Alternatives A and A-C the fewest, with Alternatives C and D in the middle. Similarly, Alternatives B and E would generate the greatest total economic output and Alternatives A and A-C the smallest, with Alternative C and D generating a little more than Alternatives A and A-C.	The FEIS should include a more detailed analysis of employment generated by construction and use of air rights office developments be incorporated in these assessments. Given that some alternatives include large office developments exceeding 600,000 square feet in the federal air rights, these buildings could house thousands of employees and should be detailed more thoroughly.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
120	5	5.14.6 Avoidance, Minimization and Mitigation Evaluation	5-493	922-933	All Action Alternatives would result in a permanent loss of revenue for WUS due to a partial or complete loss of parking.	This statement should be modified in the FEIS, as this potential issues is likely overstated due to the underdeveloped assessment of the federal air rights components and the lack of analysis on the premium price that parking at the Station could demand and the potential revenue generated by the development of the Federal Air Rights.
121	5	5.14.4.1 No-Action Alternative	5-515	36-37	Relative to existing conditions, in the No-Action Alternative, there would be no direct operational impacts on public health.	This section should be modified in the DEIS to reflect the fact that there are still public health risks with air pollution levels (further detailed below) and may have some direct operational impacts on public health.
122	5	5.14.4.1 No-Action Alternative	5-515	52-53	Increases in pollutant concentrations that do not exceed the NAAQS would not result in adverse health impacts, even on the most sensitive populations.	According to a 2018 study, air pollution less than NAAQS can still have impacts on health of sensitive populations. The results of that study "show that even low levels of air pollution raise mortality risk for older adults. For locations where annual-mean PM2.5 concentrations were lower than the level of the NAAQS, an increase of 10 micrograms per cubic meter in PM2.5 was associated with increases in mortality of 13.6%. The effect was most pronounced among African Americans, men, and people with low income." The narrative should reflect this update in public health knowledge that there are still public health risks with air pollution levels under the NAAQS. https://www.nejm.org/doi/full/10.1056/NEJMoa1702747?query=featured_home& This impact should be acknowledged and reflected in the FEIS to appropriate reflect the adverse impacts NAAQs can have on residents health.
123	5	5.16.4.1 No-Action Alternative	5-515	54-57	The No-Action Alternative would have beneficial impacts on the transportation and mobility of the elderly and persons with disabilities. These beneficial impacts would be moderate because, while they would make noticeable improvements, they would still leave some known deficiencies unaddressed.	More information should be included in this section. The current statement is vague and more details or examples of how the mobility of the elderly and persons with disabilities are improved by the Alternative would be helpful.
124	5	5.16.4.1 No-Action Alternative	5-516	64-66	However, several of WUS's shortcomings, such the lack of level boarding and excessive gaps between platforms and trains, or the insufficient number of van-accessible spaces in the parking garage, would not be remedied under the No-Action Alternative.	These shortcomings should be reflected in the narrative in the Affected Environment Public Health Section (4.16.4.2 Transportation and Mobility of the Elderly and Persons with Disabilities) in the FEIS. In addition, OP would like to see a definition of "insufficient" defined in the FEIS for the number of van-accessible spaces?
125	5	5.16.4.1 No-Action Alternative	5-516	70-72	As explained above in Section 5.6.4.1, No-Action Alternative, Indirect Operational Impacts, regional emissions of several criteria pollutants would decrease over the coming decades. Emissions of PM10 would increase but would remain below the de minimis threshold.	As mentioned above, it is well established that there are still public health risks with air pollution levels under the NAAQS. https://www.nejm.org/doi/full/10.1056/NEJMoa1702747?query=featured_home& This risk should be reflected and integrated into the findings of FIES.
126	5	5.16.4.1 No-Action Alternative	5-516	77-78	Risk of hearing loss becomes a consideration with long and repeated exposure to noise levels of 85 dBA and higher. Noise and vibration analysis (Section 5.10.4.1, No-Action Alternative, Direct Operational impacts) shows that in this alternative, anticipated noise levels near WUS would not exceed 60 to 75 dBA.	It is OP's understanding that the 85 dBA standard (over a period of 8 hours) is an occupational standard to prevent hearing loss among workers. It should not be used to determine risk among non-worker populations, including sensitive populations. The EPA standards which indicate that repeated exposure (24 hours) for non-occupational populations should be limited to 70 dBA should be used for this analysis.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
127	5	5.16.4.1 No Action Alternative	5-517	96-105	Direct impacts may arise from the physical disturbance associated with construction, such as excavation of open trenches or pits; the movement and operation of large motorized equipment and trucks, and associated emissions of air pollutants and dust; or the closure of sidewalks, disruption of well-used pathways, and changes in traffic patterns. Potential adverse impacts on public health from these activities would be minor because best management practices that minimize risks from physical disturbance are a standard feature of all large construction sites. These include, for instance, fencing, clear separation of storage and staging area from the public way; and warning signs and alternative pathways during sidewalk closures.	This analysis should recognize that there are still mobility concerns, especially for persons with disabilities and seniors. The statement should be modified to in the FEIS, because as written it minimizes the impacts that the changes would have on persons with disabilities and seniors.
128	5	5.16.4.2 Alternative A	5-518	124-132	Emissions from increased railroad operations, combined with emissions from greater vehicular traffic on the adjacent roadways, would result in higher localized concentrations of CO and PM2.5. However, concentrations of these two pollutants would not exceed the applicable NAAQS 131 see Section 5.6.4.2, Alternative A, Direct Operational Impacts). Therefore, anticipated increases would not result in health-related impacts, even on the most sensitive populations	As mentioned above, it is well established that there are still public health risks with air pollution levels under the NAAQS. https://www.nejm.org/doi/full/10.1056/NEJMoa1702747?query=featured_home& This risk should be reflected and integrated into the findings of FIES.
129	5	5.16.4.2 Alternative A	5-519	162	Alternative A would cause additional regional emissions of all criteria pollutants relative to the No-Action Alternative (Section 5.6.4.2, Alternative A, Indirect Operational Impacts. However, Alternative A-related emissions would remain below the applicable de minimis levels. As such, there would be no public health impacts.	As mentioned above, it is well established that there are still public health risks with air pollution levels under the NAAQS. https://www.nejm.org/doi/full/10.1056/NEJMoa1702747?query=featured_home& This risk should be reflected and integrated into the findings of FIES.
130	5	5.16.4.2 Alternative A	5-519	165-168	Relative to the No-Action Alternative, ambient noise levels would increase at several locations under Alternative A (Section 5.10.4.2, Alternative A, Direct Operational Impacts). However, increases would not exceed three dBA and would be barely perceptible if at all. Nowhere would noise levels reach levels that could cause NIHL.	The increased noise levels of 3 dBAs in this alternative would be higher than the EPA standards of 70 dBAs for repeated exposure (24 hours) for non-occupational populations. Figure 5.34 Noise Levels shows that areas immediately surrounding the tracks are expected to have 75-80 dBAs, which may disproportionately impact residents experiencing homelessness (but those impacts are not detailed because the study failed to consider the homeless population). The narrative in the FEIS should be updated to incorporate and evaluate the impact of noise levels on non-occupational populations in the study area including persons experiencing homelessness.
131	5	5.16.4.2 Alternative A	5-520	210-215	While construction activities would cause air pollutant emissions, the amount of emissions would vary with, and within, each construction phase and with the type of activity. Quantitative estimates of construction related criteria pollutant emissions in Alternative A are presented in Section 5.6.4.2, Alternative A, Construction Impacts. The analysis showed that there would be no construction year during which emissions of criteria pollutants would exceed the applicable de minimis levels. Therefore, these emissions would not adversely affect public health.	As mentioned above, it is well established that there are still public health risks with air pollution levels under the NAAQS. https://www.nejm.org/doi/full/10.1056/NEJMoa1702747?query=featured_home& This risk should be reflected and integrated into the findings of FIES.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
132	5	5.16.4.2 Alternative A	5-521	266-268	Relative to existing conditions, Alternative A would also have no adverse indirect operational impacts on public health and minor adverse indirect operational impacts on the transportation and mobility of the elderly or persons with disabilities outside WUS.	This summary statement should reflect the major adverse impacts that were shared in lines 237-529 in the FEIS.
133	5	5.16.4.3 Alternative B	5-522	275	Alternative B would have no adverse direct operational impacts on public health for the same reasons as Alternative A.	As mentioned above, it is well established that there are still public health risks with air pollution levels under the NAAQS. https://www.nejm.org/doi/full/10.1056/NEJMoa1702747?query=featured_home& This risk should be reflected and integrated into the findings of FIES.
134	5	5.16.4.3 Alternative B	5-522	279-287	Alternative B's parking would be in two below-ground levels along the west side of the rail terminal, between K Street NE and the back of the historic station building. The walking distance from parking spaces to the back of the historic station building would increase by up to approximately 1,000 feet relative to the No-Action Alternative. Navigating the parking facility to the nearest WUS access point could be more challenging to persons with reduced mobility than in the No-Action Alternative. While Alternative B would generally improve conditions at WUS for the elderly and persons with disabilities, resulting in a net beneficial impact, the parking facility location would offset some of the benefits, making the impact moderate.	There should be more discussion of the impacts on access for persons with disabilities and the elderly. The current assessment appears to over state the general improvements, while the negative impacts of the parking changes are understated. Please include more detail in the FEIS, as it is possible that the calculus is closer to minor positive impacts when the negative impact of the mobility concerns are taken into account.
135	5	5.16.4.3 Alternative B	5-522	288-290	Relative to the No-Action Alternative, Alternative B would have no adverse indirect operational impacts on public health and minor adverse indirect operational impacts on the transportation and mobility of the elderly or persons with disabilities outside WUS.	There should be more information in the FEIS used to justify the finding of no adverse indirect impacts on public health and the determination of minor adverse indirect impacts on transportation and mobility of the elderly or persons with disabilities outside WUS; the information currently provided is not detailed enough to make these assertions.
136	5	5.16.4.3 Alternative B	5-522	298-301	Although Alternative B would cause higher noise levels during the early phase of construction due to the type of cut-off wall used, the potential for members of the public to be exposed to levels that could cause NIHL would be as limited as in Alternative A. Similarly, construction-related air pollutant emissions in Alternative B would remain below de minimis levels.	Same as above; air pollutant emissions may be below the standard levels, but there may still be impacts on health. The FEIS should use noise standard based on occupational standards, not non-occupational standards.
137	5	5.16.4.3 Alternative B	5-523	311-313	Alternative B would represent a greater improvement relative to existing conditions than relative to the No-Action Alternative, but the beneficial impact would remain moderate because of the relocation of parking to a two-level, below-ground facility	As stated above, the FEIS should better assess impacts on access for persons with disabilities and the elderly. The current assessment appears to over state the general improvements, while the negative impacts of the parking changes are understated. Please include more detail in the FEIS, as it is possible that the calculus is closer to minor positive impacts when the negative impact of the mobility concerns are taken into account.
138	5	5.16.4.3 Alternative C	5-523	316-322	Relative to the No-Action Alternative, Alternative C (either option) would have no adverse direct operational impact on public health... Alternative C (either option) would not have adverse direct operational impacts on public	Based on the analysis commented on above related to air and noise, Alternative A should be characterized to have minor adverse direct operational impacts on public health from the noise levels and air quality levels. Due to their similar characteristics, Alternative C would have minor impacts as well.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
139	5	5.16.4.3 Alternative C	5-523	318-319	It would have a moderate beneficial direct operational impact on the transportation and mobility of the elderly or persons with disabilities within WUS.	The FEIS should reassess this finding, as the finding of a moderate beneficial direct impact on mobility of the elderly or persons with disabilities, is not reflective of the findings noted in section about the challenges that the parking garage will create for elderly populations and persons with disabilities. "Relative to the No-Action Alternative, this layout would increase the maximum walking distance from the bus facility and a majority of the parking spaces to other parts of WUS. Bus passengers would have to walk approximately an additional 1,100 feet in the East Option and an additional 250 feet in the West Option to reach the back of the historic station building. The connection would be through the new concourses, which would be ADA-compliant but could still represent a challenge for persons with reduced mobility."
140	5	5.16.4.3 Alternative C	5-523	344-349	Relative to the No-Action Alternative, Alternative C (either option) would have no adverse indirect operational impacts on public health and minor adverse indirect operational impacts on the transportation and mobility of the elderly or persons with disabilities outside WUS. The indirect operational impacts of Alternative C would be the same as those described for Alternative A in Section 5.16.4.2, Alternative A, Indirect Operational Impacts.	Based on the analysis commented on above related to air and noise, OP Alternative C should be characterized to have minor adverse direct operational impacts on public health from the noise levels and air quality levels.
141	5	5.16.4.5 Alternative D	5-525	379-382	Persons parking in the above-ground parking facility would need to use surface streets to reach the nearest access point to WUS on H Street NE, approximately 600 feet away. This would require them to be outside and exposed to weather conditions. This may present a challenge to people with reduced mobility. Once within WUS, they would need to walk another 900 feet or so to reach the back of the historic station building, though this would be in air conditioned concourses. Also, more than half of the parking spaces would be one below-ground level on the west side of the rail terminal between K Street NE and the back of the historic station building. Some parkers would need to walk approximately 1,000 feet to reach the back of the station.	The access from the parking facility in Alternative D contains challenges for those with limited mobility. FRA should highlight and mitigate these challenges in the FEIS.
142	5	5.16.4.5 Alternative D	5-525	399-403	Overall, like the other Action Alternatives, Alternative D would generally improve conditions at WUS for the transportation and mobility of the elderly and persons with disabilities, resulting in a net beneficial impact. The remote location of the parking facility and lack of private pick-up and drop off area next to the train hall would offset some of the benefits, making the impact moderate	As Stated above, the FEIS needs more discussion of the impacts on access for persons with disabilities and the elderly. The current assessment appears to over state the general improvements, while the negative impacts of the parking changes are understated. More detail is needed in the FEIS, as it is possible that the calculus is closer to minor positive impacts when the negative impact of the mobility concerns are taken into account.
143	5	5.16.4.6 Alternative E	5-526	429-430	Alternative E would have no adverse direct operational impact on public health for the same reasons as Alternative A (Section 5.16.4.2, Alternative A, Direct Operational Impacts).	Based on the analysis commented on above related to air and noise, Alternative E should be characterized to have minor adverse direct operational impacts on public health from the noise levels and air quality levels.
144	5	5.16.4.6 Alternative E	5-527	456-458	Alternative E would 456 represent a greater improvement relative to existing conditions than relative to the No Action Alternative, but the beneficial impact would remain moderate because of the relocation of all parking to a two-level, below-ground facility.	As Stated above, the FEIS needs more discussion of the impacts on access for persons with disabilities and the elderly. The current assessment appears to over state the general improvements, while the negative impacts of the parking changes are understated. More detail is needed in the FEIS, as it is possible that the calculus is closer to minor positive impacts when the negative impact of the mobility concerns are taken into account.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
145	5	5.16.4.7 Alternative A-C (Preferred Alternative)	5-527	461-464	Relative to the No-Action Alternative, Alternative A-C would have no adverse direct operational impact on public health	Based on the analysis commented on above related to air and noise, Alternative A-C should be characterized to have minor adverse direct operational impacts on public health from the noise levels and air quality levels.
146	5	5.16.5 Comparison of Alternatives	5-529	487-491	The Action Alternatives would have no adverse operational impacts and minor adverse construction impact on public health. They would all include the same air conditioning strategy to maintain temperature and air quality within WUS. Outside WUS, increases in air pollutant emissions from more railroad operations and vehicular traffic would remain below the applicable NAAQS.	Based on the analysis commented on above related to air and noise, OP FRA should reassess the impacts of construction on public health in the FEIS.
147	5	5.16.5 Comparison of Alternatives	5-529	497-500	In all Action Alternatives except Alternatives A and A-C, average walking distances from and to the bus facility, parking, or both would increase relative to the No-Action Alternative, which may adversely affect users with reduced mobility. This is most evident in Alternative C with the East Option, followed by Alternative C with the West Option.	There should be mitigation measures in the FEIS to reduce the impact on users with reduce mobility.
148	5	5.16.5 Comparison of Alternatives	5-529	Table	Table 5-183: Comparison of Alternatives, Public Health, Elderly and Persons with Disabilities	This finding should be reassessed in the FEIS, as the finding of a moderate beneficial direct impact on mobility of the elderly or persons with disabilities, is not reflective of the findings noted in section about the challenges that the parking garage will create for elderly populations and persons with disabilities. "Relative to the No-Action Alternative, this layout would increase the maximum walking distance from the bus facility and a majority of the parking spaces to other parts of WUS. Bus passengers would have to walk approximately an additional 1,100 feet in the East Option and an additional 250 feet in the West Option to reach the back of the historic station building. The connection would be through the new concourses, which would be ADA-compliant but could still represent a challenge for persons with reduced mobility."
149	5	5.18.4.11 Aesthetics and Visual Quality	5-579 & 580	774-818	Cumulative Impacts of the Project on Aesthetics and Visual Quality	More analysis of the visual impacts of the parking garages needs to be included in the FEIS for the alternatives with large parking structures (all Alternatives except for B and E). The contention that the private air rights development "would surround, obscure, encompass, or balance" the various new visual elements, including the parking garage, seems incorrect, and needs to be demonstrated in the visual impact analysis more clearly. The FEIS should include updated diagrams showing visual impacts which better reflect different building types, as the current colored boxes used in view diagrams do not differentiate between building types that tend to be eyesores (parking garages) and those that are more visually appealing.
150	5	5.18.4.12 Cultural Resources	5-579 - 5-580	819-849	Cumulative Impacts of the Project on Cultural Resources	This section acknowledges the likelihood for cumulative adverse impacts on cultural resources; however, the current language downplays the degree to which these impacts would occur by referring to avoidance, minimization and mitigation measures that would result from review under Section 106 and DC Historic Preservation Law. The magnitude of these impacts need to be reassessed and reflected in the FEIS due to the significant adverse effects that are likely to result explicitly from the expansion project.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
151	7	Mitigation Measure 29	NA	NA	Proponents to coordinate with DDOT on transportation demand management, for-hire, and transit strategies to reduce the total number of 2040 trips by 20%.	<p>The FEIS should indicate what the total number of 2040 trips compared to; specifically, if it is the forecasted number of for-hire vehicle trips, existing vehicle trips. There should be more narrative about this shift, and a statement about what the number being reduced from is. Also, the District would like to see a greater commitment to mode shift (walking, biking, transit) expressed in the mitigation measures.</p> <p>The FEIS should include a commitment from FRA and the Project Sponsors to a robust Transportation Demand Management (TDM) plan that details how the Project will achieve the needed mode split. This will require District agencies, WMATA, and the private air rights developer to work together to achieve an overall 20 percent reduction in total vehicle trip generation, across existing, no-action, and build alternatives. This level of traffic reduction would require multiple strategies and stakeholder collaboration, including the District's.</p>
152	7	Mitigation Measure 29	NA	NA	<p>Proponents to work with DDOT to identify solutions out of a toolbox of traffic mitigation approaches, including, but not limited to, regular monitoring activities, turn restrictions, alternative intersection phasing, lane reassignment, parking restrictions, and street pattern changes, at the most severely impacted intersections in the study area.</p> <p>Proponents to coordinate with DDOT and WMATA on opportunities to achieve greater core transit capacity through additional lines or services, in order to accommodate a greater mode shift from vehicles to transit.</p>	<p>Mitigation 29 includes using a suite of solutions out of a toolbox of traffic mitigation tactics, coordination with WMATA to increase transit capacity, and a TDM strategy coordinated with DDOT. In the FEIS, OP expects that transportation mitigations will be expanded beyond what is described. Specific interventions should be detailed, including expectations of and points of collaboration with District agencies. Additional mitigations should be added that consider the Project Proponent's ability to enhance transit access to the Station, including, but not limited to, the following:</p> <ul style="list-style-type: none"> • Enhanced bus infrastructure including priority treatments such as bus lanes and transit signal priority; • Bus stop infrastructure; • Charging and other supportive infrastructure for electric and alternative fuel buses; and • Wayfinding and physical connections to facilitate intermodal transfers and incentivize transit bus use over for-hire vehicles.
153	7	Mitigation Measure 34	NA	NA	Greenhouse Gas Emissions and Resilience (see also Energy Resources and Air Quality)	The reduction of vehicle trips, private, drop off and parking should also be recommended as a way to reduce greenhouse gas emissions and resilience. Transportation is one of the largest contributors to these areas, mode shift to less impactful forms of transportation should be identified.
154	Appendix A6	1.3.2.3 Parking Program Policy	11 of 12	NA	Such a program would be consistent with USRC's 99- year lease agreement with Union Station Investco (USI), which manages WUS retail.	The reference to the lease agreement should be struck from this location and should not dictate terms of this project. Moreover, it seems implausible that the lease agreement would not be renegotiated as part of the impacts associated with project construction.
155	Appendix A6	2.2.4 Conclusion	21 of 22	NA	FRA and the Proponents' 2017 decision to reduce the parking program below the estimated 2040 demand level of 2,730 as well as below the existing parking capacity of 2,450 is consistent with the District's policy goal. This determination is reflected in the DEIS Action Alternatives, each of which is grounded in data and analysis and greatly reduces the existing WUS parking capacity despite significant projected increases in activity at WUS over the next 20 years and beyond.	The parking program still represents a significant amount of parking at a highly multimodal location. The District would argue that while 1,600 spaces is a reduction from an excessive projected need of 2,730, it is still in excess of what is needed to support the station and in fact will detract from its urban context and historical nature.
156	Appendix A6	2.2.4 Conclusion	21 of 22	NA	FRA considers the provision of adequate parking as an important factor to attract passengers to the Federally owned station and provide different modes of access for station users.	The 295 spaces recommended by the District is an adequate number to meet WUS needs. The 1,600 spaces included in the Preferred alternative is an excessive amount of space dedicated to storing private vehicles in a multimodal urban area. The FEIS should reflect 295 spaces.

Attachment 2: District of Columbia Office of Planning Comments on the Washington Union Station Expansion Project DEIS (September 24, 2020)

Comment No.	DEIS Chapter	DEIS Section	DEIS Page Nos.	DEIS Line Nos.	DEIS Text	DC Office of Planning Comment
157	Appendix A6	2.2.4 Conclusion	21 of 22	NA	The Action Alternatives with the current parking program also support the Project's Purpose and Need by maintaining full multimodal functionality at WUS and a reliable source of commercial revenue used for the preservation of the historic station building.	Parking is not the only use for this develop-able area, uses such as office, residential or hotel could provide just as steady a revenue stream. Arguing that parking is needed for USRC's viability is inaccurate and not appropriate.
158	Appendix A6	2.2.4 Conclusion	21 of 22	NA	In the absence of substantial evidence of reduced parking needs, it is necessary to plan for the parking amount proposed.	The District research and Amtrak's letter are both substantial evidence of reduced parking needs.
159	Appendix A6	3 Assessment of Impacts of Reduced Parking Program	23 of 24	NA	The purpose of this section is to help inform public and agency comment by providing a qualitative assessment of how a substantial reduction in the parking program would change the environmental impacts of the Action Alternatives as analyzed in Chapter 5 of the DEIS.	Indicate the number of parking spaces assumed in a reduced parking program.
160	Appendix A6	3.2.1 Alternative A	23 of 24	NA	Reducing the parking program would change how station users travel to and from the station, affecting several transportation modes, including Metrorail, for-hire vehicles, and private pick-up and drop off. Metrorail and pick-up and drop-off modes would see increased demand. This shift in turn would potentially have a minor effect on traffic operation impacts and air quality impacts associated with vehicular traffic. While parking-related traffic may decrease, increased pick-up and drop-off activities may contribute to traffic congestion elsewhere.	This assumes that a dedicated PUDO facility is not created to accommodate these trips. The impacts of reduced parking on the surrounding area should be assessed in combination with the implementation of an enhanced and dedicated PUDO facility for Union Station. The negligible increase in trips should not impact air quality in any substantial manner.
161	Appendix A6	NA	27 of 28	NA	Table 3.1. Changes in the Anticipated Impacts of Alternatives A and A-C with Reduced Parking Program as Compared to the Impacts Identified for Alternatives A and A-C in the DEIS	The general assumption that there would be more impacts associated with land use development and a smaller parking footprint is misleading. These impacts would need more detailed analysis than is given in this Appendix.
162	Appendix A6	NA	28 of 29	Table 3.1	Under the Social and Economic Conditions: Direct Operational Impacts assume Greater Adverse Impacts on WUS revenue.	This operational impact does not account for the opportunity use of the developable areas as a new use, which would likely meet, if not exceed, the revenue of parking.
163	Appendix A6	NA	28 of 29	Table 3.1	FRA notes adverse impacts related to energy, water, emissions, etc. due to the proposed greater footprint of office development.	It is inaccurate to assume that there would be adverse impact from developing the air rights as a productive land use, in lieu of parking. More analysis is required in the FEIS of a land use program in lieu of parking at this location.
164	Appendix C3	5.5.7.1 Direct Operational Impacts	5-184	NA	WUS activity in Alternative A-C would generate more peak-hour parking trips than would be the case in the No-Action Alternative as shown in Table 5-119. In the AM peak, the difference between Alternative A-C and the No-Action Alternative would be 88 trips (47 percent). In the PM peak, the difference would be 11 trips (4 percent).	While there are more train riders in Alternative A-C than in in the No-Action alternative more narrative and discussion is needed around why there are more trips assumed to be generated by the garage/parking in Alternative A-C (which assumes 1,600 parking spaces) than in the No-Action which has over 2,400 parking spaces.
165	Appendix C3	5.5.7.1 Direct Operational Impacts	5-190	NA	Table 5-123. AM Peak-hour Traffic Volumes, Alternative A-C; Table 5-124. PM Peak-hour Traffic Volumes, Alternative A-C	It would be helpful to see tables that show how all trips are arriving at Union Station in one table, not just vehicular trips. Including Metrorail, bus, streetcar, walk, and bike in these tables, and all similar tables will better help the reader and reviewer understand the mode split for patrons of Union Station.

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

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

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

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

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

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

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

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

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

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

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

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

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

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



Office of the Directors

June 19, 2020

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

RE: District of Columbia Request for Extension of Public Comment Period for the Washington Union Station Draft Environmental Impact Statement (DEIS)

Dear Mr. Valenstein,

The District of Columbia Office of Planning (OP) and the District Department of Transportation (DDOT) respectfully request that the Federal Railroad Administration (FRA) extend the comment period for the Draft Environmental Impact Statement and Draft Section 4(f) Evaluation for the Washington Union Station Expansion Project (DEIS) from July 27, 2020 to September 28, 2020. OP and DDOT have both been active participants in the NEPA process for the Washington Union Station Expansion Project, which looks to expand future operations at the station. Given the complexity of the Project, the voluminousness of the DEIS, and FRA's request for public comment on the Project's parking program, for which the DEIS fails to consider any alternative with reduced parking, as requested by the National Capital Planning Commission, OP, DDOT, DC Council, and the local Advisory Neighborhood Commission, among others, this extension is more than justified.

On Thursday, June 6, 2020, the FRA informed our agencies that the DEIS and Section 4(f) Evaluation were available for review and comment and stated that the deadline for sending comments is July 27, 2020. Considering the exigencies of the COVID-19 public health crisis, the comment period should have been set for the longer 60-day period allowed under 23 C.F.R. § 771.123(k), not the 45-day minimum.

Regardless, an extension to September 28, 2020 is necessary to give our agencies, the public, and other stakeholders adequate time to review the 1,017-page main body of the DEIS and its 3,733 pages of appendices. The proposed expansion of Union Station has the potential to dramatically change the urban environment in the station's surrounding area and requires a thorough review. The current 45-day review period does not provide adequate time for staff to review the technical document and coordinate a response that reflects the potential magnitude

of impact the proposed action in the DEIS would have on transportation, urban design, air quality, land use, noise and other topic areas.

An extension is further justified by FRA's call for comment on the Project's parking program, which, at approximately 1,600 spaces, greatly exceeds the amount needed to serve a project that is accessible by Metrorail, Streetcar, MARC, VRE, Circulator and WMATA bus routes, and is located adjacent to the District's highly walkable and bikeable downtown. This accessibility highlights the limited role private vehicle access should have in sustaining the future land use components of Union Station. On April 30, 2020, OP and DDOT sent a letter to FRA requesting that the DEIS include a substantially reduced parking program that substitutes the difference in parking with additional land use programming, and integrates pick-up and drop-off facilities. The request was supplemented by the District's Parking Report to NCPC, provided to FRA in advance of the DEIS release, that highlighted a recommendation for a reduced parking program based on District policies, analysis of the project's parking demand, and a review of comparable facilities.

Lacking analysis of an alternative with substantially reduced parking, we are concerned that the DEIS fails to "rigorously explore and objectively evaluate all reasonable alternatives" as required under 40 C.F.R. § 1502.14, or to "inform decisionmakers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment," the fundamental purpose of an Environmental Impact Statement, 40 C.F.R. § 1502.1. Instead, it places the onus on the public and other stakeholders to identify and analyze the impact of such a reasonable alternative, a burden shift that necessitates the requested extension.

We are similarly concerned about the aggressive schedule proposed for the consultation process required under Section 106 of the National Historic Preservation Act. The DC State Historic Preservation Office (SHPO), housed at OP, wrote to FRA on May 19, 2020 to request that additional consulting parties meetings be held in advance of the release of the Revised Draft Assessment of Effects Report (AOE) and DEIS so that there is a meaningful opportunity to discuss alternatives that might avoid adverse effects. FRA failed to respond to SHPO's request. Additional time to review the revised AOE and relevant sections of the DEIS is necessary to facilitate meaningful discussions about potential adverse effects, especially those related to traffic, urban design and open space.

The first Section 106 meeting is scheduled less than one month following the release of the DEIS, providing too little time to review the detailed technical document. A second meeting is tentatively scheduled the following week to address both the AOE and the Programmatic Agreement envisioned to conclude initial Section 106 consultations. To provide consulting parties adequate time to prepare for these discussions, these meetings should be rescheduled to a later date.

Thank you for considering our request to extend the DEIS public comment period to September 28, 2020 and to revise the Section 106 meetings schedule. Doing so will serve everybody's interest in allowing for substantive comments that will identify issues and offer recommendations to support an EIS that will provide for a successful future for Washington Union Station.

Sincerely,



Andrew Trueblood
Director
District of Columbia Office of Planning




Jeff Marootian
Director
District of Columbia Department of Transportation


CC: John Falcicchio, Deputy Mayor for Planning and Economic Development
Councilmember Phil Mandelson, Chair, Committee of the Whole
Councilmember Charles Allen, Ward 6
Advisory Neighborhood Commissioner Karen Wirt, Chair, ANC 6C
Beverley Swaim-Staley, President and CEO, Union Station Redevelopment Corporation
Marcel Acosta, Executive Director, National Capital Planning Commission
Gretchen Kostura, Senior Program Manager, Washington Union Station, Amtrak



MEMORANDUM

To: Marcel Acosta
Executive Director, National Capital Planning Commission (NCPC)

From: Andrew Trueblood 
Director, Office of Planning

Jeff Marootian 
Director, Department of Transportation

Date: June 3, 2020

Subject: Report to NCPC re: Appropriate Parking Numbers for the Washington Union Station Expansion Project

National Capital Planning Commission Request

At its January 9, 2020 National Capital Planning Commission (NCPC) meeting, the Commission discussed concept plans presented by the Federal Railroad Administration (FRA) for the proposed Washington Union Station (WUS) Expansion Project.

It is the District's understanding that NCPC's January review was conducted by the Commission both in its role as a Cooperating Agency for the project's environmental impact review process pursuant to the National Environmental Policy Act (NEPA), and in NCPC's capacity as the Federal Zoning Approval Authority. It is also the District's understanding that for the NEPA process, FRA is serving as the designated Lead Agency, and that the Project Proponents are the National Railroad Passenger Corporation (Amtrak) and the Union Station Redevelopment Corporation (USRC).

During the January meeting, NCPC supported the project's overall goals to improve and expand rail service; however, NCPC questioned the amount of parking proposed for the project and issued an action (see Attachment 1) that requested that the applicant (FRA):

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

The District submits this memorandum in response to NCPC's request. It includes the District's overall parking recommendation for the Union Station Expansion Project of 295 spaces, along with policies and analyses supporting the recommendations. Unfortunately, multiple convenings among the identified entities were unsuccessful in arriving at a consensus with the applicant on the need to reduce parking numbers, therefore this memorandum includes only the District's recommendations for reduced parking.

WUS Expansion Project Parking Working Group

Following NCPC's request, the District's Office of Planning (OP), Department of Transportation (DDOT), the USRC, and FRA met on February 7, 2020 to kick off a series of working group meetings focused on reevaluating the parking needs generated by each use case from a land use perspective. The Office of Planning advised the group that it would start with assumption of zero parking for all use cases and parking types (long-term, short-term, rental, etc.), and would analyze each parking type to develop a proposed parking maximum for the overall project.

Representatives from OP, DDOT, USRC, NCPC, Amtrak, FRA and FRA's consultants met on February 14, February 28 and March 6 to discuss parking needs for the Preferred Alternative that FRA presented to NCPC.

As part of the Parking Working Group meetings, participants jointly produced a Parking Matrix that identified all potential parking uses cases, as well as the District and FRA/USRC positions and policies related to the amount of parking needed to support Union Station in the year 2040 (the Build Year for the project). Attachment 2 is a Parking Matrix containing the District's parking numbers and justifications for each of the use cases, which include the following:

- Parking to serve land uses (Retail and Office)
- Parking to serve intercity travel: Amtrak and Intercity Bus (short- and long-term parking)
- Accessible Parking (consistent with the Americans with Disabilities Act (ADA))
- Special facilities for rental cars and pick-up/drop-off (PUDO) activity

The parties had valuable dialogue and exchange of information and jointly developed the matrix. However, the project sponsor's parking calculations and numbers for use cases were not finalized and Attachment 2 therefore provides only the District's parking numbers. In spite of extensive technical and policy discussion among the parties during Parking Working Group Meetings, the project sponsor was ultimately unwilling to reduce their proposed number of parking spaces as part of this process from the number presented to NCPC on January 9th of 1,575 spaces¹.

The District recognizes that parking is a driver of current revenue for USRC, and while revenue considerations are beyond the scope of this analysis, the District believes that parking revenue

¹ It is the District's understanding that there may be parking requirements in a long-term lease agreement between USRC and commercial tenants that requires the provision of parking. However, this is beyond the scope of the current analysis.

lost through a reduced parking program would be offset by the opportunity to develop the space that would be dedicated to above-ground parking as more productive uses including, but not limited to, office, residential, retail, and/or hotel.

District Policies Supporting Reduced Parking for Union Station

One of the District's top transportation priorities is a robust multimodal transportation system that transitions from private vehicle use to higher-capacity, more sustainable modes of travel. One key approach for achieving this is to reduce the availability and ease of parking for private vehicles. The District has conducted a multi-year amendment process for the District Elements of the Comprehensive Plan. This process has included multiple stages of public review; its latest stage included publication of a proposed Comprehensive Plan Draft in October of 2019 followed by public review, including by Advisory Neighborhood Commissions (ANCs), which submitted related resolutions during the Winter of 2019/2020. These comments were integrated into the most recent version of the Comprehensive Plan, submitted to Council of the District of Columbia on April 23, 2020 for review and consideration. We include specific policies from this latest version of the Comprehensive Plan relating to parking reduction in Attachment 3, which include the following:

Policy T-1.1.8: Minimize Off-Street Parking

An increase in vehicle parking has been shown to add vehicle trips to the transportation network. In light of this, excessive off-street vehicle parking should be discouraged.

Additionally, moveDC, the District's long-range transportation plan, has the goal of achieving 75 percent non-auto commute trips, which would be supported by a reduction in private vehicle parking. The Comprehensive Plan also contains a policy that specifically addresses mobility goals applicable to the WUS Expansion Project:

Policy T-2.2.4: Union Station Expansion

Ensure that expansion and modernization of Union Station supports its role as a major, intermodal, transit-focused transportation center. Changes to Union Station should improve intermodal connections and amenities; facilitate connections with local transportation infrastructure with an emphasis on transit, pedestrian and bicycle mobility; enhance integration with adjacent neighborhoods; minimize private and for-hire vehicle trips; reduce on-site parking; and provide a continued high quality of life for District residents and visitors.

District Parking Recommendations

The District's proposed parking numbers by use case are discussed below and shown in the Parking Matrix (Attachment 2) along with supporting justifications.

Land Use

Two distinct land uses proposed in the 2040 WUS Expansion Project are expected to generate trips: 1) office uses (to be retained) and the new office uses associated with the FRA-owned Federal Air Rights development, 2) an expanded retail program.

The uniqueness of Union Station’s location and multimodal accessibility were important considerations in the District’s development of parking numbers for retail and office. Aside from its intercity mobility role, Union Station is accessible by Metrorail, DC Streetcar, MARC, VRE, DC Circulator, and WMATA bus routes, and is located adjacent to the District’s highly walkable and bikeable downtown. This accessibility highlights the diminished role private vehicle access should have in sustaining the future land use components of Union Station.

Retail Uses

The expansion of Union Station will include approximately 280,000 square feet of retail uses², which is 72,000 net new square feet from today’s program. OP and DDOT reviewed Zoning Regulations governing retail parking as well as relevant sections of the District’s Guidance for Comprehensive Transportation Review (“CTR Guidelines”)³. The CTR Guidelines strongly encourage projects located less than one-quarter of a mile from a Metrorail station to provide zero on-site vehicle parking, where allowable by zoning. The District is often supportive of zoning relief when a project is in close proximity to transit in order to provide less parking than Zoning Regulations would normally require. In this instance, for 280,000 square feet of retail, the normal zoning requirement would be a minimum of 184.2 spaces⁴; however, the Regulations provide for instances where other modes of travel are proximate and allow for reductions to zero parking. Additionally, NCPC holds federal in-lieu-of-zoning authority over the subject property and can therefore establish parking standards different from local zoning requirements.

The District strongly recommends a maximum of zero retail parking spaces for the subject project. Numbers provided by FRA in January 2020 show that the station currently sees a combined total of approximately 48,600 passengers per day attributable to Amtrak, MARC, VRE, and Intercity Bus operations; and that in the year 2040, that number is expected to more than double to approximately 116,300 passengers per day. This is due to the anticipated increases in passengers that the proposed project seeks to accommodate. The District believes that the future retail operations will be fully supported by this significant increase in foot traffic, generated by transportation modes that do not require private vehicle parking. Additionally, this increase in foot traffic does not account for additional increase in Metrorail ridership or increases in tourist and local neighborhood foot traffic due to population growth. The District believes the tens of thousands of additional persons walking through Union Station who do not require on-site private vehicle parking will be more than adequately

² FRA’s preferred Alternative A-C contains 280,000 square feet of retail; however, there is a possibility of up to 380,000 square feet of retail depending up on how existing flex space at Union Station is used.

³ District Department of Transportation, Guidance for Comprehensive Transportation Review, Version 1.0, June 2019

⁴ The District of Columbia Municipal Regulations require a zoning minimum of 0.665 spaces per 1,000 sf applicable to square footage in excess of 3,000 sf for the PDR-3 zone. Applying these parameters to a retail program of 280,000 sf, the minimum number of parking spaces required would be 184.2.

support the future retail program; moreover, the District does not view WUS's retail program as one for which people will drive to as a destination and park, either today or in the future. Therefore, the District's position is that no parking is needed at Union Station to support the future retail program.

Office Uses

Union Station currently has approximately 136,000 square feet of office space. The proposed project includes up to 380,000 square feet of additional office space for a total of approximately 516,000 square feet of office space in 2040.

The CTR Guidelines recommend a maximum of 0.4 spaces per 1,000 square feet of office space, which would yield 206 parking spaces for the proposed 516,000 square feet of office uses. As with retail, the CTR Guidelines strongly encourage projects located less than one-quarter of a mile from a Metrorail station to provide zero on-site vehicle parking, where allowable by zoning. Applying relevant Zoning Regulations to the proposed office program would normally require a minimum of 128.25 spaces⁵.

While office uses at Union Station have a similarly high multimodal accessibility as retail, office uses have a different trip generation profile than retail. Work trips associated with office uses occur at regular intervals during workdays and often originate farther away. OP and DDOT understand that office leases often require a specific amount of parking and also recognize the need to ensure that office uses at Union Station remain competitive with those elsewhere in the city. This is a different approach than that applied to the retail uses (provided in the preceding section).

Accounting for the above factors, the District finds it appropriate to recommend a total of 206 parking spaces (the maximum recommended by the CTR Guidelines) to serve future office uses at Union Station.

Intercity Travel Supportive Parking

This section covers two use cases related to intercity travel: long-term parking for travelers and short-term parking for individuals assisting travelers. Intercity travel at Union Station refers to travel by intercity bus or by Amtrak to locations outside the Washington Metropolitan Region. Commuter rail traffic is excluded as it is highly unlikely to generate parking at Union Station, as it is primarily used as people's means of accessing their jobs in the District from farther away suburbs.

Long-Term Parking

The District does not believe that long-term parking should be provided on site for Amtrak or intercity bus riders for the following reasons:

⁵ The District of Columbia Municipal Regulations require a zoning minimum of 0.25 spaces per 1,000 sf applicable to square footage in excess of 3,000 sf for the PDR-3 zone. Applying these parameters to an office program of 516,000 sf, the minimum number of parking spaces required would be 128.25 spaces.

1. Amtrak indicated in a January 7, 2020 letter to FRA that parking is not necessary to support their operation (see Attachment 4):

Therefore, Amtrak believes the current parking program targeted for Amtrak passengers in the Station Expansion Project is over planned and Amtrak supports refinement of the parking estimate in the future. Amtrak does not support any entity building a parking garage specifically to support Amtrak passengers.

2. OP conducted background research (see Attachment 5) on urban train stations similar to WUS that do not provide long-term parking at all, including New York's Penn Station and Chicago's Union Station. Additionally, Philadelphia's 30th Street Station is drastically reducing its parking supply and providing an intermodal bus facility as part of its redevelopment.
3. Within the Washington Metropolitan Region, there are significant parking options for travelers at appropriate locations that are more auto-oriented. These include Prince George's County's New Carrollton Garage, which provides over 1,000 parking spaces including long term parking and is regionally accessible via I-495, as well as the BWI Airport Rail Station Garage, which provides over 3,000 parking spaces. Also, there are many existing, underutilized parking garages within walking distance in the area surrounding WUS that, given market demand, could adapt to provide private overnight parking.
4. Recent rider surveys conducted by Amtrak for their passengers indicate a continued decline in utilization of long-term parking by Amtrak riders (see Attachment 6). At the start of the EIS process, approximately eight percent of Amtrak riders self-reported that they parked at the station. The most recent Amtrak survey of riders, from January to March 2020, indicated that only three percent of riders drove to Union Station and parked as their means of access to the Station. This significant decrease in parking demand is also being observed at our regional airports, which have seen parking demand drop by up to 44 percent in the last two years⁶. Union Station is colloquially referred to as the region's fourth airport, as it handles 37 million visitors (including passengers) annually – a number substantially higher than the number of passengers served by any one of the region's three airports, which each serve between 20 and 22 million passengers annually⁷.

⁶ <https://www.mwcog.org/newsroom/2020/04/07/how-did-people-get-to-the-airport-in-2019-and-how-much-were-they-willing-to-spend/>

⁷ https://plandc.dc.gov/sites/default/files/dc/sites/op/page_content/attachments/Chapter%204_Public_Review_Draft_Transportation_Oct2019.pdf

Short-Term

OP and DDOT recognize that some intercity passengers may need help getting to or from the train hall or intercity bus facility, or that family and friends may want to greet or say goodbye at the gate. Incorporating short-term parking, where the driver leaves their private vehicle for a short time, is an important use to include at Union Station. The current peak hour of travel at Union Station, 5-6 pm, will see approximately 4,000 total Amtrak passengers when combining boardings and alightings in the 2040 buildout. The District recommends that short-term parking to accommodate these needs range from a minimum of one percent of all travelers to a maximum of three percent of all travelers, which is equivalent to a recommended range of a minimum of 40 to a maximum of 120 short-term parking spaces.

Accessible Parking

According to FRA, Union Station currently provides 49 ADA-designated spaces out of a total of 2,250 parking spaces. For the year 2040, FRA's Preferred Alternative A-C proposes a maximum of 1,575 total parking spaces. Federal ADA regulations⁸ establish minimum requirements for the provision of ADA-designated parking spaces. These requirements are calculated based on a given project's total parking spaces. Applying these regulations to FRA's proposed 1,575 parking spaces yield a requirement for a minimum of 26 ADA parking spaces in the year 2040.

While the District has not been provided with data regarding utilization of the existing 49 ADA spaces, the District recommends this number be maintained at Union Station if it can be shown they are well utilized and needed. This number is seven times the minimum of seven (7) ADA spaces that would be required by ADA regulations when applied to the District's recommendation of 295 total parking spaces (discussed below) for the project.

District Recommended Parking Program for Union Station

Considering the parking use cases and needs detailed above, the District of Columbia recommends a total of 295 parking spaces are needed to support the WUS Expansion Project. This overall number, the District's Recommended Parking Program, is derived from consideration of individual parking use cases and adding together recommendations for each.

The District does not see a viable path to success of the project if it contains 1,575 spaces and believes that a NEPA Record of Decision that includes this number will require additional process to create a viable project. The District recommends that to achieve a viable EIS and project that is buildable, FRA modify the existing Preferred Alternative (or develop a new Preferred Alternative) that includes a substantially reduced parking program, substitutes the difference in parking with additional land use programming, and integrates pick-up and drop-off (PUDO) facilities and related details for capacity, location, and design. The District recognizes that reducing the parking would impact PUDO and stands ready to collaborate with

⁸ <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/guide-to-the-ada-standards/chapter-5-parking>

FRA and surrounding communities and developments to ensure an appropriate facility or facilities are dedicated to facilitating PUDO activity.

The District acknowledges and understands the importance of ensuring the long-term financial viability of Washington Union Station and believes that a recalibrated approach to parking can support and achieve multiple project benefits for its stakeholders. The District believes that developing uses such as hotel, office, and retail instead of parking could provide robust funding for operations as part of the future project. While the District believes that the retail at Union Station serves patrons of the station and is not destination retail which customers drive to and park for, the District understands that parking presents a challenge in terms of an existing lease agreement between USRC and commercial tenants at the station. The District would be happy to work with FRA and USRC on questions relating to the lease and to identify the land uses that we strongly believe can provide long-term financial viability for USRC in its role as steward of Washington Union Station, and affirm the District’s principles and policies for this important civic and transportation asset.

Additionally, as part of the Parking Working Group process, the District developed a range (maximums and minimums) for the appropriate amount of parking that could be considered for project analysis. The minimum total parking program the District believes is appropriate for the DEIS is 47 spaces, which would accommodate short-term parkers and include seven ADA spaces. The maximum total parking program the District believes is appropriate for the DEIS is 375 spaces, which differs from the District’s Recommended Parking Program as it includes enough short-term parking spaces to accommodate three percent of intercity Amtrak travelers during the evening peak hour.

The breakdown of parking by use case can be found in Table 1 below and more detailed breakdown can be seen in Attachment 2.

Table 1: District Proposed Parking for Union Station

Program	Case	District Rec. Parking #	Min	Max
Land Use	Retail	0	0	0
	Office	206	0	206
Long-Term Parking	Amtrak	0	0	0
	Bus	0	0	0
Short-Term Parking	Driver leaves car temporarily	40	40	120
ADA Parking		49	7	49
Total Parking		295	47	375

District Position on For Hire Vehicle Uses

Pick Up Drop Off (PUDO)

The Parking Working Group meetings did not address for-hire vehicles and private PUDO activity in depth. However, DDOT has worked closely with FRA on traffic circulation, trip distribution, and potential traffic impacts over the past few years. The District offers these principles in guiding future policies and infrastructure for PUDO:

1. With a decrease in the number of parking spaces, DDOT would expect a higher number of pick-up and drop-off trips. This number would be split between private vehicles (family and friends) and for-hire vehicles.
 - The private vehicle drop-off and pick-up would result in approximately double the number of vehicle trips as a parking trip. For example, a private vehicle would enter the station to drop off a passenger, then exit the station to return to the driver's origin. If the passenger were to drive themselves to park, they would have only one trip to enter the station.
 - The District and USRC can and should take actions to increase the internal capture rate⁹ for for-hire vehicles; with the goal that every for-hire drop-off trip becomes a for-hire pick-up trip.

2. The number of for-hire vehicle trips assumed in the DEIS for 2040 is already high in all of the build alternatives and will likely contribute to significant congestion on the roadway network. For context, the number of for-hire trips is expected to be 10 to 13 times greater than the number of trips generated by parking in the Preferred Project Alternative A-C¹⁰. To decrease this impact, the District and the project proponents can do several things:
 - Enact policies and management strategies to increase the internal capture rate for for-hire vehicles;
 - Provide distributed loading for for-hire and pick-up and drop-off vehicles around the Union Station site to minimize impacts at any one location and on adjacent neighborhoods; and
 - Include in the preferred alternative a dedicated high capacity facility for for-hire vehicles to increase efficiency and concentrate many of the for-hire trips.

DDOT and OP are not making recommendations as to the capacity, design, or location of a PUDO facility at this time.

⁹ An internal capture rate of 100% means that every vehicle that enters Union Station to drop off a passenger picks up a new for-hire passenger before exiting the station. An internal capture rate of 0% means every vehicle that enters Union Station to drop off a passenger exits the station *without* picking up a new passenger.

¹⁰Numbers are based on trip generation figures provided by FRA to DDOT earlier in transportation analysis process.

Rental Car Facility

The District does not have enough data to show that the inclusion of a traditional rental car facility is appropriate for Union Station to support the needs intercity travelers in the year 2040. Without such data, it may be more appropriate for a rental car facility to locate in the surrounding area if needed to serve residents.

Acknowledgements/Next Steps

- The District supports the expansion of Union Station as a major multimodal transportation hub for the District.
- The District supports continuation of the NEPA process, and OP recommends that to achieve a buildable and successful EIS, the applicant develop a modified Preferred Alternative that includes a substantially reduced parking program; substitutes the difference in parking with additional land use programming; and integrates a PUDO facility and details for its capacity, location, and design. OP and DDOT will continue to work closely with FRA, project proponents, and all coordinating agencies through the remainder of the NEPA, zoning, planning, and construction processes.
- Per the NCPC request, the Parking Working Group focused on substantially reducing the number of parking spaces at Union Station. Because the parties did not come to an agreement on that number, the District did not further pursue discussion on location of parking or details of circulation.
- DDOT will continue to work with FRA as a Cooperating Agency in the NEPA process, as it has been doing through monthly meetings over the past three years. As such, DDOT will continue to provide comments on traffic and circulation analysis and impacts upon the District's multimodal transportation system.

Conclusion

In an email dated May 27, 2020 from FRA to OP, FRA highlighted its intent to use the formal DEIS public comment period to receive and consider further public agency input regarding the parking program and stated that it intends to further coordinate with OP, DDOT, and NCPC after conclusion of the comment period. However, the District still has concerns about the long-term feasibility of the latter approach, and encourages FRA to revise its parking numbers prior to release of the DEIS.

The District appreciates the opportunity to share our parking recommendation for Union Station with NCPC. We strongly feel that the number we have arrived at, 295 spaces, is appropriate to meet the needs of travelers and workers in the future buildout of Washington Union Station, the second busiest Amtrak Station in the nation.

We look forward to continued collaboration on the Union Station EIS with FRA and USRC and hope to see our parking recommendations addressed through the NEPA process or subsequent applicable District review processes during project design and implementation stages of the work.

ATTACHMENTS

Attachment 1: NCPC Action from January 9, 2020 meeting

Attachment 2: Parking Matrix (District Numbers)

Attachment 3: District Policies on Reduction of Parking

Attachment 4: Amtrak Letter to FRA

Attachment 5: Comparative Research on Stations

Attachment 6: Amtrak Rider Survey



Commission Action

January 9, 2020

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

The Commission:

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

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

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

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

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

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

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

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

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

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

Regarding the transportation facilities:

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

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

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

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

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

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

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

Regarding the parking facilities:

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

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

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

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

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

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

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

Regarding historic preservation and urban design:

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

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

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

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

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

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

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

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

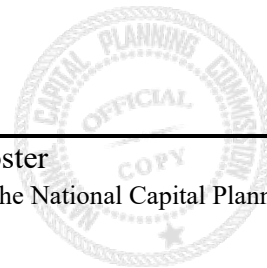
Regarding further coordination:

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

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

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

Julia A. Koster
Secretary to the National Capital Planning Commission



Washington Union Station Expansion Project - 2040 Program				DISTRICT Recommendation						DISTRICT NOTES
				Calculated Parking			Parking Range			
				Factor	Factor Unit	DC Rec	Min	Medium	Max	
Land Use	Retail	380,000	SF	0.00	Spaces/ 1000sf	0	0	0	0	<p>The expansion of Union Station will include approximately 280,000 square feet of retail uses*, which is 72,000 net new square feet from today's program. OP and DDOT reviewed Zoning Regulations governing retail parking as well as relevant sections of the District's Guidance for Comprehensive Transportation Review ("CTR Guidelines")**. The CTR Guidelines strongly encourage projects located less than one-quarter of a mile from a Metrorail station to provide zero on-site vehicle parking, where allowable by zoning. The District is often supportive of zoning relief when a project is in close proximity to transit in order to provide less parking than Zoning Regulations would normally require. In this instance, for 280,000 square feet of retail, the normal zoning requirement would be a minimum of 184.2 spaces***; however, the Regulations provide for instances where other modes of travel are proximate and allow for reductions to zero parking. Additionally, NCPC holds federal in-lieu-of-zoning authority over the subject property and can therefore establish parking standards different from local zoning requirements.</p> <p>The District strongly recommends a maximum of zero retail parking spaces for the subject project. Numbers provided by FRA in January 2020 show that the station currently sees a combined total of approximately 48,600 passengers per day attributable to Amtrak, MARC, VRE, and Intercity Bus operations; and that in the year 2040, that number is expected to more than double to approximately 116,300 passengers per day. This is due to the anticipated increases in passengers that the proposed project seeks to accommodate. The District believes that the future retail operations will be fully supported by this significant increase in foot traffic, generated by transportation modes that do not require private vehicle parking. Additionally, this increase in foot traffic does not account for additional increase in Metrorail ridership or increases in tourist and local neighborhood foot traffic due to population growth. The District believes the tens of thousands of additional persons walking through Union Station who do not require onsite private vehicle parking will more than adequately support the future retail program; moreover, the District does not view WUS's retail program as one for which people will drive to as a destination and park, either today or in the future. Therefore, the District's position is that no parking is needed at Union Station to support the future retail program.</p> <p>*FRA's preferred Alternative A-C contains 280,000 square feet of retail; however, there is a possibility of up to 380,000 square feet of retail depending up on how existing flex space at Union Station is used. **District Department of Transportation, Guidance for Comprehensive Transportation Review, Version 1.0, June 2019. ***The District of Columbia Municipal Regulations require a zoning minimum of 0.665 spaces per 1,000 sf applicable to square footage in excess of 3,000 sf for the PDR-3 zone. Applying these parameters to a retail program of 280,000 sf, the minimum number of parking spaces required would be 184.2.</p>
	Office (In-Station)	136,000	SF	0.4	Spaces/ 1000sf	54	0	27	54	<p>Union Station currently has approximately 136,000 square feet of office space. The proposed project includes up to 380,000 square feet of additional office space for a total of approximately 516,000 square feet of office space in 2040. The CTR Guidelines recommend a maximum of 0.4 spaces per 1,000 square feet of office space, which would yield 206 parking spaces for the proposed 516,000 square feet of office uses. As with retail, the CTR Guidelines strongly encourage projects located less than one-quarter of a mile from a Metrorail station to provide zero on-site vehicle parking, where allowable by zoning. Applying relevant Zoning Regulations to the proposed office program would normally require a minimum of 128.25 spaces*. While office uses at Union Station have a similarly high multimodal accessibility as retail, office uses have a different trip generation profile than retail. Work trips associated with office uses occur at regular intervals during workdays and often originate farther away. OP and DDOT understand that office leases often require a specific amount of parking and also recognize the need to ensure that office uses at Union Station remain competitive with those elsewhere in the city. This is a different approach than that applied to the retail uses (provided in the preceding section). Accounting for the above factors, the District finds it appropriate to recommend a total of 206 parking spaces (the maximum recommended by the CTR Guidelines) to serve future office uses at Union Station.</p>
	Office (Federal Air Rights)	380,000	SF	0.4	Spaces/ 1000sf	152	0	76	152	<p>*The District of Columbia Municipal Regulations require a zoning minimum of 0.25 spaces per 1,000 sf applicable to square footage in excess of 3,000 sf for the PDR-3 zone. Applying these parameters to an office program of 516,000 sf, the minimum number of parking spaces required would be 128.25 spaces.</p>
	Total Land Use						206	0	103	206
Amtrak & Bus	2040 Amtrak Passenger Volume	31,968	Daily Passengers	0.0	Spaces / Daily Passenger	0	0	0	0	<p>1. Amtrak indicated in a January 7, 2020 letter to FRA that parking is not necessary to support their operation: "...Amtrak believes the current parking program targeted for Amtrak passengers in the Station Expansion Project is over planned and Amtrak supports refinement of the parking estimate in the future. Amtrak does not support any entity building a parking garage specifically to support Amtrak passengers."</p> <p>2. OP conducted background research (see Attachment 5) on urban train stations similar to WUS that do not provide long-term parking at all, including New York's Penn Station and Chicago's Union Station. Additionally, Philadelphia's 30th Street Station is drastically reducing its parking supply and providing an intermodal bus facility as part of its redevelopment.</p> <p>3. Within the Washington Metropolitan Region, there are significant parking options for travelers at appropriate locations that are more auto-oriented. These include Prince George's County's New Carrollton Garage, which provides over 1,000 parking spaces including long term parking and is regionally accessible via I-495, as well as the BWI Airport Rail Station Garage, which provides over 3,000 parking spaces. Also, there are many existing, underutilized parking garages within walking distance in the area surrounding WUS that, given market demand, could adapt to provide private overnight parking.</p> <p>4. Recent rider surveys conducted by Amtrak for their passengers indicate a continued decline in utilization of long-term parking by Amtrak riders (see Attachment 6). At the start of the EIS process, approximately eight percent of Amtrak riders self-reported that they parked at the station. The most recent Amtrak survey of riders, from January to March 2020, indicated that only three percent of riders drove to Union Station and parked as their means of access to the Station. This significant decrease in parking demand is also being observed at our regional airports, which have seen parking demand drop by up to 44 percent in the last two years*. Union Station is colloquially referred to as the region's fourth airport, as it handles 37 million visitors (including passengers) annually – a number substantially higher than the number of passengers served by any one of the region's three airports, which each serve between 20 and 22 million passengers annually**.</p> <p>*https://www.mwco.org/newsroom/2020/04/07/how-did-people-get-to-the-airport-in-2019-and-how-much-were-they-willing-to-spend/ **https://plandc.dc.gov/sites/default/files/dc/sites/op/page_content/attachments/Chapter%204_Public_Review_Draft_Transportation_Oct2019.pdf</p>
	2040 Bus Passenger Volume	11,900	Daily Passengers	0.0	Spaces / Daily Passenger	0	0	0	0	
	Total Amtrak & Bus						0	0	0	0
Short-Term Parking (related to intercity travel)		4,000	Peak Hour Passengers	0.01	Spaces / Peak Hour Passenger	40	40	80	120	<p>The current peak hour of travel at Union Station, 5-6 pm, will see approximately 4,000 total Amtrak passengers when combining boardings and alightings in the 2040 buildout. The District recommends that short-term parking to accommodate these needs range from a minimum of one percent of all travelers to a maximum of three percent of all travelers, which is equivalent to a recommended range of a minimum of 40 to a maximum of 120 short-term parking spaces.</p>
	Total for Intercity Short-Term					40	40	80	120	
Total Parking						246	40	183	326	
ADA Parking						49	7	28	49	<p>According to FRA, Union Station currently provides 49 ADA-designated spaces out of a total of 2,250 parking spaces. For the year 2040, FRA's Preferred Alternative A-C proposes a maximum of 1,575 total parking spaces. Federal ADA regulations* establish minimum requirements for the provision of ADA-designated parking spaces. These requirements are calculated based on a given project's total parking spaces. Applying these regulations to FRA's proposed 1,575 parking spaces yield a requirement for a minimum of 26 ADA parking spaces in the year 2040. While the District has not been provided with data regarding utilization of the existing 49 ADA spaces, the District recommends this number be maintained at Union Station if it can be shown they are well utilized and needed. This number is seven times the minimum of seven (7) ADA spaces that would be required by ADA regulations when applied to the District's recommendation of 295 total parking spaces (discussed below) for the project.</p> <p>The District therefore recommends the following: Minimum of 7 spaces (minimum ADA requirement for a project with 295 parking spaces); provide 28 spaces as the midpoint between the minimum and maximum if evidence demonstrates that the existing 49 spaces are not well utilized by intercity travelers; and for the maximum, provide 49 spaces, maintaining the existing number of ADA spaces, if evidence demonstrates these existing spaces are well utilized by intercity travelers.</p> <p>*https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/guide-to-the-ada-standards/chapter-5-parking</p>
Total Station Parking						295	47	211	375	
FHV Facility	PUDO (driver does not leave vehicle)									<p>The number of for-hire vehicle trips assumed in the DEIS is already high in all of the build alternatives and will likely contribute to significant congestion on the roadway network. To decrease this impact, the District and the project proponents can do several things:</p> <ul style="list-style-type: none"> - Enact policies and management strategies to increase the internal capture rate for for-hire vehicles; - Provide distributed loading for for-hire and pick-up and drop-off vehicles around the Union Station site to minimize impacts at any one location; and - Include in the preferred alternative a dedicated high capacity facility for-hire vehicle to increase efficiency and concentrate many of the for-hire trips.
	Rental Cars (which operate very differently than parking)									<p>The District does not feel the inclusion of a traditional rental car facility is appropriate for Union Station, unless there is data to support that the facility is needed to intercity travelers. Without such data, it would be more appropriate for a rental car facility to locate in the surrounding area to serve residents.</p>

District of Columbia Report-Back to NCPC re: Appropriate Parking Numbers for the Washington Union Station Expansion Project, June 3, 2020

I. District of Columbia Comprehensive Plan Parking Policies

Specific policies in the Mayor's Comprehensive Plan Update (submitted to Council) that reinforce the desire for reduce parking in the District include:

Policy T-1.1.8: Minimize Off-Street Parking

An increase in vehicle parking has been shown to add vehicle trips to the transportation network. In light of this, excessive off-street vehicle parking should be discouraged.

Policy T-1.2.3: Discouraging Auto-Oriented Uses

Discourage certain uses, like drive-through businesses or stores with large surface parking lots and minimize the number of curb cuts in new developments. Curb cuts and multiple vehicle access points break up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas.

Policy T-3.2.1: Parking Duration in Commercial Areas

Using pricing, time limits, and curbside regulations, encourage motorists to use public curbside parking for short-term needs, and promote curbside turnover and use while pushing longer-term parking needs to private, off-street parking facilities.

Action T-3.2.A: Short-Term Parking

Continue to work with existing private parking facilities to encourage and provide incentives to convert a portion of the spaces now designated for all-day commuter parking to shorter-term parking to meet the demand for retail, entertainment, and mid-day parking.

Action T-3.2.C: Curbside Management Techniques

Revise curbside management and on-street parking policies to:

- Adjust parking pricing to reflect the demand for, and value of, curb space;
- Adjust the boundaries for residential parking zones;
- Establish parking policies that respond to the different parking needs of different types of areas;
- Expand the times and days for meter parking enforcement in commercial areas;
- Promote management of parking facilities that serve multiple uses (e.g., commuters, shoppers, recreation, entertainment, churches, special events);
- Improve the flexibility and management of parking through mid-block meters, provided that such meters are reasonably spaced and located to accommodate persons with disabilities;
- Preserve, manage, and increase alley space or similar off-street loading space;
- Increase enforcement of parking limits, double-parking, bike lane obstruction, and other curbside violations, including graduated fines for repeat offenses and towing for violations on key designated arterials; and
- Explore increasing curbside access for EV supply equipment.

Action T-3.2.D: Unbundle Parking Cost

Find ways to unbundle the cost of parking. For residential units, this means allowing those purchasing or renting property to opt out of buying or renting parking spaces. Unbundling should be required for District-owned or subsidized development and encouraged for other developments. Employers should provide a parking cash-out option, allowing employees who are offered subsidized

District of Columbia Report-Back to NCPC re: Appropriate Parking Numbers for the Washington Union Station Expansion Project, June 3, 2020

parking the choice of taking the cash equivalent if they use other travel modes. Further measures to reduce housing costs associated with off-street parking requirements, including waived or reduced parking requirements in the vicinity of Metrorail stations and along major transit corridors, should be pursued. These efforts should be coupled with programs to better manage residential street parking in neighborhoods of high parking demand, including adjustments to the costs of residential parking permits.

Action T-3.2.E: Manage Off-Street Parking Supply

Continue to waive or reduce parking requirements in the vicinity of Metrorail stations and along major transit corridors, as implemented during the recent revision of the zoning regulations. Explore further reductions in requirements as the demand for parking is reduced through changes in market preferences, technological innovation, and the provision of alternatives to car ownership. Update the Mayor's Parking Taskforce Report with more recent parking data, and monitor parking supply on an ongoing basis.

Action T-3.2.F: Encourage Shared-Use Parking

Collaborate with private, off-street parking facilities to encourage shared-use parking arrangements with nearby adjacent uses to maximize the use of off-street parking facilities.

II. District Department of Transportation: Consolidated Transportation Review (CTR) Guidelines

1.3.2 Appropriate Level of Vehicle Parking

Since on-site vehicle parking is a permanent feature of a development that affects the trip generation characteristics of the site, it is critical that the Applicant not over-build parking. Availability of extra spaces has the potential to induce unanticipated vehicle trips on the transportation network. Additionally, overbuilding parking significantly increases the cost to construct a building, which is then passed onto the future tenants and is counter to the District's effort to make housing more affordable. If the Applicant provides more parking than calculated using the rates in Table 2 below, DDOT will require the parking supply be reduced or additional substantive TDM measures and non-auto network improvements be provided to offset future induced traffic. DDOT's Preferred Vehicle Parking Rates will be enforced during zoning review and at public space permitting for the site's curb cut.

These DDOT-preferred parking rates are set at levels that advance the MoveDC goal to increase the amount of District-wide home-work trips made by non-auto modes to 75%. Providing lower parking supplies, particularly in office and residential buildings, is an important strategy for supporting transit ridership and disincentivizing the use of a personal vehicle for home-work trips. In conjunction with a reduced supply of parking and a robust TDM program, vehicle parking will be unbundled from the cost to lease or purchase space in a building and priced appropriately (usually the average rate charged within ¼ mile of the site). Additional guidance on parking pricing is included within the standardized TDM Plans (Appendix C).

If a CTR or TIA is required, DDOT will require the assumed auto mode-share be adjusted upward to reflect the presence of a high on-site parking supply. Conversely, if a low parking ratio is provided, DDOT may permit the Applicant to reduce the expected automobile mode-share since the low

District of Columbia Report-Back to NCPC re: Appropriate Parking Numbers for the Washington Union Station Expansion Project, June 3, 2020

parking provision acts as a natural constraint on the amount of vehicle trips that could be generated by the site. When determining the number of spaces to be provided on-site, the Applicant should also consider the complimentary nature of parking demand between uses, sharing parking facilities among land uses within the building, arrival and departure rates, and programs to minimize parking demand.

Table 2 | DDOT-Preferred Vehicle Parking Rates

Land Use		Less than ¼ Mile from Metrorail	¼ to ½ Mile from Metrorail OR Less than ¼ Mile from Priority Transit**	½ to 1 Mile from Metrorail	More than 1 Mile from Metrorail
Residential <i>(spaces/unit)</i>	DDOT: ZR16 Min-Max:	0.30 or less 0.17* - 0.67	0.40 or less 0.17* - 0.67	0.50 or less 0.33 - 0.67	0.60 or less 0.33 - 0.67
Office <i>(spaces/1,000 GSF)</i>	DDOT: ZR16 Min-Max:	0.40 or less 0.25* - 1.00	0.50 or less 0.25* - 1.00	0.65 or less 0.50 - 1.00	0.85 or less 0.50 - 1.00
Hotel <i>(spaces/1,000 GSF)</i>	DDOT: ZR16 Min-Max:	0.40 or less 0.25* - 1.00	0.45 or less 0.25* - 1.00	0.60 or less 0.50 - 1.00	0.75 or less 0.50 - 1.00
Retail *** <i>(spaces/1,000 GSF)</i>	DDOT: ZR16 Min-Max:	1.00 or less 0.67* - 2.66	1.25 or less 0.67* - 2.66	1.60 or less 1.33 - 2.66	2.00 or less 1.33 - 2.66
Other Uses	DDOT: ZR16 Min-Max:	75% of \$ 701.5 or less 50% - 200% of \$ 701.5*	90% of \$ 701.5 or less 50% - 200% of \$ 701.5*	120% of \$ 701.5 or less 100% - 200% of \$ 701.5	150% of \$ 701.5 or less 100% - 200% of \$ 701.5
Notes:					
* There is no vehicle parking requirement in Downtown "D" and several other zones. DDOT strongly encourages Applicants to provide no on-site vehicle parking where allowable by zoning.					
** Priority transit includes the H Street Streetcar, Streetcar Benning Road Extension, DC Circulator, and Priority Corridor Network Metrobus Routes defined by zoning in DCMR 11, Subtitle C § 702.1(c).					
*** Retail rates can be used for either standalone buildings or first floor users of mixed-use projects. The Retail category also includes a wide range of related uses such as fast casual restaurant, bank, drinking establishment, pet grooming, coffee shop, grocery, etc.					

DDOT developed and began using these parking rates in 2017 to evaluate the appropriateness of a project’s parking supply. They are now included in this edition so that an Applicant can right-size the amount of parking on-site prior to the initial scoping meeting with DDOT and prior to filing a land development application with the reviewing body.

DDOT’s preferred residential parking rates originated from the Park Right DC webtool which is based on parking demand data collected from 115 multi-family residential buildings around the District. The lowest and “best case” sites for each context of the District were selected to establish the residential parking rates. Office rates are based on 400 GSF per employee and non-auto mode-shares of 85%, 80%, 75%, and 65%, respectively, based on distance to transit. Hotel rates are based on 450 GSF per room and an assumption that the amount of parking per hotel room be roughly half of the per residential unit rate since visitors to hotels in the District typically do not arrive by personal vehicle (e.g., airplane, train, taxi, ridehailing). This equates to approximately 1 space per 6 hotel rooms within ¼ mile of Metrorail and 1 space per 3 hotel rooms more than 1 mile from a Metrorail station. Rates for retail and all other uses are set proportionally to the ZR16 minimums based on the residential, office, and hotel rates. For atypical land uses, the Applicant should consult the DDOT Case Manager and, as appropriate, refer to other industry resources, published research, market research, and similar land uses in comparable geographies within and outside of the District.



Memorandum

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

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

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

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

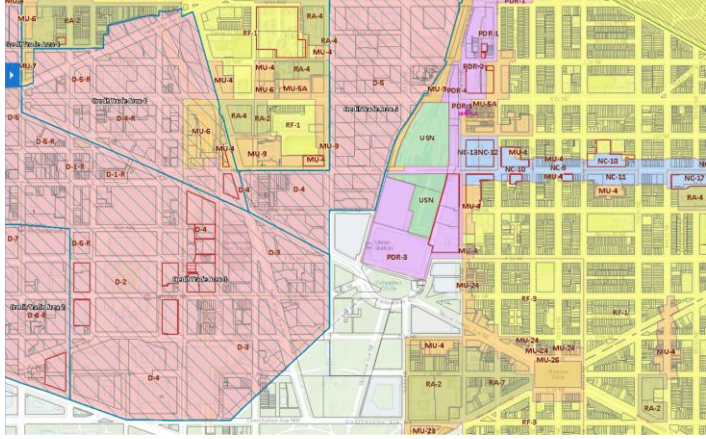

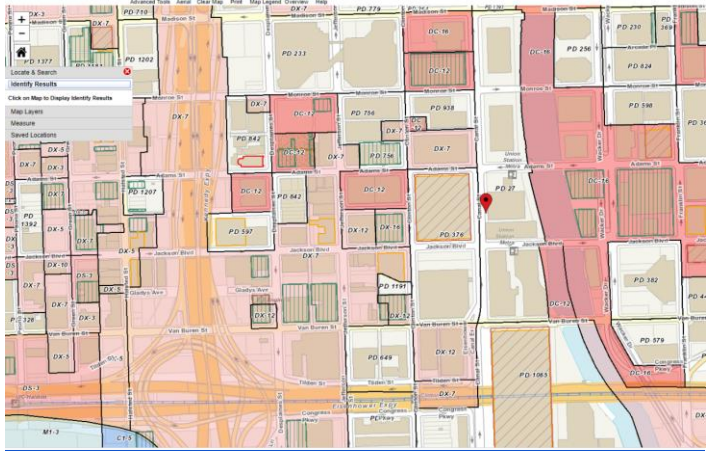

We do not believe the EIS process needs to be stalled or postponed as this refinement work can move in parallel to the current process with the current numbers serving as a stress test for the Project.

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

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

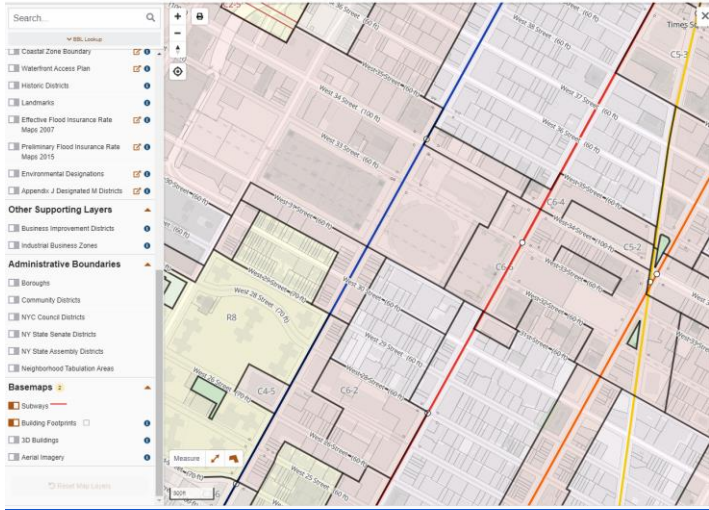

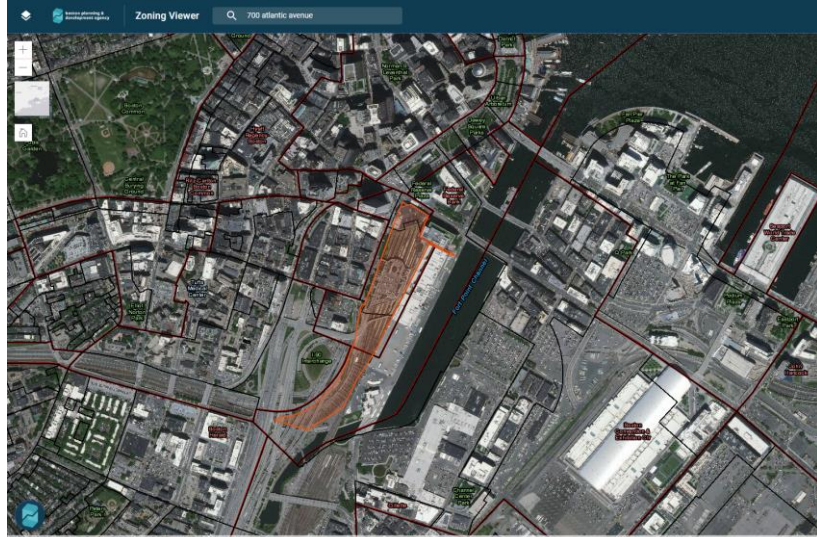
Attachment 5: Research on Comparative Stations (Working Document)


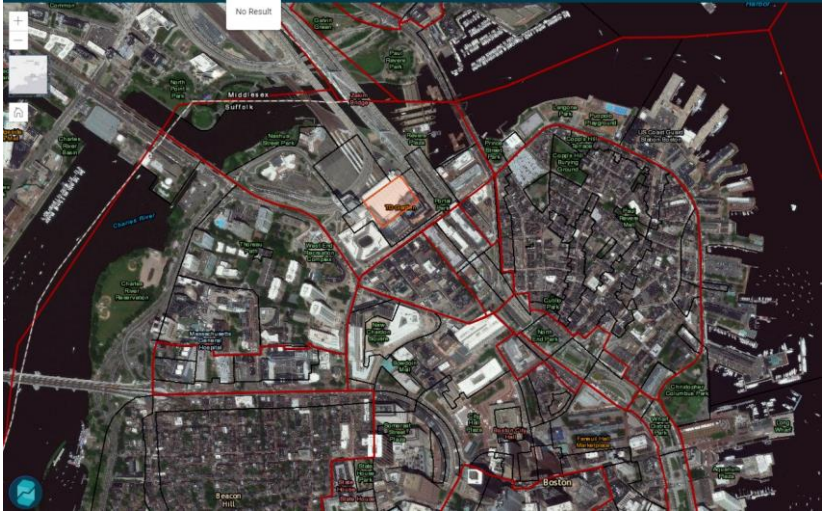
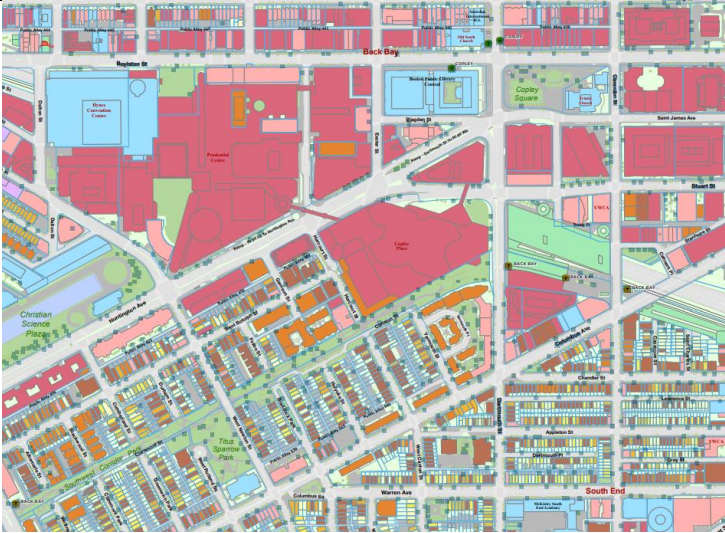

District of Columbia Report-Back to NCPD re: Appropriate Parking Numbers for the Washington Union Station Expansion Project, June 3, 2020

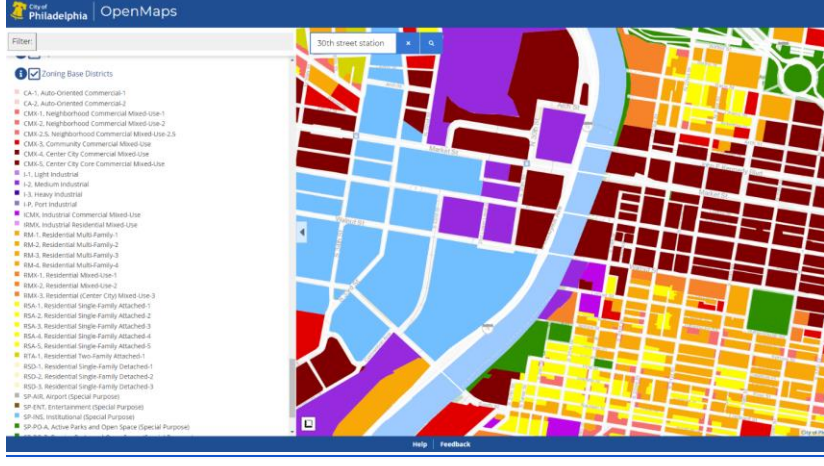
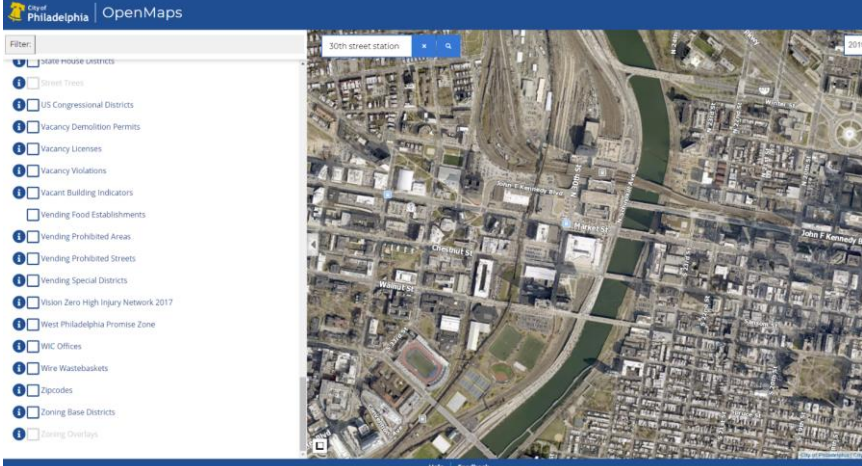
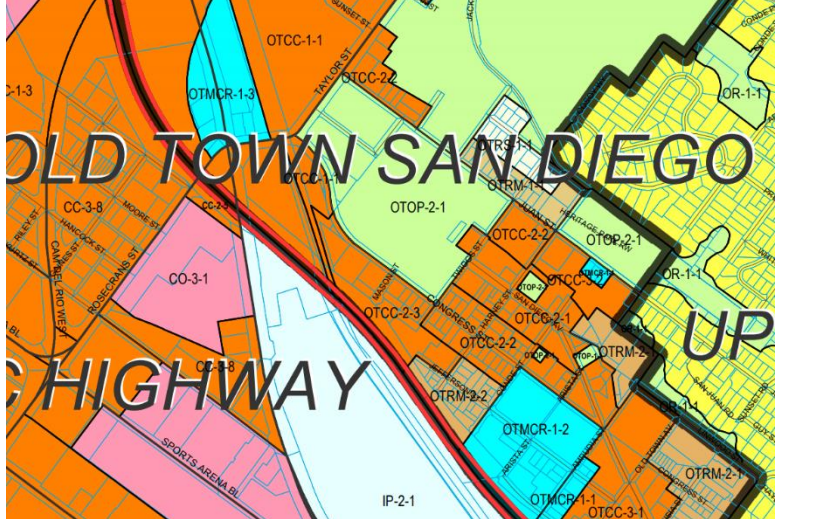

Location	Existing Station Associated Parking ¹	Development plans and associated parking	Relationship to the city	Amtrak Riders (Yearly FY18) ²	Station's Zoning Context	Station's Built Form Context
Washington Union Station	2,275 Parking	Proposed: 1,575	Served by Amtrak, WMATA rail and bus, VRE, MARC, intercity bus, Streetcar, and Circulator. Urban, relatively easy access to I-395.	5,197,237	 http://maps.dcoz.dc.gov/zr	 http://maps.dcoz.dc.gov/zr
Chicago Union Station	700 spot parking; closed on Sept 30, 2019 https://chicago.curbed.com/2019/9/23/20879942/union-station-bmo-tower-parking-garage-closed-construction	Chicago Union Station Master Plan (2012): New development apts. would have 400 parking spaces; does not appear that those would be accessible to Amtrak users. https://chicago.curbed.com/2018/9/12/17845744/union-station-development-hotel-apartments-office-tower	Served by Amtrak, Metra commuter rail service, Chicago Transit Authority, Greyhound. Urban, easy access to I-90, I-290.	3,388,307	 https://gisapps.chicago.gov/ZoningMapWeb/?liab=1&config=zoning	 https://gisapps.chicago.gov/ZoningMapWeb/?liab=1&config=zoning

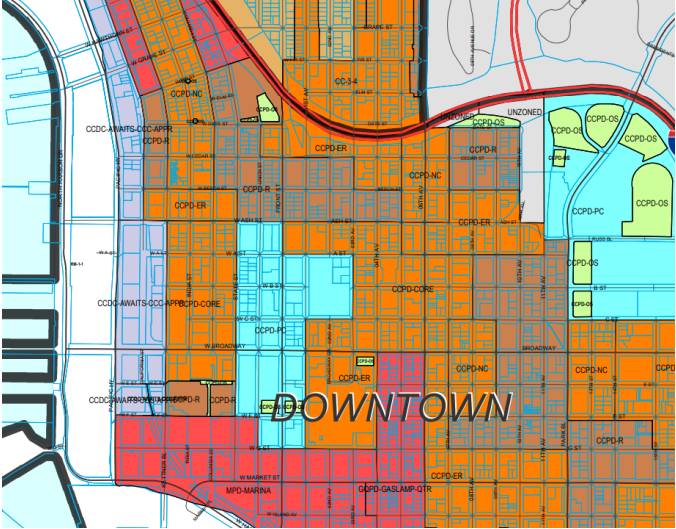
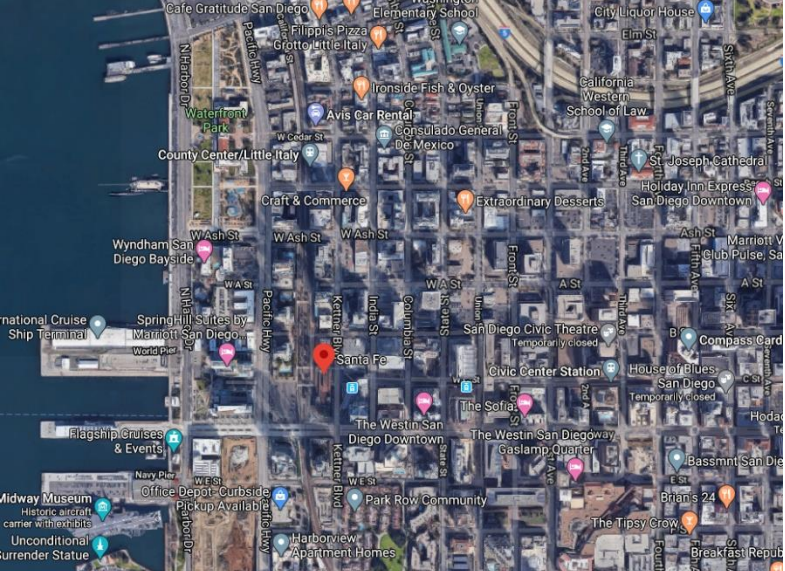


¹ Not all parking at and associated with these stations is dedicated to intercity travelers. Parking data was gathered between February and April of 2020.

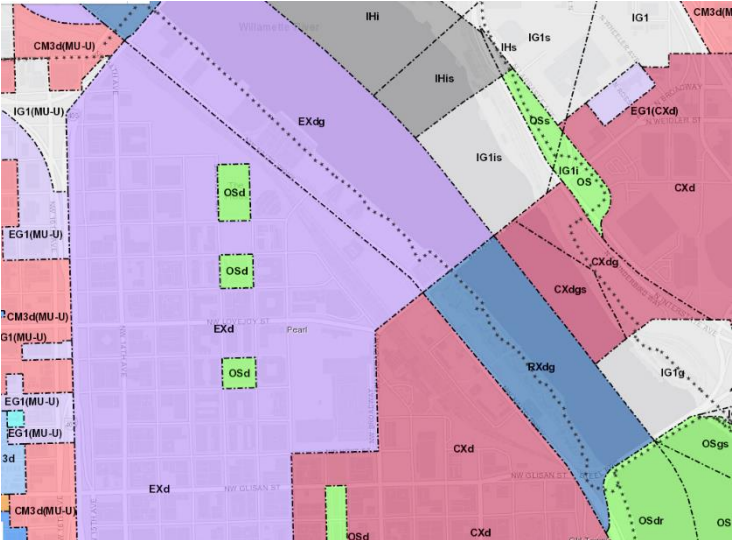
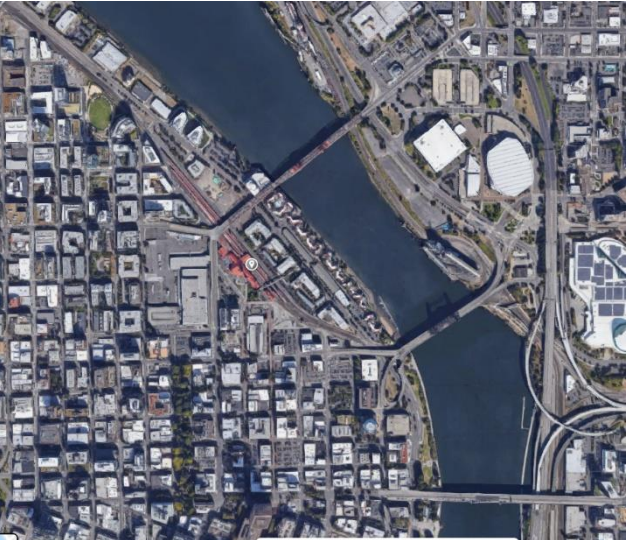
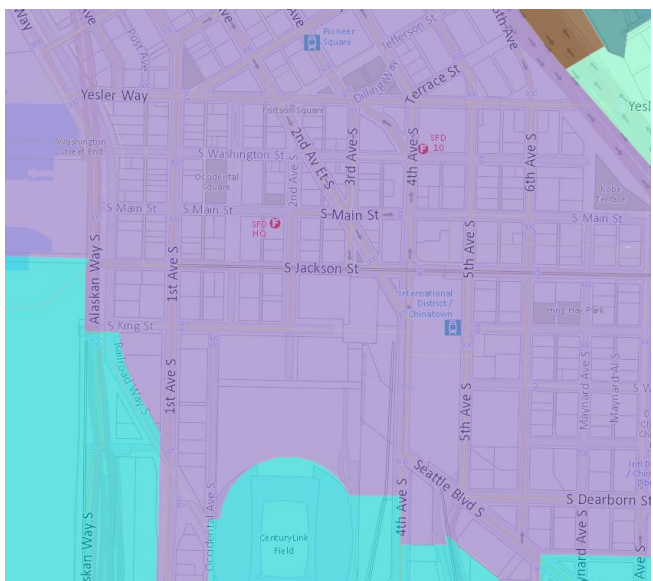
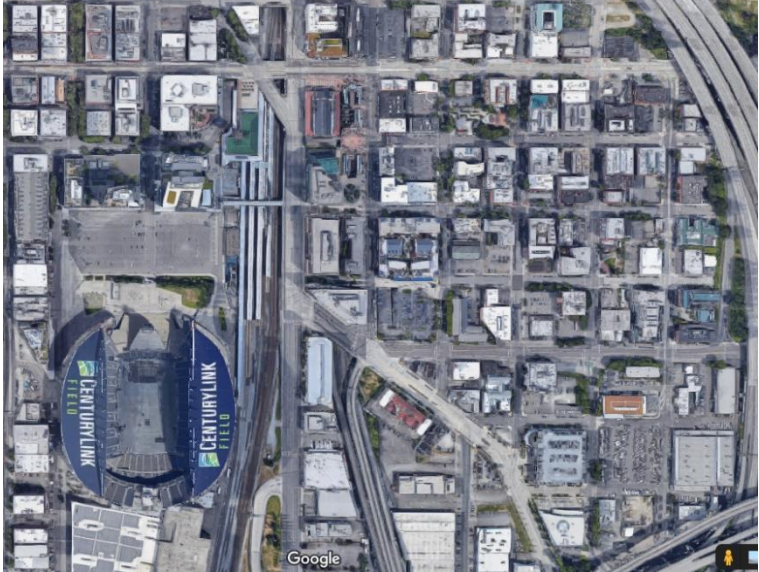
² <https://www.amtrak.com/state-fact-sheets>

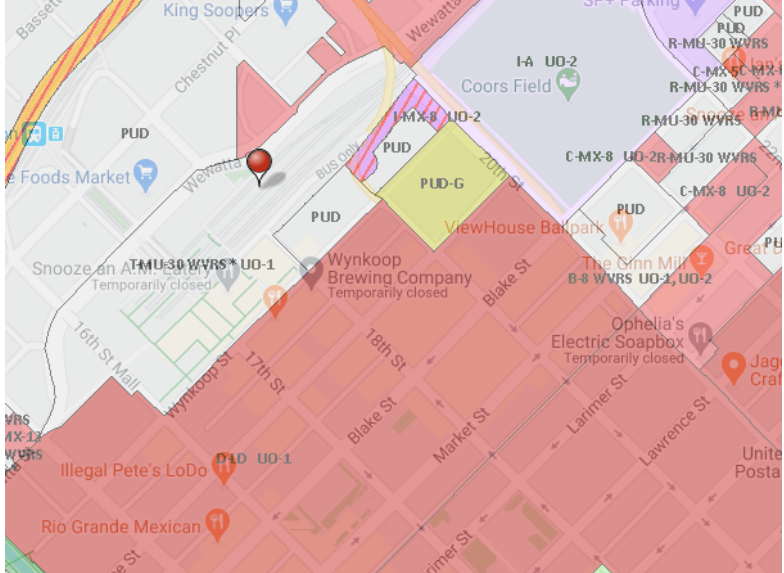
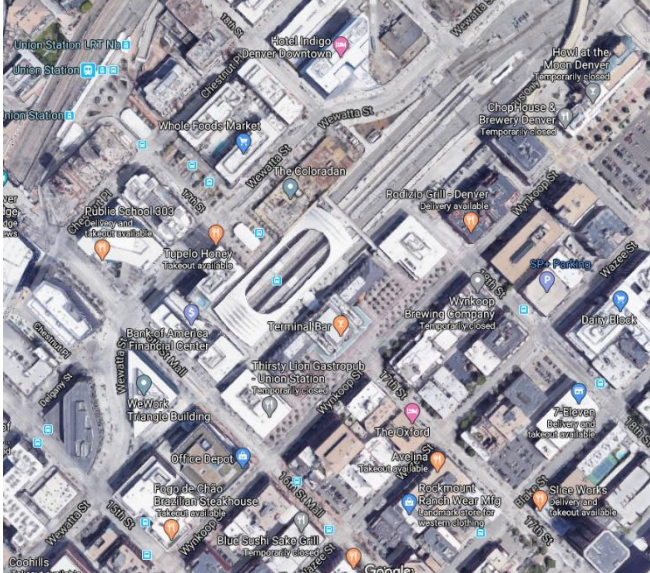
Location	Existing Station Associated Parking ¹	Development plans and associated parking	Relationship to the city	Amtrak Riders (Yearly FY18) ²	Station's Zoning Context	Station's Built Form Context
New York Penn Station	Amtrak Website indicates: overnight parking is available for a fee at many private garages in the area.	New Train Hall: https://www.nytimes.com/2016/09/28/nyregion/penn-station-new-york-andrew-cuomo.html	Served by Amtrak, MTA rail, NJ Path, Long Island RR, Very Urban, no easy access to highways.	10,132,025	 <p>https://zola.planning.nyc.gov/about#9.72/40.7125/-73.733</p>	 <p>https://zola.planning.nyc.gov/about#9.72/40.7125/-73.733</p>
Boston – South Station	943 parking spaces http://www.bostonplans.org/getattachment/4a72af83-aa8d-4be1-a9ce-dbad321a65c5 Lots of additional parking available around the station: here	Boston South Station Expansion 895 total spaces. http://www.bostonplans.org/getattachment/147f7f58-dd54-4702-8659-ce81707bfc35	Served by Amtrak, MBTA rapid transit, and MBTA commuter rail; intercity bus. Urban, quick access to I-93.	1,553,953	 <p>http://www.bostonplans.org/3d-data-maps/gis-maps/neighborhood-maps</p>	 <p>http://maps.bostonredevelopmentauthority.org/zoningviewer/</p>

Location	Existing Station Associated Parking ¹	Development plans and associated parking	Relationship to the city	Amtrak Riders (Yearly FY18) ²	Station's Zoning Context	Station's Built Form Context
Boston – North Station	1275 spaces; 38 accessible spaces https://www.mbta.com/stops/place-north Limited additional parking available around the station: here	North Station/ Boston Garden Development 800 parking spaces http://www.bostonplans.org/getattachment/e5eb598c-bb01-49f6-9190-4d07641d7c6f	Served by Amtrak and MBTA Commuter Rail. Urban, quick access to I-93.	464,988	 http://www.bostonplans.org/3d-data-maps/gis-maps/neighborhood-maps	 http://maps.bostonredevelopmentauthority.org/zoningviewer/
Boston – Back Bay Station	No MBTA parking; adjacent private garage with 2000 spaces https://en.wikipedia.org/wiki/Back_Bay_station	Back Bay/ South End Gateway http://www.bldup.com/projects/back-bay-station-redevelopment No net new parking is expected: http://www.bostonplans.org/getattachment/ab73db76-3746-4e68-b57e-4a800abf1694	Served by Amtrak; MBTA rapid transit; and MBTA commuter rail; intercity bus. Urban, transitions to residential neighborhoods.	683,016	 http://www.bostonplans.org/3d-data-maps/gis-maps/neighborhood-maps	 http://maps.bostonredevelopmentauthority.org/zoningviewer/

Location	Existing Station Associated Parking ¹	Development plans and associated parking	Relationship to the city	Amtrak Riders (Yearly FY18) ²	Station's Zoning Context	Station's Built Form Context
Philadelphia 30 th St Station	2,100 parking spaces https://www.blta.com/portfolio/parking-intermodal/amtrak-30th-street-station-parking-garage-2/	30 th St Station District Plan (2016) http://www.phillydistrict30.com/ Doesn't explicitly mention expanded parking.	Served by Amtrak, buses, trolley, regional rail, intercity bus. Urban, significant exposed rail yard, quick access to I-76.	4,471,992	 <p>https://openmaps.phila.gov/</p>	 <p>https://openmaps.phila.gov/</p>
San Diego – Old Town Transportati on Center	437 “park and ride” spaces and 350+ overflow spaces https://en.wikipedia.org/wiki/Old_Town_Transit_Center	No upcoming plans.	Served by Amtrak, Coaster commuter rail, San Diego Trolley, San Diego Metropolitan Transit System bus lines. Surface Parking around. Easy Access to I-8 and I-5.	350,518	 <p>https://www.sandiego.gov/development-services/zoning-maps</p>	

Location	Existing Station Associated Parking ¹	Development plans and associated parking	Relationship to the city	Amtrak Riders (Yearly FY18) ²	Station's Zoning Context	Station's Built Form Context
San Diego -- Santé Fe Depot	<p>Station parking not available: https://www.amtrak.com/stations/san</p> <p>Parking is provided by ACE Public Parking, located a few blocks north of the station: https://www.pacificsurf.com/destinations/san-diego-santa-fe-depot/</p>	<p>Station was sold to a private developer in 2017; development around the station https://www.sandiegouniontribune.com/business/growth-development/sd-fi-santafesold-20171011-story.html</p>	<p>Served by Amtrak, Coaster commuter rail, light rail, and San Diego Metropolitan Transit System bus lines.</p> <p>More urban; no Interstate access, minimal surface parking.</p>	699,430	 <p>https://www.sandiego.gov/development-services/zoning-maps</p>	 <p>Maps.google.com</p>
Los Angeles -- Union Station	<p>3,000 spaces https://en.wikipedia.org/wiki/Union_Station_(Los_Angeles)</p>	<p>Transforming Los Angeles Union Station (2015): no new parking will be added https://media.metro.net/projects_studies/union_station/images/LAUS_Design_Report-Final_10-9-15.pdf</p>	<p>Served by Amtrak, airport transfer buses, Intercity Bus, Metro regional bus and light rail, Metrolink rail service, car rentals.</p> <p>Significant surface parking in the area, easy access to 101. Neighboring area appears industrial (to the south)</p>	1,717,405	 <p>http://zimas.lacity.org/</p>	 <p>http://zimas.lacity.org/</p>

Location	Existing Station Associated Parking ¹	Development plans and associated parking	Relationship to the city	Amtrak Riders (Yearly FY18) ²	Station's Zoning Context	Station's Built Form Context
Portland -- Union Station	400 spaces https://www.parkme.com/lot/52473/station-place-garage-portland-or	Prosper Portland (2019): remove annex parking lot at Union Station https://prosperportland.us/portfolio-items/portland-union-station/	Served by Amtrak. Portland Transit Mall is one block away and serves bus lines and light rail for the city and region. Downtown, parking lots are proximate to the station. No Interstate access.	576,339	 https://www.portlandmaps.com/bps/zoning/#/map/	 Maps.google.com
Seattle - King Street Station	no parking: https://www.amtrak.com/content/amtrak/en-us/stations/sea.html Nearby private parking: https://spothero.com/seattle/amtrak-king-street-station-parking	No plans to add parking; plan to develop as a cultural center: https://www.seattle.gov/arts/programs/arts-at-king-street-station	Served by Amtrak, Sounder commuter rail trains, Amtrak bus services. Nearby bus lines and light rail. Proximate to downtown, near sports complex. Easy access to I-5.	686,426	 http://seattlecitygis.maps.arcgis.com/apps/webappviewer/index.html?id=f822b2c6498c4163b0cf908e2241e9c2	 Maps.google.com

Location	Existing Station Associated Parking ¹	Development plans and associated parking	Relationship to the city	Amtrak Riders (Yearly FY18) ²	Station's Zoning Context	Station's Built Form Context
Denver -- Union Station	no parking: https://www.amtrak.com/stations/den	No upcoming plans	Served by Amtrak, RTD Free Metroride and Mallride, and RTD Light Rail. Urban, surface parking exists a few blocks away, proximate to I-25.	143,986	 <p>https://denvergov.org/maps/map/zoning</p>	 <p>Maps.google.com</p>

Attachment 6: Amtrak Rider Survey

District of Columbia Report-Back to NCPC re: Appropriate Parking Numbers for the Washington Union Station Expansion Project, June 3, 2020

Amtrak eCSI Access/Egress Questions by Station (Data Collected 12.12.19 through 3.26.20)

E369. What primary form of transportation did you use to get from [INSERT DESTINATION STATION] where you got off the [INSERT ROUTE] train to your final destination? Please choose only one. (RANDOMIZE [KEEP 01-02, 03-05, 06-07, and 08/12 NEXT TO EACH OTHER]. ALLOW ONLY ONE RESPONSE.)

	Total Responses	Connecting Amtrak train	Connecting Amtrak bus	Drove and parked at station	Carpooled and parked at station	Dropped off by another auto driver	Local public transit	Private intercity bus	Taxi/limousine	Walk/bicycle	Rental car	Plane	Uber	Lyft	Other
WASHINGTON, DC	743	6%	0%	3%	0%	13%	29%	0%	22%	6%	1%	1%	12%	5%	2%

District of Columbia Office of Planning



Office of the Director

April 30, 2020

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

RE: District of Columbia Comments on the Preferred Alternative for the Washington Union Station Expansion Project

Dear Mr. Valenstein:

The District of Columbia Office of Planning (OP) appreciates the opportunity to participate in the ongoing National Environmental Protection Act (NEPA) process for the Washington Union Station Expansion Project for which the Federal Railroad Administration (FRA) is the Lead Agency. This letter is to share with FRA our conclusions regarding parking, which we are providing to the National Capital Planning Commission (NCPC). At 1,575 spaces, the project would be overparked and sacrifices to parking valuable space that should instead be devoted to land uses that would enhance both the station and the surrounding area.

On January 9, 2020, NCPC, in its dual role as a consulting party to the NEPA process and as land use approval authority for the project, requested that:

[t]he applicant (FRA) substantially reduce the number of parking spaces (in the Union Station Expansion Project), and that the applicant, private development partner, and staff work with the District Office of Planning and the District Department of Transportation to evaluate and confirm the appropriate amount of parking given the mix of uses, traffic and urban design impacts, and transit-oriented nature of the project prior to the next stage of review.

We believe that it is possible to design the project in a manner that supports the best long-term land use, delivers world-class multi-modal transportation, and is financially viable for the Union Station Redevelopment Corporation (USRC) in its role as steward of Washington Union Station. We do not believe that such an important project can compromise on any of these vital

objectives. Unfortunately, because Preferred Alternative A-C makes significant compromises on land-use and parking – sacrificing far more valuable land uses to make room for parking – OP cannot support it.

Based on District policies, comparable U.S. facilities, and our analysis of parking demand, our report to NCPC recommends a total of 295 parking spaces for the subject project, although up to 375 might be appropriate if additional information demonstrated it was justified. Table 1 shows the District’s proposed parking for Union Station.

Table 1: District Proposed Parking for Union Station

Program	Case	District Rec. Parking #	Min	Max
Land Use	Retail	0	0	0
	Office	206	0	206
Long-Term Parking	Amtrak	0	0	0
	Bus	0	0	0
Short-Term Parking	Driver leaves car temporarily	40	40	120
ADA Parking		49	7	49
Total Parking		295	47	375

Source: District Office of Planning, District Department of Transportation¹

Throughout this process, the District has emphasized the importance of:

- Prioritizing intermodal effectiveness and efficiency (including intercity bus, rideshare services, and bicycle connections);
- Providing continued and enhanced quality of life for people who live in, work in, and visit the Washington Union Station area;
- Affirming the civic identity rooted in the transportation infrastructure at Union Station;
- Retaining intercity bus service at Washington Union Station; and
- Promoting pedestrian mobility in the design.

As illustrated by our recommended parking numbers in Table 1, OP and DDOT agree with NCPC that the 1,575 parking spaces in Preferred Alternative A-C will undermine the ability of the project to achieve these goals and must be reduced. OP reached this conclusion through the Inter-Agency Parking Working Group, which was created to address NCPC’s request and included representatives of FRA, USRC, Amtrak, OP, and DDOT.

Union Station is a unique facility in a dense urban location. It hosts more visitors than the Las Vegas Strip and handles more passengers than any of the major airports in our region. Beyond its role as an intercity transit hub, Union Station is accessible by Metrorail, Streetcar, MARC, VRE, and Circulator and WMATA bus routes. Moreover, it is adjacent to the District’s highly

¹ The numbers recommended herein were developed in collaboration with the District Department of Transportation (DDOT) and represent the District’s recommended parking numbers for the Union Station Expansion Project.

walkable and bikeable downtown. In this setting and with such rich multimodal access, private vehicles will play a limited role in the future Union Station.

With this accessibility in mind, and as part of the Parking Working Group, the District analyzed policies, case studies, and rationales that could help address appropriate parking numbers at Union Station in the year 2040 (the horizon year for the subject Project and NEPA process), taking into account future retail and office uses as well as long-term, short-term, and ADA-related parking at Union Station.

OP drew policy guidance from proposed amendments to the District's Comprehensive Plan, made as part of the current Comprehensive Plan update process, and from DDOT's Guidance for Comprehensive Transportation Review. District policies and guidance from these and other planning documents emphasize reducing the use of single occupancy vehicles, reducing parking, reducing greenhouse gas emissions, and enhancing multimodal transportation.

Unfortunately, after three sessions of the Parking Working Group, in which the District shared information about the policies, data, and analysis supporting substantially reduced parking, FRA remained unwilling to propose any reduction in the 1,575 spaces presented to NCPC for Preferred Alternative A-C.

OP cannot see a viable path to success for such an overparked project. A NEPA Record of Decision that includes so much parking will likely require future modifications to reduce the amount parking and deliver a viable project. To avoid such a time-consuming process, FRA should modify the existing Preferred Alternative or develop a new Preferred Alternative that substantially reduces parking, substitutes the difference in parking with additional land use programming, and integrates pick-up and drop-off (PUDO) facilities and related details for capacity, location, and design. We recognize that reducing the parking will impact PUDO and are prepared to collaborate with FRA, DDOT, and surrounding communities and developments to ensure an appropriate facility or facilities are dedicated to PUDO activity.

OP fully appreciates the need to ensure the long-term financial viability of Washington Union Station and believes that a recalibrated approach to parking can support and achieve multiple project benefits for its stakeholders. OP believes that developing uses such as hotel, office, and retail instead of parking could provide robust revenue streams to support operations. Although the retail at Union Station serves patrons of the station and is not destination retail for which customers drive and park, we understand that parking may present a challenge in terms of an existing lease agreement between USRC and commercial tenants at the station. OP stands ready to work with the project team on questions relating to lease terms and to identify the land uses. But the terms of a lease should not dictate critical land use and transportation decisions that will be felt for a century or more.

I look forward to continued engagement in the Union Station Expansion Project and will submit comments consistent with those in this letter in response to the DEIS when you release it for public comment.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andrew Trueblood', with a long horizontal flourish extending to the right.

Andrew Trueblood

cc: John Falcicchio, Deputy Mayor for Planning and Economic Development
Jeffrey Marootian, Director, District Department of Transportation
Beverley Swaim-Staley, President and CEO, Union Station Redevelopment Corporation
Marcel Acosta, Executive Director, National Capital Planning Commission
Gretchen Kostura, Senior Program Manager, Washington Union Station, Amtrak



**National Trust for
Historic Preservation**
Save the past. Enrich the future.™

VIA E-MAIL

September 28, 2020

David Valenstein
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Ave. SE
Washington, DC 20590

**Re: Comments on Draft Environmental Impact Statement and Draft
Assessment of Effects for Washington Union Station Expansion Project**

Dear Mr. Valenstein,

These comments are submitted by the National Trust for Historic Preservation¹ in response to the Draft Environmental Impact Statement (DEIS) and Draft Section 106 Assessment of Effects (AOE) Report, issued by the Federal Railroad Administration (FRA) for the Washington Union Station Expansion Project. The National Trust has been actively engaged for more than eight years in collaborative consultation and advocacy to protect Washington Union Station, one of our National Treasures, as the planning process for its redevelopment and expansion has unfolded and evolved.

In response to the DEIS and the AOE, we strongly agree with the comments and objections that are being submitted by the other consulting parties, including the State Historic Preservation Office (SHPO), the Capitol Hill Restoration Society, the Committee of 100 on the Federal City, and others. We especially take issue with the “Potential” Adverse Effect determination for the Capitol Hill Historic District, because these adverse effects are reasonably foreseeable under the current proposal, and they need to be addressed now through modifications to the project, not deferred and denied.

¹ The National Trust is a private nonprofit organization chartered by Congress in 1949 to “facilitate public participation” in the preservation of our nation's heritage, and to further the historic preservation policy of the United States. *See* 54 U.S.C. § 312102(a). With more than one million members and supporters around the country, the National Trust works to protect significant historic sites and to advocate for historic preservation as a fundamental value in programs and policies at all levels of government. In addition, the National Trust has been designated by Congress as a member of the Advisory Council on Historic Preservation, which is responsible for working with federal agencies to implement compliance with Section 106 of the National Historic Preservation Act. *Id.* §§ 304101(8), 304108(a). The National Trust also has a strong record of enforcing compliance with Section 4(f) of the Department of Transportation Act, 49 U.S.C. § 303(c).

Rather than repeating these issues, which we have discussed during the Section 106 consultation process, we would like to focus our comments on the substantive requirements of Section 4(f) of the Department of Transportation Act, 49 U.S.C. § 303(c), and the failure of the Preferred Alternative A-C to comply with those requirements.

The Preferred Alternative Fails to Comply with Section 4(f), By Failing to Include “All Possible Planning to Minimize Harm” to Historic Properties.

As you know, Section 4(f) prohibits the “use” of historic properties (and certain other protected resources) for transportation projects, unless (1) “there is no prudent and feasible alternative” to the use of the protected property; and (2) the program or project includes “all possible planning to minimize harm” to the property. 49 U.S.C. § 303(c). And unlike the National Environmental Policy Act (NEPA) or Section 106 of the National Historic Preservation Act, whose mandates are ultimately procedural, the requirements of Section 4(f) impose substantive constraints on the exercise of agency discretion. The language of Section 4(f) shows that Congress intended the protection of historic properties (and other resources protected by the statute) to be given “paramount importance” in the planning of federal transportation projects. *Citizens to Preserve Overton Park, Inc. v. Volpe*, 401 U.S. 402, 412-13 (1971).

In this case, there is no dispute that the project will “use” the historic properties of Union Station, the Union Station Historic Site, and the REA Building (DEIS at 6-15 to 6-21), and there is no alternative that would avoid that use altogether (DEIS at 6-22). Accordingly, the issue here is whether the project includes “all possible planning to minimize harm” to those historic properties. It fails to satisfy that requirement.

“[T]he duty to minimize harm has two components. First, harm minimization requires FHWA to consider alternatives that result in less or less-drastic use of a Section 4(f) resource.” *Merritt Parkway Conservancy v. Mineta*, 424 F. Supp. 2d 396, 417 (D. Conn. 2006) (citing *Druid Hills Civic Ass’n v. FHWA*, 772 F.2d 700, 716 (11th Cir. 1985)). Second, “whatever harm cannot be avoided by choosing between construction alternatives should be mitigated by design choices within the chosen construction option.” *Merritt Parkway Conservancy v. Mineta*, 424 F. Supp. 2d at 417.

If an alternative, or a modification to the design, would be less harmful to the historic properties and other resources protected by Section 4(f), the agency *must adopt* that less harmful alternative, unless it can demonstrate that “there were truly unusual factors present,” or “unique problems,” or “the cost or community disruption” resulting from the alternative designs would reach “extraordinary magnitudes.” *Citizens to Preserve Overton Park v. Volpe*, 401 U.S. at 413.

In this case, the FRA’s Section 4(f) analysis fails to satisfy this legal standard. The agencies and other parties participating in the Section 106 consultation process have identified numerous ways in which Alternative A-C should be modified in order to substantially reduce its adverse impacts on Union Station and other historic properties. But the FRA has failed to provide a legally sufficient rationale for declining to adopt and incorporate those modifications. The proposed modifications include, for example:

- The number of parking spaces needs to be dramatically reduced, from the current proposal (to build more than 1,500 parking spaces in an enormous structure that would tower over Union Station) down to approximately 250 spaces;
- Some of the functions need to be shifted underground, especially parking and pick-up/drop-off (PUDO) circulation, in order to reduce the visual impact of the above-ground construction and reduce the adverse traffic impacts; and
- The Visual Access Zone needs to be expanded and shifted, to ensure that it is wide enough to maximize visual access to the historic Union Station building, and centered on the historic barrel vault.

One of the truly extraordinary things about this planning process is the broad consensus that has been achieved by virtually every party other than the FRA that these measures to reduce the adverse impacts are important and these and other modifications to the proposed project need to be made. Rarely do we have the preservation advocates, the city, the federal planning and design and preservation agencies, and the private developer, all in agreement on these issues.

The FRA has attempted to justify its desire to avoid these less harmful modifications partly based on cost. The agency has chosen the cheapest alternative (DEIS at 6-26), but the cost differential between the alternatives is not really very substantial, given the multi-billion-dollar budget and the lengthy construction schedule. Even the *most* expensive alternative is only 29 percent more in its estimated cost than the \$5.8 billion preferred alternative, and over the course of more than a decade, that differential is likely to be exceeded by cost increases and contingencies.

The FRA has also placed a high priority on attempting to reduce the duration of construction, and has cited this as a rationale for rejecting underground construction, along with other measures to reduce the adverse impacts. Again, however, the difference between the alternatives is probably less than the margin of error, given the lengthy duration of construction, with the longest alternative (at 14 years) just 27 percent longer than the preferred alternative (at 11 years). (DEIS at 6-25.) The FRA's disproportionate emphasis on minimizing the duration of construction may have the benefit of slightly reducing short-term impacts, but at the cost of substantially increasing the permanent adverse effects.

Ultimately, the FRA has simply not made the case that the proposed modifications to minimize harm, including those described above, would involve additional costs or community disruption of "extraordinary magnitudes."²

² The Section 4(f) evaluation also attempts to cite correspondence from the SHPO as supporting the conclusion that Alternative A-C, as proposed, includes "all possible planning to minimize harm," and satisfies the requirements of Section 4(f). (DEIS at 6-23 to 6-25.) This assumption cannot be sustained, especially in light of the SHPO's more recent comments.

Conclusion

Thank you for considering the comments of the National Trust. We plan to continue participating as a consulting party in the Section 106 review in an effort to resolve the adverse effects of the project. We urge the FRA to make substantial modifications to its preferred alternative, in response to the strong and unified recommendations by the consulting parties, in order to satisfy the substantive legal requirements of Section 4(f) to incorporate “all possible planning to minimize harm” to the historic properties, as well as the requirements of Section 106 to “develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize or mitigate adverse effects on historic properties,” 36 C.F.R. § 800.6(a). Without these modifications, the project remains vulnerable.

Sincerely,



Elizabeth S. Merritt
Deputy General Counsel

cc: Sarah Stokely, Jaime Loichinger, and Reid Nelson,
Advisory Council on Historic Preservation
Katherine Zeringue, Federal Preservation Officer, Federal Railroad Administration
Andrew Lewis and David Maloney, DC Office of Historic Preservation
Drury Talent and Beth Purcell, Capitol Hill Restoration Society
Kirby Vining and Erik Hein, Committee of 100 on the Federal City
Rebecca Miller, DC Preservation League
David Tuchmann, Akridge Development



September 28, 2020

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

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

Dear Mr. Valenstein:

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

ASSESSMENT OF EFFECTS:

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

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

(Note: Adverse Effects are highlight in red)

Assessment of Effects on Washington Union Station

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



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

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

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

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

Assessment of Effects on Washington Union Station Historic Site

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

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

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

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

Assessment of Effects on REA Building

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

Assessment of Effects on Capitol Hill Historic District

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

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

RESOLUTION OF ADVERSE EFFECTS:

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

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

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

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



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

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

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

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

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

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

Resolution of Adverse Effects on the Capitol Hill Historic District

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

Mr. David Valenstein

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

September 28, 2020

Page 6

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

Section 4(f) Evaluation:

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

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

Sincerely,



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

cc: Consulting Parties
16-0114

From: Michelle Chang
To: [Union Station Expansion](#)
Cc: [David Tuchmann](#); david.valenstein@dot.gov; [Matt Klein](#); [Kevin Dunmire](#)
Subject: Washington Union Station Expansion Project - Akridge comments to the Draft EIS
Date: Monday, September 28, 2020 11:54:48 PM
Attachments:

Dear Mr. Valenstein,

Akridge is pleased to provide comments on the Draft EIS for the Washington Union Station Expansion Project. Attached please find a PDF of the main body of Akridge's comments. In addition, due to file size, we are also providing a link to an FTP site that includes the comments and all appendices. Please let us know if you have any trouble accessing the FTP site. I will follow up with a separate email without the attachment and just the link to the FTP site in case the file size is too large.

Sincerely,

Michelle Chang

FTP site: <https://shalombaranes.sharefile.com/share/view/sd19f3183b9f47878/fo02607e-31cd-48b9-b07f-14c7afe6e825>

Michelle Chang, Development Manager
601 Thirteenth Street, NW, Suite 300, Washington, DC 20005
T 202.210.9981 E mchang@akridge.com Akridge.com

AKRIDGE
Invested.

COMMENTS ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT AND
DRAFT SECTION 4(f) EVALUATION FOR
WASHINGTON UNION STATION EXPANSION PROJECT
(DEIS 20200120)

SUBMITTED BY

AKRIDGE

SEPTEMBER 28, 2020

Submitted by email to: info@WUStationexpansion.com

- I. Executive Summary
- II. Impacts to Burnham Place
- III. Preferred Alternative A-C Will Fail to Meet the Purpose and Need
 - A. Urban Design and Planning Framework Challenges
 - B. Three Key Problems with Transportation Components in the Preferred Alternative:
 - 1. Station Parking
 - 2. Pick-up and Drop-off (PUDO) and Circulation
 - 3. Bus Facility
 - C. Stakeholder Concerns Not Adequately Addressed During DEIS Process
- IV. Modifying Alternative A-C to Achieve a Balanced Vision
 - A. Requirements for a Successfully Integrated Project
 - B. Smart, Strategic Transportation Elements Prioritize People
 - 1. Right-Size Parking and Optimize Location and Configuration
 - 2. Establish a Distributed PUDO Plan, Including One High-Capacity, Below-Grade, Centralized Facility
 - 3. Create a First-Class and Right-Sized Bus Facility
- V. Process and Akridge Role
- VI. Other Impacts
 - A. Property Rights
 - B. Technical Issues Not Thoroughly Analyzed
 - C. Construction Methods Not Considered
 - D. Fiscal Impacts and Economic Viability
- VII. Conclusion
- VIII. Appendix
 - A. Parking Program Operations
 - 2020-09-24 Parking Program Operations
 - B. Pick-up and Drop-off Operations and Traffic Assessment
 - B1. Pick-up and Drop-off Operations
 - Washington Union Station Pick-up and Drop-off Operations
 - B2. Traffic Assessment

- W+A DEIS Traffic Analysis (9-28-20)
- B3. Below-Grade Access Ramps
 - Below-Grade Access Opportunities
- C. Bus Terminal Operations
 - C1. Bus Terminal Operations
 - WUS Bus Terminal Operations Analysis Sept 2020 – Sam Schwartz
 - C2. Response to August 26, 2020 Greyhound Letter
 - Response to August 26, 2020 Greyhound Letter
- D. Property Rights
 - Akridge letter to FRA re property rights
- E. Vision Framework & Animation
 - E1. Vision Framework and Animation
 - Vision Framework
 - 2020-09-20 Animation Export.mp4
 - E2. Modifications to Alternative A-C
 - Modifications to Alternative A-C
- F. **Fiscal and Economic Impact Analysis**
 - 2020-09-06 RCLCo SEP and BP Fiscal and Economic Impact Analysis
- G. **View Shed Analysis**
 - View Shed Analysis
- H. **Constructability & Phasing**
 - H1. West-to-East Phasing
 - 2018-09-10 West to East Phasing Study
 - H2. Single Phase Construction
 - 2019-04-17 Single Phase Construction
 - Burnham Place – Animation 1
 - Burnham Place – Animation 2
 - Burnham Place – Animation 3
- I. **Intersection Analysis**
 - H Street Bridge Joint SEP Akridge Needs 20181025
- J. **Station Plan Restrictions on BP Structure**
 - 019-05-13 Station Plan Restrictions on BP Structure
- K. **Impacts of Alternatives A-E**
 - 2018-07-23 Impacts of Alternatives A-E
- L. **Bus – North of H Street Proposal**
 - Bus_North of H Street Proposal

Introduction

Akridge and its affiliated entities (collectively “Akridge”) appreciate the opportunity to provide comments on the Draft EIS for the Washington Union Station Expansion Project (“Expansion Project” or “SEP”). Akridge is a full-service commercial real estate firm with over four decades of experience developing and managing premier properties throughout Washington, DC. Akridge is leading the development team for Burnham Place, a proposed three-million square-foot development to be built above Union Station’s rail yard on the private air rights sold for development at Congress’ direction and owned by Akridge. The Burnham Place development will provide direct access to the expanded and improved Union Station facility. Burnham Place will represent one of the most economically catalytic project for the National Capitol Region for decades to come, and will provide a new commercial center atop an expanded multi-modal station. The Burnham Place development will feature a mix of first-class office, residential, retail, and hotel space, as well as parks and plazas. The award-winning vision matches the quality of the original, acclaimed station design by architect Daniel Burnham and ensures that Union Station continues to be a worthy gateway to the nation's capital.

As the owner of the adjacent private air rights, Akridge has been an active supporter of the plans to refurbish and expand Union Station. Modernizing train service, updating the facility, and developing a new neighborhood adjacent to a world-class transportation facility will bring significant benefits to the country, the region, and the District of Columbia. Akridge has worked alongside Amtrak, the Union Station Redevelopment Corporation, the District of Columbia government, and key stakeholders for the better part of 20 years to push for the design and implementation of an Expansion Project which will be successful for everyone. During that time, Akridge has repeatedly raised significant concerns regarding the Expansion Project that impact Burnham Place, the surrounding neighborhoods, and other stakeholders.

As discussed more fully below, several modifications to the Preferred Alternative presented in the DEIS are needed to meet FRA’s obligations under NEPA, Section 106 and Section 4(f), as well as to ensure a viable and successful design that will meet the project’s purpose and need. Akridge has spent significant time and resources to develop Alternative “A-C Modified” that would vastly improve the Expansion Project, satisfy its established objectives, and avoid undue adverse impacts to Burnham Place. Akridge believes that by making key adjustments to the Preferred Alternative, the Expansion Project can meet its purpose and need as well as the diverse goals of stakeholders, including those of Akridge.

Section I

Executive Summary

It is difficult to overstate the potential of Washington Union Station's expansion. If effectively planned, designed, funded and built, all those who live and work within or visit the National Capital Region will benefit from its implementation. Dramatic capacity increases in intercity and commuter rail growth will enhance regional mobility and open housing and job growth to more sustainable locations. Economic benefits will accrue to the District, Maryland and Virginia by leveraging existing transportation assets. Millions fewer vehicle miles traveled each year will improve air quality and reduce traffic congestion.

The Capitol Hill, Near Northeast, Union Market/Gallaudet, and NoMa neighborhoods will enjoy seamless access to a neighborhood asset—one that is treasured equally for its community impact and historic significance as it is for its efficient transportation options and high-quality passenger experience. Union Station's ambitious second redevelopment, steps from the U.S. Capitol Building, will signal to Americans and international visitors alike that our country makes bold investments in sustainable infrastructure while respecting and valuing the human experience.

It is the breadth and depth of the potential impact of the station's expansion that has led Akridge to invest 18 years in project planning, research and analysis for Burnham Place as well as Union Station. Underpinning our long term commitment is the belief that when in harmony, Burnham Place and the station expansion will be symbiotic, providing exponentially more value and benefits to all stakeholders than either project could deliver alone. In this regard, Akridge believes the public support for and successful planning of each project is fundamental to the other achieving its full potential.

At this moment within the station expansion's regulatory review, there can be two profoundly different outcomes. In one, a project plan inspires and unifies stakeholders, neighbors, approval authorities and ultimately government leaders to invest boldly in a shared vision for the station's next century. Alternatively, the regulatory process concludes with continued conflict. Stagnation follows as there is insufficient support to garner required approvals, let alone the political will to advance an uninspiring project of such enormous scale and duration.

Akridge approaches this juncture with optimism that the first path is eminently achievable. First, the foundational rationale for the station's expansion enjoys broad and vocal support. The passion with which stakeholders have expressed their views reflects a collective agreement on the project's unmatched importance. There is to date unanimous support for FRA and Amtrak's plans to reconfigure the station's tracks and platforms with new concourses and an impressive train hall positioned north of the historic building. The DEIS's detailed constructability and engineering analyses demonstrate the project's feasibility.



Burnham Place team's vision for compatible public and private projects

Alternative A-C therefore serves as an effective starting point, but for reasons discussed in these comments is not a feasible alternative. However, by making three key adjustments to the Preferred Alternative, the project can meet its Purpose and Need as well as the diverse goals of a broad group of stakeholders, including those of Akridge. These changes include:

1. **Parking:** Locate the District government's recommended 295 (or fewer) station parking spaces below the new rail concourse level in the area shown in Alternatives C and D
2. **Pick-Up and Drop-Off (PUDO):** Alongside the (predominantly short-term) station parking below-grade, incorporate a high-capacity PUDO area including For-Hire Vehicle storage with multiple ingress and egress points
3. **Bus Facility:** Include a prominent, day-lit intercity and charter bus facility of exceptional quality with 18 slips adjacent to the Train Hall

These proposed changes, described in more detail below, are based on rigorous analysis and application of best practices in multi-modal transportation facilities. The adjustments are also informed by our engagement over several years with other stakeholders and our understanding of their concerns, goals and priorities for the station expansion including:

- Enhancement and preservation of key historic viewsheds and assets
- Inclusion of prominent, open spaces, such as civic plazas, parks and recreational areas
- Prioritization of pedestrian, bicycle and transit infrastructure
- Minimization of at-grade vehicular functions and congestion at the station’s edges

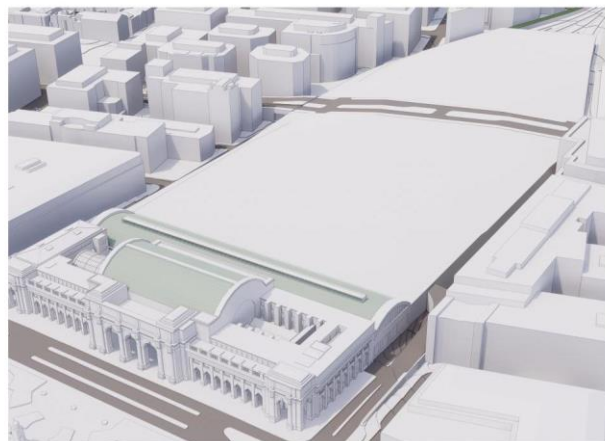
Garage Demolition Required For Rail Growth Demands a Blank Slate Approach

The DEIS carefully and convincingly documents that in order to expand intercity and commuter rail capacity and ensure the safety, security and accessibility of the station, the existing parking garage must be demolished and the rail yard rebuilt. This requirement, reflected within all the Action Alternatives, is critically important in developing the appropriate framework in which to plan the facility’s next century. No different from any other land use planning exercise, when existing improvements will be removed, the correct planning approach is to start from scratch and then determine the appropriate uses (and their scale and locations) to include. Planning for the “deck level” between the historic station and H Street should follow this approach.

This approach does not eliminate the primacy of achieving the station’s key transportation goals. Nor does starting from a blank slate suggest that the existing garage property should not be utilized in service of the public interest. Rather, this framework allows planners to look 40 years ahead to predict urban transportation and design trends rather than face the burden of 40-year-old suburban planning models as a baseline condition.



EXISTING STATION CONDITIONS



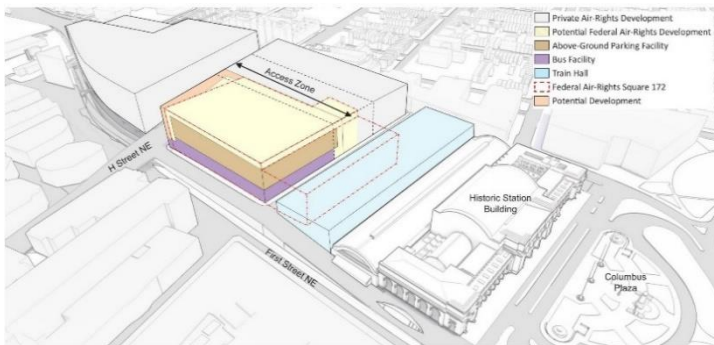
BLANK SLATE APPROACH

Problems with the Preferred Alternative

As noted previously, we believe the proposed Train Hall in Alternative A-C is approximately the right scale and optimally placed. We also agree with the inclusion of prominent pedestrian access points on both sides of H Street and at the Train Hall. However, in regards to vehicular station elements, the FRA's plan is rooted in backward rather than forward looking transportation planning principles.

A seemingly intractable challenge at many urban rail stations is how to accommodate the volume of vehicles required to serve the station's various modes. On the one hand, if potential train or bus passengers encounter an inefficient and frustrating experience arriving or departing the station by vehicle, in the future many will choose to avoid the station. However, if the streets adjacent to the station are heavily dominated by vehicles, those taking higher capacity modes such as transit, bicycle or walking will encounter unsafe conditions, similarly discouraging future station use. An unsafe and unappealing environment adjacent to the station also detracts from its historic setting and serves as a neighborhood liability rather than an asset.

We believe much of the tension surrounding the flaws in Preferred Alternative A-C involves the high demands of planning a complicated multi-modal facility in the middle of a highly constrained urban environment. This context requires a demanding assessment of the scale and collateral impacts of each of the intended uses. This assessment must not be framed by the past scale and relationship of uses, but rather start from a thorough review of current and projected demand generators and thoughtfully sized accordingly. Next, an iterative process is required to optimally locate each component.



CREDIT: DEIS Alternative A-C (Preferred Alternative), June 2020

In Preferred Alternative A-C, the parking, PUDO and bus facility components must each be right-sized and located properly in order to enable station capacity growth while facilitating, not precluding, the development of a plan that achieves the stakeholder goals listed above.

Parking

We support the DC Office of Planning (DCOP) in its recommendation and documented rationale for no more than 295 station parking spaces. Our transportation consultants conducted a station parking demand analysis in May of this year which reached a materially similar conclusion (see Appendix A). The negative impacts of including too much parking as planned in Alternative A-C are so extensive that they render the current concept infeasible:

- The proposed garage's east side hinders the creation of an adequate civic space and symmetrical backdrop behind the historic station. Its west side and associated service road prevent the creation of a greenway, new station entrances and an appropriate visual corridor along First Street NE
- If in order to facilitate a central civic space, federal air rights development is foregone along the garage's east side, the two-block long garage facade would visually harm and overwhelm that civic space
- A developable area for potential federal air rights is indicated above the garage in Alternative A-C. The feasibility of creating two stories of marketable commercial or residential space, with accessible lobby entrances, and elevators and stairs traveling through a bus and parking facility is highly doubtful and unlikely to provide economic value
- The parking levels create a substantial opportunity cost as the federally-owned property cannot be used in part for development or the creation of parks, open space and other public uses

Once right-sized, 295 predominantly short term parking spaces can fit within less than one third of the below-grade parking footprint shown in Alternatives C and D. Shifting this right-sized parking program below grade (in concert with changes to PUDO and bus facilities) will avoid all of the impacts described above, and allow the achievement of stakeholder goals for urban design, historic preservation and neighborhood integration.

We understand that USRC currently relies meaningfully on station parking garage revenues to sustain its current operations. However, we believe it is a serious mistake to continue to focus on parking as a significant revenue stream for USRC, or to let parking revenue drive critical design factors for the Expansion Project. The design, size and placement of the parking garage is a critical aspect of the Expansion Project, and should be based on how to best meet the overall purpose and need of the project for all stakeholders, not solely or even primarily on considerations of USRC revenue. Moreover, placing parking below the deck frees the federal air rights for private development, which would yield a significant and sustainable revenue stream to support USRC's important mission. Further details of the potential revenue from mixed-use development of the federal air rights are provided in Section 6D and Appendix F.

PUDO

Pick-up and drop-off activity at major transportation centers has increased dramatically within the past five years. We agree with FRA's assessment that this trend will continue to intensify, as For-Hire Vehicle (FHV) ridership replaces drive-and-park and other mode choices. The DEIS estimates that by 2040, each morning and afternoon *a vehicle will arrive or depart Union Station once each second* in order to serve projected station ridership projections. These 3,600+ trips represent a 25% higher demand than the PUDO activity at Reagan National Airport today.

With the Columbus Circle road network and PUDO lanes already beyond capacity during peak periods, it is not surprising that the DEIS projects Alternative A-C will lead to severe congestion, with vehicle queues spilling back into intersections along Massachusetts Avenue. As shown comprehensively in Appendix B2, the following fatal flaws with Alternative A-C's PUDO plan contribute to this result:



Ronald Reagan National Airport drop-off zone

- Insufficient lanes and curb frontage for FHV operators to form separate queues or ‘re-match’ with a new rider following a drop-off
- Insufficient merge and weaving areas entering and exiting PUDO facilities at Columbus Circle and the Train Hall to accommodate friends and family PUDO, taxis, multiple FHV operators, station parkers, intercity and charter buses and Burnham Place PUDO and parkers
- Inadequate space for passengers to wait and match with drivers, particularly within the second and third lanes at Columbus Circle and along First Street NE
- No off-street location for friends and family members picking up passengers to park short-term
- No staging or hold areas for high volumes of FHV operators to serve surge demands when multiple Amtrak trains arrive at once

The consequences of these flaws and omissions reach beyond unacceptable traffic operations. Other outcomes and impacts include:

- Significantly compromised pedestrian and bicycle safety
- Degradation of the station’s historic setting
- Passenger inconvenience and discomfort due to time spent in non-weather-protected queues or in traffic congestion
- Decreased station use as passengers make alternate travel choices
- Preclusion of high-quality civic spaces north of a new train hall

The Burnham Place team agrees with DDOT and DCOP, both of whom recommend the inclusion of a high-capacity, purpose-built, off-street PUDO facility. This facility would be in addition to other PUDO areas at Columbus Circle, the Train Hall, First Street NE and Second Street NE.

A dedicated PUDO facility could be located in a garage above the tracks, or alternatively below the rail passenger concourse level alongside station parking (as proposed in Alternatives B, C, D and E). Akridge and many other stakeholders agree that the below-grade option is the far superior choice for numerous reasons. This facility would be located directly below the new passenger rail concourse and accessed via three or more different ingress and egress points, predominantly located to the west of the station’s footprint.

Benefits of a Below-Grade PUDO Facility

Concealing high-intensity vehicle functions below ground is the default choice for high-density urban land uses of all types. In the commercial core of Washington, DC it may be impossible to identify a medium- or high-density land use newly built within the last decade with significant parking at- or above-grade. The FRA recognized and validated this trend when it developed five of its six Action Alternatives to include some or all of its parking and PUDO facilities below-grade.

What is unique about planning for Union Station as compared to most other land uses is that PUDO, *not parking demand* accounts for approximately 90 percent of projected peak hour vehicle trips. Locating PUDO facilities below-grade at Union Station solves or significantly mitigates the flaws and adverse impacts described above and also includes added benefits.

1. Comprehensive For-Hire Vehicle Operation

- a. Off-street staging area for taxi, Uber, Lyft and other providers reduces on-street PUDO activity and serves surge PUDO demands
- b. Effective, high-volume FHV re-matching decreases overall trips, reduces circulating vehicles and neighborhood spillover
- c. High-capacity staging and pick-up below-grade reduces congestion at Columbus Circle and the required size of other PUDO facilities. A direct route below-grade from taxi staging to the first lane at Columbus Circle eliminates taxi queues on the station's East Ramp

2. Effective Off-Street Friend/Family Short-Term Waiting Area

- a. Accommodate early-arriving drivers to free up curb space for active PUDO, decrease double-parking and circulating on adjacent streets

3. Improved Passenger Convenience and Experience

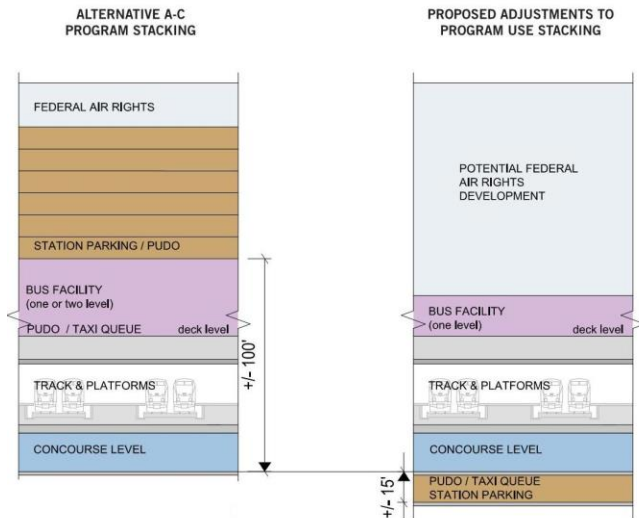
- a. Weather-protection improves experience, enhances safety and accelerates throughput
- b. Escalator and stair access from rail concourse directly above reduces walking distance, improves wayfinding, and decreases total trip time
- c. Locating facility egress ramps away from Columbus Circle and H Street decreases PUDO trip time to destination

4. Efficient PUDO and Less Vehicle Congestion Yields Additional Benefits

- a. Bicycle and pedestrian access and safety improvements at grade
- b. Improved historic setting
- c. Opportunities for multiple open spaces at station edges
- d. Less noise and lower carbon emissions

Above-Grade Garage PUDO Has Fatal Flaws

The option of locating a high-capacity PUDO facility above the bus facility is worthy of study given it is the only other location in which a dedicated PUDO area could be considered. However, there are several drawbacks to this location, some of which cannot be overcome or mitigated.



PUDO and Station Parking - Above-Grade vs Below-Grade

First, a PUDO facility within the above-grade garage would be located 100 feet above the H Street Rail Concourse and 60 feet above the main rail concourse within the Train Hall. Few rail passengers would accept this PUDO location for pick-up or drop-off when this location requires traversing six to ten stories via two or three different elevators. As train passengers will be dropped off elsewhere, drivers will then need to circulate from Columbus Circle, the Train Hall or First Street NE to the above-grade garage PUDO area to re-match for a pick-up.

Second, the proposed Alternative A-C garage includes a footprint for each parking level of approximately 115,000 square feet. This compares to 480,000 square feet available on one level below-grade. Even if right-sized station parking were included within the above-grade garage, fulfilling the PUDO functions described above would take at least three additional garage levels. This bus, parking and PUDO garage would create nearly the same adverse impacts as described in the *Parking* section above.

The Alternative A-C parking garage is accessed off a one-way PUDO road adjacent to the Train Hall. Locating PUDO within this garage would merge a thousand or more vehicles per hour onto this road, which is already overburdened by Train Hall PUDO activity and vehicles accessing private development garages. In this scenario, more than half of all PUDO trips would enter and/or exit via H Street.

Any one of these shortcomings is a significant barrier to locating a high-capacity PUDO operation in this location. Collectively, these problems demonstrate this location should not be studied further. While no traffic circulation plan will be able to meet the station's peak demands without some challenges, below-grade is the only location that can feasibly serve as a dedicated, off-street PUDO facility.

Bus Facility

Intercity and charter bus functions are pivotal transportation components within the deck level planning process for Union Station. With the existing garage slated for demolition, there is an opportunity to create one of the best bus facilities in the country—one which could provide an exceptional quality terminal for those seeking a low-cost intercity travel option and tourist groups visiting the station and nearby attractions.



Bus stations are challenging to site within multi-modal facilities for many reasons:

- To safely and efficiently maneuver buses with wide turning radii and minimize back-up movements, a multi-acre footprint is often required for even a dozen slips
- Buses require tall clearance, and some carriers have plans to add even taller models to their fleets to accommodate more passengers. Facilities generally require 20 feet in height, the equivalent of roughly two levels for most other uses
- Given the two above factors, stacking two levels of bus slips requires multiple 300-foot long ramps and additional circulation space. There are few if any intercity bus stations in the U.S. that include multiple levels. The Port Authority Bus Terminal in New York City has two levels, although this station predominantly serves commuter buses, and it does not have connecting ramps between its levels
- Separating passenger waiting, queuing, boarding, and circulation areas from those where buses are actively moving is critical to maintain a safe environment
- Structural columns within a bus station must be spaced widely apart. These 'long spans' constrain proposed program areas above or below the bus level

Due to all of these challenges, if planners do not intentionally prioritize the quality of the bus passenger experience, facilities can feel uncomfortable, unpleasant and utilitarian, in sharp contrast to the gracious and uplifting feeling of a voluminous train station or airport.

Key ingredients for a World Class Bus Facility at Union Station



Burnham Place team's vision for a world class bus station

Based on research of comparable facilities and input from key project stakeholders, the Burnham Place team has identified the following essential ingredients which should guide planning for the bus facility:

1. Adjacent to historic Union Station
2. First class passenger experience
3. Direct connection to vibrant urban spaces
4. Designed to minimize neighborhood traffic, historic preservation and urban design impacts
5. Appropriately sized

Below we assess the bus facility proposed in Alternative A-C based upon these criteria.

1. Adjacent to historic Union Station

Akridge agrees with the FRA that the appropriate location for the bus facility is directly north of the Train Hall. Relatively few cities throughout the world stack intercity bus stations on top of intercity and commuter rail lines. This is in large part due to the challenges in bus facility planning cited at the outset of this section.



Burnham Place team's illustrative vision for a world-class bus facility adjacent to the historic station

Throughout the past several years, Akridge has at times advocated for evaluating the potential benefits of locating the intercity bus station elsewhere within the city with transit and highway access. We have also spent considerable resources proposing a facility which could serve as the focal point of Burnham Place's parcel north of H Street (see Appendix L Bus-North of H Street Proposal) as well as within property along First Street NE. While we still believe that each of these options is viable, we value and endorse the broad stakeholder feedback and desire to locate the facility in roughly the same location as it exists today. Further, with the adjustments described below, we believe the bus station can serve as an anchor for the open space on the deck level, activating the station environment and complementing private development.

2. First class passenger experience

Alternative A-C's bus facility falls far short of providing an inspiring and high-quality passenger experience. Its front door and lobby is along H Street NE. This location may provide visibility for those passing by in a vehicle, but few passengers will enter the facility through this lobby as PUDO is not possible at this entrance. Streetcar passengers could enter in this location, but they first must cross the driveway where buses all must exit east along H Street.

The proposed bus passenger concourse is an 'island' configuration, which means it is surrounded by bus circulation on all sides. With parking levels above and over 100 feet away from the garage edges, there is no opportunity for any natural light within this waiting and boarding area. Without a prominent pedestrian entrance or natural light and surrounded by vehicles, the proposed bus station clearly falls short of achieving this essential planning ingredient.

3. Direct connect to vibrant urban spaces

As previously described in the *Parking* and *PUDO* sections, the proposed mass of the garage and adjacent federal air rights precludes the creation of an attractive and appropriately sized civic space. However, if there *were* an attractive set of plazas and parks next to the garage, bus passengers could not directly access them. Because of its island configuration and its lack of access to the two-block long central spine from H Street NE to the Train Hall, bus passengers would have little opportunity to enjoy the open space and restaurants and amenities within this area.



Burnham Place team's vision for a world class bus station connected to vibrant urban space

4. Designed to minimize neighborhood traffic, historic preservation and urban design impacts

As stated within recent comments from DCOP and ANC 6C, it is undesirable and of great negative impact if all buses exit the bus facility to the east down H Street NE rather than to the west to North Capitol Street. Specifically:

- H Street NE is a neighborhood street and not an appropriate place to encourage high volumes of commercial vehicles
- The proposed exit ramp is positioned just west of a proposed signalized intersection which includes crosswalks for streetcar passengers—an undesirable condition
- Buses bound for points southwest via I-395 must make a U-turn on H Street or travel through neighborhood streets to reverse directions

While the *Parking* and *PUDO* sections above describe critical flaws and missed opportunities associated with an oversized garage, it is actually the dimensional footprint of the bus facility that is most directly correlated with these historic preservation and urban design flaws. While the footprint of each parking or PUDO level could theoretically be made smaller, the bus facility occupies the 'ground' level of the garage, and its dimensions define its deck level presence.

As proposed, the bus facility's west edge eliminates the opportunity for a greenway. Its east edge precludes a great central civic space. Its northern extent eliminates Akridge's ability to develop a building along H Street NE that would screen the garage. Its southern edge leaves insufficient space to create a symmetrical and high-quality backdrop for the historic building. All of these impacts can be avoided, if the bus facility is appropriately sized.

5. Appropriately sized

In station planning for most modes of travel, there are three central drivers that enable passenger growth. These include the:

- amount of tracks, slips or spaces in the station
- number of vehicles the station can process per space during peak hours
- number of passengers per vehicle

All three drivers are critically important. For example, an airport operator can increase passenger capacity by building more gates and terminal space, requiring or incentivizing faster gate turnaround times, or by increasing the number of seats per plane. Each strategy carries a different set of costs and benefits for the operator and policy makers to consider. This framework demonstrates that *the number of slips in the future Union Station Bus Facility is not the only, or potentially primary driver of its capacity.*

In fact, the DEIS demonstrates this principle in its strategy for increasing rail passenger growth. The proposed plan for all of the Action Alternatives is to *decrease* the number of active, “revenue” tracks from 20 to 19, while doubling or tripling the number of intercity and commuter rail passengers. By increasing platform and concourse space for rail passengers and improving operational infrastructure, the rail providers will serve many more trains per hour per track than they do today. Some providers will also run longer trains with higher passenger capacities, while some platforms will serve shorter trains that ‘double-berth,’ with one platformed behind another.

These plans reflect the high leverage of investments made in operational efficiency. For example, in a facility with 12 tracks (or slips), cutting just five minutes off the time it takes to process each vehicle yields the same passenger growth opportunity as adding an additional track. When space constraints or costs to expand the footprint of a facility are high (as they are within the Union Station rail terminal), it is necessary and appropriate to optimize the other two key drivers for passenger growth.

Given the essential nature and associated planning challenges with this facility, Akridge engaged Sam Schwartz Engineers (SSE), an internationally recognized bus facilities planning expert to comprehensively analyze and assess the appropriate number of slips to serve the FRA’s projected 2040 intercity and charter bus demands. Analyzing the published (as of February 2020) scheduled arrivals and departures for every bus throughout the week, and using the same passenger growth forecasts employed within the DEIS, SSE concluded that a 12-slip facility can serve in excess of 2040 projected peak demands following industry best practices (see Appendix C1). Best practices require operators to turn around buses within 35 minutes during two peak hours per week, three months of the year.

SSE also provided a conservative operational scenario which relaxes the turnaround requirement to 45 minutes. In this case, 16 slips were required to accommodate 2040 intercity and charter ridership. Per the chart below, Akridge recommends using the 16 slips indicated in the conservative scenario plus the addition of two staging spaces for a total of 18 slips as the basis for modifying Alternative A-C. An 18-slip facility compares with the 25 slips documented within the DEIS as sufficient to meet future peak demands.

Bus Facility Analysis Comparison		
Category	FRA Plan - 25 slips	A-C Modified Plan
2040 intercity annual passengers	2,975,000	3,000,000
Peak hour (2 hours per week, 3 months per year) intercity <u>turnaround time:</u>	60 minutes	35 (Best Practice) to 45 minutes (Conservative)
Number of slips recommended	<u>25 total slips</u> · 13 intercity slips · 8 charter slips · 3 staging (not-active) slips · 1 DC Circulator slip	<u>18 total slips</u> · 12 to 16 shared intercity/charter slips · 2 staging (not-active) slips (DC Circulator not included)

There are two primary differences within the analyses which led to these different conclusions. First, the DEIS states that bus operators will have 60 minutes to turn around a bus. SSE’s analysis, based upon charted observations and study of domestic and international facilities indicates 35 to 45 minutes as the appropriate duration for a turnaround. It is instructive to compare these turnaround times with those predicted within the DEIS for rail operations. As shown below, Amtrak plans to turn around trains with roughly five times the number of passengers in one third the amount of time.

Turnaround Comparison - Washington Union Station Amtrak 2040 service vs Intercity Bus			
	Passengers	FRA Turnaround	SSE Turnaround
Amtrak Metropolitan Service	350 - 450	20 mins*	
Intercity bus	50 - 80	60 mins	35 - 45 mins

* DEIS Appendix B, Terminal Infrastructure Report, p.27

Second, FRA estimated the number of slips by applying growth factors to intercity and charter functions. FRA’s conclusion that eight slips are needed to exclusively serve charter bus demand does not match their assumption (shared by SSE) that slips should be used interoperably by charters and intercity buses. Because the charter bus peak day and hour do not overlap with the intercity peak day and hour, SSE concludes that charter buses at most require three slips beyond the peak demands for intercity slip use.

For the majority of the intercity bus industry’s history, station space has neither been constrained nor costly. Carriers owned standalone facilities in areas with low land costs. In other locations, such as at Union Station, an existing or ‘legacy’ facility built for other purposes (in this case charter/tour bus parking) contained well in excess of the space required for intercity services. In both settings, with relatively low costs per slip, there has been little motivation to invest in operational efficiencies.

In the expanded Union Station, each bus slip will have extraordinarily high costs, so operational practices within the facility must follow the same model used for rail and PUDO, by implementing best practices. The potential costs of oversizing the bus facility are catalogued throughout this paper. These costs include the preclusion of achieving critical

goals required to garner stakeholder and political support. The costs also are reflected in adverse impacts to Burnham Place, neighborhood and preservation goals. Right-sizing the facility is therefore essential to developing a station expansion vision that will be implemented.

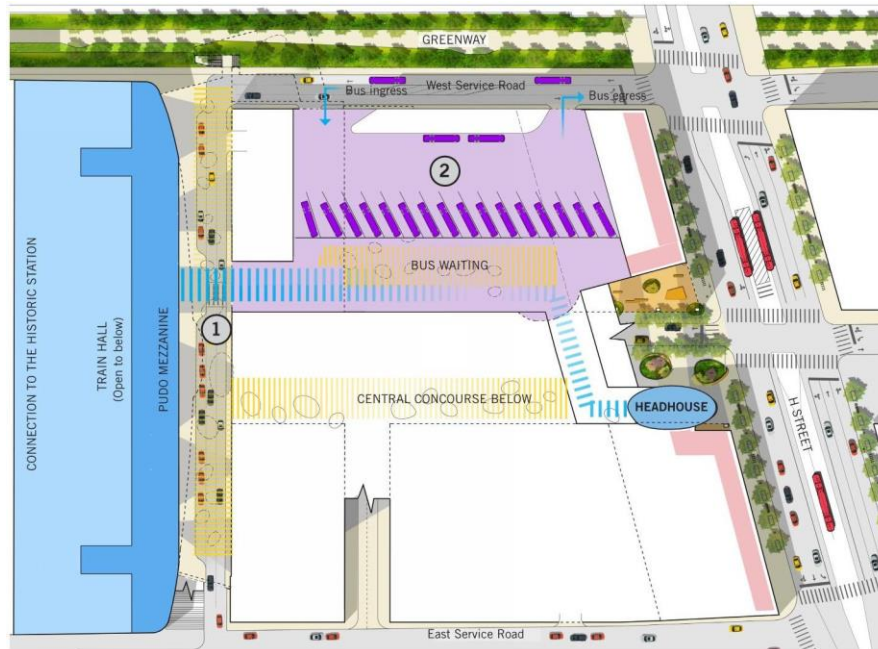
A Vision For A Transit-Focused Mixed-Use Neighborhood: “A-C Modified”

By right-sizing and optimally locating parking, PUDO and bus facilities, an inspirational plan can effectively fulfill the station’s transportation goals and requirements which achieves broad stakeholder support. In the site plan of “A-C Modified” below, a central civic space (1) of grand proportions is anchored by the Train Hall and entry plaza (2) at the south and a station headhouse at the north along H Street NE. Prominently located within the civic space is an inviting bus station entrance, which leads to a skylit bus passenger concourse. Atop the bus station is a 1 acre park (3), framed by mixed-use development and cultural uses. West of the park is an overlook (4), which connects pedestrians to the greenway.

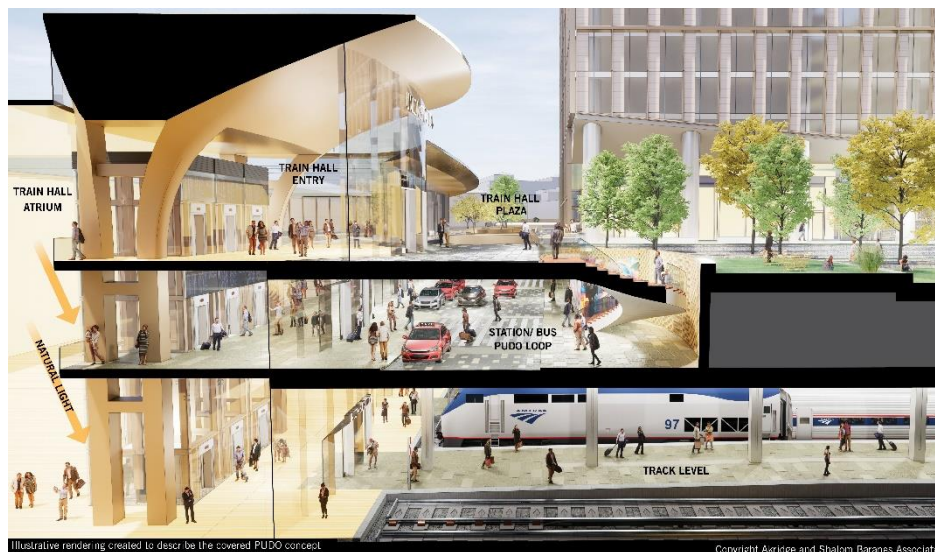


Deck Level Plan - Civic Space/ Neighborhood Park/ Train Hall Plaza

One level beneath the plaza (see plan below) is the bus facility with direct connections to the Train Hall and headhouse. Buses circulate in and out from the West Service Road. Train Hall PUDO (which also directly connects to the bus passenger concourse) is located underneath the plaza level with large deck openings and skylights above. A below-grade PUDO facility (see Appendix B1) captures one third of peak PUDO demands, decreasing the impacts on the deck level road network shown here.



In-Deck Plan - Bus/ PUDO/ Parking



N-S Section View Looking West

A video animation which flies through this vision can be found at the following website and in the Appendix E1:

<http://www.akridge.com/libvideos/burnhamplace.html>

A Vision – Not A Design Proposal

To date, many stakeholders and review agencies have expressed significant frustration with the EIS process as well as the resulting Preferred Alternative. We believe a contributing factor to these reactions is the lack of comprehensible visualizations of the FRA's proposed concepts made available to the public. For a project of this scale and complexity, *illustrative* rendered perspectives and sectional views allow the viewer to grasp how its component parts fit together three dimensionally. These sorts of visual tools also can demonstrate the potential (or lack thereof) of a given planning solution to foster an inspirational urban design.

It is within this spirit that Akridge offers the A-C Modified vision. Precise building massing, architectural styles, material choices and other design related to both the station's expansion and Burnham Place will take place during later stages of project review. However, we believe the vision we have developed illustrates what is possible to achieve if the surface transportation elements of Alternative A-C are right-sized and optimally located. Further documentation in Appendix E demonstrates how such a vision is precluded without our proposed modifications.

Requested Actions

Akridge urges the FRA to take the following actions:

1. Revise Preferred Alternative A-C to include the changes described within these comments
2. Engage in further consultations with the project proponents and key stakeholders, including Akridge, to develop a revised final Preferred Alternative that optimizes and balances the comments of all stakeholders
3. Issue a revised Alternative with an opportunity for public review and comment
4. As a formal mitigation measure, establish a Technical Coordination Work Group including the project proponents and Akridge to ensure the planning of both the Expansion Project and Burnham Place are well coordinated as design moves forward. Appendix J includes a description of engineering and constructability restrictions proposed in the DEIS that if unchanged, severely harm and impact the feasibility of Burnham Place.

The viability of the station expansion depends upon these changes and this level of coordination. Akridge proposes these modifications not only because we believe they meet broad stakeholder goals, but because such modifications are also needed to meet FRA's obligations under NEPA to present feasible alternatives. The Preferred Alternative presented in the DEIS is not feasible because it contemplates the use of private air rights owned by Akridge to which access will not be available for the Expansion Project under this specific Alternative. Akridge cannot agree to transfer the acreage contemplated in Alternative A-C as proposed in the DEIS because the loss of such property (along with adjacent impacted property) would have serious adverse repercussions for the Burnham Place project. These adverse impacts to Burnham Place are outlined in Section 2 of these comments.

Akridge's vision for the A-C Modified would not only be feasible, but would also provide a win for all parties – a greatly improved Expansion Project that better meets the needs of all stakeholders, as well as ensuring that Burnham Place can be developed in a manner that will allow its benefits to be attained and harmonized with the adjacent Station. For example, shifting a right-sized parking program below grade, in concert with changes to PUDO and bus facilities, will

avoid significant impacts and better allow the achievement of stakeholder goals regarding historic preservation. By reducing impacts to historic viewsheds and assets, A-C Modified will thus help FRA meet its obligations under both Section 106 and Section 4(f).

Can A-C Modified Be Implemented?

As we developed the planning framework and modifications proposed herein throughout the past year, we have heard two key areas of concern regarding the feasibility and rationale for our vision. We include those concerns and responses below.

Is below-grade construction beneath the concourse level for parking and PUDO functions feasible?

Concern With Below-Grade Parking/PUDO	Response
This strategy is more expensive than placing these functions above grade	<ul style="list-style-type: none"> • Additional construction costs will be more than offset by the immediate value created by viable air rights development within the federally owned property • Nowhere else in the DEIS are costs cited to justify a similar locational decision. Further, there are many examples (i.e., the size of the Train Hall), where costs are (rightly) not considered a dispositive factor • There is no other location where a dedicated PUDO facility can feasibly be located
Construction will take longer	<ul style="list-style-type: none"> • The DEIS indicates the construction of one level below the rail concourse will take incrementally one year longer, an increase of less than 10 percent of the total project duration • The additional construction period impacts should be measured against the permanent benefits and avoidance of adverse impacts in urban design, historic preservation and open space
There is groundwater located in this area	<ul style="list-style-type: none"> • This parking level will extend partially into the water table requiring additional construction scope and complexity, as documented in the DEIS • Building within the water table commonly occurs in Washington, DC and is considered routine (i.e., within buildings in the Navy Yard, the Wharf and Buzzard Point) • Adjacent private buildings west of First Street NE and east of Second Street NE extend <i>lower</i> into the water table than the one level proposed here

	<ul style="list-style-type: none"> Alternative A-C already includes the construction of a network of service corridors within the same general area Amtrak, the sponsor of the DEIS constructability studies, has stated that they prefer this below-grade location
Vehicle access to this level is constrained or insufficient	<ul style="list-style-type: none"> The single point of access from K Street NE shown in several DEIS Alternatives is inadequate. Multiple or different points of access would be required Six additional potential access points have been identified by the Burnham Place traffic engineers, and we are working with DDOT to identify the most viable and functional locations. Appendix B contains feasibility analysis on these locations

Does an 18-slip bus facility provide adequate passenger capacity and for future growth beyond 2040?

Concern With 18-Slip Bus Facility Size	Response
<p>18 represents a considerable reduction in the current number of bus slips at Union Station. Will there be enough capacity to meet future demands?</p>	<ul style="list-style-type: none"> There are currently 52 slips in use at Union Station. 27 are leased exclusively by intercity bus companies. 20 are used for charter bus parking, and 5 are used for other services (See Appendix C) The FRA in coordination with DDOT, is appropriately planning the future facility for <u>active</u> intercity and charter bus boarding and alighting <u>only</u> (plus one slip for DC Circulator staging) The DEIS (and Burnham Place bus planning experts) assume the new facility will not include assigned or leased spaces. Today, many slips sit empty or include parked buses for four or more hours each day Slips will be used with interoperability, following best practices. FRA assumes 60 minutes will be required to turn around arriving and departing buses at peak times. Amtrak plans to turn around 400-passenger trains within 20 minutes. Improving operating efficiency will increase the facility's passenger capacity just as much as increasing its number of slips With 18 slips, intercity and charter bus passenger volumes can expand well beyond the 2040 targets included in the DEIS, particularly by adding new departures outside of the two peak hours each week, increasing the average number of passengers per bus, or operating turnarounds at best practice levels

<p>Given environmental justice and social equity concerns, it is critical to provide adequate space in the plan for a great bus facility</p>	<ul style="list-style-type: none"> • As proposed in Alternative A-C, the oversized bus facility provides a second class passenger experience, with a non-daylit bus concourse isolated inside a garage • Rather than put upward pricing pressure on intercity bus fares by building an unnecessarily high-cost, oversized facility, a right-sized facility can provide an exceptional quality experience, commensurate with that enjoyed by rail passengers
<p>Will buses ‘end up back on city streets’ with curbside pick-up, as occurred in some places in years past?</p>	<ul style="list-style-type: none"> • DDOT policy does not and will not allow intercity bus operators to provide curbside services. • Bus companies will need to operate efficiently, like every other transportation provider at Union Station.

Conclusion

Akridge appreciates the opportunity to provide comments on the DEIS for this once in a lifetime project. As outlined in our comments, key modifications to the Preferred Alternative are needed to meet FRA’s obligations under NEPA, Section 106 and Section 4(f), as well as to ensure a viable and successful design that will meet the Expansion Project’s purpose and need. By right-sizing and optimally locating parking, PUDO and bus facilities, an inspirational plan can effectively fulfill the station’s transportation goals, meet statutory requirements, and achieve broad stakeholder support. Akridge continues to stand ready to collaborate on an Expansion Project plan that will allow both the Expansion Project and the Burnham Place project to move forward successfully.



Burnham Place team's vision for compatible public and private projects

Section II

Impacts to Burnham Place

The DEIS assesses impacts to Burnham Place by calculating how many square feet of our deck area are consumed by the Expansion Project. This methodology is incomplete, and presents an inaccurate picture of impacts to the private development. Below we describe the process by which Akridge assesses the types and severity of impacts imposed by the Station Expansion project and whether a proposed Alternative can be compatible with Burnham Place. This multi-step approach is more valid for assessment of adverse impacts given the complex interrelationships between the two projects.

Step 1 – Identify how much and what types of property are consumed

- A. Directly used for station functions – Example: the Train Hall in Alternative A-C is located in part within Burnham Place Property.
- B. Indirectly impacted – Example: while a station service road is proposed directly within Burnham Place property, support structures for buildings can only be placed every 55 feet within the rail yard. Therefore, the effective amount of property consumed extends beyond the extents of that road up until the next column landing zone.

Step 2 – Assess how the consumed property and Burnham Place property that remains relate to proposed Station Expansion program elements

Example: Burnham Place property that is immediately adjacent to a congested road or parking garage is not of equivalent value to property unencumbered by such adjacency.

Step 3 – Apply Burnham Place “Design Requirements” criteria to remaining property

- A. These criteria, used consistently by Akridge throughout EIS concept development, include:
 - a. Adequate development opportunity
 - b. Functional circulation network
 - c. Strategically positioned open spaces
 - d. Adequate light and air in key locations
 - e. Harmonized public and private projects

Step 4 – Assess opportunity costs as compared to optimized public and private projects

Step 5 – Assess stakeholder responses, feedback and level of goal achievement

If stakeholder consensus on a project vision cannot be achieved, overall project viability is in jeopardy. Alternative E has the fewest and least severe adverse impacts on Burnham Place as compared to the other Action Alternatives. However, key stakeholders such as Amtrak, ANC 6C, historic preservation advocates and others vocally opposed this Alternative. Consequently, Akridge did not view Alternative E as a viable concept and did not support it.

Step 6 – Document construction and technical impacts

Portions of the material in the DEIS related to structural and mechanical engineering, project phasing, construction schedule, cost allocations, and other issues suffer from: a) incorrect assumptions; b) incomplete analysis; and c)

engineering methods that if implemented would have devastating impacts to Burnham Place’s viability. Akridge assesses and documents these impacts.

Below is a summary of where in these comments the reader can find the impacts assessed through this process.

Impact Process Category	Location within Akridge DEIS Comments
Step 1 – Identify how much and what types of property are consumed	<ul style="list-style-type: none"> • Section 6A, Property Rights
Step 2 – Assess how the consumed property and Burnham Place property that remains relate to proposed Station Expansion program elements	<ul style="list-style-type: none"> • Section 3, Urban Design and Planning Framework Challenges
Step 3 – Apply Burnham Place “Design Requirements” criteria to remaining property	<ul style="list-style-type: none"> • Section 3, Urban Design and Planning Framework Challenges Solutions • Section 4, Requirements for a Successfully Integrated Project
Step 4 – Assess opportunity costs as compared to optimized public and private projects	<ul style="list-style-type: none"> • Section 1, Executive Summary • Section 4, Requirements for a Successfully Integrated Project • Section 6D, Fiscal and Economic Impacts • Appendix E: Vision Framework
Step 5 – Assess stakeholder responses, feedback and level of goal achievement	<ul style="list-style-type: none"> • Appendix E: Vision Framework • DEIS comment submissions by other stakeholders
Step 6 – Document construction and technical impacts	<ul style="list-style-type: none"> • Section 6B, Technical Issues Not Thoroughly Analyzed

Section III

Preferred Alternative A-C Will Fail to Meet the Purpose and Need

A. Urban Design and Planning Framework Challenges

Developing 14-acres of air-rights above Union Station’s tracks, in concert with the station’s expansion, together represent an initiative of unparalleled significance in the National Capital Region. The vision for Burnham Place is a 3-million square foot mixed-use development including office, residential, hotel, retail, and cultural space, interwoven with parks, a plaza and a new circulation network – all atop a rail yard serving national and regional passenger rail. The city, region and

country deserve a station district that exemplifies the best in urban, multi-modal station design, transit-oriented development, place-making, economic development, and neighborhood and historic preservation enhancement.

To be certain, much of what is proposed in Preferred Alternative A-C is important and necessary. Restructured tracks and platforms, expanded and new concourses, and important back-of-house service and mechanical areas are critical to accommodating future heavy rail growth. Akridge enthusiastically supports these proposals, even in the case of the new train hall that requires over half an acre of our air-rights property. However, the FRA's Preferred Alternative also includes program uses at the Burnham Place deck level that are not appropriately sized and located. The placement of an over-sized bus and parking facility precludes the placemaking that is fundamental to achieving a successful urban design, and the achievement of a world-class station district.

By their own admission, the FRA's planning framework does not consider urban design issues to be a key driver in evaluating and ranking alternatives. Section 4.2 of the DEIS describes how the FRA's Design Evaluation Criteria are organized into four major categories: Transportation, Experience, Urban Context, and Feasibility. Within the Evaluation Criteria, two subcategories are established – Key Drivers and Considerations. None of the Urban Context subcategories, including Heritage/Historic Fabric, Open Space, Development Opportunity/placemaking, and Community/Neighborhood, are considered Key Drivers in evaluating alternatives. To ensure a successful outcome, they must rise to the level of Key Drivers that influence the size and location of the station program. The balance of open spaces, a functional circulation network, and program uses, all influenced by historic considerations, neighborhood integration, and placemaking, are foundational to a successful urban design outcome.

Appendix A3b of the DEIS, titled *Supporting Urban Design and Open Space Information for Concept Development*, documents urban design and open space concepts that are intended to serve as a “menu” of potential opportunities that can adapt to the emerging concepts and remain applicable and responsive to future development including Burnham Place. Important and fundamental concepts are included here, including a civic space south of H Street NE and a linear Greenway park along the western edge of the site. While the appendix acknowledges the importance of strong urban design and a network of open spaces, the Preferred Alternative precludes the successful integration of these concepts. With little consideration given to urban design and placemaking within the Preferred Alternative, the experience of all constituencies that interact with the project is diminished.

Surrounded by multiple lanes of vehicular traffic, made necessary in part due to the size of ill-conceived deck-level program uses and the placement of those uses, Alternative A-C represents an auto-dominated plan. It prioritizes pavement over people and motor vehicles over pedestrians and cyclists and does not offer a planning framework that would lead to a successful balance. Pedestrian and bicyclist circulation within and adjacent to the SEP is critically important to station users, the surrounding neighborhood, and Burnham Place, but is not considered in the DEIS. Entrances to the station, and convenient, efficient, and high-quality circulation through the station's interior spaces and concourses provide critically important pathways for surrounding commercial and residential occupants to intercity and commuter rail, Metro, and station amenities such as retail that are blocked by Alternative A-C's prioritization of vehicular traffic. The DEIS does not identify any planning or analysis of pedestrian circulation routes to, through, or around the station that recognize pedestrian safety and convenience, and opportunities for integration with the neighborhood, as stated in the project Purpose and Need.

By the same token, station retail and transportation elements will benefit from the patronage of neighborhood residents and workers, and should be designed to draw people in and through the station at all hours. This synergy will bring more revenue to WUS, which FRA identifies as key among the drivers as described further in Section 6D under Economic Analysis. Pedestrian circulation through the historic and new station buildings has not been considered in relationship to neighborhoods and Burnham Place, specifically, vertical circulation points and capacities. Burnham Place and neighborhood pedestrian circulation demand and locations are not documented, calculated, or included in the DEIS. The Greenway included in the 2012 Master Plan co-conceived by several stakeholders provided multiple opportunities to

improve pedestrian facilities on the west side of the station and access to the station spaces but is not included in the DEIS.

As designed, Alternative A-C threatens Burnham Place’s economic viability through density reduction, lack of urban placemaking and vehicular intensity. As early as 2017, the Burnham Place team developed and shared with the FRA and the SEP team the five essential design requirements for an EIS alternative necessary to ensure successful integration with the Burnham Place project (Appendix K). They include adequate development opportunity, functional circulation network, strategically positioned open spaces, adequate light, air, and views in key locations, and harmonized public and private projects. The five requirements, which included several subcategories within each, were conceived of as a simple and clear way for the Burnham Place team to provide the concise and effective feedback to the SEP team when it put forward preliminary alternatives. The following charts are like those presented to FRA back in 2017, but are now expanded to include Alternative A-C. They score each alternative against the five design requirements and their subcategories.

Three scoring categories were established, including potentially compatible, moderate impact, and severe impact. If there was insufficient information to provide a score, it was noted. When the Preliminary EIS Alternatives were first released, the Burnham Place team shared the scoring for Alternatives A through E soon thereafter. While Alternative E scored best from a Burnham Place perspective, Akridge did not support this alternative because it was not supported by Amtrak. After receiving this and other feedback from the Burnham Place team, the FRA put forward Alternative A-C as its Preferred Alternative. The scoring for A-C is now included on the first chart. The second chart is solely focused on Alternative A-C and provides commentary on the Burnham Place team’s scoring.

Impacted BP Design Requirement **Summary of Impacts for All EIS Alternatives**

Design Requirements	Sub-requirements	ALTERNATIVE A & B	ALTERNATIVE C	ALTERNATIVE D	ALTERNATIVE E	ALTERNATIVE A-C
1.ADEQUATE DEVELOPMENT OPPORTUNITY	Sufficient and high-quality overall density	Severe impact	Severe impact	Severe impact	Potentially compatible	Severe impact
	Efficient scale BP building pads	Severe impact	Severe impact	Moderate impact	Potentially compatible	Severe impact
	Distribute density throughout BP and achieve effective phased development	Severe impact	Severe impact	Moderate impact	Potentially compatible	Severe impact
	Maximize H Street frontage	Severe impact	Severe impact	Potentially compatible	Potentially compatible	Severe impact
2.FUNCTIONAL CIRCULATION NETWORK	Circulation network and turning movements at acceptable levels of service	Severe impact	Severe impact	Severe impact	Severe impact	Severe impact
	Primary central street connecting north and south parcels	Severe impact	Potentially compatible	Moderate impact	Moderate impact	Potentially compatible
	Vehicular access to front doors, service, and parking areas	Severe impact	Moderate impact	Moderate impact	Moderate impact	Moderate impact
	Safe, active and interconnected pedestrian areas	Severe impact	Moderate impact	Moderate impact	Moderate impact	Severe impact
3.STRATEGICALLY POSITIONED OPEN SPACES	Distributed north and south of H Street	Severe impact	Moderate impact	Moderate impact	Moderate impact	Severe impact
	World-class placemaking	Severe impact	Moderate impact	Moderate impact	Potentially compatible	Severe impact
4.ADEQUATE LIGHT, AIR, AND VIEWS IN KEY LOCATIONS	Maximize views to the Capitol and historic Station	Severe impact	Moderate impact	Severe impact	Severe impact	Severe impact
	Building separation, solar access, and sight-lines compatible with high-quality mixed-use development	Severe impact	Severe impact	Severe impact	Severe impact	Severe impact
5.HARMONIZED PUBLIC AND PRIVATE PROJECTS	World-class BP and Station components complement one another	Severe impact	Moderate impact	Severe impact	Severe impact	Severe impact
	Multiple and gracious pedestrian connections between BP, Station, and surrounding neighborhoods	Insufficient information	Insufficient information	Insufficient information	Insufficient information	Moderate impact
	Easy-to-find entrances to BP buildings and Station	Severe impact	Moderate impact	Moderate impact	Moderate impact	Moderate impact

■ Insufficient information to evaluate
■ Potentially compatible
■ Moderate impact
■ Severe impact

BURNHAM PLACE

WASHINGTON, D.C. | 09/28/2020 | ©2020 Shalom Baranes Associates, PC



shalom baranes associates architects

A-1

Impacted BP Design Requirement

Summary of Impacts of Alternative A-C

Design Requirements	Sub-requirements	ALTERNATIVE A-C	
1. ADEQUATE DEVELOPMENT OPPORTUNITY	Sufficient and high-quality overall density		Density in SE quadrant is reduced by the configuration, size, and intensity of vehicular use on the south and east service roads
	Efficient scale BP building pads		Density in SE quadrant is reduced by the configuration, size, and intensity of vehicular use on the south and east service roads
	Distribute density throughout BP and achieve effective phased development		Development adjacent to garage as shown is unfeasible
	Maximize H Street frontage		Feasible private air-rights frontage eliminated in SW quadrant due to infeasible development area as noted above
2. FUNCTIONAL CIRCULATION NETWORK	Circulation network and turning movements at acceptable levels of service		Offset intersections, one-way circulation, and a bus exit to the east create unacceptable vehicular circulation
	Primary central street connecting north and south parcels		Assumes H Street intersection as reviewed with DDOT
	Vehicular access to front doors, service, and parking areas		Coordination required to ensure the east service road also serves BP parking and loading access
	Safe, active and interconnected pedestrian areas		Deck-level pedestrian circulation compromised by a vehicle demoninat station program
3. STRATEGICALLY POSITIONED OPEN SPACES	Distributed north and south of H Street		Civic space south of H not supported by the size and configuration of the Visual Access Zone
	World-class placemaking		Lack of activated frontage and vehicular domination render successful placemaking infeasible
4. ADEQUATE LIGHT, AIR, AND VIEWS IN KEY LOCATIONS	Maximize views to the Capitol and historic Station		Intrusion of bus, parking, and federal air-rights development impair views
	Building separation, solar access, and sight-lines compatible with high-quality mixed-use development		Massive volume constrains solar access and forms a barrier to sightlines
5. HARMONIZED PUBLIC AND PRIVATE PROJECTS	World-class BP and Station components complement one another		A multi-level, above grade parking structure with vehicular intensity at its edges is not compatible with world-class placemaking
	Multiple and gracious pedestrian connections between BP, Station, and surrounding neighborhoods		Deck-level connections with auto-dominated entrances require further improvement and refinement
	Easy-to-find entrances to BP buildings and Station		Entrances to buildings obscured by station parking and PUDO activity and not supported by an undersized and unactivated civic space at their front doors

- Insufficient information to evaluate
- Potentially compatible
- Moderate impact
- Severe impact

BURNHAM PLACE

WASHINGTON, D.C. | 09/28/2020 | ©2020 Shalom Baranes Associates, PC



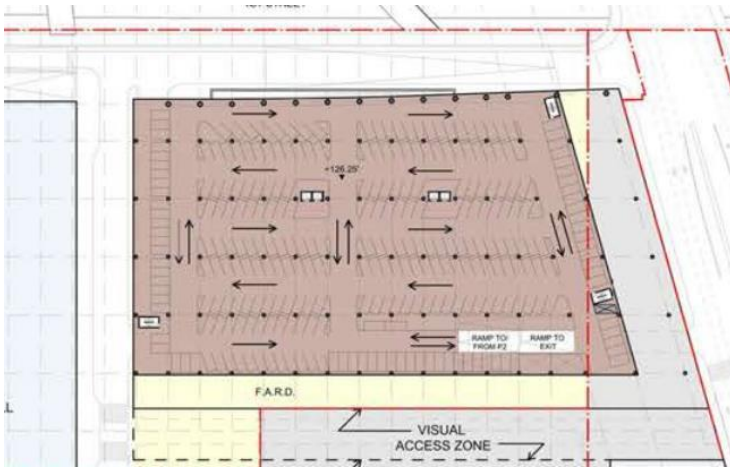
shalom baranes associates architects

A-2

Only with modifications described in Section 4B to parking, PUDO, bus, and structure would the planning framework set the stage for a successful development opportunity and urban design. Without these changes, compatible and integrated public and private projects cannot be achieved.

If the Preferred Alternative is modified to address the flaws identified below, both the public and private projects could be successfully integrated to establish the National Capital Region’s most transit-rich commercial center, with rail connections to the region’s three airports as well as rail’s Northeast Corridor. The two projects can catalyze tourism and reinforce Union Station as one of the world’s most treasured historic resources with increased ridership and economic activity. Locally, they will eliminate barriers between neighborhoods and reknit a part of our city. The current proposal to place all transportation elements above ground leaves no occupiable space for community or people-focused programming. The domination of the parking garage gives vehicles priority, which like Director of the DC Office of Planning Trueblood stated in his testimony at the National Capital Planning Commission July 9, 2020 hearing on the DEIS, “will make high quality urban design impossible to achieve”. Above grade parking, PUDO, and bus facilities eliminate the ability for an urban, vibrant, mixed-use community. Alternative A-C also adversely impacts the historic nature of WUS and precludes the celebration of the Capitol Building from several viewpoints. The total lack of green space is a significant design flaw in a neighborhood where green space is already severely lacking. Fortunately, there is still time to address these challenges. The Akridge vision for a modified A-C defines a planning framework that considers the historic and urban context, which we will detail in Section 4.

B1. Station Parking



CREDIT: DEIS Alternative A-C (Preferred Alternative), June 2020

The Union Station Expansion Project is a once in a lifetime opportunity to re-envision a pedestrian friendly, modern, urban, multimodal facility at the heart of the Nation’s Capital. But that opportunity and vision is undermined by a vastly expanded parking garage that stakeholders have universally criticized as oversized. An oversized garage not only decimates the possibilities for good urban design on the site, it also disrupts the progress contemplated in the SEP and the community fabric envisioned as part of this project. A parking garage does nothing for celebrating the historic WUS and the Capitol Building itself. Fortunately, there is time to correct the adverse impacts of the oversized parking garage before the EIS is finalized.

The parking analysis within the DEIS does not include in-depth research of potential parking needs in the new transit center. The DEIS does not examine DC parking policy, current parking and driving trends in the DC metropolitan region, characteristics of current or forecasted transportation modes at WUS, Amtrak demand locally or nationally, or comparative models in similar multi-modal facilities in other U.S. cities. To fill this gap, Akridge worked with SSE to study in-depth potential parking needs of the WUS transportation center, including policy, trends, and similar comparative samples.

The DEIS does not provide any analysis behind their recommendations for parking based on best practices, benchmarking, or comparisons to other urban transportation centers. Likewise, data is lacking for the following elements regarding parking:

- rental car utilization and customers served (rail passengers or other uses such as general DC residents or businesses)
- contract parking users (origin and destination of contract parking users, individual contracts versus institutional, growth or decline of contract parking, etc.)
- users who utilize the transit facility (definition of whether parking users are Amtrak, MARC, VRE, or bus riders; length of time within the facility representing single- or multi-day trips, etc.)
- Daily, weekly, and seasonal peak utilization information for the existing parking facility
- Long-term, multi-year utilization rates and characteristics for the existing parking structure
- Parking user surveys that identify reasons for using the parking garage, elasticity of demand, etc.)

The District of Columbia government has long been an advocate for the reduction of automobile reliance in the city to meet long-term sustainability goals, including in its long-range transportation plan, MoveDC. Specifically, the City is committed to “policies and incentives [that] encourage ‘car-lite’ living” including that 75% of all commute trips that originate in DC will be made by non-auto modes by 2040, as outlined in Table 4 of Appendix A, Parking Program. Further implementation of the parking reduction goals are set forth starting on page 5 of this same Parking Program.

In fact, Amtrak unequivocally stated they need 0 parking spaces for their riders in a January 7, 2020 memorandum, citing that less than 4% of their riders use the parking garage and this percentage decreases annually. Specifically, this memorandum states:

“Amtrak does not support any entity building parking...specifically to support Amtrak passengers....a majority of Amtrak and commuter rail passengers access the Station via alternate transportation modes...Planned rail infrastructure

investments north and south of the Station and a shifting culture away from private automobile use leads Amtrak to anticipate passenger parking demand to continually decrease in the future...we do not assume that parking will increase proportionally as rail ridership increases.”

Riders of other multimobility options at WUS likewise do not use on-site parking. Intercity bus riders are deterred by the higher cost of driving and parking overnight. Maryland Area Regional Commuter (MARC) and Virginia Railway Express (VRE) riders are regional commuters from their suburban or rural residences to jobs in DC and its adjacent suburbs. These riders usually park at stations near their residences and use other forms of transportation to work from WUS and so demand for parking from both MARC and VRE is 0. For more information on the downward parking trends of these riders please refer to Appendix A, Parking Program.

Likewise, the DC Office of Planning’s parking analysis recommended 295 parking spaces **maximum**, stating that in other scenarios 0 parking spaces are recommended at this location. Notably, all new development projects within DC are required to include Transportation Demand Management (TDM) strategies to reduce vehicular use and encourage public transportation as well as bicycle use and walking – a trend common in all urban and urbanizing areas, including suburban development. It is therefore shocking to see not only a replacement of existing parking spaces, but a significant expansion, especially in such an urban, congested context that offers multiple public transportation options. Working with our transportation consultant, and noting no minimum parking requirement on federal property such as WUS, we concluded that in keeping with current retail practices and the programmatic retail make-up demand and support by multimodal travelers and local residents, 0 parking spaces are required to meet existing and forecasted retail demand. Likewise, the 100,000 SF of vacant office in WUS at a very transit-rich location will not require more than 62 space should it be used for office again. (Appendix A, Parking Program, pg 18) Finally, with regard to rental cars, no more than 125 parking spaces are recommended at WUS for this use.

Union Stations and other urban, multimobility hubs in other US Cities are responding to decreased parking demands and increased public transportation use in areas where land is at a premium. As seen in the table below, multimobility stations in Philadelphia, Chicago, San Francisco, and Boston all have 200 parking spaces or less – some with 0 parking spaces, as reflected by Amtrak’s desire for 0 parking spaces for their riders – because they rely on the multimobility connections of multiple transportation alternatives.

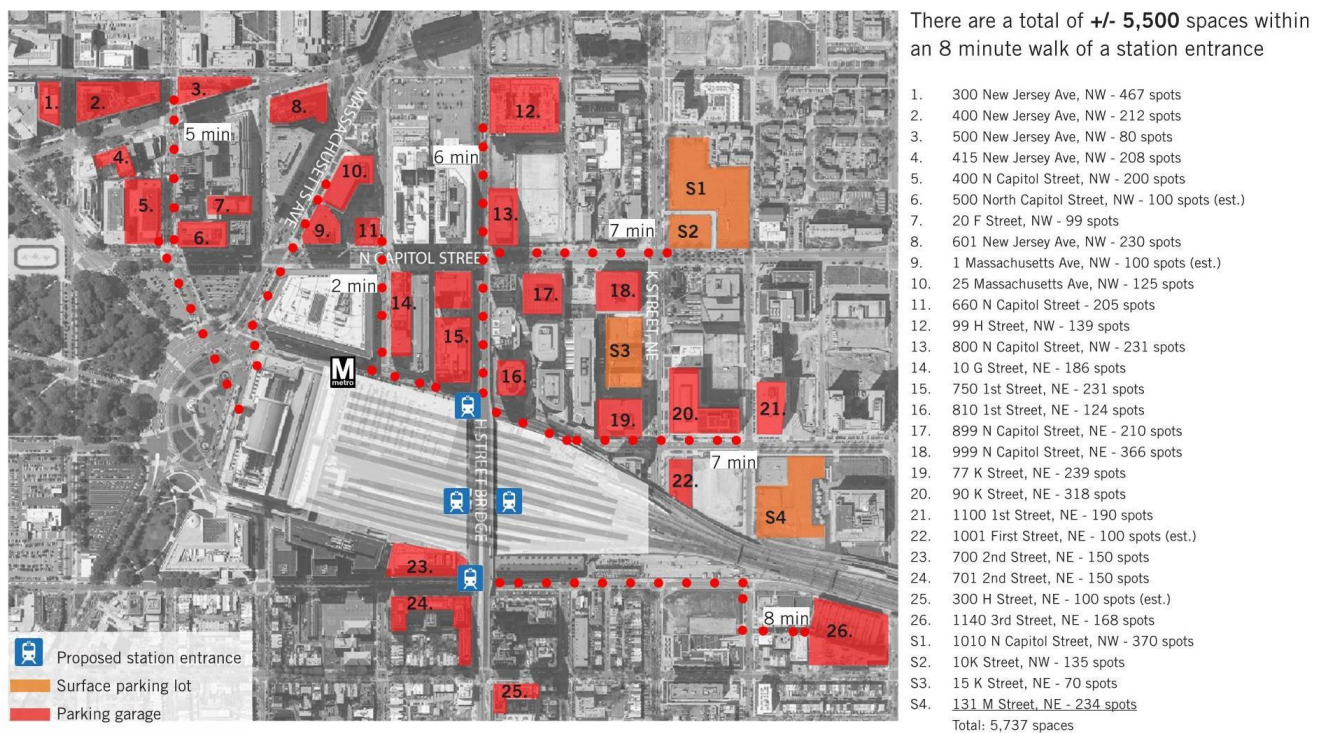
	Proposed Washington DC Union Station (FRA Preferred Alternative)	Philadelphia 30 th Street Station*	Boston South Station*	Denver Union Station	San Francisco Salesforce Center	Chicago Union Station
Total Parking Spaces	1,575	106	188	0	0	0
Bike Parking	125	150	50	Not clear	130 bike racks + lockers inside	0
Direct Urban Rail Connection	Yes (Rail & Streetcar)	Yes (Rail & Streetcar)	Yes (Commuter Rail)	Yes (Light Rail, Commuter Rail)	No (planned connection to Subway)	Yes (Commuter Rail)
Direct Bus Connection	Yes (21 frequent routes)	Yes (8 frequent routes)	Yes (4 frequent routes)	Yes (9 frequent)	Yes (9 frequent routes)	Yes (13 frequent)

				routes)		routes)
Nearby parking (1-2 blocks away)	Yes (29 locations)	Yes (6 locations)	Yes (8 locations)	Yes (11 locations)	Yes (9 locations)	Yes (8 locations)
Amtrak Ridership (Annual)	5.8 million	4.5 million	1.6 million	143,986	NA	3.3 million

*Indicates planned develop numbers
 Source: Sam Schwartz, May 2020.

Additionally, WUS has the most access to existing parking infrastructure within close walking distance by a magnitude of two or three times other US cities’ mobility stations. Our research demonstrates an average utilization rate of 72%ⁱ based on data from 24 of the 26 publicly available parking facilities within an 8-minute walk of the station. These garages, especially with the downward trend in parking overall, could comfortably absorb all potential WUS demand generated by office and retail uses.

Existing Public Parking Options



As a result, the parking program bears little resemblance to current parking use, let alone forecasted parking use as the trend in urban, multimodal facilities has decreased over recent years. Existing intercity and commuter rail demand for parking at Union Station is extremely limited and is trending significantly downward. This is consistent across the downtown DC core, similar metropolitan areas, similar rail stations and center-city multi-modal transportation centers, as well as at major airports. Provision of a large amount of parking in the future station plan is inconsistent with the project purpose and need, DC policy and environmental sustainability goals. Proposed parking is five times more than the parking quantity recommended by DDOT and DCOP. The development of an oversized parking structure will induce demand in a

place where the road network is already at gridlock during peak demand, counterintuitive especially for an area that thrives on the ability of Amtrak and bus riders to access the station with ease. This is counterproductive to Amtrak's needs and desire to grow ridership, which will only sputter if access to WUS in methods trending upward (via FHV or other PUDO and bike or Metro access) are further inconvenienced. Additionally, if the trend towards Autonomous Vehicles does indeed increase this would render the parking garage completely useless and a waste of money. Appendix A, Parking Program, pg. 14 delves deeper into this discussion.

The DEIS appears to base its determination of parking needs at WUS on past practice, rather than best practices and emerging trends. Overall, nationwide trends have seen a dramatic decrease in demand for parking and an increase in the use of For Hire Vehicles (FHV), referred to next in this Section, at urban multi-modal centers. These trends are the result of technological advancements and the introduction of new modes of micro-mobility, as well as consistent investment in high-quality public transportation infrastructure in the cities where they are observed.

Alt A-C parking plan elevates vehicles to a priority position, which is unacceptable at such a central, urban location where multimobility and climate change neutral or positive transportation elements should be prioritized. Instead of encouraging people to use public transportation, share vehicles, or bike or walk to the station, an oversized garage at this primary location adjacent to historic WUS and at the intersection of several neighborhoods has numerous, negative impacts. Directly related to this false prioritization of personal vehicles at a time when such use of this form of transportation has been trending downward for years, is circulation as it relates to vehicular access. The location of an oversized parking garage similarly impacts community and urban design by removing all opportunities for community cohesion or visual celebration of historic structures. Additionally, TVRA issues are not addressed in the DEIS and our analysis suggests that a 6 story multi-level garage would pose a significant security threat.

The Alternative A-C Parking would be one of the largest above grade parking structures within DC. The bulk and massing of this overbuilt facility obstructs visual impacts and view corridors. Additionally, vehicular circulation to and from the proposed garage is in conflict with the proposed bus and PUDO circulation.

The DEIS appears to consider the parking garage in isolation rather than in relation to other project components, resulting in a lack of integration and balance among project elements. The oversized above ground parking garage precludes other community building, revenue generating, sustainable opportunities in this context. As a direct result, the overall success of WUS, Burnham Place, and neighboring communities will be diminished.

The oversized parking garage bears no relationship to the unique historic structures around it, nor the introduction of an expanded and vibrant train hall. The oversized parking garage is not compatible with the visual access zone as defined by Alternative A-C. The view of the Capitol is not only blocked at most angles but is viewed through the frame of a large parking garage. The same is true for all southern facing views of historic WUS. Likewise, the parking garage is not compatible with the Burnham Place development. The visual access zone, pushed off center, forces the Burnham Place development to face a large, unbroken, visually unattractive façade. It cuts off or reduces the ability to have a double sided retail, which significantly reduces the economic viability of any retail development. Additionally, Alternative A-C precludes development of a successful open space south of H Street, in the heart of the combined Burnham Place and federal air rights that is a key location to connecting WUS to adjacent neighborhoods. The current design of the parking structure also precludes development of the greenway open space on the west side of the project as detailed in Section 3.

The DEIS parking analysis does not consider any of the range of impacts that the proposed parking has on other parts of the project, Burnham Place, or neighboring properties. No parking impacts on SEP and neighboring uses are analyzed, documented, or included. For example, the viewshed impacts of the proposed parking structure is not considered in the comparative analysis of the alternatives.

Cost and construction schedule are cited as reasons for selecting the garage in A-C as the preferred alternative, but information supporting this conclusion is not provided in the DEIS. In Section 4B we detail how below grade parking can be integrated with other transportation elements to reduce costs and the construction timeline. In Section IV we detail how key stakeholders will benefit from an underground, integrated parking structure, with increased revenue generation for the USRC and the station, as well as construction methods that can reduce the overall track alignment work by 50%, more than compensating for the initial time and money to move parking underground.

The DEIS analysis of parking requirements is outdated and suburban in nature, neither of which fits the current location or transportation trends that emphasize the importance of pedestrian prioritization and climate change impacts. The size and location are unfounded and will have significant adverse impacts on the neighborhood and both the SEP and BP projects. As we detail in Section III, these issues can be rectified with a right-sized, underground facility.

B2. Pick-Up and Drop-Off (PUDO) and Circulation

The way people move in and around cities has evolved since 1908 when Union Station was conceived and constructed and also since the large parking garage was built above the tracks. Moreover, pick-up and drop-off activity at major transportation centers has increased dramatically within the past five years. The DEIS projects that PUDO uses at WUS will continue to intensify, as For-Hire Vehicle (FHV) ridership replaces drive-and-park and other mode choices. The DEIS estimates that by 2040, each morning and afternoon *a vehicle will arrive or depart Union Station once each second* in order to serve station ridership projections. These 3,600+ trips represent a 25% higher demand than the PUDO activity at Reagan National Airport today. If a hub like WUS is surrounded by high-traffic streets with inefficient PUDO activity creating grid lock, then those streets will create a physical and psychological barrier around the station. A review of the DEIS traffic study for Preferred Alternative A-C indicates that the surrounding streets will degrade in level of service with longer delays and queues.

Burnham Place Consultant Team

Because future PUDO circulation is projected to comprise more than 90 percent of WUS traffic generation and could have significant impacts on Burnham Place and the station environment, Akridge asked Sam Schwartz Engineering (Sam Schwartz) to review the DEIS Preferred Alternative A-C, with a focus on PUDO operations and key concerns. The Sam Schwartz effort was based on recent PUDO trends and best practices, a review of the DEIS Preferred Alternative A-C proposal, and recommendations for design elements that should be included in the DEIS proposal to achieve the goals of the project. Sam Schwartz evaluated the basis of demand in the FRA PUDO program and the operational viability of the various facilities identified in the DEIS alternatives.



As a complement to the Sam Schwartz studies, Akridge also requested Wells + Associates (W+A) to review the DEIS traffic analysis conducted by FRA's consultant team, with a focus on the road network changes and traffic volumes associated with Alternative A-C and associated PUDO. W + A has been working with the Burnham Place team for several years to assist with trip generation forecasts for Burnham Place, multi-modal transportation analyses, and evaluation of the FRA EIS alternatives. As a local transportation consulting firm with extensive experience working in Washington, DC, W + A was tasked to help the Burnham Place team determine network impacts of the proposed PUDO program and facilities on local transportation infrastructure.

Scope and Breadth of Burnham Place Team PUDO and Circulation Studies

The DEIS identifies significant circulation problems from future station traffic in Alternative A-C: extensive traffic sharing air rights roads, separation of the air rights from the station by a major PUDO facility, requirement for a one-way circulation system at the air rights level, and significant degradations in levels of service at key intersections surrounding WUS. These problems will impact Burnham Place and degrade the environment surrounding the station, including adjacent neighborhoods. Alternative A-C relies solely on distributed, on-street PUDO lanes to accommodate the extensive pick-up and drop-off demand for the forecasted ridership growth at WUS. While distributed PUDO operations have some advantages, the DEIS does not address the impacts of relying solely on the local, Columbus Circle, and Burnham Place street network to accommodate PUDO, and potential vehicular gridlock around WUS.

Network Analysis

The effort undertaken by W + A started with analysis of the traffic and circulation elements included in the DEIS, with a focus on first evaluating and documenting issues and concerns relating to Alternative A-C. Capacity/level of service (LOS) analyses were conducted at the study intersections for Alternative A-C based on the future lane use and traffic controls and traffic forecasts shown provided by the FRA and verified by W + A. The FRA provided Synchro worksheets from the model used for the DEIS and these inputs were compared with the Synchro model prepared by W+A to ensure consistency where possible. W + A identified several discrepancies between the FRA and W+A models which raise concerns about the impacts identified in the DEIS, and suggest further study is necessary prior to completion of the FEIS:

- The FRA model did not include de facto turn lanes.
- The FRA model does not include the removal of the parking lane on the south side of K Street between North Capitol Street and 1st Street, which is used as a travel lane during the PM rush, to accommodate the proposed bicycle lanes on K Street.
- The FRA model included the right turn only bus egress as a stand-alone, signalized intersection. However, due to the proximity of the right turn egress to the Central Road, signalization as a standalone intersection is unlikely. The W+A file includes the right turn bus egress as a fifth leg to the Central Road, with its own signal phase.
- Right turn on red restrictions were not coded at several locations where No Turn on Red signs are in place.
- The number of parking maneuvers per hour were not coded in the FRA model.
- Where bus stops exist, the number of bus blockages was applied only to through movements in the FRA model and was not applied to right turn movements where a right turn lane is present.
- Bicycle volumes in the FRA model were considerably lower across the board than what was shown in counts obtained by W+A.

These issues and additional concerns with the FRA model are covered in the W + A summary of their analysis in Appendix B2. W + A verified that at least 9 of the 15 signalized study intersections are projected to operate at an overall LOS E or F. Without significant changes to Alternative A-C, there is a high probability of insurmountable congestion around all sides of WUS. This grid lock would decrease demand for Amtrak ridership, the attractiveness of commuter rail, and the optimal functioning of this multi-modal transportation center – the opposite of the goal laid out in the DEIS Purpose and Need.

Pick-up and Drop-off Facilities Analysis

Sam Schwartz evaluated each PUDO facility proposed for Alternative A-C based on the likely performance given the projected peak hour PUDO activity, considering potential queues and circulation. The analysis began with review of the FRA PUDO trip generation assumptions and then application of a queuing model to determine if the capacity of the PUDO facility would adequately meet the demands without resulting in queue spillback and the potential to affect traffic flow on the

local roadways. The queuing models were used to separately evaluate the two principal ways to accommodate curbside PUDO operations: as either single server or multiple server facilities, defined as follows:

- Single server: Only one car, typically the first in queue, can load/unload at a time. Remaining vehicles in queue would wait until that car has loaded/unloaded, then the queue would move up to fill the first position, and the new car that is in the first position would load/unload.
- Multiple server: Every space along the curb could be used for loading/unloading at the same time, and the first car in does not need to be the first car out.

The queuing analysis provided a first check on the ability of the DEIS facilities to accommodate PUDO demand, which was followed by more detailed evaluation of each of the operational viability of the proposed PUDO facilities based Sam Schwartz work on similar facilities and challenges at LaGuardia Airport and Penn Station in New York, and the LAX-it PUDO facility at Los Angeles International Airport, among other relevant projects.

Finally, based on the problems in Alternative A-C, with both WUS vicinity traffic and the multiple fail-points of the PUDO facilities proposed, the Burnham Place consultant team has initiated study of potential solutions to these problems. Based on Sam Schwartz experience and the obvious conclusion that on-street PUDO facilities would not be able to accommodate the projected passenger demand, the Akridge team formulated several concepts for a centralized PUDO facility that would be able to address the deficiencies in PUDO operations that can simply not be accommodated in the spaces and streets surrounding the station. These concepts are identified in Section 4 of these comments for PUDO solutions.

Pick-up and Drop-off Impacts on Burnham Place and the WUS Vicinity

As noted in the executive summary to these comments, the Columbus Circle road network and PUDO lanes are already significantly beyond capacity during peak periods. Given the more than doubling of rail passenger activity, it is not surprising that the DEIS projects Alternative A-C will lead to severe congestion, with vehicle queues spilling back into intersections along Massachusetts Avenue and all sides of Union Station. The following fatal flaws with Alternative A-C's PUDO plan contribute to this result:

- Insufficient lanes and curb frontage for FHV's to form separate queues or 're-match' with a new rider following a drop-off
- Insufficient merge and weaving areas entering and exiting PUDO facilities at Columbus Circle and the Train Hall to accommodate friends and family PUDO, taxis, multiple FHV operators, station parkers, intercity and charter buses and Burnham Place PUDO and parkers
- Inadequate space for passengers to wait and match with drivers, particularly within the second and third lanes at Columbus Circle and along First Street NE
- No off-street location for friends and family members picking up passengers to park short-term
- No staging or hold areas for high volumes of FHV's to serve surge demands when multiple Amtrak trains arrive at once

The FRA's Preferred Alternative relies solely on on-street PUDO lanes to accommodate the extensive pick-up/drop-off operation for the station. Distributing PUDO operations around adjacent surface streets significantly increases the potential for literal gridlock around WUS. Alternative A-C fails to address the impacts associated with converting 1st Street to a one-way operation to accommodate a PUDO lane at the entrance to the H Street Concourse, and on-site circulation on the deck-level, including how the convergence of buses, parkers, and PUDO traffic will be handled both efficiently and safely at the Train Hall east-west road.

The consequences of these flaws and omissions reach beyond unacceptable traffic operations. Other outcomes and impacts include:

- Significantly compromised pedestrian and bicycle safety
- Degradation of the station's historic setting
- Passenger inconvenience and discomfort due to time spent in non-weather-protected queues or in traffic congestion
- Decreased station use as passengers make alternate travel choices
- Preclusion of high-quality civic spaces north of a new train hall

The Burnham Place team agrees with DDOT and DCOP, both of whom recommend the inclusion of a high-capacity, purpose-built, off-street PUDO facility. This facility would be in addition to other PUDO areas at Columbus Circle, the Train Hall, First Street NE and Second Street NE, and is discussed in more detail in our comments in the next section describing PUDO solutions.

Traffic Analysis Areas of Concern

Significant problems with traffic volumes and intersections serving WUS were identified both the DEIS and verified independently in the W + A Synchro modeling. In fact, because a number of key circulation details were not included in the FRA model, W + A identified several intersections and capacity issues of much greater concern than the analysis provided in the DEIS. Two of these of essential note include:

- The North Capitol Street/G Street intersection
- Columbus Circle/First Street/Massachusetts Avenue

The North Capitol Street/G Street intersection

Alternative A-C proposes a plan to convert First Street NE to one-way northbound in order to accommodate the proposed PUDO areas adjacent to the H Street Concourse entrance between G Street and I Street. As proposed, a one-way northbound configuration would allow for a pedestrian sidewalk on the west side of the street, one northbound travel lane, the PUDO lane, a median or PUDO pedestrian island, the existing cycle track, and the existing sidewalk. Based on the W + A analysis, the viability of this proposal is in serious question due to the impacts associated with eliminating southbound First Street NE traffic with the conversion of First Street NE to one-way northbound. This circulation change induces a very large volume of left-turn demand onto G Street NE, for traffic that is headed southbound on North Capitol Street, beyond the capacity of the intersection to handle, even with a potential added left turn lane.

Columbus Circle/First Street/Massachusetts Avenue

The Columbus Circle/1st Street/Massachusetts Avenue intersection serves as the entrance to the Columbus Circle PUDO area. Under the Wells model, the 95th percentile queue for the eastbound left turn movement into the PUDO area is projected to extend through the outbound side of Columbus Circle during the AM peak hour. While the W+A model shows a projected 95th percentile queue extending through and blocking the outbound side of the PUDO area, the FRA model shows the projected queue stopping just short of blocking the outbound side of the PUDO area. The reason for the discrepancy between the models is related to the phasing coded for the intersection. The W+A model uses the existing signal phasing but with optimized splits to minimize the delay and queuing. The FRA model modified the existing phasing. The validity of the phasing used in the FRA model could not be confirmed based on the information that was

provided by FRA. However, the fact that the FRA model coded the eastbound left turns into the PUDO area as through movements does raise a concern.

PUDO Functionality Areas of Concern

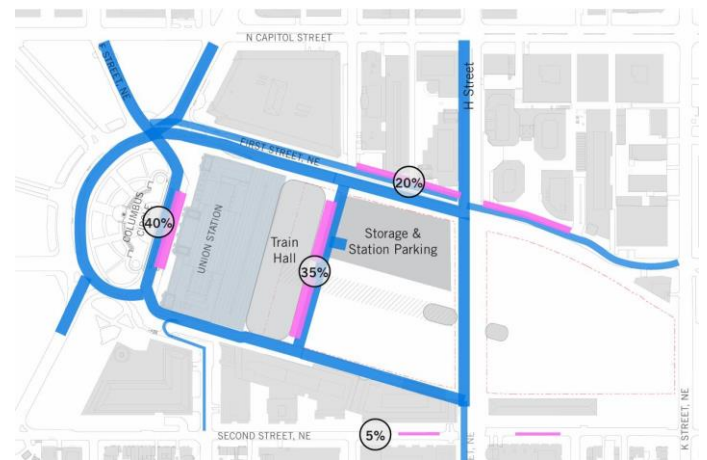
In addition to the lack of capacity identified in the queuing analysis, the PUDO facilities proposed in Alternative A-C are unlikely to operate efficiently. Problems with the proposal for these facilities are documented in detail in the Appendix B1, PUDO Operations, and include the following:

- Long taxi queues
- Inadequate space for Friend/Family PUDO which needs longer dwell times at curbside facilities or more convenient need to park and wait or circulate around WUS and the neighborhood
- Lack of rematch strategy to be as efficient as possible within the limited amount of available space
- Rematch circulation required on station vicinity streets to link one PUDO area to another, increasing vehicular congestion
- Lack of curbside management for multiple PUDO facilities
- Gridlock and traffic spillover on 1st and 2nd Streets due to reliance on curb frontage for growing PUDO demand leads to negative impacts on adjacent local streets (a non-strategy that resembles current ad hoc operations at airports)
- Northbound First Street at K Street conversion to a one-way to accommodate a PUDO lane overloads this intersection
- Lack of study of deck-level circulation from the convergence of buses, parkers, and PUDO traffic
- Inadequate queue areas, waiting areas, and circulation space required for vehicles to find the correct entrance and exit lanes coming into and exiting the Columbus Circle location
- Lack of curbside staging areas, which the DEIS acknowledges are not accommodated.

In particular, Columbus Circle, First Street, NE, and the deck level PUDO are all locations constrained by the capacity of the circulation network serving them. In addition, these locations do not allow for an organization of PUDO operations to achieve ride rematch or relinking, effective separation of pick-up and drop-off areas, or adequate circulation space. Taking an ad hoc approach to the planning of PUDO at on-street locations will further negatively impact the local road network and cause further congestion around the station and at Burnham Place.

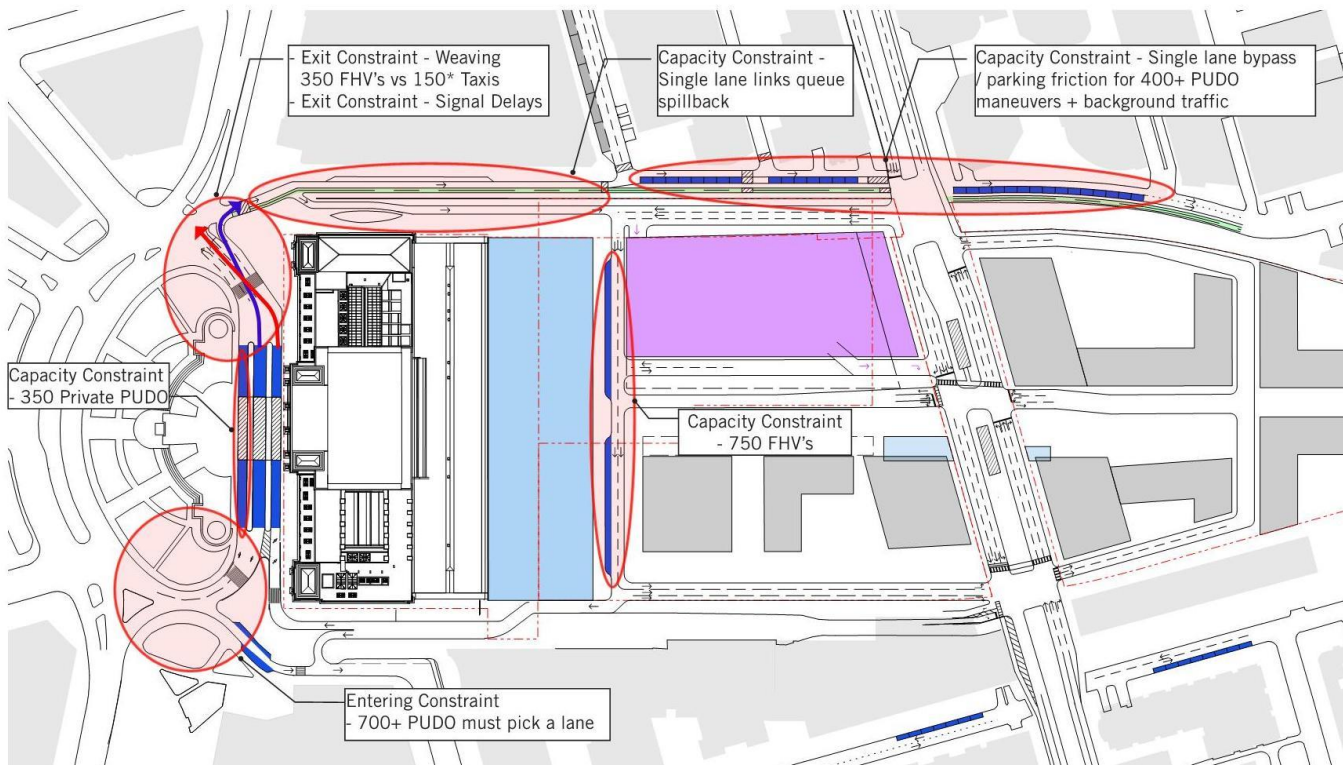
Provision of a multiple server model, required to meet PUDO demand in Alternative A-C, demands a higher level of physical modifications and technology-enabled operations to efficiently and effectively move vehicles and their passengers to and from Union Station without gridlock during peak hours. However, the physical and space constraints at Columbus Circle, First Street NE, and the Train Hall PUDO locations will create conditions more like a single server model and likely result in indefinite queues at these location.

Circulation impacts from PUDO at the Train Hall will significantly impact Burnham Place pedestrian access to the station and critical transportation facilities including Amtrak, Metro, and the commuter railroads. The H Street level pedestrian environment will fail to realize its potential as an important urban place north of the historic



station. And PUDO circulation at the east and west ramps proposed in Alternative A-C will further harm pedestrian and bicycle uses and appreciation of the historic station setting and building.

Alternative A-C Distributed PUDO

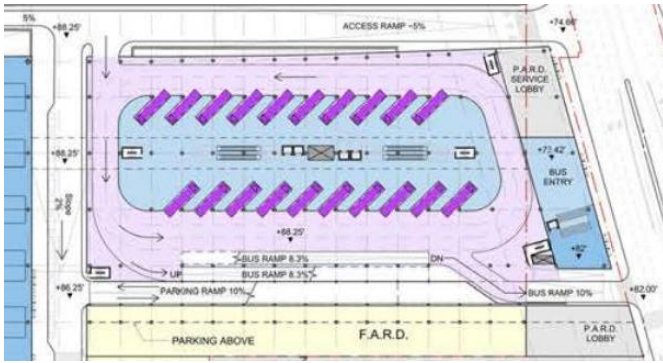


Conclusion

As proposed, Alternative A-C's reliance on the street network and curbside space immediately surrounding the station perimeter adversely impacts the valued use of these areas for pedestrian and bicycle circulation, as well as the provision of open space. The locations chosen for PUDO are thus detrimental to the promotion of transit use, by harming pedestrian and bicycle modes and increasing the demand for vehicular connections – developing a harmful feedback loop increasing the use of private vehicles and decreasing the use of transit.

A centralized PUDO facility with multiple points of ingress and egress would alleviate the reliance on on-street PUDO areas and reduce some of the burden on Columbus Circle, thereby reducing vehicular traffic immediately adjacent to the station and providing for a more pedestrian- and bicycle-friendly experience immediately surrounding the station.

B3. Bus Facility



CREDIT: DEIS Alternative A-C (Preferred Alternative), June 2020

Planning a bus facility at the historic, urban location of Washington Union Station requires balancing numerous transportation, multi-modal, circulation, and urban design requirements. Intercity and charter bus functions are a valued and important component of the SEP program. With the existing garage slated for demolition, there is an opportunity to create one of the best bus facilities in the country. To fulfill this opportunity, the WUS bus facility must a) be sufficiently (but not excessively) sized, b) provide a great passenger experience, c) complement the urban design environment and d) minimize circulation impact on pedestrians, bicyclists, local streets and adjacent projects. Preferred Alternative A-C fails to satisfy each of these objectives.

Burnham Place Consultant Team

Because of the obvious impacts the proposed Alternative A-C bus facility would impart to the character, open space, urban place-making, and vehicular circulation requirements of Burnham Place, Akridge asked Sam Schwartz Engineering (SSE), Wells + Associates, and Shalom Baranes Associates to analyze and document the impacts of the Alternative A-C bus facility. This world class consulting team did a rigorous detailed analysis of the proposed bus program for the WUS bus facility. This analysis helped inform our assessment of the current flaws with the Preferred Alternative A-C design. Our work with SSE, Wells and SBA also identified ways to elevate the bus facility and rider experience that fit with our vision of WUS and its environs as an urban, world-class, and vibrant bus facility. These solutions are described in Section 4B.

Alternative A-C Facility Programming and Design Analysis Undertaken by the Burnham Place Team

To understand the flaws with the facility Sam Schwartz undertook an extensive investigation of the existing Union Station bus facility operations and layout, including a more in-depth analysis of the bus facility capacity than included in the DEIS. The capacity analysis in the DEIS was based simply on an identification of the current number of bus slips and application of a growth factor to this number. This analysis does not capture the important issues of whether the existing facility is used efficiently, and even more importantly does not include analysis of peak day and peak hour demand. In contrast, the programming and sizing analysis undertaken by Sam Schwartz includes the following key aspects:

- Analyzed a typical weekly schedule to understand operating needs and characteristics of all existing carriers
- Analyzed and compared carrier schedules to one another and other transportation models to validate use as a baseline for growth
- Compared the analysis of existing operations against US and international best practices to develop a full understanding of the proposed framework in the DEIS proposal
- Observed and documented time needed for intercity bus loading and unloading at various high activity bus locations
- Developed an operations model to test multiple operating parameters and yield facility sizing based on specific peak hour assumptions, including “peak of the peak” and “beyond peak” scenarios

The full Sam Schwartz analysis is provided in Appendix C1 and an overview is provided here.

As a complement to the programming and capacity analysis undertaken by Sam Schwartz, Shalom Baranes Associates examined the proposed Alternative A-C bus facility from a user-experience perspective, and studied the architectural, spatial, and access elements of the facility. SBA has been involved in these key design issues for both the station project and Burnham Place since before 2010 and has worked on all transportation infrastructure elements within or adjacent to Burnham Place with the goal to coordinate and improve integration between the public and private portions of the overall project.

Flaws and Impacts with the Alternative A-C Bus Facility

As a result of this analysis, the Burnham Place team has identified a number of key issues that are significant problems with the Alternative A-C bus facility:

Size and Capacity

The FRA has taken an important initial step in identifying an intercity and charter program based on a modern operations model that uses dynamic scheduling and flexible berthing. This program identified a need for a total of 24 bus slips to fully accommodate 2040 passenger growth and demand. This approach is a critical first step to acknowledging the need to pursue a modern bus facility that is in harmony with other transportation and land uses at Union Station. Unfortunately, the bus facility proposed in the Preferred Alternative A-C was increased in size substantially above the 24-slip program established by FRA, resulting in a two-level, four story station with significant urban design and circulation impacts on Burnham Place and the surrounding neighborhoods.

As stated, the DEIS states that 24 slips are required to meet 2040 intercity and charter bus demand under an active management approach. It then adds 15 more slips “for unforeseen growth”¹ without providing criteria used to make this determination. This is particularly concerning given the Preferred Alternative’s bus facility footprint can only fit 20 buses on one level, thus requiring a second level to accommodate the additional slips for the “unforeseen growth.” Alternative A-C also fails to consider operational best practices that would preclude the need for additional slips.

Facility size and the appropriate number of bus slips cannot be determined without an analysis of peak hour demand. Furthermore, at WUS, peak intercity demand must be compared to peak charter demand to fully understand facility needs. Based on the information in the DEIS, intercity and charter peaks complement one another, rather than vie for the same space at the same time. As a result, the bus slip count in the DEIS is based on overall demand of a few hours each week that occur solely during a three-month peak season. All other days, hours, and times of the year will have excess capacity.

The DEIS does not provide adequate data and analysis to support the program definition of 24 intercity and charter bus berths, much less the 40 bus-berths included in Alternative A-C. Basing the overall facility size on overly-long bus dwell times of 30-minutes for a single “movement” means that a single bus which arrives and unloads passengers, then takes on new passengers will have a full hour to complete that simple operation. This assumption is the principal problem leading to the oversizing of the bus facility, and while it might serve the business interests of various private carriers using the facility for extended periods of bus parking, it is out of step with all modern transportation facilities, including the rail yard directly below the bus station. The Sam Schwartz analysis shows that a properly planned facility should utilize dwell times generally do not exceed 10 -15 minutes for passenger arrivals and 15 – 20 minutes for loading and departures.

The Alternative A-C bus facility of 40 bus slips has not been analyzed or programmatically justified. If operated with modern best practices, the 40-slip facility could generate enormous bus volumes, overwhelming the neighborhood with well more than 1000 buses per day.

¹ USDOT-FRA. (June 2020). Draft Environmental Impact Statement for Washington Union Station Expansion Project – Appendix A4, Section 6-6, p. 35, Retrieved June 24, 2020. <https://railroads.dot.gov/environmental-reviews/washington-union-station-expansion-project/draft-environmental-impact>.

Alternative A-C's oversized bus facility is in part based on faulty assumptions regarding the demand for charter bus slips. Charter buses are largely tied to just three months of a peak season that coincides with cherry blossom season and spring break visits. The DEIS proposes 8 slips be committed to charter bus activity 24 hours a day, every day of the year. The Sam Schwartz analysis shows how charter bus demand can be dynamically managed to accommodate peak of the peak charter demand during the few hours per week, three months of the year needed.

Passenger Experience



Existing Bus Facility, Union Station

The Alternative A-C design places the bus passenger waiting area on a "parking lot island", surrounded on all sides by a bus parking slips. The A-C passenger waiting area has no access to natural light or fresh air and no access to quality public space. The A-C design has no prominent entrance, no quality outdoor urban space nearby and, given that it is surrounded on all sides by busses, creates inherent pedestrian and accessibility conflicts. Clearly, the bus passenger experience was not a priority consideration in the planning of the Alternative A-C bus facility. We believe the WUS bus facility should be a first-class facility,

connected to world-class public spaces, with natural light and prominent accessibility. Consideration of the actual intercity bus passenger experience should be a top priority in assessing the success of the intercity Bus facility at WUS.

Urban Design Impacts

The Alternative A-C bus facility is a massive footprint of exclusive vehicular use, with no people-oriented or activated spaces on its east, west, and south perimeter frontages. The lack of pedestrian-oriented uses at ground level impacts and diminishes the quality of the pedestrian experience at the Train Hall and west side of the overall SEP. The layout of the facility proposed in Alternative A-C is configured such that the important frontages of the facility on its south, east, and west facades are all dedicated to vehicular activity, with the pedestrian uses of the facility occurring on the interior and surrounded by bus circulation. This arrangement of the facility, with vehicular functions fronting on adjacent streets, sidewalks, and public space (on three of its four sides) significantly impacts adjacent uses including the train hall on the south and Burnham Place on the east. It is not possible to create a pedestrian-oriented experience at the ground level when the interior use is completely dedicated to vehicular circulation in lieu of interesting and activated spaces such as retail or restaurants.

The proposed bus facility is of such excessive scale that it prevents the development of meaningful open space on its east side, even if the majority of that open space is located on the Burnham Place site. The facility size and footprint eliminate the possibility for realization of a greenway on the west side of the site, a key feature of Amtrak's 2012 vision and plan. Moreover, the provision of an excessive bus program is inconsistent with the project purpose and need, negatively impacting urban design, vehicular circulation, environmental sustainability, and multi-modal uses at Union Station.

The lack of pedestrian-oriented, active uses at the ground floor of the bus/parking facility (as well as upper floors) severely impacts and diminishes the value of any Burnham Place open space, street-level environment, and buildings facing the garage that are developed on the BP property.

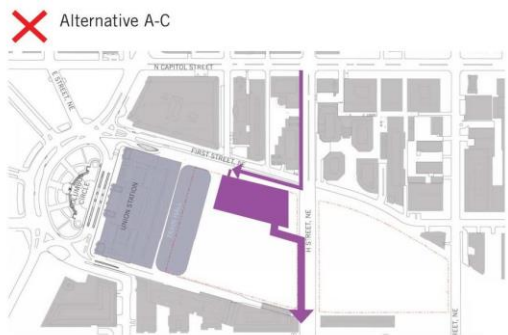
The large footprint and height of the proposed Alternative A-C bus facility are not compatible with the proposed Federal Air Rights development opportunities identified in the concept drawings and descriptions. The potential for adding

occupiable residential, office, or other space on the east side of the bus garage is negligible, given the very narrow footprint identified in the FRA. In addition, this area noted for developing a Federal Air Rights project that connects to the H Street deck level lies entirely within the “visual access zone” identified in Alternative A-C, which is an important view corridor from H Street to the north face of the historic station. Together, the visual access zone and the garage footprint make realization of any federal air rights development in the area identified on the east side of the garage essentially infeasible.

The footprint indicated in Alternative A-C for private air rights development on the north side of the bus garage/parking facility is proposed to be modified from the existing private air rights ownership. The alternative indicates that the Station Expansion Project utilizes more than half of the ground floor of any future Burnham Place building on this parcel, takes away prime retail frontage and space for a building lobby facing the Burnham Place Central Road and H Street, and leaves an overall building dimension too narrow, extremely inefficient, and realistically un-developable due to the difficulties in placing building cores, egress stairs, and other technical elements. (Addressed further in Section 6B, Technical Impacts).

Vehicular Circulation

The location of the bus facility and its vehicular access and egress have significant circulation impacts on Burnham Place and the surrounding area. Circulation impacts from the bus facility will harm other transportation modes, place-making, economic potential, and urban design.



The bus facility location requires that all buses leaving the facility turn right onto H Street which has significant impacts at the intersection of H Street and the future Central Road to Burnham Place. This exit would create conflicts between both H Street vehicular and pedestrian circulation and would require a “5th leg” in the intersection signal timing, making all circulation less efficient and less safe. While the DEIS states that approximately 40% of bus movements are headed west from the station, all bus movements would be forced east on H Street, unnecessarily adding more bus traffic to the residential neighborhoods east of the station and ultimately requiring the use of neighborhood side

streets to reverse direction and head west.

Circulation requirements for bus movements, in combination with usage of the west service road for PUDO and parking access have not been defined or demonstrated. The number of lanes and lane widths to accommodate bus movements and vehicle queueing are not provided, making the bus proposal impossible to evaluate.

Circulation from the bus facility with buses exiting at H Street and all buses turning east at the central street has significant negative impacts at the main and most important entrance to Burnham Place, harming convenience and practicality of access to Burnham Place, wayfinding, and perception of the Burnham Place project.

Conclusion

The proposed Alternative A-C bus program and facility size are over-sized, present an unacceptable passenger terminal experience, prevent realization of essential urban planning priorities, and unnecessarily directs bus traffic on to neighborhood streets. The Alternative A-C plan is out of step with best practices at modern and comparable facilities in the U.S. and Europe. Based on the in-depth analysis of potential bus program and facility needs in the new transit center, the Burnham Place team’s analysis shows that best practices, trends in bus facility operations and design, and comparisons to similar bus facilities in other U.S. and European cities, all point to a reconsideration of the Alternative A-C

bus proposal. As inventoried at the outset of this section, the goals for a worthy WUS bus facility are fully achievable (as described in section III) and should not be compromised.

Section IV

Modifying Alternative A-C to Achieve a Balanced Vision

A. Requirements for a Successfully Integrated Project

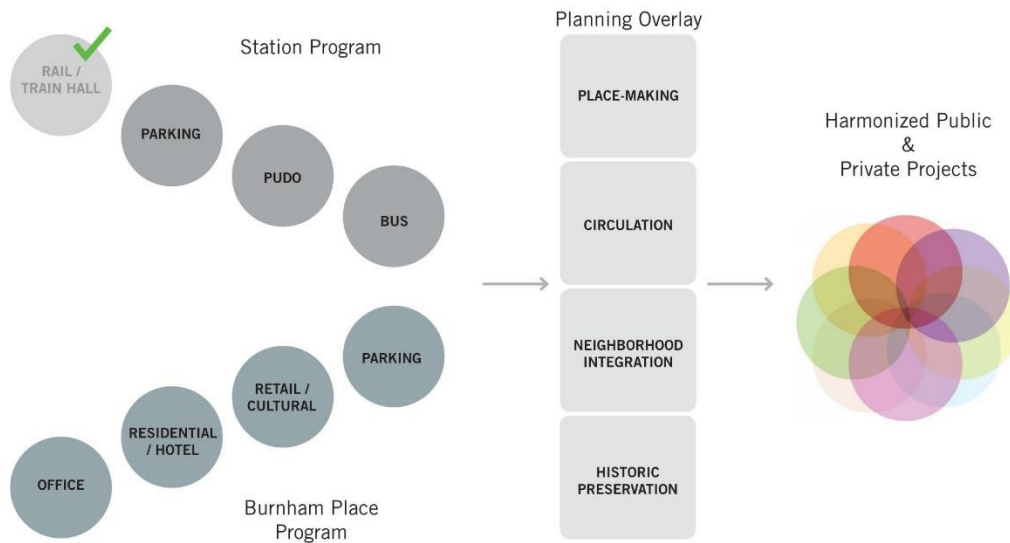
AN ALTERNATIVE VISION FOR A TRANSIT-ORIENTED, MIXED-USE NEIGHBORHOOD

The city, region and country deserve a station district that exemplifies the best in urban, multi-modal station design, transit-oriented development, placemaking, economic development, and neighborhood and historic preservation enhancement.

This vision does not emerge when the baseline starting point is a comparison to existing conditions, a massive bus and parking facility that looms over the tracks, Burnham Wall and historic station headhouse. The existing bus and parking facility must be demolished to enable the reconfiguration of the station's tracks and platforms and unlock future rail growth capacity, but this should not be the starting point to envision a successful planning framework.

When we instead start with a blank slate, a strong planning framework emerges through an iterative design process that looks to balance and integrate all key urban design drivers. An initial step is to identify those drivers, which include the important station program elements of the train hall, bus, parking, and PUDO. These elements are not exclusive -- they are shaped by planning overlays of functional circulation, placemaking, neighborhood integration, and historic preservation. Through the iterative process, program uses are right-sized, their locations are optimized, and harmonized public and private projects emerge.

Requirements for a Successfully Integrated Project



The Akridge Vision is a 3-million square foot mixed-use development including office, residential, hotel, retail, and cultural space, interwoven with parks, plaza, and a new circulation network – all atop a rail yard serving national and regional passenger rail. The development is part of a revived station district that seamlessly integrates with new station elements, a world-class train hall and H Street headhouses, and a modern, efficient, and light-filled bus facility. The balance of transportation program, open spaces, circulation, historic considerations, neighborhood integration, and placemaking, are foundational to the Akridge vision for a A-C Modified.

Open Space Network

Linked open spaces connect new buildings to each other, to Union Station, and to adjacent neighborhoods.



Burnham Place team's vision for compatible public and private projects

1. Civic Space

A Civic Space south of H Street is centered on the historic Union Station enables views from the new train hall and embraces and frames the buildings around it. Transportation entrances are once again celebrated with architectural elements to create a world-class north entrance to Union Station, a modern and light-filled bus facility, and a convenient head house entrance on H Street. These entrances are supported by other active ground floor uses, that could include a variety of retail, office, hotel, or residential. The 125' by 600' dimensions of the overall space provide a civic and ceremonial scale that allow for a variety of landscape and hardscape environments to connect visitors to their place. Lawn panels, tree bosques, and café seating patios are some of the outdoor amenities that could be provided. Paved pedestrian circulation connects pedestrians to their next spot, whether transportation entrances and other walking routes weave through the spaces. A low intensity vehicular road, providing access to building entrances, traverses a portion of the space. The design of the road uses custom pavers and roll-over curbs to deemphasize the low-speed vehicular path and prioritize pedestrians.

2. Neighborhood Park



A neighborhood park, built above the bus facility and adjacent to the civic space, provides a unique outdoor environment for the station district and a destination for individuals and families living in Capitol Hill, NoMa and beyond. It is an opportunity to locate the unexpected – an amphitheater built above the bus entrance, a naturalized playground to splash in water and scramble on rocks, and a connection across a bridge to a platform with views to NoMa, the historic station, and of the Capitol Building.

The neighborhood park above the bus facility is about ten feet above the adjacent civic space and gives gracious ceiling height to bus passenger waiting areas below. A combination of stairs, ramps, and landscape features create an easy and gradual ascent from the civic space up to the Neighborhood Park. Large skylights within the park transmit light down to the bus facility below.

3. Greenway



A linear park called the Greenway is a crucial extension of the Metropolitan Branch Trail (MBT), a regional pedestrian and bicycle path that extends north to Silver Spring, Maryland. Currently, the elevated trail at the NoMa-Gallaudet Metrorail station needs to drop precipitously down to street grade where it shares public street right-of-way to extend south to front of the historic station. Part of that path moves along the particularly tight and constrained First Street NE, adjacent to Burnham Wall. The Greenway provides a route to keep the Trail elevated until it connects back to grade at the southwest corner of the historic station. Connections to the network of open spaces within the air-rights development would come through a combination of ramps and stairs.

The width of the Greenway can accommodate pedestrians, bicyclists, landscaping, and unique experiences along its length, that could include the reuse of a historic train platform canopy that was once part of the Metrorail's Red Line rail yard. A pedestrian entrance to the new train hall off the Greenway provides further activation of the amenity. The High Line in New York City demonstrates the design potential of this space.

4. North Park



2012 Amtrak / Akridge Master Plan

A central open space is important to placemaking and organizing surrounding mixed-use buildings in this portion of the air-rights development. H Street NE will front office buildings and ground floor retail along the North Park with a station head house on that side of H Street. In contrast to the central Civic Space south of H Street, North Park's character transitions from commercial to residential, all while remaining publicly accessible. Retail intensity diminishes to the north and is replaced by residential lobbies and amenity frontage.

The North Park would directly connect to the Civic Space and Greenway. Crosswalks on either side of the intersection of H Street and the central road would link North Park to the Civic Space.

Functional Circulation Network

The circulation network is, like the open space network, another important planning layer that drives location and layout in a successful urban environment. A functional circulation network is comprised of pedestrian, bicycle, and vehicular circulation, prioritized as appropriate for each publicly accessible space.

1. Pedestrian Circulation

The varied spaces within the open space network, Civic Space, Neighborhood Park, Greenway, and North Park, prioritize pedestrians. Only the central Civic Space and North Park permit vehicular access to the front entrances of the air-rights development, but it is not an intense or encouraged activity. Within the Civic Space, the landscape and hardscape design offer pedestrian direct movement between transportation entrances so as to quickly catch a train, bus, or streetcar. A more casual design allows for meandering through a rich variety of landscape experiences for those with more time.

The Neighborhood Park is a place of discovery. Access to it is gained by ascending either stairs, accessible ramps, or a combination of the two. Once atop the park, a variety of areas and experiences are walkable, and could include an amphitheater, lawn panels, and play areas. The Neighborhood Park also extends to the Overlook that provides stair access down to the Greenway.

The Greenway, an extension of the MBT, provides a linear walking path between Columbus Circle and the NoMa-Galludet Metrorail station, instead of the vehicle centric proposal of Alternative A-C. Opportunities to make vertical connections up to the Greenway Overlook, H Street, and North Park are possible with modifications to A-C outlined later in this section. With this linear park in lieu of the service drive proposed in Alternative A-C, the west and south sides of the historic station offer a more pedestrian-friendly environment.

North Park, like the Civic Space, permits vehicular access but promotes pedestrian circulation as it moves from , to H Street and the North Head House towards a more intense landscape environment and access to residential buildings at the north end of Burnham Place.

While all the open spaces are individually pedestrian friendly and accessible, they collectively form an interconnected network of complementary, linked, and landscaped spaces with multiple points of access and cross flow.

2. Bicycle Circulation

Bicycle circulation is another important ingredient in creating a functional circulation network. The Greenway as an extension of the MBT is a critical segment to an 8-mile regional bicycle trail that extends to Silver Spring, Maryland. The MBT on the Greenways would be elevated and shared with pedestrians instead of its current position that shares

the First Street, NE right of way with vehicles. This is enabled with a shift of the west service road east without a connection to Columbus Circle.

Bicycle access into and through the Civic Space and North Park is also promoted. Routes to all transportation entrances, which have adjacent bike racks, are accommodated. We envision a Capital Bikeshare station in the Civic Space.

3. Vehicular Circulation

Necessary vehicular intensity associated with PUDO, bus facility, parking and loading is managed along the edges of air-right development to instead prioritize pedestrians at the Civic Space and North Park. A service road rings the air-rights development along the north and south, where it intersects with H Street on the east and west edges at a lower elevation than the intersection of the central road at the apex of H Street NE, which makes the service road level ideal for parking and loading uses.

South of H Street, where the intensity of station-related vehicular circulation within the air-rights occurs, the service road loop serves transportation in addition to air rights uses. In contrast to the Alternative A-C, ingress and egress are consolidated to the southwest service road in Modified A-C. This arrangement permits buses to egress to the west and away from the Capitol Hill neighborhood to the east.

A high-capacity, centralized PUDO facility below the new rail concourse level moves many PUDO activities off H Street and creates the a pedestrian Neighborhood Park with natural light instead of 1,575-space parking facility as proposed in Alternative A-C.

Circulation solutions are detailed more fully in the subsections below.

Architecture

Only in combination and coordination with a rich variety of neighborhood-connecting open spaces and a functional circulation network can the location and layout of this important architectural program be determined. High-quality architecture is important and will be designed at a later date. Our renderings are but one way to envision a vibrant and active Union Station and Burnham Place.

Transportation Elements

Transportation entrances are the iconic objects that feature prominently in the Civic. An important entrance to a world-class train hall with the historic station's main vault visible beyond is a central focus at the south end of the space. The H Street Headhouse, provides prominent and convenient access down to below-track station concourses, announces the station to H Street vehicular traffic and the H Street streetcar stop at the north end of the space. A light-filled bus lobby front the Civic Space and is visible from H Street and the historic station.

Conclusion

The adjustments to parking, PUDO and bus described in this Section will enhance the value of the private air-right development, historic interests, surrounding neighborhoods, as well as the public Expansion Project. When the public and private projects are harmonized, both projects benefit.

- A centralized, below-grade parking and PUDO operation with remote access from multiple points to the west relieves congestion directly adjacent to the historic station, making it much more accessible to pedestrians and bicyclists and respectful of the historic context.
- The network of publicly accessible, high-quality outdoor spaces, including the Civic Space, Neighborhood Park, and Greenway would all be available amenities to transit users.
- Additional opportunities to introduce natural light to transportation functions through skylights, floor openings and clerestory windows enhance user experience.
- Valuable federal air rights become available once the large volume bus and parking structure moves below grade. The value of those air rights would more than offset the construction costs of the additional below-grade level.

Going back several years, the Burnham Place team has consistently communicated to the FRA that there are five essential design requirements an EIS alternative must meet to ensure successful integration with the Burnham Place project. They include adequate development opportunity, functional circulation network, strategically positioned open spaces, adequate light, air, and views in key locations, and harmonized public and private projects. These five requirements, which included several subcategories within each, were originally conceived as a simple and clear way for the Burnham Place team to provide feedback to the FRA and the SEP team on its alternatives. This feedback was provided by scoring how each alternative meets the five design requirements.

The Burnham Place team produced the following chart which is consistent with the format of several similar charts provided to the FRA soon after the Preliminary Alternatives were first released. This new chart compares the scoring of Alternative A-C to an adjusted A-C that results once flaws are fixed, and a few key modifications are made. While Alternative A-C severely impacts and precludes the achievement of most of the essential design requirements, A-C Modified allows for potentially compatible projects.

Impacted BP Design Requirement **Summary of Impacts for Alternative A-C and A-C Modified**

Design Requirements	Sub-requirements	ALTERNATIVE A-C	A-C MODIFIED	
1. ADEQUATE DEVELOPMENT OPPORTUNITY	Sufficient and high-quality overall density			Material density loss balanced by enhanced placemaking
	Efficient scale BP building pads			Buildings in the SW and SE quadrant have acceptable building pad sizes
	Distribute density throughout BP and achieve effective phased development			Viable and supportin density in the SW quadrant
	Maximize H Street frontage			Viable H Street frontage in all four quadrants
2. FUNCTIONAL CIRCULATION NETWORK	Circulation network and turning movements at acceptable levels of service			Deck-level vehicular traffic reduced allowing increased two-way circulation and turning movements
	Primary central street connecting north and south parcels			Assumes DDOT approved H Street intersection
	Vehicular access to front doors, service, and parking areas			Vehicular access allowed in the centralized public spaces but encouraged at service-oriented perimeter roads
	Safe, active and interconnected pedestrian areas			Connected and pedestrian-prioritized open spaces bind the deck level
3. STRATEGICALLY POSITIONED OPEN SPACES	Distributed north and south of H Street			A viable civic space is introduced south of H Street
	World-class placemaking			A pedestrian-prioritized civic space is activated by important transportation entrances and retail uses
4. ADEQUATE LIGHT, AIR, AND VIEWS IN KEY LOCATIONS	Maximize views to the Capitol and historic Station			Significantly improved with the removal of the massive parking structure
	Building separation, solar access, and sight-lines compatible with high-quality mixed-use development			Significantly improved with the removal of the massive parking structure
5. HARMONIZED PUBLIC AND PRIVATE PROJECTS	World-class BP and Station components complement one another			Train hall and headhouses, a light-filled bus facility, and mixed use buildings coexist around open spaces and functional circulation
	Multiple and gracious pedestrian connections between BP, Station, and surrounding neighborhoods			A network of open spaces prioritized for pedestrians link BP, station and surrounding neighborhoods together
	Easy-to-find entrances to BP buildings and Station			Civic and other open spaces celebrate transportation entrances that coexist with mixed-use building entrances

Insufficient information to evaluate
 Potentially compatible
 Moderate impact
 Severe impact

BURNHAM PLACE

WASHINGTON, D.C. | 09/28/2020 | ©2020 Shalom Baranes Associates, PC



shalom baranes associates architects

A-3

While Preferred Alternative A-C is flawed a successful planning framework is achievable with a few key modifications. The city, region and country deserve a station district that properly value the urban context.

B1. Right-Size Parking and Optimize Location and Configuration

We agree with near unanimous input from a majority of stakeholders that the final EIS decrease the amount of parking on site and place it underground. We hired SSE as transportation engineers to analyze parking demand and arrive at an estimated parking space count. They determined a range of 55-432 parking spaces will be sufficient for the uses at WUS (Appendix A, Parking Program). This is well in line with DC OP Director Andrew Trueblood’s statement for no more than 295 parking spaces at this location.

Co-mingling parking and PUDO facilities organizes where vehicles can expect to enter and exit Union Station regardless of how they will circulate once inside the structure. SSE studied vehicle circulation and demand to determine which access locations would have the lowest impact to the local street network. The research, outcomes, and recommended modifications are further detailed in the PUDO and circulation portion of this section, below, and in their accompanying PUDO Paper (Appendix B).

Right-sizing parking and optimizing the configuration underground with an off-street PUDO facility and single level bus facility (described in the bus portion of this section and in the Bus Program Appendix C1 will ensure that people are the priority at this world-class, multi-modal hub and not personal vehicles.

B2. Establish a Distributed PUDO Plan, Including One High-Capacity, Below-Grade, Centralized Facility

Based on the traffic modeling studies and pick-up and drop-off analysis undertaken by the Burnham Place consultant team showing significant PUDO flaws and impacts from the PUDO facilities proposed in Alternative A-C, it is clear that a modified approach to the provision of this transportation function at Union Station is required. Based on our studies, the PUDO demand identified in the DEIS cannot be effectively met with the concept proposed in Alternative A-C for distributed facilities alone. Fortunately, the addition of a centralized, below-grade and high-efficiency facility is feasible within the station project and can significantly improve overall transportation and urban design goals for this important site.

Need for Modifications to the Alternative A-C PUDO Concept

For the overall station project to meet the Purpose and Need identified in the DEIS, pedestrian, transit, and bicycle circulation must be prioritized. Unfortunately, the vehicular circulation proposed in Alternative A-C would impact and impair these sustainable transportation modes, by surrounding all sides of the station building and local streets on the station perimeter with high levels of vehicular activity, with a corresponding reduction in pedestrian and bicycle circulation function and safety. The Burnham Place team has identified that it is not possible to meet PUDO demand without adding a centralized, high-capacity and high-efficiency PUDO facility to complement the distributed PUDO facilities proposed in Alternative A-C. Doing so will not only provide the only space capable of accommodating the essential characteristics of a well-functioning PUDO facility, but will also reduce demand at the on-grade facilities at Columbus Circle, First Street NE, and the Train Hall necessary to make these facilities functional.

The Burnham Place team is currently continuing with its studies to provide a centralized facility below-grade, directly below the rail concourses which can serve the highest levels of PUDO demand. Concealing high-intensity vehicle functions below ground is the default choice for high-density urban land uses of all types. In the commercial core of Washington, DC medium- and high-density land uses are almost always built with all significant parking below-grade. The FRA recognized and validated this trend when it developed five of its six Action Alternatives to include some or all of its parking and PUDO facilities off-street and below the new concourses proposed at WUS.

What is unique about planning for Union Station as compared to most other current land uses in DC is that PUDO, *not parking demand* accounts for approximately 90 percent of projected peak hour vehicle trips. Locating PUDO facilities below-grade at Union Station solves or significantly mitigates the flaws and adverse impacts identified in the discussion of PUDO and circulation flaws earlier in these comments.

Characteristics and Functions of a Centralized PUDO Facility

A centralized, high-capacity facility is the only way that the multiple program needs of a high-efficiency PUDO facility can be met, by providing a large and contiguous space on one level to accommodate consolidated Friend/Family pick-up and drop-off, as well as the same for FHV. DC policy and sustainability goals to reduce VMT and the overall number of vehicular trips to and from the station require a maximum degree of “rematch” to pair a new passenger with a For-hire Vehicle that has previously completed a passenger drop-off at the station. Just as important, with the large amount of Friend/Family PUDO identified in the FRA proposal for Alternative A-C, there is an equally important requirement for Friend/Family waiting areas to accommodate early vehicular arrivals to pick-up passengers. Friend/Family pick-up is substantially less efficient than FHV pick-up functions, as each passenger must match with a specific arriving vehicle, rather than match with one of many vehicles in an FHV queue.

Best practices and lessons learned from design of high volume PUDO facilities at passenger terminals show a path to address critical facility needs in order to achieve system functionality. Pick-up and drop-off zones are only as efficient as the weakest link in the system. Therefore, the relationship, capacity, and operation of all components must be considered.

Distributed and Centralized PUDO Facilities in A-C Modified

The Burnham Place team agrees with FRA and DDOT that some amount of PUDO should appropriately be placed at Columbus Circle, First and Second Streets NE, and at the Train Hall. However, the FRA model shows that demand overwhelms the practical capacities of these locations, given their physical constraints and the limited areas within the access roads leading to them. These distributed and on-street locations must be supplemented by a centralized and high-capacity below-grade facility. This strategy has the following benefits:

1. Comprehensive For-Hire Vehicle Operation

- a. Off-street staging area for taxi, Uber, Lyft and other providers reduces on-street PUDO activity and serves surge PUDO demands
- b. Effective, high-volume FHV re-matching decreases overall trips, reduces circulating vehicles and neighborhood spillover
- c. High-capacity staging and pick-up below-grade reduces congestion at Columbus Circle and the required size of other PUDO facilities. A direct route below-grade from taxi staging to the first lane at Columbus Circle eliminates taxi queues on the station's East Ramp

2. Effective Off-Street Friend/Family Short-Term Waiting Area

- a. Accommodate early-arriving drivers to free up curb space for active PUDO, decrease double-parking and circulating on adjacent streets

3. Improved Passenger Convenience and Experience

- a. Weather-protection improves experience, enhances safety and accelerates throughput
- b. Escalator and stair access from rail concourse directly above reduces walking distance, improves wayfinding, and decreases total trip time
- c. Locating facility egress ramps away from Columbus Circle and H Street decreases PUDO trip time to destination

4. Efficient PUDO and Less Vehicle Congestion Yields Additional Benefits

- a. Bicycle and pedestrian access and safety improvements at grade
- b. Improved historic setting
- c. Opportunities for multiple open spaces at station edges
- d. Less noise and lower carbon emissions

Providing a centralized PUDO facility at WUS in addition to other distributed PUDO locations, is a solution developed through extensive research of best layout and management practices at other transportation facilities. This proposal for a better-functioning set of PUDO facilities in A-C modified is informed by careful consideration of the station's urban context – a context that includes a significant historic structure in an important civic setting. The adjacency of Union Station to established and emerging neighborhoods, the District's mode share policy goals, and opportunities for high-quality placemaking surround the station, all point to the need to remove vehicles from neighborhood streets and

minimize vehicle trips. Without a centralized PUDO facility, the DEIS proposal would not meet key elements of the stated purpose and need of the project, including facilitating intermodal travel, providing a positive customer experience, enhancing integration with adjacent neighborhoods, and supporting continued preservation of the historic station building.

While a dedicated PUDO facility could conceivably be located in a garage above the tracks, Akridge and many other stakeholders agree that a below-grade option is the far superior choice for numerous reasons. This facility would be located directly below the new passenger rail concourse and accessed via three or more different ingress and egress points, providing the most convenient and time-saving location for access by rail passengers. A below-grade solution is the only location in the Expansion Project that is large enough to accommodate the facility size required to accomplish this task.

Above-Grade Garage PUDO Has Fatal Flaws

The option of locating a high-capacity PUDO facility above the bus facility is worthy of study given it is the only other location in which a dedicated PUDO area could be considered. However, there are several drawbacks to this location, some of which cannot be overcome or mitigated. Principal among these drawbacks is the fact that the needed program cannot be accommodated on a single level of an above-grade garage, instead requiring multiple levels to achieve the same functionality of the A-C Modified below-grade facility. Providing the full program on multiple levels leads to significant and possibly fatal operational difficulties. The proposed Alternative A-C garage includes a footprint for each parking level of approximately 115,000 square feet. This compares to 480,000 square feet available on one level below-grade. Even if right-sized station parking were included within the above-grade garage, fulfilling the PUDO functions described above would take at least three additional garage levels. This bus, parking and PUDO garage would create nearly the same adverse impacts as described in the *Parking* section above.

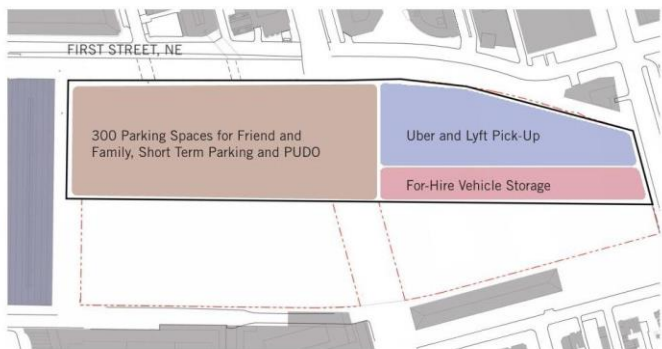
ALTERNATIVE A-C ABOVE-GRADE PLAN

Six levels above the bus facility - 115,200 SF

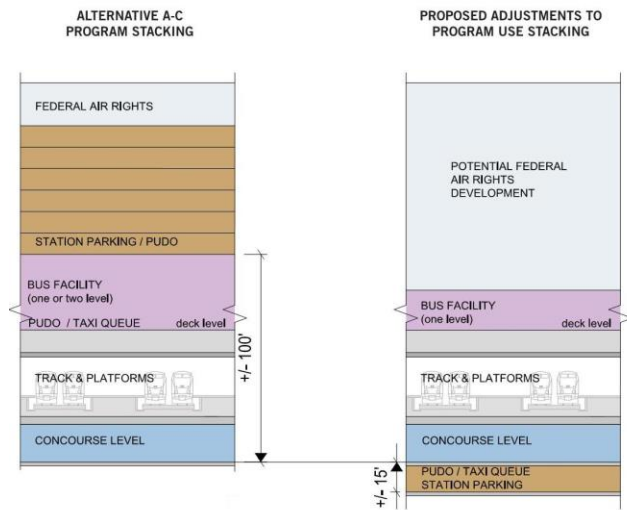


A-C MODIFIED BELOW-GRADE PLAN

A-C Modified below-grade plan - 480,000 SF



A PUDO facility within the above-grade garage would be located 100 feet above the H Street Rail Concourse and 60 feet above the main rail concourse within the Train Hall. Few rail passengers would accept this PUDO location for pick-up or drop-off when this location requires traversing six to ten stories via two or three different elevators. As train passengers will be dropped off elsewhere, drivers will then need to circulate from Columbus Circle, the Train Hall or First Street NE to the above-grade garage PUDO area to re-match for a pick-up.



PUDO and Station Parking - Above-Grade vs Below-Grade

In addition, concentration of additional PUDO traffic adjacent the Train Hall PUDO facility and dependent on H Street access would only worsen the circulation problems already inherent in the DEIS Alternative A-C. The Alternative A-C parking garage is accessed off a one-way PUDO road adjacent to the Train Hall. Locating PUDO within this garage would merge a thousand or more vehicles per hour onto this road, which is already overburdened by Train Hall PUDO activity and vehicles accessing private development garages. In this scenario, more than half of all PUDO trips would enter and/or exit via H Street.

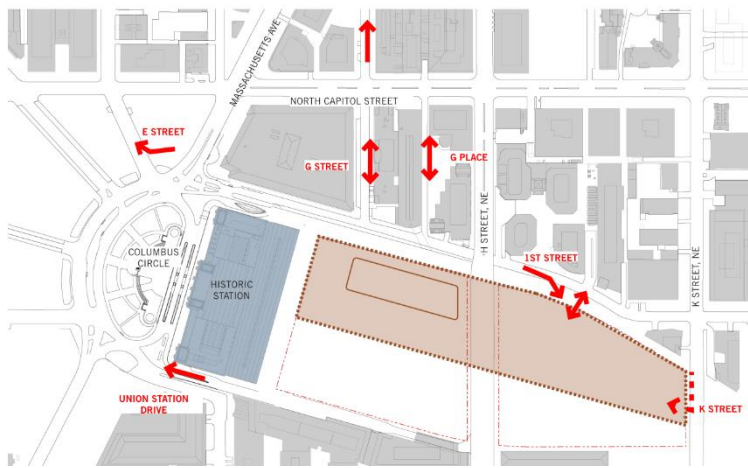
Any one of these shortcomings is a significant barrier to locating a high-capacity PUDO operation in this location. Collectively, these problems demonstrate this location should not be studied further. While no traffic circulation plan will be able to meet the station’s peak demands without some challenges, below-grade is the only location that can feasibly serve as a dedicated, off-street PUDO facility.

A-C Modified Circulation Network

The Burnham Place team is carrying forward with on-going studies to identify access points to the below-grade facility proposed in A-C Modified. Sam Schwartz and W + A have begun detailed studies of options for effectively distributing demand amongst the various facilities in addition to developing concepts for access points and ramps to connect the below-grade facility to the street network.

The high-efficiency, off-street, central PUDO facility in our proposed A-C Modified has the capacity to handle one third or more of total PUDO demand. This below-grade and centralized facility in A-C Modified will relieve the on-street PUDO locations at First Street NE, the Train Hall, and Columbus Circle, and could potentially reduce PUDO volumes at these locations to approximately one-half of the volumes included in the DEIS Alternative A-C. Without such reduction in demand, the at-grade locations in the DEIS cannot be made to function given their physical constraints and the high demand forecasted.

Below-Grade Access Opportunities



Potential connection points and ramps are illustrated in the adjacent diagram. These are under review by our team to determine a set of access elements that provide the best balance of circulation demand on the local street network relative to demand sources and network capacity. In general, these access points provide the opportunity for quicker and more efficient passenger access to the station, while at the same time helping to remove traffic from streets immediately adjacent to high-volume pedestrian areas. Detailed studies for a number of ramps and access points under consideration are included in Appendix B3, Below-grade Access Ramps.

The PUDO changes recommended here will allow corresponding changes in the circulation system around the station, including circulation at the H Street level that can help to better balance area traffic and eliminate key bottlenecks arising out of the circulation plan in the DEIS Alternative A-C. These circulation changes are critical in order to reduce the extent and quantities of private and commercial vehicles adjacent to the station and on nearby streets.

Conclusion

A centralized, high-capacity, underground PUDO facility proximate to the highest demand of PUDO riders will positively impact circulation around WUS and adjacent neighborhoods, other PUDO facilities and the street network around them, pedestrian and bicyclist safety and experience. The modification will compliment and celebrate the historic WUS and provide space for a vibrant, people-oriented environment that is economically sustainable to all stakeholders. A-C Modified utilizes the on-street PUDO facilities proposed by FRA, but also adds a high-capacity, high-throughput below-grade PUDO facility. The A-C Modified plan will better meet station and public goals as indicated in the exhibit below.

Key Ingredients for a PUDO facility

	FRA'S A-C PLAN	A-C MODIFIED PLAN
Passenger Convenience	✗	✓
Vehicular Access (separation between FHV and F&F)	✗	✓
Re-match within the facility	✗	✓
Columbus Circle Taxi Queue	✗	✓
Capacity	✗	✓

B3. Create a First-Class and Right-Sized Bus Facility

“This is a generational opportunity to create an exceptional station plan that exemplifies the best in urban, multimodal station design, place-making, economic development, and neighborhood enhancement.”

– Councilmember Charles Allen, Ward 6

Intercity bus service can provide a flexible, economical, and efficient mode of transportation for the public. The opportunity to provide a high-quality bus facility at WUS can enhance intercity transportation options at Union Station and create an urban transportation hub with complementary intercity services including rail and bus. The challenge in providing a well-programmed and designed bus facility is to balance its size, quality, location, and access with other transportation functions and land uses at WUS. Akridge asked SSE, an internationally recognized bus facilities planning expert, to find the balance between a right-sized bus facility design and program that provides a substantially enhanced opportunity for high quality terminal and passenger experiences at Union Station.

Modifications to Bus System Creates Efficiency, Equity, and Success for All Stakeholders

As discussed in Section 3B of our comments above, the bus facility proposed in Alternative A-C suffers from a number of program and design problems that prevent the facility from meeting the Project Purpose and Need. Fortunately, there is still time to make changes to the bus program such that it will successfully “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 continue preservation and use of the Historic Station building.”

For the past five years Akridge has worked with internationally recognized engineers, planners, and consultants to research, analyze, and develop recommendations for a modern bus facility that will live up to its potential as a world-class, urban, multimodal station. The new bus facility at Washington Union Station should be celebrated on a national, and even, international scale. Our proposed modifications to Alternative A-C focus on a right-sized, thoughtfully designed and managed bus facility that connects seamlessly with other transportation elements at WUS, as well as the new Burnham Place neighborhood.

Best practices have guided our research and analysis for modifications to the Alternative A-C bus facility. The Burnham Place team collected a large amount of data on intercity bus usage patterns and demands, both at WUS and other stations in the US and Europe, to develop an understanding of what a first-class bus facility and program can be at a 2040 Washington Union Station (see Appendix C2, Response to August 26, 2020 Greyhound Letter for extensive bus related research). Best Practices for modern transportation elements focus both on efficiency and equity that enhance the bus rider’s experience. The extensive research undertaken by Sam Schwartz provides significant and compelling analysis for more correctly sizing the WUS bus facility program. As shown in the referenced report and discussed elsewhere in these comments, the data verify that an actively managed 14-18-slip facility (12 to 16 slips plus 2 staging spaces) will more than meet the 2040 daily, weekly, and hourly peak demand identified in the DEIS.



Illustrative rendering created to describe a bus facility with a Neighborhood Park above and connections to PUDO and the bus lobby on the Civic Space

Copyright Akridge and Shalom Baranes Associates

With a few key modifications to the Alternative A-C concepts, the bus facility can take full advantage of best practices to create a seamless experience for intercity bus riders. The facility can be fully integrated with the open space, retail, and urban design features of the SEP and Burnham Place. In fact, these modifications will better avail bus riders to the vibrant retail opportunities and open spaces in the overall project.

First, key ingredients

In order to achieve the goals of the WUS Project Purpose and Need, the Burnham Place Team developed a framework for the key ingredients critical to achieving a world-class bus terminal at WUS. In addition to meeting 2040 passenger capacity, these ingredients are: 1) adjacency to historic Union Station, 2) a first class passenger experience, 3) direct connection to vibrant urban space, 4) minimize neighborhood traffic impacts, and 5) size to fit within the surrounding context.

Using the recommended bus slip count to 2040 passenger demand developed by SSE described below, our team examined multiple that would provide the most connectivity for riders to other station elements and transportation connections. With a focus on a quality passenger experience, our team public spaces within the bus facility that are comfortable, with dedicated space for bus queue and board buses, but also ample space to charge devices, use the restroom, or grab a coffee before boarding a bus. Just as importantly, the passenger areas include direct daylight, and as envisioned in Alternative A-C Modified, are situated directly below a neighborhood park. The passenger spaces envisioned in this plan can be easily accessed from the Train Hall, central concourse, and Metro, and also have a direct entrance from the center of the most active and vibrant spot



meet Schwartz, plans bus

high-visions safe and riders to seating, even

within the air rights development at H Street. Bus passengers arriving at or departing from WUS are directly connected to the great urban spaces in and around Union Station.

With parking and PUDO located below grade, the station's intercity and charter bus terminal has the opportunity to serve as a pivotal, activating element, with an entrance prominently featured in a civic space between H Street and the new train hall in the location shown in the Preferred Alternative. In this location, a bus facility can efficiently meet forecasted ridership and be configured to enhance passenger experience, with ample natural light and architectural identity.

To efficiently serve forecasted bus ridership growth in an efficient footprint that allows integration with viable development in a compelling urban design, a new bus facility of appropriate size and layout should be incorporated into the Preferred Alternative.



Second, right-size the bus facility:

By utilizing proven, modern methods and technologies to meet high demand in an urban setting that is low on space but high on congestion, SSE has identified 14-18 bus slips (which include 2 staging slips) as fully capable of meeting peak bus passenger demand at WUS in 2040. This is accomplished through the incorporation of several key strategies: 1) active terminal management, 2) berth time slot assignment, 3) station schedule planning, and 4) dynamic berth scheduling. The DEIS does in fact

recommend this type of approach for WUS:

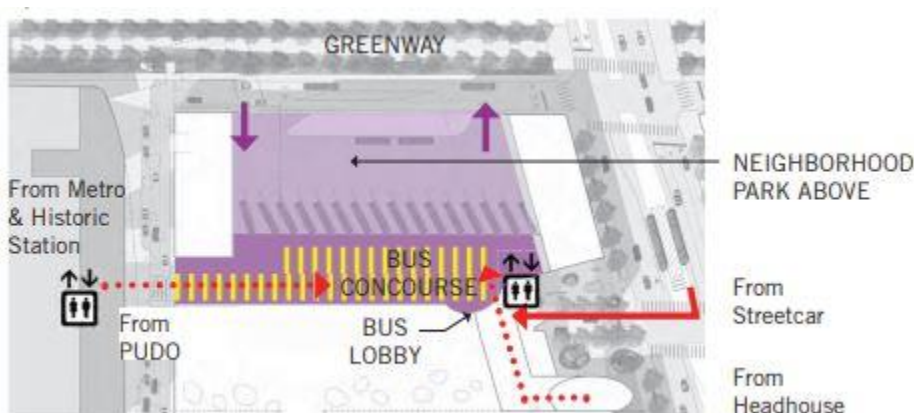
In Alternative A-C and all Action Alternatives, the capacity of the bus facility would be optimized by using an “active management” approach. “Active management,” or “dynamic management,” is an approach used in the United Kingdom and New Zealand to more dynamically allocate bus slips to providers and decrease turn times for buses. As part of this active management approach, a thirty-minute time limit on bus operations has the potential to reduce the number of slips needed to manage daily peak demand by increasing the throughput of each slip. This approach is consistent with planning to improve the efficiency of rail operations for 2040. In this approach as described in the DEIS, buses could not stay at a slip for more than 30 minutes during the peak hours of operation. This quicker turnaround would allow the bus facility to process more buses with a smaller number of slips than would be the case in the No-Action Alternative and in existing operational conditions, where there are no limits on bus layovers. (Appendix C-3 p. 5-58/Appendix A5e p. 1).

The SSE analysis included in Appendix C1 documents all existing intercity bus movements at WUS and the slip utilization of the carriers operating there. This analysis is more in-depth than the review of bus capacity provided in the DEIS, as it shows bus service patterns across the entirety of a typical week, including all hours of the day, peak and off-peak. Existing intercity bus service at Union Station is heavily oriented toward weekend peak hours, with two hours on a typical Sunday accommodating the highest peaks of the entire week. During mid-week, intercity demand is significantly reduced, and averages approximately 250 bus movements per day, compared to the 310 buses movements per day on weekends. Charter bus service is also heavily oriented to seasonal and weekly peaks. The SSE analysis documents that charter bus demand at Union Station is highest during late March through mid-June, three months of the year, and also shows higher

demand mid-week than on weekends. With charter bus demand highest during mid-week periods, and intercity demand peaking on weekends, the two different programs can fit together well in the new facility.

The 16 to 18 slip facility proposed in the Burnham Place team A-C Modified is very similar to the FRA bus program of 24 slips for charter and intercity buses identified in the DEIS. The primary difference between the program proposed here and the FRA DEIS bus program is in the amount of dwell time allowed for bus movements at the peak hour. The table below compares the DEIS Alternative bus slip count against the assumptions, analysis, and outcomes of our proposed Modifications:

Category	DEIS Plan – 25 Slips	A-C Modified Plan
2040 Intercity Annual Passengers	2,975,000	3,000,000
2040 Intercity Passenger Growth Projected Over Current	19%	19%
2040 Charter Passenger Growth	51%	51%
Peak Hour (2 hours/week, 4 months/year) Turnaround Time	60 minutes	35 (Best Practice) to 45 minutes (Conservative)
Turnaround Time Rationale	Bus Company Input	Field Study Measurements for Boarding and Alighting Times; Study of U.S. and International Best Practices.
Active Management Operation	Partial	Yes
Number of Recommended Berths	<u>25 Total Slips</u> <ul style="list-style-type: none"> • 13 intercity slips • 8 charter slips • 3 staging (non-active) • 1 DC Circulator 	<u>18 Total Slips</u> <ul style="list-style-type: none"> • 12 to 16 shared intercity/charter slips • 2 staging (non-active) (DC Circulator not included)
Study Methodology for Facility Sizing	Apply growth factors to existing actively used slips	Model peak hour movements based on growth factors applied to scheduled departures and arrivals for all carriers'



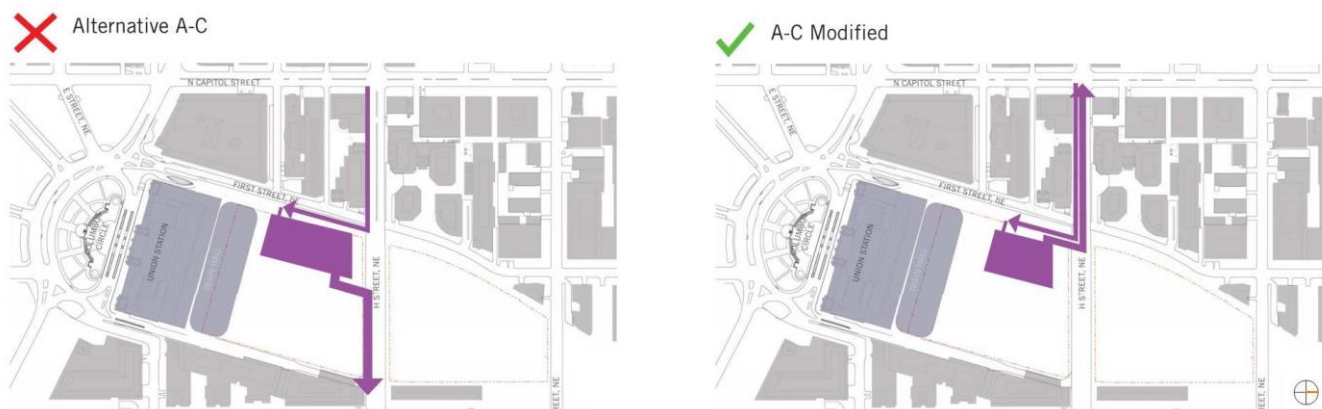
Third, circulation:

In developing a bus facility program with 16 to 18 slips the overall facility can be better placed on the site available within the federal property ownership, and bus circulation to and from the facility can be substantially improved. Because the footprint of the facility in Alternative A-C is so large it requires a one-way exit to H Street for all buses, sending them across the principal entry to Burnham Place and

directly into the low-density, historic neighborhood east of the station. In addition to the noise and traffic impacts of the

Alternative A-C on Burnham Place and the residential neighborhood, there is a significant safety concern in both the vehicular operations at the Burnham Place central road and pedestrian crosswalk to the streetcar platform inherent in Alternative A-C. In contrast, the A-C Modified concept proposed here allows all buses to both access and exit the facility from both the east and the west. This is a critical change that substantially reduces bus circulation impacts on both Burnham Place and the surrounding neighborhoods. The A-C Modified concept is able to better distribute and balance bus circulation on the street network around the station, and would also be beneficial to carriers serving the station, allowing the choice of more direct departing routes according to destination, and providing resiliency in allowing alternate routing options on the local road network.

The Alternative A-C bus facility also impacts the configuration and operations of the west service road intersection with H Street. The large footprint of the bus facility and its placement require that the west service road be located directly above the Metro R.O.W. and have an offset intersection with across H Street with the west service road in the north parcel of Burnham Place. With the DEIS traffic analysis showing significant concerns with the level of service at this intersection, its offset configuration should be corrected, which is made possible with the Burnham Place team A-C modified proposal.



Conclusion

Based on the current distribution of bus movements through 2040, a twelve-berth terminal can comfortably accommodate more than 3 million annual passengers.

The Burnham Place team has studied the existing and future WUS bus program in depth, with more detailed analysis and more complete data than provided in the DEIS and determined that a 14 to 18-slip facility is more than adequate to meet the 2040 intercity and charter demand identified in the DEIS. A facility of this size would provide excess capacity even on a peak-day/peak-hour, and during off-peak times has up to six or more extra slips available for layovers and schedule perturbations during daytime hours. This facility allows bus dwell times of 35 to 45 minutes during peak hour periods for a bus that arrives and departs with passengers, far in excess of the time needed for passenger alighting and boarding, and far exceeding the time allotted to an entire passenger train in Amtrak's peak hour operating plan.

The Washington Union Station Expansion Project must provide an integrated and balanced approach for all transportation and land use elements to fully realize the potential of the project. Planning a right-sized bus facility has enormous benefits for the overall project and for bus passengers. Achieving the requirements for a bus facility at Union Station that meets passenger demand and provides a world-class experience can only be realized with a facility size and program that fits on the site. Oversizing the facility is detrimental not only to Burnham Place, the station project and other transportation modes, but to the bus facility itself, as excessive program and scale are uneconomical and as seen in

the analysis here, does not allow creation of the kind of high-quality bus passenger experience needed at Union Station. As seen in the chart below, the A-C Modified plan for the bus facility not only meets future capacity, but also the remaining essential criteria needed for success.

Key Ingredients for World-Class Bus Terminal at Union Station

	FRA'S A-C PLAN	A-C MODIFIED PLAN
Adjacent to historic Union Station		
First class passenger experience		
Direct connection to vibrant urban space		
Designed to minimize neighborhood traffic impacts		
Appropriately sized facility		

Section V

Process and Akridge Role

For five and a half years, Akridge has participated in what was originally scoped as the creation of a “Master Development Plan” for the station’s expansion, which was to include the infrastructure to create overbuild decking atop a rebuilt rail yard. Since that time, the original scope of planning and design work has shifted with various entities playing a variety of roles.

The FRA assumed the role as lead agency on the EIS. As Burnham Place is a private development requiring no federal approvals or funding, it is not subject to National Environmental Policy Act (NEPA) requirements (but is subject to local permitting and other approval procedures). Six months into the planning effort, it was established that Akridge’s project would therefore be treated as a separate, private project *for purposes of regulatory review*. Akridge continued efforts to collaborate and coordinate with FRA, USRC and Amtrak on a wide range of important planning matters given the close relationships between the projects.

We worked together through workshops and information sharing on disciplines such as: civil, structural, mechanical, geotechnical and rail engineering. The Burnham Place team worked with the FRA and their consultant team on constructability and phasing, H Street Bridge planning and Threat, Vulnerability and Risk Assessments.

On many of these topics, the teams made substantial progress and found mutually beneficial or satisfactory solutions for each of the two projects. In other areas, we advanced concepts to conclusions where competing interests or lack of time

led to unresolved or conflicting findings. However, within the areas that mattered most to the viability and success of Burnham Place, Akridge was never able to see our clearly-stated project requirements validated, understood and reflected within the FRA's station concept deliverables.

Station program elements, Burnham Place buildings, open spaces and pedestrian and vehicular circulation form the backbone of the station expansion and Burnham Place at the deck level. Over the past five and a half years, our design team made many presentations and submitted written materials which articulated the goals and design requirements necessary to create a successful version of Burnham Place. We jointly attended a series of workshops held by FRA's consultants on placemaking, urban and landscape design. Many of the findings from these efforts are included in the DEIS appendixes.

Once the FRA started to generate concept plans, it became clear that this work was largely for naught. Time and again, no matter how many meetings we participated in, and how often and how directly we communicated the adverse impacts of a given station concept on Burnham Place, the majority of our concerns were largely ignored within the formulation of the next round of concepts.

We provided detailed assessments and impact analyses for proposed station concepts. We suggested specific and multiple ways in which concepts could be changed to fulfill the public project's Purpose and Need but avoid needless and substantial harm to the potential of Burnham Place or preclude the achievement of other stakeholder goals.

In short, Akridge was an active participant in the early stages of the EIS process, but our presence did not impact its outcome on matters of greatest importance. We believe that ultimately, FRA reduced down the breadth and complexity of our feedback on design requirements and impacts to mean simply that we wanted the station expansion project to avoid use of our property to the greatest extent possible. This result was never our stated goal, nor is it even achieved within Alternative A-C. Rather, Akridge is willing to allow reasonable use of its air rights as long as any such intrusions do not interfere with our ability to develop a successful Burnham Place project.

In short, as shown through our actions and comments, Akridge *is* willing to allow use of portions of Burnham Place property in order to create an optimal, balanced and harmonized set of projects. Since the development of the 2012 Master Plan, we have indicated a willingness to forego some degree of development to provide extensive skylighting to a below-track concourse. We have supported an East-West Train Hall, partially within our property. We spent over a year developing a concept to site a bus facility within our parcel north of H Street, which would have served as the focal point for half of our development. In each of these examples, we were willing to advance of a given concept, provided that our overall design requirements could be met. The variety of ideas that we have put forth over the years shows our flexibility as well as openness to accept feedback on which of our concepts enjoy important stakeholder support.

In these comments, we provide a proposed set of modifications to Alternative A-C that we are confident can fulfill the station expansion's transportation functions, better align with important stakeholder priorities and also will allow Akridge to fulfill its essential requirements for a successful Burnham Place project. NEPA requires FRA to consider input from all

stakeholders, and as the developer of the private air rights, Akridge is a key stakeholder in this process. Moreover, as outlined in our comments, the modifications we propose would improve the project overall and benefit all stakeholders. Thus, we are not asking FRA to listen exclusively to us, but to the chorus of stakeholders that share Akridge’s concerns with the preferred alternative as proposed. The vision we put forward does not comprise “Akridge changes,” adjustments for the sole benefit of the private development. Rather, these proposed changes are largely consistent with the views of, and reflect input and comments from, ANC 6C, DDOT, DCOP, NCPC, DC Council, SHPO, CFA, Congresswoman Eleanor Holmes Norton, the Federal City Council, National Trust for Historic Preservation, Capitol Hill Restoration Society, and of course feedback we have heard from Amtrak, USRC and FRA themselves over many years.

Akridge is ready to fully engage with the FRA and any and all parties who would like to come together to find common ground and create a vision with the broadest backing possible. The Section 106 consultation process and NEPA policy encourage this sort of collaboration.

As a locally- based private sector organization with nearly 20 years of history on this project, we have unmatched experience, access to resources and expertise and extraordinary motivation to reach a successful FEIS—one that creates a successful station project that can be approved, funded and built. We urge the FRA to provide us not only a seat at the table, but an openness to assess and incorporate what our ideas have to offer.

Section VI

Other Impacts

A. Property Rights

It is well settled that “[a]n agency’s discussion of alternatives must be bound by some notion of ‘feasibility.’” *Navajo Nation v. U.S. Forest Service*, 408 F. Supp. 2d 866 (D. Ariz. 2006). “An alternative that does not accomplish the purpose of the project in question” because the alternative cannot be accomplished is “unreasonable and does not require detailed attention in the FEIS.” *City of Bridgeton v. FAA*, 212 F.3d 448 (8th Cir. 2000); *Missouri Mining, Inc. v. I.C.C.*, 33 F.3d 980 (8th Cir. 1994) (finding that rail alternative was not reasonable and need not be considered in the EIS because the project proponent did “not own and has no right to use” the alternative rail line).

Unfortunately, none of the alternatives as offered by FRA in the DEIS are feasible because each alternative, including preferred alternative A-C, contemplates the use of a substantial acreage of air rights owned by Akridge and those contemplated uses will have serious adverse impacts to Burnham Place. In other words, Akridge cannot agree to transfer the acreage contemplated in the alternatives as proposed in the DEIS because the loss of such substantial acreage would have serious adverse repercussions for its BP project as detailed above.

Further, while the DEIS assumes that Akridge’s air rights property can be taken through eminent domain if it cannot be procured through negotiation, that assumption is incorrect. The Expansion Project proponents lack the legal capacity to take any of Akridge’s air rights acreage through any existing eminent domain statute. Congress expressly directed Amtrak’s sale of the air rights to a private entity by statute in 1997, and expressly precluded Amtrak ownership of the air rights by providing for the loss of funding were Amtrak ownership to be perpetuated. By directing the sale of the air rights to a private entity and disabling Amtrak’s ownership, Congress effectively determined that the air rights cannot later be taken back, and certainly not taken as proposed here in a way that impairs private development. This

legal infirmity on the eminent domain point, as well as related reasons why the proponents cannot take the Akridge air rights, are more fully spelled out in the attached letter from Akridge’s counsel to FRA, found at Appendix D.

Because Akridge’s air rights cannot be negotiated away to the severe detriment of the BP project, and cannot be taken without Akridge’s consent, the assumption that a significant portion of those air rights are available to be developed as part of the alternatives addressed in the DEIS is unfounded. Accordingly, none of the alternatives, with the exception of the no-action alternative, are feasible as proposed in the DEIS. Akridge has made its position on this matter known to FRA and the proponents over the past several years, and inquired as to the basis on which its property might be taken. However, it never received a clear answer and no answer is provided in the DEIS.

Nonetheless, in these comments Akridge offers a modification of Alternative A-C that is feasible because it minimizes the intrusion on Akridge’s air rights and maximizes the value of developable property immediately adjacent to the Expansion Project. See section 4 of these comments. The relatively small portions of the Akridge air rights that would be needed for the A-C Modified are portions that Akridge would negotiate to transfer in return for appropriate compensation. As described elsewhere in these comments, we believe the modified Alternative A-C would not only be feasible, but would also provide a win for all parties – a greatly improved Expansion Project that better meets the needs of all stakeholders, as well as ensuring that BP could be developed in a manner that will allow its benefits to be attained and harmonized with the adjacent Station.

B. Technical Issues Not Thoroughly Analyzed

The interrelationship between the adjacent SEP and BP projects, and the fact that they will necessarily share certain structural and other elements makes it imperative that the Expansion Project proponents coordinate with Akridge technical experts in the design, engineering and construction phases as the projects move forward. For that reason, in this section of its Comments, Akridge urges that the Final EIS include among the required mitigation measures a new mitigation measure that requires the SEP proponents to appoint a committee of design and other technical experts to work with Akridge’s design and technical experts pursuant to an agreement to be negotiated between the parties to address issues of common concern to both projects, to ensure that the design of one project does not impair the other project and to identify areas where both projects can benefit from developing shared infrastructure elements and thereby increasing efficiencies and reducing costs for both. We note in this regard that the DEIS already imposes in Chapter 7 a variety of mitigation measures requiring coordination by proponents with agencies such as WMATA and DDOT, as well as with private entities such as Gallaudet University. The mitigation measure proposed here is consistent with these other measures and will help to ensure that the SEP is best coordinated with its immediate neighbor and more generally with the neighborhood.

Akridge recognizes that the kinds of technical issues identified in this section of its Comments cannot be fully assessed or resolved at this stage of the process. In fact, it is difficult for Akridge to determine if certain technical components and concepts for the SEP that are documented in the DEIS might be considered essential project elements or whether they might instead constitute interim solutions, “placeholders,” or non-critical items. Accordingly, Akridge’s goal here is not to offer specific solutions to the issues raised as it is premature to engage in that type of dialogue in the context of DEIS comments. Rather, Akridge here offers examples of some key issues that will need to be resolved through the coordinated process it proposes in the mitigation measure described above.

One of the key drivers identified in the DEIS as a reason for the selection of A-C as the Preferred Alternative is the criteria that the alternative “minimize impacts on the private air rights” (Chapter 3, Section 3.1.9.3). However, we note in this section a number of technical elements within Alternative A-C that do not “minimize impacts” on Akridge’s development of its private air rights. In fact, many of the technical elements proposed for the public project could impart significant adverse impacts on Burnham Place. Again, we note these elements not to offer specific solutions at

this time, but as examples of issues that are best addressed through future joint consultation. We also recognize that some technical solutions may ultimately be required or needed for the combined public and private projects that will incur impacts on the private air rights. We believe these will need to be coordinated in the design phase of the project after completion of the FEIS, and that the FEIS must not unduly constrain the development of efficient, economical, and capable technical solutions in the next phase of design. The technical challenges to Burnham Place identified herein are not meant to be comprehensive, given the limited information and review time available, as well as the fact that technologies will evolve to the betterment of both projects. Instead, we request a collaborative process for the future resolution of technical issues like those listed below in order to benefit both interrelated projects.

Examples of Key Areas Where Future Cooperation Will be Essential

We appreciate that the DEIS identifies the “scope of work in relationship to [Burnham Place]” (Appendix A3d_ pg. D-04), specifically:

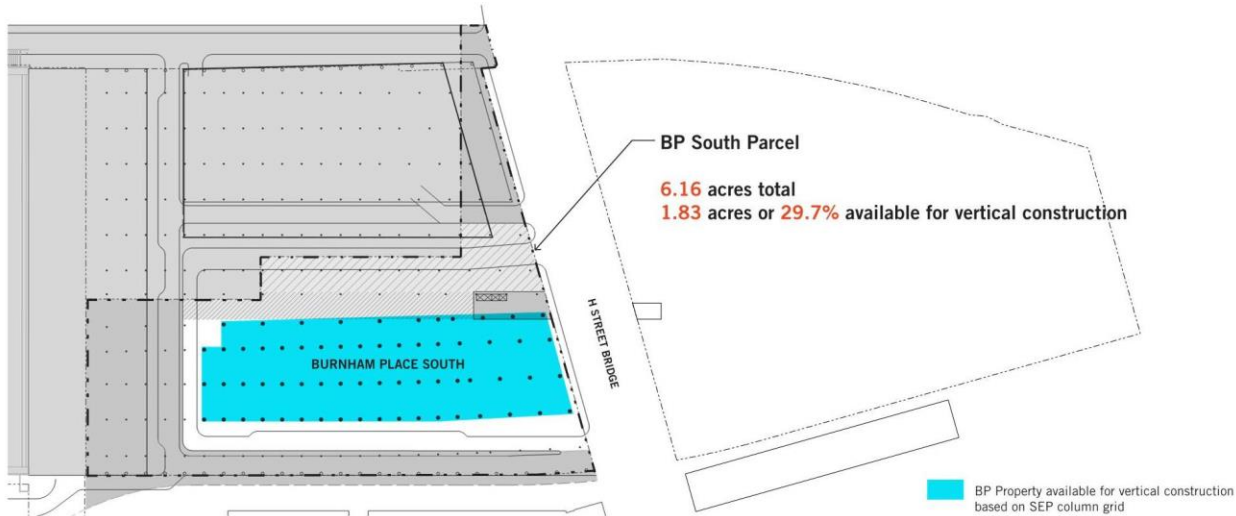
“The platforms and tracks are located below the air rights for a future private development, referred to as Burnham Place (BP). SEP is intended to not preclude this development.

“The project therefore, includes engineering systems to support the Concepts, such as the following:

1. Vertical structures and foundations, coordinated with the platforms and tracks, which also supports the platforms and floors below.
2. Track and platform ventilation, as a consequence of the deck above. Note that the fan associated plants will need to be coordinated with the buildings above.
3. Life safety systems, as a consequence of the deck above.
4. Generators, providing backup power to the systems listed above and below as a consequence of the deck above.
5. To support WUS chillers, cooling towers would be accommodated in an external location, currently proposed to be accommodated at deck level.
6. Routes for utility services would be coordinated with the tracks and platforms.”

Of these systems identified in Appendix3d of the DEIS, we were not able to find any specific information in the DEIS regarding referenced life safety systems, generators, or WUS chillers (items 3, 4, and 5) and how they might be coordinated with Burnham Place or whether they might incur impacts on the private air rights development. Thus, we do not provide comments here regarding these elements, but do discuss potential impacts from vertical structures and foundations; track and platform ventilation; and utility services routes (items 1, 2, and 6). In addition, comments on coordination of both the SEP and Burnham Place with the H Street Bridge reconstruction, and on SEP documentation of USN zoning are provided in this section.

1. Structural Systems/Vertical Structures and Foundations



Practical vertical construction is available in 29.7% of Burnham Place South Parcel once site considerations such as structural systems, station functions, road network and light access zone are factored.

Potentially significant impacts to Burnham Place from the structural systems identified for the SEP include the following listed below:

a) Drilled shaft sizes and depths

Burnham Place column loads will vary based on building use, configuration, height, and transfer system employed. Appendix A3d indicates that some foundations will be shared between the Station Expansion Project and Burnham Place, and yet in Appendix A8 a methodology is presented for “Removal of Air-Rights Development Deck Costs” that indicates the foundations, support columns, and deck supporting Burnham Place can be entirely separated from the station project. Impacts to Burnham Place from the plans presented for drilled shaft sizes, locations, and depths might include increases in construction costs or extension of construction schedules to accommodate station elements in the size and placement of drilled shafts supporting the air rights. It is not possible to assess these impacts at this level of the SEP concept development documented in the DEIS. Coordination is required regarding drilled shaft sizes shown in Appendix A5b, Figure 46, as they could have impacts on Burnham Place cost and schedule and overall feasibility.

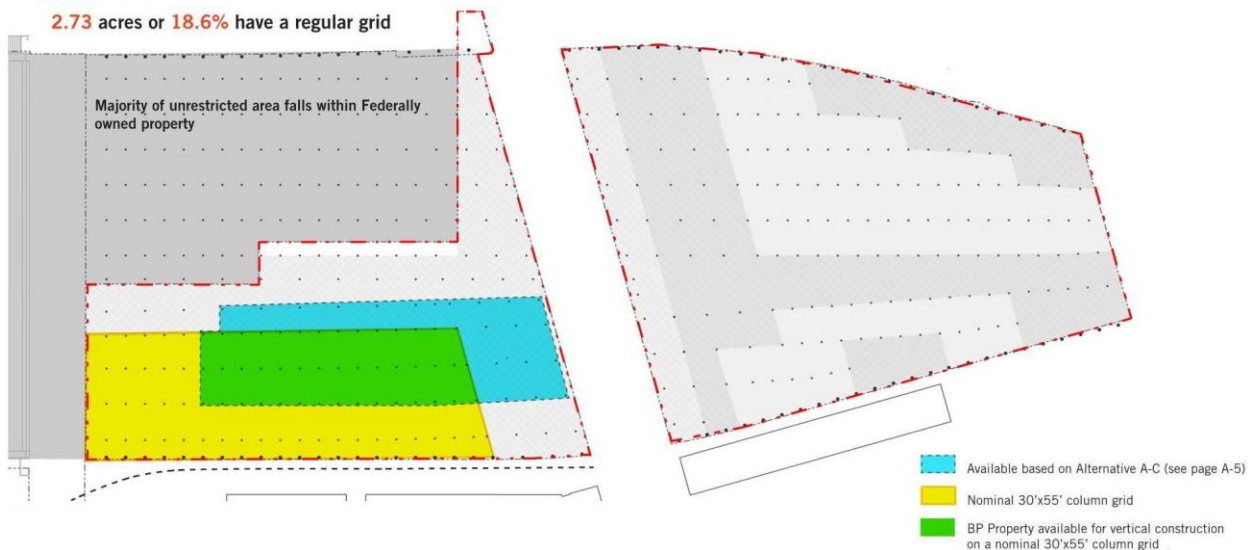
b) Structural Grid

The structural grid required for the track and platform plan in Alternative A-C is a very significant determinant of Burnham Place structural design and costs. This grid will significantly impact building footprints within Burnham Place and the locations of buildings, open spaces, and the Burnham Place street network. The column grid in Appendix A5a, Drawing No. 026: Station Main/Platform Level Plan – ALT A-C, shows areas with long-span column configuration and a parallelogram grid north of the H Street Concourse that require coordination with Burnham Place team to ensure design impacts do not negatively impact floor plates of the buildings above.

BP North and South Parcel

14.61 acres total

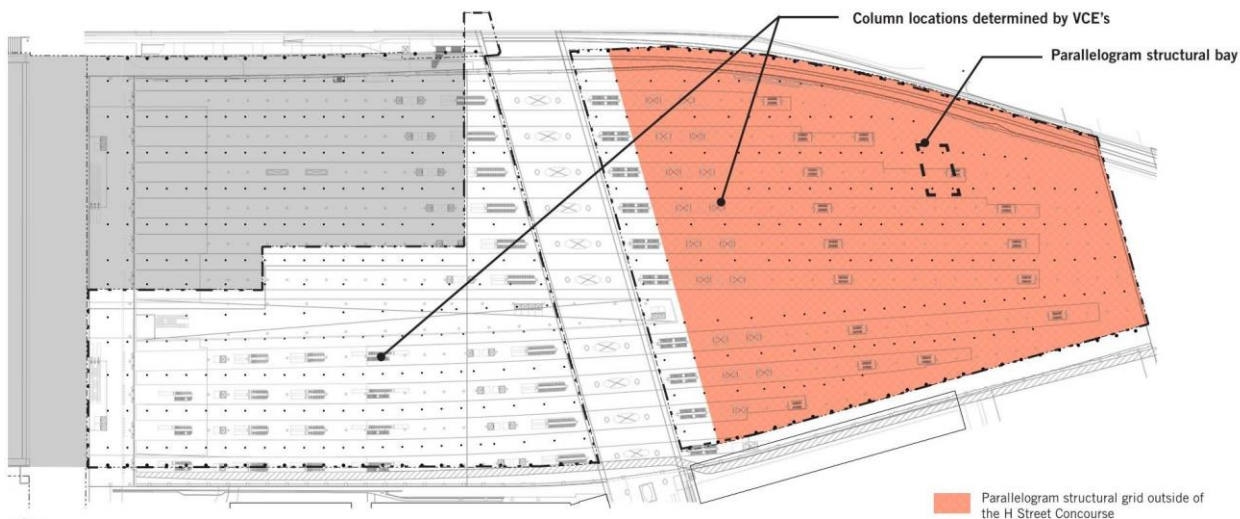
2.73 acres or 18.6% have a regular grid



+BV Areas where impacts are not imposed on BP property by long-span structure or column bay configuration

The Burnham Place team recognizes a number of these design issues are inherent in any air rights project located above a railroad terminal, however, there are also many individual details of the structural grid that can be coordinated to minimize impacts on both the public and private projects. The structural grid proposed in Alternative A-C places restrictions on the Burnham Place development within all quadrants of the air rights space that may be unnecessary in many areas. These restrictions include:

- North of H Street (outside of the H Street concourse) column grid shown for Alternative A-C depicts a parallelogram layout for the structural system instead of a regular rectangular grid with 90-degree angles. This type of grid yields inefficient building configurations and will require costly structural transfer solutions.
- To create efficient Burnham Place buildings, expensive structural transfers would likely be needed in many areas to redistribute building structural loads when not directly above the SEP support columns below.



The Burnham Place teams supports the inclusion of a relatively regular 30-foot column spacing along the platforms in the north-south direction shown in Alternative A-C. This bay spacing can be practically applied to residential, hotel, and

office building types, as well as parking and helps to distribute structural loads while building a degree of resiliency in the structural system. However, the grid on both sides of the H Street Bridge is illustrated with longer north-south spans, and we are not yet able to determine potential impacts of this longer north-south spacing on Burnham Place building program or structural design and costs and will need to collaborate closely with the SEP team to ensure our development rights are not encroached upon.

c) Horizontal structural spans between columns (long-span areas)

Numerous long-span areas within the grid where there are insufficient column landing areas, similarly impact Burnham Place in the following ways:

- Greatly reduce the amount of buildable area above the deck;
- Render some building programs infeasible due to structural challenges or TVRA restrictions;
- Increase the weight of structural members in areas above tracks beyond what can be hoisted by construction equipment that will fit within the footprint of a work zone; and/or
- Increase construction costs.



d) Structural Component Types and Design Characteristics Including the Air Rights Deck

The structural design components shown in the DEIS Appendix A5c, Figure B-4, and Appendix A5b, Figures 24 – 27, for the private air rights would impose significant impacts on Burnham Place in many areas of the air rights project. Burnham Place will likely require different structural systems in different areas of the project that adapt to specific structural and other project constraints. The Burnham Place team shared preliminary structural design parameters and concepts with the SEP consultants and the FRA in 2017 (submitted on November 15, 2017: “17-1115 Podium Structural Systems”), that outline a structural approach for Burnham Place based on efficiency and system performance. Further coordination on these issues between the project teams will be essential.

e) Design Criteria

Current structural design criteria in Appendix A3d, p. D-05 refer to a Basis of Design document that is not included in the DEIS, and therefore the impacts on Burnham Place cannot be determined. The DEIS states:

“The Draft Basis of Design, which encompasses the Structural Engineering, Mechanical, Electrical and Plumbing (MEP), Fire Engineering, has been submitted as a separate document and contains information on the following:

1. Codes and standards
2. Owner requirements
3. Design parameters
4. Resilience
5. Existing conditions “

Akridge is aware from previous discussions with FRA during their development of the SEP that certain design criteria utilized in the formulation of the project concepts could have significant impacts on Burnham Place. These impacts include the exclusion of the use of precast structural systems and limitations on allowances in load reductions for multi-story buildings. We are not able to evaluate these potential impacts at this conceptual stage but assume that practical solutions to critical design criteria can be developed cooperatively in later phases of the project that are beneficial to both the SEP and Burnham Place. The Final EIS must be formulated in such a way so as not to preclude optimal structural solutions for both projects in the design efforts to follow completion of the FEIS, including with respect to structural design criteria and specific structural solutions.

f) Risk Assessment

The following information related to project risk is included in Appendix A-8, p. D-05:

“A threat and vulnerability risk assessment (TVRA) is underway, which has informed the planning and structural design scenarios in particular. Due to the sensitive nature of the methodology and findings, its content is not summarized in this reportOther outcomes of the TVRA will affect other planning aspects of the SEP and will be coordinated in the subsequent phases of design.”

In addition, the DEIS provides the following guidance for risk (Appendix A3d, p. D-22):

“Approach to TVRA Requirements

TVRA establishes the guidelines and criteria to which SEP and BP must conform. In subsequent stages of design, SEP and BP must either design for threat-independent progressive collapse (element loss) or alternatively, harden the structure against the design threat where more feasible.”

In 2018 Akridge completed a Burnham Place Risk Assessment Report, prepared by Thornton Tomasetti, and a “BPRA Considerations for Program Stacking” study, and shared these documents with FRA. Joint efforts for risk management for both the SEP and the Burnham Place projects will be required as part of SEP mitigation after completion of the Final EIS. While it is not clear how the results of any risk analysis undertaken by the SEP consultant team were utilized in formulating the DEIS Preferred Alternative A-C, several elements of the proposal are of concern to the Burnham Place team, and will need to be coordinated as design progresses, with potential changes to program locations and technical components required. Overall, impacts to Burnham Place from the design standards proposed in the FRA risk assessment cannot be evaluated from the information included in the DEIS or previously shared with the Burnham Place team. However, having invested considerable time in developing our own risk assessment, and with an understanding of how to understand and evaluate the relative risks for both the SEP and Burnham Place projects, the Burnham Place team has identified a number of pro-active and practical approaches to manage the risks that the SEP elements can pose to Burnham Place, and that Burnham Place structures can pose to the SEP. These solutions should be pursued jointly in an integrated design effort that involve both the SEP and Burnham Place upon completion of the Final EIS, which must be formulated in such a way so as not to preclude optimal solutions for both projects.

2. MEP Systems/Track and Platform Ventilation

The DEIS identifies a number of track and platform ventilation issues and concepts that are particularly important to Burnham Place. These issues include fan plant locations and sizes, as well as SEP concepts for fresh air makeup supplying the rail terminal. We are not able to evaluate the impacts of the ventilation concepts included in the DEIS on Burnham Place, nor comment extensively on them here, due to the fact that the information included in the DEIS is extremely conceptual and does not include any detailed explanations of system sizing, ducting, air requirements, access, or other issues.

The DEIS Appendix A3d, page D-35 notes the following:

“Exhaust fans, rated for high temperature air would generally be located in fan plant rooms above the tracks, coordinated with BP. “

The Burnham Place team agrees that coordination will be required upon completion of the Final EIS. At the same time, some of the specificity for the fan plant locations currently illustrated in the DEIS drawings (Appendix A5a, Figure D-26, Horizontal Fan Plant Integration) would have significant impacts on Burnham Place. It is unclear at this level of project development if alternative solutions for track and platform ventilation that would be less impactful to Burnham Place are possible, and whether they would also provide necessary and high-quality service to the rail terminal. Thus, because of the conceptual nature of the materials included in the DEIS, track and platform ventilation and fan plant solutions should be pursued jointly in an integrated design effort involving both the SEP and Burnham Place teams. Once completed, the Final EIS must be formulated in such a way so as not to preclude optimal solutions for either project.

3. Utility Services

The DEIS (Appendix A5c, Figure B-19) illustrates a number of utility locations to serve Burnham Place without the inclusion of additional information about the adequacy of these locations for size, access, or phasing relative to Burnham Place utility requirements. During the course of the SEP and DEIS development, the Burnham Place team requested clarification from the FRA about multiple issues related to the sizes, locations, and design restrictions or parameters that might have been defined for the locations specified in the DEIS Alternative A-C drawings for Burnham Place utility connections. Our team did not receive sufficient information from the FRA to be able to evaluate the adequacy or feasibility of the utility connection locations shown in the DEIS. We are also not able to evaluate any potential impacts to Burnham Place that might be a result of the preliminary utility indications and information included in the DEIS. However, the mitigation we have proposed to require coordination after the Final EIS is complete can be relied upon to address this issue. We request now, however, that the Final EIS not include language or illustrations that limit the ability to reach solutions for Burnham Place utilities that are practical and economical for both projects.

Please also refer to comments related to Burnham Place utility connections in our comments on “H Street Bridge Construction” directly below.

4. H Street Bridge Construction

On-going work on the H Street Bridge replacement has included both the Burnham Place and SEP consultant teams working with DDOT since 2018. This has included detailed design work to identify the appropriate bridge profile and locations for intersections connecting the SEP and Burnham Place to the bridge. Akridge has also engaged extensively with DDOT to explore the provision of utility routes to serve Burnham Place from within the public bridge and adjacent street rights-of-way. While we have not been able to find general or specific references to this work in the DEIS, we note here that a number of design details and concepts for Alternative A-C documented in the DEIS are in conflict with bridge design coordinated with DDOT.

Circulation System Intersections at H Street

Akridge and the SEP team submitted a joint memo to DDOT on October 25, 2018 (see Appendix I. Intersection Analysis “H Street Bridge Join SEP Akridge Needs 20181025”) that describes appropriate design parameters for intersections at the H Street Bridge that serve Burnham Place and the Station Expansion Project. This memo documented intersection locations and configuration options at the east and west service roads likely to serve both projects, as well as the central road primarily serving Burnham Place. In spite of the design configurations outlined in the memo, Alternative A-C shows intersection configurations at the west service road and the central road that are in conflict with the guidance given to DDOT, which have negative impacts on Burnham Place circulation and urban design.

The proposed west service road shown in this memo to DDOT was aligned north and south across H Street to ensure efficient operations of the intersection and flexibility in vehicular circulation. However, the preferred Alternative A-C (Appendix C3, Page 5-189) has an offset intersection at the west service road that assumes one-way circulation routes north and south of H Street. This offset intersection and one-way circulation system would have significant limiting impacts on Burnham Place feasibility.

In addition to the proposed Alternative A-C west service road, the proposed configuration of the bus circulation has significant impacts on the operations and safety of the central road and H Street intersection. Alternative A-C’s proposed bus facility exit connects directly to H Street and is immediately adjacent to the H Street/central road intersection is operationally impractical and would likely require the intersection to be treated and signalized as a “five-leg” configuration. Pedestrian safety would be compromised here, which is especially significant given this intersection includes the primary crosswalk that connects the streetcar platform to the bus facility and Burnham Place south of H Street. Way-finding for Burnham Place visitors, residents, retail patrons, and office tenants would be significantly impacted. Vehicular entry to Burnham Place would be congested with large buses that block sightlines and would likely create circulation hazards at many hours of the day, especially at peak hour periods when most impactful to Burnham Place and Union Station riders. The proposed bus circulation requires all buses to exit the bus facility headed east, even those buses that have routes and destinations that would favor a westbound departure from the station. These buses would likely turn around in adjacent residential neighborhoods and increase projected congestion issues as discussed further in the bus section of these comments.

Streetcar Location

The platform for the DC Streetcar depicted on the plan in DEIS Appendix A5a, Drawing No. 021, is in conflict with the location determined for the Burnham Place central road. This central road was determined jointly between DDOT, Akridge and the SEP consultant team. The platform location is also not consistent with the location for the streetcar station/terminal planned for the H Street Bridge determined by the DDOT bridge and streetcar design teams. As depicted in Drawing No. 021, the platform would prevent through movement between the north and south portions of Burnham Place, as well as northbound left turn movements from the central road headed westbound. The design for the H Street configuration showing streetcar and intersection parameters is shown in the illustration above.

Burnham Place Utility Connections within the H Street Bridge

As noted, the Burnham Place team has worked with DDOT since approximately 2018 to formulate concepts and locations for the provision of basic utilities serving Burnham Place, and utilizing portions of the H Street Bridge structure and right-of-way. It is conceivable that many of the utilities required to serve Burnham Place can be most efficiently and appropriately located underneath the bridge, especially in portions of the bridge structure located above First and Second Streets NE, and at the eastern and western edges of the H Street Concourse planned in the SEP Alternative A-C. Some of these utility locations may be in addition to areas for utility connections that are illustrated in the SEP drawings included in the DEIS, Appendix A5c, Figure B-19.

Please also see our comments related to Burnham Place utility connections in our comments on “Utility Services” included above.

5. Zoning Assumptions

Appendix A5b, Section A-2.6 of the DEIS includes a zoning envelope diagram that contains inaccuracies regarding zoning permitted heights and setbacks from the south end of the Union Station North (USN) zone boundary line. The DEIS diagram describes a graduated height increase from that south boundary line as you move north along the centerline of the historic station in 200’ plan increments. The USN zoning regulations (DCMR Title 11, Subtitle K, Section 305.1) specifies a 150’ increment. The north-east corner of the USN zone district is similar to the far south bonus. USN zoning allows a 90’ building height, with a height bonus to 110’ permitted through design review and approval from the DC Zoning Commission.

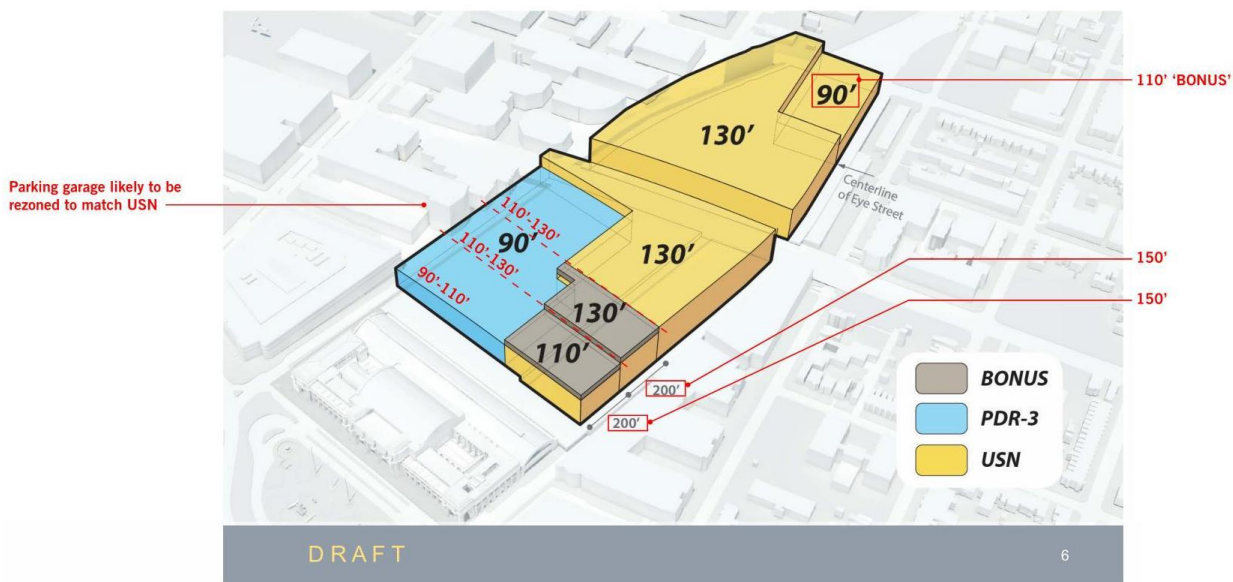


Image submitted on August 22, 2017 in the document titled “Analysis of Preliminary Alternative Impacts on BP”

C. Construction Methods Not Considered

The material in the DEIS related to phasing, construction schedule, cost allocations, and other issues include incorrect assumptions and are incomplete in its analysis, and should therefore not be codified in the Final Environmental Impact Statement without further analysis of alternate approaches to phasing or construction techniques.

The December 2018 Constructability Report by AECOM included in the DEIS Appendix A8 provides extensive information, analysis, and findings for construction techniques, schedules, and costs, which at a macro-level scale, are useful for identifying critical construction issues and are foundational studies necessary for assessing some of the environmental impacts of the project. In other words, while the work contained in the DEIS may be sufficient for evaluation of certain project impacts, it is not complete or detailed enough to determine the costs, schedule, or phasing of the Preferred Alternative A-C, or any final preferred alternative that might be developed for the FEIS. Because of the schedule length, phasing definition, and construction techniques specified in the DEIS, the impacts of adopting these

approaches and concepts for construction and phasing could result in the entire air rights project being infeasible.

Key impacts include the following:

- The current phasing sequence from east to west across the rail yard is time consuming and does not provide any buildable area for Burnham Place until the completion of Phase 3, following 8 years 4 months from the start of construction. It is not feasible for Burnham Place to fund construction of the air rights deck, intermittently, across this extended period of time, prior to commencing any construction on occupiable buildings that are a part of our project.
- The estimates included in the “Removal of Air Rights Development Deck Costs” on page 2 of 17, and in Attachment 2 “ROM Cost Estimate for Alternative A-C with Private Air-rights Deck removed” in Appendix A8 do not include sufficient detail and backup for evaluation of total costs and cost allocations. For each of the DEIS alternatives in Appendix A8, the “Hard Cost Exclusions” provided in the Rough Order of Magnitude cost estimates state that for Burnham Place “Cost-sharing on structure & systems may be future decisions” and we agree that these must be future decisions.
- Figure 2a.1 on page 4 of Attachment 2, Appendix A8, shows many columns and conditions that are incorrectly assigned to the private air rights development, including columns supporting the tracks south of H Street, the perimeter foundations and walls around the entire project north of H Street, and columns and structure defining the central concourse. Akridge was not consulted in the development of the estimates for removal of the air rights deck, and notes that there are many additional costs assigned to the private air rights development based on assumptions regarding structural and MEP systems that are conjectural and without input from Akridge. In addition, the cost estimate for removing the air rights construction does not take into account costs for platform canopies, catenary support, and other elements that would have to be constructed if the air rights project is removed. For all of these reasons the DEIS is flawed in the assignment of costs to the air rights, and the FEIS should make clear that determination of construction phasing, techniques, and costs for both the SEP and the private air rights would appropriately follow completion of the FEIS, and not be in any way tied to or dependent on the information contained in the DEIS or FEIS.
- Top-down construction, or a hybrid between top-down and conventional construction (hybrid), are not included in the DEIS. Akridge has worked extensively with Amtrak on multiple concepts for both open cut excavation and top-down excavation over the course of the project. Both concepts have advantages and disadvantages, but both top-down and hybrid construction have been shown to offer schedule and cost savings in many instances. This work is not included in the DEIS, and similar to the issue noted directly above, its exclusion should not be considered a determination of construction method required for the project, as doing so would have significant and potentially unsolvable impacts on the private air rights development.
- There are other areas within Appendix A-8 that carry assumptions regarding structural and MEP systems, air rights utilities, and fire protection that have not been coordinated with the private air rights project and which, as noted directly above, could have significant and potentially unsolvable impacts on the private air rights. We have covered a number of these in our comments on the technical details and do not include them here.

Alternative Construction Approaches

There are a number of significant areas of study that the Burnham Place team has undertaken on our own and with Amtrak, to explore alternative construction phasing and techniques. Two significant efforts coordinated with Amtrak include: 1) West-to-East Phasing and 2) Single Phase Construction. Both areas of study were coordinated with Amtrak and their consultant in charge of the Terminal Infrastructure and Construction Feasibility efforts, AECOM. Ultimately, the Burnham Place consultant team found that a single-phase concept for construction, proceeding from west to east, has the potential to dramatically reduce the overall project construction duration from 12 to 7 years and deliver the most important project amenities at earlier dates. An overview of the analysis and animation of the West-to-East, Single Phase Construction are found in Appendix H.

Our studies utilized information from several drafts of Appendix B – Washington Union Station Terminal Infrastructure EIS Report prepared by AECOM during the project development, from which we were able to re-envision the FRA’s proposed construction schedule with a simplification of key construction steps and operations, and utilization of information on schedules and costs, equipment specifications, site utilization, rates of production, temporary conditions, staging, and station operations developed by AECOM.

The Akridge team initially found that reversing the phasing sequence of the station project, starting on the west and working towards the east, provides a more efficient and effective method for construction staging that reduces schedule and costs, as well as manages construction risks. We shared these studies with Amtrak and AECOM team authors who reviewed our analysis and findings. In their analysis AECOM was able to confirm there are a number of potential and substantial benefits to the overall project that could be gained by reversing the phasing sequence from an east to west direction to an alternate approach beginning on the west and proceeding to the east (our understanding of possible Amtrak concerns with west to east phasing is that this sequence may be more difficult to construct changes to the tracks north of K Street, leading into the terminal). However, west-to-east phasing would deliver the high-value components of the project earlier in the schedule, including the First Street NE Concourse, MARC stub-end tracks, and Amtrak Acela and NEC-serving tracks at the stub-end of the yard. Passenger connections to the historic station building through the new concourses and to Metro would be delivered at the beginning of the project, rather than at the middle and end. The west-to-east phasing sequence was shown to provide more tracks in revenue service throughout the construction duration than east-to-west in our joint work with Amtrak. Details are set forth in Appendix H1.

In a subsequent study that built upon the west-to-east phasing concept, Akridge consultants devised a single-phase construction approach that provides a linear and uninterrupted construction sequence for the most time-consuming construction activities in the project: excavation and drilled shafts. This single-phase construction approach provides all the advantages of west-to-east phasing and in addition reduces the overall construction duration by five to six years. Together, west-to-east sequencing and single-phase construction can be easily applied an Alternative A-C Modified concept.

The key concepts for single-phase construction are:

1. Eliminate idle periods between phases for critical path construction items.
2. Maximize number of drill rigs in operation at all times for drilled shaft production.
3. Devise “assembly line” construction concept to achieve continuous production of all project components: demolition, excavation, drilled shafts, etc.
4. Utilize Burnham Place deck for construction staging and lay-down, materials delivery, crane operations, slurry operation, and concrete deliveries.
5. Employ West to East phasing with top-down construction, but remove spoils to the side (laterally), not up through rail platforms.
6. Build First Street Concourse at beginning of construction, simultaneously with construction of Platform 1/2 above, providing egress and passenger connections to station.
7. Build H Street Concourse incrementally to serve each platform as it goes into use.
8. Begin air rights building construction when adequate deck space is available for both Terminal and Burnham Place construction.

Using this approach, the overall project schedule can be cut almost in half by condensing a multi-phased schedule into a single-phase approach, which will result in a significant cost savings from efficiency of construction operations and reduced escalation costs.

The construction sequencing utilized in the DEIS for Preferred Alternative A-C is a multi-phased approach that starts and stops the individual construction operations at each phase, which results in a reduced construction schedule. The DEIS

proposes four phases, each with the same 23 construction steps, however, there is no overlap between phases, even though the areas of each phase are immediately adjacent to one another. So once a construction step in a single phase is complete, it stops and demobilizes, only to require remobilization once the next phase commences.

Contrast to this the single-phase concept, which eliminates almost all down-time for each of the individual construction operations and ensures that the critical path operations of excavation and drilled shafts can proceed without stopping. In essence, all nine major construction operations are proceeding simultaneously across the project and throughout its duration, eliminating the inefficiencies and schedule consequences of down-time.

The start and stop, four phase construction approach defined in the DEIS not only results in a lengthy construction schedule but also creates numerous potential risks and delays due to the fact that this specialized equipment is expensive and rare, and therefore is likely at any of these downtimes between phases to be tied up in use on other similar, specialized infrastructure work. In addition to the risk of schedule delays due to unavailable, specialized and necessary equipment, a prolonged, multi-phased construction approach risks losing specialized and necessary labor. Construction teams that operate this equipment will likely travel to other jobs nationally during the DEIS proposed downtime and will be difficult to regroup as a trained team at WUS for each subsequent phase of work. This will further prolong schedule, increase costs, and add to unknown delays that further exacerbate both schedule and costs. The unknown risk of further delays inherent to the DEIS proposed multiple phased construction will also impact the future Burnham Place development at a significant cost.

A single phase approach that doesn't stop digging until the digging is done takes full advantage of specialized equipment and labor teams, cutting the construction timeframe by up to HALF and reducing costs for both the SEP and for Burnham Place. In the single-phase approach, specialized construction equipment is used continually on site, construction crews are trained once and able to improve efficiency as the project proceeds, and significant demobilization and remobilization effort and cost are eliminated along with risk they will be unavailable when needed. Conceivably, construction schedules could reduce further without the extra lag to demobilize/re-mobilize and the natural efficiencies that come with the same construction crew that work together over a four-year period and become more experienced, and faster, in their trade. The aggregated reduction of the overall construction timeframe would result in significant savings to schedule and budget.

Our team has undertaken extensive work to prove the feasibility of west-to-east versus east-to-west construction phasing, along with the added concepts of a single-phase approach. Akridge recommends that the FEIS allow for further study of these alternative construction methodologies and phasing sequences that could dramatically reduce schedule, costs, risks, and negative impacts for the Station Expansion Project, Burnham Place and adjacent neighborhoods. The potential savings inherent in single-phase, west-to-east sequencing is significant and without these savings, the viability of Burnham Place is threatened. The concepts briefly described here are well-developed and have real potential to achieve vast improvements in project costs and schedule, and moreover can facilitate the earlier generation of additional revenue for Amtrak, USRC, the District of Columbia on an earlier timetable, even further improving project economics. Therefore we urge FRA to keep multiple construction options open and recognize that close coordination between Akridge, Amtrak, and the FRA after completion of the DEIS will be needed to improve project costs and schedules. As the DEIS currently stands, the construction phasing and cost analysis included within it is insufficient to be used as criteria for selection of a preferred alternative, and if not explored further would have significant impacts on the viability of Burnham Place.

D. Fiscal Impacts and Economic Viability

If thoughtfully planned, designed and funded, the economic development potential surrounding the Washington Union Station expansion (SEP) is enormous. In addition to significant increases in intercity and commuter rail capacity, the SEP has the potential to leverage its important location by integrating neighborhoods, creating great urban places and

facilitating an impactful economic engine for District and Washington region. As required by the new rail program in all of the Action Alternatives, the current parking garage will be demolished. This creates a blank slate for the valuable federally owned air-rights consumed by the current garage. Unfortunately, FRA's Preferred Alternative A-C creates an over-sized parking and bus facility which, again, consumes most of the federally owned air-rights property. Alternative A-C severely under-utilizes the federally owned air-rights property foregoes significant economic opportunity through pursuit of an outdated, suburban design program. There are numerous social, economic and environmental benefits from moving this parking underground and freeing up more of the Federal air-rights for additional private development. If developed properly, these air-rights would add valuable public and private spaces to the SEP and surrounding neighborhood, unlocking meaningful economic benefits to the District and the federal government in the process.

Akridge engaged Shalom Baranes Associates (SBA) and RCLCo to prepare an economic impact analysis to demonstrate the important economic potential of a more thoughtfully planned Expansion Project. SBA is a Washington, D.C. architectural firm with an acclaimed reputation for its expertise in residential, commercial, institutional, and governmental design. SBA's specialties include architecture, project management, historic preservation, and master planning. RCLCo is a national leader in providing thoughtful real estate economic analysis and consulting, leveraging over 50 years of experience covering thousands of public and private projects. RCLCo has specific expertise in performing public and private fiscal impact analysis and has been engaged in project evaluations in the District for more than decade.

RCLCo's Fiscal and Economic Impact Analysis (Appendix F) assumed the following (all consistent with the A-C Modified plan presented elsewhere in these comments):

- Below-grade parking and PUDO facility, and single level bus facility created space for the above ground A-C Modified vision as described in Section 4 of these comments.
- Specifically, the economic benefits of building pads buildable up to 546,000 SF of private development and complementary pedestrian focused community park and circulation spaces.
- Vibrant, mixed-use development opens up value for the Federal air-rights parcel, generates additional District tax revenue, and boosts economic value to nearby properties.

RCLCo determined that over a 30 year period, from the start of construction, more than \$1 Billion is generated by the improvements from A-C Modified in addition to the projected \$1.36 Billion projected baseline tax revenue generated by Burnham Place alone. It should be noted that this is a representative development plan for the Federal air-rights parcel and was conceived to be in alignment with current Union Station North zoning guidelines (the Federal air-rights parcel is currently not zoned) and in alignment with what we believe can be reasonably approved through the various approval authorities.

The findings are as follows:

- The creation of a vibrant, pedestrian-focused environment atop the federal air rights parcel would yield immediate and direct financial benefits, which could help USRCS preserve, maintain, and operate Washington Union Station. Underground parking produces an opportunity for the federal government to sell these air rights, potentially worth up to **\$113 million** based on the amount of supportable development.
- The federal air-rights parcel has the potential to yield significant fiscal benefits to the District. The placement of transportation elements below the deck frees the federal property for private development, which could contribute an additional **\$415 million** in revenues to the District's General Fund in the 30 years following the start of above-grade construction. This includes income tax from initial construction jobs and, once the buildings are occupied, office and retail employees as well as increased real estate taxes; sales and meals taxes; and other miscellaneous sources like personal property taxes and corporate franchise income taxes.

- Good urban design of the federal air rights parcel will impact not only the property value and prestige of WUS, but also the value of Burnham Place, of which the District also has a financial stake in, to generate additional tax revenues estimated to be approximately **\$168 million** over 30 years to include income tax from construction, office, retail workers; real property tax; and tax revenues from sales on-site.
- Neighboring properties within the WUS “influence area”, specifically, NoMa and Capitol Hill are severely lacking in open space with access to natural light and air (see image of public parks in vicinity around Union Station). RCLCo estimates that this transit-rich, high quality, critical connection to NoMa and Capitol Hill will increase surrounding property tax revenue by **\$14 million** a year.

REVENUE PRODUCE OVER 30 YEARS	
Baseline Tax Revenue Generated by Burnham Place	\$ 1,359,000,000
Revenue Generated from Sale of Federal Air Rights	\$ 113,000,000
Additional Tax Revenue Generated by Development of Federal Air-Rights	\$ 415,000,000
Additional Revenue from Federal Air Rights	\$ 528,000,000
Additional Revenue from Burnham Place	\$ 168,000,000
Additional Revenue from Surrounding Properties	\$ 391,000,000
TOTAL ADDITIONAL REVENUE UNLOCKED BY HIGHER USE OF FEDERAL AIR-RIGHTS	\$ 1,087,000,000

The Federal air-rights parcel at WUS has the potential to yield significant fiscal benefits to the Federal government, the greater Washington region, the District, and surrounding properties. The Preferred Alternative A-C forecloses this potential with a large and imposing parking garage. Alternative A-C is detrimental to the viability of Burnham Place and downgrades the experience of visitors and residents the surrounding neighborhood. These social, environmental, and fiscal impacts will be felt for generations to come. The placement of the parking and PUDO facility below the new Concourse frees the Federal property for private development and civic uses, creating the strong economic engine necessary to support a successful Station Expansion Project.

Section VI

Conclusion

Akridge appreciates the opportunity to provide comments on the DEIS for Washington Union Station’s expansion. As outlined above, key modifications to the Preferred Alternative presented in the DEIS are needed to meet FRA’s obligations under NEPA, Section 106 and Section 4(f), as well as to ensure a viable and successful design that will meet the Expansion Project’s purpose and need. Akridge has worked hard to develop Alternative “A-C Modified” which would vastly improve the Expansion Project and avoid undue impacts to surrounding neighborhoods and other development. Akridge believes that by making key adjustments to the Preferred Alternative, the Expansion Project can meet its purpose and need as well as the diverse goals of stakeholders, including those of Akridge. Akridge continues to stand ready to collaborate on an Expansion Project plan that will allow both the Expansion Project and the Burnham Place project to move forward successfully.

About the Burnham Place Team

Owner/Developer

Akridge is a comprehensive real estate services company that has invested in the Washington Metropolitan area for over four decades. It provides acquisitions, design and construction management, development, finance and asset management, leasing, and property management services. For over forty-five years, the company has acquired, developed, or entitled more than 20.6 million square feet of office, industrial flex, residential, retail, and entertainment space. Akridge has another 10 million square feet in its active pipeline, currently manages approximately 3.3 million square feet, and has a portfolio with an estimated value of over \$2.1 billion. Notable projects include the 1- million-square-foot Gallery Place, the internationally recognized Homer Building, and the 3-million-square-foot Burnham Place air rights development project at Union Station.

Architect & Master Planner

Shalom Baranes Associates (SBA) is a Washington, DC architectural firm with an acclaimed reputation for its expertise in residential, commercial, institutional, and governmental design. SBA provides full architectural services for a clientele that includes both private and public sector groups. Notable specialties include architecture, master planning, historic preservation, and project management. SBA is recognized for its command design issues specific to the unique Washington, DC regulatory and urban contexts. The firm is equally acknowledged for its ability to synthesize coherent, practical solutions from complex programs. SBA excels in developing innovative designs that respect the surrounding fabric while presenting a fresh and dynamic vision that is appropriate to the urban context.

Lead Transportation and Urban Design Consultant

Laboratory for Architecture & Building (LAB) was established in 1999 and has completed a broad range of projects, including urban design, master planning, interiors, renovations, and new buildings. LAB's projects serve their immediate users and communities and respond sustainably to their environment through sound construction and careful planning, notable for their response to context, environment, and program. LAB's master planning and urban design work is forward-looking and broad in scope and includes significant local and regional transportation, commercial, and urban design projects.

Transportation Planner and Traffic Engineer

Sam Schwartz Engineering (SSE) is a leader in full-service consulting, design, operations, and program management services for public and private clients. With 25 years of experience working on transit and rail projects for public agencies and commercial businesses, SSE understands the need for cost effective solutions for complex challenges. SSE has built its team approach and project strategy around the recognition that success requires a thorough knowledge of transit and rail systems and processes as well as objective analysis capabilities and tools. Transit services include, but are not limited to, multi-modal transportation planning, engineering, operations, fare collection systems and policy, and conceptual facility design.

Transportation Planner and Traffic Engineer

Wells + Associates (W+A) has been providing professional transportation engineering and planning services for over 30 years in the Washington, DC metropolitan area, including hundreds of traffic studies for projects in the District of Columbia. Since its founding in 1991, W+A has established itself as a leader in the transportation industry by continually evolving as the transportation industry has evolved. Our team is intimately familiar the latest data, methods, and software required to analyze the needs of complex projects. And, because of our extensive experience in the District of Columbia, DDOT's guidelines and policies are well ingrained. W + A has a proven track record of work that has withstood the scrutiny of review agencies, citizens' groups, and the like on highly visible projects.



Architect of the Capitol
U.S. Capitol, Room SB-16
Washington, DC 20515
202.228.1793
www.aoc.gov

September 30, 2020

David Valenstein
Office of Railroad Policy and Development
USDOT Federal Railroad Administration (MS-20 RPD-10)
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Valenstein,

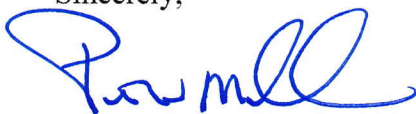
Thank you for the opportunity to review and submit comments as a part of the Washington Union Station Expansion Project (WUSEP) Draft Environmental Impact Statement (DEIS) and Section 106 public review period ending September 28, 2020. After careful deliberation by numerous Capitol complex stakeholders, the Architect of the Capitol (AOC) submits the following comments:

1. Traffic analyses and projections do not, and should, account for AOC-owned streets, which can be (temporarily or permanently) closed at any time. Please see the enclosed Capitol complex jurisdiction map for properties owned and controlled by the AOC.
2. Traffic impacts to the Thurgood Marshall Federal Judiciary Building should be reevaluated. Day-to-day Marshall Building operations should not be impacted.
3. The Federal Railroad Administration (FRA) should implement additional pedestrian safety precautions on the Union Station Drive NE lane curve between the station and the Marshall Building. Pedestrian safety and experience throughout all of Columbus Circle should be reevaluated.
4. The FRA should coordinate with the AOC and the District Department of Transportation on appropriate bicycle accommodations and wayfinding that connect the Second Street NE shared-use portion of Metropolitan Branch Trail and the First Street, NE bike lanes to existing and future bicycle infrastructure within the Capitol complex.
5. The Construction Transportation Management Plan and truck traffic plan should be coordinated with the AOC. Construction vehicles are not permitted to regularly travel within or throughout the Capitol complex (AOC-owned streets). More specifically, construction vehicles should not impede access to the immediately adjacent Marshall Building.
6. The Safety and Security Operations Plan should be coordinated with the AOC's Office of Security Programs and the U.S. Capitol Police.
7. The Capitol complex land use designation is incorrect on page 4-511 and should be adjusted.
8. The AOC supplies chilled water and steam to Union Station. Page B-21 of Appendix A5c outlines projected capacity increases due to the redevelopment's expanded floor area and states, "The AOC has confirmed that they can increase the quantities available." The FRA should initiate conversations with the AOC to verify proposed capacity increases and revise the existing memorandum of understanding (MOU). Additionally, the proposed capacity increases should not negatively impact the Marshall Building's existing or future capacity.

9. The FRA should pursue additional preventive measures during excavation and underground construction to prevent the former Union Station underground storage tanks from leaking hazardous materials.
10. Stormwater flooding has been a historic issue around Massachusetts Avenue NE, adjacent to the Marshall Building. As the WUSEP design develops, impacts (both temporary and permanent) to the stormwater and sanitary systems should be carefully evaluated. Large construction projects may require rerouting of these systems and the designer may be unaware of existing infrastructure challenges.
11. The FRA should seek congressional approval if the WUSEP requires digging or excavation on government property.
12. High construction vibration and noise levels have been noted in close proximity to the Marshall Building. The FRA should reevaluate the Marshall Building and propose additional mitigation measures — especially since this vibration and noise will last 11 to 14 years. Expected (and more accurately defined) levels should be provided to the AOC during the design phase, along with options to mitigate destructive/disruptive levels over the course of the project. As a part of this analysis, the FRA should conduct a geotechnical settlement analysis to ensure the approximately 945 drilled shafts do not affect or impact the Marshall Building’s structural integrity and existing granite façade cladding system.
13. High construction noise levels have been noted in close proximity to the Senate office buildings. The FRA should reevaluate the buildings and propose additional mitigation measures —especially since this noise will last 11 to 14 years. Expected (and more accurately defined) levels should be provided to the AOC during the design phase, along with options to mitigate disruptive levels over the course of the project.
14. While the 2020 DEIS and Section 106 determinations do not include effects caused by the private air rights development, future efforts to execute this project should coordinate with the AOC given impacted views to and from the Capitol complex.
15. The DEIS and Section 106 identify impacts to Senate parks but do not specify said impacts. These impacts should be clarified.
16. The DEIS should identify mitigation measures in the event construction adversely impacts the Capitol complex. The AOC recommends the FRA enter into an MOU to address said measures and to avoid negatively impacting congressional and U.S. Supreme Court operations.

Once again, thank you for the opportunity to review and submit comments. If there are any questions related to the recommendations above, please contact Nancy L. Skinkle at nskinkle@aoc.gov.

Sincerely,



Peter W. Mueller, PE, PMP
Chief Engineer
Architect of the Capitol

Enclosure

Doc. No. 200911-18-01



October 6, 2020

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

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

Dear Mr. Valenstein:

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

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

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

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

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

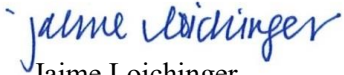
The projects listed under the No-Action alternative are the type of projects that should be considered in the cumulative effects analysis for the Section 106 review of this undertaking (Section 5.1; page 50). While the effects considered in the Effects Report currently primarily focus on the rail right-of-way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

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

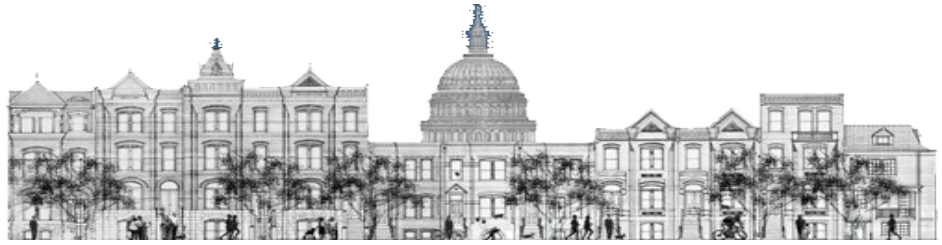
We note that similar recommendations were made after reviewing the first draft of the Effects Report in May 2019. Given that these recommendations appear to have not been incorporated into the revised Effects Report, it would be helpful for FRA to articulate the rationale it used in revising the Report.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

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

Sincerely,



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



VIA E-MAIL

February 6, 2023

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

Re: Comments on Supplemental Assessment of Effects to Historic Properties Report

Dear Ms. Murphy,

The Capitol Hill Restoration Society (CHRS) thanks you for this opportunity to comment on the Supplemental Assessment of Effects to Historic Properties Report (December 2022; herein referred to as the Report) for the Union Station Expansion Project.

We support the current Preferred Alternative and agree that it is superior to the alternatives previously under consideration. However, we strongly disagree with the determination of “No Adverse Effect” to the Capitol Hill Historic District (CHHD). The WUS Expansion and air-rights projects inclusive of the proposed Federal portion are massive undertakings that border the CHHD. Large portions of the CHHD are well within the Area of Potential Effects (APE). The “Summary Finding of Effect” (P. 102) acknowledges several traffic impacts within the CHHD. These should be addressed within the context of a Section 106 finding of “Adverse Impact” to assure that all mitigation measures are undertaken.

The 2020 Draft Environmental Impact Statement and Assessment of Effects recognized a “Potential Adverse Effect” on the CHHD. Consulting Parties inclusive of the State Historic Preservation Office (SHPO), the Committee of 100 on the Federal City, ANC6C, and the National Trust for Historic Preservation (NTHP) joined CHRS in September 2020 in recommending a determination of “Adverse Effect” on the CHHD. Instead, the Report manages a determination of “No Adverse Effect” with scant explanation of why the earlier determination of “Potential Adverse Effect” has been eliminated.

Without a determination of “Adverse Effect” the requirements of Section 4(f) to avoid, mitigate, and minimize those effects will not be fully addressed. Even a determination of “Potential Adverse Effect” is inadequate to address the impacts on the CHHD. It is disingenuous to wish away the adverse effects on the CHHD that are clearly foreseeable by the station expansion projects.

Thank you for considering our comments,



Angie Schmidt, President
Capitol Hill Restoration Society

cc: Charles Allen, Council Member, Ward 6
Andrew Lewis and David Maloney, DC Office of Historic Preservation
Sarah Bronin, Advisory Council on Historic Preservation
Mark Eckenwiler, Chair, ANC6C
Eric Hein, Committee of 100 on the Federal City
Robert Nieweg, National Trust For Historic Preservation

February 9, 2023

Amanda Murphy
Acting Federal Preservation Officer
Federal Railroad Administration
Via Electronic Mail: amanda.murphy2@dot.gov

Re: Akridge Comments on Consulting Parties Meeting #13 and Supporting Materials

Dear Ms. Murphy,

Akridge appreciates the opportunity to review the Supplemental Assessment of Effects (SAOE) to Historic Properties Report and its associated appendices that have been shared as a part of Consulting Parties Meeting #13. We are encouraged to see the descriptions of key station elements provided in the documents and how the revised Preferred Alternative reduces impacts to historic resources and the surrounding neighborhood. We believe that the urban design framework established in Alternative F provides the opportunity to improve public access to views of the historic Union Station building and further establish the importance of the station as a focal point of the air rights environment north of the historic building. We are supportive of the important changes FRA has made in Alternative F which reduce vehicular impacts adjacent to the historic station.

Overall, the SAOE provides a clear assessment of impacts to historic resources at the station and in its vicinity. Akridge appreciates the side-by-side comparisons of the visual impacts of Alternative F and the no-build Alternative, but also notes that visualizations of the station project and the air rights shown together will be important for analysis in the future, after completion of the Environmental Impact Statement (EIS). In addition, we believe that the hypothetical air rights massing shown in the visual impacts diagrams is more realistic than what was shown in previous studies prepared for the consulting parties.

However, the vibrant colors utilized in the diagrams to depict air rights development (federal or private) overstate the potential prominence of air rights buildings. We question and suggest that the term "high visibility" be reconsidered in some of the visual assessments. Depictions of potential air rights development on pages 67, 68 and 69 do not appear as highly visible, even with high-contrast blocks of color. In the future, once air rights plans are further developed, our team will create more accurate imagery which incorporates refined massing and more specific materials, lessening the prominence of air rights buildings from what is indicated in the SAOE.

In several instances the SAOE discusses the future characteristics of the central space in the air rights development, including very preliminary language about how the space might relate to the historic Union Station building. Akridge notes that the relationships between future air rights development and the existing and new station

elements will be very important considerations as design of both projects progresses after completion of the EIS.

Several station elements will play a role in determining the urban design features of the future central space including: a) the footprint and height of the new train hall, its degree of transparency and roof form; b) the functional requirements of the PUDO facility in front of the train hall; and c) the physical form of the bus facility. Akridge believes that a robust public process for these considerations will be important as design of the station and air rights advances, but that the level of information and detail included in the EIS is not yet sufficient for addressing these important design issues. The dimensions and shape of the central space, degree of symmetry or asymmetry, and materials and functional components for both projects, should all be part of a coordinated review process in the future.

Accordingly, Akridge offers the following comments to the Report (recommend deletion of the words with strikethroughs, and adding the words in **bold** type):

- Page 5, 4th bullet point towards the middle of the page "opportunity for a large central civic space that is **generally reflective of the** ~~on a~~ symmetrical **design of axis** ~~to the~~ historic station to be **designed and implemented** ~~developed~~ by the private air-rights developer"
- Page 15, Figure 4 description " –The Project Alternative creates an opportunity for a central space to be **designed and** implemented by the private air-rights development that is reflective of the symmetry of the station"
- Page 20, Figure 9 description " –Rendering of the Preferred Alternative H Street headhouse, looking south along the central civic space towards the new train hall and the historic headhouse. **The rendering of the central space is illustrative and will be designed and implemented by the private air-rights developer.**"

We appreciate your consideration of our comments and would be happy to discuss them further with you if needed.

Sincerely,



David Tuchmann
Senior Vice President



February 9, 2023

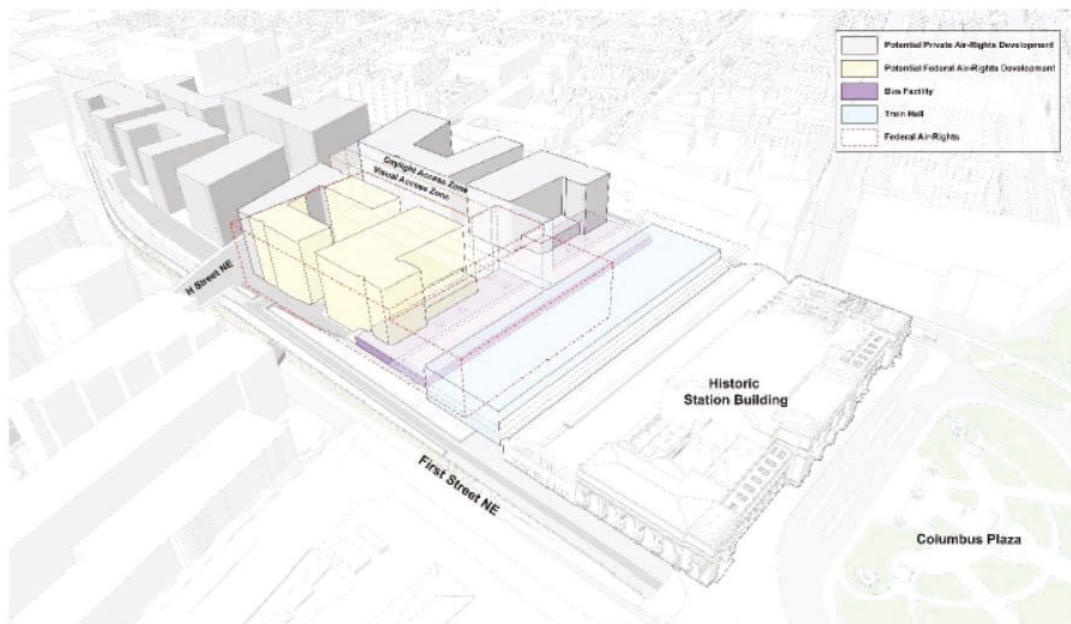
Ms. Amanda Murphy
Acting Federal Preservation Officer
U.S. Department of Transportation
Federal Railroad Administration
Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington, DC 20590

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

Dear Ms. Murphy:

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

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



ADVERSE EFFECTS:

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

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

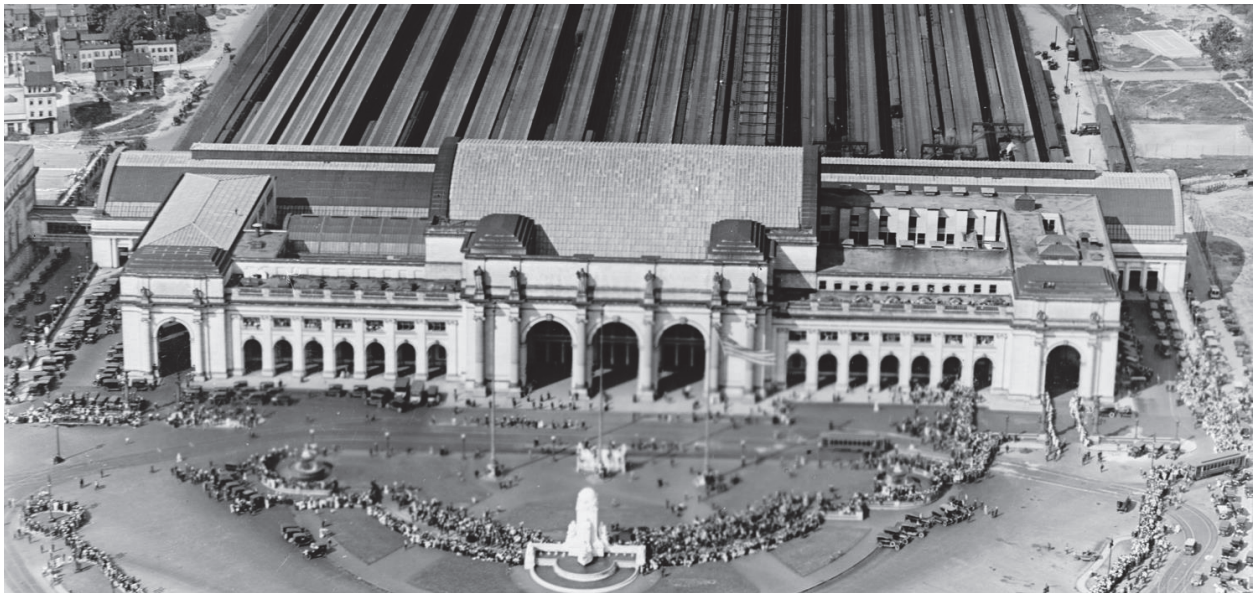
According to the SAOE, the SEP will result in physical, visual, and noise & vibration-related adverse effects on each of these historic properties. We agree with these determinations but find that the SAOE's analysis of the nature, severity and degree of adverse effects may not be sufficiently comprehensive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

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

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



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



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

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



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

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

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

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

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

OTHER FINDINGS OF EFFECT:

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

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

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

RESOLUTION OF ADVERSE EFFECTS:

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

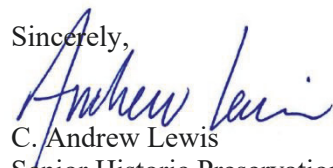
a useful framework for guiding future reviews, especially if coupled with the existing Private Air Rights Area covenant and a new covenant for the Federal Air Rights Area. Since the anticipated land swaps between the Federal government and the air rights owner will have effects on historic properties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

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

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

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

Sincerely,



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



National Trust *for*
Historic Preservation®

February 9, 2023

Amanda Murphy
Office of Railroad Policy and Development
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

via email to amanda.murphy2@dot.gov

Re: Washington Union Station Expansion Project
Comments on Supplemental Assessment of Effects to Historic Properties Report

Dear Ms. Murphy,

On behalf of the National Trust for Historic Preservation, we appreciate the opportunity to continue our participation as a consulting party under Section 106 of the National Historic Preservation Act with respect to the Washington Union Station Expansion Project, and to comment on the Supplemental Assessment Of Effects to Historic Properties Report (SAOE) for the project. We also joined in the consultation meeting convened on January 31, 2023.

As was stated by many parties during the consultation meeting, we appreciate and support the substantial modifications to the preferred alternative that have been developed in response to earlier comments from the consulting parties, and we commend the agencies for taking the time needed to develop and incorporate these dramatic improvements to the plan, especially the revisions to the parking plans and Pick-Up/Drop-Off locations. These modifications have significantly reduced the overall adverse effects of the project on historic properties.

However, the National Trust shares the concerns that have been expressed by the State Historic Preservation Office (SHPO) and by the Capitol Hill Restoration Society (CHRS) regarding several of the proposed findings of effect.

We specifically disagree with the proposed finding of No Adverse Effect for the Capitol Hill Historic District, pursuant to 36 C.F.R. § 800.5(c)(2)(i). The FRA directly “acknowledges” that “incremental increases in traffic, as predicted by the traffic analysis, would occur at many thoroughfares and intersections adjacent to or within the [Capitol Hill] historic district.” SAOE, at p.102. The FRA also admits that the anticipated traffic impacts will be significant enough that mitigation measures will need to be developed to address the increased traffic volumes in a number of locations, in order to “minimize and mitigate” those impacts. Yet the FRA now proposes to address these acknowledged impacts under the National Environmental Policy Act (NEPA), rather than Section 106.

We agree with the SHPO that “construction-related traffic has some potential to cause

adverse effects on the historic district,” and that measures need to be developed regarding the routing and frequency of trucks and the phasing of construction, in an effort to minimize those potential adverse effects. We also agree with the SHPO that “these measures should be formalized and incorporated into the [Programmatic Agreement] to ensure that potential adverse effects do not become actual adverse effects in the future.”

The FRA itself “anticipates” that the Section 106 PA “will include the NEPA mitigation measures to monitor and manage traffic and identify a process to minimize and mitigate unanticipated traffic impacts.” SAOE, at p.102. Yet the FRA refuses to label these acknowledged traffic impacts as even “potential” adverse effects under Section 106.

In light of the direct disagreement raised by the Capitol Hill Restoration Society and the National Trust with regard to the FRA’s No Adverse Effect determination for the Capitol Hill Historic District, the FRA is required by the Section 106 regulations to engage in consultation to resolve the disagreement or to request a review by the Advisory Council on Historic Preservation. 36 C.F.R. § 800.5(c)(2)(i). We encourage the FRA to modify its determination in order to acknowledge the potential adverse effects of the project on the Capitol Hill Historic District. This modification would also be the most efficient way for the FRA to resolve the issue.

Thank you for considering these comments from the National Trust for Historic Preservation, and we appreciate the opportunity to continue our participation in the Section 106 consultation for the Washington Union Station Expansion Project.

Sincerely,



Elizabeth S. Merritt
Deputy General Counsel

cc: Rachel Mangum and Jaime Loichinger, ACHP
Andrew Lewis and David Maloney, DC Office of Historic Preservation
Drury Talent, Capitol Hill Restoration Society
Erik Hein, Committee of 100 on the Federal City
Rebecca Miller, DC Preservation League
Rob Nieweg, National Trust for Historic Preservation



Government of the District of Columbia
**Advisory Neighborhood
Commission 6C**

February 9, 2023

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

VIA EMAIL TO Amanda.murphy2@dot.gov

Re: Washington Union Station Expansion Project SAOE Comments

Dear Ms. Murphy,

Advisory Neighborhood Commission 6C appreciates the opportunity to provide comments on the draft Supplemental Assessment of Effects to Historic Properties Report (SAOE).¹ As discussed below, we object to the decision to downgrade the Section 106 “Potential Adverse Effect” finding on the Capitol Hill Historic District to “No Adverse Effect.”

As you know, ANC 6C supports the overall goals of this important project and has closely monitored its development. ANC 6C has been a Consulting Party and provided comments on the Draft Environmental Impact Statement and the Draft Assessment of Effects in September 2020. While ANC 6C expressed strong opposition in 2020 to many aspects of the former preferred alternative, ANC 6C was very pleased with many aspects of the revised preferred alternative released last year and submitted testimony to the National Capital Planning Commission about the improvements in July 2022.

The notable changes in the revised preferred alternative include a greatly reduced parking facility located with a pick-up-drop-off (PUDO) facility below ground, a one-level bus station close to the railroad station, and the removal of a vehicle ramp on the east side of the station from the new deck level to F Street NE. The revised preferred alternative will allow for the development of a central civic space and improved Visual Access Zone to the north of the station, as well as facilitate bus and vehicle traffic moving to the west, rather than to the east, when leaving the bus station and below ground parking facility. These changes mitigate some of our concerns about the project and its impact on the Historic District and residential areas we represent.

¹ On February 8, 2023, at a duly noticed and regularly scheduled monthly meeting with a quorum of seven out of seven commissioners and the public present via videoconference, the Commissioners voted 7-0 to adopt the views expressed in this letter.

Nevertheless, additional measures will be needed to address adverse and potential adverse effects both during construction and when the expanded station is operational. As the FRA moves forward on the Programmatic Agreement and the Final Environmental Impact Statement, this federal undertaking will clearly have a significant adverse effect on the Capitol Hill Historic District and the nearby neighborhoods. The SAOE should recognize these adverse and potential adverse effects. Furthermore, we urge that whatever measures are included to address adverse effects be clear and enforceable, with defined measures for actual enforcement, both during the construction period and afterwards.

We note with serious concern that the SAOE finds the intersection at 3rd and H Street NE will have a degraded and unacceptable Level of Service as a result of the project; this is an intersection that is dangerous under existing conditions for vehicular, pedestrian and cycling traffic for which ANC 6C has already sought remedial measures over several years. Likewise, we are concerned that traffic associated with the aboveground PUDO areas at Columbus Plaza, in the new north deck, and especially along 2nd Street NE, will generate additional noise and air-quality impacts, introducing audible and atmospheric elements adversely impacting the Historic District.

ANC 6C is committed to seeing the Washington Union Station expansion project through to its completion as a world class transportation center, both worthy of the nation's capital and well-integrated into the area neighborhoods. Thank you for the opportunity to work with you on this important goal.

Sincerely,



Mark Eckenwiler
Chair, ANC 6C

cc: Mayor Muriel Bowser
Council Chairman Phil Mendelson
Councilmember Charles Allen

From: [Murphy, Amanda \(FRA\)](#)
To: [Jennie Gwin](#); [Katie Hummelt](#); [Jill Cavanaugh](#); [Cartayrade, Laurent](#)
Cc: [Bottiger, Barbara CTR \(FRA\)](#); [Decker, Bradley \(FRA\)](#); [Johnson, Sydney \(FRA\)](#); [Shick, Laura \(FRA\)](#)
Subject: FW: Washington Union Station Expansion Project, ACHP Case #009904
Date: Wednesday, February 22, 2023 3:59:39 PM

FYI. Already sent to Kathryn...

Amanda Murphy
Acting Federal Preservation Officer
Federal Railroad Administration

From: Jaime Loichinger <jloichinger@achp.gov>
Sent: Wednesday, February 22, 2023 3:55 PM
To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; C. Andrew Lewis <andrew.lewis@dc.gov>; dtallant@aol.com; Erik M. Hein <hein@ncshpo.org>; Rebecca A. Miller <rebecca@dcpreservation.org>; Robert Nieweg <RNieweg@savingplaces.org>; Elizabeth Merritt <emerritt@savingplaces.org>; Matthew Flis <matthew.flis@ncpc.gov>; Lee Webb <lee.webb@ncpc.gov>; David Maloney <david.maloney@dc.gov>
Cc: Rachael Mangum <rmangum@achp.gov>
Subject: Washington Union Station Expansion Project, ACHP Case #009904

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Consulting Parties,

The ACHP has recently been contacted by several parties participating in consultation led by the Federal Railroad Administration (FRA) regarding the subject undertaking.

As we understand, at this time, FRA is seeking comments from the consulting parties on the Supplemental Assessment of Effects (SAOE), which it will then consider in finalizing its determination of effect. Section 6.1 of the SAOE Report ("Next Steps for the Section 106 process in Coordination with NEPA") outlines the process that FRA will be following:

"After receiving comments from Consulting Parties on the findings presented in this SAOE report, FRA will submit a final SAOE report and effects determination to SHPO for concurrence. FRA will notify the Advisory Council on Historic Preservation of an adverse effect determination and invite them to formally participate in Section 106 consultation."

Accordingly, FRA is reviewing and should address comments received from Consulting Parties, including the SHPO, NTHP, ANC 6C, CHRS, and others, prior to finalizing the SAOE report and making a finding of effect. Objections from consulting parties are, at this time, premature because there is not yet a final determination of effect in accordance with 36 CFR 800.5(d)(2). When FRA makes its finding, if a Consulting Party objects to it, then the Consulting Party should make that objection to FRA via Ms. Amanda Murphy, FRA's acting Federal Preservation Officer. FRA will then determine if it will try to consult further to resolve the objection, or if it will send the objection directly to the ACHP.

We note that it is likely that FRA will make a finding of adverse effect for the undertaking, and

the federal agency has indicated its intent to mitigate those adverse effects, and incorporate measures to avoid adverse effects to other historic properties, through continued consultation to develop a PA. We further note that while FRA has chosen to summarize its effects to individual historic properties or districts within the APE, the overall undertaking is likely to have an effect on historic properties. It is not necessary to have every single property or district listed within the adverse effect determination; FRA's responsibility is to ensure it has sufficiently identified historic properties to reasonably assess effects to them.

We hope this provides the necessary clarity to the consulting parties regarding the objection process. We would appreciate FRA ensuring that all consulting parties receive a copy of this message.

Should there be any further questions, please contact Ms. Rachael Mangum, copied here.

Sincerely,

Jaime Loichinger (she/her)
Assistant Director
Advisory Council on Historic Preservation
(202) 517-0219 | jloichinger@achp.gov



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

March 10, 2023

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

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

Dear Ms. Mangum:

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

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

Section 106 Consultation to Date

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

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

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

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

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

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

Determination of Effect

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

Invitation to Consult

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

Sincerely,



Amanda Murphy
Acting Federal Preservation Officer

Enclosures:

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

Hon. Sara C. Bronin
Chair

Jordan E. Tannenbaum
Vice Chairman

Reid J. Nelson
Executive Director



March 22, 2023

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

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

Dear Mr. Bose:

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

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

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

Sincerely,

Reid J. Nelson
Executive Director



U.S. Department
of Transportation

**Federal Railroad
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

March 10, 2023

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

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

Dear Mr. Lewis:

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

Section 106 Consultation to Date

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

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

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

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

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

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

Determination of Effect

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

Thank you for your continued cooperation on this important project.

Sincerely,



Amanda Murphy
Acting Federal Preservation Officer

Enclosures:

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

Cc:

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



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

April 5, 2023

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

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

Dear Chief Hoskin:

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

Project Background

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

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

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

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

Previous Archaeological Assessments

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

Next Steps

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

Request for Information and Comments

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

Sincerely,



Amanda Murphy
Acting Federal Preservation Officer
Federal Railroad Administration

cc: Elizabeth Toombs, Cherokee Nation Tribal Historic Preservation Officer

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

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



GWYŁ DBF
CHEROKEE NATION®

P.O. Box 948 • Tahlequah, OK 74465-0948
918-453-5000 • www.cherokee.org

Chuck Hoskin Jr.

Principal Chief

GŁ FŁP \$Ł\$

0-EŁG.Ł

Bryan Warner

Deputy Principal Chief

\$ZŁPVL

WPL DLŁŁ 0-EŁG.Ł

May 12, 2023

Amanda Murphy
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Re: Washington Union Station Expansion Project

Ms. Amanda Murphy:

The Cherokee Nation (Nation) is in receipt of your correspondence about and related reports for the proposed **Washington Union Station Expansion Project**, and appreciates the opportunity to provide comment upon this project.

The Nation maintains databases and records of cultural, historic, and pre-historic resources in this area. Our Historic Preservation Office (Office) reviewed this project, cross referenced the project's legal description against our information, and found instances where this project is within close proximity to such resources. These resources, however, are outside the Area of Potential Effects (APE). Thus, this Office does not object to the project proceeding as long as the following stipulations are observed:

- 1) The Nation requests that the Federal Railroad Administration (FRA) re-contact this Office for additional consultation if there are any changes to the scope of or activities within the Area of Potential Effects (APE);
- 2) The Nation requests that the FRA halt all project activities immediately and re-contact our Office for further consultation if items of cultural significance are discovered during the course of this project; and
- 3) The Nation requests that the FRA conduct appropriate inquiries with other pertinent Historic Preservation Offices regarding historic and prehistoric resources not included in the Nation's databases or records.

Washington Union Station Expansion Project

May 12, 2023

Page 2 of 2

If you require additional information or have any questions, please contact me at your convenience.
Thank you for your time and attention to this matter.

Wado,

A handwritten signature in blue ink that reads "Elizabeth Toombs". The signature is written in a cursive style with a large initial "E".

Elizabeth Toombs, Tribal Historic Preservation Officer

Cherokee Nation Tribal Historic Preservation Office

elizabeth-toombs@cherokee.org

918.453.5389



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Federal Railroad
Administration**

April 5, 2023

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

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

Dear Chief Gray:

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

Project Background

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

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

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

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

Previous Archaeological Assessments

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

Next Steps

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

Request for Information and Comments

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

Sincerely,



Amanda Murphy
Acting Federal Preservation Officer
Federal Railroad Administration

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

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

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



May 2, 2023

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

RE: Washington Union Station Expansion Project; Review of First Draft Programmatic Agreement

Dear Ms. Murphy:

Thank you for providing the DC State Historic Preservation Office (DC SHPO) with a copy of the above-referenced draft Programmatic Agreement (PA), which we received on April 5th, 2023. We appreciate that the draft was well written and addresses many of the comments and concerns that have arisen over the course of consultation. However, further refinements will be required to finalize the document. Per your request, specific, line-by-line comments are provided in the attached comment matrix format. A few broader comments on topics that may or may not be directly addressed in the draft PA are provided below, including some additional “WHEREAS” clauses that we believe should be inserted into the preamble to provide better context (attached).

1. The PA should incorporate the Preferred Alternative (“Alternative F”) both in graphic and narrative form for reference since this alternative is the product of the consultation process that will serve as the guide for future implementation of the Expansion Project and as the benchmark for determining whether future actions are consistent with, or differ from, what was agreed upon through the Section 106 process.
2. We appreciate that the draft includes several mitigation measures but are concerned that they are the types of “typical” measures routinely proposed for undertakings far less complex, costly or extensive in terms of scope and duration. While photographic recordation, architectural salvage, nominations, interpretive signage and the like are important, these minimum forms of mitigation fail to adequately offset the individual and cumulative adverse effects that will result from the SEP. They also fail to do anything to celebrate and more directly integrate the historic station into the proposed new development and ensure that it remains a vital and vibrant part of the overall station complex. For example, restoring natural light to the skylights in the historic passenger concourse (current “retail concourse”) would create a more equitable future transition from the light-filled new train hall into the historic station which is currently rather dimly lit by artificial light. Similarly, improving the unattractive east and west terminations of the truncated historic passenger concourse (current “retail concourse”) should be included as a mitigation measure (see also the attached supplemental WHEREAS clauses) since these areas are going to become more visible as the result of revised bicycle and pedestrian circulation paths. Restoration of the long dormant but historically significant fountains in Columbus Plaza would also provide an appropriate way to properly celebrate the historic entrance into the station complex. More meaningful mitigation measures such as these should be incorporated into the draft document.



3. On a related note, more substantial mitigation measures specific to the adversely affected REA Building should be identified and incorporated into the PA.
4. The central civic space (Visual Access Zone) is referenced only once in the draft agreement document but the critical importance of this feature warrants a more detailed presence in the PA, even if such a reference is limited to acknowledging the importance of the central plaza and documenting a commitment on the part of FRA and the Project Sponsor to work with private developers and other applicable parties and review agencies to ensure the central civic space is fully realized according to plan.
5. Similarly, the PA should at least acknowledge the “Potential Air Rights Development” that is depicted in the Preferred Alternative, documenting the cooperation that led to the overall massing design and establishing a commitment (non-binding, if necessary) or at least a goal of working collaboratively with all relevant parties and to help ensure appropriate development within the Project’s Area of Potential Effect.
6. Since portions of the Project are likely to become subject to the existing air rights covenant, the PA should include provisions for establishing a process to coordinate reviews under the covenant and the PA.
7. The PA references several specific letters but the complexity and nearly eight-year duration of consultation suggests the PA should also include as an attachment the entire Section 106 consultation record (i.e. all the formal comments submitted in writing by consulting parties) for reference. We are unsure how large such an attachment might be but note that NEPA documents routinely include far more extensive consultation records so a precedent for such documentation does exist. We request FRA to provide a specific number of pages or at least an estimate to determine whether including the entire consultation record will be reasonable.

The comments provided with this letter are based solely upon our initial review of the first draft. We look forward to reviewing the comments of other consulting parties and to working with all parties to continue the review and refinement of the PA. If you should have any questions or comments regarding any historic built environment resources, please contact me at andrew.lewis@dc.gov or 202-442-8841. Questions or comments relating to archaeological resources should be directed to Ruth Troccoli at ruth.troccoli@dc.gov or 202-442-8836. Thank you for providing this additional opportunity to comment.

Sincerely,



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

cc: Consulting Parties
Attachment
16-0114

SUPPLEMENTAL “WHEREAS” CLAUSES

Insert before line 63:

WHEREAS, Washington Union Station is among the most iconic landmarks of the nation’s capital and a monument of exceptional importance in the formulation and implementation of the 1901-02 Senate Park Commission Plan for Washington (McMillan Plan), the blueprint for the development of monumental Washington following City Beautiful design ideals during the first half of the 20th century; and

WHEREAS, Washington Union Station is an architectural masterpiece of the preeminent American architect Daniel Burnham, who profoundly influenced American civic architecture and the character of Washington DC as a primary author of the McMillan Plan and as the first chairman of the US Commission of Fine Arts, established to ensure implementation of that plan; and

WHEREAS, transformative changes in American transportation infrastructure during the post-World War II era led to the decline and near-abandonment of Washington Union Station, and its rescue first as a National Visitor Center in preparation for the 1976 Bicentennial and thereafter with the creation of USRC in 1981 and subsequent renovation of the station as a highly successful festival marketplace; and

WHEREAS, the overwhelming dominance of automobile-oriented transportation during that era led to major adverse effects on the station, including the construction of a looming visitor center garage, destruction of the projecting wings and granite facades of the historic passenger concourse in order to provide vehicular ramps to the garage, and significant compromises to historic integrity of interior features given practical and financial necessities of its conversion to largely retail use; and

WHEREAS, in 2015 USRC commissioned a Historic Preservation Plan for Washington Union Station, has since been engaged in an intensive effort to remove intrusive modifications and assemble historic images and documentation for its long-term restoration, and has partnered with the National Trust for Historic Preservation and corporate funders on restoring historic features of the station interior and exterior; and

WHEREAS, further restoration and revitalization of Washington Union Station is a primary objective of this consultation, and the Project's Preferred Alternative would contribute significantly to this effort through removal of the intrusive parking garage and other means; and

Insert before line 86:

WHEREAS, the *Secretary’s Standards for the Treatment of Historic Properties* (36 CFR Part 68) recommend the accurate replacement of missing historic features in a restoration, and during consultation the SHPO has advocated among other treatments for restoration of the concourse to its historic extent, and at a minimum avoidance of any vehicular intrusions or other construction that would constrain the ability to achieve this restoration in the future for such benefits as expanded bicycle facilities and better connections from the modernized and expanded terminal to Metro, Station Place, and air rights development; and

July 6, 2023

Ms. Amanda Murphy
Deputy Federal Preservation Officer
Office of Federal Rail Policy and Development
USDOT Federal Railroad Administration (MS-20)
1200 New Jersey Avenue SE
Washington, DC 20590

Via Email To: info@WUSstationexpansion.com

**RE: Washington Union Station Expansion Project Supplemental Draft
Environmental Impact Statement Comments**

Dear Ms. Murphy,

Enclosed please find Akridge's comments in response to the subject document referenced above. As you know, Akridge is a private real estate firm with ownership of air rights property adjacent to and within the property considered for public uses for the Washington Union Station Expansion Project. As such, Akridge is uniquely impacted by the proposed project. Our comments are organized into two components:

- A. Comment Narrative
- B. Comment Matrix

The Comment Narrative addresses the topics of most critical concern to Akridge. The Comment Matrix includes corrections, clarifications and other discrete comments on the SDEIS.

Thank you for your review and consideration of our comments and recommendations.

Sincerely,



David Tuchmann
Senior Vice President, Development

Comment Narrative

Executive Summary

Akridge supports the selection of Alternative F, provided that the Final EIS (FEIS) and/or Record of Decision (ROD) includes an unequivocal statement that implementation of this Alternative requires a consolidation of air rights development ownership and control under one entity. With the unification of such ownership and control, this Alternative provides a solid framework for a world-class transportation facility and the complementary sustainable, transit-oriented, urban development (Burnham Place) planned by Akridge. Absent a commitment in the FEIS which directs the SEP sponsor, the Union Station Redevelopment Corporation (USRC), to pursue acquisition of the private air rights required for the SEP in exchange for excess federal air rights that would be productively used by Akridge, the magnitude of adverse impacts of the federal undertaking described in the SDEIS would be severely understated.

Even with a unification of air rights development sponsorship, implementation of Alternative F will have significant adverse impacts on the air rights that should be acknowledged and addressed in any Final EIS and ROD. Some of these impacts, which are described in this Comment Narrative, can be significantly mitigated or avoided if the FEIS contains additional commitments or mitigation measures by USRC. The adverse impacts of the SEP on Akridge and its planned air rights development fall within the following categories:

1. Project Implementation
2. Urban Design and Station Architecture
3. Multi-Modal Planning and Operations
4. Historic Preservation and Programmatic Agreement
5. Construction and Phasing

1. Project Implementation

A Unification and Property Exchange of the Federal Air Rights with the Private Air Rights is Required for SEP Implementation

Akridge recommends that the FEIS and Record of Decision (ROD) make clear that a unification effectuated by an exchange of private and federally-owned air rights will be required for implementation of the Preferred Alternative F. If FRA concludes the station owner or the project sponsor will require new or additional permissions or authorizations to carry out these actions, such permissions or authorizations should be described in the Final EIS and/or ROD. If final documentation does not include a clear expression about an exchange of air rights and the permissions or authorizations on which such an exchange (or like form of property transfer) would be planned to occur, Akridge will conclude, and other interested parties will likely conclude, that the development of air rights and related open spaces in accordance with the concepts shown in the Preferred Alternative will not occur.

As FRA is aware, the Preferred Alternative in the 2020 Union Station SEP DEIS encountered opposition by local, public, private and federal stakeholders. One of the material issues raised by approval authorities (National Capital Planning Commission (NCPC), DC State Historic Preservation Office (SHPO) and the DC City Council) was the lack of integration between the SEP and private air rights development. As a result, these approval authorities asked FRA to collaborate with Akridge to resolve shortcomings of the 2020 DEIS plan and to provide clarity around how the SEP and air rights development would be integrated.

In 2021 Akridge agreed to collaborate with the FRA to resolve the concerns raised by the initial DEIS. Together with the FRA, project sponsor USRC and Amtrak, what became Alternative F in the SDEIS was collaboratively developed. This alternative plainly contemplates the use of approximately half (2.9 acres) of Akridge's property south of H Street. Akridge agreed to advance this concept and make that property available during collaboration provided that the excess federal air rights property (two acres which are not needed for station functions because of SEP use of the Akridge property) would be exchanged with Akridge in return for use of its property. Akridge repeatedly reiterated the need for such a property exchange during design workshops, in writing and during meetings with FRA (see record of such communications in Exhibit A).

In fact, when Akridge began collaborating with FRA, all parties decided to ignore the existing property lines in order to develop the best SEP possible with a complementary air rights vision. In doing so, Akridge *did not favor our existing property rights* within the planning process. We never assessed the feasibility or value associated with developing a portion of the air rights. We collaborated in good faith and expressed a willingness to explore concept plans which placed SEP program and circulation functions on our property. We even accepted that with a new concept configuration and property exchange, our future development rights (in terms of total footprint acreage) could decrease.

During this time, Akridge communicated to FRA that in order for the SEP to achieve the public benefits desired by stakeholders, such an exchange of federal air rights with Akridge must be incorporated into the Preferred Alternative plan and all air rights development must be planned and executed under unified control. In spite of this robust record of multi-year communication between Akridge and FRA, the SDEIS does not identify an intent by the FRA to unify air rights development via a property exchange. In fact, the SDEIS disappointingly appears to do the opposite. In numerous places (SDEIS at XIV, 5-62, 5-136 and 7-11, Appendix C3S at 9-4, 9-13 and 18-13) the document presents as a 'default' implementation strategy the direction that USRC acquire 2.9 acres from Akridge for "just compensation," and that FRA will then decide whether or not to dispose of its excess air rights – to Akridge or to any other party. In

Consulting Parties Meeting #15 (June 29, 2023), FRA representatives further rendered ambiguous the unification of air rights development by stating that FRA was exploring if FRA possesses “the authorities” to dispose of its air rights, which Akridge believes it clearly does (and “authority” was never previously raised as a concern by FRA in discussions with Akridge).

Further, the SDEIS also confusingly notes that the federal air rights could be developed by the federal government. If FRA believes there is a viable scenario under which FRA (or a third party other than Akridge) can develop the federal air rights, that was not plainly stated in the SDEIS, and we assume it is not FRA’s intent. That should be clarified in the FEIS and ROD, which should eliminate any ambiguity on this point.

There are numerous compelling reasons that make an air rights exchange and integrated air rights development essential to be able to implement both the SEP and adjacent Akridge projects. The SDEIS seems to recognize this, albeit not unambiguously. Reasons that unifying air rights development is essential include:

- **Approvals and Public Engagement** – one primary developer must plan and propose a cohesive air rights development plan. Proposed building massing, sight lines, view corridors, open space character, and circulation patterns must be comprehensively planned and described to approval agencies and the public. Project reviewers will already face the challenge of reviewing SEP and private air rights components under separate processes and standards. Splitting the air rights development reviews (if this would even be possible) would require three separate public reviews (Burnham Place, the SEP, and another third party air rights project), all within overlapping site areas.
- **Technical Complexity** – air rights development will be placed atop complex layers of supporting functions and station program. Consolidated air rights planning strategies must be employed to address: ventilation, security, threat and risk management, parking, loading, utility provisioning, stormwater management, structural and foundation design, construction phasing and impact mitigations, sustainability and resilience, private financing, and many other fatal flaw level project implementation matters.

Development of the remaining private air rights and the excess federal rights by a party other than Akridge is not feasible. The SDEIS states that the adverse impact resulting from the removal of 2.9 acres from Akridge’s property is “minor” because the coordination between FRA and Akridge in the development of the Preferred Alternative results in “*ensuring that, although sizable, the reduction would not preclude developing the remaining air rights*” (SDEIS at 5-62). Stated differently, this passage claims that independent development of the federal and private air rights parcels is feasible and acceptable to Akridge. This statement is clearly incorrect as Akridge has frequently conveyed to FRA that separate development is not feasible and certainly not acceptable to Akridge. Given that absent unified development, all air rights development is infeasible, property impacts of an independent development scenario would be among the most “major” impacts assessed in the EIS, and the benefits described above would not be realized.

The SDEIS references a large inventory of substantial public benefits which arise in the SEP only as a direct result of a viable, unified air rights development plan. These same benefits are described as FRA’s strategies which address important stakeholder concerns and minimize or eliminate potential adverse impacts. For example, benefits referenced in the SDEIS include:

The potential future transfer and development of the Federal air rights would have a major beneficial impact on land use in the Project Area. It would replace an automobile-focused use with residential and commercial uses more consistent with their surroundings, including the private air rights development. As such, it would become part of a new vibrant neighborhood to

the north of WUS, within which the expanded station would be seamlessly integrated.” Draft SEIS at 5-66.

The FEIS should make clear that these benefits can only be achieved through unified development of the air rights and a related exchange with Akridge. The FRA has extensively engaged with many other stakeholders to refine the Preferred Alternative to mitigate or avoid adverse impacts. In these cases, specific programmatic changes have been made and planning and design alternatives foreclosed. These changes or mitigations, including the size and location of the bus and PUDO facilities, accommodation of tour and charter buses, bicycle facilities, and vehicular circulation, were made during the course of developing the revised Preferred Alternative, and are now documented in the SDEIS as core, required elements.

Akridge submits that the feasibility of air rights development and the creation of a central civic space, with functional connections from H Street to the Train Hall, are similarly core elements of the Preferred Alternative and priorities for DC SHPO in the 106 Programmatic Agreement. Akridge may take responsibility for design and implementation of the central civic space, as the SDEIS states. However, *FRA and USRC are the parties responsible* under the current regulatory regime for ensuring any federal property required for such purposes will be unified with private air rights property to enable such a space to exist.

However, while the SDEIS reflects the advantages of relying on a unified air rights development strategy in order to achieve project benefits and minimize impacts, it also creates uncertainty by reflecting FRA’s desire to maintain optionality and flexibility regarding the use of its air rights. The FEIS should eliminate any doubts about development of the air rights by making clear, as we believe FRA intends, that property unification and an exchange be ensured so that Alternative F’s benefits and mitigations are made achievable.

As noted, Akridge has been and continues to be highly supportive of the SDEIS Preferred Alternative provided that this alternative includes a commitment to consolidated control of the air rights development through a property exchange. Again, it is critical that the FRA eliminate any ambiguity that its SDEIS has created on the property exchange and development issue. It can do so at this point in the process by making clear that FRA intends to engage in an air rights property exchange and to support unified development of those exchanged air rights. Incorporating this mitigation in the FEIS will allow all stakeholders, including Akridge, to move forward on work with the FRA to implement the Preferred Alternative.

Recommended Changes:

- Clearly state in the FEIS/ROD that achievement of the Preferred Alternative will require a unification and exchange of air rights, and stipulate that the station owner and project sponsor will pursue these actions. If the station owner or project sponsor requires additional permissions or authorizations to effectuate these actions, the ROD should describe these requirements and an intention to procure them.
- Correct the misrepresentation of Akridge’s position regarding the viability of an independent development (SDEIS at 5-62). A “major” land use impact can be avoided only if the FEIS includes clear commitments per the above bullet.
- Reference air rights unification and property exchange in the Programmatic Agreement

USRC Requires Expansive New Resources and Authorities

The SDEIS assigns hundreds of new responsibilities, mitigation measures, stipulations, and requirements to USRC. In order to effectively fulfill these roles and commitments, USRC will require near term funding to support the hiring of new staff and execution of planning and design efforts.

Recommendation

- As the owner of Union Station, USDOT/ FRA should commit in the FEIS and/or ROD to lead the process of identifying and securing this near term funding from Congress. Without such a commitment, consulting parties and other stakeholders will be justifiably concerned about the feasibility of USRC's ability, as the project sponsor, to fulfill the commitments detailed in the SDEIS.

2. Station and Urban Design

Overview

The urban design concept at the deck level shown in Alternative F includes:

- An air rights project that provides a setting for the new train hall and historic station, and facilitates pedestrian and vehicular access to the train hall
- A circulation network that provides vehicular access to the bus facility and train hall PUDO
- A central open space that provides for skylights to the station's central concourse below
- Station head houses at H Street that provide pedestrian access to the concourses and trains below
- East and west ramps between the historic station and H Street that provide pedestrian and bicycle access to the air rights, and a valuable open space and urban design feature

The collaboration process between the FRA and Akridge led to the development of these components and features. While Akridge supports this framework, the SDEIS does not acknowledge or document the impacts to Akridge's property associated with the Alternative. Some of these impacts include:

- Lost Development Opportunity
 - Elevating the air rights deck an additional 10+ feet to accommodate the bus facility. This concession eliminated a full floor of any potential air rights buildings in a large area south of H Street and eliminated potential air rights parking and service areas
 - Shifting air rights buildings north to accommodate an east-west train hall and bus facility eliminated potential building sites in locations with the most valuable views of the Capitol Building
 - Station element configurations (including the bus facility) require suboptimal locations and reductions in size of air rights loading and parking, thereby increasing management costs and reducing user convenience
- Circulation

- The train hall PUDO area (including when used temporarily for bus functions) will have significant negative visual, pedestrian safety, acoustic, and air quality impacts on the air rights
- Assigning station PUDO and bus functions to the east service road severely limits the use of this road for any private air rights functions
- Temporary use of the central road for shuttle buses will displace air rights vehicular uses, leading to operational accommodations and compromises
- Central Space
 - The head houses fronting H Street provide beneficial and important station access points for the neighborhood and air rights, but potential impacts to the air rights remain if the massing and design of these features is incompatible with air rights buildings.
 - Skylights above the concourse and bus facility will obstruct deck level pedestrian and vehicular circulation and sight lines to building frontage
- Rail
 - Track configuration imposes a rigid structural grid on the air rights with little opportunity for modification to accommodate varying building types and functions.
- Train Hall
 - The largest feature of the SEP will have major positive and potentially adverse impacts on the air rights. Its scale, character, quality, materials, access points, interior program and amenities, and types and locations of vertical circulation elements will all directly impact the value of the air rights development

In addition, numerous technical components of the combined SEP and air rights will have to undergo further study and refinement during the post-NEPA implementation process, including structural systems, track and bus facility ventilation, emergency power, storm water management, utilities infrastructure, and rail noise and vibration. Without intensive coordination, these technical components may negatively impact air rights project viability, and the quality of urban design and architecture.

Recommendations:

To avoid or minimize the impacts above, we recommend the FEIS include:

- Commitment to a unification and exchange of property as described above in Section 1. A property exchange would minimize these impacts. Please note that attempting to compensate Akridge for the use of its property by means other than an exchange of development rights would not minimize or avoid these impacts.
- USRC to develop a plan post-FEIS for ongoing project design and engineering that includes coordination, collaboration, document sharing, and schedule alignment with the private air rights developer for elements shared or which have impacts between the SEP and the air rights, including open space, architectural, technical, and transportation components as applicable.
- Include pedestrian entrances on the east and west facades of the train hall.
- Design guidelines and review processes developed for either the SEP or any air rights development should recognize that relationships *between and among* a) SEP elements, b) air

rights elements, and c) existing conditions and resources should all be considered cohesively to maximize public and project benefits.

3. Multi-Modal Planning

Rail, Streetcar, Metrorail, Metrobus, and Intercity Bus

Intercity and commuter rail passengers, bus passengers, neighborhood residents and businesses, and residents, employees, and occupants and visitors of the new air rights development all will require effective multi-modal transportation options, with convenient access and adequate capacity. Growth in rail and bus ridership will result in increased demands for other modes of travel to and from the station. These modes include for-hire vehicles, private vehicles, Metrorail, Metrobus, streetcar, pedestrian and bicycle facilities. In order to avoid negative impacts to the air rights development, facilitating safe and efficient access to local transportation resources for both station and air rights users as well as the surrounding neighborhood will be required.

Growth in any single transportation use or development program that is out of balance with overall available transportation resources and infrastructure, or any specific use that relies too heavily on any one or two particular transportation modes, has the potential to disrupt the viability and function of other uses at or adjacent to Union Station. The SDEIS estimates and predicts that several street intersections in the station area will be over capacity, and that the Metro Red Line Station will also be over capacity by 2040.

Inadequate capacity for critical transit services or failures at key intersections near the air rights development would have significant negative impacts on future building occupants and on the value of the development.

Recommendations: Multi-modal Facilities Data Collection

The SDEIS identifies several multi-modal elements that will require ongoing study and management during the SEP's construction and operation. Recognizing that planning assumptions and mode splits utilized in the SDEIS are estimates, and actual mobility patterns will change over time, on-going multi-modal data collection should be part of required mitigations for the SEP.

This effort would entail collecting capacity and demand information for each transportation mode at WUS, including daily and peak hour ridership, and peak hour vehicle trip counts. Continuing and periodic data collection will be critical to minimizing impacts and managing ongoing, additional investments in infrastructure in and around the station. Addressing multi-modal choke points or failures will only be possible with robust and period data collection.

- Specifically, USRC should develop a transportation performance monitoring plan (PMP), including a detailed methodology for collecting multi-modal data and reporting guidelines. The data collection should include daily and peak hour ridership for each transit mode, peak hour vehicle, pedestrian, and bicycle counts, and peak hour queues at critical PUDO locations (including the train hall, Columbus Circle, First Street, Second Street, and below-grade).
- Data collection should occur on a sufficient number of days to identify seasonal, weekly, daily, and hourly fluctuations. Any anomalies such as special events and construction or other disruptions should be identified in the PMP.

- The plan should include, where necessary, safeguards for ensuring privacy of proprietary information such as ridership numbers of individual private transportation companies, and other private or proprietary information that may be gathered.
- USRC should facilitate the collection of usage data and forecasts on a periodic basis from the facility's transportation service providers (i.e., Amtrak, MARC, VRE, Metrorail, Metrobus, intercity and tour bus, Streetcar, FHV, parking, and rental car facilities, bikeshare, bike storage and rental). Where possible each provider should provide origin and destination data.

Vehicular Circulation and Station PUDO

In the Preferred Alternative, the air rights deck level south of H Street is conceived as a shared vehicular circulation system utilized by station PUDO, intercity buses, and air rights vehicular access. Akridge appreciates FRA's efforts to coordinate this circulation system with us and believes that with further coordination, the road network represented in the Preferred Alternative can effectively balance SEP and air rights vehicular uses. However, accommodating peak loads of station PUDO will be a significant and important challenge to address.

Multi-modal and destination facilities (i.e., airports, rail stations, stadiums and concert venues) around the country have routinely failed to efficiently and safely accommodate PUDO activities. Reasons for these failures include inadequately or poorly located program areas, insufficient investment in best practice research and planning, insufficient data availability to enable planning, and insufficient advanced coordination with private operators (Uber, Lyft, etc.). At WUS, a comprehensive plan for all the PUDO facilities will be critical to ensure their success. This includes the train hall PUDO which has the potential to have functional and aesthetic impacts on the air rights (see Section 2 above).

Recommendations: Deck Level Vehicular Circulation Planning

Use of the east and west service roads for bus and station PUDO has the potential to limit capacity available for air rights needs, as evident in the traffic modeling results for the east and west road intersections with H Street. The traffic analysis in the SDEIS identifies potential long-term capacity problems at the east and west station PUDO and bus facility access roads where they intersect with H Street. Since these roads are shared with the air rights, and are currently located either partially or completely within air rights property, Akridge believes that a process for long-term management of traffic impacts at these intersections should be required.

Additionally, an effective management plan for use of the public roadways for PUDO (such as First and Second Streets) is essential to limit congestion around the station and the private air rights development and promote safety for more vulnerable road users such as pedestrians and bicyclists.

- Specifically, USRC should develop a plan for integrated management of all station PUDO facilities, with a goal of balancing facility use so as not to create congestion and back-up at the two large above-ground facilities at Columbus Circle and the Train Hall. The PUDO management plan should include dedicated PUDO zones, active management, changeable signage, use incentives, and restrictions on PUDO types causing congestion at any one location.
- Ongoing measurement of the PUDO queues at the Train Hall, Columbus Circle, and First and Second Streets should be included in the PMP.
- USRC to limit overflow events (where buses utilize the Train Hall PUDO loop and/or the central road (shuttle bus only) to a maximum of 10 times annually. Uses beyond ten times would require engagement and approval by key stakeholders including the air rights owner.

Pedestrian and Bicycle Circulation

Pedestrian and bicycle circulation is a critical component of the air rights plan. Integration of the air rights development with the station expansion plan is critical to ensure seamless connectivity and to promote safe, secure, and efficient connections to the multi-modal transportation options offered by WUS. No less important is the need to preserve and facilitate pedestrian and bicycle access to the air rights development and WUS from the surrounding neighborhoods. Such access includes the train hall and historic station, the central concourse, the H Street head houses, and access via the east and west ramps. Akridge supports the Preferred Alternative's approach to prioritizing pedestrian and bicycle circulation on the east and west ramps connecting the H Street deck level with Columbus Circle and the station.

Recommendations: Pedestrian and Bicycle Planning

Akridge believes that additional pedestrian and bicycle connections should be explored to provide further active transportation benefits for the SEP and air rights development, particularly north of H Street. Improved connectivity from H Street to bicycle facilities on K Street, First Street, and/or Second Street should be explored further.

- USRC should work with DDOT and the private air rights developer to explore the feasibility of additional pedestrian and bicycle connections to one or more of K Street, First Street, and Second Streets, NE, at the north end of the air rights, which likely will require some joint use facilities at the potential utilities building on the REA site, or potentially through portions of the rail terminal.
- USRC should work with DDOT and the private air rights developer to ensure the existing and planned bicycle networks (through and around the station and air rights development), bikesharing station locations, and public and private bicycle storage locations are holistically planned and implemented.

4. Historic Preservation and Programmatic Agreement

Our comments on the SDEIS Appendix D2 Draft Programmatic Agreement ("PA") are provided here. As explained below, implementation of the PA, as currently drafted, could have potentially significant impacts on the air rights owned by Akridge (referred to herein as the "Private Air Rights"), thereby affecting Akridge's ability to pursue and complete the air rights development. Akridge accordingly requests that the PA be revised to address our concerns/comments below.

The PA's Relationship to the Private Air Rights

To the extent that any actions implementing the terms of the PA relate to, impact, or have the potential to influence the air rights development, Akridge requests that the PA expressly provide that Akridge is to fully participate in those actions. Akridge is the owner of the Private Air Rights that are to be developed in a manner compatible with the Washington Union Station Expansion Project ("Project"). Akridge understands that FRA's implementation of the Project may result in FRA acquiring some portion of Akridge's Private Air Rights, and in exchange, FRA may transfer some portion of the Federal Air Rights to Akridge. This would result in the consolidation of air rights (not otherwise used for the Project) into Akridge's ownership, for private development by Akridge. The consolidation of air rights in this manner is necessary to ensure viability of the air rights development, for the reasons set forth in Akridge's comments further above.

For these reasons, Akridge requests that FRA ensure Akridge's full participation in implementing any portion of the PA relating to, impacting or that may influence the air rights development. Doing so will ensure compatibility between the private air rights development and the Project. Such coordination is already occurring with respect to development of the Project, underscoring the need for Akridge to also directly participate in actions implementing the PA. In furtherance of this request, Akridge intends to sign the PA in accordance with Section III.F.2 of the PA. Akridge assumes that doing so will provide it with equal footing to other Signatories. If that is not the case, Akridge respectfully requests to be invited by FRA to be a Signatory to the PA. Should this request not be granted by FRA, Akridge nonetheless requests to fully participate in actions implementing the PA, as set forth in this comment and the subsections that follow.

While it is crucial for Akridge to participate in implementing the terms of the PA, Akridge believes that doing so does not cause the Private Air Rights to be part of the "Undertaking" that is the subject of the PA. Nor, as a result of any such consultations, do the terms of the PA apply to any portion of the Federal Air Rights upon transfer to Akridge.

A Definition for Washington Union Station Historic Site Should be Added

The term "Washington Union Station Historic Site" first appears in a Whereas clause, but is not defined anywhere in the PA. Given that the WUS Historic Site is subject to consultations under the PA, Akridge believes that it must be explicitly defined to delineate the scope of such consultations. Akridge recommends that the definition of WUS Historic Site be based on the SHPO's determination of eligibility form for the WUS Historic Site, which includes Columbus Plaza, Terminal Rail Yard, and 302 First Street Tunnel. The definition for WUS Historic Site should expressly exclude the Private Air Rights and Federal Air Rights, given those are not part of the WUS Historic Site and also are not properties eligible for listing. *See also* Akridge's comments in Subsection H below.

Historic Preservation Covenant

Section VI.A.1 of the PA sets forth a consultation process to establish the language of a historic preservation covenant to be included in any Federal Air Rights that may be transferred by FRA. Akridge, as the party that may be receiving a portion of those Federal Air Rights, requests that it participate in any process, including consultations, to develop any historic preservation covenant. Akridge's full participation is needed to ensure compatibility of the historic preservation covenant with the air rights development, as explained above.

At a minimum, Akridge requests that any historic preservation covenant be identical to, or fully consistent with, the language of the historic preservation covenant that currently appears in Akridge's Private Air Rights deed. This will ensure that the covenants can be applied in a consolidated, uniform manner for purposes of the air rights development. In support of this request, Akridge notes that the historic preservation covenant appearing in its existing Private Air Rights deed provides SHPO with broad authority to take into account historic preservation concerns relating to the air rights development.

Design Review for the Project

Akridge requests to participate in any and all actions implementing Section VI.A.2 of the PA, which concerns the design review for the Project. The Project and the federal and private air rights have many coordinating elements, including the train hall, head houses at H Street, and the skylights over the central concourse. The Design Review scope outlined in Section VI.A.2.d is also very broad and includes

numerous project elements located at the deck level within the air rights, such as the bus facility, H Street Head House, central concourse skylights, and “project elements on the deck.”

As a result, any design review process for the Project under Section VI.A.2 of the PA must account for the air rights development, and Akridge’s full participation in the design review process is therefore critical. The fact that the NCPC and CFA reviews of the Project to date have accounted for both the Project and the air rights development, supports the need for the air rights (and Akridge) to be part of this process. This is further supported by the SDEIS, which frequently states that the private air rights developer is responsible for the design and implementation of public spaces including the central plaza.

Akridge also believes that the Federal Air Rights must be subject to the design review consultations under Section VI.A.2 of the PA. The design review for the Project must take into account the Federal Air Rights for the reasons described above. Any design review occurring without consideration of the Federal Air Rights would be insufficient.

Design Guidelines for the Federal Air Rights

Akridge requests that it participate in any and all actions implementing Section VI.A.3 of the PA. As explained above, it is anticipated that FRA will transfer a portion of the Federal Air Rights to Akridge, and hence, any design guidelines applicable to those air rights may extend to Akridge’s use of those Federal Air Rights for purposes of its air rights development. Akridge’s participation in discussing, drafting, and finalizing the design guidelines is also needed in light of the close relationship between the Project, Federal Air Rights, and Akridge’s air rights development, as explained above.

Akridge also believes that Section VI.A.3 should address both the Project and the Federal Air Rights. Reasonable design guidelines cannot be developed for the air rights alone; the design guideline must also take into account and address the Project, given the shared elements (which are noted in the section above). A comprehensive set of design guidelines for both the Project and air rights development would include station facilities, open spaces in the air rights, and spaces shared between the station and air rights. This integrated approach will best help to achieve historic preservation and design goals of the Project and air rights development. Once again, the air rights developer, Akridge, should fully and directly participate in the development of the design guidelines.

HABS/HAER Documentation Plan

Akridge notes that many of the contributing resources identified in Section VI.A.4 will be demolished in order to facilitate the Project. Demolition of non-historic resources, as well as ground disturbing activities in areas not impacting historic resources, will be required for preliminary exploration and construction. Akridge believes that the PA should acknowledge/note these facts.

Design Percent Completion

Several provisions of the PA refer to documentation requirements that apply on or prior to a certain percent (35%, 60%, 90%) of design completion. *See* Sections VI.A.4.c, Sections VI.A.5.b, Sections VI.A.6.a, Sections VI.A.7.b, Sections VI.A.8.b, and Sections VI.A.9.e. Akridge also recommends that the timing and contents of any documents required to be prepared and submitted at these milestones be further clarified in the PA.

Nomination of WUS Historic Site to NRHP

Akridge disagrees with any WUS Historic Site designation that includes air rights (private or federal). No existing historic architecture or infrastructure elements are located within the Private Air Rights or Federal Air Rights. The air rights thus are not eligible for listing on the NHRP and cannot be part of the WUS Historic Site designation. Akridge recommends that Section VI.A.7 accordingly be revised to explicitly make clear that the WUS Historic Site excludes any and all air rights.

Exclusion of Air Rights from PA Plans

Akridge requests that the PA clearly state that any Federal Air Rights that may be transferred to Akridge are excluded from the Protection and Signage Plan under Section VI.A.8 and the Construction Noise and Vibration Plan referenced in Section VI.A.9. At a minimum, Akridge should fully participate with respect to the development of these plans as they may relate to the air rights development.

Clarification on Section VI.B

Because the Private Air Rights held by Akridge are not part of the Undertaking, Akridge assumes that the Project Sponsor's obligation to comply with Section VI.B (concerning requirements to identify archaeology resources prior to ground disturbing activities) does not extend to or relate in any way to the air rights development. To the extent that is not the case, Akridge – as the air rights developer – should be provided the right to participate in any actions implementing Section VI.B.

Project Modification and Design Changes

Section VII of the PA provides that the Project Sponsor is to notify the Signatories and Consulting Parties of any modifications to the Undertaking or changes to the Project that may result in additional or new effects on historic properties. Any such changes have the potential to affect the air rights development. Akridge thus requests to also be notified of any such modifications or changes and be consulted to determine the appropriate course of action. Akridge also requests that additional language be added to Section VII to define the baseline design that will be used to determine whether any modifications or changes have occurred that require further consultation under Section VII.

5. Construction and Phasing

The schedule and phasing sequence proposed for Alternative F have severely negative impacts on the private air rights project, as well as on Union Station users and the neighborhoods surrounding the station. Most of the impacts identified in the SDEIS relate to noise and vibration, as well as dust and construction traffic. However, an analysis of potential impacts on the viability of the air rights project is not provided, and economic impacts on the air rights are not identified or quantified. Other economic impacts to neighboring businesses and properties may occur from an extended construction duration, and are similarly not examined.

Following issuance of the FEIS, it will be critical in order to mitigate construction impacts to air rights development as well as station users and surrounding residents and businesses, for USRC to collaborate with Amtrak, Akridge and others to explore alternative construction and phasing measures which deliver project benefits sooner and shorten the overall duration.

The construction phasing and methods of construction identified in the 2020 DEIS (which we assume remain similar to those proposed for Alternative F), pose the following challenges for the air rights development:

- Overall Project Construction Duration
 - The proposed 13 year overall duration for construction would prevent the air rights buildings from commencing construction for nearly nine years from initiation of SEP construction. With funding for each proposed phase unlikely to be continuous, the proposed plan could yield the first air rights building delivery 15 or more years from now.
 - Neither the 2020 DEIS nor the 2023 SDEIS identifies precedent terminal infrastructure projects necessary to begin construction of the SEP. These projects along with potential delays accounting for the reconstruction of the H Street Bridge could push construction commencement out several years further.
- Construction methodology
 - The four phase methodology includes phase lines which are not conducive to delivering air rights buildings, and this methodology also requires waiting for the very end of the project to open some of the most important SEP facilities (bus station, First Street Concourse, MARC track improvements)
 - While potentially feasible, the location of a temporary bus facility on the deck would pose considerable impacts to the air rights development

Recommended Mitigation: Construction Implementation Study

To address these significant construction impacts, Akridge recommends:

- USRC to undertake a construction implementation study (and subsequent studies as necessary) to identify means for mitigation of construction impacts and shortening of construction timelines, with coordination and collaboration with the private air rights developer and Amtrak. Such a study should be required as a post-FEIS mitigation measure, as opposed to a pre-FEIS requirement so as not to unduly delay completion of the NEPA process. Goals of this study should include:
 - Commence preparation work and the first phase of the SEP at the earliest possible date
 - Build the SEP in as few years as possible
 - Deliver high-value and strategic SEP project elements earlier within SEP construction
 - Commence air rights vertical construction within the fewest number of years of the SEP construction start feasible
 - Provide new tracks and platforms in accordance with enhanced rail operations, including early delivery of needed improvements such as ADA-compliant, low-level run-through platforms
 - Reduce project costs through shortened construction durations and other means
 - Minimize construction-based risks (cost escalation, change orders, schedule delays, safety risks)
 - Optimize the durations and types of disruptions to deliver the greatest amount of public benefit most quickly
 - Reduce noise, inconvenience and disruptions in the areas surrounding the station
- Study scope to accomplish these goals should include:

- Greater use of temporary track work, use of off-site real estate for staging and lay-down, alternative work sequencing, hybrid excavation concepts combining both open cut and top-down excavation techniques, and other measures
- Analysis of integrated construction approaches for the air rights and station projects combined
- Immediate steps for collection of additional required data or determination of existing conditions including below-grade conditions
- Investigation of alternate locations in which temporary parking and/or bus facilities can be provided
- Exploration of greater use of work trains instead of dump trucks

Comment Matrix

We have included specific comments about various analyses, data and statements in an attached Comment Matrix. These comments are organized to follow the specific chapters and appendices of the SDEIS, and noted with the following characterizations:

Corrections: Information in the SDEIS that we believe is in error and needs correction

Clarifications: Information that is unclear to us and should be considered for modification in the FEIS to avoid confusion

Recommendations: Specific recommendations for additional mitigation measures or changes to SDEIS text and mitigations

Comments: Notes on elements in the SDEIS that we believe are worth commenting on, but which we do not suggest be re-analyzed or modified in the FEIS

Exhibit A

Record of Communications

Matt Klein

From: Matt Klein
Sent: Friday, May 26, 2023 5:06 PM
To: Nissenbaum, Paul (FRA); allison.fultz@dot.gov; David Valenstein (david.valenstein@dot.gov)
Cc: David Tuchmann; Coburn, David (DCoburn@steptoe.com); Michael Friedberg (mike.friedberg@hklaw.com)
Subject: FRA - Akridge Property letter proposed changes - 5.26.23
Attachments: 23-0526 Property Letter Proposed Changes (002).docx

Paul, Allison, and David –

Thank you very much for your time this afternoon. As discussed, attached are our suggested edits to the April 18 letter. I am hopeful that these adjustments find an acceptable balance.

Very happy to discuss.

Enjoy the holiday weekend.

Best,

Matt

Matthew J. Klein President and CEO
601 Thirteenth Street, NW, Suite 300, Washington, DC 20005
T 202.624.8612 E mklein@akridge.com Akridge.com

AKRIDGE

Invested.



U.S. Department
of Transportation
Federal Railroad Administration

1200 New Jersey Avenue, SE
Washington, D.C. 20590

April 18, 2023

VIA EMAIL

Akridge
Attn: Matthew Klein, President and CEO
601 Thirteenth Street, NW, Suite 300
Washington, DC 20005
MKlein@akridge.com

Dear Mr. Klein:

The Federal Railroad Administration (FRA) appreciates the recent discussions about the Washington Union Station Expansion Project (SEP) and Akridge's development project. As you are aware, the United States of America, acting through FRA, owns the Washington Union Station historic station building and Claytor Concourse; the parking garage, bus facility and underlying real property; and a portion of the rail terminal north of the historic station building. As a result, FRA is the lead agency preparing the Environmental Impact Statement (EIS) for the proposed SEP.

All SEP action alternatives, which FRA identified through a robust alternatives evaluation process including public and stakeholder coordination, require portions of Akridge property for SEP elements or access. The SEP action alternatives also include the creation of various amounts of developable air-rights within Federal property, which FRA may potentially develop, lease, transfer, or dispose of. The SEP action alternatives identify some air-rights that would be used for development and open spaces, while other areas are needed for circulation that complements the expanded station complex.

Moving forward, as project delivery conversations begin in earnest, FRA, the Union Station Redevelopment Corporation (USRC), and Akridge can consider a range of options to structure air-rights ownership and control for development. Potential property transactions might involve property purchase and sale, property exchanges, or other commitments of property rights, ~~which may include continuing Federal (or USRC) interest in air rights development.~~

FRA recognizes the potential benefits of a unified approach to air-rights development including integrated project reviews and approvals, coordination of vehicular, bicycle and pedestrian circulation elements, and construction and engineering efficiencies. ~~Recognizing that you prefer a property exchange, at~~ At the appropriate time, FRA will consider making ~~intends to~~ make portions of the Federal air rights not necessary for the SEP available for commercial buildings and related public spaces as part of an exchange for the portions of Akridge property that are required for SEP elements or access. This intention to exchange property is non-binding.



**U.S. Department
of Transportation**

Federal Railroad Administration

**1200 New Jersey Avenue, SE
Washington, D.C. 20590**

Progress at Washington Union Station is an important priority for FRA and the U.S. Department of Transportation. FRA looks forward to continuing to work with USRC and Akridge to address the complexities associated with advancing the station and air rights development projects.

If you have any questions, please feel free to contact me at 202-493-6312.

Sincerely,

A handwritten signature in blue ink that reads "Paul Nissenbaum".

**Paul Nissenbaum
Chief Development Officer and Associate Administrator
Office of Railroad Development**

Matt Klein

From: Matt Klein
Sent: Thursday, March 16, 2023 5:11 PM
To: Valenstein, David (FRA)
Cc: David Tuchmann
Subject: RE: Draft letter
Attachments: FRA property letter - draft edits 3.16.23.docx; FRA property letter - draft edits 3.16.23 clean.docx

Hi David –

I apologize that I am delayed in providing you draft edits to your proposed property letter – these suggested edits are attached (both red line and clean). I think these edits are all pretty self-explanatory, but would very much welcome the opportunity to discuss at your convenience. Should also footnote that we have not, at this point, had our attorney review – will probably need to go through this step at some point, but wanted to prioritize business intent.

Thanks,
Matt

Matthew J. Klein President and CEO
601 Thirteenth Street, NW, Suite 300, Washington, DC 20005
T 202.624.8612 E mklein@akridge.com Akridge.com

AKRIDGE

Invested.

From: Valenstein, David (FRA) [mailto:david.valenstein@dot.gov]
Sent: Friday, February 24, 2023 3:37 PM
To: Matt Klein <MKlein@akridge.com>
Subject: Draft letter

Matt, For our call. Thanks.

David Valenstein
Senior Advisor to the Deputy Secretary
Office: (202) 493-6368
Mobile: (202) 689-4319



U.S. Department
of Transportation
Federal Railroad Administration

1200 New Jersey Avenue, SE
Washington, D.C. 20590

February 15, 2023

VIA EMAIL

Akridge
Attn: Matthew Klein, President and CEO
601 Thirteenth Street, NW, Suite 300
Washington, DC 20005
MKlein@akridge.com

Dear Mr. Klein:

The Federal Railroad Administration (FRA) appreciates the recent discussions about the Washington Union Station Expansion Project (SEP) and Akridge's development project. As you are aware, the United States of America, acting through FRA, owns the Washington Union Station historic station building and Claytor Concourse; the parking garage and bus facility and underlying real property; and a portion of the rail terminal north of the historic station building. As a result, FRA is the lead agency preparing the Environmental Impact Statement for the proposed SEP. All SEP action alternatives, which FRA identified through a robust alternatives evaluation process including public and stakeholder coordination, require portions of Akridge property for SEP elements or access. With the use of such property, the SEP can optimize and fulfill important project objectives.

The SEP action alternatives also include the creation of various amounts of developable air-rights within Federal property, ~~which FRA may potentially develop, lease, transfer, or dispose of.~~ The SEP use of Akridge property is a materially contributing factor to the creation of the Federal air-rights property. FRA has determined that these air-rights are best suited for development, circulation, and open space uses which will complement the expanded station complex. FRA and other key project stakeholders recognize the important benefits of consolidating the oversight and planning of all air-rights development areas. These benefits include better clarity in the project review and approval process, coordination of vehicular, bicycle and pedestrian circulation, and construction and engineering efficiencies.

Moving forward, as project delivery conversations begin in earnest, FRA, the Union Station Redevelopment Corporation (USRC), and Akridge ~~can~~ should consider a range of options to structure air-rights ownership, use rights, and control for development. ~~Potential property transactions might involve property purchase and sale, property exchanges, or other commitments of property rights, which may include continuing Federal (or USRC) interest in air-rights development.~~ Both horizontal and vertical property lines would be considered and likely adjusted. ~~FRA understands that Akridge prefers a property exchange and to cohesively plan for the Federal and private air rights development~~ FRA and Akridge share a mutual intent of completing a transaction that equitably exchanges Akridge property rights, use or access required by FRA for control and use of developable air-rights within Federal property. FRA and Akridge both recognize this shared intent is conceptual and non-binding.

Progress at Washington Union Station is an important priority for FRA and the U.S. Department of Transportation. FRA looks forward to continuing to work with USRC and Akridge to address the complexities associated with advancing the station and air-rights development projects.

If you have any questions, please feel free to contact me at 202-493-6312.

Sincerely,

Paul Nissenbaum
Chief Development Office and Associate Administrator
Office of Railroad Development

Matt Klein

From: Matt Klein
Sent: Thursday, October 27, 2022 2:34 PM
To: paul.nissenbaum@dot.gov
Subject: FW: WUS property MOU - draft
Attachments: fra mou draft 5.24.22.docx

Hi Paul

I hope all is well. I wanted to follow-up on the property matters relative to Washington Union Station Expansion Project (SEP). There has been no activity on this matter since our call last June.

This continues to be a priority for us, Paul, as the SEP consumes such a significant portion of our project. I believe that, one way or another, the FRA is going to have to resolve the open matter of how it will obtain the property that is included in the SEP. We have been fielding questions on this by stakeholders and expect this will become even more visible as the EIS moves toward completion.

We continue to be big cheerleader for the recent FRA work around the revised Preferred Alternative and are pleased with how well this new plan has been received by the key stakeholders. The property exchange continues to be an open sensitivity. As discussed last June, not necessarily looking for a definitive agreement at this point. Our draft was an attempt to provide a simple outline of expectations. As with many things involving the SEP, I recognize that there may be no established precedent for how FRA approaches this subject. With good will and effort, I believe this subject can be advanced in an acceptable manner.

Would welcome opportunity for meeting/call to discuss how we might advance.

Thanks, Paul.

Best,

Matt

From: Matt Klein
Sent: Tuesday, May 24, 2022 10:40 AM
To: diana.lopez@dot.gov; Nissenbaum, Paul (FRA) <paul.nissenbaum@dot.gov>; jamie.rennert@dot.gov; David Valenstein (david.valenstein@dot.gov) <david.valenstein@dot.gov>
Cc: David Tuchmann <dtuchmann@akridge.com>
Subject: WUS property MOU - draft

Diana, Paul, Jamie and David

First, I want to again convey our appreciation for the work that David Valenstein has put forth over the last year in shepherding the evolution of the WUS SEP. We are well aware of the breadth of the stakeholder perspectives that needed to be balanced to make progress on an updated Concept Plan. I am eager to see the latest results of this work product as it is unveiled in June.

Many months ago, we discussed the need to advance discussions around how we deal with the property matters that are created as a result of the WUS SEP. During this discussion, we committed to generate an initial draft of a Memorandum of Understanding (attached) that would frame our understanding and expectation around a path forward in resolving these property matters.

We look forward to discussing this draft at your earliest convenience.

Best,

Matt

Matthew J. Klein President and CEO
601 Thirteenth Street, NW, Suite 300, Washington, DC 20005
T 202.624.8612 E mklein@akridge.com Akridge.com

AKRIDGE

Invested.

Matt Klein

From: Matt Klein
Sent: Tuesday, May 24, 2022 10:40 AM
To: 'diana.lopez@dot.gov'; Nissenbaum, Paul (FRA); 'jamie.rennert@dot.gov'; David Valenstein (david.valenstein@dot.gov)
Cc: David Tuchmann
Subject: WUS property MOU - draft
Attachments: fra mou draft 5.24.22.docx

Diana, Paul, Jamie and David

First, I want to again convey our appreciation for the work that David Valenstein has put forth over the last year in shepherding the evolution of the WUS SEP. We are well aware of the breadth of the stakeholder perspectives that needed to be balanced to make progress on an updated Concept Plan. I am eager to see the latest results of this work product as it is unveiled in June.

Many months ago, we discussed the need to advance discussions around how we deal with the property matters that are created as a result of the WUS SEP. During this discussion, we committed to generate an initial draft of a Memorandum of Understanding (attached) that would frame our understanding and expectation around a path forward in resolving these property matters.

We look forward to discussing this draft at your earliest convenience.

Best,
Matt

Matthew J. Klein President and CEO
601 Thirteenth Street, NW, Suite 300, Washington, DC 20005
T 202.624.8612 E mklein@akridge.com Akridge.com

AKRIDGE

Invested.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) is made as of [____], 2022 between (i) the Federal Railroad Administration (“FRA”) and (ii) Burnham South, LLC, Burnham Central, LLC and Burnham North, LLC (collectively, “Akridge”).

Recitals:

A. The US Department of Transportation, through FRA, owns the historic Union Station building, its garage, and certain air rights and other rights related thereto (“FRA Property”). FRA is supporting a process to expand, modernize and enhance Union Station, to include a train hall, parking in a new below-grade facility, a new bus facility, pick-up and drop off facilities, bike connectivity and ancillary roads and support facilities (collectively, “SEP”). Portions of the FRA Property are leased by FRA to Union Station Redevelopment Corporation (“USRC”), and Amtrak (“Amtrak”) owns and leases certain rights and interests related to Union Station and the adjoining tracks. USRC and Amtrak are the proponents of the SEP.

B. In 2006, pursuant to Section 9102 of the Balanced Budget Act of 1997, Akridge acquired from the General Services Administration certain air rights north of Union Station for private commercial development (“Akridge Property”). Akridge is developing the Akridge Property as a mixed-use, transit-oriented project known as Burnham Place (“Burnham Place”). Burnham Place is a private development, not subject to FRA approval or review.

C. In June, 2020, FRA published a Draft Environmental Impact Statement (“DEIS”) for the SEP. As part of its review of the DEIS, the National Capital Planning Commission (“NCPC”) (a cooperating agency important to the NEPA process in the National Capital Region) requested that FRA work more closely with Akridge to ensure that FRA’s plans for the SEP and Akridge’s plans for Burnham Place are optimized. FRA and Akridge executed the Washington Union Station Expansion Project Collaboration Agreement dated January 13, 2021 (“Collaboration Agreement”). Pursuant to the Collaboration Agreement, FRA developed a program and plan for the SEP that maximizes the public benefits of the SEP while managing impacts of the SEP on Burnham Place.

D. FRA considered the extensive inventory of comments received as part of the DEIS public comment period as well as input from stakeholders received throughout the process of generating an updated concept plan. The current draft concept plan is attached to this MOU as Exhibit A (“Concept Plan”). The Concept Plan envisions an expanded and revitalized Union Station as a multi-modal transportation hub that will serve residents in and visitors to the Nation’s Capital for decades to come.

E. Implementation of the Concept Plan and achievement of the related public benefits would require that portions of the Akridge Property be incorporated into the SEP (whether by transfer of title, lease, grant of easements or other rights and encumbrances). As a result, the Concept Plan would significantly reduce the potential development density of the Akridge Property and impose material encumbrances on the Akridge Property. At the same time, the Concept Plan results in portions of the FRA Property becoming unnecessary for

implementation of the SEP. These excess portions of the FRA Property could be incorporated into the Akridge Property (whether by transfer of title, lease, grant of easements or other rights and encumbrances) so as to offset the adverse impacts of the SEP on the Akridge Property.

F. Akridge seeks to reach a fair and equitable agreement with FRA on the terms and conditions pursuant to which FRA would receive portions of the Akridge Property to incorporate into the SEP in exchange for transferring excess portions of the FRA Property to Akridge for use in connection with the development of Burnham Place.

G. This MOU sets forth certain preliminary understandings between FRA and Akridge, with the objective of establishing general principles and a framework that will enable each party to continue to advance the development of its respective project.

Understandings:

FRA and Akridge have reached the following preliminary understandings:

1. SEP Concept Plan. The Concept Plan is attached to this MOU as Exhibit A. FRA and Akridge acknowledge that the Concept Plan will require further modification and refinement as the program, site plan and design for the SEP is more fully defined by FRA during NEPA and other federal review processes, and as the plan for Burnham Place is more fully developed and refined by Akridge. Following execution of this MOU, FRA and Akridge will continue to work together pursuant to the Collaboration Agreement to ensure that the development of each project can continue to advance while managing the adverse impacts that each project may have on the other.

2. Framework Agreement and Exchange.

a. FRA and Akridge acknowledge that development of the SEP as contemplated by the Concept Plan requires the use by FRA or its designees of portions of the Akridge Property. FRA's use of such portions of the Akridge Property significantly enhances the design, passenger and visitor experience, functionality and efficiency of the SEP. Akridge and FRA will work together to determine the specific rights (collectively, "Akridge Rights") that are necessary to support such use. Such Akridge Rights may include the acquisition or leasing of air rights from the Akridge Property, the grant of easements and rights of way over the Akridge Property, and/or other encumbrances on the Akridge Property.

b. FRA and Akridge further acknowledge that the Concept Plan developed by FRA in connection with the SEP will result in portions of the FRA Property becoming unnecessary for implementation of the SEP, and therefore excess property. Such excess FRA Property and/or the right to use the same (collectively, "FRA Rights") may include the acquisition or leasing by Akridge of air rights from the FRA Property, the grant of easements and rights of way over the FRA Property, and/or other encumbrances on the FRA Property. [Given the multiple adjacencies and complexity of the respective FRA and Akridge projects, it is impractical for a third party to control the excess FRA Property.]

c. In order to make the Akridge Rights available to the SEP, and to manage the resulting adverse impacts on the Akridge Property, FRA and Akridge will pursue an exchange of the Akridge Rights for the FRA Rights (“Exchange”). The Exchange will allow FRA and Akridge each to continue the independent development of its respective project, while at the same time strategically managing the impacts that each project has on the other.

d. Promptly following execution of this MOU, FRA and Akridge (with the involvement of such other Union Station stakeholders as may be appropriate) will negotiate the terms and conditions of an agreement (“Framework Agreement”) that establishes the general terms and conditions of the Exchange. The Framework Agreement will include the following:

(i) A schedule of milestones for drafting, negotiating, finalizing and executing an agreement that provides the terms and conditions of the Exchange;

(ii) A process for finalizing the scope of the Akridge Rights and the FRA Rights that will be the subject of the Exchange, and the nature of those legal rights (fee simple, lease, easement, etc.) and other related property agreements that will be necessary to complete the exchange and enable the execution of each project;

(iii) A process for establishing fair and equitable terms and conditions for the Exchange, including the valuation of the Akridge Rights and the FRA Rights to be exchanged; and

(iv) A process for including USRC, Amtrak and other stakeholders as necessary to finalize the Framework Agreement and timely complete the work streams contemplated by the Framework Agreement.

4. Other Stakeholders. FRA and Akridge acknowledge that the involvement and cooperation of USRC, Amtrak and other stakeholders will be required to advance the development of the SEP and Burnham Place projects. FRA will endeavor to promote and coordinate the support and involvement of USRC, Amtrak and any other federal interests in such process. If FRA assigns or delegates control of any portion of the FRA Property, or if Akridge assigns or delegates control of any portion of the Akridge Property, such assignment or delegation will be subject to the understandings set forth in this MOU.

5. Not Legally Binding. This MOU does not confer any rights upon FRA, Akridge or any other individual or entity and is not intended to create any rights, benefits or other responsibilities, either substantive or procedural, nor is it enforceable at law or equity by either party against the other, including the United States, its agencies its officers or any other person.

The undersigned acknowledge that they have reviewed the foregoing MOU and agree to the terms and conditions set forth therein. Modifications to this MOU will be coordinated with and approved in writing by the undersigned.

FRA:

Federal Railroad Administration

By: _____

Name: _____

Its: _____

Akridge:

Burnham South, LLC, Burnham Central, LLC, and
Burnham North, LLC

By: _____

Name: Matthew J. Klein

Its: Authorized Signatory

List of Exhibits:

Exhibit A Concept Plan

Exhibit A
Concept Plan

[NTD: Attach Concept Plan as of execution of MOU]

June 20, 2023

Mr. Paul Nissenbaum
Associate Administrator for Railroad Development
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Mr. Nissenbaum:

We are writing to encourage FRA to clearly state at forthcoming public engagements what we believe is intended, and in fact implicit in the May 12, 2023 Supplemental Draft Environmental Impact Statement (SDEIS): that the Preferred Alternative depends on a unification and exchange of private and federal air rights. Please note that we are not asking FRA for a binding commitment at this time, but rather only to clarify that the Preferred Alternative, and its associated public benefits, depends on a unification and exchange of those development rights occurring.

As you are aware, the 2020 Union Station Expansion Project (SEP) DEIS plan encountered opposition by local, public, private and federal stakeholders. One of the material issues raised by approval authorities (National Capital Planning Commission (NCPC), DC State Historic Preservation Office (SHPO), the District of Columbia City Council, and others) was the lack of integration between the SEP and private air rights development. As a result, these approval authorities asked FRA to collaborate with Akridge to resolve shortcomings of the 2020 DEIS plan and to demonstrate how the SEP and air rights development would be integrated.

In 2021 Akridge agreed to collaborate to resolve the concerns raised by the 2020 DEIS. Along with the FRA, Union Station Redevelopment Corporation and Amtrak, we coordinated on the development of what became the new Preferred Alternative in the SDEIS. This Alternative includes the use of half (about three acres) of Akridge's property south of H Street. Akridge agreed to advance and support this Alternative provided that the excess federal air rights property (two acres which are not needed for station functions directly because of SEP use of Akridge property) would be exchanged with Akridge in return for use of its property. In fact, when we began our collaboration with FRA, all parties agreed to ignore property lines in order to develop the best SEP possible with a complementary air rights vision. In doing so, Akridge did not favor our existing property rights within the planning process. We even accepted that, even with an exchange, our future development rights in total could decrease.

At the same time, Akridge has frequently communicated to FRA that in order for the SEP to achieve the public benefits desired by stakeholders, all air rights development must be planned and executed under unified ownership. Without such consolidated control, the viability of all air rights development is at risk. We believe that FRA has recognized this to be the case and, as noted, the Preferred Alternative rests on such an exchange as a practical matter and could not move forward without it.

As you are well aware, there are compelling reasons that make a property exchange and integrated air rights development essential to its feasibility:

- **Approvals and Public Engagement** – one primary developer must plan and propose a cohesive air rights development plan. Proposed building massing, sight lines, view corridors, open space

character, and circulation patterns must be comprehensively planned and described to approval agencies and the public. Project reviewers will already face the challenge of assessing SEP and air rights components under separate processes and standards. Splitting the air rights development and open space reviews (if this would even be possible) would require three separate public reviews, all within overlapping site areas.

- **Technical Complexity** – air rights development will be placed atop a layer cake of supporting functions and station program. Consolidated air rights planning strategies must be employed to address: ventilation, security, threat and risk management, parking, loading, utility provisioning, stormwater management, structural and foundation design, construction phasing and impact mitigations, sustainability and resilience, private financing, and many other fatal flaw level project implementation matters. Independent sponsorship of multiple air rights properties would yield redundant infrastructure and prohibitively complicated coordination.

The SDEIS also references a large inventory of substantial public benefits which arise in the SEP only as a direct result of a viable, unified air rights development plan. Some of these benefits include: a naturally-lit bus facility directly integrated with the Train Hall; a symmetrical public space commensurate with the station’s historic and architectural significance; and extensive skylighting above the two-block long central concourse. In the SDEIS FRA states these project elements directly address important stakeholder concerns and minimize or eliminate potential adverse impacts. For example, with respect to land use impacts, the document states:

“The potential future transfer and development of the Federal air rights would have a major beneficial impact on land use in the Project Area. It would replace an automobile-focused use with residential and commercial uses more consistent with their surroundings, including the private air rights development. As such, it would become part of a new vibrant neighborhood to the north of WUS, within which the expanded station would be seamlessly integrated” (SDEIS at 5-66).

Akridge is deeply concerned that the SDEIS does not identify an unambiguous intent by FRA to unify air rights development and to do so via a property exchange in order to ensure these project benefits are realized. The FRA recognizes that private air rights owned by Akridge are required to accommodate the Preferred Alternative and recognizes too that federal air rights would be available for transfer and development. However, the document describes such transfer as “potential,” and does not explicitly state that an exchange of air rights with Akridge and unified development is an essential prerequisite for the SDEIS Preferred Alternative to move forward. We are confident that you would agree that the public benefits described in the SDEIS are not achievable absent such an integrated plan.

Further, the SDEIS states that the adverse impact resulting from the removal of 2.9 acres from Akridge’s property is “minor” because the coordination between FRA and Akridge in the development of the Preferred Alternative results in “*ensuring that, although sizable, the reduction would not preclude developing the remaining air rights*” (SDEIS at 5-62). Stated differently, this passage claims that independent development of the federal and private air rights parcels is feasible and acceptable to Akridge. This statement is clearly incorrect as Akridge has frequently conveyed to FRA that separate development is not feasible and certainly not acceptable to Akridge. Given that absent unified ownership, all air rights development is infeasible, property impacts of an independent development scenario would be among the most “major” impacts assessed in the EIS, and the benefits described above would not be realized.

AKRIDGE

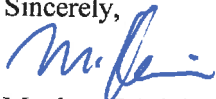
Invested.

We also note that throughout the past three years, the FRA has extensively engaged with many stakeholders to refine the Preferred Alternative to mitigate or avoid adverse impacts to other parties. In these cases, specific programmatic changes have been made and other options foreclosed. These changes or mitigations are now documented without qualification or ambiguity in the SDEIS. We believe that the feasibility of air rights development, creation of a central civic space, and avoidance of major property impacts are of sufficient public value to warrant clear assurance that FRA intends to unify and integrate the air rights properties, as we understand FRA anticipates.

In short, Akridge has and continues to support the SDEIS Preferred Alternative provided that the FRA demonstrates its intention to consolidate control of the air rights development through a property exchange. So that we may continue what we believe has been a constructive engagement with FRA, we ask that FRA eliminate the ambiguity that its SDEIS has created on the property exchange and development issue. Specifically, we ask that FRA clarify at forthcoming public meetings and engagements its intention to unify ownership and development of the air rights through a property exchange. Doing so will allow all stakeholders, including Akridge, to evaluate the new Preferred Alternative with clarity around the feasibility of the air rights development and its integral presence and benefits.

We appreciate your continued engagement in this important subject and, in advance of the forthcoming public meetings, are eager to meet this week to continue discussions.

Sincerely,



Matthew J. Klein
President and CEO

CC: David Valenstein, Senior Advisor to the Deputy Secretary, USDOT
Allison Fultz, Chief Counsel, Federal Railroad Administration
Doug Carr, CEO, Union Station Redevelopment Corporation
Stephen Gardner, CEO, Amtrak

Akridge - SDEIS Comment Matrix
July 6, 2023

Document	Section	Page/Line	Classification	Comment
SDEIS	ES.5	Page v 79-81	Correction	Our understanding is that no trains, or portions of trains, would be located inside the train hall.
SDEIS	3.1	Page 3-3 Note 14	Correction	Akridge air rights start 70'-80' above sea level, not "above the tracks" as stated
SDEIS	3.3	Page 3-12 Line 315-320	Correction	Akridge's program for the air-rights shows 2.7M total (private air rights and federal property); Out of the 2.7M, approx. 2.2M are private air-rights and approx. 500,000 are federal SF. Akridge's program for hotel totals 385,000 SF (not 608,000 SF) with a total of 453 keys (253 south of H Street and 200 north of H Street)
SDEIS	5.5.1.1	Page 5-20 Line 867-871	Clarification	Per operations modeling in previous DEIS appendixes Akridge understands that private rail cars will not be allowed in the terminal during its reconstruction.
SDEIS	5.5.1.4	Page 5-23 Line 936-940	Recommendation	Add to mitigation measures that USRC to incorporate measures to ensure that regular PUDO traffic normally accommodated at the train hall can be effectively diverted to the below-ground PUDO facility during the identified special events occurring 5 to 10 days a year. Measures should include a goal that station PUDO traffic does not divert onto the air rights streets and disrupt air rights resident, tenant, loading, and emergency vehicle circulation.
SDEIS	5.5.1.6	Page 5-24 Line 984-986	Comment	Akridge's belief is that the below grade PUDO facility is expected to significantly improve pedestrian conditions at street level by removing high traffic volume from immediately adjacent to the station
SDEIS	5.5.1.6	Page 5-24 Line 989-991	Recommendation	Pedestrian access should also be provided on the east side of WUS, either at the existing retail concourse, the historic headhouse, or at the new train hall
SDEIS	5.5.1.9	Page 5-28 Line 1080-1082	Comment	Akridge and DCOF studies noted availability of up to 5000 off-site parking spaces. These could be available for use during construction, or similar to air travel, could provide long-term parking for passengers using parking search apps (as is likely already occurring at Union Station).
SDEIS	5.8	Page 5-55 Line 1711- 1713	Clarification	The analysis apparently does not include comparative estimates for vehicular travel replaced by increased use of bus and rail (reducing carbon emissions), and also take into account an estimate of greening the grid and transformation to an electrified vehicle fleet, in assessing energy use? The SDEIS shows adverse impacts on energy resources, but does is account for these major changes that will occur by project completion? Clarification of the estimates that were used in the assessment for these items would assist in future studies of GHG impacts.
SDEIS	5.9.1.3	Page 5-64 Line 1874-1878	Comment	Beneficial impacts will be enhanced/ensured if station spaces have useful, neighborhood serving retail and if the station is used for circulation between neighborhoods and does not become a barrier separating neighborhoods.
SDEIS	5.12.1.2	Page 5-94 Line 2372-2376	Comment	The Preferred Alternative would have a moderate or even major beneficial visual impact on First Street, NE, with removal of the upper and non-original portion of the Burnham wall between the historic station and H Street. This would allow the original Burnham Wall in this location to be restored to its original height and configuration, or very close to the same. This result, along with the proposed setbacks from First Street, NE for new buildings in the federal air rights, would potentially result in a net beneficial physical impact to the Burnham Wall and station setting.
SDEIS	5.12.2	Page 5-97 Line 2502-2523	Comment	A number of factors can determine whether there will be a moderate adverse visual impact of the Federal air rights on the U.S. Capitol Dome viewshed, including the massing and character of the federal air rights buildings, and the material, reflectivity, variety, scale and arrangement of the buildings. The simple metric of visible/not visible should not be the singular defining definition of impacts, when the factors noted here are at least as determinative of impacts, if not more so. With appropriate design, the potential may exist that the Federal air rights could have a minor or moderate beneficial visual impact compared to the existing parking garage north of the historic station building.
SDEIS	6.6.3.2	Page 6-9 3889-3890	Comment	FRA should determine and state in the FEIS if the location of the access portal in the western wall providing access to and from below-grade parking is in the original Burnham Wall or in a portion that was reconstructed when the power plant was demolished.
SDEIS	7.1	Page 7-3 Table 7-1 No. 13	Clarification	The determination of rescheduling or cancellation is unclear in terms of their frequencies and durations; whether one type of cancellation vs another may have greater or lesser impacts. The FEIS should clarify that schedules and cancelations offer potential flexibility for construction phasing and the impacts of any particular one of these can be minor or major
Appendix C3aS	Supplemental Visual Assessment	General	Recommendation	Arkidge suggests adding a qualifying note within the SDEIS Appendix C3aS stating that the private air-rights massing shown for the purposes of the Aesthetics and Visual Quality was provided by Akridge as indicative and illustrative of only one potential air-rights massing scenario.
Appendix C3aS	Supplemental Visual Assessment	View 1	Comment	Akridge appreciates the note that "the aesthetic and visual impact changes as one approaches WUS." From many vantage points, views are framed and obscured by buildings, trees and other stationary streetscape features. One conclusion is clear, when approaching the historic station from the south – from First St NE, Delaware Ave NE, and Louisiana Ave NE – a large expanse of the façade and vaulted roof of the historic station is only revealed when approaching close to Columbus Circle. From this in-close proximity, the air-rights behind the Washington Union Station are largely, if not completely, obscured by the historic station's grand façade (with the air rights massing in Alternative F, visibility of the air rights from within or on the edges of Columbus Circle would occur only at its far east and west ends, where a view of the side of Union Station can be seen). The Preferred Alternative, which places SEP program within the southernmost areas of existing private air rights, effectively pushes private air-rights development significantly further north, thereby decreasing air-rights visibility from south of the historic station compared to the no-action alternative.
Appendix C3S	1.7	Page 1-12 Line 249	Correction	The table shown is incorrect. Private air rights square footages are shown with the Federal Air Rights Development square footage.
Appendix C3S	5.4.1.1	Page 5-10 Line 967	Correction	Akridge's program for hotel totals 385,000 SF (not 608,000 SF) with a total of 453 keys (253 south of H Street and 200 north of H Street)

Akridge - SDEIS Comment Matrix
July 6, 2023

Appendix C3S	5.5.1.4	Page 5-30 Line 1364-1370	Comment	Akridge is concerned that extended use beyond 5 to 10 times annually could impact circulation for the air rights. There needs to be additional considerations including but not limited to intersection function and pedestrian flow. A system will need to be established for future negotiation/prevention of expansion of this proposed use.
Appendix C3S	5.5.1.12	Page 5-44 Line 1698-1702	Recommendation	Recommend for USRC to work with the air rights developer on traffic modeling and planning for H Street intersection mitigation measures.
Appendix C3S	NA	Page 5-71 Table 5-48	Recommendation	Add note that the H Street bus stops need to be coordinated with Akridge due to limited sidewalk space, security elements, and potential bicycle infrastructure needed in these areas.
Appendix C3S	NA	Page 5-72 Table 5-48	Recommendation	Verify that MPD and DPW would have adequate staffing for long term enforcement of PUDO zones on First Street and Second Street.
Appendix S1	1.1	Page 2 Line 31-34	Comment	Akridge concurs with the FRA program of approximately 500 spaces on one-level below grade.
Appendix S2	NA	General	Comment	Akridge understands that the SDEIS, as a document describing and assessing the environmental impacts of the Station Expansion Project, is necessarily focused on the proposed public project and is largely silent on surrounding urban design and private air-right integration. As Akridge has emphasized throughout the EIS process, the whole should be greater than the sum of its parts, with the parts including SEP, Columbus Circle, the historic station, the surrounding city and private air-rights.



July 6, 2023

Amanda Murphy
Deputy Federal Preservation Officer
Office of Federal Railroad Policy and Development
USDOT Federal Railroad Administration (MS-20)
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Amtrak Comments on Washington Union Station Expansion Project Draft Programmatic Agreement

Dear Ms. Murphy:

Amtrak has received the Washington Union Station Expansion Project (SEP) Draft Programmatic Agreement (PA), developed during consultation under Section 106 of the National Historic Preservation Act (Section 106), which was included as an appendix to the Supplemental Draft Environmental Impact Statement (SDEIS) for comment by the Section 106 Consulting Parties. Amtrak is a project proponent of SEP in coordination with Union Station Redevelopment Corporation (USRC), owns and operates certain assets involved in or directly affected by the Project, and may have roles and responsibilities in the implementation of the PA. Given Amtrak's status in SEP, the Federal Railroad Administration (FRA) has invited Amtrak to sign the PA as an Invited Signatory.

Amtrak in coordination with USRC is committed to advancing the delivery and implementation of new railroad infrastructure proposed by SEP. The design guidelines proposed by the PA are appropriate given the magnitude and complexity of SEP however to ensure continuity of design they must be consistent across all instruments related to delivering SEP, not just exclusive to the federal air rights. Additionally, the Preferred Alternative proposed by SEP requires consolidation of property ownership to facilitate project execution, FRA should give thought to providing a mechanism in the PA or other document to provide a pathway for resolution of property interests.

Included as an attachment to this letter are Amtrak's line-by-line comments on the PA. Amtrak appreciates the opportunity to provide input into the drafting of the PA and encourages FRA to revise language as appropriate to ensure that the PA fosters advancement of the SEP while appropriately considering effects to historic properties. Amtrak looks forward to continued engagement with FRA and other Consulting Parties through the revision and finalization of the PA.

Sincerely,

A handwritten signature in cursive script that reads "Jeannie Kwon".

Jeannie Kwon
Amtrak
Vice President, Stations, Capital Delivery

Attachment: Draft PA Comment Matrix

Cc: Michael Stern, Amtrak
Johnette Davies, Amtrak



Government of the District of Columbia
**Advisory Neighborhood
Commission 6C**

July 6, 2023

Ms. Amanda Murphy
Deputy Federal Preservation Officer
Office of Federal Rail Policy and Development
USDOT Federal Railroad Administration (MS-20)
1200 New Jersey Avenue SE
Washington, DC 20590

VIA EMAIL TO: info@WUSstationexpansion.com

Re: Washington Union Station Expansion Project: Supplemental Draft Environmental Impact Statement, Draft Programmatic Agreement, Draft Section 4(f) Evaluation

Dear Ms. Murphy,

Advisory Neighborhood Commission 6C appreciates the opportunity to provide comments on the Supplemental Draft Environmental Impact Statement (SDEIS), Draft Programmatic Agreement and Draft Section 4(f) Evaluation for the Washington Union Station Expansion Project.¹ **ANC 6C strongly supports the overall goals of this important and much needed project and has closely monitored its progress.**

As stated in testimony to the National Capital Planning Commission on July 5, 2022, ANC 6C is very pleased with the significant adjustments that have been made in the project design since the release of the previously proposed Alternative A-C in 2020. These improvements include the greatly reduced parking program located with a Pick Up/Drop Off (PUDO) facility below grade; the enhanced, one-level bus station located close to the train hall; the opportunity for a central, open public space south of H Street NE; and the better integration of the multimodal facility into the existing and planned neighborhoods, including more desirable circulation routes in and around the station for vehicles, buses, pedestrians and bicyclists. We thank the FRA for its efforts to make these changes.

While ANC 6C thus supports the SDEIS's revised Preferred Alternative F and appreciates the detailed mitigation measures found in the draft documents, ANC 6C nevertheless urges additional measures be included and clarifications made.

¹ On June 14, 2023, at a duly noticed and regularly scheduled monthly meeting with a quorum of seven out of seven commissioners and the public present via videoconference, the Commissioners voted 7-0 to adopt the views expressed in this letter.

Ensure continued consultation and coordination with ANCs: In developing mitigation measures and meeting project commitments, as set forth in Chapter 7 of the SDEIS, project sponsor Union Station Redevelopment Corporation (USRC) should be specifically directed to consult and coordinate with ANC 6C on matters having an impact on the residents, businesses, and establishments east of the station.² Individuals in this community will be hit hard by the project's construction and will experience the impact of the station's expanded operations.

ANC 6C as their representative is thus an appropriate body with which to coordinate and consult concerning mitigation measures related to transportation management, noise and vibration, and expanded station operations. In particular, USRC should be required to consult with ANC 6C in the development of the Integrated Construction Transportation Management Plan, the development of traffic mitigation measures for intersections in the study area, and the Bus Facility Operations Plan.

Celebrate and enhance the Station as an architectural landmark. The historic Washington Union Station is not only a crown jewel within the ANC 6C area, but also a celebrated architectural masterpiece for the nation as a whole. ANC 6C urges that additional steps be taken to integrate the landmark building into the overall station complex to ensure its continued vitality, including restoration of more of the building's historic fabric and natural lighting, as well as improvement of the east and west terminations of the truncated historic passenger concourse, and restoration of the Columbus Plaza fountains.

As ANC 6C has previously testified, the historic station should retain its primacy as the symbolic and functional center of the larger multimodal facility and its role as a gateway to the nation's capital should be maintained. ANC 6C also encourages the station to include benches for residents and visitors to rest and enjoy the architectural beauty of the station.

Enforce future parking restrictions and other measures related to pick up/drop off operations. Once the expanded station is operational, there must be vigorous enforcement of parking restrictions and other measures to ensure that the below ground PUDO facility anticipated to accommodate about half of station-related PUDO *actually* handles at least half of station-related PUDO. Furthermore, on-scene monitoring, signage and public outreach should be adopted to ensure the PUDO locations in front of Union Station and along 2nd Street NE do not become congested with noise and air-quality impacts adversely impacting the Capitol Hill Historic District.

USRC should be directed to have a plan for ensuring efficient PUDO, involving all vehicles, both during construction and when the expanded station is fully operational. USRC should be responsible for adjusting this PUDO plan as conditions warrant.

Ensure safe accommodations during construction. ANC 6C appreciates design modifications made during the development of the SDEIS's Preferred Alternative F to

² ANC 6C recommends USRC be similarly required to consult and coordinate with ANC 6E, the representative of communities to the west of the station.

increase safety for bicyclists and pedestrians in and around Washington Union Station. While the additional access points, ramps, and vehicle circulation design modifications will be beneficial, ANC 6C urges that traffic management measures in and around the station be continually evaluated during construction and when the expanded station is fully operational with safety concerns being the top priority. ANC 6C strongly supports requiring USRC to work with Amtrak to use construction trains to assist with hauling away excavation materials, to mitigate the potential use of up to 120 daily trucks in the neighborhood, which would greatly impact the safety of pedestrians and bicyclists.

In addition, USRC should ensure robust, hardy treatments for safe accommodations during construction since this is a long-term project. Emphasis on the construction management plan should be placed on safety, rather than the efficient movement of private and for-hire vehicles.

Include future bicycle facilities, such as long-term storage and showers. ANC 6C supports the proposed measures to improve the experience of bicyclists in and around Union Station, including increased bicycle parking and storage, and greatly increased bikeshare availability. To further enhance multimodal use of Union Station, ANC 6C urges creation of a bicycle facility at the station on par with bicycle facilities found at train stations in Europe. Long-term bicycle storage facilities should be included for intercity and long-distance train and bus passengers accessing the station by bicycle.

ANC 6C also recommends consideration of providing shower facilities alongside restrooms for commuters and other travelers in Union Station. Lastly, future bicycle networks around the station should ensure the safety of bicyclists using the heavily-used First Street NE cycle track and where bicyclists navigate around Columbus Circle.

Strongly discourage the use of extra 15 bus slips except in the most extraordinary circumstances. ANC 6C objects to the utilization of the H Street deck and removal of PUDO for 15 additional charter bus slips except in all but the *most* extraordinary circumstances (i.e., no more than once or twice a year). The H Street deck should not be used for bus slips 5 to 10 times a year as contemplated in the draft documents. Neither should the H Street deck be used for predictable or routine events such as the Cherry Blossom Festival or yearly political demonstrations. If the newly enhanced bus facility proves inadequate to provide bus slips for charter buses bringing out-of-town visitors to especially large events, then USRC, the bus carriers, DDOT, and the Mayor's Office of Special Events should find parking and PUDO areas for charter buses at locations adjacent to Blue-Orange-Silver-line Metro stations, such as Stadium-Armory and L'Enfant Plaza, thereby lessening bus traffic congestion experienced by District residents near Union Station.

It should be noted that charter bus passengers such as these from out-of-town have no need for a multimodal connection to Amtrak, VRE or MARC trains. Their travel experience in the District would in fact be enhanced by having direct access to the three Metro lines running closest to the Capitol, the National Mall, and the Tidal Basin, rather than navigating a transfer to the Blue-Orange-Silver lines via the Red line.

Ensure that USRC has sufficient resources. ANC 6C urges that USRC have sufficient resources and authorities to execute both project management and expanded operations successfully. In order for this project to be completed successfully, USRC should have the levels of staff and funding necessary to carry out the responsibilities it is being assigned, including when the expanded station is operational.

Delegate authorities to shorten timeline. Likewise, ANC 6C urges that U.S. Department of Transportation authorities be delegated directly to USRC or to the lowest appropriate USDOT level in order to ensure the construction timetable is as streamlined as possible. If there are ways to bring this long-overdue infrastructure improvement project to a safe and successful completion in fewer than 13 years, ANC 6C strongly recommends those approaches be adopted to shorten the impact of the construction on the nearby communities.

Thank you for the opportunity to comment on these draft documents. ANC 6C remains committed to working with all parties to ensure the Washington Union Station expansion project through to completion.

Sincerely,



Mark Eckenwiler
Chair, ANC 6C

Cc: Congresswoman Eleanor Holmes Norton
Mayor Muriel Bowser
Council Chairman Phil Mendelson
Council Member Charles Allen

July 6, 2023

Ms. Amanda Murphy
Deputy Federal Preservation Officer
Office of Federal Rail Policy and Development
USDOT Federal Railroad Administration (MS-20)
1200 New Jersey Avenue SE
Washington, DC 20590

VIA EMAIL TO: info@WUSstationexpansion.com

Re: Washington Union Station Expansion Project Supplemental Draft Environmental Impact Statement, Draft Programmatic Agreement, Draft Section 4(f) Evaluation

Dear Ms. Murphy,

We are current commissioners and a former commissioner of Advisory Neighborhood Commission 6C. We endorse ANC 6C's comments on the draft Supplemental Draft Environmental Impact Statement (SDEIS), Draft Programmatic Agreement and Draft Section 4(f) Evaluation for the Washington Union Station Expansion Project ("the documents"), adopted on June 14, 2023. We strongly support the overall goals of the Washington Union Station Expansion Project and the Revised Preferred Alternative ("Preferred Alternative F").

However, based on the discussion held during the Consulting Parties meeting of June 29, 2023, we wish to associate ourselves with the comments made by the representatives of the DC State Historic Preservation Office ("SHPO") and the private air rights developer. We thus wish to make the following points expanding upon previous comments and testimony made by ANC 6C concerning the project:

1. Our support for the Expansion Project is predicated on the actual implementation of Preferred Alternative F. Preferred Alternative F is the product of an extensive consultation process with stakeholders and embodies the best approach for meeting the complex goals of this extraordinary and much needed project to create a transportation center well-integrated into a thriving neighborhood within our nation's capital.
2. As noted by the DC SHPO, the Programmatic Agreement should incorporate specific references to Preferred Alternative F to serve as a guide for future implementation of the Station Expansion Project and as the benchmark for determining whether future actions are consistent with, or differ from, what was agreed upon in the Section 106 process.

3. The central civic space north of Washington Union Station found in the preferred alternative is of critical importance to fully realizing the benefits of the Expansion Project, in terms of mitigating the impact on the historic station and in developing a vibrant civic area north of the station. As noted by the DC SHPO, there should be a commitment within the documents on the part of the FRA and the Project Sponsor to work with the private developer and other applicable parties and review agencies to ensure the central civic space is fully realized according to plan.
4. Furthermore, the FRA should make a commitment to reorder the air rights boundaries north of the station between the federal government and the private developer to ensure an integrated development of the air rights and open spaces according to the plan envisioned in Preferred Alternative F. We agree with the private developer that the public benefits associated with Preferred Alternative F cannot be met if the FRA attempts to develop its private air rights independently, or chooses not to develop them at all.
5. Likewise, we believe there should be a commitment in the documents to the development of a consolidated air rights development plan to achieve a cohesive and viable approach to the myriad of remaining issues that must be addressed as the Station Expansion Project and the Burnham Place project move forward.

Preferred Alternative F promises substantial public benefits for which ANC 6C has long advocated, and minimizes many potentially adverse impacts, but these public benefits are dependent upon Preferred Alternative F actually being implemented. We urge the documents reflect a commitment from the FRA to realize the public benefits as intended.

Thank you for the opportunity to comment on the documents.

Sincerely,

Christy Kwan
Commissioner, ANC 6C01

Christine Healey
Former Commissioner, ANC 6C01

Jay Adelstein
Commissioner, ANC 6C03

Tony Goodman
Commissioner, ANC 6C07

Leslie Merkle
Commissioner, ANC 6C02

Cc: Congresswoman Eleanor Holmes Norton
Mayor Muriel Bowser
Council Chairman Phil Mendelson
Council Member Charles Allen

The Committee of 100

on the Federal City



Building on 100 Years of Planning Advocacy

Via email to all and via mail to Ms. Murphy

July 6, 2023

Ms. Amanda Murphy
Deputy Federal Preservation Officer
Office of Federal Railroad Policy and Development
USDOT Federal Railroad Administration (MS-20)
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Ms. Murphy:

Enclosed are comments by the Committee of 100 on the Federal City (C100) on the Supplemental Draft Environmental Impact Statement (SDEIS), Draft Programmatic Agreement, and Draft Section 4(f) Evaluation for the Washington Union Station Expansion Project released by the Federal Railroad Administration on May 12. The main comment refers to two Appendices. While they are included in the email transmission, I could not reduce them to page size for the written submission.

As you will see, our response (including the Appendices) is extensive and reflects the comments of subject matter experts here within C100. We stand ready to discuss these comments with the appropriate officials. Please let me know at the email listed below and I will arrange a meeting.

This project is important to the City, the Region and the Nation and we want to help ensure that the solution is the best possible.

Thank you,

A handwritten signature in blue ink that reads "Shelly Repp".

Shelly Repp
Chair, Committee of 100 on the Federal City
chair@committeeof100.net; 202-494-0948

Cc:
info@WUSstationexpansion.com

Founded 1923

Chair

Shelly Repp

Vice-Chair

Nancy MacWood

Secretary

Pat Tiller

Treasurer

Beth Purcell

Trustees

Carol Aten

Monte Edwards

Alma Gates

Stephen Hansen

Erik Hein

Aidan Jones

David Marlin

Laura Richards

Andrea Rosen

Lance Salonia

Marilyn Simon

Jim Smailes

Kirby Vining, *ex officio*

945 G Street, N.W.

Washington, D.C. 20001

www.committeeof100.net

info@committeeof100.net

Cc's continued

pmendelson@dccouncil.us
callen@dccouncil.us
mfrumin@dccouncil.gov
marcel.acosta@ncpc.gov
anita.cozart@dc.gov
andrew.trueblood@dc.gov
Everett.lott@dc.gov
David.Maloney@dc.gov
Anna.chamberlin@dc.gov
richard.jackson2@dc.gov
matthew.flis@ncpc.gov
joseph.jakuta@dc.gov
claskowski@dccouncil.gov
parisa@empowerdc.org
caphrs420@gmail.com
erikmhein@gmail.com
monte.edwards@verizon.net
jasmailes@gmail.com
tluebke@cfa.gov



Comments Concerning the Union Station Supplemental Draft Environmental Impact Statement

July 6, 2023

The Committee of 100 on the Federal City provides these comments concerning the May 12, 2023, Supplemental Draft Environmental Impact Statement (SDEIS) that supplements the June 2020 Draft Environmental Impact Statement for the Washington Union Station Expansion Project. Washington Union Station is a historic national treasure, a potentially powerful economic driver for the city, a critical piece of the nation’s transportation infrastructure, and an indispensable asset to help our region solve our nation’s transportation challenges of the 21st century. These comments, together with the comments of others reveal critical issues that must be addressed to provide a competent, safe, environmentally responsible, and practicable expansion of Union Station that will better serve rail needs beyond 2040. The Committee of 100 has grave concerns about many key aspects of the proposal including (but not limited to) treatment of passenger and commuter rail operations, faulty analysis of environmental emissions and the impacts of those emissions on adjacent neighborhoods, decisions based on out of date and inaccurate data, as well as failure to account for how Amtrak, Mark and VRE plan to operate. We recommend strongly that this process not proceed to its conclusion until these issues are satisfactorily answered or corrected. These are neither minimal nor inconsequential matters and must be resolved before progressing to a Final Environmental Impact Statement.

Executive Summary

The SDEIS assesses a proposed expansion of the Station proposed by Union Station Redevelopment Corporation (USRC) in coordination with National Railroad Passenger Corporation (Amtrak) that would cost \$8.8 billion and require 14 years to build. The SDEIS evaluates substantial and welcomed changes including (among others) restoration of the historic station house, revitalization of the commercial spaces, relocation of the parking garage, a below-grade bus garage, and other changes affecting vehicular transportation as well as bicycle and pedestrian access. However, in terms of rail operations, the proposal falls significantly short because of the SDEIS’ adoption of the outdated 2020 DEIS.¹ Even when this project began, those

¹ SDEIS, App C3S, page 5-10 *Intercity and Commuter Railroad*

“Amtrak, Metropolitan, MARC, and VRE operations in the Preferred Alternative are those described in the *Terminal Infrastructure (TI) Report* (Appendix B of the 2020 DEIS). “

data and projections were outdated and flawed, and now, three years later, are even more so. Consequently, the SDEIS falls short of meeting the projected needs of rail passengers and the project stakeholders. The Committee of 100 has repeatedly emphasized that rail transportation must enjoy “top” priority in any plan for the proposed Union Station Expansion Project. Therefore, major amendments are needed in the SDEIS to meet this goal. The following is a summary of the detailed comments that follow.

A. Data on which DEIS and thus the SDEIS are Based are Significantly Outdated

Many source documents on which the 2020 DEIS relied upon were prepared as early as 2013 and last accessed by Federal Railroad Administration (FRA) in 2017 and not reviewed by FRA in preparing the SDEIS. Thus, the SDEIS reaches its planning projections on faulty and now inaccurate and outdated data. This must be rectified.

B. Passenger Rail Projections Are Understated

MARC, VRE and Amtrak have all projected they will operate more trains and serve more customers. But the SDEIS does not account for these projections.

C. Separation of Passenger and Freight Rail Is Not Acknowledged

Plans have been developed by Amtrak, CXS, MARC, and VRE that will permit far greater volumes of passenger and commuter rail traffic by meeting the long-anticipated goal of not intermixing passenger and commuter rail with freight rail operations. This change in operations is ignored.

D. The Proposed Trackage is Inadequate for Projected Growth

Union Station was built with 33 tracks. In order to accommodate 30-35-foot-wide platforms, the SDEIS calls for 19 tracks. The need for more tracks must be evaluated, as well as whether such wide platforms are required.

E. Thru-Running Commuter Trains is Not Given Priority

MARC thru-running to Virginia and VRE thru-running to Maryland are inadequately addressed. No VRE trains to Maryland are proposed and only 8 MARC trains thru-running to Virginia are addressed. Track constraints on two MARC lines (Brunswick and Camden) largely prevent thru-running to or from those parts of Maryland are ignored. Alternative options that would allow more thru-running should be considered.

F. Planned Passenger Rail South of Union Station is Not Accounted For

The SDEIS assumes that Acela high-speed rail will have dedicated tracks and platforms within Union Station, serving only the north. We recognize that Amtrak has no plans for Acela south of Union Station, but Amtrak is planning to provide higher speed rail south of Union Station in the future. The SDEIS does not address how that will be accommodated within Union Station in terms of platforms and tracks.

G. Environmental Impacts are Seriously Understated.

The environmental impact calculations have such weaknesses as not identifying how the No-Action emission levels were obtained, not considering Construction emissions, and not considering emissions from increased switching use of the Ivy City rail yard (as discussed in section H). Correcting these weaknesses will change the increased nitrogen oxides (NO_x) emissions levels resulting from the expansion project from below the EPA National Ambient Air Quality Standards' Conformity determination threshold to above it.

H. Harmful Diesel Emissions From Switching Operations are Ignored

Operation of the Ivy City Rail Yard is essential to the operations of Union Station. The switcher engines, critical to the “work” of the Station, are outdated and emit twice the harmful emissions of the combined operations of Amtrak, MARC and VRE at Union Station. But this critical issue is not addressed in the SDEIS because FRA wrongly defined the project area to exclude the Ivy City Rail Yard. The emissions from the Ivy City Rail Yard must be included. This critical environmental issue affecting Ivy City, Trinidad, and Gallaudet residents cannot be ignored. It is not separable.

I. Diesel Emissions Under the Proposed Deck are Not Accounted For

Decking over the tracks will result in an enclosed 20-acre “Train Shed”. The resultant train shed will inevitably trap significant levels of concentrated emissions from the diesel locomotives. Those concentrated emissions will affect the area within Union Station, and if fans are used to exhaust the emissions, they will inundate the air-rights development to be built on the deck as well as much of the North of Massachusetts Avenue (NOMA) and Capitol Hill neighborhoods. This must be mitigated and accounted for in the SDEIS.

J. Inadequate Revenue for Union Station Operations is Not Recognized

Currently, the Union Station Redevelopment Corporation provides operations, maintenance and historic preservation of Union Station. The great majority of the revenue to accomplish that comes from the parking garage. But the existing garage will be closed and then demolished resulting in no revenue during construction. And, after construction the revenue from the new, smaller garage - 450 rather than the 1600 parking spaces assumed in the 2020 DEIS— revenue will be greatly reduced. The SDEIS provides no discussion of how to replace this revenue stream.

K. Impacts on Neighborhood Multi-Modal Transportation Will be Adverse

Vehicular traffic flow within the station and the surrounding neighborhood is already poor. As renovations proceed, traffic is expected to get worse. Improving travel conditions are part of the traffic mitigation studies to be coordinated between USRC and DDOT. However, the traffic analysis reveals that several of the surrounding intersections will still experience unacceptable congestion. The Committee of 100 recommends more attention be devoted to traffic congestion, and that mitigation

should begin sooner rather than later. Improvements along North Capitol Street and in Columbus Circle should not be delayed. Continuous traffic monitoring around the station will be needed to identify adjustments at intersections as necessary.

L. Current Plans and Specification are Insufficiently Developed to Assess Project Impacts on the Historic Station and Neighborhood. Stakeholder Consultation Should Be Broadened. While it is agreed that the project will have an adverse impact on the historic station and immediate neighborhood, the details remain so general that effective comments on potential historic preservation impacts are not feasible at this time. To address this, a Programmatic Agreement has been proposed – however most of design process will exclude current stakeholders/consulting parties with decisions limited to signatories. Because so many details of the project are to be deferred to the future, this is wholly unacceptable and does not meet the intent of Section 106 of the National Historic Preservation Act in that it eliminates meaningful consultation. The Programmatic Agreement should include consultation with stakeholders as a part of the process.

Important Procedural Note

Both the 2020 DEIS and this SDEIS were prepared by the Federal Railroad Administration (FRA). The Committee of 100 and others submitted comments to the FRA critical of how rail operations were treated in the 2020 DEIS.² The FRA did not respond to those comments and now, over three years later, the FRA proposes to not respond to those comments until after this proceeding is concluded and both the Final Environmental Impact Statement (FEIS) and the Record of Decision (ROD) are issued.³ Under such procedures, neither the C100 nor others will have an opportunity to respond to how their comments concerning the 2020 DEIS or this SDEIS will be treated in the Final Environmental Impact Statement. The Committee of 100 strongly recommends that the Final Environmental Impact Statement needs to comprehensively address these concerns We respectfully request that the FRA provide a period of 60 days after issue of the FEIS to allow comments on the FEIS and then allow sufficient time for the FRA to fully respond to those comments in its Record of Decision (ROD) so that the FRA may validly certify, as required by Council on Environmental Quality's National Environmental Policy Act regulations, in the ROD that it considered all of the alternatives, information, and analyses, and objections

² The C100 comments and others, a total of over 100 comments were submitted on September 8, 2020. Because there has been no response to those 2020 comments, some of them are included in these comments, with appropriate updates.

³ SDEIS, page xxi.

“Pursuant to the *Fixing America's Surface Transportation Act* of 2015 (FAST Act), FRA plans to issue a single document consisting of the FEIS and ROD, which contains the Final Section 4(f) Evaluation and the Final PA. The FEIS will respond to all substantive comments received from the public and agencies on both the 2020 DEIS and this SDEIS.”

submitted by public commenters for consideration by the lead and cooperating agencies in developing the FEIS.⁴

Comments Concerning Rail Operations

A. Data on which DEIS and thus the SDEIS are Based are Significantly Outdated

The DEIS references the source documents it relied on in several sections.⁵ But those source documents were prepared as early as 2013 and last accessed by the FRA in 2017 and not reviewed by FRA in preparing the SDEIS. The DEIS' conclusions and, thus, the SDEIS' conclusions are therefore outdated. The DEIS ignores three different plans for the rail system south of Union Station that will affect Union Station operations in the years encompassed by this EIS:

1. The plan that resulted from the December 2019 Agreement between CSX and the Commonwealth of Virginia that the Virginia Department of Rail and Public Transportation (DRPT) will build, own and operate the new two-track Long Bridge river-crossing as well as substantial CSX trackage in Virginia.⁶
2. The Long Bridge FEIS plans to add a fourth track between the Long Bridge and 12th Street SW (FEIS issued September 2, 2020).
3. The L'Enfant Station Expansion Plan will add a fourth track between 12th Street and the entrance to the First Street Tunnel. It is projected to be completed in 2029.⁷

These three plans will result in the long-sought separation of passenger and freight rail operation south of Union Station. This momentous change in rail operations will transform our rail system into a more modern, efficient and inclusive rail network that will better serve the DC region and

⁴ 40 CFR 1500.3(b)(4).

⁵ Federal Railroad Administration. *NEC FUTURE Tier I Final Environmental Impact Statement*. http://www.necfuture.com/tier1_eis/feis/. Accessed June 6, 2017.
Virginia Railway Express. *2014. System Plan 2040*. <http://www.vre.org/vre/assets/File/2040%20Sys%20Plan%20VRE%20finaltech%20memo%20combined.pdf>. Accessed June 6, 2017.
Maryland Transit Administration. 2013. *MARC Growth and Improvement Plan Update: 2013 to 2050*. https://mta.maryland.gov/sites/default/files/mgip_update_2013-09-13.pdf. Accessed June 6, 2017.

⁶ The Long Bridge EIS ROD states at page 2-1: "It is anticipated that the Project will become the responsibility of the new Virginia Passenger Rail Authority, which formed on July 1, 2020, once that body has the staff capable of administering the Project. Should there be a change in Project sponsorship, the new Project Sponsor will assume DRPT's responsibilities."

⁷ The L'Enfant Station Expansion was originally planned for completion in 2023 (Long Bridge DEIS, page 3-16), but the completion date has been extended to 2029.

the East Coast rail network. But this dramatic change in rail operations is completely ignored in the Union Station SDEIS. In fact, the 2020 DEIS not only ignores that change in operation but states the contrary – that passenger and commuter rail operations south of Union Station will continue to be controlled by CSX (Appendix B, page 23):

The 2040 simulation retains operating variability for trains arriving from the south, given assumed continued ownership and dispatch by freight railroads in the future.
[emphasis added]

This description of rail operations is wrong and the planning projections that result from it grossly understate the number of trains that will operate south of Union Station. The Virginia/DRPT and Long Bridge expansion projects are projected to be completed in five years (Long Bridge FEIS, page 1-7) and the VRE L'Enfant Station expansion by 2029. All three projects will be in service during the 14 years required for the Union Station expansion and must be taken into account in plans for the Union Station Expansion.

B. Passenger Rail Assumptions Are Understated

A foundational element of the Union Station expansion must be anticipating and responding to predicted growth in passenger and commuter rail traffic over the next 17 years and beyond. Accurately forecasting that increase is critical. The estimates of the number of trains found on pages 24-25, Appendix A3, [*Final Concept Development and Evaluation Report*], are broken out among Service Providers (Amtrak, MARC, VRE) and further between Peak Hours and Full Day Totals. These projections are critical—underlying most every future physical and service decision covered by this important document. These numbers must be credible and based on documented data. Such appears not the case in the 2020 DEIS and by incorporation, the SDEIS. (1) Some are thinly sourced, if at all. (2) Those estimates provided are derived from varying projection dates—Amtrak's numbers are derived from *Operating Plans for 2030+* (which purports to project to 2039); MARC projections are based on data applicable only through 2029; and **no** documentable projections for VRE are cited whatsoever. (3) Projections cited in Table 7-1 of Appendix B, [*Terminal Infrastructure Report*] are apparently based on the estimates presented in Appendix A3. However, the 2020 DEIS does not explain how they were determined. Is there an algorithm that is not disclosed in the DEIS? The Table 7-1 projections appear low. There is no logical progression from the projections in Appendix A3 to the projections in Table 7-1 of Appendix B. MARC, VRE, and Amtrak each plan for significant increases in the number of trains at Washington Union Station over the next 20 years. The DEIS's numbers must be credible, well sourced, and within the same time frame. They are not.

C. Separation of Passenger and Freight Rail Is Not Acknowledged

The plans and projects now in progress to separate passenger from freight rail operations south of Union Station will allow a very large increase in the number and frequency of passenger trains because they can operate faster and be spaced more closely if passenger and freight operations are not intermixed and controlled by CSX as is now the case on these SW tracks. New York City's Penn Station illustrates the benefits of separating passenger from freight operations. The track arrangement for Penn Station is similar to DC rail operations south of Union Stations, and like DC's First Street rail tunnels, is served by two tunnels (the North River Tunnels) under the Hudson River. In both cases, there are two tunnels with one rail track in each tunnel, one entering and one exiting the rail stations. The contrast is clear: DC's First Street tunnels now carry a total of about 6 trains per peak hour, under the control and scheduling of CSX,⁸ whereas NYC's North River Tunnels accommodate up to 24 trains per hour in each direction, a total of 48 trains in a peak hour, requiring very precise scheduling and control. This passenger-only operation south of Union Station would allow an eight-fold increase in passenger and commuter rail traffic south of Union Station. It is essential to account for this capacity increase in planning the expansion of Union Station to accommodate trains arriving from and serving the south.

D. The Assumed Trackage is Inadequate for Projected Growth

Because of the significant under-projections based on outdated assumptions and information, the DEIS Preferred Alternative assumes too few tracks – a total of 19 revenue tracks.⁹

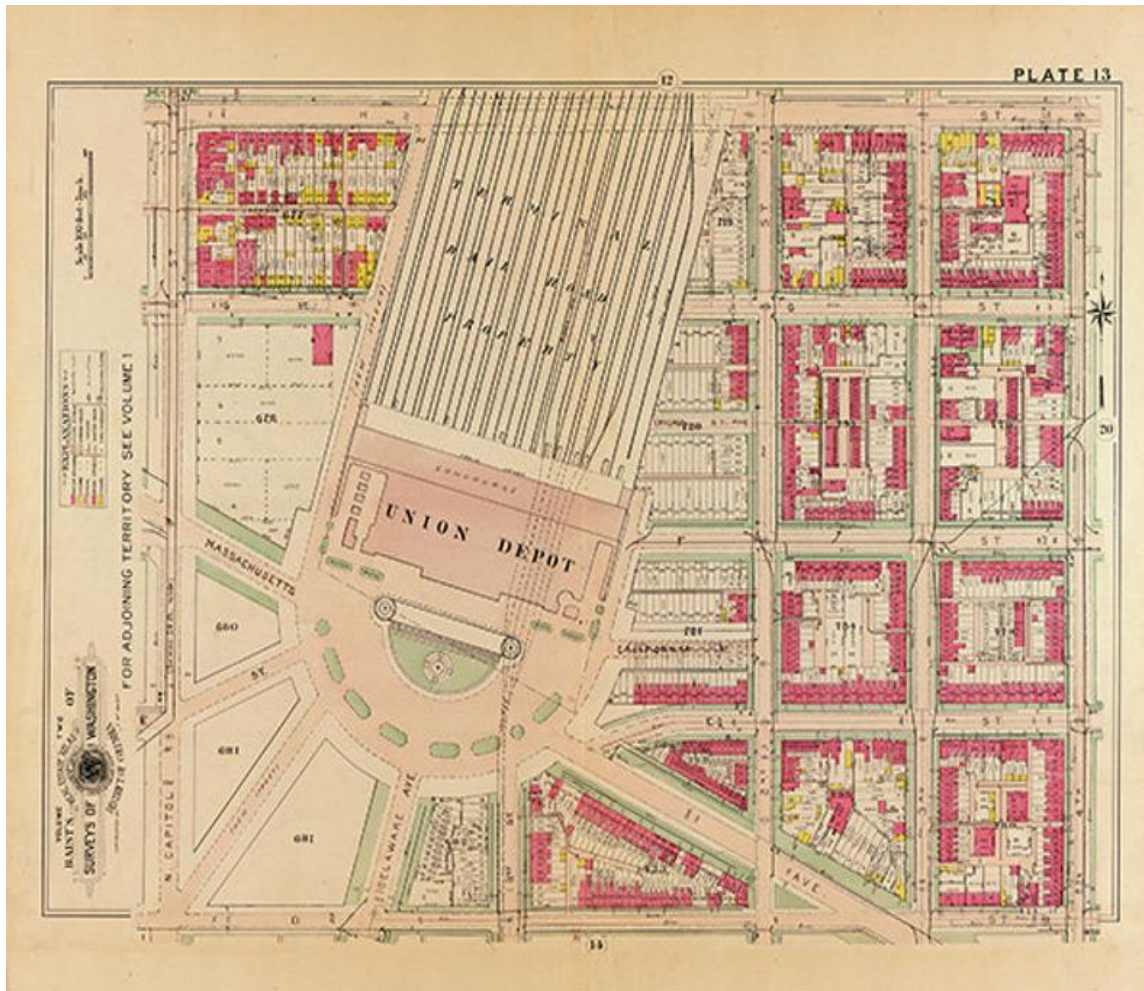
Union Station originally had a total of 33 revenue tracks:¹⁰

- 24 stub-end tracks ran north of Union Station on the upper level
- 9 run-through tracks on the lower level.
- 2 non-revenue tracks that terminate on the lower level that are labeled “mail tracks.”

⁸ As of 2016, during morning and afternoon peaks 6 passenger trains per hour depart or arrive at Union Station for points south. *DC Rail Plan*, page 3-35.

⁹ SDEIS, Chapter 3, page 3-10: “...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.”

¹⁰ *Union Station Historic Preservation Application*, page 8, dated 2012, jointly sponsored by C100 and DC Preservation League.



The DEIS' Preferred Alternative would provide only 19 revenue tracks:

- 12 stub-end tracks serving rail operations north of Union Station
- 7 run-through tracks.¹¹

The reduced number of tracks is, in large measure, determined by the much wider platforms that are proposed. All of the current platforms are less than 20-feet wide, and many are obstructed by columns supporting the parking garage or the H Street Bridge. Widening the platforms to accommodate capacity growth and safety standards requires realigning and re-spacing the station tracks that reduces the number of revenue tracks¹² A key unaddressed issue in the plans, but must the platforms be as wide as 30 to 35 feet?¹³

¹¹ SDEIS, Chapter 3, page 3-10.

¹² 2012 *Union Station Expansion Plan*, page 3.

¹³ DEIS, Appendix A-3a, pages 128-189.

Even Amtrak's *Union Station Master Plan* issued eleven years ago called for more tracks -- 22 -- and estimated that by 2030 those 22 tracks would be at capacity. The plan called for:

- 12 west-side stub tracks (page 13)
- 8 east-side run-through tracks under the First Street tunnel to points south would have to be reconstructed
- 2 new run-through tracks (p. 4 and 10) that by 2030 were estimated to be at capacity
- 6 - 9 new additional below grade tracks after 2030 to serve new rail operations north of Union Station.¹⁴

The DEIS eliminated the 2 proposed run-thru tracks and the 6-9 additional tracks proposed to accommodate new rail service ¹⁵

Amtrak's *Union Station Master Plan* was issued in 2012. But by now, eleven years later, Amtrak, VRE and MARC have developed expansion plans that would greatly increase the number of trains and the number of rail passengers using Union Station, including plans for high speed rail south of Union Station.¹⁶ The State of Virginia and VRE have recently acquired over 100 miles of CSX track, and will pay for, own and control the new Long Bridge Potomac River rail crossing, construct a new fourth track in SW and thru-run its trains through Union Station into Maryland. Likewise, MARC plans to run its trains into Virginia.¹⁷

¹⁴ 2012 *Union Station Master Plan*, page 13:

“Demand for rail services will rise to the level where the practical capacity of these facilities is reached. This could happen as early as 2030, depending on the pace of growth and investment in overall rail system capacity. To provide for this future capacity the Master Plan allows for the development of a new lower level of tracks and platforms in a zone beneath the west side stub tracks that can be excavated to create six additional station tracks (or up to nine if needed for additional capacity).

* * *

The lower track level would be connected to the Northeast Corridor main line by means of a bored tunnel from Union Station northeast to the vicinity of the Anacostia River.”

¹⁵ 2020 DEIS, page ES-9: “The nine eliminated preliminary concepts included below-grade tracks [the 2012 Union Station Master Plan proposed these below-grade tracks would be located in the area below the west-side stub tracks] that Amtrak determined it did not need to meet its operational requirements.”

¹⁶ The Record of Decision for *Southeast High Speed Rail Washington, DC to Richmond Virginia*, issued September 5, 2019. Note that while the DC to Richmond High Speed rail plan included Washington, DC in its title, it in fact ended at the south end of the Long Bridge and did not address the Long Bridge or how to get to Union Station. (http://dc2rvarail.com/files/3115/6803/2848/DC2RVA_ROD_05Sept2019.pdf). The Long Bridge FEIS resolves that discontinuity. On the Virginia side, the new two-track bridge would “tie into the four tracks at RO Interlocking proposed by the concurrent DC to Richmond Southeast High-Speed Rail (DC2RVA) project.” (ROD at page 2-7). This high-speed rail plan for Virginia is connected to the SW tracks that serve Union Station, but high-speed rail south of Union Station is assumed to not exist in the Union Station DEIS.

E. Thru-Running Commuter Trains are Not Given Priority

For a number of years, MARC and VRE discussed the benefits of thru-running VRE trains to Maryland and MARC trains to Virginia.¹⁸ The Metropolitan Washington Council of Governments, Transportation Planning Board (TPB) issued a 2020 report prepared by Foursquare,¹⁹ that run-through rail service would have a positive impact on the labor pool by expanding access both for businesses and employees²⁰ and could alleviate capacity issues on Metrorail as well as issues with crowding and congestion on platforms at Union Station and other busy transfer points.²¹ The Foursquare Report further concluded that a substantial number of people travel each day in each direction between the MARC and VRE service areas, and in the future, the potential for run-thru trips will increase considerably.²²

The DEIS and the SDEIS pay little attention to the critical thru-running commuter trains issue that will greatly increase the number of trains going through Union Station and reduce the need for MARC and VRE to find mid-day parking for their trains until they are needed for the evening rush-hour. It assumes that no VRE trains will thru-run when, in fact, VRE trains currently thru-run through Union Station to reach the Ivy City train yard where they are parked during mid-day, until their return to service for the afternoon/evening commute back to Virginia. VRE awaits only an agreement with Amtrak and MARC to thru-run to Maryland, and once that is accomplished, the VRE ridership using Union Station will increase substantially.

The DEIS assumes that only 8 of the MARC's 57 daily Penn Line trains will thru run to Virginia,²³ and that no trains from MARC's Brunswick or Camden Lines will thru run. The reason for not including trains from the Brunswick and Camden Lines is apparently because the DEIS does not assume any modification of the Brunswick and Camden line tracks coming into

¹⁷ High speed rail south of Union Station will be further enhanced by the recent announcement to extend high speed rail from Richmond to Raleigh. <https://www.usnews.com/news/best-states/virginia/articles/2020-09-21/grant-to-help-north-carolina-buy-rail-for-high-speed-service>.

¹⁸ In May 2014, MARC and VRE announced they are planning a true regional rail partnership to thru-run MARC to L'Enfant Station and on to Virginia and to extend VRE from Union Station into Maryland. <http://www.nbcwashington.com/news/local/MARC-VRE-Discuss-Regional-Rail-Partnership-259457971.html>.

¹⁹ *Market Assessment and Technical Considerations for VRE-MARC Run-Through Service in the National Capital Region*, Foursquare Integrated Transportation Planning, June 2020.

²⁰ Nearly three-quarters of the District's workforce commutes from outside the District while one-third of the District's residents reverse commute to jobs outside the District (DC State Rail Plan, page 4-2).

²¹ Foursquare Report, page 13.

²² *Id.*, page 42. Also, MARC is now developing a plan, scheduled to issue in July of this year, that will expand ridership on its Brunswick Line by 50%: <https://www.mta.maryland.gov/marc-brunswick-study>

²³ Eight MARC trains is the same number used for the early Long Bridge expansion studies that FRA adopts for this Union Station FEIS with no discussion or analysis.

Union Station. Only the Penn Line has direct access to the First Street Tunnel. The connecting thru-running tracks are practically inaccessible to MARC's Brunswick Line and to a lesser extent, the MARC Camden Line because of the current track configuration. For Brunswick and Camden Line trains to access the 1st Street Tunnel, trains must traverse the entirety of Union Station's "throat" from west to east over multiple interlockings.

MARC Service Area



The Committee of 100 recommends that the DEIS be expanded to evaluate how to reconfigure the Brunswick and Camden tracks so they can access the First Street Tunnel. Reconfiguration not only could permit Brunswick and Camden trains to thru-run to Virginia, but also would allow VRE trains to thru-run to substantial parts of Maryland. Because the Camden and Brunswick lines are owned by CSX, catenaries are prohibited, and the MARC trains on those lines use diesel locomotives. VRE will likely not convert from diesel to electric locomotives for some time. Thus, in terms of thru-running, the Brunswick and Camden trains could thru-run to Virginia and VRE could thru-run to serve College Park, Silver Spring, Rockville, Frederick, and farther west.

F. Planned Passenger Rail South of Union Station is Not Accounted For

The upper-level stub-end tracks (Tracks 7-20) are used by MARC and by Amtrak's Acela Express, Northeast Regional, Vermonter, and Capitol Limited trains (DEIS, Chapter 2, page 2-5).

The DEIS states that at least four (4) tracks must have 1200-foot platforms for future Acela HSR service (including future growth).²⁴

The 2012 *Union Station Master Plan* (page 13):

“...provides that future tracks from the lower level of Union Station could be extended to the south, enabling extension of high-performance high-speed rail service to Virginia, North Carolina, and the Southeastern United States.”

High speed rail south of Union Station is not discussed or even acknowledged in the DEIS nor does it address efficiencies and greatly increased numbers of passenger and commuter trains that will result from separating passenger and freight operations south of Union Station. But it does take into account operational efficiencies and more frequent train service for passenger and commuter trains operating north, on the Northeast Corridor.²⁵ The DEIS recognizes the efficiencies of controlling the rail tracks north of Union Station for passenger operations (rather than inter-mixed passenger/freight operations) but does not recognize those efficiencies for tracks south of Union Station.

The Committee of 100 (as is likely the entire East Coast) is keenly interested in higher-speed, high-performance rail south of Union Station – not Acela high speed -- but higher speed than is now available south of Union Station. The C100 recognizes that Acela high speed is not possible south of Union Station in the foreseeable future, in large part because of the expense of electrification, the cost of new rolling stock, the need for curve and realignment improvements and other track improvements, the need to provide by-passes to avoid conflicts with freight operations, and other track upgrades. But with the recent actions of the state of Virginia and VRE to acquire over 100 miles of CSX tracks and build, own, and control a new Potomac River rail bridge, the track upgrades to accommodate higher-performance higher-speed rail will be practicable in the future and must be anticipated. And the higher speed can be achieved with the new Siemens ALC-42E dual powered locomotives that Amtrak will acquire for use on the NE Corridor (see subpart I) – they will provide the higher speed rolling stock. Thus, higher speed rail will be possible and likely south of Union Station in the future.

The Committee of 100 is concerned that plans for the expansion of Union Station, and the SDEIS, fail to address how this higher-speed high-performance rail south of Union Station will be accommodated in the track and platform configurations within Union Station.

²⁴ 2020 DEIS, Appendix A-3, page 24.

²⁵ 2020 DEIS, Appendix B, page 23: “The 2040 simulation retains operating variability for trains arriving from the south, given assumed continued ownership and dispatch by freight railroads in the future. In contrast, the 2040 simulation assumes much more reliable operation for trains arriving from the north, given the significant NEC reliability investments represented by NEC FUTURE” [emphasis added].

G. Environmental Impacts are Seriously Understated.

Throughout the SDEIS, the change in emissions is computed as:

$$\begin{aligned} & \text{Preferred-Alternative emissions} \\ & \text{minus} \\ & \text{No-Action Alternative emissions} \\ & \text{Equals: Change in emissions} \end{aligned}$$

Change in emissions is then compared to a threshold air quality standard to reach the conclusion that there is minimal or no adverse effect. This is the wrong way to look at the issue, as it is the actual, rather than the incremental emissions, that will be experienced. But the SDEIS uses the incremental change to determine whether the emissions exceed the *de minimis* air quality thresholds. Appendix C3S- Supplemental Environmental Consequences Technical Report, page 6-5 shows:

Table 6-1. Preferred Alternative Mesoscale Inventory

Source	CO	NO _x	VOC	PM ₁₀	PM _{2.5}
	tpy	tpy	tpy	tpy	tpy
Motor Vehicle Emissions	67.7	4.4	34.8	4.5	0.9
Locomotive Emissions	29.8	61.4	2.0	1.0	1.0
Total Preferred Alternative Emissions	97.5	65.8	36.8	5.6	1.9
No-Action Emissions	78.4	30.6	35.4	5.1	1.3
Net Change in Emissions attributable to the Preferred Alternative¹	19.1	35.2	1.4	0.5	0.6
De Minimis Threshold²	-	100	50	-	-

1. Calculated by subtracting total No-Action Alternative emissions from total Preferred Alternative emissions.

2. Applicable only to NO_x and VOC.

In the above table, the Motor Vehicle and Locomotive emissions for NO_x under the Preferred Alternative are combined, resulting the total Preferred Alternative emission level of 65.8 tons per year (tpy), shown on the third line. The fourth line of the tables shows the No-Action Emissions level of 30.6 tpy that is subtracted from the Preferred Alternative emissions level to obtain the Net Change shown on the 5th line. But how the No-Action emission levels were obtained is not explained. This same methodology is applied to VOC and the Net Changes in each are then compared to the *de minimis* threshold levels for NO_x and VOC, and because it is lower, the SDEIS concludes (Appendix C3S, page 6-5):

For both NO_x and VOC, the net increase attributable to the Preferred Alternative (35.2 tons per year [tpy] of NO_x and 1.4 tpy of VOC) is below the applicable *de minimis* threshold (100 tpy and 50 tpy, respectively), indicating that the proposed Federal activity would not cause new violations of the NAAQS, increase the frequency or severity of NAAQS violations, or delay timely attainment of the NAAQS or any interim milestone. Therefore, adverse indirect impacts on ambient air quality would be minor.

This incremental increase is combined with the estimated emissions that will occur during the 14 years of construction.²⁶ In the case of NO_x, this results in 97.9 tpy. Because this total is below the *de minimis* level of 100, the SDEIS concludes that the Preferred Alternative would not cause any violation of the NAAQS.

Arithmetically this is correct, but it is the total of direct and indirect NO_x emissions area caused by the Federal action that must be considered:²⁷ for NO_x this would be 65.8 tpy for the Preferred Alternative from Table 6.1 plus the 62.7 tpy for the Construction emissions from Table 6-4, amounting to 128.5 tpy. This would exceed the NAAQ threshold level of 100 tpy - the *de minimis* air quality threshold for NO_x would be exceeded.

Further, the combination of Preferred Alternative NO_x emissions (65.8 tpy from Table 6-1) plus the Construction NO_x emissions (62.7 tpy from table 6-4) do not include the total effect of the expansion. As explained in subpart H of these comments, the switch engine operations at the Ivy City Rail Yard are essential to the operation of Union Station and need to be taken in account in evaluating the proposed expansion of Union Station. The most recent quantification of the NO_x emission at the Ivy City rail yard (Appendix B, attached to these C100 comments) amount to 112 tpy. If, as discussed in section H of these comments, the use of the Ivy City Rail Yard will likely double under the Preferred Alternative, then, assuming that NO_x emission from the rail yard will, proportionally, double, the incremental NO_x emissions from the yard would be 112 tpy. Combining the Ivy City NO_x emissions increment (112 tpy) with the SDEIS' stated project Total Preferred Alternative NO_x emissions increment (97.9 tpy) means that the NO_x emissions would be as high as over 201tpy - far exceeding the NAAQ air quality NO_x threshold of 100 tpy. . A refinement of the Ivy City Rail Yard calculation would compare the Yard's usage (and, hence, proportionally, NO_x emissions) under the Preferred Alternative to the Rail Yard's use under the No-Action Alternative. With the emissions increment not considering the Rail Yard being just 2.1 tpy below the NAAQS threshold, an increase in Rail Yard usage of just 1.9% (= 2.1 / 112) or more under the Preferred Alternative, a highly likely outcome, would result in the project's exceeding the NO_x threshold. The FRA should conduct such a detailed analysis in revising its SDEIS and adjust its conclusions accordingly.

²⁶ SDEIS, Appendix C3S, page 6-8.

Table 6-4. Combined Annual Operational and Construction NO_x and VOC Emissions

Component	NO _x	VOC
	tpy	tpy
Construction Emissions	62.7	7.7
Maximum Net Change in Annual Operational Emissions attributable to the Preferred Alternative	< 35.2	< 1.4
Maximum Combined Preferred Alternative Operational and Construction Emissions	< 97.9	< 9.1
<i>De Minimis</i> Thresholds	100	50

²⁷ [40 CFR 93.153\(b\)](#)

A similar analysis of the carbon dioxide (CO₂) emissions is based on Table 7-5 of SDEIS Appendix C3S, below, and its associated narrative in Section 7.5.2.5, Summary of CO₂ Emission Estimates, as well as the narratives in Section 7.7.1.1, GHG (greenhouse gases) Emissions, (within Section 7.7, Avoidance, Minimization, and Mitigation Evaluation, within Section 7 Greenhouse Gas Emissions and Resilience), and in Section 8.7, Avoidance, Minimization, and Mitigation Evaluation (within Section 8, Energy Resources).

Table 7-5. Total Estimated Changes in Annual CO₂ Emissions in the Preferred Alternative

Source	CO ₂ Emissions (Metric Tons/Year)	Percentage of 2019 Total Inventory	Percentage of 2032 Target
Stationary Sources -WUS	9,791	0.14%	0.21%
Stationary Sources -WUS	-6,859	0.1%	0.15%
Potential Federal Air Rights Development	3,661	0.05%	0.08%
Mobile Sources	9,247	0.13%	0.20%
Total Additional Emissions	15,840	0.22%	0.34%
Total Emissions No-Action Alternative	70,846 ^[39]	0.99%	1.54%
Increase relative to No-Action Alternative	22%	-	-

As the SDEIS table notes, the Preferred Alternative is estimated to yield a 22% increase in CO₂ emissions compared to the No-Action Alternative; representing about a quarter to a third of a percent of the District’s CO₂ emissions inventories in 2019 and 2032, respectively. While the relative inventory increases may be numerically modest, they must be viewed in light of the District’s related Carbon Free DC²⁸ and Clean Energy DC²⁹ plans that, together, set carbon neutrality as a goal to be met just five years after the 2040 planning horizon year for the Union Station Expansion. C100 concurs with the SDEIS Appendix Section 7.5.2.5’s note that, “In this context, any net increase in CO₂ emissions would be a major adverse impact.”

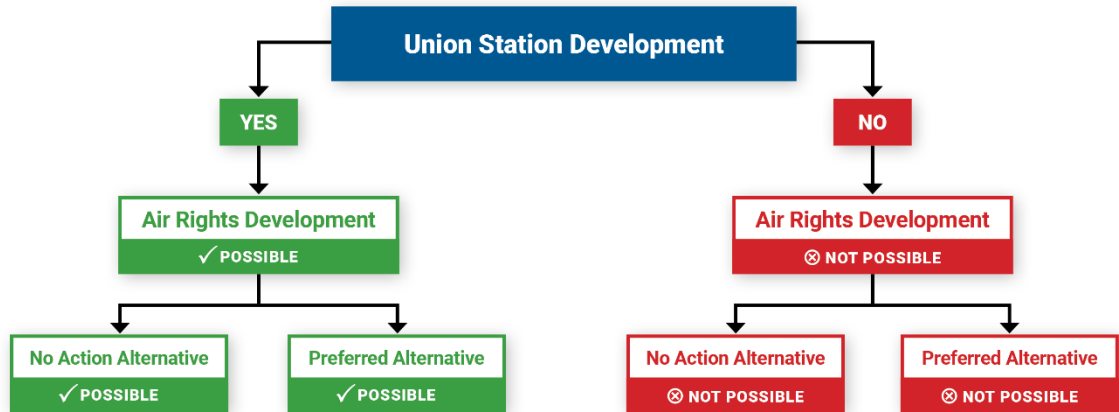
Accordingly, C100 supports the FRA’s proposal that the USRC prepare a Life Cycle Assessment of the project’s total GHG emissions and identify measures and strategies to reduce energy consumption and associated GHG as much as possible, using measures described in Section 8.7 and as appropriate, other such measures.

It should be remembered that, to build the Air-Rights development, a deck is needed above the rail tracks. Supporting the deck requires multiple support columns, the placement of which requires a defined configuration of rail tracks. In turn, the configuration of the new rail tracks requires the design and construction of the Union Station Expansion. In other words, **unless**

²⁸ <https://storymaps.arcgis.com/stories/034104405ef9462f8e02a49f2bd84fd9>

²⁹ <https://doee.dc.gov/cleanenergydc>

there is a Union Station Expansion, there can be no Air Rights development, as illustrated in the following flowchart.



H. Harmful Diesel Emission From Switching Operations are Ignored

The Ivy City tracks are adjacent to New York Avenue. On the other side of New York Avenue are the Crummell School at Kendall and Gallaudet Streets, NE that is planned to be redeveloped³⁰ and residential developments such as the Ivy City Hecht Warehouse at 1401 New York Avenue, NE.³¹

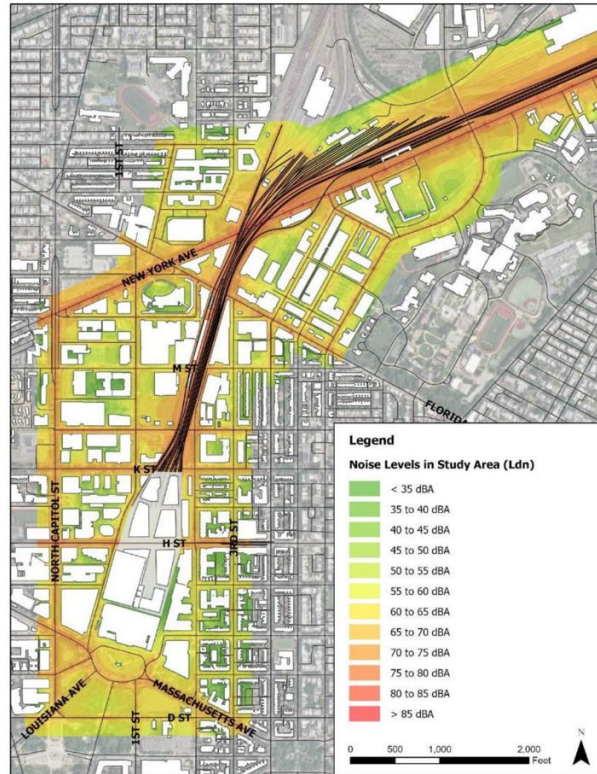


³⁰ DMPED is seeking proposals to redevelop Crummell School that, if implemented, would increase the number of people at the Crummell School site, who would be affected by air quality. [Mayor Bowser Hosts Annual March Madness | DC](#) (2021) - mentions Crummell School redevelopment. [Alexander Crummell School - Wikipedia](#)

³¹ Hecht Warehouse at Ivy City apartments are already open. <https://hechtwarehouse.com/> [Hecht Warehouse at Ivy City is a pet-friendly apartment community in Washington, DC](#)

The 2020 DEIS acknowledges expansion of the Ivy City Rail Yard (Exhibit B, page 10), and the SDEIS includes noise and vibration emanating from the Ivy City Rail Yard (Chapter 5, page 5-70).

Figure 5-3. Preferred Alternative Operational Noise Levels



However, air pollution from diesel switchers is **not** included. Logically, this air pollution must be included. Noise and vibration end when the source is switched off, but air pollution persists and spreads. In its rules on power plant emissions EPA recognizes that polluted air moves from its source and uses a 3-mile radius to measure effects.³² See EPA, Clean Air Power Programs, *Power Plants and Neighboring Communities*, [Power Plants and Neighboring Communities | US EPA](#). Certainly, the polluted air emanating from the nearby Ivy City Rail Yard must be included in an environmental impact analysis. DC’s Department of Environment and Energy (DOEE) has quantified the diesel emissions that result from switching and moving trail equipment to, from, and within the Ivy City Rail Yard,³³ the total emissions from switching is 10,024.7 tons per year.

³² The three-mile radius dispersal area is for polluted air from power plants, with generally tall smoke stacks that result in wide dispersal areas. For the Ivy City Rail Yard, the dispersal area would be smaller, but would in all likelihood encompass the surrounding area at least as far as Ivy City, Trinidad,

³³ DOEE’s Excel spread sheets entitled “Ivy City Switcher Engine Emission COG” is included as Appendix A to these C100 comments.

Emissions (tpy) from Diesel Switching at Ivy City Rail Yard

<u>Pollutant</u>	<u>IvyCity-Amt</u>	<u>IvyCity-Mrc</u>	<u>IvyCity-Vre</u>	<u>Switching</u>
CO	14.1	9.7	3.0	26.8
CO ₂	5,142.8	3,622.4	1,112.8	9,878.0
NO _x	62.2	38.9	11.9	112
VOC	4.1	2.9	0.9	7.9

The main reason for the high level of emissions from the Ivy City Rail Yard is due to the fact that most of the nine switcher engines are old (five of them are 1950’s models). Because of the challenges in starting the diesel engines and the need for warm-up prior to use, the switchers are started in the morning and idle all day. Most importantly, there is no discussion of what will happen to switching operations at Ivy City Rail Yard in 2030 and beyond when passenger and commuter rail operations are projected to more than double. *Appendix B fails to explain that diesel emissions from switcher activity will also likely more than double by 2030.*

DC’s Department of Environment and Energy (DOEE) has also quantified the diesel emissions that result from the operation of Amtrak, MARC and VRE within Washington, DC,³⁴ the total emissions from diesel locomotive operations is 4,868.7 tons per year.

Emissions (tpy) from Diesel Locomotive Operations

<u>Pollutant</u>	<u>Amtrak</u>	<u>Marc+VRE</u>	<u>Operations</u>
CO	3.7	8.9	12.6
CO ₂	1411.3	3380.4	4791.7
NO _x	21.6	40.1	61.7
VOC	1.1	1.6	2.7

The plan to expand Ivy City Rail Yard to accommodate more VRE trains is described at page 10 of Appendix B of the 2020 Union Station DEIS.³⁵ The Appendix B description acknowledges the expansion is due to Amtrak needing to use rail yard space that has been leased by VRE. The

³⁴ DOEE’s Excel spread sheets entitled “2020 Draft NEI DC Rail Inventory Summary” that provides the basis for the above table is attached to these comments as Appendix B. This is the DOEE report to NEI, the [National Emissions Inventory](#), prepared under the *Air Emissions Reporting Rule*. The report is done every three years. 2020 is the most current; it is marked draft because the 2020 NEI has not yet been published. The term “CSX Yard” refers to the Benning rail yard. Class I Line Haul represent the CSX emissions from CSX trains traveling from the Long Bridge, across SW, thru the Virginia Avenue Tunnel and on to the Benning Rail Yard and thus they do not pass through the Union Station train shed.

³⁵https://railroads.dot.gov/sites/fra.dot.gov/files/202006/Appendix%20B_Terminal%20Infrastructure%20Report_WUSDEIS_pdfa.pdf.

expansion to accommodate VRE is immediately adjacent to New York Avenue (where the Circus Train used to park). There is no discussion of what will happen to switching operations at Ivy City Rail Yard in 2030 and beyond when passenger and commuter rail operations at Union Station are projected to more than double. Appendix B fails to explain that diesel emissions from switcher activity will also likely more than double.

Recall that the Crummell School space was recently proposed to be used for tour bus parking. Under the plan, passengers on carriers such as *Boltbus* and *Megabus* would be picked up and dropped off at Union Station, but the buses would idle in Ivy City until needed. Largely because of citizen outrage and opposition to the diesel emissions that the tour buses would produce, *Empower DC*, an activist group, filed a lawsuit on behalf of Ivy City residents. In rejecting the bus depot proposal, the judge expressed concern over the city's apparent failure to conduct an environmental impact assessment, in an area where people enjoy sitting on their porches and many residents suffer from respiratory problems.³⁶ This is the same community that is on the other side of New York Avenue from the Ivy City Rail Yard.

It is essential that FRA learn from the Ivy City court ruling forbidding location of the bus depot adjacent to the Crummell School in Ivy City due to environmental impacts. If diesel emissions from buses are a concern, why aren't diesel emissions from trains (that are expected to more than double with the Union Station expansion) a concern? And why doesn't that concern warrant a meaningful discussion in the Union Station Infrastructure report?³⁷ Diesel emissions from switching operations amounted to over 10,000 tons of pollutants per year in 2017 (more recent information is not currently available). That discussion should also address why diesel locomotives are being used for switching when Ivy City has electric catenaries that could power electric switching engines.³⁸ And battery powered switch engines that do not require electric catenaries are now in use in other rail yards.³⁹

Appendix B, the Infrastructure Report of the November 2020 Washington Union Station DEIS, needs to be redone to competently address:

- Diesel emissions from increased activity at the Ivy City Rail Yard.
- Environmental benefits of using electric switchers at Ivy City Rail Yard.

³⁶ https://www.washingtonpost.com/national/health-science/ivy-city-tired-of-being-a-dc-dumping-ground-takes-on-gray-over-bus-depot/2012/08/12/7442e968-d804-11e1-b8ce-16e9caa8b86a_story.html "Crummel School." Wikipedia; Internet; accessed 30 Sept. 2022.

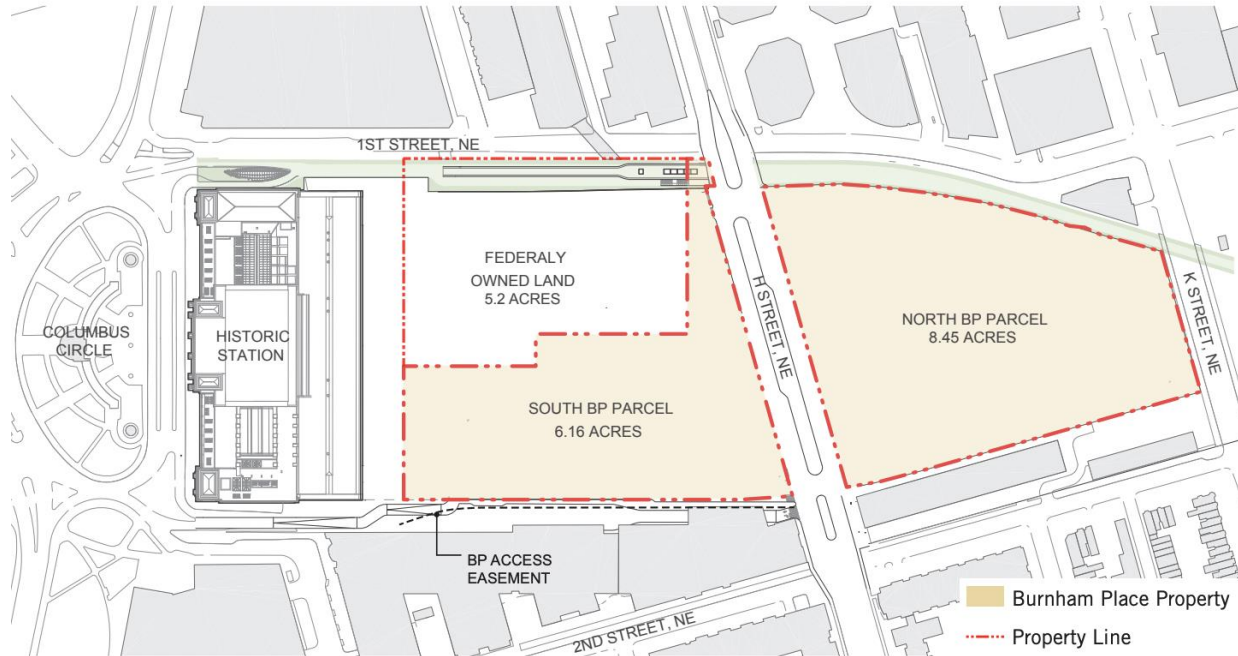
³⁷ Appendix B – Washington Union Station, Infrastructure DEIS Report, November 2019

³⁸ <https://electrek.co/2022/01/31/union-pacific-buys-ten-more-all-electric-locomotives-this-time-from-caterpillar-inc-s-progress-rail-investing-over-100-million-in-total/>

³⁹ Audi's factory in Ingolstadt, Germany is now using plug-in electric switching engines that recharge while at rest and run for up to 2 hours on its battery power. autoevolution.com/news/audi-unveils-plug-in-hybrid-diesel-locomotive-to-be-used-in-ingolstadt-101547.html

I. Diesel Emissions Under the Proposed Deck are Not Accounted For

The Union Station Expansion will consist of decking over the tracks, extending north from Union Station, as far as K Street which, added to the current tracks under Union Station, results in a 20+-acre trainshed:



The 2012 design for the train shed required separation of the tracks for diesel and electric locomotive and provided for “heavily ventilated quarters” for the diesel locomotives.⁴⁰

But the 2019 DEIS abandoned this design, without explanation, stating:⁴¹

A decision was made not to designate specific platform tracks for use by specific service, and there will be no distinction between passenger trains powered by diesel locomotives and those powered by electric locomotives. Early version of the Terminal configuration showed barriers or walls between the designated platform berths of trains using electric and diesel locomotives. The purpose of this barrier was to provide a means of isolating and ventilating the diesel exhaust, separating them from the remainder of the Terminal

⁴⁰ When announced in 2012, the HOK-designed train shed doubled the train capacity of Union Station and planned to separate diesel from electric train operations, stating: “The new train shed will house electric-powered trains, with diesel engines relegated to their own, more heavily ventilated, quarters beneath the station.” https://www.architectmagazine.com/design/on-the-boards/amtrak-unveils-hoks-design-for-washington-d-c-s-union-station_o

⁴¹ **5.2.2.1** *Separation of Diesel and Electric locomotives. Appendix B – Washington Union Station Terminal*, Infrastructure ERIS Report, November 2019

that berthed electric powered trains. This can be shown in many of the superseded Terminal configurations (for example, between tracks #4 and #5 in Option 1).

The reason for abandoning this design is not explained. Nationally, diesel locomotives emit millions of tons of carbon dioxide annually and produce air pollution that leads to \$6.5 billion in health costs nationwide, resulting in an estimated 1,000 premature deaths each year. These deaths and adverse health impacts disproportionately affect communities that are located near rail yards and railways.⁴² The greenhouse emissions that produce that pollution are more concentrated in enclosed structure such as train stations, train sheds and train tunnels.

Penn Station, the main rail station in New York City and the busiest transportation facility in the Western Hemisphere, is located below street level. Due to the lack of proper ventilation in the tunnels and station, only electric locomotives and dual-mode locomotives operating on electric power are allowed to enter Penn Station.⁴³

The new Frederic Douglas Tunnel in Baltimore was redesigned in response to neighborhood protests that plans to replace the Baltimore and Potomac Tunnel with a new tunnel would result in air pollution from an exhaust shaft near a school and residential area.⁴⁴ In response to those concerns, a new tunnel will be built exclusively for electrified passenger rail service. It will accommodate Amtrak trains as well as all MARC Penn Line commuter trains, which will be electric powered.⁴⁵ This will preclude the need for a ventilation facility for harmful diesel train emissions on the edge of a residential neighborhood.⁴⁶

The Preferred Alternative design in the current SDEIS for is a 20-acre enclosed train shed with exhaust fans to ventilate the space below the Akridge deck and the expanded train station

⁴² <https://newscenter.lbl.gov/2021/11/23/big-batteries-on-wheels-can-deliver-zero-emissions-rail-while-securing-the-grid/>

⁴³ *National Transportation Safety Board Docket Management System*. February 22, 2016. p. 209.

⁴⁴ Protesters rally against proposed Baltimore and Potomac Tunnel Project diesel vent outside elementary school – Baltimore Sun, Sep 04, 2018 <https://www.baltimoresun.com/maryland/baltimore-city/bs-md-ci-amtrak-tunnel-replacement-20180904-story.html>

⁴⁵ Amtrak and MARC propose to use Siemens ALC-42E dual-powered locomotives on the NE Corridor. They consist of an ALC-42 diesel-electric locomotive with an auxiliary power vehicle (APV) that contains a pantograph and transformers. On electrified tracks, the APV will draw power from overhead lines which will be fed to the traction motors in the locomotive. Outside electrified territory, the ALC-42E will function as a typical diesel-electric locomotive.

⁴⁶ The result will be that all Amtrak and MARC trains on the Penn line entering Union Station from the north will be electric powered. Page 3-29 of the 2020 Long Bridge EIS shows 44 Amtrak trains and 8 or more MARC trains would pass through Union Station and on to the SW tracks and new Long Bridge by 2040.

(SDEIS, App. C3S, page 5).⁴⁷ The fans would need to exhaust 30,000 cfm of concentrated diesel exhausts into the air rights development that will be built on the deck as well as much of the NoMa and Capitol Hill communities. If diesel exhaust from the Baltimore and Potomac Tunnel were so harmful and objectionable to the surrounding community that they required the design of a new electric-only tunnel, why should diesel exhausts from the 20-acre train shed be allowed to inundate the NoMa and Capitol Hill communities?

J. Inadequate Revenue for Union Station Operations is Not Recognized

Monthly car parkers currently provide much of the income for the operations, maintenance and historic preservation of Union Station. Parking revenue sustains the Station's economic viability and supports USRC's continued preservation and use of the historic building (2020 DEIS, Appendix A6, pages 2-3):

Parking at WUS provides more than 70 percent of USRC's operating revenue. It supports station retail, office, and event uses, which facilitate the operation of the station as part of the retail lease agreement and contribute to WUS's civic role as a vibrant public space and visitor destination.

Parking revenue is used for the preservation and rehabilitation of the historic station building. As a major reliable source of revenue, parking is needed for the continuation of station preservation and operation activities.

Further, the 2014 Audit Report concerning Union Station, prepared by DOT's Office of Inspector General, explained that (page 2):

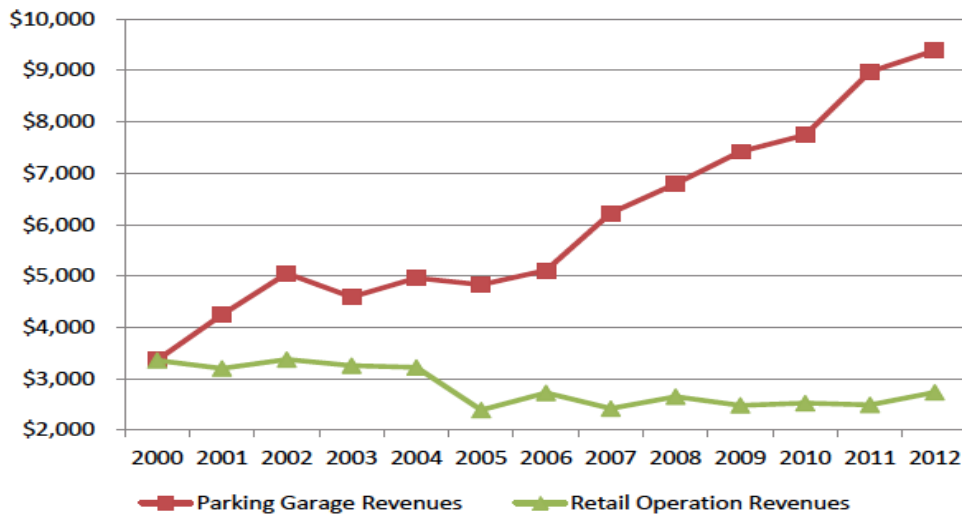
DOT and FRA have relied on USRC to effectively manage Union Station. However, USRC has not adequately planned for Union Station's future.

And the principal reason for this inadequacy is the fact that USRC has relied primarily on revenue from the parking garage to support its operation (2014 Audit Report, page 10):

While revenues from garage operations have increased, revenues from commercial operations have decreased over the past few years. Specifically, between fiscal years 2000 and 2012, parking revenues increased from \$3.4 million to \$9.4 million, while commercial operations revenues decreased from \$3.4 million to \$2.7 million (see Figure 1).

⁴⁷ The decking of those spaces covers over 20-acres and will be 70 feet high - a volume of (20 acres x 43,560 sq ft/acre x 70 ft high) = 61 million cubic feet. Three air change per hour would mean that the fans would have a total capacity of over three million cfm. For comparison Eastern Market's South Hall, with a volume of 544,00 cubic feet, uses roof-mounted exhaust fans that have a combined capacity of about 30,000 cfm to achieve 3 air changes per hour. Eastern Market requires 38 rooftop fans to accomplish this. If Union Station uses the same size exhaust fans, about 100 fans would be required.

Figure 1. Parking and Retail Revenues for Fiscal Years 2000 Through 2012, in thousands of dollars



The C100 supports the need for USRC to have a reliable source of income for its operations, maintenance and historic preservation activities. In the near term, no parking revenue will be available once the extant parking garage is demolished and for several years thereafter during the 14-year period of track realignment and deck construction.

A plan is needed for how to provide an alternative to parking revenue for USRC to continue to operate and maintain Union Station during the 14-year period the expansion is underway. Since the USRC is designated the Project Manager for the 14-year expansion – will the payment to USRC for serving as Project Manager also include a payment for USRC’s management and operation of Union Station?

In the future, parking revenue will be reduced once a smaller garage is built, but there will be about 80,000 square feet of new retail space that is estimated to produce \$8.2 -10.1 million annually (2020 DEIS, Appendix C – *Supporting Retail Information for Concept Development*, page C-10). After the Union Station expansion is complete, will USRC be able to use rental from the new retail space that for its operation, maintenance and historic preservation or will it be necessary to negotiate a new master lease with Ashkenazy Acquisition Corporation (or its successor)? It may be time to investigate charging train operators for use of the station as airports charge airlines.

Comments Concerning Non-Rail (WMATA, Streetcar, Bicycle, Pedestrian, and Bus and Vehicle) Transportation

Introduction

Overall, the analysis of transportation impacts on the preferred alternative for Union Station has been very thorough and the mitigation measures proposed are reasonable and reflect the need to continually monitor traffic in the vicinity of the station and make adjustments at intersections as necessary. Traffic flow within the station and the surrounding neighborhood is already poor, with significant delays and congestion throughout the day. As the renovation project proceeds, traffic is expected to get worse. Efforts to improve travel conditions are part of the traffic mitigation studies to be coordinated between USRC and DDOT. Specific comments on various areas are addressed below.

Washington Metropolitan Area Transit Authority (WMATA) Metrorail: Metrorail ridership during peak hours is already significant, with platform crowding during peak periods. The analysis projects that by 2040 demand for Metrorail service will exceed capacity during both the AM and PM peaks, causing even more crowding. The new concourses will improve horizontal circulation, but vertical circulation could become a major problem.

Mitigation measure No. 14, Table 7-1, proposes a new WMATA Station Access and Capacity Study to identify necessary improvements not developed by the Concourse Modernization Project. The Committee of 100 would encourage this study be done concurrently with the design for the Concourse Modernization Project to save time and money and to prevent problems in hampering vertical circulation created by the concourse modernization.

The next mitigation item, No. 15, refers to USRC engaging with WMATA about the proposed new core line, referred to as “Blue-Orange-Silver.” Nothing is explained about this, but according to news reports, this new tunnel would bring Metro’s Blue, Orange, and Silver lines to service Union Station. If this project proves viable, it will take many years and several billion dollars to build. The potential alignment for this new tunnel will need to account for and avoid the deep pile foundations (at least 150 feet) required for the new station concourses.

DC Streetcar: This section is confusing. Section 5.5.1.3 of the SDEIS states that the “Preferred Alternative would increase the passenger volumes *departing* from WUS by 361 in the westbound direction in the AM peak, and 44 in the PM peak.” But the Streetcar terminates at Union Station on the H Street Bridge just east of the existing parking garage. Is there a westbound *departure* demand to be met? The Streetcar can only move eastward from Union Station. [Italics added]

Intercity, Tour/Charter and Sightseeing Buses: A new bus facility will be built adjacent to the train hall and above the train level. An extensive study that examined six new bus stations has produced a design with 38-39 slips, their use optimized by using “dynamic management”, with 10 to 15 more slips available on the upper deck when needed, resulting in a facility significantly more functional and versatile than the existing bus facility. Entrance to the new bus facility will

be at the new east intersection on H Street NE. Exiting would be via the new west intersection, which is projected to experience LOS F during peak periods.

Bicycles: The overview of comments from the 2020 DEIS, Section 3.1, stated that improved pedestrian and bicycle connectivity would be an important part of a successful design. The four locations proposed for secured and covered bicycle parking (totaling 900 spaces), shown in Figure S-12, with two Capital Bikeshare stations (totaling 100 spaces) should satisfy those comments. Bicycle ramps, some shared with pedestrians, will provide additional connections from the front of the station to the deck levels and H Street. A large Bikeshare station on the east side of Columbus Circle, along the road to F Street, is not mentioned in the SDEIS. Will part of it remain after a pick up and drop off area for two vehicles is added?

Several of the specific recommendations for bicycles, such as providing protected bike lanes or paths, have been completed on many streets around the station since 2020, including the Greenway proposed for First Street NE. However, in some cases, the protective measures used have created obstacles for vehicles, causing delays.

Pedestrians: The need for additional pedestrian entrances on both the east and west sides of the station was apparent long before the proposed renovations. The new east and west entrances into the H Street Concourse, and entrances from H Street NE, should satisfy the comments in Section 3.1 of the 2020 DEIS. In addition, a pedestrian ramp (shared with bicycles) and a second bicycle ramp will connect the front of the station and First Street NE to the deck-level and H Street, helping to reduce congestion inside the historic station.

Internally, the additional concourses and widened walkways should provide sufficient carrying capacity, minimizing congestion except for the busiest peak period events. The vertical circulation must be improved as described before.

Outside, enlarging the plazas and consolidating the pedestrian crossings is a good idea that will help minimize conflicts with vehicles as volumes of both increase. Pedestrian queues at nearby crossings or pick up points will increase but should remain manageable. Overall, the proposed improvements should be able to safely satisfy the demand.

Vehicle Parking and Rental Cars: A new, single level, below- grade facility will be built for parking with a pick up and drop off zone under the train hall. This new pick up and drop off location is expected to handle approximately half of the demand, reducing the demand on Columbus Circle. The total number of parking spaces to be provided, up to 550, is below the parking demand calculated in the analysis, but is the maximum that can be located on one level. There are a number of buildings with parking lots on First Street NE that might be used, but no details are presented.

For rental cars, about 100 spaces will be reserved in the parking area. This is significantly below the demand estimate of 230, and lower than what is available presently. The rental companies will be left to develop off-site management schemes for the fewer spaces that will be available.

For Hire Vehicles: Five locations have been designated for passenger pick-up and drop-off. This should reduce considerably the congestion at the front of WUS and provide flexibility for passengers to access their trains or buses or to be picked up after arrival. The entrance for vehicles to the upper deck at the west intersection of the H Street Bridge will experience Level of Service (LOS) F during both AM and PM peak hours.

LOS is a qualitative measure of driving comfort and convenience, including speed, cost, traffic interruptions, and other factors. LOS A has practically no traffic. LOS C is considered the capacity of a street or intersection; any delays are minor. LOS F has very heavy traffic, significant delays, and may be gridlocked. Efforts to improve this condition and at the other intersections around Union Station are part of the traffic mitigation studies being coordinated between USRC and DDOT.

Automobile and Bus Traffic: Traffic conditions entering Union Station from Massachusetts Avenue NE, from H Street NE, as well as in the surrounding neighborhood are already poor, with traffic delays common during the day, not just during peak periods. Traffic approaching the station from the east on H Street NE suffers due to the mix of auto, bus, and the Streetcar when it changes lanes to go up the slope of the H Street Bridge to its terminus just east of the existing parking garage. Approaching traffic from the west queues up to turn right into the parking garage at both AM and PM peak hours which contributes to Level of Service (LOS) F at North Capitol Street and H Street NE. Ten intersections in the immediate area will suffer with LOS F during the AM peak (six are on North Capitol Street), and nine during the PM peak. The traffic analysis explains the significant increase in AM and PM volumes and the new distribution of traffic within the immediate area of the station. The intersection analysis describes the degradation of service to LOS F at six intersections, while service would improve at three intersections. The results are presented in Figure 5-2 and Table 5-17.

However, Table 5-17, the Summary of Traffic Impacts, is incomplete. Figure 5-2, the Levels of Service at Peak Hour, is a map of the area that shows the LOS for most of the intersections in the immediate neighborhood out to North Capitol Street and New York Avenue NE. Eleven intersections are omitted from the summary table without explanation, although they all have LOS of A, B or C. For example, Intersection Number 11 appears to be the ramp down to the underground parking but is not identified in the text. All of the intersections shown in Figure 5-2 should be listed in Table 5-17.

For city and commuter buses, some delays are expected to increase. The analysis shows that even though ridership is expected to increase, many city and commuter buses are estimated to continue operating under capacity. However, eight Metrobus routes would be over capacity, and overcrowding would get worse. With the additional traffic and increased delays, monitoring and adjusting intersection signal timing will become even more important.

As part of the intersection analysis that will be done as the project progresses, will the DDOT analyses consider Flexible Progressive Systems to manage the traffic signals at intersections along the major roads near Union Station?

The DDOT Bus Priority Program is examining various treatments to improve service, including bus only lanes, for North Capitol Street, H Street NE/NW, and Massachusetts Avenue NE/NW. Other strategies include modifying the bus routes to attract more ridership while reducing congestion on major streets.

Under the North Capitol Street Corridor Study (<https://north-capitol-st-dcgis.hub.arcgis.com/#project-overview>), existing conditions are being evaluated between Massachusetts Avenue and Missouri Avenue NW. Changes to pavement markings and improved signage for the North Capitol Street and Massachusetts Avenue NE/NW intersection have been proposed and are being evaluated. The final proposals should be implemented as soon as practical.

A signal and mobility study for the southern portion of the Study Area, at Louisiana Avenue and North Capitol Street is underway. The additional intersections along North Capitol Street to K Street should be added to this study since all of the intersections suffer with LOS F during peak periods.

Adjusting signal timing and other modifications at First and K Streets NE, North Capitol and G Street, and other intersections are presented in Chapter 7, Table 7-1, Mitigation Measures, item #28 and should be done as soon as practicable.

Comments Concerning Historic Preservation

Historic Preservation Plans are Insufficiently Developed: The draft supplemental DEIS appropriately acknowledges the adverse effects to cultural resources as a result of the preferred alternative. These adverse effects include physical effects to the historic Union Station itself and to surrounding related structures, as well as substantial visual effects. To comply with the requirements of Section 106 of the National Historic Preservation Act, FRA is coordinating the review of these impacts upon historic properties as a part of the NEPA process – requiring the completion of a Programmatic Agreement to be included in the final Record of Decision. A proposed draft of that Programmatic Agreement was provided as a part of the Supplemental DEIS for comment.

Key to the Section 106 process is consultation with stakeholders. Although in this case consultation has been taking place for several years, because of the very conceptual nature of the expansion proposal, that consultation to determine the impact on historic properties and to mitigate adverse effects has only been able to be focused upon extremely general function and massing studies. A series of white box building and function envelopes on a diagram, therefore, are the only technical documents that consulting parties have been able to comment upon. Design, however, which is an integral part of evaluating the actual effects to a historic property, has not even been developed yet and is, instead, deferred to the Programmatic Agreement for “signatories” to consult upon at a future date.

Broaden Stakeholder Consultation: While we understand the need to defer consultation on design, we strongly object to this being limited only to the signatories of the Programmatic Agreement. Integral to the Section 106 process is stakeholder consultation. Reserving the right to comment upon the design only to signatories, therefore, does not in any way meet the spirit of meaningful consultation required under Section 106. This Programmatic Agreement should be altered to include stakeholder/consulting party participation throughout the design process

Mitigating adverse effects to historic properties is also a requirement of Section 106. The form that mitigation can take is essentially infinite – it can include a wide variety of strategies. Proposed in the Programmatic Agreement is, however, rather mundane mitigation including photo documentation, architectural salvage, and signage. In our view, given the potential adverse effects, mitigation should take a more direct form and include strategies to improve the historic station itself. The State Historic Preservation Office (SHPO) has suggested, for example, restoring natural light to the skylights in the historic concourse, improving the east and west terminations of the current retail concourse, or restoring the historic fountains in Columbus Plaza. All of these measures are much more meaningful and more directly would account for and properly mitigate adverse effects to the historic station.

These more direct mitigation strategies, in our view, take on even more meaning given the current state of affairs at the historic station. The consultation process began in what amounts to essentially a different era. Pre-COVID, the historic station house was a vibrant, albeit exceedingly retail enterprise. Today, countless storefronts and restaurant spaces are empty and the “landlord” has filed bankruptcy. We are concerned that this expansion project, which would substantially expand foot traffic to the rear of the station into a new structure, will exacerbate a decrease in use and foot-traffic to the historic station that needs to be examined now as an additional new adverse effect.

Conclusion

The rail projects now in progress that affect Union Station are projected to be completed well within the 2040-time horizon of this project. Those projects, together with thru-running of commuter trains and separation of passenger/commuter rail from freight rail south of Union Station will greatly increase the number of trains that will need to access Union Station. Substantial revisions to the Preferred Alternative and the SDEIS are required to adequately address increases in future rail operations and the environmental impact of those operations.

The Committee of 100 respectfully requests that the Federal Rail Administration provide a period of 60 days after issue of the Final Environmental Impact Statement to allow comments on the FEIS and to then an additional period of time in order to evaluate and take those comments

into account in its Record of Decision so that the FRA may validly certify, as required by Council on Environmental Quality's National Environmental Policy Act regulations, in the ROD that it considered all of the alternatives, information, and analyses, and objections submitted by public commenters for consideration by the lead and cooperating agencies in developing the FEIS.⁴⁸

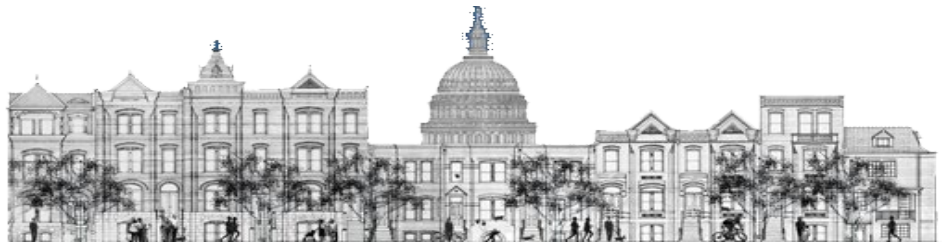
Respectfully submitted,



Shelly Repp, Chair
The Committee of 100 on the Federal City
Chair@Committeef100.net

⁴⁸ 40 CFR 1500.3(b)(4).

Capitol Hill
Restoration
Society



VIA E-MAIL

July 6, 2023

Amanda Murphy
Deputy Federal Preservation Officer
Office of Railroad Policy and Development
USDOT Federal Railroad Administration (MS-20)
1200 New Jersey Avenue, SE
Washington, DC 20590

Re: Washington Union Station Expansion Project:
Supplemental Draft Environmental Impact Statement (SDEIS)

Dear Ms. Murphy,

The Capitol Hill Restoration Society (CHRS) responded to the December 2022 Draft Final Supplemental Assessment of Effects to Historic Properties Report (SAOE) in a letter dated February 6, 2023. In that letter we took exception to the determination of “no adverse effect” to the Capitol Hill Historic District (CHHD).

We continue to believe there is a very high probability of adverse effects to this residential neighborhood by the Federal undertaking, especially regarding vehicular traffic at an expanded Union Station. ANC6C and the National Trust expressed similar concerns. It is critical to understand that the blocks immediately East of Union Station are overwhelmingly residential in nature. Excessive traffic degrades the quality of life of a residential neighborhood in a fundamentally different way than areas dominated by commercial and institutional uses.

The March 2023 SAOE retains a determination of “no adverse effect” to the CHHD despite the contrary assessment of several Consulting Parties. Section 2 “Description of the Preferred Alternative” (and Pages 17 - 21 in particular) describes vehicular circulation around the Station. Section 7.2 of the SAOE (Page

108-109) outlines the Avoidance, Minimization, and Mitigation Strategies. These sections acknowledge the high potential for an adverse effect to the CHHD due to induced traffic and some of the measures the Preferred Alternative proposes to minimize and mitigate these adverse effects.

Nevertheless, the SAOE on Page 21 concludes that “the Preferred Alternative would result in traffic conditions within the Capitol Hill Historic District that are very similar to those that would occur even if the Project was not constructed.” It is impossible to justify that assessment. In addition to the massive Federal and private air rights projects, the 2012 Washington Union Terminal Master Plan envisions a tripling of passengers at WUS (Appendix A, Page 17).

There is more than ample justification to warrant a determination of adverse effect to the Capitol Hill Historic District. We re-state our objection to a determination of “no adverse effect”. Lines 90 through 99 of the Draft Programmatic Agreement (PA) provide little assurance that neighborhood concerns will be given serious attention within a project of this magnitude.

We predict severe congestion along Second Street NE from the addition of a fourth PUDO activity. In the immediate area, PUDO activity for Kaiser Health, Logan School and Station House already have proved to be problematic. We also predict gridlock traffic conditions for the intersection of 3rd and H Streets, NE. At a minimum, the Project Sponsor should be required to engage real-time traffic management that employs GPS or similar navigation technology to direct traffic away from the residential neighborhood. The Programmatic Agreement promises to “coordinate” response to emerging traffic problems among the various involved agencies. However, there appears to be little commitment to traffic mitigation strategies, and no accountable party committed to take action to resolve potential congestion when it inevitably arises, both during and after construction.

We stress that Section 106 of the National Historic Preservation Act requires stakeholder consultation at all steps of the design process to mitigate adverse effects. The Programmatic Agreement needs to include a process for continued meaningful public oversight by interested parties, including the existing “Consulting Parties”. We support the concerns of the Committee of 100 on the Federal City regarding Section 106.

Finally, we wish to record once again our long-standing objection to restricting the EIS to the Federal undertaking with minimal attention to the H Street Bridge and the Federal and Akridge air rights projects. Had the Union Station project been designed as an integrated whole, a far more engaging project could have been

achieved for the estimated \$8.8 billion cost of the Federal portion alone. For example, restoring H Street to its pre-1970s location below the rail yard would open tremendous design opportunities; construction and cost savings; as well as restore the urban fabric harmed by the bridge approaches. However, this was never given serious consideration. We believe that the Preferred Alternative F cannot be fully implemented as outlined without clear enforceable coordination and commitments from all involved parties.

The placement of passenger waiting areas and related circulation below the rail yard is a sad counterpoint to the grand spaces of the historic station and runs counter to what has been done in numerous, modern European train stations. *It is also likely to be a more costly solution.* For the amount of money and effort required, we can and should do better.

Sincerely,



Angie Schmidt, President
Capitol Hill Restoration Society

cc: Charles Allen, Council Member, Ward 6
Andrew Lewis and David Maloney, DC Office of Historic Preservation
Sara Bronin, Advisory Council on Historic Preservation
Mark Eckenwiler, Chair, ANC6C
Eric Hein, Committee of 100 on the Federal City
Robert Nieweg, National Trust For Historic Preservation



WASHINGTON DC CHAPTER

National Railway Historical Society

1325 G St. NW, Suite 500
Washington DC 20005

July 6, 2023

Ms. Amanda Murphy
Deputy Federal Preservation Officer
Office of Federal Railroad Policy and Development
USDOT Federal Railroad Administration (MS-20)
1200 New Jersey Avenue SE
Washington DC 20590

RE: Union Station Expansion Project Section 106 Consulting Parties
SDEIS Draft Programmatic Agreement

Dear Ms. Murphy:

We appreciate the opportunity to continue to provide our input as a Consulting Party through the Section 106 process for the Washington Union Station Expansion project. We would like to offer the following specific comments on the SDEIS Draft Programmatic Agreement.

HABS/HAER Documentation Plan

We strongly support the preparation of an individual Level II Historic American Building Survey (HABS) and Historic American Engineering Record (HAER) documentation for the Washington Union Station site. Over its one hundred years plus history, the site has changed based on society's use of railroads as a means of transportation, and on changes in railroad technology. Understanding the physical historical elements in their original, then modified, as well as current functional and operational setting is important for historical purposes. For example, the single and cross beam catenary poles are mentioned as a historical element. These were not part of the original station complex, but introduced in the 1930s, bringing with them the advances of electrically powered train operations. In regards to item 4c, we particularly want to emphasize the importance of the documentation providing background on the operations which the configuration of the physical site affects and supports.

Interpretation Plan

The history, evolution and significance of the Washington Union Station site is complex. Item 6a indicates that the Interpretation Plan "may establish both physical signage and digital interpretation strategies." While we understand that digital strategies can allow the opportunity to significantly more

July 6, 2023

Letter to Ms. Amanda Murphy/USDOT Federal Railroad Administration

Page 2 of 2

information, we prefer that there be some minimum amount of physical interpretation on site to present station visitors the opportunity to learn about the site's history. We would also hope that the physical interpretation not be limited to "physical signage" only, but rather could be fulfilled with a somewhat broader scope allowing, as appropriate historical display(s) or historically themed artwork which visitors could readily observe and interact, without the necessity of digital technology.

Thank you for the opportunity to provide this input. If we may provide further information or clarification of our comments, please feel free to get in touch with us directly.

Sincerely,

THE NATIONAL RAILWAY HISTORICAL SOCIETY,
WASHINGTON, D.C. CHAPTER, INC.

A handwritten signature in blue ink, appearing to read "Kevin J. Tankersley", with a large, stylized flourish at the end.

Kevin J. Tankersley

From: [Murphy, Amanda \(FRA\)](#)
To: [Union Station Expansion](#)
Cc: [Osterhues, Marlys \(FRA\)](#); [Bottiger, Barbara CTR \(FRA\)](#); [Johnson, Kathryn \(FRA\)](#)
Subject: FW: Washington Union Station Expansion Project SDEIS - FTA comments
Date: Thursday, July 6, 2023 3:36:05 PM

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Krofft, Heidi (FTA) <heidi.krofft@dot.gov>
Sent: Thursday, July 6, 2023 2:50 PM
To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Decker, Bradley (FRA) <bradley.decker@dot.gov>
Cc: Keeley, Laura (FTA) <laura.keeley@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>
Subject: Washington Union Station Expansion Project SDEIS - FTA comments

Good afternoon Amanda,

FTA has reviewed the Supplemental Draft Environmental Impact Statement, Draft Section 4(f) Evaluation and the Draft Section 106 Programmatic Agreement for the Washington Union Station Expansion Project. We do not have any specific comments on the documents at this time.

However, given the potential for FTA funds to be applied to a portion of the project in the future, FTA is requesting to be an invited signatory to the Section 106 Programmatic Agreement and a signatory to the Record of Decision.

A formal letter will follow next week.

Thank you,
Heidi

Heidi E. Krofft, RPA
Environmental Protection Specialist
U.S. Department of Transportation
Federal Transit Administration, Region III
1835 Market Street, Suite 1910
Philadelphia, PA 19103-4124
215-656-7053

IN REPLY REFER TO:
NCPC FILE No. 7746

July 6, 2023

Ms. Amanda Murphy
Deputy Federal Preservation Officer
Office of Railroad Policy and Development
U.S. Department of Transportation
Federal Railroad Administration (MS-20)
1200 New Jersey Avenue, SE
Washington, DC 20590

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

Dear Ms. Murphy:

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

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

The primary goal of the project is to support current and future growth in rail service and to support multimodal connectivity for Washington, DC and the National Capital Region well into the 21st Century. Union Station is an important historic resource and is a gateway into the National Capital,

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

As noted in the Memorandum of Understanding executed in 2016, NCPC is the central planning agency for the federal government in the National Capital Region. Pursuant to 40 U.S.C. § 8722(d), NCPC has zoning authority for projects on federal land in the District of Columbia. As such, NCPC's review of this project will be comprehensive and will continue through 50-70 percent design development.

The Commission reviewed initial concept plans for the project in January 2020 and provided a series of requests to help facilitate future project reviews. These included substantially reducing parking, focusing on the overall urban design quality of the project, and facilitating improved coordination among District agencies, project proponents and the adjacent private air rights owner, Akridge. The Commission also reviewed staff comments on the Draft Environmental Impact Statement (DEIS) in July 2020, with a particular focus on parking. NCPC is a cooperating agency for NEPA purposes and a consulting party under Section 106 of the National Historic Preservation Act (NHPA).

FRA submitted a revised concept for Commission review in July 2022. The project proponents worked to address comments they received through the DEIS process, including those from NCPC at the initial concept review. The revised concept was altered in several significant ways, including: a parking program reduction of nearly 50 percent from the previous concept (equal to a 65% reduction from current parking); relocation of the parking and new pick-up/drop-off area underground; and reconfiguration of the bus facility in an east-west orientation to align with the new train hall with an additional pick-up/drop-off area. Due to the substantial changes, the Commission supported the revised concept, particularly the parking program reduction and relocation, as well as the reconfiguration of the bus facility, along with other improvements to access and urban design, and also commended the applicant for developing a new plan that was responsive to NCPC and other stakeholder feedback.

The 2020 DEIS evaluated six Action Alternatives (Alternatives A through E and Alternative A-C) and identified Alternative A-C as the initial Preferred Alternative. After review of public and agency comments on the 2020 DEIS, FRA paused the NEPA process. During the pause, FRA and the Project Proponents developed the new alternative (Alternative F) which also reflects the revised concept NCPC reviewed. In July 2022, FRA designated Alternative F as the Preferred Alternative and re-initiated the NEPA process. FRA determined that, relative to the alternatives

analyzed in the 2020 DEIS, the new Preferred Alternative included significant changes with potential to alter the project's environmental impacts. Therefore, FRA prepared a Supplemental DEIS (SDEIS) to evaluate the new alternative. Staff has reviewed the SDEIS and provides the following comments:

Staff Comments

- Overall, the SDEIS is thorough and evaluates the potential impacts resulting from the proposed preferred alternative. The alternative is consistent with the concept the Commission reviewed and supported in July 2022.
- Major beneficial operational impacts of the alternative include an expansion of rail capacity and ridership, new and improved pedestrian access and circulation, new and improved bicycle access and infrastructure.
- Major adverse operational impacts include increased traffic volumes, increased greenhouse gas emissions, and impacts to historic and cultural resources.
- Temporary constructions impacts will also result from the project.
- NCPC staff will continue to coordinate with FRA and other consulting parties regarding the development of a Programmatic Agreement (PA) that is being prepared to resolve known adverse effects on historic properties pursuant to Section 106 of the NHPA. The PA will include avoidance, minimization, and mitigation strategies, as well as a design review process with guidelines. The content and applicability of the guidelines will need further development. NCPC will be a signatory to the PA.
- Staff recommends the applicant continue to work with stakeholders to further minimize or mitigate transportation impacts due to construction activities and project implementation. We support the development of transportation demand and management strategies, in coordination with the District Department of Transportation.
- Staff recommends the applicant continue to work with bus operators in the development of the dynamic management approach for the bus facility. The applicant should also continue coordination with transit, hop-on/hop-off, and sightseeing buses that will require curb space across the site.
- As project plans are further developed, it will be helpful to better understand what entities or agencies will be responsible for the various components and mitigation measures, to ensure the project is cohesive and designed in a comprehensive manner.
- Staff requests that FRA provide copies of the comments received on the SDEIS prior to the next Commission review, along with a summary of responses. This will assist in NCPC understanding any outstanding issues.

Next Steps

The expansion project is a critical multimodal infrastructure investment in the nation's capital. NCPC will continue to work with FRA on the EIS and review process. As the process advances, we request FRA provide an updated schedule and a request FRA outline next steps and how it

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

Sincerely,

Diane Sullivan

Diane Sullivan
Director, Urban Design and Plan Review Division

cc: Anita Cozart, Director, DCOP
Everett Lott, Director, DDOT
Thomas Luebke, Secretary, U.S. Commission of Fine Arts
David Maloney, State Historic Preservation Officer, DCOP



National Trust *for*
Historic Preservation®

July 6, 2022

Amanda Murphy,
Federal Preservation Officer
Office of Federal Railroad Policy & Development
USDOT Federal Railroad Administration (MS-20)
1200 New Jersey Ave. SE
Washington, DC 20590

Via email to: info@wusstationexpansion.com
amanda.murphy2@dot.gov

Re: Comments on Supplemental Draft EIS and Draft Programmatic Agreement for
Washington Union Station Expansion Project

Dear Ms. Murphy,

The National Trust for Historic Preservation appreciates the opportunity to submit these comments on the current draft of the Programmatic Agreement (PA) for the Washington Union Station Expansion Project, as well as the Supplemental Draft Environmental Impact Statement (SDEIS) for the project. As you know, the National Trust has been participating from the beginning as a consulting party under Section 106 of the National Historic Preservation Act (NHPA) in the ongoing multi-year federal review process for this project led by the Federal Railroad Administration (FRA).

First of all, we would like to commend the FRA for the revisions that have been made to the plans for the proposed project since 2020, especially the modifications to the plans for parking and traffic circulation. The FRA has made significant changes to the plans that are directly responsive to the comments from the public and the other agencies involved in the review process.

However, there are some unresolved issues that still need to be addressed, and we hope that the FRA will continue to be responsive to the ongoing public comments.

Comments on the Supplemental Draft EIS

- ***Traffic Impacts on the Capitol Hill Historic District***

The SDEIS acknowledges that “Increased traffic volumes in the Preferred Alternative would result in a minor adverse direct operational impact on the Capitol Hill Historic District” (SDEIS at p. 5-96). But the SDEIS goes on to state that the traffic impact on the historic district will be negligible, for two primary reasons. One is the argument that the historic district is primarily significant for its architecture, and traffic doesn’t adversely impact the architecture. Second is the argument that traffic is already terrible within the Capitol Hill

Historic District. *Id.* at p. 5-97. We disagree with this rationale and these conclusions by the FRA.

Future traffic impacts are by their nature difficult to predict. In our view, the appropriate response would be to develop a detailed monitoring protocol, and if construction traffic (or other traffic) reaches certain levels, then restrictions would be imposed that would help to reduce traffic through the historic district. In our view, the Section 106 PA would provide the ideal mechanism to develop and implement a binding monitoring commitment of this type. We urge the FRA to follow up and work with the consulting parties, including the Capitol Hill Restoration Society, to develop this as a binding mitigation measure (rather than merely a Whereas Clause), as discussed below.

- ***Importance of a Unified Plan for Air Rights Development***

We share the concerns raised by David Tuchmann on behalf of Akridge during the consultation meeting on June 29, regarding the potential segmentation of the air rights development. The air rights development has a number of important benefits that are crucial to the economic and architectural success of the redevelopment project, but it also has the potential for adverse effects if not carefully planned and designed in a cohesive and unified manner that is compatible with the historic character of the surrounding area. Segmentation of the air rights development would increase the likelihood of adverse effects on historic properties, and would exponentially increase the risk that the benefits would not be achieved in the first place.

- ***Avoid Simultaneous Record of Decision and Final EIS***

The SDEIS states that the FRA intends to issue the Final EIS and the Record of Decision (ROD) simultaneously, rather than offering the public the opportunity to comment on the Final EIS, citing the FAST Act¹ as the basis for this proposed exclusion of public comment. (SDEIS, at xxi n.5.)² Given the magnitude and complexity of the redevelopment project, and the high level of interest by the public, we strongly recommend that the FRA defer the ROD by 45 days in order to receive and respond to public comments on the Final EIS. It has now been more than seven and a half years since the FRA first issued its Notice of Intent (NOI) to prepare an EIS for this project. 80 Fed. Reg. 68,380 (Nov. 4, 2015). The FAST Act had not even been enacted into law at the time of the NOI for this project. During the years that followed, public comments have helped to substantially shape and modify the plans for this project, in ways that have advanced its transportation goals while reducing its adverse effects. In the context of this timeline, an additional 30-45 days is minimal, and the FRA's attempt to foreclose any further public comment after July 6, 2023 is unreasonable.

¹ Fixing America's Surface Transportation (FAST) Act, Pub. L. No. 114-94 (Dec. 4, 2015); see 49 U.S.C. § 304a.

² According to the federal permitting dashboard, the currently projected date for issuance of the ROD is January 22, 2024: <https://www.permits.performance.gov/permitting-project/dot-projects/washington-union-station-expansion-project>.

Not only was the FAST Act not an existing law at the time of the NOI in this case, but in our view, the circumstances under which the FAST Act calls for a “single document” combining the Final EIS and the ROD are not applicable here. The FAST Act states:

To the maximum extent practicable, the lead agency shall expeditiously develop a single document that consists of a final environmental impact statement and a record of decision, unless—(1) the final environmental impact statement makes substantial changes to the proposed action that are relevant to environmental or safety concerns; or (2) there is a significant new circumstance or information relevant to environmental concerns that bears on the proposed action or the impacts of the proposed action.

49 U.S.C. § 304a(b). The ultimate resolution of *many* issues relevant to the impacts of the project is being postponed until after the Final EIS has been issued. These postponed issues regarding environmental concerns include, for example, the design of the project, the design and development plans for the air rights, the impacts of construction noise and vibration, and the monitoring and potential mitigation of traffic impacts, to name just a few. The comments submitted by the Committee of 100 on the Federal City also identify a number of additional unresolved issues ranging from outdated and unreliable projections of ridership to emissions and air quality impacts. In our view, all of these postponed and unresolved issues constitute “significant new . . . information relevant to environmental concerns that bears on the proposed action or the impacts of the proposed action.” *Id.* Accordingly, even the FAST Act does not mandate a combined FEIS and ROD under these circumstances.

Comments on the Draft Programmatic Agreement

As discussed by the consulting parties during the Section 106 consultation meeting on June 29, the Draft PA still needs work. The FRA acknowledged that it had not yet completed the process of incorporating earlier comments that had been submitted by the SHPO and other agencies prior to sharing a draft of the PA with the full list of consulting parties. The Draft PA necessarily defers the resolution of many of the adverse effects from the project, but needs to incorporate much more specific procedures for assessing, minimizing, and mitigating the adverse effects – and needs to include the consulting parties in that process. We also agree with the Committee of 100 that the currently proposed mitigation package is too “mundane.”

- ***Inadequate Resolution of Traffic Impacts*** (Whereas Clause, p.3, Lines 90-99)

The National Trust and the Capitol Hill Restoration Society both raised formal disagreements with the FRA’s finding of “no adverse effect” on the Capitol Hill Historic District as a result of traffic impacts. In response, the FRA included a Whereas Clause in the Draft PA offering that the Project Sponsor (USRC) would implement a number of measures that would contribute to avoiding and minimizing these potential adverse effects. These include regular monitoring activities, implementation of restrictions, and development of a Construction Transportation Management Plan. This approach of monitoring the actual traffic impacts and then using those results to trigger certain restrictions if specific thresholds are met, was supported by

the ACHP. However, it needs to be incorporated into the body of the PA as a binding commitment, rather than merely a Whereas Clause. And all consulting parties need to be involved in the process of developing the traffic monitoring plan, not just the Signatories.

- ***Inadequate Review Procedures*** (Stipulation II, pp. 3-4)

Stipulation II describes the general procedure for reviewing and commenting on all documents and plans as the PA is implemented, including all of those in Stipulation VI (Treatment Measures). However, Stipulation II is limited exclusively to input by the Signatories, and makes no provision whatsoever for comments by any other consulting parties. (*See, e.g.*, Lines 128, 131-134, 136, 138-139, 142, 145, 149-151.) This is absolutely unacceptable, and we urge the ACHP and SHPO to insist that this be revised. The consulting parties in this case bring substantial expertise to the table, and they represent parties and historic places directly affected by the project. Their comments have already been highly influential in persuading the FRA to make modifications to the project, and they should not be excluded from all subsequent review and comment opportunities, as the Draft PA proposes. More detailed revisions are also needed to Stipulation VI, in order to ensure this input from the consulting parties, as described below.

- ***Inadequate Stipulation for Historic Preservation Covenant***
(Stipulation VI.A.1., p.6)

The Draft PA merely provides that the FRA will “*seek to* include a historic preservation covenant” in the transfer of any real estate out of federal ownership (Line 222, emphasis added), but does not constitute a firm commitment to doing so. Nor does this draft stipulation include any standards about what would be included in the covenant. Would the covenant meet the standard of “adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance,” within the meaning of 36 C.F.R. § 800.5(a)(2)(vii)? Who would hold the authority to enforce compliance with the covenant? Only the Signatories would have any input on these issues (Lines 225 & 227); all other consulting parties would be excluded from the process. In addition, the fourth Whereas Clause (Lines 22-23) states that the privately-owned air rights being acquired for the project are already subject to a historic preservation deed covenant. How would the terms of that existing covenant compare with and relate to the language of the newly negotiated covenant? D.C. has a notoriously poor track record regarding failed preservation covenants, as the National Trust has emphasized in a prior letter to the ACHP regarding the development of specific guidance for the use of preservation covenants in the Section 106 process. (See attached.) Accordingly, it will be especially important to strengthen the language of this stipulation, and to include all consulting parties in the process of drafting the preservation covenant.

- ***Inadequate Consultation for Design Review*** (Stipulation VI.A.2., pp.6-7)

The Draft PA would limit the development and implementation of the Design Review process to the Signatories (Lines 231 & 233), and would exclude all other consulting parties from the Design Review. This is unacceptable. In addition, the Draft PA should be more specific about the appropriate timing and sequence of submissions to the NCPC and CFA

(Lines 241-243), and how they would be coordinated with the design review process developed under the PA. The DC Historic Preservation Review Board (HPRB) needs to be added as well.

- ***Inadequate Stipulation for Design Guidelines & Air Rights Development*** (Stipulation VI.A.3., p.7)

As discussed above, and at the June 29 consultation meeting, this draft stipulation is far too narrow. First, the design guidelines need to be developed for all of the areas subject to development under the project, not just the federal air rights. While the guidelines themselves may vary somewhat for the different components of the development, they need to be coordinated to ensure that adverse effects will be minimized and that the design of the new development will be harmonious and compatible. Second, the development of these design guidelines should not be limited to the Signatories (Lines 258 & 260), but should include all consulting parties. The substantial expertise of the consulting parties will be essential to the development of meaningful design guidelines.

We also agree with the concerns raised by the SHPO that the Draft PA fails to include any stipulations regarding the proposed central plaza, even though the plaza is one of the most critical components of the Preferred Alternative. An additional stipulation needs to be added to the Draft PA in order to ensure that the plaza will be developed and that the remaining development will be consistent with the Preferred Alternative.

- ***Inadequate Consultation for Interpretation Plan*** (Stipulation VI.A.6., p.9)

The Draft PA would limit the development and implementation of the Interpretation Plan to the Signatories (Lines 340 & 347), and would exclude all other consulting parties from the process. This is especially problematic since many of the consulting parties have direct experience with historical interpretation, and their expertise would substantially improve the resulting Interpretation Plan.

- ***Inadequate Consultation for Historic Properties Construction Protection and Signage Plan*** (Stipulation VI.A.8., pp.9-10)

The Draft PA would limit the development and implementation of the Historic Properties Construction Protection and Signage Plan to the Signatories (Lines 376 & 387), and would exclude all other consulting parties from the process. This should be revised to include all consulting parties.

- ***Inadequate Consultation for Construction Noise and Vibration Control Plan*** (Stipulation VI.A.9., p.10)

The Draft PA would limit the development and implementation of the Construction Noise and Vibration Control Plan (CNVCP) to the Signatories (Lines 395 & 422), and would exclude all other consulting parties from the process. The consulting parties in this case bring substantial expertise to the table, and they represent parties and historic places

directly affected by the project. The preparation and implementation of this plan would not only be delegated to the USRC, but would be *re*-delegated to the construction contractor, including the determination of the “appropriate vibration thresholds” and “measures to be taken to minimize the risk of damage.” (Lines 398-399). In our experience, it is much better to include the specific vibration thresholds in the PA itself, and to include the minimization measures in the plan, rather than leaving these determinations in the hands of the construction contractor. For example, enclosed is an excerpt from the MOA governing the construction of the new Coast Guard headquarters building at the St. Elizabeths campus, which serves as a useful model regarding vibration control, and we would encourage the Signatories to copy much of this language, including the provision that states “Vibrations shall be monitored to ensure that vibration levels . . . do not exceed 0.2 inches/second.”

- ***Monitoring and Reporting*** (Stipulation X., p.14)

In addition to the draft language in Stipulation X requiring the USRC to prepare and distribute an annual report, we strongly recommend that the USRC also be required to convene an annual meeting, inviting all consulting parties. In our experience, these kinds of annual meetings are much more valuable than merely distributing a document, and they help to reduce the risk of misunderstandings and conflicts in the future. Annual meetings are especially important for projects with an unusually long duration such as this one.

Conclusion

Thank you in advance for considering the comments of the National Trust for Historic Preservation. We appreciate the opportunity to continue to participate in the consultation process to refine and improve the Section 106 Programmatic Agreement for the Washington Union Station Expansion Project.

Sincerely,



Elizabeth S. Merritt
Deputy General Counsel

Enclosures:

- Excerpt from MOA for new Coast Guard HQ at St. E's (Dec. 16, 2009)
- National Trust comments to ACHP re Guidance on the Use of Real Property Restrictions or Conditions in the Section 106 Process to Avoid Adverse Effects (June 29, 2015)

cc: Rachel Mangum and Jaime Loichinger, Advisory Council on Historic Preservation
Andrew Lewis and David Maloney, DC State Historic Preservation Office
Lee Webb, Federal Preservation Officer, National Capital Planning Comm'n
Tom Luebke, Federal Preservation Officer, Commission of Fine Arts

Rebecca Miller, DC Preservation League
Erik Hein, Committee of 100 on the Federal City
Drury Tallant, Capitol Hill Restoration Society
David Tuchmann, Akridge Development
Katie Hummelt and Jennie Gwin, Beyer Blinder Belle
Rob Nieweg, National Trust for Historic Preservation

912 the placement of the two-layer security fencing along the access road and will need to
913 avoid interferences from retaining walls and vehicles (vibrations) to the surveillance
914 and detection systems..

915
916 In order to ensure the security and operational needs of the West Campus, clearance
917 of selected understory vegetation and debris in portions of this area shall be required
918 to maintain proper security of the severe slope area between the fence and the
919 plateau and GSA shall coordinate these efforts in accordance with the campus
920 Landscape Preservation and Management Plan. All vegetation shall be cut and not
921 pulled.

922
923 3. Shoring of Center Building:

924 GSA shall develop, prior to excavation, an appropriate system to protect, support and
925 otherwise not adversely affect the Center Building adjacent to the USCG
926 Headquarters. Because the foundation of the Center Building is shallow, in
927 relationship to the USCG Headquarters, it is important to provide the appropriate
928 supportive excavation system that minimizes the potential effect on the Center
929 Building which may result from the excavation and the construction of the USCG
930 Headquarters. GSA shall adopt a Construction Protection Plan (CPP) for the
931 Undertaking which includes but is not limited to the installation of electronic sensing
932 devices on the building to detect any potential vibration or shifting of to the building
933 and grounds during construction. This proactive effort is being taken as an added
934 protective measure to ensure the safety, security, and stability of the Center Building
935 and its immediate environs and to ensure disturbances are limited. The CPP shall
936 provide for an engineer and/or historical architect meeting the proposed *Secretary of*
937 *the Interiors Historic Preservation Professional Qualifications Standards 62*
938 *Fed.Reg.33,707 (June 20, 1997)* to supervise implementation of the CPP. Vibrations
939 shall be monitored to ensure that vibration levels at the Center Building do not exceed
940 0.2 inches/second. In the event that this vibration threshold is exceeded, the CPP
941 shall provide a process to ensure that construction work is stopped until such time as
942 the qualified professionals have determined that modifications have been made in the
943 construction activities to assure that no damage shall occur to historic properties.

944
945 **III. PUBLIC ACCESS**

946
947 Access Program: GSA shall work with DHS to develop a Public Access Program
948 ("Access Program") for St. Elizabeths that respects the operational and functional needs
949 of DHS and shares the experience, exceptional history and significance of the West
950 Campus with the general public. The Access Program shall be developed in further
951 consultation with GSA, DHS, the Signatories and the Consulting Parties, and shall
952 consider models successfully implemented at other secure historic federal facilities. So
953 as to not interfere with DHS operations, the Access Program shall be structured in
954 phases, as outlined in the PA, in accordance with scheduling and screening procedures
955 and construction and occupancy phases, and as outlined below. The Access Program
956 shall reflect the security parameters outlined for a Level 5 ISC facility and include limited
957 controlled, regular daily access to the West Campus including, at a minimum, the Point,
958 the Cemetery, and Hitchcock Hall, subject to demonstrated public demand for such
959 access. All access shall be pre-arranged, require visitors to provide certain personally
960 identifiable information (PII) to allow for the completion of the screening check by DHS
961 security and guided. Consultation around the Access Program shall take place regularly



**National Trust for
Historic Preservation**
Save the past. Enrich the future.

June 29, 2015

Reid Nelson
Kirsten Kulis
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington, DC 20001

Re: Guidance on the Use of Real Property Restrictions or Conditions in the Section 106
Process to Avoid Adverse Effects

Dear Reid and Kirsten:

Thank you for reaching out to preservation partners and other interested parties to seek comments on the draft guidance developed by the Advisory Council on Historic Preservation (ACHP) regarding the use of preservation covenants in an effort to ensure the long-term protection of historic properties when those properties are conveyed by the federal government to non-federal owners. The National Trust has been pleased to serve on the Task Force that worked with the ACHP to help develop the draft guidance, so we were able to see first-hand the expertise and collaboration that informed this draft.

In general, we think the draft guidance is excellent, and we believe it will substantially improve the quality and effectiveness of these preservation covenants going forward.

However, we want to reiterate our concerns that this guidance should be viewed as just a first step. It will be important for the ACHP to tackle the larger and more complex problem of the hundreds or thousands of existing preservation covenants that have been attached at some time in the past as a condition of federal property conveyance, and have been relied on to support a “no adverse effect” determination in the Section 106 review process, but have failed to “ensure long-term preservation of the property’s historic significance,” and thus fail to comply with the requirements of 36 C.F.R. § 800.5(a)(2)(vii). These include situations where the covenant is not being enforced as intended; where the covenant is amended in a way that substantively weakens the protection of the historic property; or where one of the parties is seeking to extinguish the covenant as a matter of convenience. We also discussed the problem that many of these failed covenants call for the ACHP itself to be involved in some capacity in resolving future disputes about the covenants, often many years after the federal agency has completed the disposition of the property.

As you know, a number of these controversies have arisen in the context of conveyances of historic post office buildings by the U.S. Postal Service. For example:

- ***Ukiah Post Office, Ukiah, California:*** In 2012, the downtown Ukiah Post Office was sold to a private owner, with a preservation covenant that designated the State Historic Preservation Office as the entity responsible for enforcing the covenant, even

though the SHPO objected that it was unwilling and unable to serve in that capacity. As you know, the ACHP objected to the proposed covenant terms and to the determination of “no adverse effect” by the Postal Service, but those objections were disregarded by the agency. The historic lobby mural has since been removed and the building remains vacant. A six-foot-tall tarp-like fence surrounds the structure.

- ***Venice Post Office, Venice, California.*** The sale of the historic Venice Post Office in 2012 to Hollywood producer Joel Silver was enabled by the granting of a covenant to the City of Los Angeles rather than to the SHPO. However, two and a half years after the sale, all work on the renovation project has stalled, and the building is now an eyesore scarred by graffiti in a prominent part of downtown. While the covenant granted the City the right to review the appropriateness of proposed rehabilitation work, it did not give the City the right to take enforcement action where little or no work to the building is occurring.

Although the ACHP was able to raise objections in both of these cases, most of these issues do not even come to the ACHP’s attention, since agencies are not required to notify the Council when they make determinations of “no adverse effect” unless the SHPO has raised an affirmative objection.

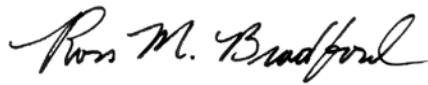
In addition to the Post Office examples, two current controversies in Washington, DC provide classic examples of failed covenants:

- ***McMillan Sand Filtration Site.*** In 1987, GSA sold this 25-acre parcel to the City of Washington for \$9 million, with the understanding that the City wanted to introduce some development on the site. (Contemporaneous documents suggested that the height and density contemplated at the time was up to four-story buildings.) The covenant that was used to justify a “no adverse effect” determination requires two things: (1) The D.C. Historic Preservation Officer (HPO) must review all preliminary and final plans and specifications for renovation, rehabilitation, demolition, or new construction within the site, and if the HPO does not “agree with” the preliminary or final plans, and the disagreement cannot be resolved, the City must immediately request the comments of the ACHP in accordance with 36 C.F.R. Part 800. (2) The covenants specifically require that any and all “rehabilitation and renovation work” at the site must comply with the *Secretary of the Interior’s Standards*. However, the City has taken the position that this requirement only applies if the developers voluntarily choose to rehabilitate or renovate an element of the site; the City contends that any demolition or destruction of historic elements is permitted by the covenant, as long as the HPO “agree[s].” The current development proposal—calling for complete destruction of the character-defining underground vaults in the site, and high-density development, including 115-foot-high office buildings—could not reasonably be considered to have “no adverse effect” on the historic site.
- ***Georgetown West Heating Plant.*** This historic structure was sold by GSA in 2013, subject to a relatively traditional historic preservation covenant, which required any alterations to comply with the *Secretary of the Interior’s Standards*. However, the covenant also included a cancellation clause, which provided that “the SHPO may, for

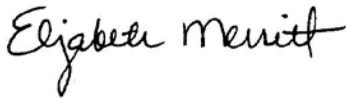
good cause, modify or cancel any or all of the Historic Preservation Covenants upon the written request of Grantees [i.e., the purchasers].” When the purchasers proposed a redevelopment plan that called for the demolition of 70% of the historic structure, preservation advocates raised questions about how those plans could be reconciled with the *Secretary’s Standards*. The purchasers responded that they never intended to try to comply with the *Secretary’s Standards*, but intended from the outset to have the covenant cancelled. Although the DC-SHPO has not taken any steps to cancel the covenant at this point, the political pressure to do so remains strong.

We look forward to continuing the work of the Task Force in an effort to address the important policy issues represented by these examples of failed historic preservation covenants.

Sincerely,

A handwritten signature in black ink that reads "Ross M. Bradford". The signature is written in a cursive, flowing style.

Ross M. Bradford
Senior Associate General Counsel

A handwritten signature in black ink that reads "Elizabeth Merritt". The signature is written in a cursive, flowing style.

Elizabeth S. Merritt
Deputy General Counsel

Katie Hummelt

From: Troccoli, Ruth (OP) <Ruth.Troccoli@dc.gov>
Sent: Thursday, July 6, 2023 9:09 PM
To: Murphy, Amanda (FRA); Maloney, David (OP); Elizabeth Merritt; Matlesky, Greg (DDOT); Webb, Lee; Christine Healey; akschmidtdc@yahoo.com; David Tuchmann; Rebecca Miller; Eckenwiler, Mark (SMD 6C04); Erik Hein (hein@ncshpo.org); Ames, Christine (OP); Katie Hummelt; rmangum@achp.gov; Robert Nieweg; dtallant@aol.com; charles@charlesallen2022.com; Jennie Gwin; Merkle, Leslie (SMD 6C02); Lewis, Andrew (OP); Ames, Christine (OP)
Cc: info@wusstationexpansion.com
Subject: RE: Additional DC SHPO Comments on the Draft WUS Expansion Project Programmatic Agreement

Hello Amanda:

Thank you for providing an additional opportunity to review and comment on the draft Washington Union Station (WUS) Expansion Project Programmatic Agreement (PA). As Andy noted, we provided comments on the earlier “administrative draft” of the PA in April. Of the comments related to archaeology that we provided at that time, there are several that are not clearly addressed in this version of the PA.

- 1) The presence of an eligible archaeological site within the basement tunnel beneath the tracks, site 51NE052. It does not appear that this site will be included in the stipulated NRHP nomination (Stipulation VI.A.7., lines 354-373) as a non-contributing resource. Is this omission due to the earlier period of significance of site 51NE052?
- 2) The DC SHPO requires review and approval of archaeological survey workplans, per the cited *District Guidelines for Archaeological Investigations* (Stipulation VI.B.1., line 433). We find it helpful to clearly state this critical step to ensure it is not overlooked during project execution. This applies to both Phase IA and IB identification survey, Phase II evaluations, and Phase III data recovery survey. Note too, that results of archaeological survey efforts in the form of interim management summaries and technical reports are also provided to the SHPO for review. This I specified in the regulations but the wording could be interpreted to mean that reporting will only be share with the Tribes (Lines 452, 461, and 509).
- 3) The archaeological survey terminology for Phase IB (Stipulation VI.B.4., line 433, and 450) is incorrectly used. Phase IB survey is not assessment-level, rather it is identification-level survey.
- 4) Line 463- This should likely read “Adverse effects to eligible or significant archaeological properties...”. Sites determined ineligible do not generally require mitigation of adverse effects.
- 5) In the instance of unanticipated *archaeological* discoveries, consultation with the SHPO is required to prepare an adequate work plan for the effort (Line 504).
- 6) Humans Remains – Lines 545-547- Note this is in compliance with **DC Statute DC ST § 5-1406** Deaths — Notification; penalties for noncompliance.

Please let us know if you have any questions or need additional information.

Cheers-
Ruth
re: HPO 16-0114



Ruth Troccoli, Ph.D.
District Archaeologist • DC Office of Planning
Historic Preservation Office
She/Her • [Why Pronouns Matter?](#)
1100 4th Street SW, Suite E650 • Washington, DC 20024
202.442.8836
ruth.troccoli@dc.gov
planning.dc.gov/page/archaeology-district-columbia

Telework Days: Monday & Thursday. I can still be reached via email and phone during these days.
[Sign up here](#) for OP's newsletter and announcements.

From: Lewis, Andrew (OP) <andrew.lewis@dc.gov>

Sent: Thursday, July 6, 2023 1:15 PM

To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Maloney, David (OP) <david.maloney@dc.gov>; Troccoli, Ruth (OP) <Ruth.Troccoli@dc.gov>; Elizabeth Merritt <emerritt.savingplaces@gmail.com>; Matlesky, Greg (DDOT) <Greg.Matlesky@dc.gov>; Webb, Lee <lee.webb@ncpc.gov>; Christine Healey <christinehealey100@gmail.com>; akschmidt@dc@yahoo.com; David Tuchmann <dtuchmann@akridge.com>; Rebecca Miller <rebecca@dcpreservation.org>; Eckenwiler, Mark (SMD 6C04) <6C04@anc.dc.gov>; Erik Hein (hein@ncshpo.org) <hein@ncshpo.org>; Ames, Christine (OP) <christine.ames@dc.gov>; Katherine Hummelt <khummelt@bbbarch.com>; rmangum@achp.gov; Robert Nieweg <RNieweg@savingplaces.org>; dtallant@aol.com; charles@charlesallen2022.com; Jennie Gwin <jgwin@bbbarch.com>; Merkle, Leslie (SMD 6C02) <6C02@anc.dc.gov>

Cc: info@wusstationexpansion.com

Subject: Additional DC SHPO Comments on the Draft WUS Expansion Project Programmatic Agreement

Hello Amanda:

Thank you for providing an additional opportunity to review and comment on the draft Washington Union Station (WUS) Expansion Project Programmatic Agreement (PA). As you will recall, the DC SHPO provided comments on an earlier, "administrative draft" of the PA. Those comments were provided in the matrix that is attached to this message. The additional comments below, many of which were offered verbally in the most recent consulting parties meeting, augment and clarify our earlier comments. They are generally "high level" in nature but some of the more specific comments cite page and line numbers for reference.

1. SHPO strongly recommends that all signatories, including the invited signatories USRC, NCPC and Amtrak be cited in the title block since, pursuant to 36 CFR 800.6(c)(2)(i), invited signatories have the same rights with regard to seeking amendment or termination of the PA, because it is misleading to omit them from the title block and because we are not aware of any reason they should be omitted.
2. On a related note, the PA states USRC is the Project Sponsor and will be responsible for complete implementation of the Project including the stipulated mitigation. In order to ensure that USRC can fulfill this role, the PA should state what expansion, if any, of USRC's roles, responsibilities and authorities will be necessary for it to effectively administer implementation of the federal project in coordination with the related private air rights development north of the historic station.
3. LINE 12 – in keeping with the comment immediately above, it would be helpful to define what USRC is (i.e. public entity, instrument of FRA, etc.)
4. LINE 20 – please clarify that FRA also owns the rail yard extending to L Street (or the appropriate street), the tunnel that extends southward below grade, and, if applicable, the REA Building. We understand the latter is owned by Amtrak but are unsure whether that equates to federal ownership.
5. LINES 75-77 – this clause begs the question of how USRC is going to acquire funding to implement the project and its mitigation measures. While we recognize that funding sources have not yet been identified, it would be helpful to briefly identify what the anticipated sources of funding are and to outline how the funds would be provided to USRC.

6. LINES 78-79 – this clause is very open-ended. Please elaborate briefly on the types of roles and responsibilities that Amtrak may have pursuant to the PA. We may have further comments on this topic once we learn more about what those roles and responsibilities may be.
7. LINES 90-99 – refer to previous comments on this clause and note that we also recommend that it be relocated to Line 63 or incorporated into the clause in Lines 57-62 which identify adverse effects. In other words, all the adverse effects and potential adverse effects should be addressed in one section of the preamble.
8. LINE 250, we recommend that this be revised to read “proposed ramps to the east and west” instead of “new ramps” since the former suggests agreement.
9. LINE 255 – add “... and other topics addressed in the correspondence record which is included as Attachment #”
10. We recognize that FRA considers this PA an appendix to the SDEIS and, therefore, likely assumes that all graphics to illustrate the Preferred Alternative are already adequately addressed. However, SHPO stresses that the agreement is also a stand-alone document for purposes of Section 106 so all relevant graphics, narrative information and related information (not just the “massing diagram”) that define and illustrate the Preferred Alternative should be incorporated in a specific stipulation and as an attachment to the PA. We stress this because the Preferred Alternative represents the mutually agreed upon design that should be specifically identified as the benchmark for all future development (both public and private) and the historic preservation review, thereof.
11. LINE 262, insert a new paragraph after (a) to read: Design Guidelines will establish a minimum development parcel that is necessary to accomplish the essential components of the project, including open space. For reference, see the Square Guidelines of the Pennsylvania Avenue Development Corporation or the development parcelization of the Southeast Federal Center.
12. The central plaza is one of the most critical components of the Preferred Alternative since virtually every aspect of the design, the Section 106 minimization of adverse effects, and the Section 4(f) evaluation that finds least overall harm to historic properties are all closely tied to and rely heavily upon construction of this important feature. Despite these facts, the PA provides no guarantees the plaza will be constructed or even that a coherent development parcel indicating building sites and open space will be established to ensure its realization. To address this urgent concern and several related issues, the PA should be revised to maximize use of the tools that are available to help ensure the plaza will come to fruition and the remaining development will be consistent with the Preferred Alternative. Such tools may include, but not necessarily be limited to:
 - a.) the aforementioned direct references to all relevant Preferred Alternative graphics as the benchmark for review and establishing that failure to comply with this benchmark will require a more stringent level of review;
 - b.) ensuring that the existing air rights covenant or, potentially, some variation thereof, will be extended to all areas of the Union Station Historic Site which are north of the historic station and presently not covered by the existing covenant, regardless of ownership – we view this as an essential step in avoiding/minimizing adverse effects that are likely to result from transfer of historic properties out of federal ownership;
 - c.) expanding the design guidelines proposed for the federal air rights areas so they cover all areas north of the historic station;

d.) designating all or portions of the Union Station Historic Site a local historic district and requiring review by HPRB, the latter of which may be dependent upon whether a proposed project conforms with the Preferred Alternative, the air rights covenant, the expanded design guidelines and related factors; and

e.) considering ways the Union Station North (USN) zoning overlay and/or NCPC review in lieu of zoning may be used to ensure development consistent with the Preferred Alternative.

13. Several stipulations of the PA suggest that key documents such as the expanded air rights covenant and/or design guidelines will be drafted at some point in the future but we recommend that such important measures be prepared concurrently with the agreement document and incorporated as attachments therein.

Please note that we may provide additional comments regarding the archaeological stipulations of the draft PA in a separate email.

If you should have any questions or comments regarding any of these matters, please respond to this email or contact me at the number listed below. Otherwise, we look forward to receiving a revised draft of the PA and to consulting further with all parties to finalize the agreement document.

Best regards,



C. Andrew Lewis, Senior Historic Preservation Specialist
DC State Historic Preservation Office, DC Office of Planning
1100 4th Street, SW, Suite E650, Washington, DC 20024
202-442-8841
andrew.lewis@dc.gov
<http://planning.dc.gov/historicpreservation>

Katie Hummelt

From: Lewis, Andrew (OP) <andrew.lewis@dc.gov>
Sent: Thursday, July 6, 2023 1:15 PM
To: Murphy, Amanda (FRA); Maloney, David (OP); Troccoli, Ruth (OP); Elizabeth Merritt; Matlesky, Greg (DDOT); Webb, Lee; Christine Healey; akschmidt@dc.gov; David Tuchmann; Rebecca Miller; Eckenwiler, Mark (SMD 6C04); Erik Hein (hein@ncshpo.org); Ames, Christine (OP); Katie Hummelt; rmangum@achp.gov; Robert Nieweg; dtallant@aol.com; charles@charlesallen2022.com; Jennie Gwin; Merkle, Leslie (SMD 6C02)
Cc: info@wusstationexpansion.com
Subject: Additional DC SHPO Comments on the Draft WUS Expansion Project Programmatic Agreement
Attachments: DC SHPO Comments on WUS PA Draft 1.xlsx

Hello Amanda:

Thank you for providing an additional opportunity to review and comment on the draft Washington Union Station (WUS) Expansion Project Programmatic Agreement (PA). As you will recall, the DC SHPO provided comments on an earlier, “administrative draft” of the PA. Those comments were provided in the matrix that is attached to this message. The additional comments below, many of which were offered verbally in the most recent consulting parties meeting, augment and clarify our earlier comments. They are generally “high level” in nature but some of the more specific comments cite page and line numbers for reference.

1. SHPO strongly recommends that all signatories, including the invited signatories USRC, NCPC and Amtrak be cited in the title block since, pursuant to 36 CFR 800.6(c)(2)(i), invited signatories have the same rights with regard to seeking amendment or termination of the PA, because it is misleading to omit them from the title block and because we are not aware of any reason they should be omitted.
2. On a related note, the PA states USRC is the Project Sponsor and will be responsible for complete implementation of the Project including the stipulated mitigation. In order to ensure that USRC can fulfill this role, the PA should state what expansion, if any, of USRC’s roles, responsibilities and authorities will be necessary for it to effectively administer implementation of the federal project in coordination with the related private air rights development north of the historic station.
3. LINE 12 – in keeping with the comment immediately above, it would be helpful to define what USRC is (i.e. public entity, instrument of FRA, etc.)
4. LINE 20 – please clarify that FRA also owns the rail yard extending to L Street (or the appropriate street), the tunnel that extends southward below grade, and, if applicable, the REA Building. We understand the latter is owned by Amtrak but are unsure whether that equates to federal ownership.
5. LINES 75-77 – this clause begs the question of how USRC is going to acquire funding to implement the project and its mitigation measures. While we recognize that funding sources have not yet been identified, it would be helpful to briefly identify what the anticipated sources of funding are and to outline how the funds would be provided to USRC.
6. LINES 78-79 – this clause is very open-ended. Please elaborate briefly on the types of roles and responsibilities that Amtrak may have pursuant to the PA. We may have further comments on this topic once we learn more about what those roles and responsibilities may be.

7. LINES 90-99 – refer to previous comments on this clause and note that we also recommend that it be relocated to Line 63 or incorporated into the clause in Lines 57-62 which identify adverse effects. In other words, all the adverse effects and potential adverse effects should be addressed in one section of the preamble.
8. LINE 250, we recommend that this be revised to read “proposed ramps to the east and west” instead of “new ramps” since the former suggests agreement.
9. LINE 255 – add “... and other topics addressed in the correspondence record which is included as Attachment #”
10. We recognize that FRA considers this PA an appendix to the SDEIS and, therefore, likely assumes that all graphics to illustrate the Preferred Alternative are already adequately addressed. However, SHPO stresses that the agreement is also a stand-alone document for purposes of Section 106 so all relevant graphics, narrative information and related information (not just the “massing diagram”) that define and illustrate the Preferred Alternative should be incorporated in a specific stipulation and as an attachment to the PA. We stress this because the Preferred Alternative represents the mutually agreed upon design that should be specifically identified as the benchmark for all future development (both public and private) and the historic preservation review, thereof.
11. LINE 262, insert a new paragraph after (a) to read: Design Guidelines will establish a minimum development parcel that is necessary to accomplish the essential components of the project, including open space. For reference, see the Square Guidelines of the Pennsylvania Avenue Development Corporation or the development parcelization of the Southeast Federal Center.
12. The central plaza is one of the most critical components of the Preferred Alternative since virtually every aspect of the design, the Section 106 minimization of adverse effects, and the Section 4(f) evaluation that finds least overall harm to historic properties are all closely tied to and rely heavily upon construction of this important feature. Despite these facts, the PA provides no guarantees the plaza will be constructed or even that a coherent development parcel indicating building sites and open space will be established to ensure its realization. To address this urgent concern and several related issues, the PA should be revised to maximize use of the tools that are available to help ensure the plaza will come to fruition and the remaining development will be consistent with the Preferred Alternative. Such tools may include, but not necessarily be limited to:
 - a.) the aforementioned direct references to all relevant Preferred Alternative graphics as the benchmark for review and establishing that failure to comply with this benchmark will require a more stringent level of review;
 - b.) ensuring that the existing air rights covenant or, potentially, some variation thereof, will be extended to all areas of the Union Station Historic Site which are north of the historic station and presently not covered by the existing covenant, regardless of ownership – we view this as an essential step in avoiding/minimizing adverse effects that are likely to result from transfer of historic properties out of federal ownership;
 - c.) expanding the design guidelines proposed for the federal air rights areas so they cover all areas north of the historic station;
 - d.) designating all or portions of the Union Station Historic Site a local historic district and requiring review by HPRB, the latter of which may be dependent upon whether a proposed project conforms with the Preferred Alternative, the air rights covenant, the expanded design guidelines and related factors; and

e.) considering ways the Union Station North (USN) zoning overlay and/or NCPC review in lieu of zoning may be used to ensure development consistent with the Preferred Alternative.

13. Several stipulations of the PA suggest that key documents such as the expanded air rights covenant and/or design guidelines will be drafted at some point in the future but we recommend that such important measures be prepared concurrently with the agreement document and incorporated as attachments therein.

Please note that we may provide additional comments regarding the archaeological stipulations of the draft PA in a separate email.

If you should have any questions or comments regarding any of these matters, please respond to this email or contact me at the number listed below. Otherwise, we look forward to receiving a revised draft of the PA and to consulting further with all parties to finalize the agreement document.

Best regards,



C. Andrew Lewis, Senior Historic Preservation Specialist
DC State Historic Preservation Office, DC Office of Planning
1100 4th Street, SW, Suite E650, Washington, DC 20024
202-442-8841
andrew.lewis@dc.gov
<http://planning.dc.gov/historicpreservation>

From: [Murphy, Amanda \(FRA\)](#)
To: [Union Station Expansion](#)
Cc: [Katherine Hummelt](#); [Jennie Gwin](#)
Subject: FW: Additional DC SHPO Comments on the Draft WUS Expansion Project Programmatic Agreement
Date: Thursday, July 6, 2023 3:34:36 PM
Attachments: [image001.png](#)
[image002.png](#)
[FRA Union Station Expansion Project SHPO Letter 11 - Comments on First Draft PA.pdf](#)

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Maloney, David (OP) <david.maloney@dc.gov>
Sent: Thursday, July 6, 2023 3:00 PM
To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Cc: Lewis, Andrew (OP) <andrew.lewis@dc.gov>
Subject: FW: Additional DC SHPO Comments on the Draft WUS Expansion Project Programmatic Agreement

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Amanda,

Sorry for the last-minute informal comment, but in working up some info for an intern project that ACHP is doing (basically how many Section 106 DOEs result in NR listings), I looked at the PA provision on the nomination of WUS to the NR and noticed that it does not include a schedule for when the actions would take place. Seems to me that tying it to some kind of milestone would make sense. Thanks for considering!

Best,
David



David Maloney

State Historic Preservation Officer • DC Office of Planning
he/him/his • [Why Pronouns Matter?](#)
1100 4th Street SW, Suite E650 • Washington, DC 20024
202-442-8850
david.maloney@dc.gov
planning.dc.gov

Telework Days: Tuesday and Thursday. I can still be reached via email and phone during these days.
[Sign up here](#) for OP's newsletter and announcements

From: Lewis, Andrew (OP) <andrew.lewis@dc.gov>
Sent: Thursday, July 6, 2023 2:38 PM
To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Maloney, David (OP) <david.maloney@dc.gov>;

Troccoli, Ruth (OP) <Ruth.Troccoli@dc.gov>; Elizabeth Merritt <emerritt.savingplaces@gmail.com>; Matlesky, Greg (DDOT) <Greg.Matlesky@dc.gov>; Webb, Lee <lee.webb@ncpc.gov>; Christine Healey <christinehealey100@gmail.com>; akschmidt@dc.gov; David Tuchmann <dtuchmann@akridge.com>; Rebecca Miller <rebecca@dcpreservation.org>; Eckenwiler, Mark (SMD 6C04) <6C04@anc.dc.gov>; Erik Hein (hein@ncshpo.org) <hein@ncshpo.org>; Ames, Christine (OP) <christine.ames@dc.gov>; Katherine Hummelt <khummelt@bbbarch.com>; rmangum@achp.gov; Robert Nieweg <RNieweg@savingplaces.org>; dtallant@aol.com; charles@charlesallen2022.com; Jennie Gwin <jgwin@bbbarch.com>; Merkle, Leslie (SMD 6C02) <6C02@anc.dc.gov>

Cc: info@wusstationexpansion.com

Subject: RE: Additional DC SHPO Comments on the Draft WUS Expansion Project Programmatic Agreement

Hello Amanda:

I inadvertently neglected to attach our previous letter on the draft PA so am forwarding it now for reference.

Best regards,



C. Andrew Lewis, Senior Historic Preservation Specialist
DC State Historic Preservation Office, DC Office of Planning
1100 4th Street, SW, Suite E650, Washington, DC 20024
202-442-8841
andrew.lewis@dc.gov
<http://planning.dc.gov/historicpreservation>

From: Lewis, Andrew (OP)

Sent: Thursday, July 6, 2023 1:15 PM

To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Maloney, David (OP) <david.maloney@dc.gov>; Troccoli, Ruth (OP) <Ruth.Troccoli@dc.gov>; Elizabeth Merritt <emerritt.savingplaces@gmail.com>; Matlesky, Greg (DDOT) <Greg.Matlesky@dc.gov>; Webb, Lee <lee.webb@ncpc.gov>; Christine Healey <christinehealey100@gmail.com>; akschmidt@dc.gov; David Tuchmann <dtuchmann@akridge.com>; Rebecca Miller <rebecca@dcpreservation.org>; Eckenwiler, Mark (SMD 6C04) <6C04@anc.dc.gov>; Erik Hein (hein@ncshpo.org) <hein@ncshpo.org>; Ames, Christine (OP) <christine.ames@dc.gov>; Katherine Hummelt <khummelt@bbbarch.com>; rmangum@achp.gov; Robert Nieweg <RNieweg@savingplaces.org>; dtallant@aol.com; charles@charlesallen2022.com; Jennie Gwin <jgwin@bbbarch.com>; 'Wirt, Karen (SMD 6C02)' <6C02@anc.dc.gov>

Cc: info@wusstationexpansion.com

Subject: Additional DC SHPO Comments on the Draft WUS Expansion Project Programmatic Agreement

Hello Amanda:

Thank you for providing an additional opportunity to review and comment on the draft Washington Union Station (WUS) Expansion Project Programmatic Agreement (PA). As you will recall, the DC SHPO provided comments on an earlier, "administrative draft" of the PA. Those comments were provided in the matrix that is attached to this message. The additional comments below, many of which were offered verbally in the most recent consulting parties meeting, augment and clarify our earlier comments. They are generally "high level" in nature but some of the more specific comments cite page and line numbers for reference.

1. SHPO strongly recommends that all signatories, including the invited signatories USRC, NCPC and Amtrak be cited in the title block since, pursuant to 36 CFR 800.6(c)(2)(i), invited signatories have the same rights with regard to seeking amendment or termination of the PA, because it is misleading to omit them from the title block and because we are not aware of any reason they should be omitted.

2. On a related note, the PA states USRC is the Project Sponsor and will be responsible for complete implementation of the Project including the stipulated mitigation. In order to ensure that USRC can fulfill this role, the PA should state what expansion, if any, of USRC's roles, responsibilities and authorities will be necessary for it to effectively administer implementation of the federal project in coordination with the related private air rights development north of the historic station.
3. LINE 12 – in keeping with the comment immediately above, it would be helpful to define what USRC is (i.e. public entity, instrument of FRA, etc.)
4. LINE 20 – please clarify that FRA also owns the rail yard extending to L Street (or the appropriate street), the tunnel that extends southward below grade, and, if applicable, the REA Building. We understand the latter is owned by Amtrak but are unsure whether that equates to federal ownership.
5. LINES 75-77 – this clause begs the question of how USRC is going to acquire funding to implement the project and its mitigation measures. While we recognize that funding sources have not yet been identified, it would be helpful to briefly identify what the anticipated sources of funding are and to outline how the funds would be provided to USRC.
6. LINES 78-79 – this clause is very open-ended. Please elaborate briefly on the types of roles and responsibilities that Amtrak may have pursuant to the PA. We may have further comments on this topic once we learn more about what those roles and responsibilities may be.
7. LINES 90-99 – refer to previous comments on this clause and note that we also recommend that it be relocated to Line 63 or incorporated into the clause in Lines 57-62 which identify adverse effects. In other words, all the adverse effects and potential adverse effects should be addressed in one section of the preamble.
8. LINE 250, we recommend that this be revised to read “proposed ramps to the east and west” instead of “new ramps” since the former suggests agreement.
9. LINE 255 – add “... and other topics addressed in the correspondence record which is included as Attachment #”
10. We recognize that FRA considers this PA an appendix to the SDEIS and, therefore, likely assumes that all graphics to illustrate the Preferred Alternative are already adequately addressed. However, SHPO stresses that the agreement is also a stand-alone document for purposes of Section 106 so all relevant graphics, narrative information and related information (not just the “massing diagram”) that define and illustrate the Preferred Alternative should be incorporated in a specific stipulation and as an attachment to the PA. We stress this because the Preferred Alternative represents the mutually agreed upon design that should be specifically identified as the benchmark for all future development (both public and private) and the historic preservation review, thereof.
11. LINE 262, insert a new paragraph after (a) to read: Design Guidelines will establish a minimum development parcel that is necessary to accomplish the essential components of the project, including open space. For reference, see the Square Guidelines of the Pennsylvania Avenue Development Corporation or the development parcelization of the Southeast Federal Center.
12. The central plaza is one of the most critical components of the Preferred Alternative since virtually every aspect of the design, the Section 106 minimization of adverse effects, and the Section 4(f) evaluation that finds least overall harm to historic properties are all closely tied to and rely heavily upon construction of this important feature. Despite these facts, the PA provides no guarantees the plaza will be constructed or even that a coherent development parcel indicating building sites and open space will be established to ensure its realization. To address this urgent concern and several related issues, the PA should be revised to maximize use of the tools that are available to help ensure the plaza will come to fruition and the remaining development will be consistent with the Preferred Alternative. Such tools may include, but not necessarily be limited to:
 - a. the aforementioned direct references to all relevant Preferred Alternative graphics as the benchmark for review and establishing that failure to comply with this benchmark will require a more stringent level of review;
 - b. ensuring that the existing air rights covenant or, potentially, some variation thereof, will be extended to all areas of the Union Station Historic Site which are north of the historic station and presently not covered by the existing covenant, regardless of ownership – we

view this as an essential step in avoiding/minimizing adverse effects that are likely to result from transfer of historic properties out of federal ownership;

- c. expanding the design guidelines proposed for the federal air rights areas so they cover all areas north of the historic station;
- d. designating all or portions of the Union Station Historic Site a local historic district and requiring review by HPRB, the latter of which may be dependent upon whether a proposed project conforms with the Preferred Alternative, the air rights covenant, the expanded design guidelines and related factors; and

e.) considering ways the Union Station North (USN) zoning overlay and/or NCPC review in lieu of zoning may be used to ensure development consistent with the Preferred Alternative.

- 13. Several stipulations of the PA suggest that key documents such as the expanded air rights covenant and/or design guidelines will be drafted at some point in the future but we recommend that such important measures be prepared concurrently with the agreement document and incorporated as attachments therein.

Please note that we may provide additional comments regarding the archaeological stipulations of the draft PA in a separate email.

If you should have any questions or comments regarding any of these matters, please respond to this email or contact me at the number listed below. Otherwise, we look forward to receiving a revised draft of the PA and to consulting further with all parties to finalize the agreement document.

Best regards,



C. Andrew Lewis, Senior Historic Preservation Specialist
DC State Historic Preservation Office, DC Office of Planning
1100 4th Street, SW, Suite E650, Washington, DC 20024
202-442-8841
andrew.lewis@dc.gov
<http://planning.dc.gov/historicpreservation>



U.S. Department
of Transportation
**Federal Transit
Administration**

REGION III
Delaware, District of
Columbia, Maryland,
Pennsylvania, Virginia,
West Virginia

1835 Market Street
Suite 1910
Philadelphia, PA 19103
215-656-7100
215-656-7260 (fax)

July 11, 2023

Amanda Murphy
Federal Rail Administration
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Re: Washington Union Station Expansion Project Supplemental Draft Environmental Impact Statement – Cooperating Agency and Signatory

Dear Ms. Murphy:

The Federal Transit Administration (FTA) has reviewed the Supplemental Draft Environmental Impact Statement (SDEIS) for the Washington Union Station Expansion Project. The SDEIS supplements the Draft Environmental Impact Statement for the Project that was published in June 2020 and presents a new Preferred Alternative and environmental impacts. Distinctive features of the new Preferred Alternative include an east-west train hall; a bus facility to the north of, and parallel to, the train hall, and integrated into the structural deck above the rail terminal; and a below-ground pick-up/drop-off and parking facility accessed via ramps on G Street and First Street NE. The FTA understands that the Preferred Alternative may include conceptual transit improvements.

Based on the inclusion of conceptual transit elements, FTA accepted FRA's invitation to become a cooperating agency pursuant to 23 CFR 771.111(d) and has been participating in the NEPA process for the project. Given the potential for FTA to provide future grant assistance to recipients that operate out of Washington Union Station, FTA would like to adopt the Washington Union Station Expansion Project EIS and SDEIS pursuant to 23 USC § 139(c)(5) and is requesting to jointly issue the FEIS/ROD with FRA.

Additionally, FTA is requesting to be a signatory to the Section 106 Programmatic Agreement in order to fulfill any future Section 106 responsibilities.

Please continue to coordinate with FTA as the NEPA process continues. You may contact Ms. Heidi Krofft at Heidi.Krofft@dot.gov should you have any questions or concerns.

Sincerely,

LAURA ANNE
KEELEY

Digitally signed by
LAURA ANNE KEELEY
Date: 2023.07.11
16:52:32 -04'00'

Laura Keeley
Director, Planning and Program Development
FTA Region III

From: [Rachael Mangum](#)
To: [Katie Hummelt](#); [C. Andrew Lewis](#); [David Maloney](#); [Matthew Flis](#); Kyle.Nembhard@amtrak.com; johnette.davies@amtrak.com; [Lee Webb](#); [Doug Carr](#); [Krofft, Heidi \(FTA\)](#); [Koenig, Daniel \(FTA\)](#)
Cc: [Amanda Murphy](#); [Johnson, Kathryn \(FRA\)](#); [Bottiger, Barbara CTR \(FRA\)](#); [Bottiger, Barbara \[USA\]](#); [Jennie Gwin](#); [Jill Cavanaugh](#); [Jaime Loichinger](#)
Subject: Re: [External] WUS v2 draft PA - Signatory Review
Date: Wednesday, October 4, 2023 2:15:44 PM

Good afternoon,

I am out of the office from this afternoon through October 14 and while I haven't completed an exhaustive review of the revised draft PA, the ACHP's preliminary review notes the addition of new sections and other changes in response to our prior comments and those of other signatories and consulting parties, specifically on design guidelines for air rights and traffic mitigation measures. We look forward to hearing from other Signatories on the changes to the revised draft.

I have copied OFAP Director Jaime Loichinger on this email so she can be aware of any responses while I am away.

Thank you,
Rachael

Rachael Mangum, MA, RPA
Program Analyst
Advisory Council on Historic Preservation
(202) 517-0214
rmangum@achp.gov

From: Katie Hummelt <khummelt@bbbarch.com>
Sent: Friday, September 22, 2023 3:42 PM
To: C. Andrew Lewis <andrew.lewis@dc.gov>; David Maloney <david.maloney@dc.gov>; Matthew Flis <matthew.flis@ncpc.gov>; Kyle.Nembhard@amtrak.com <Kyle.Nembhard@amtrak.com>; johnette.davies@amtrak.com <johnette.davies@amtrak.com>; Lee Webb <lee.webb@ncpc.gov>; Rachael Mangum <rmangum@achp.gov>; Doug Carr <dcarr@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>
Cc: Amanda Murphy <amanda.murphy2@dot.gov>; Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>
Subject: [External] WUS v2 draft PA - Signatory Review

Dear Signatories,

On behalf of FRA, attached is v2 of the Draft PA for the Washington Union Station Expansion

Project. This responds to comments received on the Draft PA during the SDEIS comment period. Attached is a pdf of v2. Additionally, a word document comparing v1 and v2 is attached as is an excel sheet of all comments received with FRA's responses.

In order to maintain the project schedule on the Federal Permitting Dashboard, we respectfully request comments (entered in the blank comment matrix attached) within 20 days (by October 12th). In the coming weeks, we may set up working meetings to revise the PA further.

Please contact Amanda Murphy if you have any further questions.

Sincerely,

Katie Hummelt

Senior Associate

BEYER BLINDER BELLE

ARCHITECTS & PLANNERS LLP

3307 M Street, NW, Suite 301

Washington, DC 20007

202 333 8775 direct

202 333 8000 main

www.beyerblinderbelle.com

[Instagram](#) [Twitter](#) [LinkedIn](#) [BBB Stories](#)

The above e-mail is for the intended recipient only, and may contain information that is privileged, confidential, or otherwise protected from disclosure. If you are not the intended recipient, please advise the sender immediately. Nothing in this e-mail or any attachments to this e-mail grants any license or transfers any ownership to the contents of the e-mail or attachments or any intellectual property rights contained therein. Unauthorized use or distribution is prohibited and may be unlawful.

Beyer Blinder Belle Architects Planners LLP accepts no responsibility for any loss or damage from the use of this message and/or any attachments including damage from viruses.

From: [Davies, Johnette](#)
To: [Murphy, Amanda \(FRA\)](#); [Flis, Matthew](#); [Katie Hummelt](#)
Cc: [Johnson, Kathryn \(FRA\)](#); [Bottiger, Barbara CTR \(FRA\)](#); [Lewis, Andrew](#); "[david.maloney@dc.gov](#)"; [Nembhard, Kyle A](#); [Webb, Lee](#); [rmangum@achp.gov](#); [Doug Carr](#); [Krofft, Heidi \(FTA\)](#); [Koenig, Daniel \(FTA\)](#); [Bottiger, Barbara \[USA\]](#); [Jennie Gwin](#); [Jill Cavanaugh](#)
Subject: RE: WUS v2 draft PA - Signatory Review
Date: Thursday, October 12, 2023 4:54:23 PM
Attachments: [Comment Matrix for Signatories Amtrak 20231012.xlsx](#)

Good afternoon, Amanda

On behalf of Amtrak, our new comments/questions are in the attached spreadsheet. We thank you for responding to our prior comments. We have not yet had an opportunity to respond to FRA's requests for clarification or other issues related to prior comments in the context of the revised language, but hope to take a closer look at that shortly.

We would be happy to participate in the suggested meeting with other signatories if that moves forward.

Best regards,
- Johnette

From: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Sent: Thursday, October 12, 2023 10:53 AM
To: Flis, Matthew <matthew.flis@ncpc.gov>; Katie Hummelt <khummelt@bbbarch.com>
Cc: Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Lewis, Andrew <andrew.lewis@dc.gov>; 'david.maloney@dc.gov' <david.maloney@dc.gov>; Nembhard, Kyle A <Kyle.Nembhard@amtrak.com>; Davies, Johnette <Johnette.Davies@amtrak.com>; Webb, Lee <lee.webb@ncpc.gov>; rmangum@achp.gov; Doug Carr <dcarr@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>
Subject: RE: WUS v2 draft PA - Signatory Review

ATTENTION: This email originated outside of Amtrak. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Thank you Matthew

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Flis, Matthew <matthew.flis@ncpc.gov>

Sent: Thursday, October 12, 2023 8:16 AM

To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Katie Hummelt <khummelt@bbbarch.com>

Cc: Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Lewis, Andrew <andrew.lewis@dc.gov>; 'david.maloney@dc.gov' <david.maloney@dc.gov>; Kyle.Nembhard@amtrak.com; johnette.davies@amtrak.com; Webb, Lee <lee.webb@ncpc.gov>; rmangum@achp.gov; Doug Carr <dcarr@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>

Subject: RE: WUS v2 draft PA - Signatory Review

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Amanda,

We have reviewed the revised draft PA and do not have any additional comments. We do agree it would be helpful to have a meeting to walk through the changes and responses, particularly to comments by other consulting parties.

Thanks,
Matt



The Federal Planning Agency for America's Capital

Matthew J. Flis, AICP-CUD, LEED-AP
Senior Urban Designer | Urban Design & Plan Review Division
Main: 202.482.7200 | Direct: 202.482.7236
401 9th Street, NW | Washington, DC 20004
matthew.flis@ncpc.gov | www.ncpc.gov

From: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>

Sent: Friday, September 29, 2023 8:51 AM

To: Katie Hummelt <khummelt@bbbarch.com>; Lewis, Andrew <andrew.lewis@dc.gov>; 'david.maloney@dc.gov' <david.maloney@dc.gov>; Flis, Matthew <matthew.flis@ncpc.gov>; Kyle.Nembhard@amtrak.com; johnette.davies@amtrak.com; Webb, Lee <lee.webb@ncpc.gov>; rmangum@achp.gov; Doug Carr <dcarr@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>

Cc: Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA)

<barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>

Subject: RE: WUS v2 draft PA - Signatory Review

If it would be helpful to Signatories, FRA is willing to have a meeting to walk through the high level changes we made to address comments. Please let me know if you are interested.

Thank you,

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Katie Hummelt <khummelt@bbbarch.com>

Sent: Friday, September 22, 2023 3:43 PM

To: andrew.lewis@dc.gov; 'david.maloney@dc.gov' <david.maloney@dc.gov>; matthew.flis@ncpc.gov; Kyle.Nembhard@amtrak.com; johnette.davies@amtrak.com; lee.webb@ncpc.gov; rmangum@achp.gov; Doug Carr <dcarr@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>

Cc: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>

Subject: WUS v2 draft PA - Signatory Review

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Signatories,

On behalf of FRA, attached is v2 of the Draft PA for the Washington Union Station Expansion Project. This responds to comments received on the Draft PA during the SDEIS comment period. Attached is a pdf of v2. Additionally, a word document comparing v1 and v2 is attached as is an excel sheet of all comments received with FRA's responses.

In order to maintain the project schedule on the Federal Permitting Dashboard, we respectfully request comments (entered in the blank comment matrix attached) within 20 days (by October 12th). In the coming weeks, we may set up working meetings to revise the PA further.

Please contact Amanda Murphy if you have any further questions.

Sincerely,

Katie Hummelt
Senior Associate

**BEYER BLINDER BELLE
ARCHITECTS & PLANNERS LLP**

3307 M Street, NW, Suite 301

Washington, DC 20007

202 333 8775 direct

202 333 8000 main

www.beyerblinderbelle.com

[Instagram](#) [Twitter](#) [LinkedIn](#) [BBB Stories](#)

The above e-mail is for the intended recipient only, and may contain information that is privileged, confidential, or otherwise protected from disclosure. If you are not the intended recipient, please advise the sender immediately. Nothing in this e-mail or any attachments to this e-mail grants any license or transfers any ownership to the contents of the e-mail or attachments or any intellectual property rights contained therein. Unauthorized use or distribution is prohibited and may be unlawful.

Beyer Blinder Belle Architects Planners LLP accepts no responsibility for any loss or damage from the use of this message and/or any attachments including damage from viruses.

Katie Hummelt

From: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Sent: Thursday, October 12, 2023 10:53 AM
To: Flis, Matthew; Katie Hummelt
Cc: Johnson, Kathryn (FRA); Bottiger, Barbara CTR (FRA); Lewis, Andrew; 'david.maloney@dc.gov'; Kyle.Nembhard@amtrak.com; johnette.davies@amtrak.com; Webb, Lee; rmangum@achp.gov; Doug Carr; Krofft, Heidi (FTA); Koenig, Daniel (FTA); Bottiger, Barbara [USA]; Jennie Gwin; Jill Cavanaugh
Subject: RE: WUS v2 draft PA - Signatory Review

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you Matthew

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Flis, Matthew <matthew.flis@ncpc.gov>
Sent: Thursday, October 12, 2023 8:16 AM
To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Katie Hummelt <khummelt@bbbarch.com>
Cc: Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Lewis, Andrew <andrew.lewis@dc.gov>; 'david.maloney@dc.gov' <david.maloney@dc.gov>; Kyle.Nembhard@amtrak.com; johnette.davies@amtrak.com; Webb, Lee <lee.webb@ncpc.gov>; rmangum@achp.gov; Doug Carr <dcarr@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>
Subject: RE: WUS v2 draft PA - Signatory Review

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Amanda,

We have reviewed the revised draft PA and do not have any additional comments. We do agree it would be helpful to have a meeting to walk through the changes and responses, particularly to comments by other consulting parties.

Thanks,
Matt



The Federal Planning Agency for America's Capital

Matthew J. Flis, AICP-CUD, LEED-AP
Senior Urban Designer | Urban Design & Plan Review Division
Main: 202.482.7200 | Direct: 202.482.7236
401 9th Street, NW | Washington, DC 20004

From: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Sent: Friday, September 29, 2023 8:51 AM
To: Katie Hummelt <khummelt@bbbarch.com>; Lewis, Andrew <andrew.lewis@dc.gov>; 'david.maloney@dc.gov' <david.maloney@dc.gov>; Flis, Matthew <matthew.flis@ncpc.gov>; Kyle.Nembhard@amtrak.com; johnette.davies@amtrak.com; Webb, Lee <lee.webb@ncpc.gov>; rmangum@achp.gov; Doug Carr <dcarr@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>
Cc: Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <[Bottiger Barbara@bah.com](mailto:Bottiger_Barbara@bah.com)>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>
Subject: RE: WUS v2 draft PA - Signatory Review

If it would be helpful to Signatories, FRA is willing to have a meeting to walk through the high level changes we made to address comments. Please let me know if you are interested.

Thank you,

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Katie Hummelt <khummelt@bbbarch.com>
Sent: Friday, September 22, 2023 3:43 PM
To: andrew.lewis@dc.gov; 'david.maloney@dc.gov' <david.maloney@dc.gov>; matthew.flis@ncpc.gov; Kyle.Nembhard@amtrak.com; johnette.davies@amtrak.com; lee.webb@ncpc.gov; rmangum@achp.gov; Doug Carr <dcarr@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>
Cc: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <[Bottiger Barbara@bah.com](mailto:Bottiger_Barbara@bah.com)>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>
Subject: WUS v2 draft PA - Signatory Review

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Signatories,

On behalf of FRA, attached is v2 of the Draft PA for the Washington Union Station Expansion Project. This responds to comments received on the Draft PA during the SDEIS comment period. Attached is a pdf of v2. Additionally, a word document comparing v1 and v2 is attached as is an excel sheet of all comments received with FRA's responses.

In order to maintain the project schedule on the Federal Permitting Dashboard, we respectfully request comments (entered in the blank comment matrix attached) within 20 days (by October 12th). In the coming weeks, we may set up working meetings to revise the PA further.

Please contact Amanda Murphy if you have any further questions.

Sincerely,

Katie Hummelt
Senior Associate

BEYER BLINDER BELLE
ARCHITECTS & PLANNERS LLP
3307 M Street, NW, Suite 301
Washington, DC 20007
202 333 8775 direct
202 333 8000 main

www.beyerblinderbelle.com
[Instagram](#) [Twitter](#) [LinkedIn](#) [BBB Stories](#)

The above e-mail is for the intended recipient only, and may contain information that is privileged, confidential, or otherwise protected from disclosure. If you are not the intended recipient, please advise the sender immediately. Nothing in this e-mail or any attachments to this e-mail grants any license or transfers any ownership to the contents of the e-mail or attachments or any intellectual property rights contained therein. Unauthorized use or distribution is prohibited and may be unlawful. Beyer Blinder Belle Architects Planners LLP accepts no responsibility for any loss or damage from the use of this message and/or any attachments including damage from viruses.

Katie Hummelt

From: Jason Spencer <jspencer@usrcdc.com>
Sent: Friday, October 13, 2023 11:46 AM
To: amanda.murphy2@dot.gov
Cc: Jill Cavanaugh; Katie Hummelt; Jennie Gwin; Doug Carr; John Landry; Leandro Zucchi
Subject: USRC PA Comments
Attachments: 20231013_USRC SEP SDEIS Programmatic Agreement Comments.xlsx

Good Morning Amanda,

Please see USRC's attached comments on the WUS Programmatic Agreement. My apologies for sending them a day late. Please let me know if you have any questions about them.

Thanks, Jason

Katie Hummelt

From: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Sent: Monday, October 16, 2023 7:12 AM
To: Katie Hummelt; Jennie Gwin
Cc: Johnson, Kathryn (FRA); Osterhues, Marlys (FRA); Perez-Arrieta, Stephanie (FRA)
Subject: FW: Additional Comments on the Revised WUS Expansion Project PA
Attachments: WUS PA DRAFT 3 with Andrew Lewis' initial comments in Track Changes.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Lewis, Andrew (OP) <andrew.lewis@dc.gov>
Sent: Thursday, October 12, 2023 2:28 PM
To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Cc: Maloney, David (OP) <david.maloney@dc.gov>
Subject: Additional Comments on the Revised WUS Expansion Project PA

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello Amanda:

I am forwarding the attached comments on the revised WUS Expansion Project PA in response to our phone discussion of a few moments ago. We appreciate that the draft was revised to address many of our earlier comments, but still believe further refinement is needed.

As I noted, the attached comments have not yet been formally vetted with David Maloney (who is away on vacation) or OP's management so they are preliminary in nature. Since neither David nor I have had an opportunity to review the revised PA in detail, they also cannot be viewed as exhaustive. However, David and I did discuss the ideas behind these comments before he left so they are close enough to what our more formal comments will be to serve as a basis for continued consultation on the PA.

Please feel free to let me know if you have any questions or comments.

Best regards,



C. Andrew Lewis, Senior Historic Preservation Specialist
DC State Historic Preservation Office, DC Office of Planning
1100 4th Street, SW, Suite E650, Washington, DC 20024
202-442-8841
andrew.lewis@dc.gov
<http://planning.dc.gov/historicpreservation>

From: [Murphy, Amanda \(FRA\)](#)
To: [Katie Hummelt](#); [Jennie Gwin](#)
Cc: [Bottiger, Barbara CTR \(FRA\)](#)
Subject: FW: Signatory Review: FRA Union Station Expansion Project PA
Date: Friday, December 22, 2023 9:15:18 AM

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Koenig, Daniel (FTA) <daniel.koenig@dot.gov>
Sent: Thursday, December 21, 2023 2:51 PM
To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Cc: Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Schilling, David (FTA) <david.schilling@dot.gov>
Subject: RE: Signatory Review: FRA Union Station Expansion Project PA

Hi Amanda,

No comments from FTA on the final PA. Happy holidays!

-Dan

From: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Sent: Thursday, December 21, 2023 9:55 AM
To: Katie Hummelt <khummelt@bbbarch.com>; 'david.maloney@dc.gov' <david.maloney@dc.gov>; andrew.lewis@dc.gov; matthew.flis@ncpc.gov; Nembhard, Kyle A <Kyle.Nembhard@amtrak.com>; Davies, Johnette <johnette.davies@amtrak.com>; Webb, Lee <lee.webb@ncpc.gov>; Rachael Mangum <rmangum@achp.gov>; Doug Carr <dcarr@usrcdc.com>; John Landry <jlandry@usrcdc.com>; Leandro Zucchi <lzucchi@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>
Cc: Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>
Subject: RE: Signatory Review: FRA Union Station Expansion Project PA

Sorry – one more email. Just realized that Jan 15 is MLK Day. Please have your final comments on the draft PA to FRA NLT January 16, but earlier would also be greatly appreciated!

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Murphy, Amanda (FRA)

Sent: Thursday, December 21, 2023 9:52 AM

To: Katie Hummelt <khummelt@bbbarch.com>; 'david.maloney@dc.gov' <david.maloney@dc.gov>; andrew.lewis@dc.gov; matthew.flis@ncpc.gov; Nembhard, Kyle A <Kyle.Nembhard@amtrak.com>; Davies, Johnette <johnette.davies@amtrak.com>; Webb, Lee <lee.webb@ncpc.gov>; Rachael Mangum <rmangum@achp.gov>; Doug Carr <dcarr@usrcdc.com>; John Landry <jlandry@usrcdc.com>; Leandro Zucchi <lucchi@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>
Cc: Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>
Subject: RE: Signatory Review: FRA Union Station Expansion Project PA

Please let me know if you have any questions. Happy Holidays!

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Katie Hummelt <khummelt@bbbarch.com>

Sent: Thursday, December 21, 2023 9:44 AM

To: 'david.maloney@dc.gov' <david.maloney@dc.gov>; andrew.lewis@dc.gov; matthew.flis@ncpc.gov; Nembhard, Kyle A <Kyle.Nembhard@amtrak.com>; Davies, Johnette <johnette.davies@amtrak.com>; Webb, Lee <lee.webb@ncpc.gov>; Rachael Mangum <rmangum@achp.gov>; Doug Carr <dcarr@usrcdc.com>; John Landry <jlandry@usrcdc.com>; Leandro Zucchi <lucchi@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>
Cc: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>
Subject: Signatory Review: FRA Union Station Expansion Project PA
Importance: High

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Signatories,

After a few months of close coordination and consultation with SHPO, FRA has addressed their comments on the Draft Programmatic Agreement (PA) for the WUS Station Expansion Project (please see attached). FRA would like to schedule a meeting to discuss the high-level changes as a result of this consultation that were made since you reviewed the Draft PA we circulated in September.

Also attached is a consolidated comment matrix for all comments we received on the PA. Note: the line numbers in the comment matrix will likely not directly correspond to this current draft of the PA, but the text will be in the same general location. We unfortunately cannot provide a redline copy due to the number of comments and changes in the PA.

You will see in the comment matrix one comment from Akridge is highlighted, and this comment is why there are a few comment blocks in the Draft PA that we suggest discussing a change to the language. We look forward to your thoughts on this in the Signatory meeting.

As you might suspect, FRA will need to extend the Federal Permitting Dashboard date one more time so that the PA can be executed prior to the FEIS/ROD. Attached is the schedule that will allow us to execute the FEIS/ROD in March, an approximately 2 month delay from what is currently on the Permitting Dashboard. FRA will update the Dashboard by the end of this week.

Please provide your availability for the Signatory meeting in this doodle poll by January 2.

<https://doodle.com/meeting/participate/id/e3j78nrd>

Per the attached schedule, **Signatory comments on the Draft PA are due January 15, 2024.**

Thank you for your continued participation in this Section 106 process. Happy Holidays!

Sincerely,

Katie Hummelt
Senior Associate

BEYER BLINDER BELLE
ARCHITECTS & PLANNERS LLP
3307 M Street, NW, Suite 301
Washington, DC 20007
202 333 8775 direct
202 333 8000 main

www.beyerblinderbelle.com

[Instagram](#) [Twitter](#) [LinkedIn](#) [BBB Stories](#)

The above e-mail is for the intended recipient only, and may contain information that is privileged, confidential, or otherwise protected from disclosure. If you are not the intended recipient, please advise the sender immediately. Nothing in this e-mail or any attachments to this e-mail grants any license or transfers any ownership to the contents of the e-mail or attachments or any intellectual property rights contained therein. Unauthorized use or distribution is prohibited and may be unlawful.

Beyer Blinder Belle Architects Planners LLP accepts no responsibility for any loss or damage from the use of this message and/or any attachments including damage from viruses.

Katie Hummelt

From: John Landry <jlandry@usrcdc.com>
Sent: Tuesday, January 2, 2024 8:48 AM
To: Katie Hummelt; 'david.maloney@dc.gov'; andrew.lewis@dc.gov; matthew.flis@ncpc.gov; Nembhard, Kyle A; Davies, Johnette; Webb, Lee; Rachael Mangum; Doug Carr; Leandro Zucchi; Krofft, Heidi (FTA); Koenig, Daniel (FTA)
Cc: Amanda.murphy2@dot.gov; Johnson, Kathryn (FRA); Bottiger, Barbara CTR (FRA); Bottiger, Barbara [USA]; Jennie Gwin; Jill Cavanaugh; Jason Spencer
Subject: RE: Signatory Review: FRA Union Station Expansion Project PA
Attachments: 2024-01-02 WUS PA Draft V3_12-21-23 - USRC Comments.pdf

I am attaching USRC's comments on the final draft of the Programmatic Agreement. The summary is as follows:

1. Line 80 states the "east/west orientation of the train hall, integrated bus facility, below-ground parking, skylights and headhouse within a central civic space, which is to be developed by the owner of the private air rights." The developer should be the Project Sponsor.
2. Lines 249 and 283 appear to conflict.
 - a. Line 249 – "FRA is responsible for enforcing the applicable provisions of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) (ARPA), including but not limited to the timely issuance of permits for archaeological investigations..."
 - b. Line 283 – "The Project Sponsor is responsible for obtaining Archaeological Resources Protection Act of 1979 (ARPA) permits for any archaeological investigations..."
3. Line 291 – "Concurring Parties" is not a defined term in the agreement. - Although concurrence is referenced in the Section 106 guidance.
4. Line 360 - The requirement for architectural standards should be consistent with line 395, as "best" contemporary design is subjective.
 - a. Line 360 - Guidelines shall state that the Project must maintain a uniformly high standard of architecture, representative of the **best** [emphasis added] contemporary design and planning concepts..."
 - b. Line 395 - The Guidelines shall set forth that future development must maintain a uniformly high standard of architecture, meet minimum development requirements, and be representative of contemporary design and planning concepts..."
5. Line 559 – Please confirm if interpretive displays are required for enabling projects and non-public-facing scope (example: foundation/caisson scope).
6. Line 729 – Please confirm how the Project Sponsor is to fund the permanent curation and preservation of the archaeological collections.
 - a. Line 729 states: For archaeological studies undertaken by the Project Sponsor, the Project Sponsor shall **ensure payment for** [emphasis added] the permanent curation or arrange for long-term management and preservation of the archaeological collections, field records, images, digital data, maps, and associated records..."
 - b. Should this be revised to state: "For archaeological studies undertaken by the Project Sponsor, the Project Sponsor shall seek to secure the permanent curation or long-term management and preservation of the archaeological collections. The Project Sponsor shall ensure payment for the permanent curation or arrange for long-term management and preservation of the field records, images, digital data, maps, and associated records..."

Thanks

John



UNION STATION
REDEVELOPMENT CORPORATION

John Landry

Senior Vice President, Head of Construction

Union Station Redevelopment Corporation

750 First Street, NE, Suite 1010

Washington, DC 20002

T +1 202.531.4622

jlandry@usrcdc.com

www.usrcdc.com

From: Katie Hummelt <khummelt@bbbarch.com>

Sent: Thursday, December 21, 2023 9:44 AM

To: 'david.maloney@dc.gov' <david.maloney@dc.gov>; andrew.lewis@dc.gov; matthew.flis@ncpc.gov; Nembhard, Kyle A <Kyle.Nembhard@amtrak.com>; Davies, Johnette <johnette.davies@amtrak.com>; Webb, Lee <lee.webb@ncpc.gov>; Rachael Mangum <rmangum@achp.gov>; Doug Carr <dcarr@usrcdc.com>; John Landry <jlandry@usrcdc.com>; Leandro Zucchi <lzucchi@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>

Cc: Amanda.murphy2@dot.gov; Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>

Subject: Signatory Review: FRA Union Station Expansion Project PA

Importance: High

Dear Signatories,

After a few months of close coordination and consultation with SHPO, FRA has addressed their comments on the Draft Programmatic Agreement (PA) for the WUS Station Expansion Project (please see attached). FRA would like to schedule a meeting to discuss the high-level changes as a result of this consultation that were made since you reviewed the Draft PA we circulated in September.

Also attached is a consolidated comment matrix for all comments we received on the PA. Note: the line numbers in the comment matrix will likely not directly correspond to this current draft of the PA, but the text will be in the same general location. We unfortunately cannot provide a redline copy due to the number of comments and changes in the PA.

You will see in the comment matrix one comment from Akridge is highlighted, and this comment is why there are a few comment blocks in the Draft PA that we suggest discussing a change to the language. We look forward to your thoughts on this in the Signatory meeting.

As you might suspect, FRA will need to extend the Federal Permitting Dashboard date one more time so that the PA can be executed prior to the FEIS/ROD. Attached is the schedule that will allow us to execute the FEIS/ROD in March, an approximately 2 month delay from what is currently on the Permitting Dashboard. FRA will update the Dashboard by the end of this week.

Please provide your availability for the Signatory meeting in this doodle poll by January 2.

<https://doodle.com/meeting/participate/id/e3j78nrd>

Per the attached schedule, **Signatory comments on the Draft PA are due January 15, 2024.**

Thank you for your continued participation in this Section 106 process. Happy Holidays!

Sincerely,

Katie Hummelt
Senior Associate

**BEYER BLINDER BELLE
ARCHITECTS & PLANNERS LLP**
3307 M Street, NW, Suite 301
Washington, DC 20007
202 333 8775 direct
202 333 8000 main

www.beyerblinderbelle.com
[Instagram](#) [Twitter](#) [LinkedIn](#) [BBB Stories](#)

The above e-mail is for the intended recipient only, and may contain information that is privileged, confidential, or otherwise protected from disclosure. If you are not the intended recipient, please advise the sender immediately. Nothing in this e-mail or any attachments to this e-mail grants any license or transfers any ownership to the contents of the e-mail or attachments or any intellectual property rights contained therein. Unauthorized use or distribution is prohibited and may be unlawful. Beyer Blinder Belle Architects Planners LLP accepts no responsibility for any loss or damage from the use of this message and/or any attachments including damage from viruses.

From: [Rachael Mangum](#)
To: [Amanda Murphy](#); [Matthew Flis](#); [Katie Hummelt](#); [David Maloney](#); [C. Andrew Lewis](#); [Nembhard, Kyle A](#); [Davies, Johnette](#); [Lee Webb](#); [Doug Carr](#); [John Landry](#); [Leandro Zucchi](#); [Krofft, Heidi \(FTA\)](#); [Koenig, Daniel \(FTA\)](#); [Jaime Loichinger](#)
Cc: [Johnson, Kathryn \(FRA\)](#); [Bottiger, Barbara CTR \(FRA\)](#); [Bottiger, Barbara \[USA\]](#); [Jennie Gwin](#); [Jill Cavanaugh](#)
Subject: Re: [External] RE: Signatory Review: FRA Union Station Expansion Project PA
Date: Tuesday, January 16, 2024 4:33:34 PM

Hi Amanda,

The following are the ACHP's remaining comments on the Programmatic Agreement and requested confirmation/response based on prior guidance.

1. Signatories: The ACHP's guidance on the matter of signatory status continues to be that the Signatories to an Agreement are the lead federal agency, the SHPO, and the ACHP, if participating, but the decision about including additional Signatories is up to FRA. For this undertaking, we acknowledge that special circumstances exist and NCPC has a unique legal role in Washington, DC; therefore, it doesn't seem unreasonable to have them as a Signatory to this Agreement if that is their request. We understand FRA proposes to follow the guidance regarding Signatory status but to include all Invited Signatories in the PA's heading. Please ensure Whereas clauses and other language in the PA are consistent with the FRA's final decision on the matter.
2. Consulting parties: Regarding continuing consultation with the consulting parties on the final draft Agreement, consider revising the penultimate Whereas clause, "WHEREAS, FRA made the draft PA available to the Consulting Parties and the public for review and comment, pursuant to 36 C.F.R. § 800.6, by appending it to the 2023 SDEIS, and FRA considered comments received prior to executing this PA; and" to reflect the proposed final meeting of consulting parties and opportunity to review and comment. As discussed at the Signatories meeting, FRA should make the final draft PA, incorporating comments from the Signatories, available to the consulting parties for a meaningful review opportunity. The changes to the PA since the last time they've had an opportunity to review it merit a final opportunity to review and comment before the PA is circulated for signature.

Thank you,
Rachael

Rachael Mangum, MA, RPA
Assistant Director
Federal Permitting, Licensing, and Assistance Section
Advisory Council on Historic Preservation
(202) 517-0214
rmangum@achp.gov

From: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>

Sent: Tuesday, January 16, 2024 8:13 AM

To: Matthew Flis <matthew.flis@ncpc.gov>; Katie Hummelt <khummelt@bbbarch.com>; David

Maloney <david.maloney@dc.gov>; C. Andrew Lewis <andrew.lewis@dc.gov>; Nembhard, Kyle A <Kyle.Nembhard@amtrak.com>; Davies, Johnette <johnette.davies@amtrak.com>; Lee Webb <lee.webb@ncpc.gov>; Rachael Mangum <rmangum@achp.gov>; Doug Carr <dcarr@usrcdc.com>; John Landry <jlandry@usrcdc.com>; Leandro Zucchi <lzucchi@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>

Cc: Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>

Subject: [External] RE: Signatory Review: FRA Union Station Expansion Project PA

Thank you Matt!

36 CFR 800.6(c)(1) defines the Signatories as the Agency Official, SHPO, and ACHP. Since FRA is the lead Federal agency for Section 106, FRA believes NCPC is appropriately an invited signatory for the PA. However, we ask that ACHP please confirm this is accurate.

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Flis, Matthew <matthew.flis@ncpc.gov>

Sent: Tuesday, January 16, 2024 7:45 AM

To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Katie Hummelt <khummelt@bbbarch.com>; 'david.maloney@dc.gov' <david.maloney@dc.gov>; Lewis, Andrew <andrew.lewis@dc.gov>; Nembhard, Kyle A <Kyle.Nembhard@amtrak.com>; Davies, Johnette <johnette.davies@amtrak.com>; Webb, Lee <lee.webb@ncpc.gov>; Rachael Mangum <rmangum@achp.gov>; Doug Carr <dcarr@usrcdc.com>; John Landry <jlandry@usrcdc.com>; Leandro Zucchi <lzucchi@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>

Cc: Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>

Subject: RE: Signatory Review: FRA Union Station Expansion Project PA

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Amanda,

Thank you for the opportunity to review. NCPC staff appreciated the overview last week. We have no additional comments except to note on page 27, NCPC should be a regular signatory (remove word "invited"). We believe this was leftover from a previous iteration.

Thanks,

Matt



Commemorating 100 Years of Planning for America's Capital

Matthew J. Flis, AICP-CUD, LEED-AP
Senior Urban Designer | Urban Design & Plan Review Division
Main: 202.482.7200 | Direct: 202.482.7236
401 9th Street, NW | Washington, DC 20004
matthew.flis@ncpc.gov | www.ncpc.gov

From: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>

Sent: Tuesday, January 16, 2024 7:39 AM

To: Katie Hummelt <khummelt@bbbarch.com>; 'david.maloney@dc.gov' <david.maloney@dc.gov>; Lewis, Andrew <andrew.lewis@dc.gov>; Flis, Matthew <matthew.flis@ncpc.gov>; Nembhard, Kyle A <Kyle.Nembhard@amtrak.com>; Davies, Johnette <johnette.davies@amtrak.com>; Webb, Lee <lee.webb@ncpc.gov>; Rachael Mangum <rmangum@achp.gov>; Doug Carr <dcarr@usrcdc.com>; John Landry <jlandry@usrcdc.com>; Leandro Zucchi <lzucchi@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>

Cc: Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>

Subject: RE: Signatory Review: FRA Union Station Expansion Project PA

Reminder Signatories – your comments are due by COB today. We already received comments from USRC (which FRA responded to in a group email) and FTA responded they had no comments.

Thank you,

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Katie Hummelt <khummelt@bbbarch.com>

Sent: Thursday, December 21, 2023 9:44 AM

To: 'david.maloney@dc.gov' <david.maloney@dc.gov>; andrew.lewis@dc.gov; matthew.flis@ncpc.gov; Nembhard, Kyle A <Kyle.Nembhard@amtrak.com>; Davies, Johnette <johnette.davies@amtrak.com>; Webb, Lee <lee.webb@ncpc.gov>; Rachael Mangum <rmangum@achp.gov>; Doug Carr <dcarr@usrcdc.com>; John Landry <jlandry@usrcdc.com>; Leandro Zucchi <lzucchi@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>

Cc: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh

<jcavanaugh@bbbarch.com>

Subject: Signatory Review: FRA Union Station Expansion Project PA

Importance: High

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Signatories,

After a few months of close coordination and consultation with SHPO, FRA has addressed their comments on the Draft Programmatic Agreement (PA) for the WUS Station Expansion Project (please see attached). FRA would like to schedule a meeting to discuss the high-level changes as a result of this consultation that were made since you reviewed the Draft PA we circulated in September.

Also attached is a consolidated comment matrix for all comments we received on the PA. Note: the line numbers in the comment matrix will likely not directly correspond to this current draft of the PA, but the text will be in the same general location. We unfortunately cannot provide a redline copy due to the number of comments and changes in the PA.

You will see in the comment matrix one comment from Akridge is highlighted, and this comment is why there are a few comment blocks in the Draft PA that we suggest discussing a change to the language. We look forward to your thoughts on this in the Signatory meeting.

As you might suspect, FRA will need to extend the Federal Permitting Dashboard date one more time so that the PA can be executed prior to the FEIS/ROD. Attached is the schedule that will allow us to execute the FEIS/ROD in March, an approximately 2 month delay from what is currently on the Permitting Dashboard. FRA will update the Dashboard by the end of this week.

Please provide your availability for the Signatory meeting in this doodle poll by January 2.

<https://doodle.com/meeting/participate/id/e3j78nrd>

Per the attached schedule, **Signatory comments on the Draft PA are due January 15, 2024.**

Thank you for your continued participation in this Section 106 process. Happy Holidays!

Sincerely,

Katie Hummelt

Senior Associate

BEYER BLINDER BELLE

ARCHITECTS & PLANNERS LLP

3307 M Street, NW, Suite 301

Washington, DC 20007

202 333 8775 direct

202 333 8000 main

www.beyerblinderbelle.com

[Instagram](#) [Twitter](#) [LinkedIn](#) [BBB Stories](#)

The above e-mail is for the intended recipient only, and may contain information that is privileged, confidential, or otherwise protected from disclosure. If you are not the intended recipient, please advise the sender immediately. Nothing in this e-mail or any attachments to this e-mail grants any license or transfers any ownership to the contents of the e-mail or attachments or any intellectual property rights contained therein. Unauthorized use or distribution is prohibited and may be unlawful.

Beyer Blinder Belle Architects Planners LLP accepts no responsibility for any loss or damage from the use of this message and/or any attachments including damage from viruses.

Katie Hummelt

From: Lewis, Andrew (OP) <andrew.lewis@dc.gov>
Sent: Tuesday, January 16, 2024 9:56 AM
To: Murphy, Amanda (FRA); Katie Hummelt; Maloney, David (OP); matthew.flis@ncpc.gov; Nembhard, Kyle A; Davies, Johnette; Webb, Lee; Rachael Mangum; Doug Carr; John Landry; Leandro Zucchi; Krofft, Heidi (FTA); Koenig, Daniel (FTA)
Cc: Johnson, Kathryn (FRA); Bottiger, Barbara CTR (FRA); Bottiger, Barbara [USA]; Jennie Gwin; Jill Cavanaugh
Subject: RE: Signatory Review: FRA Union Station Expansion Project PA

Hello Amanda:

Thank you for providing the revised WUS PA for our review. We have only a few more comments to offer at this point but may have more after we review comments from the other Signatories and/or Consulting Parties. To that end, we are copying the other Signatories on this memo and would appreciate their doing the same. We look forward to reviewing those comments, if any, as soon as possible and to completing our review of the PA. Please note that I have used underlined and italicized font below to identify key points.

Lines 80-82: In an email dated January 2nd, USRC suggested a revision to identify the Project Sponsor as the developer of the central civic space. FRA responded on January 3rd to clarify that punctuation may have caused confusion and recommended that the clause be amended with the following sentence – “The central civic space is not a Programmatic Feature and is to be developed by the owner of the private air rights.” This sentence should be revised so that it reads “The central civic space is not a part of the Project and is to be developed by the owner of the private air rights.”

Lines 425-430: As mentioned in our last meeting, “...including SHPO review of the approximately 3 acres of privately-owned air rights that is intended to acquire to construct portions of the Project...” is grammatically incorrect. We recommend this be revised to “...that FRA intends to acquire...” or “...that the Project Sponsor intends to acquire...”. If those are problematic, the clause should be revised to read “... that are intended for acquisition so that portions of the Project can be constructed and...” or something similar.

Lines 465-466: For clarity, we recommend that “...including the potential restoration of the skylights and potential improvements to the east and west elevations...” to “...including the potential restoration of its skylights and potential improvements to its east and west elevations...”

Lines 704-705: The stipulation lacks clarity. What design is being referred to in the clause “...and finalize the study by 30% design”? Please revise to be more specific. Does this refer to 30% design of “the Project” and, if so, does that mean the entire project or a portion thereof?

Attachment 5 – We consistently recommend against web links being cited in lieu of actual attachments because web link often change. Please ensure that an electronic copy of the PA (preferably in .pdf format) that includes all the attachments (not web links) is provided.

Finally, with regard to the question FRA proposed in our last meeting, we believe Stipulations VI.A. 4, 5, 6, 8, 9 and 10 should remain unchanged rather than be revised to indicate “demolition and ground disturbing activities affecting historic fabric or character” because the current wording will help to ensure early consultation and avoid the inadvertent loss of historic fabric.

Hope all’s well,



C. Andrew Lewis, Senior Historic Preservation Specialist
DC State Historic Preservation Office, DC Office of Planning
1100 4th Street, SW, Suite E650, Washington, DC 20024
202-442-8841
andrew.lewis@dc.gov
<http://planning.dc.gov/historicpreservation>

From: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>

Sent: Tuesday, January 16, 2024 7:39 AM

To: Katie Hummelt <khummelt@bbbarch.com>; Maloney, David (OP) <david.maloney@dc.gov>; Lewis, Andrew (OP) <andrew.lewis@dc.gov>; matthew.flis@ncpc.gov; Nembhard, Kyle A <Kyle.Nembhard@amtrak.com>; Davies, Johnette <johnette.davies@amtrak.com>; Webb, Lee <lee.webb@ncpc.gov>; Rachael Mangum <rmangum@achp.gov>; Doug Carr <dcarr@usrcdc.com>; John Landry <jlandry@usrcdc.com>; Leandro Zucchi <lzucchi@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>

Cc: Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>

Subject: RE: Signatory Review: FRA Union Station Expansion Project PA

CAUTION: This email originated from outside of the DC Government. Do not click on links or open attachments unless you recognize the sender and know that the content is safe. If you believe that this email is suspicious, please forward to phishing@dc.gov for additional analysis by OCTO Security Operations Center (SOC).

Reminder Signatories – your comments are due by COB today. We already received comments from USRC (which FRA responded to in a group email) and FTA responded they had no comments.

Thank you,

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Katie Hummelt <khummelt@bbbarch.com>

Sent: Thursday, December 21, 2023 9:44 AM

To: 'david.maloney@dc.gov' <david.maloney@dc.gov>; andrew.lewis@dc.gov; matthew.flis@ncpc.gov; Nembhard, Kyle A <Kyle.Nembhard@amtrak.com>; Davies, Johnette <johnette.davies@amtrak.com>; Webb, Lee <lee.webb@ncpc.gov>; Rachael Mangum <rmangum@achp.gov>; Doug Carr <dcarr@usrcdc.com>; John Landry <jlandry@usrcdc.com>; Leandro Zucchi <lzucchi@usrcdc.com>; Krofft, Heidi (FTA) <heidi.krofft@dot.gov>; Koenig, Daniel (FTA) <daniel.koenig@dot.gov>

Cc: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>; Johnson, Kathryn (FRA) <Kathryn.Johnson@dot.gov>; Bottiger, Barbara CTR (FRA) <barbara.bottiger.ctr@dot.gov>; Bottiger, Barbara [USA] <Bottiger_Barbara@bah.com>; Jennie Gwin <jgwin@bbbarch.com>; Jill Cavanaugh <jcavanaugh@bbbarch.com>

Subject: Signatory Review: FRA Union Station Expansion Project PA

Importance: High

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Dear Signatories,

After a few months of close coordination and consultation with SHPO, FRA has addressed their comments on the Draft Programmatic Agreement (PA) for the WUS Station Expansion Project (please see attached). FRA would like to schedule

a meeting to discuss the high-level changes as a result of this consultation that were made since you reviewed the Draft PA we circulated in September.

Also attached is a consolidated comment matrix for all comments we received on the PA. Note: the line numbers in the comment matrix will likely not directly correspond to this current draft of the PA, but the text will be in the same general location. We unfortunately cannot provide a redline copy due to the number of comments and changes in the PA.

You will see in the comment matrix one comment from Akridge is highlighted, and this comment is why there are a few comment blocks in the Draft PA that we suggest discussing a change to the language. We look forward to your thoughts on this in the Signatory meeting.

As you might suspect, FRA will need to extend the Federal Permitting Dashboard date one more time so that the PA can be executed prior to the FEIS/ROD. Attached is the schedule that will allow us to execute the FEIS/ROD in March, an approximately 2 month delay from what is currently on the Permitting Dashboard. FRA will update the Dashboard by the end of this week.

Please provide your availability for the Signatory meeting in this doodle poll by January 2.

<https://doodle.com/meeting/participate/id/e3j78nrd>

Per the attached schedule, **Signatory comments on the Draft PA are due January 15, 2024.**

Thank you for your continued participation in this Section 106 process. Happy Holidays!

Sincerely,

Katie Hummelt
Senior Associate

BEYER BLINDER BELLE
ARCHITECTS & PLANNERS LLP
3307 M Street, NW, Suite 301
Washington, DC 20007
202 333 8775 direct
202 333 8000 main

www.beyerblinderbelle.com
[Instagram](#) [Twitter](#) [LinkedIn](#) [BBB Stories](#)

The above e-mail is for the intended recipient only, and may contain information that is privileged, confidential, or otherwise protected from disclosure. If you are not the intended recipient, please advise the sender immediately. Nothing in this e-mail or any attachments to this e-mail grants any license or transfers any ownership to the contents of the e-mail or attachments or any intellectual property rights contained therein. Unauthorized use or distribution is prohibited and may be unlawful. Beyer Blinder Belle Architects Planners LLP accepts no responsibility for any loss or damage from the use of this message and/or any attachments including damage from viruses.

From: [Murphy, Amanda \(FRA\)](#)
To: [Cartayrade, Laurent](#); [Katie Hummelt](#); [Jennie Gwin](#)
Cc: [Johnson, Kathryn \(FRA\)](#); [Bottiger, Barbara CTR \(FRA\)](#)
Subject: FW: For Review: Washington Union Station Expansion Project PA
Date: Thursday, February 1, 2024 12:17:23 PM

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Christine Healey <christinehealey100@gmail.com>
Sent: Thursday, February 1, 2024 12:09 PM
To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Subject: Re: For Review: Washington Union Station Expansion Project PA

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Amanda,

I want to make sure FRA received **both** ANC 6C letters dated July 6, 2023 last year.

The matrix appears to only refer to one of them.

Here is the other one:

<https://anc6c.org/wp-content/uploads/2023/07/ANC-6C-letter-on-Union-Station-SDEIS-7-6-23.pdf>

Also, I tried to reach you by calling the cell phone number you have in your signature block [202-339-7231 (cell)] and the voice recorded on it does not sound like it is yours.

Thank you,

Christine Healey
202-271-5872 (mobile)

On Fri, Jan 19, 2024 at 12:53 PM Murphy, Amanda (FRA) <amanda.murphy2@dot.gov> wrote:

Dear Consulting Parties,

FRA greatly appreciates your insight, passion, and cooperation over the years on the Washington Union Station Expansion Project (SEP). We are pleased to attach for your review the final Draft Programmatic Agreement for this important project. Also attached are:

- Comment matrix that includes responses to comments made on the PA by the Signatories (ACHP, SHPO, FTA, NCPC, USRC, and Amtrak) and other Consulting Parties, and
- PowerPoint presentation that identifies substantive changes FRA made in response to comments since the PA was made available for review as part of the Supplemental Draft Environmental Impact Statement (SDEIS).

In preparing this final Draft PA, FRA took into account the input we sought and received from Consulting Parties on mitigation measures twice last year, in addition to the feedback provided during the public review period for the Draft PA as part of the SDEIS. FRA worked with Signatories over the past several months to prepare this final draft.

FRA will hold its 15th and final Consulting Party meeting for the Project on January 29. A separate meeting invite will be sent out. There will not be a formal presentation, but we will be available to listen to you and answer any questions you may have on changes made to the PA since the SDEIS.

FRA is providing Consulting Parties a final opportunity to review the PA through February 2. After that, FRA intends to finalize and execute the PA. Upon PA execution, Consulting Parties (that are not Signatories) will be offered an opportunity to sign on to the PA as a “Concurring Party”. The role of a Concurring Party is explained in ACHP Guidance:

In accordance with 36 CFR § 800.6(c)(3), a concurring party is a consulting party invited to concur in the agreement document but who does not have the authority to amend or terminate the agreement. Like an invited signatory's signature, a concurring party signature is not required to execute the agreement; a concurring signature is essentially an endorsement of the agreement. Thus, the refusal to sign by any party asked to concur in the agreement does not prevent the agreement from being executed. Whether any or all other consulting parties are invited to concur in an agreement is at the federal agency's sole discretion. Extending the offer to sign an agreement as a concurring party may be an effective way of recognizing the assistance and support that a party has provided for the actions being evidenced in the agreement and encouraging their ongoing support. The individual who signs the agreement on behalf of any invited signatory or concurring party should be one with approval authority for any responsibilities or duties assumed under the agreement, or authority to represent the broad interests of their organization, as the case may be.

Please let me know if you have any questions.

Thank you,

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration
U.S. Department of Transportation
202-339-7231 (cell)
Amanda.murphy2@dot.gov

--

Christine Healey
202-271-5872 (mobile)

From: [Murphy, Amanda \(FRA\)](#)
To: [Katie Hummelt](#); [Jennie Gwin](#); [Cartayrade, Laurent](#); [Jill Cavanaugh](#)
Cc: [Osterhues, Marlys \(FRA\)](#); [Johnson, Kathryn \(FRA\)](#); [Bottiger, Barbara CTR \(FRA\)](#)
Subject: FW: [EXTERNAL] WUS Expansion Project - CP Meeting #15 Registration
Date: Monday, January 29, 2024 2:46:29 PM
Attachments: [TAB D - Mr. Mueller's Response Letter to Draft PA_093020_Signed.pdf](#)
[AOC outstanding PA DSEIS items_240129.xlsx](#)

AOC comments.

Amanda Murphy
Deputy Federal Preservation Officer
Federal Railroad Administration

From: Ridgely, Sarah <Sarah.Ridgely@aoc.gov>
Sent: Monday, January 29, 2024 2:22 PM
To: Murphy, Amanda (FRA) <amanda.murphy2@dot.gov>
Cc: Bernabei, Holly <holly.bernabei@aoc.gov>; Pechacek, Christopher <Christopher.Pechacek@aoc.gov>
Subject: RE: [EXTERNAL] WUS Expansion Project - CP Meeting #15 Registration

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hi Amanda,

Thanks for the opportunity to follow up with you on the draft PA / FEIS. As I mentioned in today's meeting, there are a few outstanding items from AOC's 2020 letter that Holly and I would like to walk through with you. We recognize time is short, and the items mostly relate to the AOC's need for ongoing consultation as the design guidelines are developed / construction plans are reviewed / etc.

Attached are the original 2020 letter and a matrix of outstanding items where we would appreciate your consideration when your time permits. Would you have 20 – 30 minutes for a Teams meeting on 1/30 or 2/1 between 1 – 4 pm, or 1/31 between 2:30 – 4 pm? Thanks very much for your time, and congratulations on getting the project to the home stretch!

V/r,
Sarah

Sarah Ridgely, AICP

Senior Master Planner, Facilities Planning Branch

Architect of the Capitol

Office of the Chief Engineer

www.aoc.gov

Phone: 202.215.0162

Katie Hummelt

From: Lewis, Andrew (OP) <andrew.lewis@dc.gov>
Sent: Friday, February 2, 2024 12:27 PM
To: Betsy Merritt; amanda.murphy2@dot.gov
Cc: Rachel Mangum; Maloney, David (OP); Katie Hummelt
Subject: RE: Vibration provisions in Section 106 agreements

Follow Up Flag: Follow up
Flag Status: Flagged

All:

We appreciate being copied on this comment and agree that it would be beneficial for the PA to be as specific as possible regarding the vibration levels that would trigger a stop work order per the Construction Noise and Vibration Control Plan (CNVCP), but we also understand that such “thresholds may vary depending upon the construction type and materials of each property”, as indicated in Stipulation VI.A.9.

Since the specific types of construction have not yet been finalized, we question if a potential range of vibration thresholds for each construction type under consideration could be incorporated for general reference. We would support this or whatever else FRA may be willing to do to provide greater clarity in this regard but, if such revisions are not possible, we will certainly look forward to consulting further on this topic when the draft CNVCP is submitted for our review in the future.

Hope all’s well,



C. Andrew Lewis, Senior Historic Preservation Specialist
DC State Historic Preservation Office, DC Office of Planning
1100 4th Street, SW, Suite E650, Washington, DC 20024
202-442-8841
andrew.lewis@dc.gov
<http://planning.dc.gov/historicpreservation>

From: Betsy Merritt <emerritt@savingplaces.org>
Sent: Monday, January 29, 2024 3:30 PM
To: amanda.murphy2@dot.gov
Cc: Rachel Mangum <rmangum@achp.gov>; Maloney, David (OP) <david.maloney@dc.gov>; Lewis, Andrew (OP) <andrew.lewis@dc.gov>; khummelt@bbbarch.com
Subject: Vibration provisions in Section 106 agreements

CAUTION: This email originated from outside of the DC Government. Do not click on links or open attachments unless you recognize the sender and know that the content is safe. If you believe that this email is suspicious, please forward to phishing@dc.gov for additional analysis by OCTO Security Operations Center (SOC).

Some people who received this message don't often get email from emerritt@savingplaces.org. [Learn why this is important](#)

Dear Amanda,

As a follow-up to today's discussion, I wanted to share a couple of provisions from other Section 106 agreements regarding vibration impacts.

The primary example I mentioned involved the construction of the new Coast Guard headquarters building at St. Elizabeths. Attached is the relevant excerpt from the MOA along with the full agreement for context.

In addition, I have attached another provision from an MOA for a big FHWA project in Louisville. It's interesting to note that neither one of these calls for consulting parties to comment on a draft of the construction protection plan, but they do include substantive requirements for provisions that need to be included in the plan, especially the vibration levels that would trigger a stop work order.

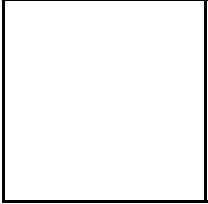
I'll develop some specific language to propose for the Friday comments, but wanted to share these other agreements with you in the meantime.

Please let me know if you have any questions.

Thanks,

Betsy

Elizabeth S. Merritt, Deputy General Counsel
National Trust for Historic Preservation
600 14th St. NW, Suite 500
Washington, DC 20005
(202) 297-4133 (mobile)
emerritt@savingplaces.org



WUS Draft PA Comment Matrix					
No.	Signatory	Page # (or letter/comment reference)	Line #	Comment	FRA Response
1	ACHP	1, 18-22	Heading	The ACHP advises not to include invited signatories in the heading	Comment rejected based on subsequent discussion/email correspondence.
2	ACHP	1	14	Should these be defined these as Project Sponsor(s) here?	The Project Sponsor (USRC) is now defined in its own clause
3	ACHP	1	28	whose acquisition? the proponents/Project Sponsors? who are the current owner(s) of the air rights?	This will be determined upon completion of the NEPA/106 process.
4	ACHP	1	29	if "air" rights is this correct that the terms run with the "land"?	No change. This is the correct legal term.
5	ACHP	2	54	did this occur later because at the time of initiation there were no federally recognized tribes? I wonder if this detail should be explained.	In late 2016/2017 FRA consulted with SHPO about potential consulting parties and no Tribes were identified. Due to improvements in Tribal consultation methods, FRA initiated consultation with the two federally recognized tribes in DC in 2023 and they declined to participate in consultation.
6	ACHP	2	61	should there be a clause that due to a pause in project planning, that FRA consulted with SHPO again in 2022-23 to confirm that no additional historic properties have been identified in the APE to date?	Revised to comment.
7	ACHP	2	71	this step occurred before the finding and documented the finding, should it be moved ahead of the clause re: finding of effect?	Revised to comment.
8	ACHP	2	76	Assume this refers to USRC and Amtrak but they were not previously defined as such.	USRC was identified as Project Sponsor in Draft PA made available for public review in the SDEIS.
9	ACHP	2	76	in stipulations x, y, z	Currently describes measures in the rest of the clause. FRA will continue to examine language and add clarity or reference to certain stipulations as needed.
10	ACHP	2	76	"intended to avoid and minimize adverse effects..."	Clause revised and a new stipulation added to expand on the clause in question.
11	ACHP	2	78	does DDOT have any roles or responsibilities for permitting work within roadway ROWs? I don't know if this has been addressed in past consultations but might they have jurisdiction over modifications from new access points (ramps) off roadways for example?	Yes, clarified in clause that DDOT "has jurisdiction over road rights-of-way in the District."
12	ACHP	2	79	since these are all activities the Project Sponsor will do but has not completed, they should be captured in a stipulation(s), however the Whereas clause can introduce the rationale for these avoidance and minimization measures.	Clause was revised and a new stipulation added to expand on the clause in question.
13	ACHP	2	87	suggest specifying 800.14(b)(3) for a complex undertaking and the reason(s), such as where other circumstances warrant a departure from the normal section 106 process (i.e., this PA is proposing a process to ensure avoidance and minimization measures reduce the intensity of effects from traffic below the threshold of adverse and to mitigate adverse effects if effects exceed the threshold rather than re-opening consultation to resolve these adverse effects separately)	Revised to comment.
14	ACHP	2	98	and?	FRA is designated as the lead Federal agency
15	ACHP	3	101	define as Project Sponsor or clarify as noted elsewhere	USRC was identified as Project Sponsor in Draft PA made available for public review in the SDEIS.
16	ACHP	3	108	Suggest modifying Whereas clause to note that although CFA declined to be an invited signatory, FRA is still required to comply with other applicable processes involving their statutory authority. You could mirror that language in the relevant stipulation regarding their review role, if needed. The ACHP believes the agreement can acknowledge these other laws, but be clear that the agreement does not demonstrate compliance with them.	Revised language in clause reviewed by CFA. 40 USC § 8104 and 45 CFR § 2101.1(a) referenced.
17	ACHP	3	117	prior to executing?	Revised to comment.
18	ACHP	3	127	Project Sponsor not defined in Preamble. Are USRC and Amtrak combining as one Sponsor or will this be Sponsors (plural)	USRC was identified as Project Sponsor in Draft PA made available for public review in the SDEIS.
19	ACHP	3	137	and per Stip I.C. below.	Clauses were revised, comment no longer relevant.
20	ACHP	3	140	what other agencies (besides Federal) could take these actions?	Only Federal agencies. Clarified.
21	ACHP	3	143	ACHP advises that this adoption requires an Amendment.	In Stipulation IX. Adoptability it states that "Any necessary amendments to the PA will be considered in accordance with Stipulation XI. Amendments"
22	ACHP	4	161	new term; ACHP suggests avoiding use of this term which has a specific meaning per HUD CDBG program. If this or another similar term are used, check for usage and reference consistently throughout.	Rephrased to "entity responsible for preparing documentation as specified..." each "entity" responsible is specified in each Stipulation (typically the Project Sponsor or other designated Signatory).
23	ACHP	4	181	check wording: comments are unnecessary or a response to comments and revisions to the document are unnecessary?	Revised text.
24	ACHP	4	182	FRA's or its	its
25	ACHP	4	187	concerns over delays could be too broad, may warrant determinations on a case by case basis.	Revised. "In exigent circumstances determined in a case-by-case basis...."
26	ACHP	4	195	agency official appears to only be referenced once in the agreement in Adoptability stip). Is the FRA FPO (or Acting FPO) the agency official for this undertaking?	Removed reference to "agency official"
27	ACHP	4	200	wording: "objections or disputes"	Revised to comment.
28	ACHP	5	227	is this still TBD?	USRC was identified as Project Sponsor in Draft PA made available for public review in the SDEIS.
29	ACHP	5	231	has the FRA already included this authorization in a letter to SHPO?	No
30	ACHP	5	249	under FRA's roles it is implied that it is the only agency that manages federally owned or administered land; are there others?	FRA is the only anticipated agency that owns/administers land.
31	ACHP	6	288	is this for air rights? or is other real property transfer being considered?	It is intended for the air rights.

32	ACHP	7	311	since CFA is not a signatory to this agreement, I am concerned about including this here, without explanation of their requirements outside this agreement. Should it be specified that CFA approval follows a separate process, mandated by other laws/guidelines (see comments in the related Whereas clause)	CFA approvals are now specifically referenced in a Whereas clause. The text here has been edited to state that the "C. The Design Review process will acknowledge the existing and separate required federal and District approvals processes and the parties involved. The Project Sponsor will continue to submit preliminary and final design packages for NCPC approval and concept and final design packages for CFA approval in accordance with the applicable agency's procedures."
33	ACHP	7	316	ensure this provides sufficient guardrails on those design elements that have been agreed on at least conceptually. What if some new, previously unconsidered component is proposed, that wasn't thought of during consultation for this agreement. Would FRA say that new element is outside the Project as defined?	Text revised to make clear that this list is not exclusive. Added text expands review to ensure that the Project adheres to the Preferred Alternative.
34	ACHP	7	330	noted that this is the only stip that references back to Stip II but I assume all other review processes for other Stips reference back to the same?	Yes, and will ensure all reference back to Stip II.
35	ACHP	7	353	has FRA reached out to NPS Region 1 to request their participation in this agreement? Any entity assigned a role or responsibility (in this case review and approval of HABS/HAER documentation) should be an Invited Signatory.	Consulted with the HABS/HAER Region 1 office in Philadelphia, which provided guidance on the revised language in the PA.
36	ACHP	8	360	ACHP thinks it would be best to determine which standards, whether actual HABS/HAER or "HABS-like" now, rather than delay this decision. If NPS does not accept this documentation, where would it be stored/archived? If DC doesn't have its own mechanism to make this publicly available, it loses a valuable element - public access - for this type of documentation.	Consulted with the HABS/HAER Region 1 office in Philadelphia, which provided guidance on the revised language in the PA.
37	ACHP	9	408	when developed suggest this include some time frames for how long material must be retained, where, and by whom before it can be donated (if even possible) or otherwise disposed of. Does FRA already have an example Plan?	Revised to comment. FRA does not have an example plan.
38	ACHP	9	432	will this nomination go through a review and comment process prior to submission to HPRB?	Amtrak, USRC, FRA, and SHPO (Signatories with expertise regarding the history of the station) provided comments on the development of the Determination of Eligibility for the site. No additional signatory review outside what is stipulated here is necessary.
39	ACHP	9	448	does this require preparation of a presentation (slide deck). Is this a deliverable parties should review ahead of time, in addition to the submission?	It will follow format prescribed by SHPO and DC Regulations Title 10A.
40	ACHP	9	452	typo: HPRB	Revised to comment.
41	ACHP	10	502	mufflers?	Revised to comment.
42	ACHP	11	515	this might be better contextualized if there is reference in a Whereas clause to the results of consultation with SHPO on archaeological resources or potential in the APE. I assume SHPO has previously stated that there is a potential and additional identification (Phase IB) is required prior to ground disturbing activities? is this throughout the APE or in certain locations?	Revised to comment.
43	ACHP		562	ACHP suggests that rather than having MOAs tiered off this PA, that FRA should develop an amendment to this PA that addresses resolution of AE to archaeological historic properties	Revised to comment.
44	ACHP	12	581	consistency: archaeological vs. archeological (check throughout)	Revised to comment.
45	ACHP	13	620	delete "or effect" in this line	Revised to comment.
46	ACHP	14	659	is the information from step 3 above, sufficient to determine origin of remains? how would FRA determine origin?	Added in: "The DC Metropolitan Police Dept (MPD)/Office of the Chief Medical Examiner (OCME) contact protocol is as follows: For reporting human remains, call the MPD Command Information Center (non-emergency number). MPD will notify the OCME. Forensic Anthropologist, will be involved in the classification of the remains as being of historic vs. forensic origin."
47	ACHP	14	661	The language suggested by the ACHP is: "When applicable, the [Agency] will follow the principles within the ACHP's Policy Statement on Burial Sites, Human Remains, and Funerary Objects, dated March 1, 2023." note that the policy statement applies to other types of burials and remains, not only Native American	Revised to comment.
48	ACHP	14	678	how will these additional measures to resolve adverse effects be captured in the record for this undertaking? Will FRA consider an amendment to address the additional steps including treatment/mitigation measures?	Yes, an amendment may be made in accordance with stipulation XI.
49	ACHP	14	684	The PA seems to be missing a stipulation regarding an important commitment made in the Supplemental AOE report (page 102): Additionally, while there would be no Section 106 adverse effect to the Capitol Hill Historic District, FRA acknowledges incremental increases in traffic, as predicted by the traffic analysis, would occur at many thoroughfares and intersections adjacent to or within the historic district. FRA will develop traffic mitigation measures in the context of NEPA to monitor traffic congestion and coordinate with DDOT and other Consulting Parties to minimize and mitigate increased traffic volumes at various intersections. These mitigations would be presented for public and agency review in the forthcoming Supplemental DEIS. FRA anticipates the PA, developed in consultation with Consulting Parties, will include the NEPA mitigation measures to monitor and manage traffic and identify a process to minimize and mitigate unanticipated traffic impacts. Please add an additional stipulation on this. You can separate avoidance and minimization measures from mitigation for this and other measures, but this should be documented clearly in the PA (it seems to be referenced in the Whereas but there is no corresponding detail in a Stip).	Added stipulation reaffirming mitigations stipulated in the NEPA process., which include a Construction Transportation Management Plan and Traffic Mitigation Approaches.

50	ACHP	14	705	will FRA consider a meeting is so requested by a Signatory?	Added language to convene an annual meeting.
51	ACHP	15	713	ACHP strongly advises that any changes to this agreement be documented in an amendment. Any such changes should at a minimum be submitted to ACHP and other Signatories to maintain a record of the most recent version of the PA and attachments.	This sentence has been removed from the PA.
52	ACHP	16	763	adding another federal agency does not change the original effective date of the PA, just the date that agency enters the process and assumes responsibility for any commitments.	Simplified language to add clarity. "This PA will become effective immediately upon execution by all Signatories. In the event another federal agency elects to use this PA, their responsibilities under the PA will become effective on the date that they complete the process identified in Stipulation IX of this PA."
53	ACHP	16	781	suggest limiting the duration to a time period (20 years) rather than to completion of commitments.	Kept 20 years and SHPO's preference for "when all terms of the PA have been fulfilled."
54	ACHP	16	787	suggest that FRA will "amend to expire" the PA. This will provide the paper trail showing that the agreement was purposefully ended with agreement by all Signatories.	Reject. This is not standard practice for FRA agreement documents recently signed by ACHP
55	ACHP	22	913	Reid J Nelson, Executive Director	Added Mr. Nelson to the Signature

WUS Draft PA Comment Matrix					
No.	Signatory	Page # (or letter/ comment reference)	Line #	Comment	FRA Response
Comments on draft PA (first draft sent to Signatories prior to SDEIS)					
1	Amtrak	1	28	Should this be clear about who is buying the private air rights? Not sure if it matters from whom in this context.	This will not be confirmed until after the NEPA/106 process is complete
2	Amtrak	1	41	Suggest that FRA add some punctuation or otherwise clarify this clause. It may be missing a couple of words.	Revised to comment.
3	Amtrak	2	58	Remove extra §	Revised to comment.
4	Amtrak	2	59	Suggest adding reference to the date of FRA's letter that defined the APE and identified historic properties.	Revised to comment.
5	Amtrak	2	68	Suggest adding reference to SHPO's adverse effect concurrence letter.	Revised to comment.
6	Amtrak	2	76	If it is unlikely that the Project Sponsor will be identified before the PA is signed, I suggest adding language in this PA similar to that from the Hudson Tunnel PA to address addition/changes to the Project Sponsor.	Project Sponsor identified as USRC in the Draft PA made available for public review
7	Amtrak	2	99	Suggest adding "; and" after "[Attachment 1]"	Revised to comment.
8	Amtrak	3	110	Suggest adding "; and" at the end of the clause	Revised to comment.
9	Amtrak	4	151-189	Stipulation II: Some Treatment Measures in Stip. VI require Consulting Party review, and the clauses reference the Stip. II protocol for reviews. However the Stip. II clauses only reference reviews by Signatories. Should other Consulting Parties be referenced here in A-H, or are they considered covered by the Stip II intro paragraph on page 3 coupled with specific instructions in Stip VI?	Revised to comment.
10	Amtrak	4	168	Suggest removing "to respond"	Revised to comment.
11	Amtrak	4	172	Stipulation II. F. seems to duplicate the last part of Stipulation II.D.	This is not a duplication. It explains what happens after no comments are received.
12	Amtrak	4	180	This sentence references Signatory "approval." However, most MOAs only provide for review and comment. Clearly substantive comments should be addressed per this clause. However, if they don't respond to the revisions in the timeframe allotted, can the Sponsor just move on per Stipulation II.D?	Text revised.
13	Amtrak	4	181	Suggest replacing "written comments" with "review is"	Revised to comment.
14	Amtrak	5	233	Suggest adding "effects to" after "address"	Revised to comment.
15	Amtrak	5	244	Consider whether to add language that says that if SHPO doesn't comment on intervening deliverables and the Project Sponsor moves on per Stip. II.D, they can't then object to fulfillment of mitigation later on. See similar comment on line 788.	Text now states: 4.8The Project Sponsor is responsible for the funding and completion of measures to resolve adverse effects pursuant to this PA. The Project Sponsor will consider these measures to be successfully completed upon the completion of review, comment, and revision procedures described in Stipulation II.
16	Amtrak	5	245	Suggest including reference to Stipulation XV.	Revised to comment.
17	Amtrak	6	269	Suggest adding "or subsequent adopted modifications" or some similar language. There is a movement to update these Standards; maybe it will happen in the next 20 years.	Revised to comment.
18	Amtrak	6	276	Suggest including SOI. Consider adding language about National Park Service standards, which would be applicable for HABS/HAER.	Revised to comment.
19	Amtrak	6	277	What other "State" (or "District") standards would apply to this work outside of SHPO?	Revised to "SHPO standards"
20	Amtrak	6	296	Is it likely that the project will be designed and built in phases? If so, create a clause to recognize/allow for that somewhere, whether in Design Review section or more globally.	That is something the Design Review itself can address
21	Amtrak	6	298	Suggest removing "and engineering." Seems redundant.	Revised to comment.
22	Amtrak	6	301	Suggest adding "(Design Review)" to define this term that is used throughout this section, which refers to the process.	Revised to comment.
23	Amtrak	6	302	Suggest adding "completion of" after "to"	Revised to comment.
24	Amtrak	7	306	Suggest that "executed" be replaced with "conducted"	Revised to comment.
25	Amtrak	7	309	Suggest adding "required federal and municipal" after "existing"	Revised to comment.
26	Amtrak	7	310	Add "Sponsor" after "Project"	Revised to comment.
27	Amtrak	7	311	Suggest adding "in accordance with those agencies' procedures" so that it is clear that Stip II doesn't apply to this.	Revised to comment.
28	Amtrak	7	321	Suggest adding "the" after "to"	Revised to comment.
29	Amtrak	7	329	Suggest adding "draft" before "Design"	Revised to comment.
30	Amtrak	7	366	There are separate guidelines for HABS. Reference here?	Revised to comment.
31	Amtrak	8	368	Instead of "original," suggest "primary sources such as"	Revised to comment.
32	Amtrak	8	369	Suggest adding "and period publications, as well as" after "photographs"	Revised to comment.
33	Amtrak	8	370	Suggest adding "of the history and operation of the facility" after "knowledge."	Revised to comment.
34	Amtrak	8	372	Suggest replacing "carried out as part of" with "included in"	Revised to comment.
35	Amtrak	8	379	Suggest replacing "ground disturbing activity" with "construction activity." That seems more relevant to HABS/HAER documentation.	Revised to "any demolition, construction, or ground disturbing activity"
36	Amtrak	8	389	FRA hasn't requested hard copies of this documentation in the past. Just checking that FRA really wants that here.	Yes, as we are the owners of Union Station.
37	Amtrak	8	390	Suggest adding that Project Sponsor may retain archival and/or digital versions of final documentation for its records.	Revised to comment.
38	Amtrak	8	395	Suggest replacing "that require removal or relocation could be salvaged" with "that could be salvaged and relocated"	text has been rewritten
39	Amtrak	9	408	Suggest adding "Draft" before "Architectural"	Revised to comment.
40	Amtrak	9	410	See comment on line 379. Same comment is relevant for other mentions, also. Did not note all instances.	Revised to "any demolition, construction, or ground disturbing activity"
41	Amtrak	9	421	Suggest replacing "recommend" with "establish"	Revised to comment.
42	Amtrak	9	422	What does "waysides" refer to? Signage?	Yes
43	Amtrak	9	424	Suggest adding "draft" before "Interpretation"	Revised to comment.
44	Amtrak	9	445	Hyphenate "20th-century"	Revised to comment.
45	Amtrak	9	448	Suggest replacing "site" with "nomination"	Revised to comment.
46	Amtrak	9	450	Suggest replacing "will" with "whether to"	Revised to comment.
47	Amtrak	10	472	Suggest using "Protection Plan" consistent with defined language.	Revised to comment.
48	Amtrak	10	476	Should the NDA clause go under Design Review?	Revised to comment.
49	Amtrak	10	483	Are noise and vibration thresholds and associated protection measures anticipated to be the same for historic buildings and all others "at risk of structural damage"? Consider specifying "historic" buildings at risk of damage, for the purposes of this PA, rather than buildings in general.	Revision made to historic buildings in stipulation. However, there will be non-historic buildings that are also at risk and included in the CNVCP.
50	Amtrak	10	496	Is the intent of the CNVCP to be consistent among 106 and NEPA commitments such that one version of this has to be created covering all noise and vibration minimization/mitigation measures, or is this a specific plan just for historic buildings? If the latter, should the "engagement plan" include more than just notification to Signatories (i.e. to include other Consulting Parties)?	CNVCP is expected to be consistent for NEPA as well. However, the engagement plan may reference Signatories and consulting parties, in addition to property owners.
51	Amtrak	10	497	Consider inserting "instances of exceedance of" before "vibration"	Revised to comment.
52	Amtrak	10	503	Suggest removing "path" here and inserting "along construction equipment paths" after "measures" on line 504.	Revised to comment.
53	Amtrak	10	507	"Project Area" is not a defined term. Perhaps "Project location" instead?	Revised to comment.
54	Amtrak	11	510	Suggest adding "draft" before CNVCP.	Revised to comment.
55	Amtrak	11	526	Suggest "coordination" instead of "consultation"	Revised to comment.
56	Amtrak	11	536	Does FRA also want a copy?	Yes

57	Amtrak	11	538	Would the Project Sponsor need to submit the Phase 1B work plan to FRA and SHPO for review before starting work?	Yes, revised to comment.
58	Amtrak	11	546-558	For Stipulations VI.B.4, 5 and 6, include providing copies to/involving the tribes, if warranted?	Yes, revised to comment.
59	Amtrak	12	562	Suggest adding "and/or extent of adverse effects" after "identified"	Revised to comment
60	Amtrak	12	563	Rather than a full fresh MOA to resolve new adverse effects, suggest memorializing in a document that is reviewed by signatories and other consulting parties (including tribes) similar to the B&P Tunnel PA. This would also be consistent with Stipulation VIII of this draft PA.	This will be memorialized in Amendment to PA.
61	Amtrak	12	570	Within 15 days of what?	Text removed
62	Amtrak	12	575	Consider noting that other activities already approved through consultation may continue.	Will make that consideration.
63	Amtrak	12	603	Suggest 48 hours instead of 24, in keeping with 800.13(b)(3) timeframe, although I recognize that you have separated the initial notification from the subsequent data gathering/assessment of eligibility/effects, which is helpful.	Revised to comment.
64	Amtrak	13	616-617	Suggest removing clause beginning "If SHPO does not..." because FRA can assume eligibility regardless of SHPO's position on the matter.	The second half of the sentence acknowledges "FRA may elect to assume eligibility." No change to text made.
65	Amtrak	13	620	Suggest adding a statement about what happens if the resource is found to not be eligible for the NRHP or effects are not adverse.	Revised to comment.
66	Amtrak	13	626	Suggested beginning language: "If treatment measures are established to resolve adverse effects under Stipulation VIII.A.5..."	Language expanded to consider consultation with SHPO
67	Amtrak	13	630	If SHPO doesn't concur within 30 days, can the Project Sponsor move on per Stipulation II.D? Please clarify. The PA is inconsistent in terms of requirements for concurrence vs. opportunities for review and comment. Most MOAs only stipulate review and comment.	Revised to comment
68	Amtrak	13	645	What is the consulting tribe(s) role here?	Roles are noted in 4 of this section.
69	Amtrak	14	659	Who is responsible for making the determination about the ethnicity of the remains?	Added text from SHPO. The DC Metropolitan Police Dept (MPD)/Office of the Chief Medical Examiner (OCME) contact protocol is as follows: For reporting human remains, call the MPD Command Information Center (non-emergency number). MPD will notify the OCME, and the Forensic Anthropologist will be involved in the classification of the remains as being of historic vs. forensic origin.
70	Amtrak	14	671-678	Suggest removing this clause. B.6 clause is already covered in VIII.B.5 by reference to A.6 there.	text has changed based on other comments
71	Amtrak	14	718	Consider adding "associated with the Project" or "under this PA" after "action(s)"	Revised to comment.
72	Amtrak	15	723-738	Suggest using the simpler language for dispute resolution from the Hanson Interlocking MOA (in Prince Georges County, MD). It removes some redundancy from this language to make it three steps instead of five. Even East River Tunnels MOA condensed it to four steps.	Revised to comment.
73	Amtrak	15	724	If this section is left as-is, suggest including "and other consulting parties" after "Signatories"	Revised to comment.
74	Amtrak	16	779	Suggest adding the following after "Stipulation VI": "and additional treatment measures established in consultation under Stipulations VII and VIII"	Revised to "when all its terms have been fulfilled."
75	Amtrak	16	786	What if SHPO does not respond within 30 days?	Revised to comment.
76	Amtrak	16	788	Consider whether to add language that says that if SHPO doesn't comment on intervening deliverables and the Project Sponsor moves on per Stip. II.D, SHPO can't then object to fulfillment of mitigation at this point. See similar comment on line 244.	The comment now applies to line 974. The language two lines up on 972 explains that if SHPO does not object within 30 days then things can proceed. If the SHPO provides no comment within 30 days it would be the same as having no objection. Line 244, referenced in the original comment has also been resolved. Current language only makes reference to the procedures in Stipulation XVI (Duration).
77	Amtrak	16	789	Add timeframe to "further consultation"?	Revised to reference timeframes in Stip II.
80	Amtrak	16	790	Suggest that FRA provide written notification upon conclusion of dispute resolution, per Stipulation XII, rather than the Project Sponsor as currently written.	Revised to comment.
Comments on draft PA included in SDEIS					
81	Amtrak	2	78	Include language that Amtrak owns and operates certain assets involved in or directly affected by the Project.	Revised to comment.
82	Amtrak	3	90-99	Because this is a commitment to a future activity, move this to a stipulation under section VI.	Revised to comment.
83	Amtrak	3	98-99	Evaluating the feasibility of use of work trains seems best suited for Amtrak to conduct, not USRC.	Removed text associated with this comment.
84	Amtrak	3	114	Add "and become an Invited Signatory to this PA" to this line.	Revised to comment.
85	Amtrak	3	116	Remove "the"	Revised to comment.
86	Amtrak	3	112-119	Clearly separate these clauses such that one only addresses situations where FRA is designated lead federal agency, and the other only addresses situations where another agency has note designated FRA as lead federal agency.	Revised to comment.
87	Amtrak	4	131-151	Stipulation II, sections D through H do not account for receipt and resolution of comments from Consulting Parties other than Signatories, including tribes. Clarify how Consulting Party comments other than Signatories are sought and addressed in this framework.	Role of CPs varies from stipulation to stipulation, and are stated in each Stipulation where applicable
88	Amtrak	5	172	Insert "outside of Section 106" after "has"	Revised to comment.
89	Amtrak	5	173	Insert "outside of the provisions of this PA" at the end of this sentence.	Revised to comment.
90	Amtrak	5		While a Project Sponsor is now identified in the draft PA, provision should be made for how to change the Project Sponsor and related responsibilities in the event that this changes in the future.	If such a situation were to occur, an amendment would be made to the PA. No text change made.
91	Amtrak	5/14	177/584	In Section E, or in section XI, Amendments, include provision for how to change the Project Sponsor and related responsibilities in the event that this changes in the future.	If such a situation were to occur, an amendment would be made to the PA. No text change made.
92	Amtrak	5	191-192	Replace all text on these lines after "upon" with "completion of review, comment, and revision procedures described in Stipulation II." This will provide consistency of procedure.	Revised to comment.
93	Amtrak	5	193	If possible at this point, specify what portion of land affected by the project is subject to ARPA, and which agency/agencies the Project Sponsor must seek permits from (i.e., FRA, NPS) prior to undertaking archaeological investigations. A map of such jurisdiction as an attachment could be helpful.	ARPA will apply to federally owned or administered lands and it will be the responsibility of the Project Sponsor to determine when it is applicable. This is standard PA text.
94	Amtrak	5	194	If ARPA applies to this project, would NAGPRA also apply to the same locations?	Added language to reference NAGPRA.
95	Amtrak	6	197-198	Move to recitals.	Revised to comment.
96	Amtrak	6	202-203	Consulting Party review/comment mentioned here is not currently reflected in Stipulation II. See related comments above.	Added clause below to address additional responsibilities and relocated last sentence of first clause to the new one.
97	Amtrak		225	Consider working with Consulting Parties to establish the topics that must be included in a historic preservation covenant, a list of which could be included in the PA as an attachment. Amtrak agrees that it may not be feasible to establish a covenant prior to completing this PA and associated NEPA process.	Stipulation language was revised.

98	Amtrak		236-237	Qualify this statement. The project is acknowledged to have adverse effects to historic properties, and not all aspects of the design will be able to meet the SOI Standards.	The Rehabilitation Standards allow for new construction and alteration. No change to text.	
99	Amtrak		233	Given the complexity of the project and its potential delivery, Amtrak agrees with development of the design review process after execution of the PA. However, the PA could identify key topics to be included in the process, such as how to address reviews for phased design versus activities consistent across all phases (e.g. comprehensive signage approach), and consider use of presentations and meetings in addition to conveyance of drawings for review.	Revised text considers phased design and review process identifies key topics (mass, form, materials, architectural features, circulation patterns, lighting, signage) of many elements.	
100	Amtrak	7	244	Note that design information that Amtrak determines is security sensitive or for spaces/elements outside of public view that do not affect historic fabric or character (e.g. Amtrak back-of-house spaces in the new train hall) will be excluded from Design Review.	Added qualification to 3.e.	
101	Amtrak	7	257	Design guidelines would be appropriate for the project generally, and they must be consistent across all instruments related to delivering this project, not exclusive to the federal air rights.	Revised to comment.	
102	Amtrak		257	Suggest moving stipulation VI.A.3 to after A.1 because 1 and 2 are related, and also because the establishment of design guidelines will also be important to the design review process.	Revised to comment.	
103	Amtrak		263	Qualify this statement. While certainly an important goal, it may not be possible for all design to meet the SOI Standards.	The Rehabilitation Standards allow for new construction and alteration. No change to text.	
104	Amtrak		314	Include provision of a digital copy to Amtrak.	Revised to comment.	
105	Amtrak		334	Consider noting that if the design is phased, items may be identified for potential salvage in conjunction with phased design as it progresses.	Revised to comment.	
106	Amtrak		363	Given the possibility of phased design, consider replacing 35% design with prior to completion of preliminary design of major publicly accessible project elements, or something similar.	Revised to align with 15% design. That would be align with "preliminary design" and also align with the timeframes in which the design guidelines are to be finalized.	
107	Amtrak		394	Clarify relationship of CNVCP stipulation specific to historic properties under the PA. Signatory/Consulting Party review of the CNVCP, subsequent notification of work exceeding noise and vibration thresholds, and similar review and engagement under this stipulation should be related to historic properties only.	The CNVCP will apply to all buildings at risk, including historic properties. Will clarify that Signatory review and informing CPs will occur only for historic buildings.	
108	Amtrak	11	466	Include consideration of the extent of new adverse effects in determining whether a separate, stand-alone MOA is warranted.	Revised to have amendment to PA rather than a stand-alone MOA.	
109	Amtrak	12	484	Replace "staff" with "professionals," which would allow for use of consultants in this role.	Revised to comment.	
110	Amtrak		499	Suggest replacing 24 with 48 hours, in keeping with 800.13(b)(3) timeframe, although it is helpful to have separated the initial notification from the subsequent data gathering/assessment of eligibility/effects.	Revised to comment.	
111	Amtrak	13	513	In addition to the site not being eligible, include that the Project may proceed if effects to an eligible site are able to be avoided or are otherwise not adverse.	Revised to comment.	
112	Amtrak	14	584	If a change to the Project Sponsor would require a distinct process to amend the PA, include such language here.	If such a situation were to occur, an amendment would be made to the PA. No text change made.	
113	Amtrak	15	597-608	Eliminate redundancy of steps for dispute resolution.	Have consolidated steps to eliminate redundancy.	
114	Amtrak	16	646	Include "or does not object that" after "SHPO concurs" to address instances when SHPO does not respond within 30 days.	Revised to comment.	
115	Amtrak	General		Because the project design and construction may advance in phases, allow for delivery of mitigation elements relative to phased design and construction that is appropriate to each stipulation. Some specific instances are noted in these comments, but not all.	No change	
116	Amtrak	General		As suggested by other Consulting Parties, Amtrak supports inclusion of sensitive physical improvements to the historic station and related elements as a mitigation measure if such improvements are identified that are commensurate to the adverse effects of this project in light of other avoidance, minimization, and mitigation measures under the PA.	Feasibility study for physical improvements to the historic station added as a Stipulation	
117	Amtrak	General		For stipulations related to above-ground resources, suggest replacing language regarding timing of mitigation from demolition or ground-disturbing activities to demolition or construction activities, the latter of which may not include ground disturbance.	Revised to comment.	
118	Amtrak	General		Suggest listing attachments to the PA within the PA.	Revised to comment	
119	Amtrak	Letter dated 7/6/23 signed by Jeannie Kwon		The design guidelines proposed by the PA are appropriate given the magnitude and complexity of SEP however to ensure continuity of design they must be consistent across all instruments related to delivering SEP, not just exclusive to the federal air rights. Additionally, the Preferred Alternative proposed by SEP requires consolidation of property ownership to facilitate project execution, FRA should give thought to providing a mechanism in the PA or other document to provide a pathway for resolution of property interests.	Design guidelines will address the SEP as well as the federal air rights.	
Comments on draft PA version 2 (sent to Signatories on 9/22/23)						
120	Amtrak	Design Review - NDA	507	Suggest clarifying what would be subject to the NDA, such as review of security-sensitive locations/elements that affect historic fabric or character.	Revised to comment.	
121	Amtrak	Design Review Process/Timeline	514	Track and related infrastructure design (e.g. overhead catenary system, signals, platform) often progresses ahead of other design work to establish the location of critical elements as a basis for the rest of design. Amtrak would like to be able to progress this critical infrastructure design beyond 15% while the Design Review process is being established and independent of other mitigation deliverables tied to design milestones in the PA.	Clarified that design review would be finalized prior to the completion of 30% architectural design documents.	
122	Amtrak	Archaeology	855	Given the varying levels of fill, prior disturbance, and complexities of working within an operating rail yard while maintaining service, would the current language allow for archaeological monitoring, combined identification/mitigation, or other means to efficiently satisfy commitments as long as it is documented in an approved work plan per stipulation VI.B.1?	Yes. Following the Phase IB, the Project Sponsor will consult with SHPO on need for Phase II surveys or it would be possible to propose a plan for minimization and data recovery, which could include monitoring and other means to satisfy archaeological commitments. VI.B.2 is quite broad to develop an archaeological work plan as long as SHPO is consulted.	

WUS Draft PA Comment Matrix						
No.	Signatory	Page # (or letter/ comment reference)	Line #	Comment	FRA Response	
1	NCPC	2	96	Change DC to "District of Columbia"	Revised to comment.	
2	NCPC	6	279	Recommend including sub-sections that address: (1) Avoidance Measures (describe steps that have been taken to avoid adverse effects to-date, and any future measures; (2) Minimization Measures (steps taken to date and future measures); and Initial Mitigation Measures	These are fully documented in SAOE and EIS, and referenced in recitals. Section VI are the mitigation measures.	
3	NCPC	6	286	If a draft covenant cannot be attached to the PA as an exhibit, we recommend that a list of principles or general framework language be included in this section to guide preparation/finalization of the covenant	Revised to comment.	
4	NCPC	7	311	Note that CFA has "concept" and "final" review stages. NCPC has preliminary and final.	Revised to comment.	
5	NCPC	7	324	Recommend additional this language or similar: If FRA or any Signatory determines that a new adverse effect may result or a known adverse effect will be intensified, the FRA will consult with the Signatories to avoid, minimize, or mitigate the new or intensified adverse effect. If the FRA determines that unavoidable adverse effects may result or be intensified, the FRA will consult with the Signatories to determine whether the design change warrants an Amendment to this PA to identify measures that will be carried out to avoid, minimize, or mitigate any new or intensified adverse effects.	Lead federal agencies (FRA) makes determinations of effect per regulation, not any Signatory. Project modification and design changes, and how those effects will be assessed are in Stipulation VII.	
6	NCPC	7	325	If draft design guidelines cannot be attached to the PA as an exhibit, we recommend that a list of principles or general framework language be included in this section to guide preparation/finalization of the guidelines	Revised to comment.	
7	NCPC	19	857	Marcel C. Acosta, Executive Director	Revised to comment.	
8	NCPC	1	31	In the preamble, please provide whereas clauses that describe the history of Union Station, its setting, and any previous determinations regarding eligibility for National Register listing	Recitals have been expanded to address some of these comments, but the history of Union Station and its setting is fully described in the SAOE.	
9	NCPC			NCPC requests to be included as a signatory to this PA, not just as an invited signatory. Since NCPC has a unique role in approving federal projects and transfers in DC under our authorities, and since we have been listed as a signatory, as opposed to an invited signatory, in all recent Section 106 agreement documents, the ACHP has agreed that for consistency, we would respectfully request that the PA return to the language that has NCPC as a signatory, not an invited signatory. ACHP concurred with this determination on June 29, 2023, as part of drafting the language for a PA involving the Washington Navy Yard. While we recognize that invited signatories have the same privileges as signatories, we think it is important that we retain consistency in the agreement documents for Section 106, for all projects in which NCPC has approval authority, and thus, a Section 106 compliance responsibility.	Revised to comment. ACHP had originally requested we only include SHPO, ACHP, and FRA in the title block.	
11	NCPC		57	"acquisition"	If the potential for, or method of, future air rights transfer/acquisition is not yet clear, is this the correct term? Would seem to conflict with mitigation measures that describe as transfer of real property out of Federal ownership in VI (A)(1)(a) etc.	This acquisition of air-rights is for the Project, and is separate from the potential transfer of Federal air-rights (where the garage is) out of Federal ownership
12	NCPC		88	Call out specific preferred alternative #	Alternative F stated	
13	NCPC		297	Treatment Measures	Consider breaking these out into Avoidance, Minimization and Mitigation measures, as separate sections. It is not clear here. Avoidance or minimization should also include a description of the changes that occurred between the old and new preferred alternative that address preservation concerns (eg: larger setback of symmetry of new development, central open space etc.)	Reject
14	NCPC			Design Guidelines	It may be helpful to have an exhibit that shows the limits of the federal air rights and the limits of the private air rights, subject to the covenant prepared by GSA	Revised to comment
16	NCPC			Design Guidelines	If air rights do not leave federal ownership, or are leased, when would guidelines be completed?	Prior to transfer of property out of Federal ownership, or prior to 15% design documents.
17	NCPC			Construction Protection Plan	NCPC supports comments from the DC SHPO at the last Consulting Parties meeting, that Columbus Plaza needs to be called out as a specific area of interest in the Historic Properties Construction Protection Plan,	PA specifically references Columbus Plaza, per comment.

WUS Draft PA Comment Matrix					
No.	Signatory	Page # (or letter/ comment reference)	Line #	Comment	FRA Response
142	SHPO	General	General	We appreciate that the draft includes several mitigation measures but are concerned that they are the types of "typical" measures routinely proposed for undertakings far less complex, costly or extensive in terms of scope and duration. While photographic recordation, architectural salvage, nominations, interpretive signage and the like are important, these minimum forms of mitigation fail to adequately offset the individual and cumulative adverse effects that will result from the SEP. They also fail to do anything to celebrate and more directly integrate the historic station into the proposed new development and ensure that it remains a vital and vibrant part of the overall station complex. For example, restoring natural light to the skylights in the historic passenger concourse (current "retail concourse") would create a more equitable future transition from the light-filled new train hall into the historic station which is currently rather dimly lit by artificial light. Similarly, improving the unattractive east and west terminations of the truncated historic passenger concourse (current "retail concourse") should be included as a mitigation measure (see also the attached supplemental WHEREAS clauses) since these areas are going to become more visible as the result of revised bicycle and pedestrian circulation paths. Restoration of the long dormant but historically significant fountains in Columbus Plaza would also provide an appropriate way to properly celebrate the historic entrance into the station complex. More meaningful mitigation measures such as these should be incorporated into the draft document.	FRA understands and appreciates the SHPO's comments for additional mitigation measures and has added Stipulation VI.A.11 to address. Restoration of Columbus Plaza is completely outside FRA or the Project's purview as it is owned and managed by the National Park Service on behalf of the Federal Government. Effects to REA Building are appropriately mitigated in the PA
143	SHPO	General	General	More substantial mitigation measures specific to the adversely affected REA Building should be identified and incorporated into the PA.	FRA believes that the provided mitigation measures are sufficient given the nature of the adverse effect to the REA Building.
144	SHPO	General	General	The central civic space (Visual Access Zone) is referenced only once in the draft agreement document but the critical importance of this feature warrants a more detailed presence in the PA, even if such a reference is limited to acknowledging the importance of the central plaza and documenting a commitment on the part of FRA and the Project Sponsor to work with private developers and other applicable parties and review agencies to ensure the central civic space is fully realized according to plan.	PA revised, please note that development of the central civic space is not a component of the Project.
145	SHPO	General	General	Similarly, the PA should at least acknowledge the "Potential Air Rights Development" that is depicted in the Preferred Alternative, documenting the cooperation that led to the overall massing design and establishing a commitment (non-binding, if necessary) or at least a goal of working collaboratively with all relevant parties and to help ensure appropriate development within the Project's Area of Potential Effect.	Have updated upfront clauses to reference the development and selection of Alternative F and pointed readers to the 2023 SDEIS and SAOE for a full discussion on its development. It is acknowledged that the Project requires approximately 3 acres of privately-owned air rights.
146	SHPO	General	General	Since portions of the Project are likely to become subject to the existing air rights covenant, the PA should include provisions for establishing a process to coordinate reviews under the covenant and the PA.	Stipulation VI.A.3. establishes a design review for the Project, which will be guide by the Guidelines that will be established for the Project and the Federal air rights under Stip. VI.A.2.
147	SHPO	General	General	The PA references several specific letters but the complexity and nearly eight-year duration of consultation suggests the PA should also include as an attachment the entire Section 106 consultation record (i.e. all the formal comments submitted in writing by consulting parties) for reference. We are unsure how large such an attachment might be but note that NEPA documents routinely include far more extensive consultation records so a precedent for such documentation does exist. We request FRA to provide a specific number of pages or at least an estimate to determine whether including the entire consultation record will be reasonable.	Revised to comment
148	SHPO	General	Before line 63	Insert WHEREAS, Washington Union Station is among the most iconic landmarks of the nation's capital and a monument of exceptional importance in the formulation and implementation of the 1901-02 Senate Park Commission Plan for Washington (McMillan Plan), the blueprint for the development of monumental Washington following City Beautiful design ideals during the first half of the 20th century; and	Addressed with FRA edits
149	SHPO	General	Before line 63	Insert WHEREAS, Washington Union Station is an architectural masterpiece of the preeminent American architect Daniel Burnham, who profoundly influenced American civic architecture and the character of Washington DC as a primary author of the McMillan Plan and as the first chairman of the US Commission of Fine Arts, established to ensure implementation of that plan; and	Addressed with FRA edits
150	SHPO	General	Before line 63	Insert WHEREAS, transformative changes in American transportation infrastructure during the post-World War II era led to the decline and near-abandonment of Washington Union Station, and its rescue first as a National Visitor Center in preparation for the 1976 Bicentennial and thereafter with the creation of USRC in 1981 and subsequent renovation of the station as a highly successful festival marketplace; and	Addressed with FRA edits
151	SHPO	General	Before line 63	Insert WHEREAS, the overwhelming dominance of automobile-oriented transportation during that era led to major adverse effects on the station, including the construction of a looming visitor center garage, destruction of the projecting wings and granite facades of the historic passenger concourse in order to provide vehicular ramps to the garage, and significant compromises to historic integrity of interior features given practical and financial necessities of its conversion to largely retail use; and	Addressed with FRA edits
152	SHPO	General	Before line 63	Insert WHEREAS, in 2015 USRC commissioned a Historic Preservation Plan for Washington Union Station, has since been engaged in an intensive effort to remove intrusive modifications and assemble historic images and documentation for its long-term restoration, and has partnered with the National Trust for Historic Preservation and corporate funders on restoring historic features of the station interior and exterior; and	Addressed with FRA edits
153	SHPO	General	Before line 63	Insert WHEREAS, further restoration and revitalization of Washington Union Station is a primary objective of this consultation, and the Project's Preferred Alternative would contribute significantly to this effort through removal of the intrusive parking garage and other means; and	Addressed with FRA edits
154	SHPO	General	Before line 86	WHEREAS, the Secretary's Standards for the Treatment of Historic Properties (36 CFR Part 68) recommend the accurate replacement of missing historic features in a restoration, and during consultation the SHPO has advocated among other treatments for restoration of the concourse to its historic extent, and at a minimum avoidance of any vehicular intrusions or other construction that would constrain the ability to achieve this restoration in the future for such benefits as expanded bicycle facilities and better connections from the modernized and expanded terminal to Metro, Station Place, and air rights development; and	Addressed with FRA edits
	SHPO	Email from Andrew Lewis 7/6/23		SHPO strongly recommends that all signatories, including the invited signatories USRC, NCPC and Amtrak be cited in the title block since, pursuant to 36 CFR 800.6(c)(2)(i), invited signatories have the same rights with regard to seeking amendment or termination of the PA, because it is misleading to omit them from the title block and because we are not aware of any reason they should be omitted.	ACHP originally requested that we only include SHPO, ACHP, and FRA, but revised to comment
	SHPO	Email from Andrew Lewis 7/6/24		On a related note, the PA states USRC is the Project Sponsor and will be responsible for complete implementation of the Project including the stipulated mitigation. In order to ensure that USRC can fulfill this role, the PA should state what expansion, if any, of USRC's roles, responsibilities and authorities will be necessary for it to effectively administer implementation of the federal project in coordination with the related private air rights development north of the historic station.	USRC's roles and responsibilities in terms of implementing the PA are defined.
	SHPO	Email from Andrew Lewis 7/6/25		In keeping with the comment immediately above, it would be helpful to define what USRC is (i.e. public entity, instrument of FRA, etc.)	Revised to comment

	SHPO	Email from Andrew Lewis 7/6/26	line 20 SDEIS Draft PA	please clarify that FRA also owns the rail yard extending to L Street (or the appropriate street), the tunnel that extends southward below grade, and, if applicable, the REA Building. We understand the latter is owned by Amtrak but are unsure whether that equates to federal ownership.	Revised to comment
	SHPO	Email from Andrew Lewis 7/6/27	SDEIS draft PA 75-77	this clause begs the question of how USRC is going to acquire funding to implement the project and its mitigation measures. While we recognize that funding sources have not yet been identified, it would be helpful to briefly identify what the anticipated sources of funding are and to outline how the funds would be provided to USRC.	Funds addressed to the extent they can be at this time.
	SHPO	Email from Andrew Lewis 7/6/28	SDEIS draft PA 78-79	this clause is very open-ended. Please elaborate briefly on the types of roles and responsibilities that Amtrak may have pursuant to the PA. We may have further comments on this topic once we learn more about what those roles and responsibilities may be.	Amtrak roles and responsibilities are defined.
	SHPO	Email from Andrew Lewis 7/6/29	SDEIS draft PA 90-99	refer to previous comments on this clause and note that we also recommend that it be relocated to Line 63 or incorporated into the clause in Lines 57-62 which identify adverse effects. In other words, all the adverse effects and potential adverse effects should be addressed in one section of the preamble.	Will keep as separate clause. Reframed text to note that "FRA determined that changing levels of traffic throughout the APE would not cause adverse effects on historic properties because Preferred Alternative F includes measures to minimize increased traffic volumes at intersections with unacceptable levels of service, to monitor traffic congestion, and coordinate with the District Department of Transportation (DDOT) which has jurisdiction over road rights-of-way in the District (See Stipulation VI.A.10); and"
	SHPO	Email from Andrew Lewis 7/6/30	SDEIS draft PA 250	we recommend that this be revised to read "proposed ramps to the east and west" instead of "new ramps" since the former suggests agreement.	Revised to comment.
	SHPO	Email from Andrew Lewis 7/6/31	SDEIS draft PA 255	and other topics addressed in the correspondence record which is included as Attachment #	Revised to comment.
	SHPO	Email from Andrew Lewis 7/6/31	General	We recognize that FRA considers this PA an appendix to the SDEIS and, therefore, likely assumes that all graphics to illustrate the Preferred Alternative are already adequately addressed. However, SHPO stresses that the agreement is also a stand-alone document for purposes of Section 106 so all relevant graphics, narrative information and related information (not just the "massing diagram") that define and illustrate the Preferred Alternative should be incorporated in a specific stipulation and as an attachment to the PA. We stress this because the Preferred Alternative represents the mutually agreed upon design that should be specifically identified as the benchmark for all future development (both public and private) and the historic preservation review, thereof.	Will include reference to the Preferred Alt and will include as an attachment (Attachment 4) a Description of the Alternative as provided in the SDEIS.
	SHPO	Email from Andrew Lewis 7/6/31	SDEIS draft PA 262	insert a new paragraph after (a) to read: Design Guidelines will establish a minimum development parcel that is necessary to accomplish the essential components of the project, including open space. For reference, see the Square Guidelines of the Pennsylvania Avenue Development Corporation or the development parcellation of the Southeast Federal Center.	Section revised
	SHPO	Email from Andrew Lewis 7/6/31	general - civic space	The central plaza is one of the most critical components of the Preferred Alternative since virtually every aspect of the design, the Section 106 minimization of adverse effects, and the Section 4(f) evaluation that finds least overall harm to historic properties are all closely tied to and rely heavily upon construction of this important feature. Despite these facts, the PA provides no guarantees the plaza will be constructed or even that a coherent development parcel indicating building sites and open space will be established to ensure its realization. To address this urgent concern and several related issues, the PA should be revised to maximize use of the tools that are available to help ensure the plaza will come to fruition and the remaining development will be consistent with the Preferred Alternative. Such tools may include, but not necessarily be limited to: a) the aforementioned direct references to all relevant Preferred Alternative graphics as the benchmark for review and establishing that failure to comply with this benchmark will require a more stringent level of review; b) ensuring that the existing air rights covenant or, potentially, some variation thereof, will be extended to all areas of the Union Station Historic Site which are north of the historic station and presently not covered by the existing covenant, regardless of ownership – we view this as an essential step in avoiding/minimizing adverse effects that are likely to result from transfer of historic properties out of federal ownership; c) expanding the design guidelines proposed for the federal air rights areas so they cover all areas north of the historic station; d) designating all or portions of the Union Station Historic Site a local historic district and requiring review by HPRB, the latter of which may be dependent upon whether a proposed project conforms with the Preferred Alternative, the air rights covenant, the expanded design guidelines and related factors; and e) considering ways the Union Station North (USN) zoning overlay and/or NCPC review in lieu of zoning may be used to ensure development consistent with the Preferred Alternative.	Central Plaza is not part of the Preferred Alternative. It is a separate Project, and clearly stated as such for several years. Revisions to the PA made to address concerns related to the Project.
	SHPO	Email from Andrew Lewis 7/6/31	general	Several stipulations of the PA suggest that key documents such as the expanded air rights covenant and/or design guidelines will be drafted at some point in the future but we recommend that such important measures be prepared concurrently with the agreement document and incorporated as attachments therein.	Covenant comment addressed. There is no funding for the Project at this time, so design guidelines cannot be developed concurrently.
	SHPO	email from David Maloney 7/6/23	NRHP stipulation	I looked at the PA provision on the nomination of WUS to the NR and noticed that it does not include a schedule for when the actions would take place. Seems to me that tying it to some kind of milestone would make sense.	Revised to 15% design

	SHPO	email from Ruth Troccoli 7/6/23		The presence of an eligible archaeological site within the basement tunnel beneath the tracks, site 51NE052. It does not appear that this site will be included in the stipulated NRHP nomination (Stipulation VI.A.7., lines 354-373) as a non-contributing resource. Is this omission due to the earlier period of significance of site 51NE052?	No, this site has not been included. Per another project at WUS (the WUS Subbasement Project) additional archaeological analysis has been done and it has been determined that site 51NE052 is in fact not eligible for the NRHP.
	SHPO	email from Ruth Troccoli 7/6/24		The DC SHPO requires review and approval of archaeological survey workplans, per the cited District Guidelines for Archaeological Investigations (Stipulation VI.B.1., line 433). We find it helpful to clearly state this critical step to ensure it is not overlooked during project execution. This applies to both Phase IA and IB identification survey, Phase II evaluations, and Phase III data recovery survey. Note too, that results of archaeological survey efforts in the form of interim management summaries and technical reports are also provided to the SHPO for review. This is specified in the reports but the wording could be interpreted to mean that reports	Revised to comment
	SHPO	email from Ruth Troccoli 7/6/25		The archaeological survey terminology for Phase IB (Stipulation VI.B.4., line 433, and 450) is incorrectly used. Phase IB survey is not assessment-level, rather it is identification-level survey.	Revised to comment.
	SHPO	email from Ruth Troccoli 7/6/26		Line 463- This should likely read "Adverse effects to eligible or significant archaeological properties...". Sites determined ineligible do not generally require mitigation of adverse effects.	Revised to comment.
	SHPO	email from Ruth Troccoli 7/6/27		In the instance of unanticipated archaeological discoveries, consultation with the SHPO is required to prepare an adequate work plan for the effort (Line 504).	Revised to comment.
	SHPO	email from Ruth Troccoli 7/6/28		Humans Remains – Lines 545-547- Note this is in compliance with DC Statute DC ST § 5-1406 Deaths – Notification; penalties for noncompliance.	Revised to comment.
155	SHPO - Andrew Lewis		1	Heading	Please move "THE" at the end of the third line down so the fourth line reads "THE NATIONAL CAPITAL PLANINING..."
156	SHPO - Andrew Lewis		1	21	Insert "new" before train hall
157	SHPO - Andrew Lewis		1	20-22	Although this paragraph cannot include an exhaustive list of work to be done, "other supporting facilities" is relatively broad. Recommend additional information be inserted to provide a better indication of what the project entails. For example, providing additional parking, PUDO facilities etc.
158	SHPO - Andrew Lewis		2	52	Recommend changing "serve" to "participate"
159	SHPO - Andrew Lewis		2	70-74	Recommend documenting that FRA substantially revised the preferred alternative during the period in which the project was put "on pause" because this will help to document how the consideration of avoidance and minimization measures altered the project. Furthermore, the Revised Preferred Alternative should be specifically identified and included as an attachment for reference.
160	SHPO - Andrew Lewis		2	76-84	These measures seem to relate solely to traffic-related adverse effects and are likely being cited in the preamble due to the extended consultation that focused on these topics but calling them out specifically and not including a context/reason for that may suggest that other types of adverse effects are not being given equal attention. Please modify this paragraph to be a bit more explicit in terms of why these are being mentioned specifically.
161	SHPO - Andrew Lewis		2	76	The introductory paragraph indicates that USRC and Amtrak are proposing the WUS Project but the term "Project Sponsor" has not been defined prior to this use. Since there are two, should it read "Project Sponsors"? SHPO notes that topic is addressed to some degree in later stipulations (e.g. III.E)
162	SHPO - Andrew Lewis		2	98	lead Federal agency
163	SHPO - Andrew Lewis		2	99	The "comma" after the parenthesis should be changed to a period or a semicolon.
164	SHPO - Andrew Lewis		3	110	Change period at the end of the sentence to a semicolon and add the word "and"
165	SHPO - Andrew Lewis		3	131-132	Add "or takes any other action that meets the definition of Undertaking at 800.16(y)"
166	SHPO - Andrew Lewis		3	135-144	Merely designating FRA the lead Federal agency may not be sufficient to address the Section 106 responsibilities of other agencies since other undertakings could substantially alter the project. To that end, Stipulations I.B. and I.C. should be combined to require other agencies to become a signatory to the PA as well as designate FRA lead.
167	SHPO - Andrew Lewis		4	161-165	Please clarify who the "responsible entity" is. Does this refer to an FRA employee?
168	SHPO - Andrew Lewis		4	167-170	It is not reasonable to assume that all the technical and complicated matters that are likely to arise through consultation can be resolved within 30 days. Further consultation on this topic is required.
169	SHPO - Andrew Lewis		4	176-185	Fifteen day responses cannot be guaranteed given the nature of the consultation. Further consultation on this topic is required.
170	SHPO - Andrew Lewis		4	188	This stipulation refers to Consulting Parties but the previous stipulations did not. Please revise the earlier stipulations to acknowledge when Consulting Parties comments may be subject to this stipulation.
171	SHPO - Andrew Lewis		5	228	Revise: "...implementing the Project in accordance with this PA through final design and construction..."
172	SHPO - Andrew Lewis		5	233-234	Revise: "...to address historic properties and the effects of the Project on them pursuant to the terms of this PA."
173	SHPO - Andrew Lewis		6	288-290	"Seek to include a covenant" is relatively non-committal language that should be revised to be more definitive. On a related note, an additional stipulation to acknowledge that FRA will become subject to existing covenants for areas that it acquires as part of the Project should be included under this heading. For that reason, the heading should be revised to make it plural so that it reads "Historic Preservation Covenants"
174	SHPO - Andrew Lewis		6	288-294	Another subsection should be added: d. failure to develop a historic preservation covenant with adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance will require further consultation to resolve the adverse effects that will result from transfer.

175				How will this process differ from the one identified in Stipulation II? Note that Stipulation A.1.c. already refers to Stipulation II as if it were the design review process. Perhaps Stipulation II is considered a general submission process but, regardless, the complex issues to be addressed via Design Review process are likely to be too complicated and involved to resolve in 30 days so this may conflict with the way Stipulation II is currently drafted. Furthermore, this PA needs to definitively commit FRA to considering and making a good faith effort to respond to and incorporate comments from the Signatories. The process should also be drafted in a way that provides additional time and effort for consultation regarding any proposal that may deviate from the Preferred Alternative in any substantial way.			This process will be entirely separate from that in Stipulation II. Stip II language now allows for review periods over 30 days (as agreed upon by Signatories)
176	SHPO - Ruth Troccoli, Archaeologist		6	296-299	272	Consider adding ref to the DC Archaeology Guidelines here, since the Unanticipated Discovery section (line 611) refers back to this item for guidance.	Reference to DC Archaeology Guidelines has been added to Stip V. and VI.B.1.
177	SHPO - Andrew Lewis		7	309-311		Add the word "Sponsor" after the word "Project" and note that NCPC and CFA use different terms to describe the stages of their respective reviews. Also note that the design review required by this PA should occur concurrently, if not prior to, the reviews by NCPC and CFA.	Revised to comment
178	SHPO - Andrew Lewis		7	312-314		Revise the first sentence so that it also addresses whether a proposed design will result in an adverse effect on affected historic properties.	3.a addresses adverse effect. 3.c. addresses adherence to the design guidelines established in Stipulation VI.A.2.
179	SHPO - Andrew Lewis		7	312-323		Design review should also address interior alterations to any portion of the historic station including, but not limited to, the remnants of the original plaster cornice on the south wall of the Claytor Concourse and any proposed Project-related alteration to the interior of the historic station.	Added VI.A.3.d. to address interior alterations.
180	SHPO - Andrew Lewis		7	325		This stipulation should make reference to the Preferred Alternative as a benchmark.	Revisions made in VI.A.2.a.ii.
181	SHPO - Andrew Lewis		7	325-339		Design guidelines for the Federal Air Rights should also address L'Enfant views and vistas and all other views and vistas that have been identified as important during the consultation process including, but not limited to, views of Union Station's barrel vault from H Street.	Revisions made in VI.A.2.a.ii.
182	SHPO - Andrew Lewis		7	341-351		HABS/HAER documentation should likely be to Level III rather than II but recommend consulting HABS/HAER directly for their input before finalizing the appropriate level of recordation. However, broad views of the rail yard that illustrate the spatial relationships among the various contributing elements should also be documented from several locations, including views from elevated locations that document the rail yard as a whole.	Revised language is consistent with FRA's coordination with HABS.
183	SHPO - Ruth Troccoli, Archaeologist		7	309-311		Helpful to have SHPO review take place concurrently with CFA & NCPC reviews.	Noted, will be addressed when plan is developed.
184	SHPO - Andrew Lewis		7-8	392-412		As currently written, the Architectural Salvage Plan stipulation makes no commitment to salvage and reuse any elements. Instead, it simply sets "a process for determining which contributing resources... could be salvaged." This stipulation should be redrafted to reflect a positive commitment for salvage. Since the current wording is so open ended, SHPO recommends developing a draft of the salvage plan and incorporating it into the PA as a baseline document to establish at least a common, broad understanding of what an appropriate level of salvage may be. Similarly, this stipulation should reference on-site preservation of salvaged items for possible future uses (i.e. salvage should not be limited solely to those elements that may be used for interpretive displays) and marketing "excess" elements to railroad history groups and DC history organizations that may have an interest in obtaining building remnants for interpretive purposes.	Revisions made to the stipulation
185	SHPO - Andrew Lewis		7-9	multiple		Although several paragraphs of text are devoted to mitigation, most of the measures that are proposed are rather "routine" measures that are usually proposed for relatively minor and typical projects rather than measures that are commensurate with the magnitude and scope of the Project. To appropriately mitigate the adverse effects and better integrate the historic station in with the new, more substantial and meaningful measures should be implemented to ensure the historic station is fully restored and remains a vibrant and exciting part of the overall complex. For example, restoring the natural light skylights in the historic train concourse/current "retail concourse" would help ensure an appropriate transition from the well lit new train hall into the historic station. Otherwise, the transition from the new, naturally lit space into the old, artificially lit space would discourage use of the historic station. Similarly, the exterior walls or "stub ends" of the train concourse were never properly "finished" when the original concourse inappropriately cut off. Developing a design treatment to more appropriately address these walls should be included as mitigation. This is made even more relevant when considering how much more visible these walls will become once the new train hall and pedestrian/bicycle circulation paths are constructed. SHPO also recommends that the fountains in Columbus Plaza be restored to their original function to more appropriately acknowledge the significance of the original station and its entry sequence. Consulting parties may have additional suggestions for mitigation measures that focus on the historic station.	See response in line 3
186	SHPO - Andrew Lewis		9	417-418		The Interpretation Plan should not be limited to addressing how Union Station was "...used until the implementation of the Project," but also how it continues to be used a part of the Project. Remember that preserving the historic station is one of the stated Project goals and preservation requires continued use. Interpretation should also address how the old and new have been integrated together. Finally, please revised the last subparagraph to document that the interpretive plan will (rather than may) make use of salvaged materials and objects.	Revised to comment.
187	SHPO - Andrew Lewis		9	431-456		A timeframe for when said NR nomination will be developed and submitted for HPRB review needs to be incorporated into this stipulation. More detailed comments on this section may be forthcoming.	The timeframe is specified as being prior to 15%design.
188	SHPO - Andrew Lewis		9	441-443		The application for DC Inventory AND National Register listing should be submitted to HPRB at the same time so SHPO needs to have all the NR documentation at the time of HPRB review, including photos and maps labeled in accordance with NR regulations. Note that the DC application often consists of a NR nomination with a DC cover sheet. The nomination should specifically reference designation of the interior of Union Station and we continue to recommend NHL designation for the station.	FRA does not wish to pursue an NHL designation at this time. FRA believes the Section 106 process (without the additional NHL designation) has been successful in protecting the historic property and we are concerned that the NHL process may hinder the future operation of the Station.
189	SHPO - Andrew Lewis		9	446		Add the word "and" after "Daniel Burnham" to clarify that the noted architect was not "an exemplary example of Beaux-Arts architecture and rail infrastructure." Also add "and other related themes" since those listed may not be the only themes which should be addressed in the nomination.	Revised to Comment
190	SHPO - Ruth Troccoli, Archaeologist		9	436		The 2015 DOE notes that the WUS historic site is potentially eligible under Crit. D; the identified archy site encountered under the building (S1NW052) as an unanticipated discovery in 2015 is eligible under D (and was not evaluated under C) in a separate DOE. Should this site be included in the stipulated NRHP nomination as a contributing resource?	FRA has determined this site is not eligible through a separate project
191	SHPO - Andrew Lewis		10	468		Please revise this to note that the signage plan will (rather than may) incorporate interpretive displays	Revised to Comment
192	SHPO - Andrew Lewis		10	491		Change "would require" to "will require". No objection to the qualifiers (e.g. as warranted... etc.) included in the early part of this sentence.	Revised to Comment
193	SHPO - Andrew Lewis		10	497		Change "would be implemented" to "will be implemented"	Revised to Comment
194	SHPO - Andrew Lewis		10	499-509		The minimum measures seem very minimal. For example, can piles be created using boring methods rather than pile driving, etc.? Also, what about the notion of using rail lines rather than trucks for materials delivery and debris removal? The PA should also state that work will stop immediately if thresholds are exceeded to ensure no damage will occur to historic buildings.	Added statement that additional measures may be identified.
195	SHPO - Ruth Troccoli, Archaeologist		11	524		Add: No archaeological survey shall be conducted without a SHPO-approved archaeological work plan in place specific to that phase, prepared in consultation with the SHPO.	Revised to comment
196	SHPO - Ruth Troccoli, Archaeologist		11	530-536		The DC SHPO maintains a curation facility compliant with 36CFR79 prefers that collections generated in the District are curated within the District when possible. Note also that many repositories now require an annual fee for curation in perpetuity.	Noted. Revised to comment
197	SHPO - Ruth Troccoli, Archaeologist		11	539		Add: No archaeological survey shall be conducted without a SHPO-approved archaeological work plan in place, prepared in consultation with the SHPO.	Revised to comment
198	SHPO - Ruth Troccoli, Archaeologist		11	552		Add: Any Phase II investigations shall be conducted according to SHPO-approved work plans prepared in consultation with the SHPO.	Revised to comment

199	SHPO - Andrew Lewis		12	566-575	The Project Modification and Design Changes stipulation is a critically important component of the PA but it is inadequate as proposed. To begin, the Preferred Alternative (Alternative F) should be referenced as a baseline to help identify what does and does not constitute a project modification or design change. Secondly, the Project Sponsor should not notify the Signatories/Consulting Parties "within 15 days" (15 days of what?), but rather at the conceptual stage when a project modification and/or design change is being contemplated and conceived so that the most opportunities to avoid and minimize any adverse effects that may result can be considered. The PA should also establish a design review process specifically for this purpose (or use the existing processes in slightly modified forms).	Revisions made in consultation with SHPO
200	SHPO - Andrew Lewis		12	579	Discoveries or effects (i.e. Should be made plural)	Revised to Comment
201	SHPO - Ruth Troccoli, Archaeologist		12	558	"effects to archaeological" should be "effects to eligible archaeological"	Revised to Comment
202	SHPO - Ruth Troccoli, Archaeologist		12	561	Note: SHPO is amenable to consultation on alternative mitigation strategies other than data recovery depending on the identified resource and context.	Revised to comment
203	SHPO - Ruth Troccoli, Archaeologist		12	565	Add: C. No Phase III (data recovery) investigations shall be conducted without a SHPO-approved archaeological work plan in place, prepared in consultation with the SHPO.	Revised to comment
204	SHPO - Andrew Lewis		13	627	Please clarify that "approved treatment measures" means approved by SHPO, the other Signatories, and the Consulting Parties, as appropriate.	Revised to Comment
205	SHPO - Ruth Troccoli, Archaeologist		13	627	"approved treatment measures" - what measures, approved by whom, developed by whom? Add: Treatment measures shall be developed in consultation with the SHPO. For archaeological resources procedures and documentation outlined in Stipulation B. Archaeological Resources shall be followed (starting at Line 515).	Revised to comment
206	SHPO - Andrew Lewis		14	692	...identifying FRA as the lead Federal agency	Revised to Comment
207	SHPO - Andrew Lewis		14	705	Please add: "If requested by any Signatory or Consulting Party, FRA will hold a meeting to address any of the issues identified in the annual report and/or any related topics."	Revised to comment with FRA edits
208	SHPO - Ruth Troccoli, Archaeologist		14	653	Add: The DC Metropolitan Police Dept (MPD)/Office of the Chief Medical Examiner (OCME) contact protocol is as follows: For reporting human remains, call the MPD Command Information Center (non-emergency number) at 202-727-9099. MPD will then notify the OCME, so that Dr. Anthony Falsetti, Forensic Anthropologist, can be involved in the classification of historic vs. forensic origin.	Revised to comment with FRA edits (staff names and phone numbers may change)
209	SHPO - Ruth Troccoli, Archaeologist		14	672	"approved treatment measures" - what measures, approved by whom, developed by whom? Add: Treatment measures shall be developed in consultation with the SHPO.	Revised to comment
210	SHPO - Andrew Lewis		15	712-713	SHPO objects to the statement "The attachments included in this PA may be revised without amending this PA." What attachments would need to be revised?	Revised to comment
211	SHPO - Andrew Lewis		15	720	Again, due to the significant scope of this PA it is not reasonable to assume that 30 days will be a sufficient amount of time to resolve any potential disputes. Please revise to extend the time line and include a statement along the lines of "and after making a reasonable and good faith effort to consult to resolve the dispute," or "or another time period agreed upon by all Signatories" or something along those lines. SHPO recognizes that consultations cannot be completely open-ended, but we also believe that devoting more than 30 days to resolve a dispute may result in a more appropriate outcome.	This is a timeframe for ACHP based on the regulations. Other timeframes in the PA have been made more flexible.
212	SHPO - Andrew Lewis		15	757-759	Option 2 should be eliminated since it would be impossible for the ACHP to offer meaningful and informed comments on a multi-year, undertaking as complex as the Station Expansion Project, especially if the PA were terminated relatively early. Instead, the stipulation should be revised to state that FRA will execute a new PA or comply with the requirements of 36 CFR Part 800 for all remaining work that was not already accomplished at the time of termination.	Revised to comment.
213	SHPO - Andrew Lewis		16	779	This should be revised to indicate that the PA will expire when all of its terms have been fulfilled. Limiting the duration solely to the treatment measures in Stipulation VI would eliminate the requirement for additional consultation in the event of project modifications and design changes, post review discoveries and even the potential effects of other agency undertakings.	Revisions consider both ACHP and SHPO comments. "PA will expire when its terms have been fulfilled...or in 20 years from the effective date, whichever comes first...."
Comments on draft PA version 2 (sent to Signatories on 9/22/23)						
214	SHPO	Title	13		SHPO recommends that Akridge should be invited to be a signatory to this PA. We understand that FRA does not agree so we will not suggest additional edits regarding this matter or condition our participation in this agreement on Akridge being invited, but we are formally documenting our position for the record with this comment. We maintain that Akridge should be invited because FRA must acquire portions of Akridge's property to construct the Project, because FRA has stated that it is Akridge's responsibility to build an important feature of the Preferred Alternative - the Central Plaza - while also providing for FRA's skylights within that plaza, because these, and potentially other related actions constitute "responsibilities" for Akridge; because 36 CFR 800.14(b)(3)/36 CFR 800.6(c)(2)(iii) state that any party that assumes responsibilities should be invited to be a signatory to the relevant agreement document; and because Akridge has requested to be a signatory.	FRA does not invite Akridge to be a Signatory because they do not meet the definition in regulation as they do not have any responsibilities under the PA.
215	SHPO	Recitals	36		Note that PropertyQuest (www.propertyquest.dc) suggests that the parking garage and the run through tracks are on Tax Lot 0827 and the air rights above are Lot 7000, both in Square 0720. We note this to highlight the importance of identifying the correct Squares and Lots for future reference. Please double check and confirm.	Lots 171 and 172 in Square 20 are the recorded real property description for what FRA owns. The tax lots are not the real property description. Added language to address the tax lots as well as the real property description. Lot 7000 in Square 720 is Akridge-owned air rights.
216	SHPO		47		These are relevant points that a "cold reader" should be made aware of to better understand subsequent sections of the PA.	FRA accepts SHPO text changes.
217	SHPO	Record Attachments	60		As discussed in recent meetings with FRA, SHPO requests that the complete Section 106 correspondence record be included as an attachment to this PA for future reference so it can help inform and facilitate the on-going consultation processes required by this agreement. The current draft of the PA includes some relevant letters in Attachment 1, but certainly not all. Please update the attachment to incorporate all relevant correspondence. To help distinguish the full correspondence record from the other attachments, SHPO requests that it and the other attachments be given a title to help explain their purpose. Please confirm that each attachment is properly numbered and labeled in response to comments.	FRA will provide the complete Section 106 correspondence record as an attachment.
218	SHPO	Record Attachments	71		Please confirm that each attachment is properly numbered and labeled in response to comments.	FRA will make necessary changes.
219	SHPO	Preferred Alt	82		Since the PA needs to be a free-standing document separate from NEPA, and "the Preferred Alternative" is referenced repeatedly in this document, the illustration below needs to be incorporated directly into the PA for reference along with a summary of other key aspects of the Preferred Alternative (i.e. the underground parking) that are visible in this illustration.	FRA will include conceptual illustration used in the EIS as an attachment to the PA
220	SHPO	SAOE	85		Please include this Assessment of Effects Report as an attachment to this PA. It should be separate from the Section 106 Correspondence Record; List of Consulting Parties and APE attachments.	FRA will include these as attachments.
221	SHPO	text change	91		Edit intended to clarify that more than one adverse effect will result from the Project.	FRA accepts SHPO text changes.
222	SHPO	DOE	116		The WUS Historic Site DOE should be attached for reference. Please also note that subsequent attachments will need to be renumbered.	FRA will include as attachment.
223	SHPO	Duration	238		Execution of this PA does not reduce SHPO's workload in any way so we cannot commit to expedited reviews outside of exigent circumstances, especially when considering that these reviews may address "substantive comments."	Text states that Signatories may request in writing a meeting and/or extension of review period beyond the revised 30 days.
224	SHPO	Project Sponsor	289		This raises the question of how USRC is going to obtain the necessary funding. While we recognize that limited information about funding is available at this time, this stipulation should be expanded upon to the extent possible (i.e. funding will be provided to USRC via FRA, etc.)	FRA removed reference to funding and clarified that the Project Sponsor is responsible for implementing and completing measures to resolve adverse effects.

225	SHPO	Professional Qualif	309	We recommend this comment, or some other alternate, but equivalent language be incorporated since we are not sure USRC is fully qualified to make such determinations on its own. Alternately, if USRC has SI qualified staff to make such determinations, please state that in the PA.	FRA rejects SHPO text change. USRC may hire SOI qualified staff, or engage consultants, or require subcontractors that are SOI qualified without consultation with SHPO.
226	SHPO	Covenant	331	As discussed in recent meetings with FRA, SHPO appreciates that this stipulation has been revised to reflect earlier comments but, by FRA's own admission, "upon authorization" is "loosey goosey" language that needs to be elaborated upon. It would be helpful to incorporate more information about whichever entity is envisioned to provide such authorization; whether FRA anticipates that Congress (if the appropriate "entity") must issue the authorization or, perhaps, the Secretary of the U.S. DOT; what efforts FRA has undertaken to determine whether such authorization is likely to be granted and in what timeframe; and related information. SHPO understands that the question of whether FRA has legal authority to dispose of federally-owned land/air rights will not be answered before this PA is signed but any language that can be incorporated to establish the likelihood of such a covenant would be helpful.	Stipulation revised to the extent possible at this time.
227	SHPO	VI.A.1.b.	335	What does orientation mean	Building orientation
228	SHPO	SHPO added text on consideration of longterm lease	344	See note above regarding Stipulation VI.A.1.a. above. Although SHPO understands that FRA is not willing to engage in a robust discussion about what its authority may be with regard to property disposition, SHPO suggests that at least one potential alternative be incorporated into the PA in the event that the covenant is not authorized. Note that the recommended language to the left is non-binding, but merely a requirement to consider such alternatives.	FRA rejects added SHPO text. It is premature to identify minimum requirements for consultation; those minimum requirements may not be applicable or appropriate if that consultation occurs.
229	SHPO	SHPO added text on design guidelines	350	SHPO recommends that the suggested edits, or some similar language, be incorporated since this PA cannot require any entity that is not a party to this agreement to develop design guidelines.	Revised text to clarify that the Project Sponsor will invite any future owners of air rights property above the WUS rail terminal to review the Design Guidelines, but their approval is not required for implementation.
230	SHPO	Design Guidelines	352	Please define what, exactly, is meant by "WUS rail terminal." Is this meant to refer to the federally owned air-rights only, then the language should be revised accordingly. On the other hand, if "rail terminal" includes the railroad tracks, then this stipulation would be applicable to the privately owned air rights as well and SHPO's comments will need to be revised accordingly.	The rail terminal is defined in the upfront recitals.
231	SHPO	SHPO added text on design guidelines	366	See comment about refinements to the Pref Alt	Clause revised
232	SHPO	Design Review	470	To help streamline and facilitate review, SHPO recommends that this Design Review Process be developed concurrently with the Design Guidelines and incorporated directly into that document, if possible.	The Design Guidelines and Design Review will be developed concurrently, both will be finalized prior to 30% architectural design so yes, it would be possible for the design review process to be incorporated into the Design Guidelines.
233	SHPO	Design Review	476	The standards are referred to twice above; I'd drop the shortened version just for clarity and potential confusion with the standards for rehab	Revised to comment
234	SHPO	Design Review	502	Unusual terminology. Please check to determine whether other terms such as "terminal ends" or something like that have been used in the past. Most importantly, the PA needs to be clear regarding intent.	Text has been revised to clarify that it refers to the east and west elevations, which were altered due to the removal of sections of the concourse in the 1970s.
235	SHPO	Interpretation	590	Recommend that the website include a GIS storymap using the historic photos and documentation to create a dynamic interpretative reference.	Revised to comment.
236	SHPO	Nomination to NRHP	614	suggest adding "including archaeological resources"	FRA rejects suggested language. By the time the NRHP nomination is submitted, Phase IB surveys will be complete but no Phase II studies will be complete and there will be no evaluation of significance for archaeological resources.
237	SHPO	Nomination to NRHP	618	the NRHP nomination form will state whether criteria d was addressed or not.	Revised to comment.
238	SHPO	Additional mitigation	737	Text changes to Additional Mitigation stipulation VI.A.11	Stipulation revised in consultation with SHPO
239	SHPO	Archaeology	766	Consult with SHPO on need for survey as part of development and construction plans review, prior to preparing an archaeological work plan.	Revised to comment.
240	SHPO		793	Add this: Per DC Archaeology Guidelines [cited on line 642], FRA must inform the DC SHPO Archaeologist if/when resources are identified to obtain an archaeological site inventory number (can be done by consultant). The site number and data must be included in the Phase IB Identification survey report. FRA may elect to use the FastTrack process to speed up the timeline between Phase IB and Phase II archaeological investigations as described in the DC Archaeology Guidelines [cited on line 642]. This is a standard process, frequently used.	Revised to comment
241	SHPO	VIII.B.2	896	SHPO must be notified at the same time so we can coordinate our efforts with OCMES per established procedures in the event that the identified human remains are non-forensic and become an archaeological, undocumented burial site.	Revised to comment
242	SHPO	VIII.B.3	908	Add to end of the line: If disinterment is necessary, consult with SHPO to establish a recovery plan consistent with Stipulation VI.6 (data recovery) and VIII.A.3. Post-Review Discovery. A work Plan will be required prior to proceeding with disinterment of non-forensic human remains.	Revised to comment
243	SHPO	VIII.B.3	928	Code of the District of Columbia Title 43. Cemeteries and Crematories (§§ 43-101 – 43-131) does not apply here because there is not a registered cemetery in this location. This is why SHPO notification and consultation is necessary.	Revised to comment
244	SHPO	HABS/HAER	519	SHPO recommends that HABS should be reinstated since K Tower is more of a building than a structure.	FRA will consult with NPS and follow their recommendation as to whether HABS or HAER documentation is completed for the various elements.

WUS Draft PA Comment Matrix					
No.	Consulting Party	Page # (or letter reference)	Line # / Topic	Comment	FRA Response
Comments on draft PA included in SDEIS					
	Akridge	Letter 7/6/23	Signatory	To the extent that any actions implementing the terms of the PA relate to, impact, or have the potential to influence the air rights development, Akridge requests full participation in implementing any portion of the PA relating to, impacting or that may influence the air rights development. Akridge respectfully requests to be invited by FRA to be a Signatory.	Akridge does not meet the definition of a invited signatory, per regulation. Stipulation VI.A.2 says: The Project Sponsor shall invite any owner of air-rights property above the \ WUS rail terminal to coordinate and review the Design and Planning Guidelines, but air-rights owner approval is not required for finalization and implementation.
	Akridge	Letter 7/6/23	Air Rights	The consolidation of air rights is necessary to ensure viability of the air rights development.	FRA understands Akridge's position on this matter, which will be resolved outside the NEPA/106 process
	Akridge	Letter 7/6/23	Definition of WUS Historic Site	WUS Historic Site is subject to consultations under the PA, and it must be explicitly defined to delineate the scope of such consultations. The definition should exclude the private and federal air rights.	The WUS HS is defined in the AOE. It consists of WUS, the Terminal Rail Yard, REA Building, First Street Tunnel, and Columbus Plaza.
	Akridge	Letter 7/6/23		Akridge also requests that additional language be added to Section VII to define the baseline design that will be used to determine whether any modifications or changes have occurred that require further consultation under Section VII.	Have added references to the Preferred Alternative and there are references in the PA to description of the Preferred Alt in the SAOE and SDEIS
	Akridge	Letter 7/6/23	Covenant	Requests they be consulted in any process to develop HP covenant. Requests covenant be identical to or fully consistent with the language in the covenant that appears in the private air rights deed.	Covenant language drafted in the PA is consistnt (not identical) to the private air rights deed.
	Akridge	Letter 7/6/23	Design Review	Requests participation in any actions to implement Section VI.A.2 (Design Review). The design review process must account for the air rights development .	Stipulation VI.A.2 says: The Project Sponsor shall invite any owner of air-rights property above the \ WUS rail terminal to coordinate and review the Design and Planning Guidelines, but air-rights owner approval is not required for finalization and implementation. The Station Expansion Project and Private Air Rights Development are separate projects, and this PA does not govern the Private Air Rights Development.
	Akridge	Letter 7/6/23	Design Guidelines	Requests they participated in all actions implementing Section VI.A.3. Akridge believes the guidelines should address both the SEP and Federal Air rights. A comprehensive set of design guidelines for both the Project and air rights development would include station facilities, open spaces in the air rights, and spaces shared between the station and air rights.	See comments above
	Akridge	Letter 7/6/23	HABS/HAER documentation	PA should note that the demolition of non-historic resources, as well as ground disturbing activities in areas not impacting historic resources will be required for preliminary exploration and construction.	The comment was made in response to the the HABS/HAER stipulation (now line 485), but applies to several other stipulations where demilition or ground disturbing activities are mentioned. The Signatories believe the text should remain unchanged because the current wording will help ensure early consultation and avoid the inadvertent loss of historic fabric.
	Akridge	Letter 7/6/23		Akridge recommends that the timing and contents of any documents required to be prepared and submitted at the various design completions be further clarified in the PA (35%, 60%, 90%)	Timeframes are specified within each stipulation accordingly.
	Akridge	Letter 7/6/23		Akridge disagrees with any WUS Historic Site designation that includes the air rights. The air rights are not eligible for listing and cannot be part of the WUS Historic Site designation.	The WUS HS is defined in the AOE. It consists of WUS, the Terminal Rail Yard, REA Building, First Street Tunnel, and Columbus Plaza.
	Akridge	Letter 7/6/23	Construction Protection	Akridge requests that the PA state that any Federal Air Rights that may be transferred to Akridge are excluded from the Protection and Signage Plan and the Construction Noise and Vibration Plan. At a minimum Akridge should fully participate with respect to the development of these plans as they relate to the air rights development.	The CNVCP shall contain an engagement plan specifying measures that shall be implemented to inform the Signatories and other relevant parties (e.g. Consulting Parties, property owners) of vibration projections, instances of exceedance of vibration thresholds, and measures to be taken to remedy these exceedances athistoric properties only. Nothing in this section precludes the project sponsor from coordinating with private air rights developer.
	Akridge	Letter 7/6/23		Akridge assumes that the Project Sponsor's obligation to comply with Section VI.B does not extend to the air rights development. To the extent that is not the case, Akridge should be provided the right to participate in actions implementing Section VI.B.	It does not. The private air rights development is a separate project, and not the action this PA is mitigating.
	Akridge	Letter 7/6/23		Section VII of the PA. provides that the Project Sponsor is to notify the Signatories and Consulting Parties of any modifications to the Undertaking or changes to the Project that may result in additional or new effects on historic properties. Any such changes have the potential to affect the air rights development. Akridge thus requests to also be notified of any such modifications or changes and be consulted to determine the appropriate course of action.	Akridge is a consulting party

				Our support for the Expansion Project is predicated on the actual implementation of Preferred Alternative F. Preferred Alternative F is the product of an extensive consultation process with stakeholders and embodies the best approach for meeting the complex goals of this extraordinary and much needed project to create a transportation center well-integrated into a thriving neighborhood within our nation's capital.	Noted
	ANC 6C	Letter 7/6/23			
				As noted by the DC SHPO, the Programmatic Agreement should incorporate specific references to Preferred Alternative F to serve as a guide for future implementation of the Station Expansion Project and as the benchmark for determining whether future actions are consistent with, or differ from, what was agreed upon in the Section 106 process.	Revised to comment.
	ANC 6C	Letter 7/6/23			
				The central civic space north of Washington Union Station found in the preferred alternative is of critical importance to fully realizing the benefits of the Expansion Project, in terms of mitigating the impact on the historic station and in developing a vibrant civic area north of the station. As noted by the DC SHPO, there should be a commitment within the documents on the part of the FRA and the Project Sponsor to work with the private developer and other applicable parties and review agencies to ensure the central civic space is fully realized according to plan.	PA has references to the Preferred Alternative and include its description and graphics in Attachment; b) ensure that a preservation covenant, upon authorization, will be included in the transfer instrument for the air rights; c) expand the guidelines to include the Project as well as the federal air-rights.
	ANC 6C	Letter 7/6/23			
				FRA should make a commitment to reorder the air rights boundaries north of the station between the federal government and the private developer to ensure an integrated development of the air rights and open spaces according to the plan envisioned in Preferred Alternative F. We agree with the private developer that the public benefits associated with Preferred Alternative F cannot be met if the FRA attempts to develop its private air rights independently, or chooses not to develop them at all.	FRA fully supports the development of the air rights above the rail terminal to create a new, vibrant neighborhood. However, the Station Expansion Project is a separate action from the development of the private air rights, with independent value and utility. The Project would meet its Purpose and Need, and provide the associated public benefits associated with it, regardless of the development of the air rights.
	ANC 6C	Letter 7/6/23			
				Likewise, we believe there should be a commitment in the documents to the development of a consolidated air rights development plan to achieve a cohesive and viable approach to the myriad of remaining issues that must be addressed as the Station Expansion Project and the Burnham Place project move forward.	Property/air rights transfer matters will be handled post-NEPA/106. FRA is not able to commit at this time to a specific mechanism through which this would be achieved.
	ANC 6C	Letter 7/6/23			
	Capitol Hill Restoration Society	Letter 7/6/23		CHRS takes exception to the determination of "no adverse effect" to the CHHD. It is critical to understand that the blocks immediately East of Union Station are overwhelmingly residential in nature. Excessive traffic degrades the quality of life of a residential neighborhood in a fundamentally different way than areas dominated by commercial and institutional uses.	Transportation, noise, and vibration analysis along with the application of the criteria of adverse effect supports FRA's determination. SHPO concurred with this determination in their letter February 9, 2023.
	Capitol Hill Restoration Society	Letter 7/6/23		Lines 90 through 99 of the Draft Programmatic Agreement (PA) provide little assurance that neighborhood concerns will be given serious attention within a project of this magnitude.	The PA is a legally binding document. Opportunities for consulting party input are mentioned in various places throughout the document.
	Capitol Hill Restoration Society	Letter 7/6/23		We stress that Section 106 of the National Historic Preservation Act requires stakeholder consultation at all steps of the design process to mitigate adverse effects. The Programmatic Agreement needs to include a process for continued meaningful public oversight by interested parties, including the existing "Consulting Parties".	Section 106 does not require stakeholder in engagement at all steps of the design process. However, additional areas for Consulting Party participation has been added to the PA.
	DCNRHS	Letter 7/6/23		DCNRHS supports preparation for Level II HABS and HAER documentation. Want to emphasize the importance of the documentation providing background on the operations which the configuration of the physical site affects and supports.	Noted
	DCNRHS	Letter 7/6/23		Interpretation Plan: While we understand that digital strategies can allow the opportunity to significantly more information, we prefer that there be some minimum amount of physical interpretation on site to present station visitors the opportunity to learn about the site's history. We hope physical interpretation is not limited to "physical signage" but rather could be fulfilled with a broader scope allowing for historical displays or historically themed artwork.	Revised to comment.
	C100	Letter 7/6/23		While we understand the need to defer consultation on design, we strongly object to this being limited only to the signatories of the Programmatic Agreement. Integral to the Section 106 process is stakeholder consultation. Reserving the right to comment upon the design only to signatories, therefore, does not in any way meet the spirit of meaningful consultation required under Section 106. This Programmatic Agreement should be altered to include stakeholder/consulting party participation throughout the design process.	Additional opportunity for Consulting Party participation has been added to the PA.

				mitigation should take a more direct form and include strategies to improve the historic station itself. The State Historic Preservation Office (SHPO) has suggested, for example, restoring natural light to the skylights in the historic concourse, improving the east and west terminations of the current retail concourse, or restoring the historic fountains in Columbus Plaza. All of these measures are much more meaningful and more directly would account for and properly mitigate adverse effects to the historic station.	FRA understands and appreciates the SHPO's comments for additional mitigation measures and has added Stipulation VI.A.11 to address. Restoration of Columbus Plaza is completely outside FRA or the Project's purview as it is owned and managed by the National Park Service on behalf of the Federal Government.
	C100	Letter 7/6/23			
				We are concerned that this expansion project, which would substantially expand foot traffic to the rear of the station into a new structure, will exacerbate a decrease in use and foot-traffic to the historic station that needs to be examined now as an additional new adverse effect.	This was considered throughout the NEPA/106 process to date. The stipulation for Design Review VI.A.3 and Stipulation VIII in the PA will also address this concern.
	C100	Letter 7/6/23			
				The approach of monitoring actual traffic impacts and using the results to trigger certain restrictions if specific thresholds are met, was supported by ACHP. However, it needs to be incorporated into the body of the PA as a binding commitment, rather than merely a Whereas Clause. All CPs need to be involved in the process of developing the traffic monitoring plan, not just the Signatories.	Revised to comment.
	NTHP	Letter 7/6/23			
				Inadequate review procedures in Stipulation II to conciser the views of the Consulting Parties.	Additional opportunities for Consulting Party participation has been added to the PA
	NTHP	Letter 7/6/23			
				Inadequate review procedures for Historic Preservation Covenant. Merely to "seek to" include a covenant. Would the covenant meet the standard of adequate and legally enforceable restrictions of conditions to ensure long-term preservation of the property's significance? Who would hold the authority to enforce compliance? How would the terms of the private air rights convenience compare with and relate to the new negotiated covenant?	Stipulation revised to the extent information is known at this time.
	NTHP	Letter 7/6/23			
				Inadequate consultation for Design Review. Object to exclusion of other CPs from Design Review. PA should also be more specific about the appropriate timing and sequence of submissions to NPCC and CFA and how they would be coordinated with the PA design review process. The DC HPRB needs to be added as well.	Design Guidelines section revised to state: The Project Sponsor shall convene a separate informational meeting with all Consulting Parties and any owner of air rights property above WUS rail terminal to share the Guidelines and allow the Consulting Parties and owner of air rights property above the WUS rail terminal to provide comments. The Project Sponsor, in consultation with the Signatories, shall consider the 370 Consulting Party and air-rights property owner's comments as they finalize the guidelines. Optional HPRB review (at discretion of SHPO) added as a stipulation. The Design Review process (including NPCC/CFA timing) needs to be developed (per the stipulation) and nothing in the PA precludes consulting party involvement
	NTHP	Letter 7/6/23			
				Inadequate stipulation for design guidelines and air rights development. Design guidelines need to be developed for all areas subject to development under the project, not just the federal air rights. Development of the guidelines should not be limited to the Signatories but include the CPs. An additional stipulation needs to be added to ensure the central plaza will be developed and that the remaining development will be consistent with the Preferred Alt.	Guidelines will be developed for both the Project and the Federal air rights for this PA. The Central Plaza is not part of the Station Expansion Project, but design guidelines and covenants will facilitate development of the central plaza by the private developer. There is also a new stipulation regarding how SHPO intends to coordinate design guidelines prepared under this PA with the separate private project's design guidelines.
	NTHP	Letter 7/6/23			
				Inadequate consultation for Interpretation Plan - should not be limited to Signatories	Additional areas for Consulting Party participation has been reviewed and the PA updated accordingly.
	NTHP	Letter 7/6/23			
				Inadequate consultation for Construction Protection and Signage Plan - should not be limited to Signatories	Reject. FRA believes this can be appropriately handled by the expertise of the Signatories
	NTHP	Letter 7/6/23			
				Inadequate consultation for Construction Noise and Vibration Control Plan - should not be limited to Signatories. Include specific vibration thresholds in the PA itself and include the minimization measures in the plan rather than leaving determinations to the construction contractor.	The CNVCP shall contain an engagement plan specifying measures that shall be implemented to inform the Signatories and other relevant parties (e.g. Consulting Parties, property owners) of vibration projections, instances of exceedance of vibration thresholds, and measures to be taken to remedy these exceedances at historic properties only. Review/approval of this plan can be appropriately handled by the expertise of the Signatories.
	NTHP	Letter 7/6/23			
				Recommend in Monitoring and Reporting that USRC also convene an annual meeting inviting all CPs.	Revised to comment.
	NTHP	Letter 7/6/23			
Comments on the Draft PA, at or following the CP Meeting on 1/29/24					
				Asked that vibration thresholds for historic buildings be referenced in Stipulation VI.A.9 of the PA. NTHP provided several precedent MOAs where vibration thresholds were included.	In response to comment, FRA added language in the PA to stipulate that the Project Sponsor will engage a vibration consultant and structural engineer with experience in historic building technology to help establish the vibration thresholds as part of the plan. FRA concluded it is not appropriate to specify thresholds until the properties are assessed and the Project construction approach is better understood. The thresholds will be identified as part of the development of the Construction Noise and Vibration Plan.
	NTHP	CP Meeting 1/29/24			

	AOC	CP Meeting 1/29/25		Raised question on whether their previous comments on the 2020 DEIS had been addressed.	No change. The referenced comments were on the 2020 DEIS and not applicable to the PA.
	ANC 6C	2/1/24 email		Asked that comments sent in a letter from July 6, 2023 signed by Mark Eckenwiler were received and considered.	Comments were received and considered, and PA is responsive.
	NTHP	2/3/24 email		Proposed several changes to Stipulation I to clarify that the Project is considered the Undertaking, not the federal assistance to the Project.	FRA addressed this comment by revising text in line 47.
	NTHP	2/3/24 email	various	Add "and responded to" where text references that CP comments will be considered.	No change. PA language is consistent with regulations.
	NTHP	2/3/24 email		Text changes to Stip VI.A.1.	No change. The language in the PA is what FRA can commit to at this time.
	NTHP	2/3/24 email		NTHP does not support the limited comment opportunity, stipulating that CPs have the opportunity to provide comments on the Design and Planning Guidelines at the informational meeting.	No change. In 2023, FRA received comments regarding expanded consulting party involvement in the development of some PA stipulation deliverables. FRA provided additional opportunity for consulting parties in the revised PA.
	NTHP	2/3/24 email		Adding text to VI.A.9.b "specifying the locations of vibration monitoring devices..."	No change. The text, as is, is appropriate as monitoring devices would constitute measures to minimize risk.
	NTHP	2/3/24 email		Stip.VI.A.11. Text seems vague, can it be more specific?	No change. Any potential historic preservation projects identified by the feasibility study would be separate from the Expansion Project and would undergo their own Section 106 review. It is USRC's mission to preserve WUS, which they will continue to carry out regardless of the Project.

WUS Draft PA Comment Matrix					
No.	Consulting Party	Page # (or letter reference)	Line # / Topic	Comment	FRA Response
1	USRC	Line 80		Line 80 states the "east/west orientation of the train hall, integrated bus facility, below-ground parking, skylights and headhouse within a central civic space, which is to be developed by the <u>owner of the private air rights</u> ." The developer should be the Project Sponsor.	There may have been some confusion due to the punctuation. The reference to the owner of the private air rights was due to their role in developing the central civic space (not part of the Station Expansion Project). FRA will revise recital: "Whereas, Preferred Alternative F includes Programmatic Features of an east-west oriented train hall, integrated bus facility, below-ground parking, and skylights and headhouse set within a central civic space. The central civic space is not a Programmatic Feature and is to be developed by the owner of the private air rights; and" . Text will be further updated per comment 6 below.
2	USRC	Lines 249 and 283		Lines 249 and 283 appear to conflict. Line 249 – "FRA is responsible for enforcing the applicable provisions of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) (ARPA), including but not limited to the timely issuance of permits for archaeological investigations..." Line 283 – "The Project Sponsor is responsible for obtaining Archaeological Resources Protection Act of 1979 (ARPA) permits for any archaeological investigations..."	No change. These do not conflict. USRC needs to obtain the ARPA permit from FRA.
3	USRC	Line 360		The requirement for architectural standards should be consistent with line 395, as "best" contemporary design is subjective. a. Line 360 - Guidelines shall state that the Project must maintain a uniformly high standard of architecture, representative of the best [emphasis added] contemporary design and planning concepts..." b. Line 395 - The Guidelines shall set forth that future development must maintain a uniformly high standard of architecture, meet minimum development requirements, and be representative of contemporary design and planning concepts..."	FRA will accept this change
4	USRC	Line 559		Line 559 – Please confirm if interpretive displays are required for enabling projects and non-public-facing scope (example: foundation/caisson scope).	No change. This is a detail that should be addressed when USRC develops the Interpretation Plan in coordination with the Signatories and consulting parties.
5	USRC	Line 729		Line 729 – Please confirm how the Project Sponsor is to fund the permanent curation and preservation of the archaeological collections.	Stipulation VI.B.4 will be revised as follows: "For archaeological studies undertaken by the Project Sponsor, the Project Sponsor shall ensure permanent curation or arrange for long-term management and preservation of the archaeological collections, field records, images, digital data, maps, and associated records in accordance with 36 CFR § 79, Curation of Federally-Owned and Administered Archaeological Collections, and the relevant SHPO Guidelines. The SHPO maintains a curation facility compliant with 36 CFR § 79, and the Project Sponsor shall first seek to curate any generated collections there. A digital copy of all field records, reports, and collections data shall be supplied to FRA and the SHPO."
6	SHPO (and Amtrak)	Lines 80-82		In an email dated January 2nd, USRC suggested a revision to identify the Project Sponsor as the developer of the central civic space. FRA responded on January 3rd to clarify that punctuation may have caused confusion and recommended that the clause be amended with the following sentence – "The central civic space is not a Programmatic Feature and is to be developed by the owner of the private air rights." This sentence should be revised so that it reads "The central civic space is not a part of the Project and is to be developed by the owner of the private air rights." Amtrak agrees	Revised to comment.
7	SHPO (and Amtrak)	Lines 425-430		As mentioned in our last meeting, "...including SHPO review of the approximately 3 acres of privately-owned air rights that is intended to acquire to construct portions of the Project..." is grammatically incorrect. We recommend this be revised to "...that FRA intends to acquire..." or "...that the Project Sponsor intends to acquire...". If those are problematic, the clause should be revised to read "... that are intended for acquisition so that portions of the Project can be constructed and..." or something similar. Amtrak agrees. This stipulation is also about how the design guidelines and review would be coordinated. Does coordination in the event that the air rights are not acquired for this Project need to be considered? What is to become subject to the existing deed covenant, per the end of the existing paragraph?	Revised to comment.
8	SHPO	Lines 465-466		For clarity, we recommend that "...including the potential restoration of <u>the</u> skylights and potential improvements to <u>the</u> east and west elevations..." to "...including the potential restoration of <u>the</u> skylights and potential improvements to <u>the</u> east and west elevations..."	Revised to comment
9	SHPO	704-705		The stipulation lacks clarity. What design is being referred to in the clause "...and finalize the study by 30% design"? Please revise to be more specific. Does this refer to 30% design of "the Project" and, if so, does that mean the entire project or a portion thereof?	Stipulation will state: "The Project Sponsor shall provide the draft feasibility study to Signatories for review, per Stipulation II, and finalize the study by 30% design of the Project."
10	SHPO	Attachment 5		Attachments were consistently recommend against web links being cited in lieu of actual attachments because web link often change. Please ensure that an electronic copy of the PA (preferably PDF) is provided.	Revised to comment.
11	SHPO (and Amtrak)	Stipulations VI.A.4,5,6,8,9,10		Stipulations VI.A. 4, 5, 6, 8, 9 and 10 should remain unchanged rather than be revised to indicate "demolition and ground disturbing activities affecting historic fabric or character" because the current wording will help to ensure early consultation and avoid the inadvertent loss of historic fabric. Amtrak has no objection.	Noted. No Change.
12	Amtrak	Throughout		Numerous QA/QC recommendations	Document will be QA/QC'd and edited as needed.
16	Amtrak	185		Remove "of Federal air rights for the Project."	Revised to comment.
17	Amtrak	187		Add "related to the Project"	Revised to comment
18	Amtrak	216		I think you intend to reference Stipulation III.H here. Same in G and H. However, does this need to be repeated in those instances?	Revised to "and Consulting Parties as specified in Stipulation VI of this PA."
20	Amtrak	607		add "in coordination with Stipulation VI.A.9	Revised to comment
21	Amtrak	661		add "while implementing the Project"	Text will remain unchanged.
	Amtrak	161		Did FTA also designate FRA as lead agency?	FTA requested to be a signatory but did not designate FRA as lead agency.
22	Amtrak	835		add "or determined NRHP eligible but not adversely affected"	Revised to comment

23	NCPC	page 27		remove "invited" NCPC should be a regular signatory	Revised to comment
				consider revising the penultimate Whereas clause, "WHEREAS, FRA made the draft PA available to the Consulting Parties and the public for review and comment, pursuant to 36 C.F.R. § 800.6, by appending it to the 2023 SDEIS, and FRA considered comments received prior to executing this PA; and" to reflect the proposed final meeting of consulting parties and opportunity to review.	Simplified clause to "WHEREAS, FRA made the draft PA available to the Consulting Parties and the public for review and comment, pursuant to 36 C.F.R. § 800.6, and FRA considered comments received prior to executing this PA; and"
24	ACHP	line 178			