

District of Columbia Office of Planning



Office of the Director

October 1, 2018

Mr. Brandon Bratcher
Environmental Protection Specialist
USDOT Federal Railroad Administration
Office of Program Delivery
1200 New Jersey Avenue, SE, MS-20
Washington, DC 20950

RE: Non-Concurrence with the Baltimore-Washington Superconducting Magnetic Levitation Train System Project Draft Alternatives Report dated August 31, 2018

This letter is the response from the District of Columbia Office of Planning (DCOP) to the Baltimore-Washington Superconducting Magnetic Levitation Train System (SCMAGLEV) Project Draft Alternatives Report (PDAR) circulated by United States Department of Transportation (USDOT) Federal Railroad Administration (FRA) on August 31, 2018.

FRA requested a concurrence determination and comments from DCOP and other District agencies by October 1, 2018. Please note that District Department of Transportation (DDOT), Department of Energy and Environment (DOEE), and State Historic Preservation Office (SHPO) will submit their own comments in response to the PDAR with separate letters.

DCOP understands that the PDAR represents a component of the overall Environmental Impact Statement (EIS) process as required by the National Environmental Policy Act (NEPA), and for which the USDOT FRA is the Lead Agency.

DCOP is charged with shaping and guiding growth in the District and is a unique planning agency, since it is charged with both municipal and state-level land use functions. These functions include urban design, development review, neighborhood planning, long-range land use planning, historic preservation, state data and growth forecasts, and geographic information systems.



After careful review of the PDAR, DCOP has determined nonconcurrency with the PDAR. DCOP finds that the PDAR screening process is too premature and unsubstantiated to eliminate the station options in NoMA from further consideration. DCOP strongly urges FRA to carry forward all four station options to the draft EIS stage, which will ensure that appropriate technical analyses can be conducted and used to inform further option screening. In addition, DCOP in consultation with the Department of General Services (DGS), concurs with carrying forward the two Rolling Stock Depot (RSD) options in Maryland.

NoMA and Mt. Vernon Square SCMAGLEV Station Options

NoMA and Mt. Vernon Square are unique and distinctive neighborhoods in our nation's capital. Each has been carefully planned by DCOP through land use policy and design plans to help manage their growth and evolution. NoMA has experienced significant development of mixed-use projects in recent years and DCOP continues to plan for its growth. Mt. Vernon Square is among the most historically significant neighborhoods in the District and is nearly built out.

A project proposal of the magnitude of SCMAGLEV has the potential to cause significant disruption to these neighborhoods as SCMAGLEV requires analysis of the District's land use policies, which was not undertaken in the PADR. In addition, FRA should refer to DDOT for transportation policies as those should also be analyzed for these neighborhoods.

All four station options in the District (two at Mt. Vernon Square, and two at NoMA) should be appropriately analyzed and considered for a project of this scale, which likely will have permanent effects on the built form, economy, housing and commercial markets, demographics, resilience, and public services and infrastructure systems of our nation's capital.

Carrying forward all four station options to the draft EIS stage will help ensure appropriate technical evaluations are conducted and subsequently used for appropriate comparison of options.

While DCOP understands that no preferred station was selected in the PADR, the PADR screened out two station options (NoMA above-ground and underground) from further consideration. Specifically, page 49 of the PADR states, "a NoMA location is an area with chronic street traffic congestion that would connect with only one Metro line – Red – which is the most overburdened line in the Metro system and is not cost effective."

DCOP finds the above rationales inadequate. Citing current rather than future traffic and transit conditions is not an appropriate manner to exclude station locations for a project with a build year of 2028. An adequate assessment would require a transportation analysis that accounts for the future transportation network and land use inputs associated with the forecast year.

The PDAR then compares the NoMa Above-Ground and Underground options to each other, asserting that the underground station would present a “more onerous” multi-level vertical transition to the nearest Metro Station (NoMa-Gallaudet) and add \$1 billion in costs than the SCMAGLEV underground station option. Again, DCOP finds that, in the absence of technical review and analysis, the above assertions are unsubstantiated.

Technical details for each of the stations would be necessary to determine the onerousness of station access for all four station options in the District so they can be properly compared and then evaluated for potential elimination. The PDAR contains only high-level incremental cost estimates for each of the four station options—cost estimates that are relatively similar to one another for a project of the magnitude of SCMAGLEV. Making a well-founded argument based on costs would require cost estimation assumptions for each station option as well as disclosure and detailing of assumptions for the total project cost. This would enable the evaluation of proportional cost comparisons relative to the overall project cost and across station options in order to assert station option feasibility based on costs.

The draft EIS analysis will enable FRA and stakeholders to clearly identify the impacts of each station option accounting for foreseeable growth and the adopted land use, economic, design, and infrastructure plans and policies in the District, and to then evaluate tradeoffs across the collective impacts and mitigations for each of the options to inform the elimination of one or more options from further consideration.

A thorough draft EIS analysis will provide FRA with a much more robust, data-driven process for weighing benefits and costs of each of the four station options, and local and regional stakeholders to attain a far better understanding of the project, its impacts, and appropriate mitigations to assist with decision-making regarding option elimination and potential selection of a superior alternative.

Rolling Stock Depot Options and Tunnel Boring Machine Staging in Maryland

The draft EIS process should take careful account of existing conditions and future plans for those properties. The District’s DOEE and the SHPO will each provide comments under separate letters in relation to these properties.

In consultation with the DGS, DCOP conveys the following comments for District-owned properties in Maryland:

- Ensure a full inventory is assembled of District-owned properties and uses in Maryland that could be potentially affected by each of the SCMAGLEV project alternatives;
- Ensure that a full technical analysis of project impacts to the above properties and uses is conducted, including impacts due to Tunnel Boring Machine (TBM) staging; general construction staging; construction of new RSD facilities and other ancillary facilities; and the placement and operation of permanent RSD and other ancillary facilities.

- Ensure that impacts to existing uses and operations on these properties are fully accounted for and properly mitigated, including for ensuring continuity of operations and delivery of services that are currently located at the subject properties, which include the following:
 - New Beginnings Youth Development Center;
 - Environmental conservation easement surrounding Little Patuxent River;
 - DC National Guard Youth Challenge Academy;
 - Central Administration Building, which is used by the District of Columbia Department of Youth and Rehabilitation Services and the District of Columbia Office of Contracts and Procurement Surplus Property Division;
 - District of Columbia Department of Public Works Fuel Point and Vehicle Repair Shop Building;
 - Wings over America Raptor Sanctuary;
 - Forest Haven Hospital – closed hospital building(s) – class action legal action under purview of the Department of Disability Services has not concluded;
 - Forest Haven Cemetery;
 - DOL Woodland Job Corps Program;
 - BG&E subterranean power conduits situated along Old Portland and River Roads to cross US 32 that support the NSA;
 - Anne Arundel County proposal for new 3-million-gallon above-ground water storage tank and shift of utility provider; and

Please see Attachment 1 for District property boundaries, land uses and program, and Attachment 2 as reference diagram provided to DGS by BWRR.

DCOP Guiding Principles for SCMAGLEV Project

Based on preliminary review of existing District policies and plans, DCOP furnishes the following Guiding Principles to inform updates to the current PDAR:

1. Ensure continued and enhanced quality of life for those who live, work, and visit areas affected by SCMAGLEV Project:
 - a. Provide high quality station design that is responsive to surrounding urban program;
 - b. Provide effective vertical circulation connections from the street level to underground stations;
 - c. Minimize spillover effects of project on local neighborhoods and ensure that unavoidable spillover impacts are appropriately mitigated; and
 - d. Architecture: Appropriately balance contemporary architectural features of the project with those of surrounding neighborhoods, including as related to scale, detail, historic integrity, and uses in the surrounding neighborhoods.

2. Ensure effective integration of SCMAGLEV Project—including station areas, ancillary facilities, and above-ground guideways—with immediate sites, adjacent neighborhoods, and citywide context:
 - a. Immediate Sites: effects on historic preservation, design, resilience, economic and physical impacts, and infrastructure loading and sufficiency;
 - b. Adjacent Neighborhoods: same as above, with focus on effects on real estate markets, demographics, and disparate impacts on underserved neighborhoods; and
 - c. Citywide Context: Ensure the project includes measures to provide expanded capacity of services and infrastructure systems to service the project demands in line with District policies and forecasts.

3. Prioritize intermodal systems effectiveness and efficiency:
 - a. Ensure that station users can access SCMAGLEV stations through as many modes as possible in a safe, comfortable and non-congested manner;
 - b. Maximize ease of transfer between SCMAGLEV and local transportation modes; and
 - c. Enhance connections to local mobility systems.

DCOP Technical Comments on SCMAGLEV PDAR

Based on the above, DCOP furnishes the following technical comments to inform updates to the current PDAR:

1. Preferred Alternative: DCOP strongly supports deferral of the selection of a preferred alternative until full analysis of each of four station options (in addition to the “No Action” alternative) in the District is conducted through a draft EIS process. As stated previously, this will enable the collective impacts of each alternative to be thoroughly analyzed, tradeoffs across them to be evaluated, and appropriate mitigations to be identified, considered and formulated PRIOR TO potential selection of the PREFERRED ALTERNATIVE. DCOP strongly believes that only once a deep understanding of impacts and tradeoffs has been developed as part of the EIS process that a preferred alternative (or alternatives) can or should be identified for a project of this nature and magnitude.

2. “No Action” Alternative: this alternative should account for appropriate background development of both public and private capital projects, infrastructure, transportation projects, and urban development.

3. Full analysis of the following impact areas should be conducted for each project alternative (including affected District-owned properties in Maryland):
 - a. Affected Environment;
 - b. Environmental Consequences;
 - c. Avoidance, minimization and mitigation;
 - d. Land Acquisitions and Displacements;
 - e. Land Use and Zoning;

- f. Consistency with Local Plans, including the District’s Comprehensive Plan, the District’s Long-Range Transportation Plan (MoveDC), and additional land use and design plans, a list of which is provided in Attachment 3 to this letter; note that these plans may be updated or new plans adopted prior to the 2028 project build year;
 - g. Neighborhoods, Demographics, and Community Resources;
 - h. Cultural Resources;
 - i. Resources of Interest;
 - j. Past, present and reasonably foreseeable future projects, including buildings and infrastructure;
 - k. Secondary effects; and
 - l. Cumulative impacts.
4. Onsite Impacts: DCOP is generally supportive of distributing access points across the station area in the District rather than concentrating them at one or few locations, with the intention of minimizing spillover effects on immediate neighborhoods.
5. Offsite Impacts: Impacts to immediate sites, adjacent neighborhoods and on a citywide basis that arise from spillover effects of each project alternative must be thoroughly analyzed and integrated into overall transportation and economic modelling for this effort; appropriate mitigations should be studied, including changes to project development assumptions that will minimize impacts on local neighborhoods—including disparate impacts on underserved communities.
6. Mobility:
- a. Identify any ancillary parking facilities that would be necessary for each project alternative; and
 - b. Identify all impacts to local mobility infrastructure and systems across all modes, including:
 - (i) Vehicular ingress, egress, pick-up and drop-off;
 - (ii) Pedestrian mobility, including trip generation and the effects of pedestrian travel behavior on transportation network components, such as crosswalks, sidewalks, signal timings, etc.; and
 - (iii) Effects on bicycle infrastructure and on-demand systems.

It is important to note that any project will be evaluated by DCOP against land use policies relevant at the moment of entitlement and permit applications. In addition, please note that the District of Columbia State Historic Preservation Office (SHPO) is housed within DCOP and we are ensuring close coordination with them.

The SCMAGLEV EIS project team should continue to coordinate with local communities and other District stakeholders. DCOP looks forward to continued engagement in the EIS process.

If you have questions or concerns, please contact Rogelio A. Flores, Lead Planner, Infrastructure, Facilities and Capital Planning Unit, at 202-741-0815 or via e-mail at rogelio.flores@dc.gov.

Sincerely,

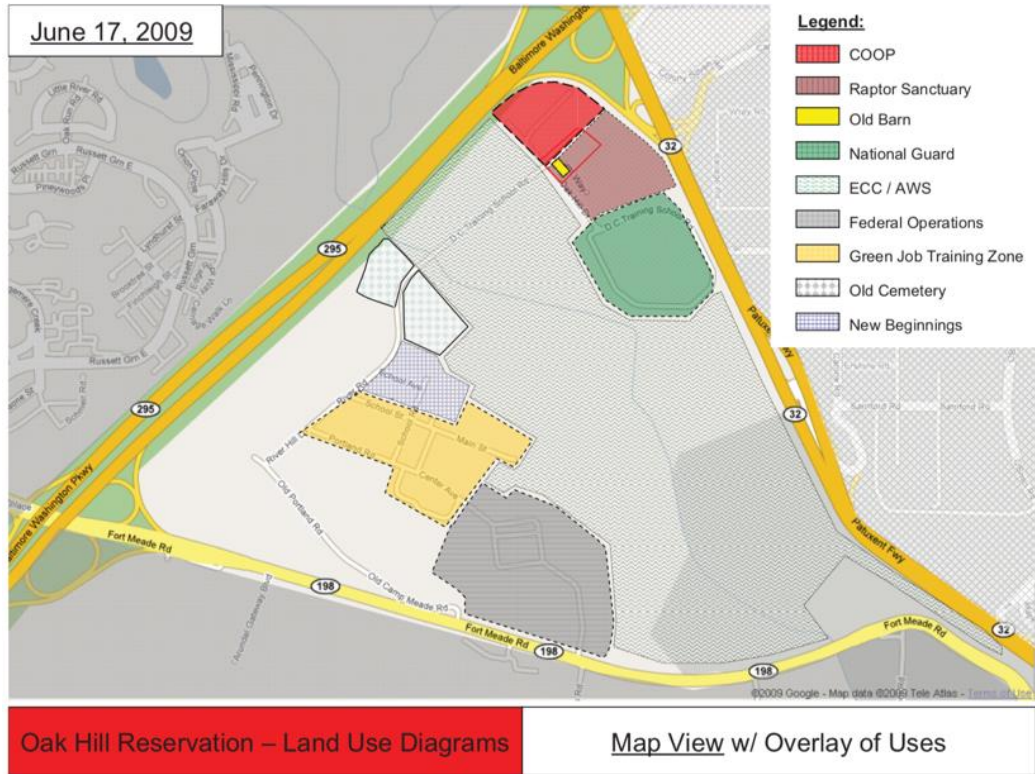
A handwritten signature in black ink, appearing to read "Eric D. Shaw". The signature is fluid and cursive, written in a professional style.

Eric D. Shaw

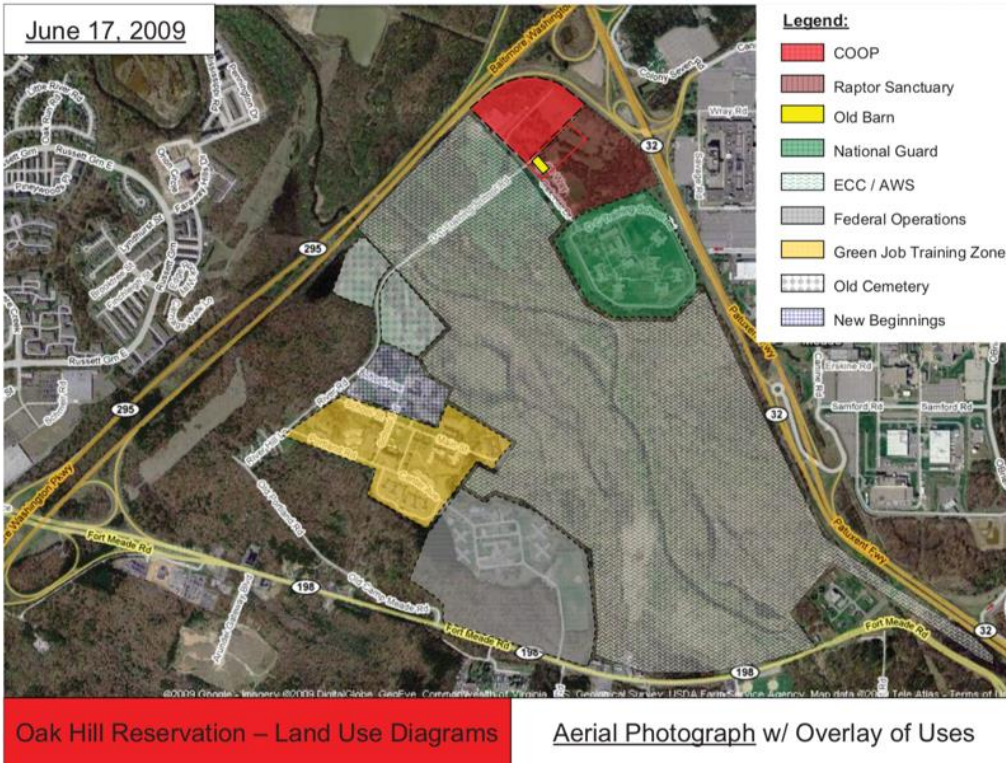
Attachments

cc: Brian Kenner, Deputy Mayor for Planning and Economic Development
Greer Gillis, Director, District of Columbia Department of General Services
Jeff Marootian, Director, District of Columbia Department of Transportation
Tommy Wells, Director, District of Columbia Department of Energy and Environment

ATTACHMENT 1:
 District-Owned Properties in Maryland Relevant to SCMAGLEV Project

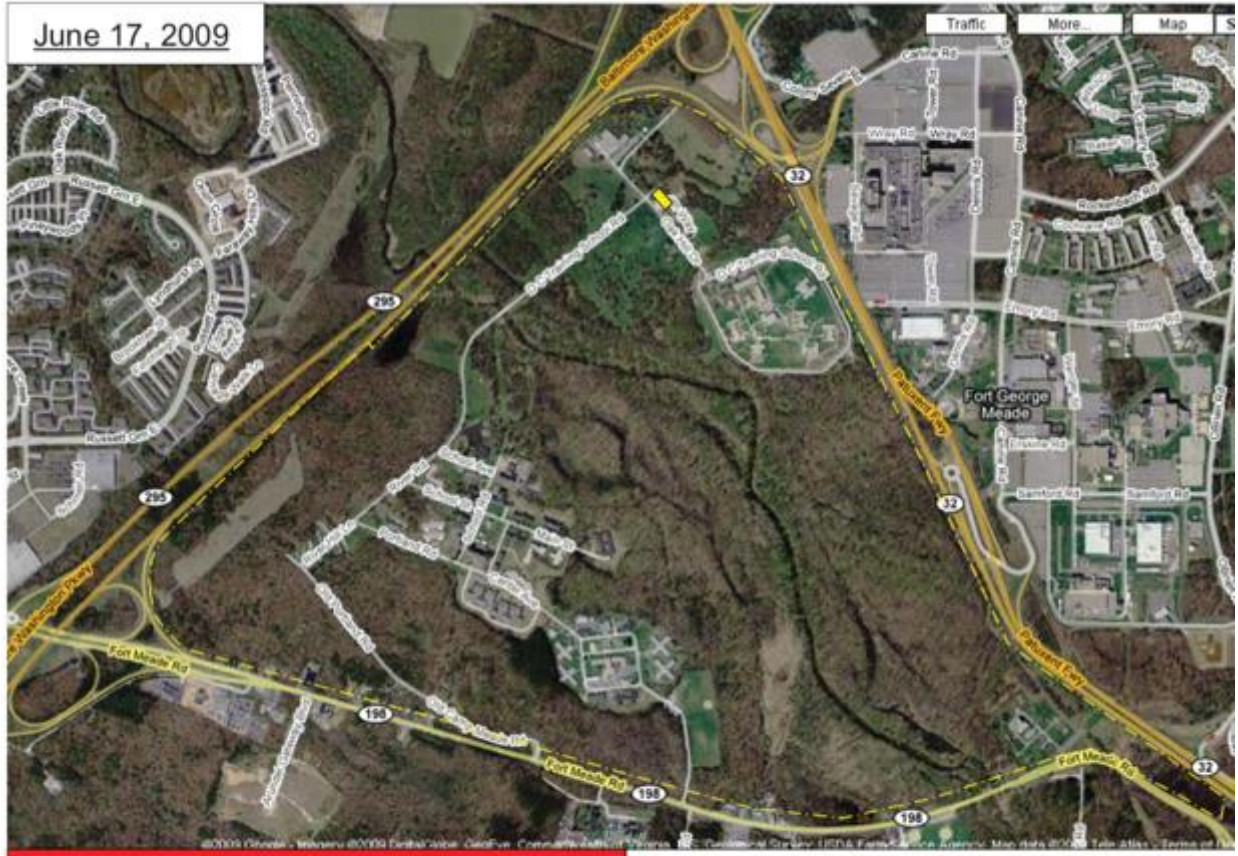


Source: District of Columbia Department of General Services



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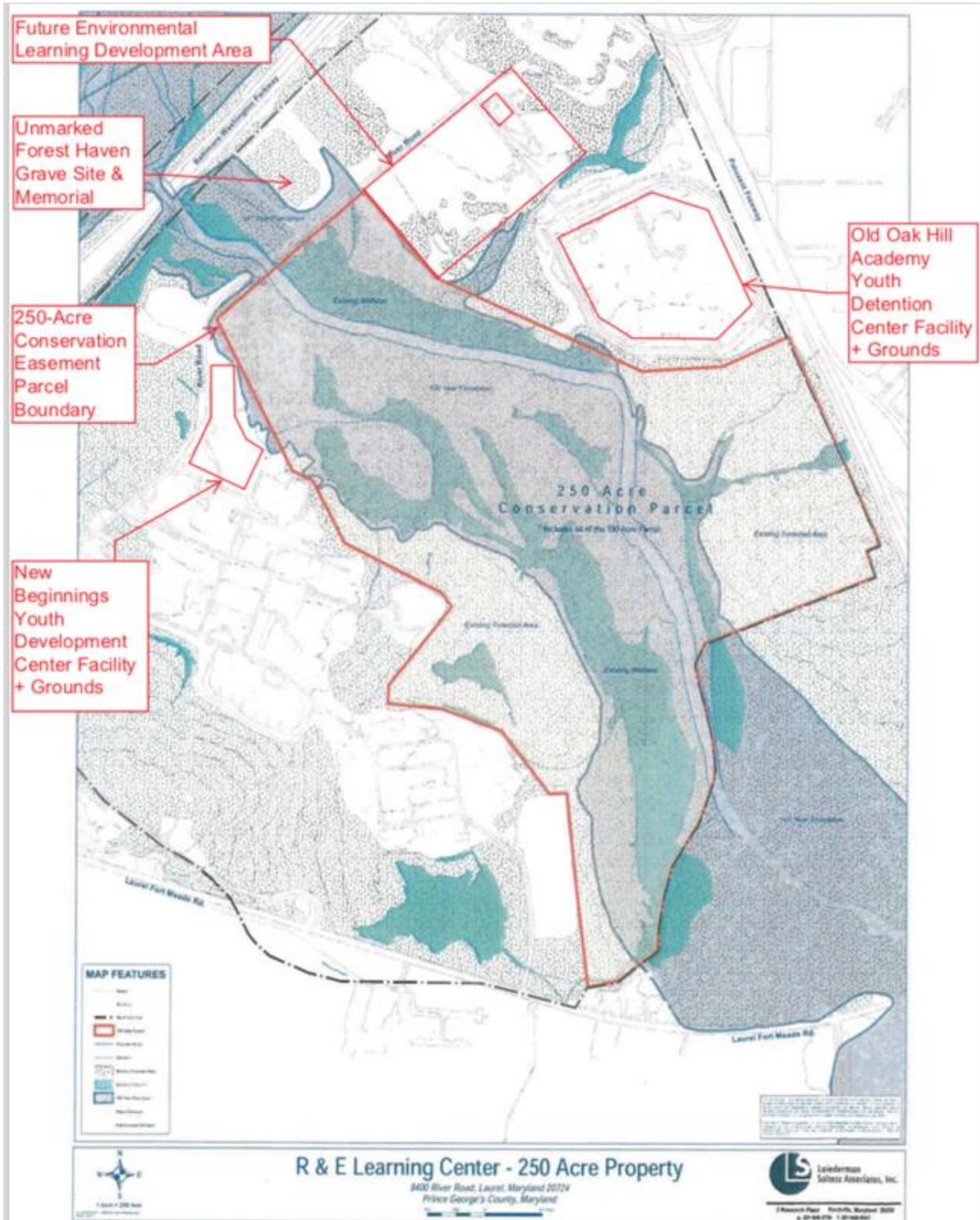


Oak Hill Reservation – Land Use Diagrams

Aerial Photograph

Source: District of Columbia Department of General Services

ATTACHMENT 1:
District-Owned Properties in Maryland Relevant to SCMAGLEV Project



Source: District of Columbia Department of General Services

ATTACHMENT 2:
SCMAGLEV Proposals on District-Owned Properties in Maryland

Figure 1: DC Property Area

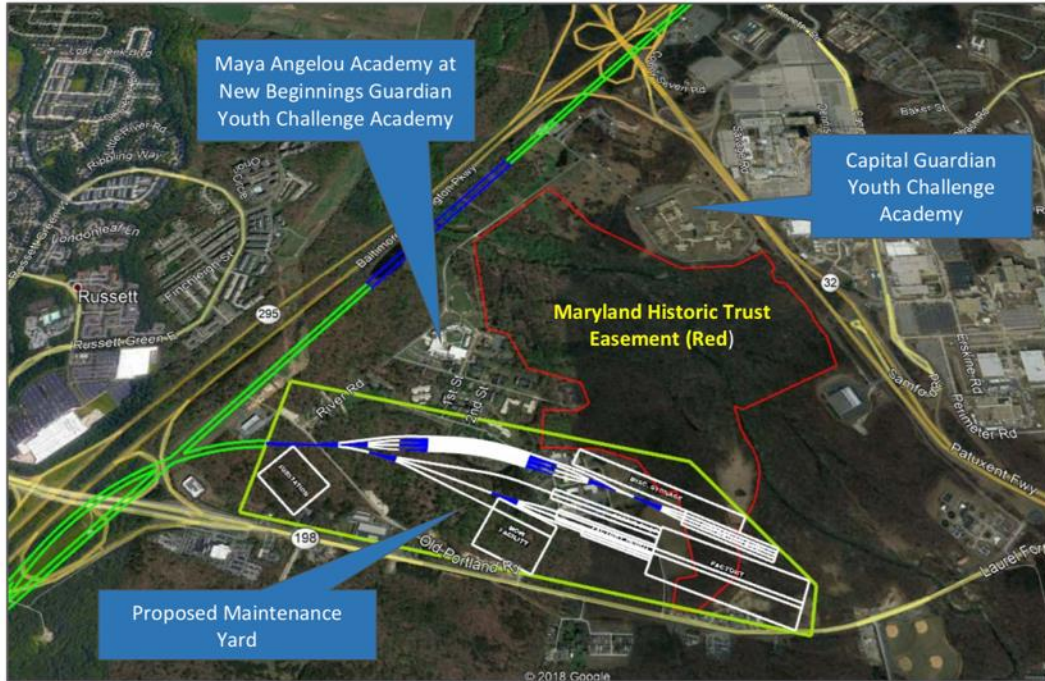
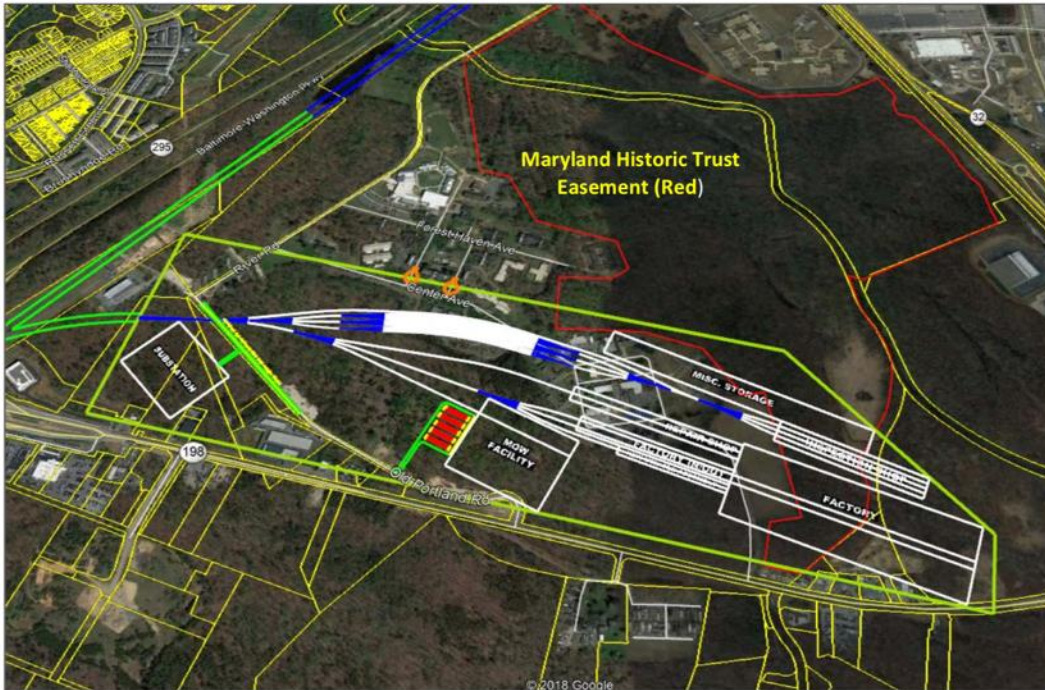


Figure 2: Maintenance Yard Layout



Source: July 16, 2018 Memo from Mark Berger and Liviu Sfintescu to BWRR

ATTACHMENT 3: List of Applicable Land Use and Design Plans

1. [Downtown East Reurbanization Strategy \(2018\)](#)
2. [District of Columbia Comprehensive Plan \(Comp Plan\) \(2011\)](#)
3. [Mt Vernon Square District Priority Projects \(2010\)](#)
4. [Shaw Neighborhood Neighborhood Investment Fund Plan \(2008\)](#)
5. [NoMA Vision Plan and Development Strategy \(2006\)](#)
6. [Chinatown Cultural Development Small Area Plan \(2005\)](#)
7. Convention Center Strategic Development Plan (2005) [please contact DCOP for this document]