

POTOMAC YARD METRORAIL STATION

APPENDIX F

APPENDIX F

Correspondence



Benjamin P. Biesterveld
Project Manager II– Public Projects
1610 Forest Avenue, Suite 120
Richmond, VA 23229
804-226-7718
Benjamin_Biesterveld@csx.com

May 28, 2014

Mr. Richard J. Baier
City of Alexandria
Dept of Transportation and Environmental Services
P.O. Box 178 – City Hall
Alexandria, VA 22313

Subject: Potomac Yard Metro Station EIS New Design Option – CSXT Mileposts CFP 107 to 108

Dear Mr. Baier,

Over the past several months, CSXT has reviewed the City's proposed option for the new in-fill station at Potomac Yard involving the relocation of the CSXT tracks and right of way (ROW) to the west of their existing alignment, to allow the City and WMATA to utilize the existing CSXT ROW to build the proposed station without affecting the National Park Service which borders WMATA to the east.

Thank you for your patience as this type of request requires input from several different departments within CSXT. Please understand that although there may be a few minor improvements to CSXT property and assets as a part of the outcome of this project, CSXT prefers that this option is not chosen, as CSXT feels that the disruption to both passenger and freight operations for the duration of construction far outweighs any benefits that would be gained by CSXT.

However, CSXT also understands the importance of this project to the neighborhood development, to the City, WMATA, and the greater DC area, and CSXT is willing to have this new option be considered as a possible alternative for the new Potomac Yard Metro Station, as long as CSXT's conditions are met. Some of these conditions include the following:

- CSXT shall be reimbursed for all costs associated with this project including:
 - Preliminary engineering plan reviews
 - All necessary Track and Signal Work
 - Construction Engineering and Inspection
 - Full time flagman for duration of construction
- Amtrak/VRE Passenger Delays/Penalties
- CSXT acquires new ROW via Fee Simple
- At a minimum, maintain existing ROW width on new section
- All Pedestrian crossings must be grade separated and span the entire new CSXT ROW.
- CSXT must keep the ability to maintain access to its ROW and access roads



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

SEPTEMBER 27, 2017

APPROVED JURISDICTIONAL DETERMINATION

Northern Virginia Regulatory Section
NAO-2012-02012 (Potomac Yard Metrorail)

Mr. Jason Kacamburas P.E., CCM
Potomac Yard Metro Coordinator
City of Alexandria - Department of Project Implementation
301 King Street, Suite 3200
Alexandria, VA 22314

Dear Mr. Kacamburas:

This letter is in regard to your request for a re-verification of an approved jurisdictional determination for waters of the U.S. (including wetlands) on property known as the Potomac Yard Metrorail Station, located on an approximately 117.0 acre parcel in Alexandria and Arlington County, Virginia.

Site conditions remain the same and a jurisdictional determination has found waters and/or wetlands regulated under Section 10 of the Rivers and Harbors Act (33 U.S.C. 403) and/or Section 404 of the Clean Water Act (33 U.S.C. 1344) on property listed above. Nontidal and/or tidal wetlands and/or waters have been identified on the site. This letter shall serve to confirm the wetlands delineation by AECOM, Inc. as surveyed and shown on the maps titled, "Potomac Yard Metrorail Station" dated April 2012 (copies enclosed).

Our basis for this determination is the application of the Corps' 1987 Wetland Delineation Manual and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region and the positive indicators of wetland hydrology, hydric soils, and hydrophytic vegetation. The wetland is a water of the United States and is part of a tributary system to interstate waters (33 CFR 328.3(a)). These waters meet the Corps' definition of waters of the United States, are part of a tributary system to interstate waters (33 CFR 328.3 (a)) and have an ordinary high water mark or high tide line. This letter is not confirming the Cowardin classifications of these aquatic resources.

Discharges of dredged or fill material, including those associated with mechanized landclearing, into jurisdictional waters and/or wetlands on this site will require a Department of the Army permit and may require authorization by state and local authorities, including a Virginia Water Protection Permit from the Virginia

Department of Environmental Quality (DEQ), a permit from the Virginia Marine Resources Commission (VMRC) and/or a permit from your local wetlands board. This letter is a confirmation of the Corps jurisdiction for the waters and/or wetlands on the subject property and does not authorize any work in these jurisdictional areas. Please obtain all required permits before starting work in the delineated waters/wetland areas.

This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the North Atlantic Division Office at the following address:

ATTN: Mr. James Haggerty, Regulatory Program Manager
United States Army Corps of Engineers
CENAD-PD-OR
Fort Hamilton Military Community
301 General Lee Avenue
Brooklyn, NY 11252-6700
Email: james.w.haggerty@usace.army.mil

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 C.F.R. part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by ****November 27, 2017.**** It is not necessary to submit an RFA form to the Division office if you do not object to the determination in this letter.

This jurisdictional determination is valid for a period of five years from the date of this letter unless new information warrants revision prior to the expiration date. If you have any questions, please contact Ms. Theresita Crockett-Augustine in the Northern Virginia Field Office at 18139 Triangle Plaza, Suite 213, Dumfries, Virginia 22026, (757) 201-7194 or theresita.m.crockett-augustine@usace.army.mil.

Sincerely,



Theresita Crockett-Augustine
Environmental Scientist
Northern Virginia Regulatory Section

Enclosures

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: City of Alexandria		File Number: NAO-2012-02012	Date: 9/27/2017
Attached is:		See Section below	
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
X	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/appeals.aspx> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

If you only have questions regarding the appeal process you may also contact:

Mr. James Haggerty
Regulatory Program Manager (CENAD-PD-OR)
U.S. Army Corps of Engineers
Fort Hamilton Military Community
301 General Lee Avenue
Brooklyn, New York 11252-6700
Telephone number: 347-370-4650

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

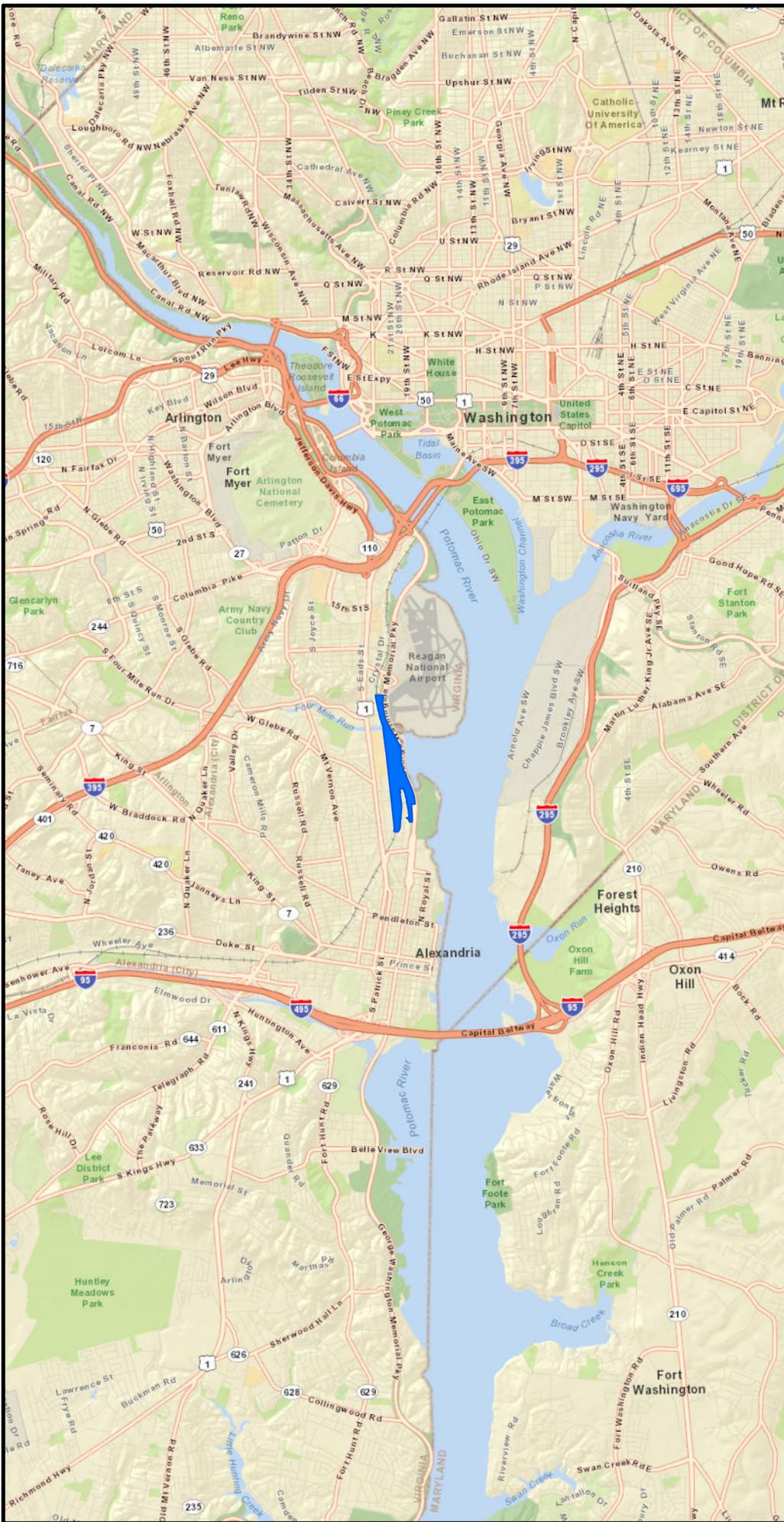
Date:

Telephone number:

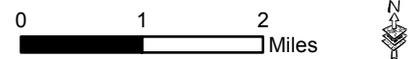
**Figure 1
Regional Vicinity**

LEGEND

- Study Area
- ★ Project Location

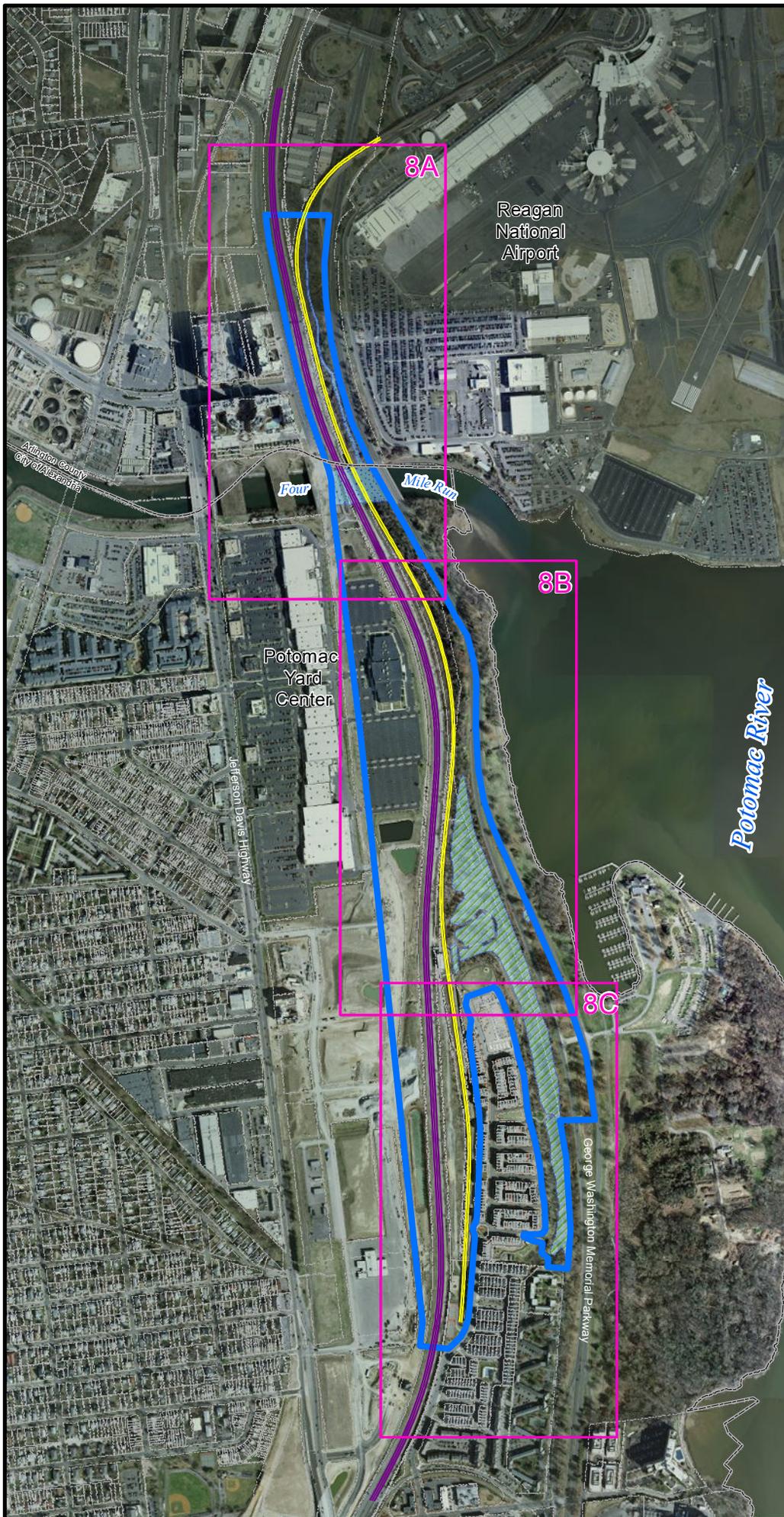


Source: ESRI Data & Maps, DeLorme 2009



**POTOMAC YARD
METRORAIL STATION EIS**

**Figure 8
Wetland Delineation
with Aerial Photography -
Overall**



LEGEND

-  Study Area
-  Tracks - WMATA
-  Tracks - CSXT
-  Waters of the U.S.
-  USACE/Section 404 Wetland
-  Parcels
-  City Boundary
-  Index Grid

Source: City of Alexandria 2010
Arlington County 2011
WMATA 2011
ESRI 2011

0 500 1,000
Feet



**POTOMAC YARD
METRORAIL STATION EIS**

**Figure 8A
Wetland Delineation
with Aerial Photography -
North**



LEGEND

- Study Area
- City Boundary
- Tracks - CSXT
- Tracks - WMATA
- Waters of the U.S.
- Parcels

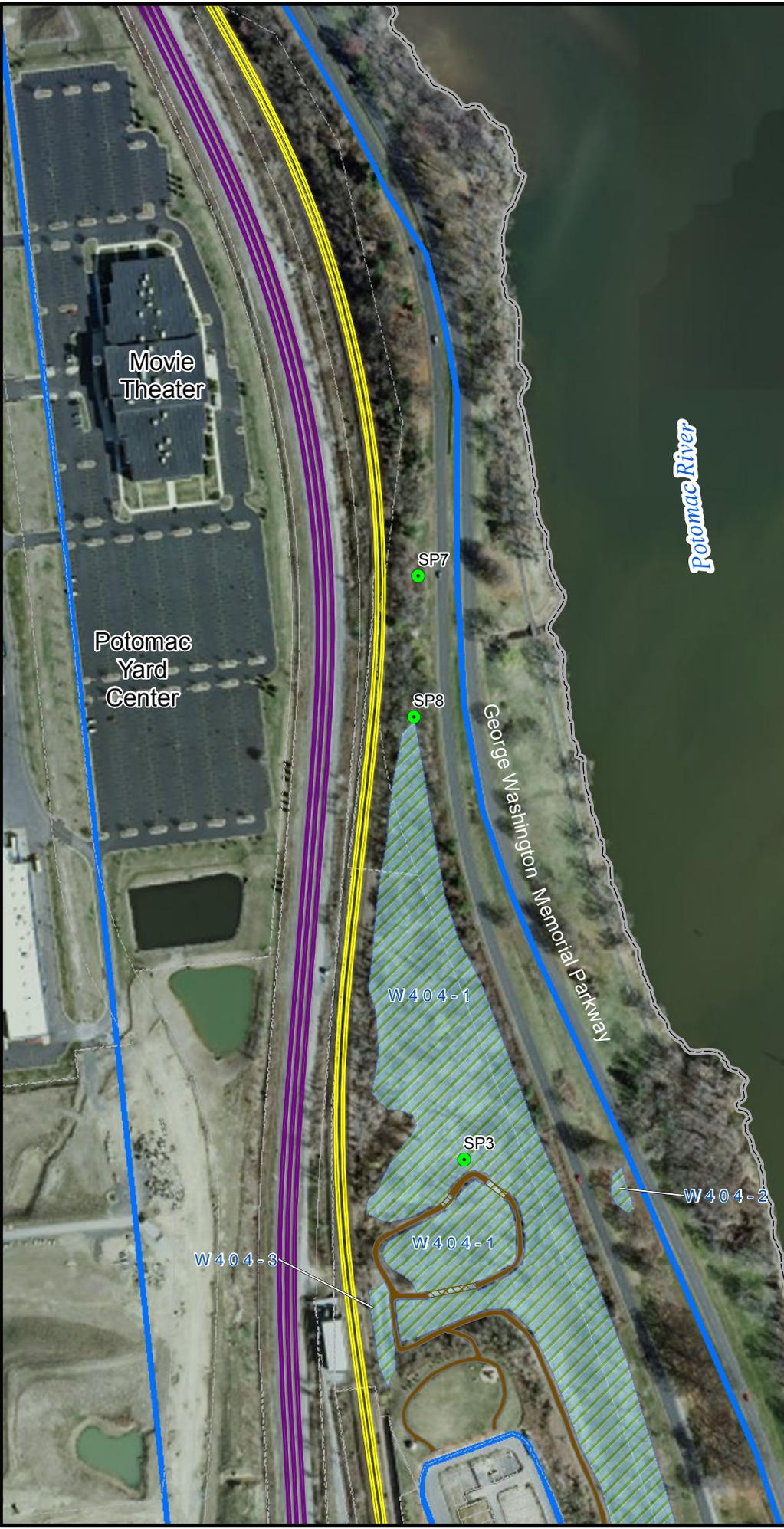
	Square Feet	Acres	Linear Feet
Wetland ID			
W404-1	530,927	12.19	-
W404-2	2,530	0.06	-
W404-3	7,196	0.17	-
total	540,653	12.42	
Waters ID			
WOUS-1	84,106	1.93	396
WOUS-2	31,817	0.73	1795
total	115,923	2.66	2191
Study Area	5,129,028	117.75	-
Note:			
Measurements apply to entire study area.			

Source: City of Alexandria 2010, WMATA 2011



**POTOMAC YARD
METRORAIL STATION EIS**

**Figure 8B
Wetland Delineation
with Aerial Photography -
Central**

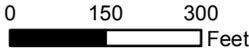


LEGEND

- Study Area
- City Boundary
- Tracks - WMATA
- Tracks - CSXT
- Wetland Sample Points
- USACE/Section 404 Wetland
- Parcels

	Square Feet	Acres	Linear Feet
Wetland ID			
W404-1	530,927	12.19	-
W404-2	2,530	0.06	-
W404-3	7,196	0.17	-
total	540,653	12.42	
Waters ID			
WOUS-1	84,106	1.93	396
WOUS-2	31,817	0.73	1795
total	115,923	2.66	2191
Study Area	5,129,028	117.75	-
Note:			
Measurements apply to entire study area.			

Source: City of Alexandria 2010,
WMATA 2011, ESRI 2011



**POTOMAC YARD
METRORAIL STATION EIS**

**Figure 8C
Wetland Delineation
with Aerial Photography -
South**

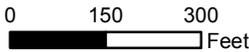


LEGEND

- Study Area
- City Boundary
- Tracks - WMATA
- Tracks - CSXT
- Wetland Sample Points
- USACE/Section 404 Wetland
- Parcels

	Square Feet	Acres	Linear Feet
Wetland ID			
W404-1	530,927	12.19	-
W404-2	2,530	0.06	-
W404-3	7,196	0.17	-
total	540,653	12.42	
Waters ID			
WOUS-1	84,106	1.93	396
WOUS-2	31,817	0.73	1795
total	115,923	2.66	2191
Study Area	5,129,028	117.75	-
Note:			
Measurements apply to entire study area.			

Source: City of Alexandria 2010, WMATA 2011





**DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VIRGINIA 23510-1011**

SEPTEMBER 27, 2017

Supplemental Preapplication Information

Project Number: NAO-2012-02012 (Potomac Yard Metrorail)
Applicant: City of Alexandria
Project Location: Alexandria and Arlington County, Virginia

1. A search of the Virginia Department of Historic Resources data revealed the following:

- No known historic properties are located on the property.
- The following known architectural resources are located on the property:

DHR ID	Address	Restricted	Property Names
029-0218-0003	George Washington Memorial Parkway	-	Bridge, George Washington Memorial Parkway over Four Mile Run (Descriptive)
029-0218	Mount Vernon Memorial Highway	Unrestricted	George Washington Memorial Highway (portion) (Descriptive), Mount Vernon Memorial Highway (NRHP Listing)
029-0228-0131	Mount Vernon Memorial Highway/GWMP	-	Mount Vernon Trail (Current Name)
500-0001	CSX Tracks	-	Richmond, Fredericksburg and Potomac Railroad Historic District (Historic)

- The following known archaeological resources are located on the property:

DHR ID	Site Name	Site Category	Time Period	NR Eligible	Restricted
44AX0204	-	Domestic, DSS Legacy	Woodland (1200 B.C. - 1606 A.D.), 19th Century (1800 - 1899)	-	Restricted: No release
44AX0222	-	DSS Legacy	19th Century (1800 - 1899), 20th Century: 1st half (1900 - 1949)	-	Restricted: No release
44AX0221	-	DSS Legacy, Industry/Processing/Extraction	Prehistoric/Unknown (15000 B.C. - 1606 A.D.), 18th Century (1700 - 1799), 19th Century (1800 - 1899), 20th Century: 1st quarter (1900 - 1924)	-	Restricted: No release
44AX0207	Campsite No. 1 of American Wagon Train Sept. 1781	Military/Defense	Colony to Nation (1751 - 1789), Early National Period (1790 - 1829)	-	Restricted: No release
44AX0220	-	DSS Legacy, Industry/Processing/Extraction	Prehistoric/Unknown (15000 B.C. - 1606 A.D.), 18th Century (1700 -	-	Restricted: No release

1799), 19th Century (1800
- 1899), 20th Century: 1st
quarter (1900 - 1924)

The following known historic resources are located in the vicinity of the property (potential for effects to these resources from future development):

NOTE:

- 1) *The information above is for planning purposes only. In most cases, the property has not been surveyed for historic resources. Undiscovered historic resources may be located on the subject property or adjacent properties and this supplemental information is not intended to satisfy the Corps' requirements under Section 106 of the National Historic Preservation Act (NHPA).*
- 2) *Prospective permittees should be aware that Section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant.*

2. A search of the data supplied by the U.S. Fish & Wildlife Service, the Virginia Department of Conservation and Recreation and the Virginia Department of Game and Inland Fisheries revealed the following:

- No known populations of threatened or endangered species are located on or within the vicinity of the subject property.
- The following federally-listed species may occur within the vicinity of the subject property.
- The following state-listed (or other) species may occur within the vicinity of the subject property:

VDGIF Anadromous Fish Use Waters

Unique ID	Upstream Boundary	Status	Stream Name	Confirmed Species
C25	approx. 500 m upstr. of Arlington Ridge Rd	confirmed	Fourmile run	STB/YEP

Please note this information is being provided to you based on the preliminary data you submitted to the Corps relative to project boundaries and project plans. Consequently, these findings and recommendations are subject to change if the project scope changes or new information becomes available and the accuracy of the data.

IPaC

U.S. Fish & Wildlife Service

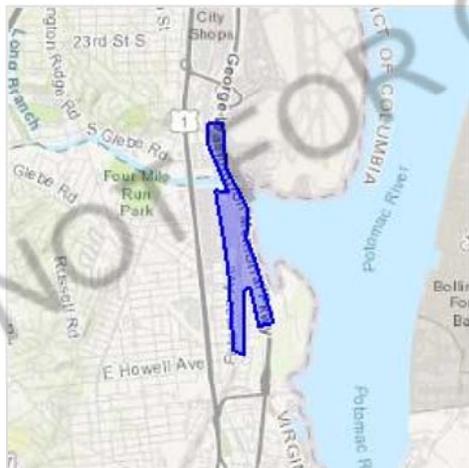
IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Alexandria and Arlington counties, Virginia



Local office

Virginia Ecological Services Field Office

(804) 693-6694

(804) 693-9032

6669 Short Lane

Gloucester, VA 23061-4410

<http://www.fws.gov/northeast/virginiafield/>

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species

¹ are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service.

1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information.

THERE ARE NO ENDANGERED SPECIES EXPECTED TO OCCUR AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act

¹ and the Bald and Golden Eagle Protection Act².

Any activity that results in the take (to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service

3. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured. Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are [USFWS Birds of Conservation Concern](#) that might be affected by activities in this location. The list does not contain every bird you may find in this location, nor is it guaranteed that all of the birds on the list will be found on or near this location. To get a better idea of the specific locations where certain species have been reported and their level of occurrence, please refer to resources such as the [E-bird data mapping tool](#) (year-round bird sightings by birders and the general public) and [Breeding Bird Survey](#) (relative abundance maps for breeding birds). Although it is important to try to avoid and minimize impacts to all birds, special attention should be given to the birds on the list below. To get a list of all birds potentially present in your project area, visit the [E-bird Explore Data Tool](#).

NAME	BREEDING SEASON
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i>	Breeds May 20 to Jul 31
Canada Warbler <i>Wilsonia canadensis</i>	Breeds May 20 to Aug 10
Cerulean Warbler <i>Dendroica cerulea</i> https://ecos.fws.gov/ecp/species/2974	Breeds Aug 20 to Jul 20

Dunlin <i>Calidris alpina arctica</i>	Breeds elsewhere
Golden-winged Warbler <i>Vermivora chrysoptera</i> https://ecos.fws.gov/ecp/species/8745	Breeds May 1 to Jul 20
Hudsonian Godwit <i>Limosa haemastica</i>	Breeds elsewhere
Kentucky Warbler <i>Oporornis formosus</i>	Breeds Apr 20 to Aug 20
Least Tern <i>Sterna antillarum</i>	Breeds Apr 20 to Sep 10
Lesser Yellowlegs <i>Tringa flavipes</i> https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Prairie Warbler <i>Dendroica discolor</i>	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i>	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i>	Breeds May 10 to Sep 10
Red-throated Loon <i>Gavia stellata</i>	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i>	Breeds elsewhere
Semipalmated Sandpiper <i>Calidris pusilla</i>	Breeds elsewhere
Short-billed Dowitcher <i>Limnodromus griseus</i> https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i>	Breeds May 10 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in your project's counties during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote when the bird breeds in the Bird Conservation Region(s) in which your project lies. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the counties of your project area. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

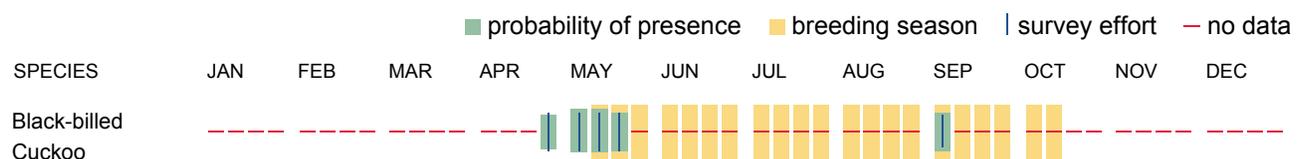
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

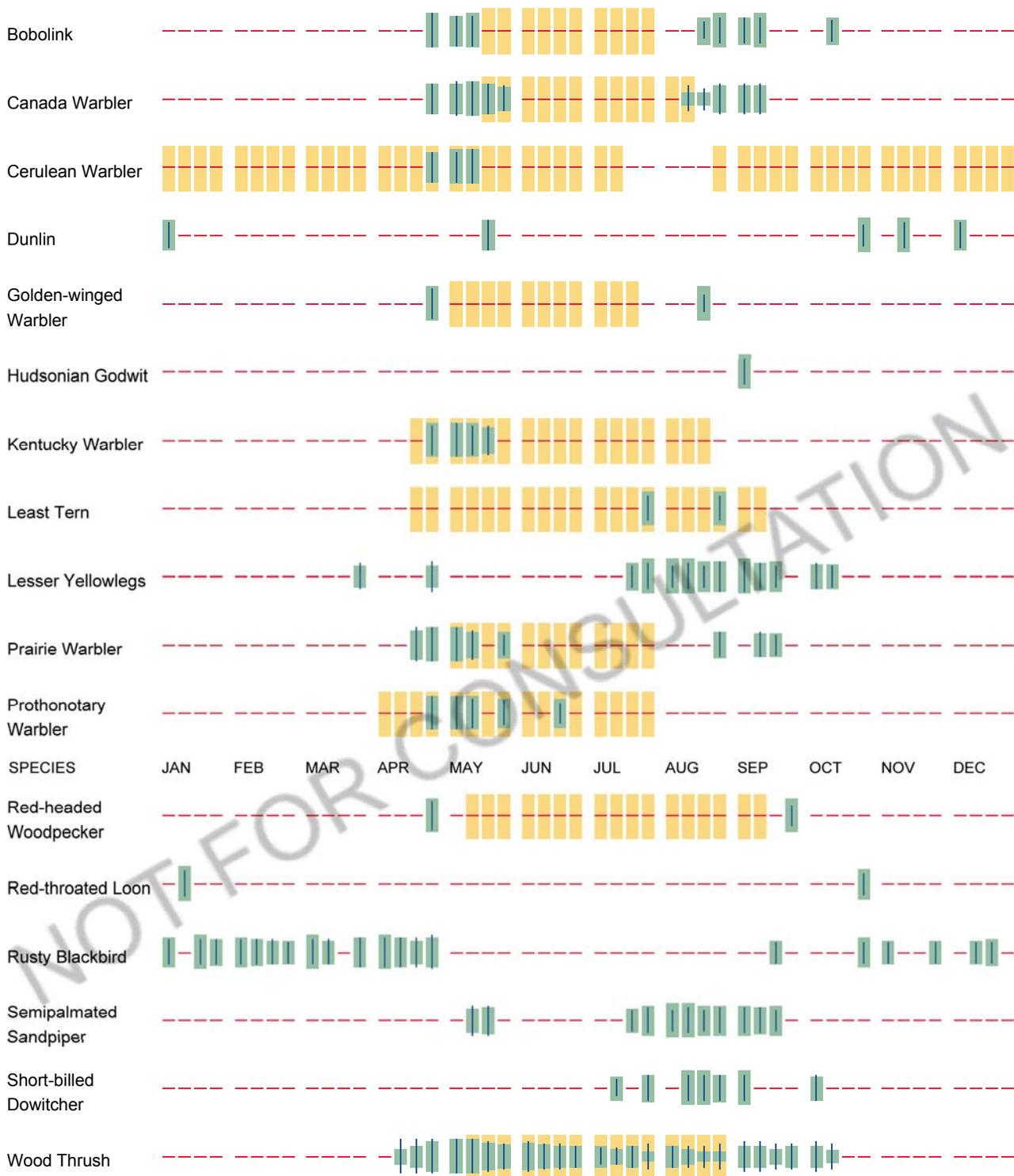
No Data (-)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information.





Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Such measures are particularly important when birds are most likely to occur in the project area. To see when birds are most likely to occur in your project area, view the Probability of Presence Summary. Special attention should be made to look for nests and avoid nest destruction during the breeding season. The

best information about when birds are breeding can be found in [Birds of North America \(BNA\) Online](#) under the "Breeding Phenology" section of each species profile. Note that accessing this information may require a [subscription](#). [Additional measures](#) and/or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) that might be affected by activities in your project location. These birds are of priority concern because it has been determined that without additional conservation actions, they are likely to become candidates for listing under the [Endangered Species Act \(ESA\)](#).

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#). The AKN list represents all birds reported to be occurring at some level throughout the year in the counties in which your project lies. That list is then narrowed to only the Birds of Conservation Concern for your project area.

Again, the Migratory Bird Resource list only includes species of particular priority concern, and is not representative of all birds that may occur in your project area. Although it is important to try to avoid and minimize impacts to all birds, special attention should be made to avoid and minimize impacts to birds of priority concern. To get a list of all birds potentially present in your project area, please visit the [E-bird Explore Data Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird entry on your migratory bird species list indicates a breeding season, it is probable the bird breeds in your project's counties at some point within the time-frame specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Facilities

Wildlife refuges

Any activity proposed on [National Wildlife Refuge](#) lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGES AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

This location overlaps the following wetlands:

FRESHWATER EMERGENT WETLAND

[PEM1/FO1Eh](#)

[PEM1Eh](#)

[PEM1C](#)

FRESHWATER FORESTED/SHRUB WETLAND

[PFO1Eh](#)

[PFO1R](#)

FRESHWATER POND

[PUBHx](#)

RIVERINE

[R1UBV](#)

A full description for each wetland code can be found at the National Wetlands Inventory website:

<https://ecos.fws.gov/ipac/wetlands/decoder>

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

Please be advised that the above items are not all inclusive, but a list of initial concerns. As the project progresses there will likely be additional concerns that will need to be addressed as part of the normal project review progression.

CSXT looks forward to hearing what option is ultimately chosen and will work with all affected Agencies on whatever alternative is selected.

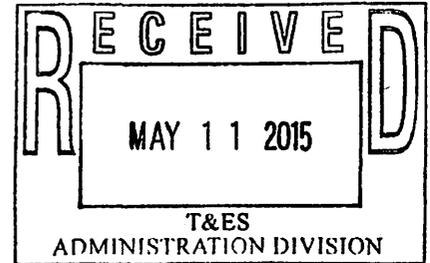
Sincerely,

A handwritten signature in black ink, appearing to read "B. Biesterveld". The signature is stylized and written in a cursive-like font.

Ben Biesterveld
Project Manager II – Public Projects



Troy J. Creasy
Project Manager II – Public Projects
1610 Forest Avenue, Suite 120
Richmond, VA 23229
804-226-7718
Troy_Creasy@csx.com



April 30, 2015

Mr. Richard J. Baier
City of Alexandria
Dept of Transportation and Environmental Services
P.O. Box 178 – City Hall
Alexandria, VA 22313

Subject: Potomac Yard Metro Station DEIS B-CSX Design Option – CSXT Mileposts CFP 107 to 108

Dear Mr. Baier,

CSXT has reviewed the Potomac Yard Metrorail Station Draft Environmental Impact Statement for the new in-fill station at Potomac Yard. CSXT understands the importance of this project to the neighborhood development, to the City, WMATA, and the greater DC area.

CSXT would like to offer a response to Build Alternative B-CSX Design Option, involving the relocation of the CSXT tracks and right of way (ROW) to the west of their existing alignment, to allow the City and WMATA to utilize the existing CSXT ROW to build the proposed station without affecting the National Park Service which borders WMATA to the east.

Please understand that although there may be a few minor improvements to CSXT property and assets as a part of the outcome of this project, CSXT strongly prefers that Build Alternative B-CSX Design Option not be chosen. The disruption to Amtrak and VRE passenger operations, and CSXT freight operations for the duration of construction would be significant and expensive, far outweighing any potential benefits.

If Build Alternative B-CSX Design Option is chosen as a possible alternative for the new Potomac Yard Metro Station, CSXT has numerous conditions that must be met. Some of these conditions include the following:

- CSXT shall be reimbursed for all costs associated with this project including:
 - Preliminary engineering plan reviews
 - All necessary Track and Signal Work
 - Construction Engineering and Inspection
 - Full time flagman for duration of construction
- Amtrak/VRE Passenger Delays/Penalties
- CSXT acquires new ROW via Fee Simple
- At a minimum, maintain existing ROW width on new section and existing fencing requirements
- All Pedestrian crossings must be grade separated and span the entire new CSXT ROW.
- CSXT must keep the ability to maintain access to its ROW and access roads



Virginia Department of Rail and Public Transportation

MEMORANDUM

TO: Charles Ellis III, Department of Environmental Quality

FROM: Amy Inman, Planning & Mobility Programs Administrator

DATE: May 4, 2015

SUBJECT: Potomac Yard Metrorail DEIS Comments

This memo summarizes comments from the Department of Rail and Public Transportation (DRPT) regarding the Draft Environmental Impact Statement (DEIS) for the proposed Potomac Yard Metrorail station in Alexandria, VA. DRPT is a participating agency in the DEIS and the state agency responsible for improving access for the general public and businesses in the Commonwealth through increased transportation choices (including transit and passenger rail) and providing access improvements to Virginia's railways to encourage economic development and reduce traffic on Virginia's highways. DRPT provides annual operating and capital assistance to the Washington Metropolitan Area Transit Authority (WMATA), the Virginia Railway Express (VRE) and the City of Alexandria through the Northern Virginia Transportation Commission (NVTC). DRPT also provides rail enhancement and industrial access grants to CSX as well as operating and capital funding to both Amtrak and CSX on an annual and multi year basis. Finally DRPT is preparing a Tier II Environmental Impact Statement (EIS) for the Southeast High Speed Rail corridor between Washington, DC and Richmond, which will serve Alexandria. Finally DRPT notes that the City of Alexandria has consulted with CSX and commends the City for developing Alternative B-CSX in developing the conceptual plans for this alternative.

Currently there are 4.5 long distance Amtrak daily round trips (9 trains) and 7 regional, state supported daily round trips (14 trains) for a total of 11.5 round trips or 23 trains per day (the Cardinal operates three times per week for a 0.5 round trip). On the Virginia Railway Express, which receives state funding for capital and operations, there are 7 round trips (14 trains) on the Fredericksburg line and 8 round trips (16 trains) on the Manassas line for a total of 15 round trips or 30 trains per day. Both VRE lines and all Amtrak trains utilize the segment of track adjacent to the proposed Potomac Yard Metrorail station. In FY15, DRPT provided \$9.0 million in operating assistance and \$13.0 million in capital assistance to VRE.

In FY15, DRPT provided \$170,000 in state funding to the City of Alexandria for the preparation of a bid package for the Potomac Yard Metro station and \$6.39 million in state and federal funding to VRE for track lease payments to CSX. In the current draft of Six Year Improvement Program (SYIP), DRPT anticipates providing \$8.86 million in state and federal funding to VRE for the CSX track lease. Neither NVTC nor the City of Alexandria have requested DRPT funding for the Potomac Yard Metrorail station however the project is included in DRPT's FY15-20 SYIP for an estimated \$306 million total cost in FY17.

DRPT believes the project adequately addresses the Purpose and Need. DRPT notes that the No Build alternative would not meet the Purpose and Need and agrees that traffic congestion would worsen significantly under this alternative. Additionally the Potomac Yard Metrorail station will be good for the economy of Alexandria, Northern Virginia and the entire Commonwealth of Virginia. Investment in transit promotes economic development. According to the American Public Transit Association, \$1 in spending on transit returns \$4 in economic benefit and every \$1 billion spent on transit capital supports 16,000 jobs. Based on the DRPT SYIP costs, this project would generate 4,900 jobs and \$1.2 billion in economic benefit. The City's own economic impact analysis shows the station will generate as much as \$2 billion in additional tax revenues which can support additional services and benefit residents above the cost of constructing the station.

In January 2015, the Commonwealth Transportation Board approved a \$50 million loan from the Virginia Transportation Infrastructure Bank (VTIB) to the project. The project is estimated to generate between 9.3 million and 13.1 million square feet of development and anticipates receiving donated property for the station from developers as well as developer contributions and shortfall guarantees.

DRPT also agrees with the statement in the DEIS that the project is also financially feasible. In addition to the DRPT SYIP, it is also included in the Metropolitan Washington Council of Government's 2040 Constrained Long Range Plan (CLRP) and the Northern Virginia Transportation Authority's (NVTA) 2040 TransAction plan. The environmental work was funded in NVTA's 2014 program and the project has been submitted for project development funding and development of a design-build package in response to NVTA's 2015-16 call for project.

While the low conceptual cost estimate of all four alternatives in the DEIS falls within the cost in the DRPT FY15-20 SYIP, only Alternatives A and B fall completely within the DEIS high conceptual cost estimate. Additionally Alternative B has fewer vibration impacts and greater economic development benefit than A (and is also the only alternative that generates more development than the No Build). DRPT also notes that Alternative B has a greater amount employment more residents within 0.25 miles of the station than Alternative A (as

well as B-CSX and D) and diverts more auto trips than any of the other alternatives. It is also the only alternative consistent with Alexandria's local plans. Thus DRPT recommends Alternative B although noting that Alternative A would also be acceptable.

DRPT is strongly opposed to Alternative B-CSX and Alternative D, believes neither are financially feasible and recommends setting both aside. Both alternatives have significantly more land acquisition and would require a significant realignment of the Metrorail Yellow and Blue Line tracks that could likely delay the current 2021 projected completion. These two alternatives would also have significant negative impact on VRE's operation during construction. While temporary construction impacts are evaluated, the DEIS does not assess the impact on VRE. While the Technical Memorandum in Appendix 18 addresses CSX operation it does not adequately assess the construction impacts on freight or passenger rail operation. For example if slow orders or stoppages are issued for passenger trains, on time performance for VRE would be negatively impacted and ridership would likely decrease. Would all three existing tracks remain in operation outside of temporary stoppages during construction? What degree of temporary stoppages would be issued during construction? If Alternative B-CSX or D is chosen, the construction impacts on VRE and freight rail should be fully evaluated during the FEIS and every attempt to mitigate adverse impacts should be included in the Record of Decision.

Regarding the Washington, DC to Richmond segment of the Southeast High Speed Rail project that DRPT is managing (www.DC2RVARail.com), our proposed alignment alternatives would work with any of the four Potomac Yard alternatives identified within the DEIS. Potomac Yard Alternatives A, B and D shows no change to the CSX track alignment, but our proposed alignment alternatives shows some slight straightening to improve speed.

The Potomac Yard EIS Alternative B-CSX is the only one that straightens out the CSX track geometry significantly such that it may allow for a greater speed compared to that shown on our proposed alignment alternatives. Because of the long tangent shown on the Potomac Yard DEIS Alternative B-CSX Alternative, there is a potential to add a new Amtrak/VRE station stop at this location if desired. Currently however there are no plans for a Potomac Yard Amtrak or VRE station and DRPT's earlier comments in this memo opposing Alternative B-CSX still stand. Since the area will have a direct connection from the King Street Metrorail station which is a transfer from Amtrak and the Crystal City and L'Enfant Plaza Metrorail stations which have transfers from VRE, DRPT does not foresee a need for a future Amtrak or VRE station at Potomac Yard.

The project engineering team from HDR reviewed the alternatives and noted the vertical clearance over CSX is not correct. It is shown as 23', but should be 24'-3" for new structures over CSX. The design criteria accounts for a "future" CSXT track (40' total – 15' from centerline of track to future and 25' to pier/crash wall)

Lastly DRPT also encourages the City of Alexandria and WMATA to consider multimodal access to the station. DRPT understands that the proposed station is an urban infill and does not require daily long term parking. While it appears that pedestrian access is adequate from the conceptual design plans, full consideration should be given to adding bus bays and bike parking. Short term bike parking should be covered and bike lockers should be considered for monthly storage. Bus bays should have static information displays (such as route or system maps, fare, schedule and customer service information) as well as real time arrivals. If the station footprint does not allow for off street bus access, on street bays could be constructed on Potomac Avenue. This would allow the Metroway Bus Rapid Transit to serve the future station as well as allow a layover for Alexandria Transit (AT) routes 9 and 10 if they were extended to the station, which DRPT recommends. DRPT also recommends that consideration be given to routing Metrobus route 9A and AT route 4 to the future station. Lastly DRPT notes that the station would also provide greater access to employment and shopping in Potomac Yards for residents of the Route 1 corridor in south Fairfax County who currently only have access via local bus service. DRPT conducted a Multimodal Alternatives Analysis between the Alexandria limit and Woodbridge that concluded in October 2014 with a recommendation for a three phased BRT, with the first phase between Huntington and Hybla Valley completed by 2025.

Please be advised that the above items are not all inclusive, but a list of initial concerns. As the project progresses there will likely be additional issues that will need to be addressed as part of the normal project review progression.

CSXT looks forward to hearing what option is ultimately chosen and will continue to work with all affected agencies on completing this important project.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy Creasy". The signature is written in a cursive, flowing style.

Troy Creasy
Project Manager II – Public Projects



VIRGINIA RAILWAY EXPRESS

May 15, 2015

Ms. Terry Garcia Crews
Regional Administrator
Federal Transit Administration
1760 Market Street
Suite 500
Philadelphia, PA 19103-4124

Mr. Mark Jinks
Acting City Manager
City of Alexandria
301 King St.
Alexandria, VA 22314

Dear Ms. Garcia Crews and Mr. Jinks:

Please accept the following comments from the Virginia Railway Express (VRE) regarding the Potomac Yard Metrorail Station Draft Environmental Impact Statement (DEIS). VRE is a commuter rail service operating 32 trains a day within the CSXT right-of-way between Fredericksburg, VA and Washington, D.C. that carry about 19,000 riders each weekday. VRE provides a safe, reliable and efficient alternative to driving for long-distance commuters and provides the equivalent capacity of a lane of traffic on the I-95/395 and I-66 travel corridors in the morning and evening commuting periods. On-time performance is extremely high with approximately 95 percent of trains arriving at their final destination within five minutes of their scheduled arrival time. This is very important to VRE riders who have identified it in customer surveys as a top factor influencing their decision to travel on VRE.

Any actions that have the potential to degrade VRE operations are troubling. I am writing to share VRE concerns regarding the Potomac Yard Metrorail station alternatives considered in the DEIS. We believe the Alternative B-CSX Design Option would have a substantial negative effect on VRE commuter rail operations due to the impact of construction activities within and adjacent to the CSXT right-of-way. Combined with similar negative impacts to Amtrak intercity trains, which also use the CSXT right-of-way, and freight traffic, the effect on railroad operations will be significant.

The Draft EIS indicates the realigned CSXT tracks would be constructed first and railroad traffic shifted to the new alignment. Once the CSXT track work is complete, construction of the Metrorail station would begin; the total construction period is estimated to be two years. Primary access to the construction area is from the western side of the CSXT right-of-way across the active CSXT tracks. Although the DEIS indicates B-CSX Design Option will require "extensive preplanned outages on CSXT track", it fails to evaluate the effect of the outages on railroad operations or the potential for daily, unplanned stoppages

of train traffic to allow construction workers, vehicles and equipment to cross the CSXT right-of-way to access the Metrorail station construction site or the potential for the imposition of slow orders for trains operating within the CSXT right-of-way for the duration of the construction period.

The uncertainty of the types and levels of potential construction impacts associated with the B-CSX Design Option and the lack of detailed evaluation of those impacts on railroad operations are serious concerns for VRE. This segment of track is used by all VRE trains and any activities that affect travel in the rail corridor can have a devastating effect on VRE operations. Queuing of trains through the construction site would become commonplace for the duration of construction due to slow orders and/or temporary shutdowns of the railroad. Given the volume of rail traffic in the corridor, the effect of a single delay or stoppage is magnified and can have a cascading effect as one train after another is slowed. This will significantly degrade VRE on-time performance and customer satisfaction and ultimately reduce VRE ridership. VRE riders would likely revert to using single occupancy vehicles, since few long-distance transit alternatives exist, resulting in increased traffic congestion and worsening of air quality in the region.

As an illustration of the effect railroad construction can have, extensive CSXT and Norfolk Southern track work in 2005 and 2006 had a significant, negative effect on VRE on-time performance. VRE on-time performance dropped to a low of 50% on the CSXT-Fredericksburg Line. On the Norfolk Southern-Manassas Line on-time performance dropped to 68% during track construction. The impact of the decline in on-time performance was seen directly in VRE ridership which decreased by seven percent and took two years to recover to where it was prior to the start of the track work. With on-time performance currently averaging 95 percent, the ability to sustain that level of reliability is critical to VRE's viability as a regional transportation option. I urge the Federal Transit Administration and the City of Alexandria to eliminate the B-CSX Design Option from consideration for the Potomac Yard Metrorail station.

While the B-CSX Design Option poses the greatest potential negative impacts to VRE operations, Alternatives A, B and D also have the potential to effect train operations in the CSXT right-of-way during construction. I ask that the evaluation of the construction impacts of those alternatives be expanded to provide a more detailed discussion of the effects on train operations within the CSXT right-of-way. In particular, the expected impact of the construction access easement required for Alternative B across a portion of the CSXT right-of-way to enable construction vehicles to get around the west side of the Metrorail traction power station adjacent to the CSXT tracks should be evaluated (e.g., timing, frequency and duration of use). While this easement would not cross the CSXT tracks, its use by construction vehicles will likely affect rail operations. Greater detail on the effect of construction of the pedestrian bridges over the CSXT tracks (and Metrorail tracks in Alternative D) on rail operations should also be provided.

May 14, 2015

Finally, as the design and construction of the selected Locally Preferred Alternative is advanced, all efforts should be made to avoid and minimize effects on the CSXT right-of-way and train operations. Ongoing coordination should be maintained with VRE, as well as CSXT, to ensure information regarding planned or unplanned rail traffic stoppages or slow orders is available to VRE operations personnel.

Thank you for the opportunity to share VRE concerns regarding this project.

Sincerely,



John C. Cook

VRE Operations Board Chairman

JCC:cmh

- c: Members of the Alexandria City Council
- Members of the VRE Operations Board
- Ms. Melissa Barlow, Federal Transit Administration
- Ms. Lee Farmer, City of Alexandria
- Mr. Bryan Rhode, CSXT
- Ms. Kelley Coyner, NVTC
- Mr. Eric Marx, PRTC