



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,

A handwritten signature in blue ink, appearing to read 'Andrew Trueblood', with a long horizontal stroke extending to the right.

Andrew Trueblood
Director
District of Columbia Office of Planning

A handwritten signature in black ink, appearing to read 'Jeff Marootian', with a horizontal line at the end.

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