LONG BRIDGE PROJECT
Connecting North and South Through our Nation's Capital

Appendix A:

Final Section 4(f) Evaluation

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1.0 Introduction

Section 4(f) of the United States Department of Transportation Act of 1966 states that "it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites."[1] This evaluation discusses:

- The legal requirements for compliance with Section 4(f);
- Project purpose and need;
- Alternatives;
- The identification of Section 4(f)–protected properties within the Long Bridge Study Area;
- An analysis of effects to Section 4(f) properties because of the Action Alternatives, taking into consideration potential avoidance alternatives and minimization measures;
- An evaluation of potential uses of Section 4(f) properties;
- Additional measures to minimize harm to Section 4(f); and,
- A conclusion statement specifying the alternative having the least overall harm to Section 4(f) properties.

1.1. Section 4(f) Applicability

Section 4(f) prohibits an operating administration of the Department of Transportation, including the Federal Railroad Administration (FRA), from approving a project that uses public parks and recreational lands, wildlife refuges; and public or private historic sites eligible for listing in the National Register of Historic Places (NRHP), unless it determines there is no feasible and prudent alternative to avoid the use and the project includes all possible planning to minimize harm to the resources, or determines that the impact would be *de minimis* .[2] FRA generally relies on the Federal Highway Administration and Federal Transit Administration regulations implementing Section 4(f) at 23 CFR part 774, as well as associated policy guidance.[3]

The Section 4(f) process includes coordination with Officials with Jurisdiction (OWJ) over the Section 4(f) resources. The OWJ for historic sites is the State Historic Preservation Officer or Tribal Historic Preservation Officer, if on Tribal land. The OWJ for parks and other recreational resources is generally the property owner. FRA must also coordinate with the United States Department of Interior (DOI) when FRA makes a Section 4(f) finding or when a project would use property managed by DOI. As appropriate, FRA must also coordinate with the United States Department of Agriculture (USDA) and the United

[1] 49 USC 303(a)
[2] 49 USC 303 (c,d)
[3] FRA formally joined 23 CFR part 774 through a rulemaking completed in October 2019. 83 FR 54480 (October 29, 2019).

States Department of Housing and Urban Development (HUD), as well as relevant state and local officials.

1.2. Project Purpose and Need

The Long Bridge Corridor is a two-track railroad system extending approximately 1.8 miles between Arlington, Virginia, and Washington, DC (the District) that includes Long Bridge, a bridge crossing the Potomac River. Constructed in 1904, Long Bridge is located in the Washington Monumental Core, the symbolic and Federal center of the District. The existing Long Bridge is owned and operated by CSX Transportation (CSXT), a Class I freight railroad, which also operates the Long Bridge Corridor. In addition to CSXT freight trains, Amtrak and Virginia Railway Express (VRE) also currently use the bridge. The Long Bridge Corridor includes Federal parkland managed by the National Park Service (NPS); historic and cultural properties; the Potomac River; residential buildings, offices, and hotels; and transportation facilities (VRE L'Enfant Station, Long Bridge, Washington Metropolitan Area Transit Authority [WMATA] Metrorail right-of-way and bridge, five other railroad bridges, four roadway bridges, and numerous pedestrian and bicycle trails).

The purpose of the Project is to provide additional long-term railroad capacity and to improve the reliability of railroad service through the Long Bridge Corridor.[4] Currently, there is insufficient capacity, resiliency, and redundancy to accommodate the projected demand in future railroad services. The Project is needed to address these issues and to ensure the Long Bridge Corridor continues to serve as a critical link connecting the local, regional, and national transportation network. **Chapter 2, Purpose and Need** in the **Long Bridge Project Draft Environmental Impact Statement (DEIS)**, describes the Purpose and Need in more detail. The DEIS is available online at http://longbridgeproject.com/deis/**.**

1.3. Alternatives

If the Project will use a Section 4(f) resource, and FRA does not find the impact is *de minimis*, FRA must complete an analysis to determine whether a feasible and prudent[5] avoidance alternative exists (see **Section 4.0, Avoidance Alternatives Analysis**).

Chapter 3, Alternatives, and **Appendix B1** of the **DEIS, Alternatives Development Report**, describe the process through which FRA and the District Department of Transportation (DDOT) identified and evaluated the Action Alternatives and No Action Alternative for the Project. FRA and DDOT identified a broad and reasonable range of concepts, in addition to a No Action Alternative, to address the Project's Purpose and Need. The Lead Agencies examined the results of pre-NEPA Phase I and II Studies; considered input from the agency and public outreach process; and coordinated with railroad stakeholders CSXT, Amtrak, and VRE. FRA and DDOT developed 18 preliminary action concepts and the No Action Alternative for consideration. During the alternatives analysis process, FRA and DDOT

[4] Railroad reliability is the continuity of correct service. Reliability can be divided into two related concepts, regularity and punctuality. Regularity is the variation in headways, while punctuality relates to the deviation from the scheduled arrival and departure times. Service reliability is a key factor affecting the traveling public's choice of transportation mode and in efficient, cost-effective transportation of freight.

[5] An alternative is not feasible if it cannot be constructed as a matter of sound engineering. An alternative is not prudent if it compromises the project to a degree that is unreasonable to proceed; it results in acceptable safety or operational problems; it still causes severe social, economic, or environmental impacts after reasonable mitigation; it results in additional construction, maintenance, or operational costs of an extraordinary magnitude; or it causes other unique problems or unusual factors.

considered opportunities to avoid or minimize impacts to resources, including properties protected under Section 4(f).

After two levels of screening, FRA and DDOT determined two Action Alternatives met the Purpose and Need and were feasible and carried these alternatives forward in the DEIS analysis. The Action Alternatives vary in whether they retain or replace the existing Long Bridge over the Potomac River and the railroad bridge over the George Washington Memorial Parkway (GWMP). Both Action Alternatives expand the north-south Long Bridge railroad Corridor from two to four tracks and include necessary infrastructure improvements between RO Interlocking in Arlington, Virginia, and LE Interlocking in the District. **FRA and DDOT selected Action Alternative A as the Preferred Alternative**. This alternative keeps the existing two-track Long Bridge crossing the Potomac River and builds a new two-track bridge immediately upstream from the existing bridge. It also constructs a new two-track bridge over the GWMP west of the existing bridge. Action Alternative B builds a new two-track bridge immediately upstream from the existing bridge, constructs a new bridge over the GWMP, and replaces the existing bridges over the Potomac River and the GWMP with new two-track bridges.

2.0 Section 4(f) Protected Properties

Figure 2-1 shows the Section 4(f)–protected parks in the Local Study Area. **Table 16-1** in **Chapter 16** of the **DEIS, Parks and Recreation Areas**, lists the public parks, public recreation areas, and wildlife refuges in the Local Study Area.

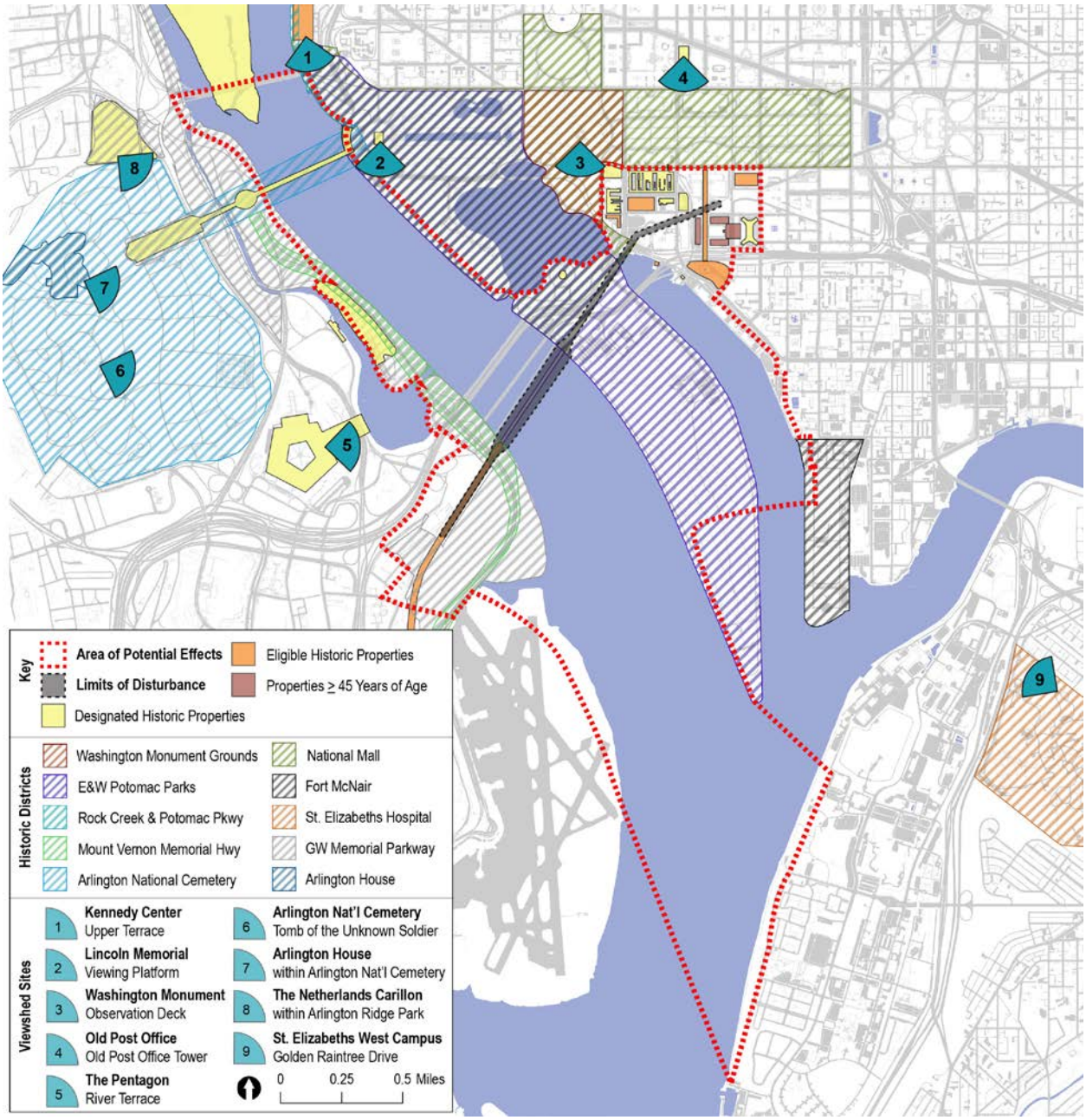
Figure 2-2 displays the Area of Potential Effects for historic sites under Section 106 of the National Historic Preservation Act, which is the same area as the Local Study Area for Section 4(f)–protected historic sites. **Table 15-1** in **Chapter 15** of the **DEIS, Cultural Resources**, provides a listing of the Section 4(f)–protected historic sites that are listed on, or determined eligible for listing in, the NRHP. **Appendix E1** of the **DEIS, Area of Potential Effects and Historic Properties Technical Report**, provides more detailed information on the location and significance of the historic sites in the Local Study Area.

FRA identified archaeologically sensitive areas through a Phase IA Archaeological Assessment conducted for the Project (see **Appendix E4** of the **DEIS, Phase IA Archaeological Assessment Technical Report**). FRA has not evaluated these sites for NRHP eligibility or their value for preservation in place.[6] Therefore, no Section 4(f)-protected archaeological properties have been identified to date. Any archaeological resources discovered prior to or during construction would undergo Section 4(f) evaluation to determine their eligibility as protected properties under Section 4(f) and, if necessary, to evaluate any feasible and prudent avoidance alternatives.

[6] When FRA, in consultation with the District of Columbia State Historic Preservation Office (DC SHPO) and Virginia Department of Historic Resources (VDHR), determines that the archaeological resource is important chiefly because of what can be learned by data recovery and has minimal value to preservation in place.

Figure 2-1 | Section 4(f) Park Properties and Index Map

Figure 2-2 | Historic Sites



3.0 Use of Section 4(f) Properties

This section identifies uses of Section 4(f) properties for each Action Alternative, based on the analyses presented in **Chapters 5 through 21** of the **DEIS**. A "use" would occur when:

- A transportation facility permanently incorporates land;
- There is a temporary occupancy of land that is adverse in terms of the statute's preservationist purposes; [7] or
- The transportation project does not incorporate land from a Section 4(f) property, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify the property for protection are substantially impaired or diminished. This is referred to as a constructive use.

FRA may also determine an impact is *de minimis*. In such cases, FRA may satisfy the requirements of Section 4(f) where:[8]

- For historic sites, FRA determines as part of the Section 106 process that the transportation project would have no adverse effect on the historic site, or there would be no historic sites affected by the transportation project. The SHPO and ACHP (if participating in the consultation process) must concur with this finding in writing. In addition, FRA must consider the views of any consulting parties participating in Section 106 consultation.
- For parks, recreation areas, and wildlife and waterfowl refuges, FRA determines that the transportation use of the Section 4(f) resource, together with any avoidance, minimization, and mitigation or enhancement measures, does not adversely affect the activities, features, or attributes that qualify the resource for protection. FRA must give the public an opportunity to review and comment, and the OWJ over the property concurs with FRA's determination.

Table 3-1 provides a summary of the results of the Section 4(f) evaluation for the properties analyzed in detail. In addition, **Table 3-2** lists Section 4(f)-protected historic sites with no Section 4(f) use and for which a detailed analysis was not conducted. These sites are outside the limits of disturbance for either Action Alternative and would have no adverse effect as determined through the Section 106 consultation process (see **Appendix E3** of the **DEIS, Section 106 Assessment of Effects Report**). Therefore, these historic sites would have no use under Section 4(f) and it was not necessary to address them elsewhere in the Section 4(f) evaluation.

[7] Certain temporary occupancies are exempt from Section 4(f) when FRA determines the following conditions are met: (1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land; (2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal; (3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis; (4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and (5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

[8] 49 USC 303(d)

The impacts summarized in **Table 3-1** would still remain after all possible planning to minimize harm (that is all possible measures have been undertaken to minimize or mitigate for adverse impacts). The sections below describe these findings by resource and alternative.

Table 3-1 | Summary of Results of the Section 4(f) Evaluation

Section 4(f) Property	Official with Jurisdiction	Resource Type	Action Alternative A	Action Alternative B
Long Bridge Park	Arlington County	Parkland	*de minimis* impact	*de minimis* impact
GWMP	NPS	Parkland	Use	Use
GWMP Historic District	NPS, VDHR	Historic Site	Use	Use
Mount Vernon Memorial Highway (MVMH) Historic District	NPS, VDHR	Historic Site	Use	Use
Mount Vernon Trail (MVT)	NPS	Parkland	No use	No use
East Potomac Park	NPS	Parkland	Use	Use
West Potomac Park	NPS	Parkland	Use	Use
East and West Potomac Parks Historic District	NPS, DC SHPO	Historic Site	Use	Use
Hancock Park (Reservation 113)	NPS	Parkland	No use	No use
Plan of the City of Washington	NPS, DC SHPO	Historic Site	No use	No use

Table 3-2 | Section 4(f)-Protected Historic Sites with No Section 4(f) Use or Detailed Evaluation

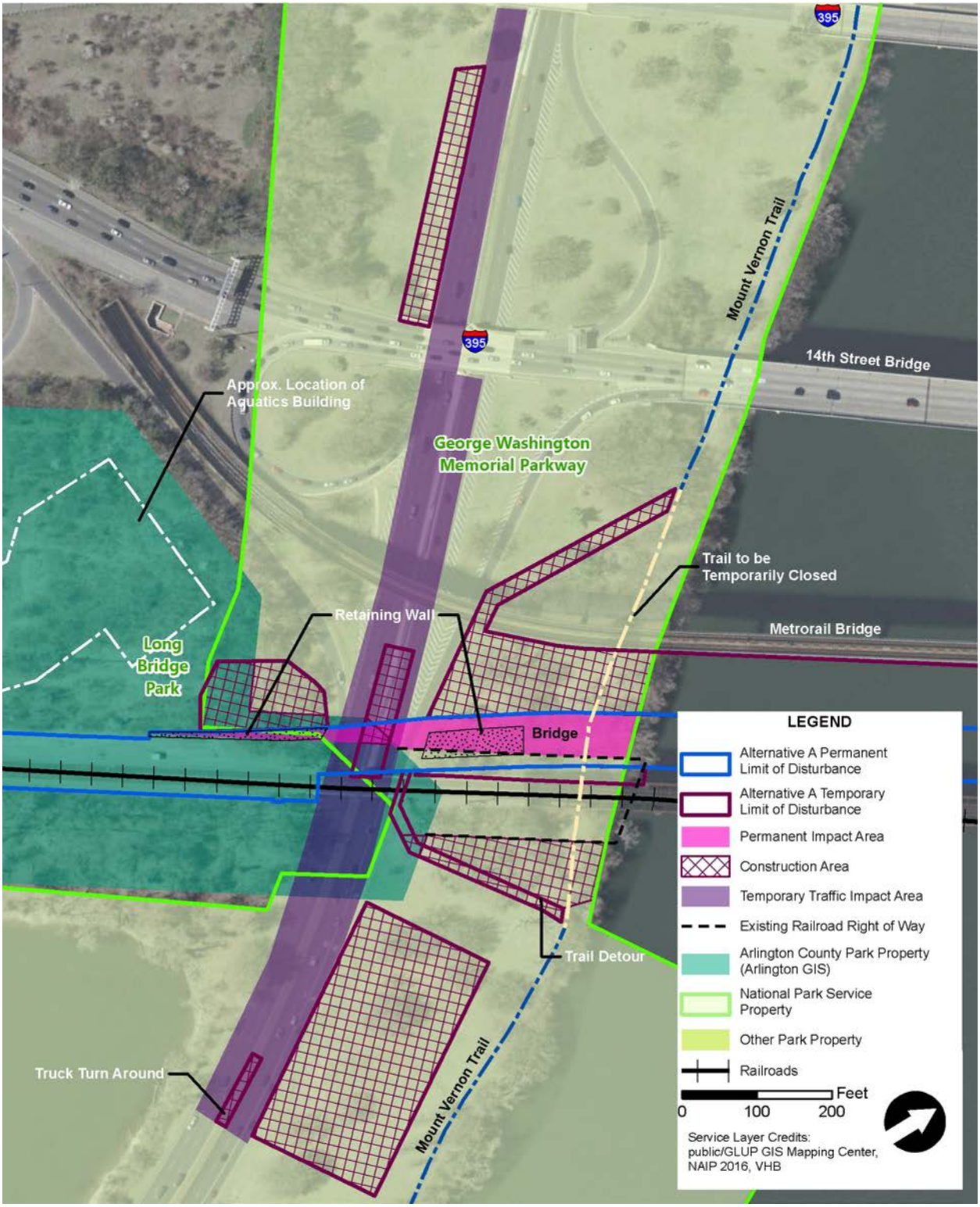
Section 4(f) Property	Section 4(f) Property
National Mall Historic District	Lyndon B. Johnson Memorial Grove
Rock Creek and Potomac Parkway Historic District	Lincoln Memorial
Fort Leslie J. McNair (The Old Arsenal) Historic District	Arlington Ridge Park
Washington Monument and Grounds Historic District	Old Post Office
Arlington House, The Robert E. Lee Memorial Historic District	The Pentagon
Arlington National Cemetery Historic District	Bureau of Engraving and Printing Annex
St. Elizabeth's Hospital Historic District	Federal Office Building 10A (Orville Wright Building)
Thomas Jefferson Memorial	Benjamin Banneker Park/Overlook; Tenth Street Overlook
Central Heating Plant	Richmond, Fredericksburg and Potomac Railroad HD
USDA Cotton Annex	Washington Marina Building
HUD Building (Robert C. Weaver Federal Building)	L'Enfant Promenade
USDA South Building	Lady Bird Johnson Park
Bureau of Engraving and Printing	John F. Kennedy Center for the Performing Arts
Auditor's Building Complex	Liberty Loan Federal Building
Arlington Memorial Bridge (and related features)	Astral Building
Titanic Memorial	Comsat Building
Lunch Room Building and Oyster Shucking Shed	Loew's L'Enfant Plaza Hotel
Cuban Friendship Urn	USPS Building
Theodore Roosevelt Island National Memorial (Analostan Island)	

3.1. Long Bridge Park

Long Bridge Park is a Section 4(f) recreational resource owned and administered by Arlington County. The park provides a variety of recreational uses including sports fields, walkways, playgrounds, and scenic viewing. Arlington County is currently building the next phase of the park, which includes an aquatic center and trail loop just north of the existing facilities.

Arlington County and NPS parcel data conflict where Long Bridge Park and the GWMP meet (**Figure 3-1**). Therefore, the analyses below present ranges for park property affected by the Action Alternatives. A title search and survey during later design phases would determine specific property lines.

Figure 3-1 | Action Alternative A Impacts: Long Bridge Park, GWMP, and MVT



3.1.1. Action Alternative A (Preferred Alternative)

The expanded railroad right-of-way and construction access required for Action Alternative A would permanently incorporate either approximately 0.04 or 0.14 acres and temporarily occupy either approximately 0.01 acres or 0.3 acres of Long Bridge Park. The project would not adversely affect the activities, features or attributes of the park. Therefore, FRA has determined the use of Long Bridge Park would be *de minimis*. In addition, construction activities within the park would meet the requirements for a temporary occupancy exception, and therefore there is no temporary use. Arlington County, the Official with Jurisdiction over Long Bridge Park, concurred with FRA's determination on July 23, 2020.

3.1.1.1. Permanent Incorporation Analysis

At the northeast corner of the park, Action Alternative A would permanently expand the railroad right-of-way along the western side of the existing railroad and would encroach into a small, wooded portion of Long Bridge Park (**Figure 3-1**). Available GIS parcel data from Arlington County depicts Arlington County ownership of Long Bridge Park as extending across the existing GWMP roadway just north of the wooded area described above. Based on Arlington County data, the permanent incorporation of Long Bridge Park property discussed above would result from the new bridge over the GWMP roadway. This property information conflicts with GIS parcel data from NPS. As a result, the permanent incorporation of Arlington County property would amount to either approximately 0.04 or 0.14 acres.

Recreational use of this area is currently limited due to its vegetated character. According to Arlington County's Long Bridge Park Master Plan, in the future this area will include a meadow, a loop trail, and wooded vegetation. The loop trail may need to be reconfigured where it would run alongside the current railroad right-of-way. Because this small portion of the park is naturally vegetated with little recreational value and because Action Alternative A would not preclude future use of the loop trail, use of this small portion of the park would not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f); therefore, FRA has determined the use of Long Bridge Park would be *de minimis*. Arlington County, the Official with Jurisdiction over Long Bridge Park, concurred with FRA's determination on July 23, 2020.

3.1.1.2. Temporary Occupancy Analysis

Action Alternative A would temporarily occupy up to approximately 0.3 additional acres at the northeast corner of Long Bridge Park throughout the construction duration of 4 years and 2 months (**Figure 3-1**). Contractors would use this area for staging and access during construction of the new bridge crossing the GWMP. This area currently consists of scrub-shrub vegetation and Arlington County does not use it for recreation. Use as a staging area would require the clearing of vegetation and possibly hauling in dirt to create a level yard. The Long Bridge Park Master Plan calls for a newly created meadow on sloping land in this area as well as a future extension of the esplanade with landscaped plantings as part of the Long Bridge Aquatics and Fitness Center and Park Expansion (currently under construction and scheduled for completion in 2021). The staging area may encroach into this future recreational resource.

The temporary occupancy associated with construction would be for a short duration (less than the time needed for construction of the project), would not result in a change in ownership of the property, and would not result in adverse changes to the activities, features, or attributes of the property. Finally, the land would be fully restored to an equivalent or better condition following completion of the

construction activities. FRA has determined that this activity falls under the temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use of Long Bridge Park. Arlington County, the Official with Jurisdiction over Long Bridge Park, concurred with FRA's determination on July 23, 2020.

3.1.1.3. Constructive Use Analysis

FRA finds there is no constructive use of Long Bridge Park. Impacts to air quality, vibration, and visual resources are described in **Chapter 10, Air Quality and Greenhouse Gas Emissions; Chapter 13, Noise and Vibration;** and **Chapter 14, Visuals and Aesthetics** of the **DEIS**. Action Alternative A would not cause impacts to those resources that would substantially diminish the protected activities, features, or attributes of Long Bridge Park. Therefore, these impacts would not cause a constructive use of the property.

As described in **Chapter 13, Noise and Vibration** and **Chapter 16, Recreation and Parks** of the **DEIS**, Action Alternative A would cause noise impacts to Long Bridge Park. However, these noise impacts would not cause a constructive use. Long Bridge Park's design integrates the existing railroad Corridor, and the esplanade allows visitors to view the trains. Serenity and quiet are not significant attributes of this section of the park, nor is this section intended for viewing wildlife or other activities that increased noise would disrupt. Therefore, increases in noise would not substantially interfere with the use and enjoyment of the park.

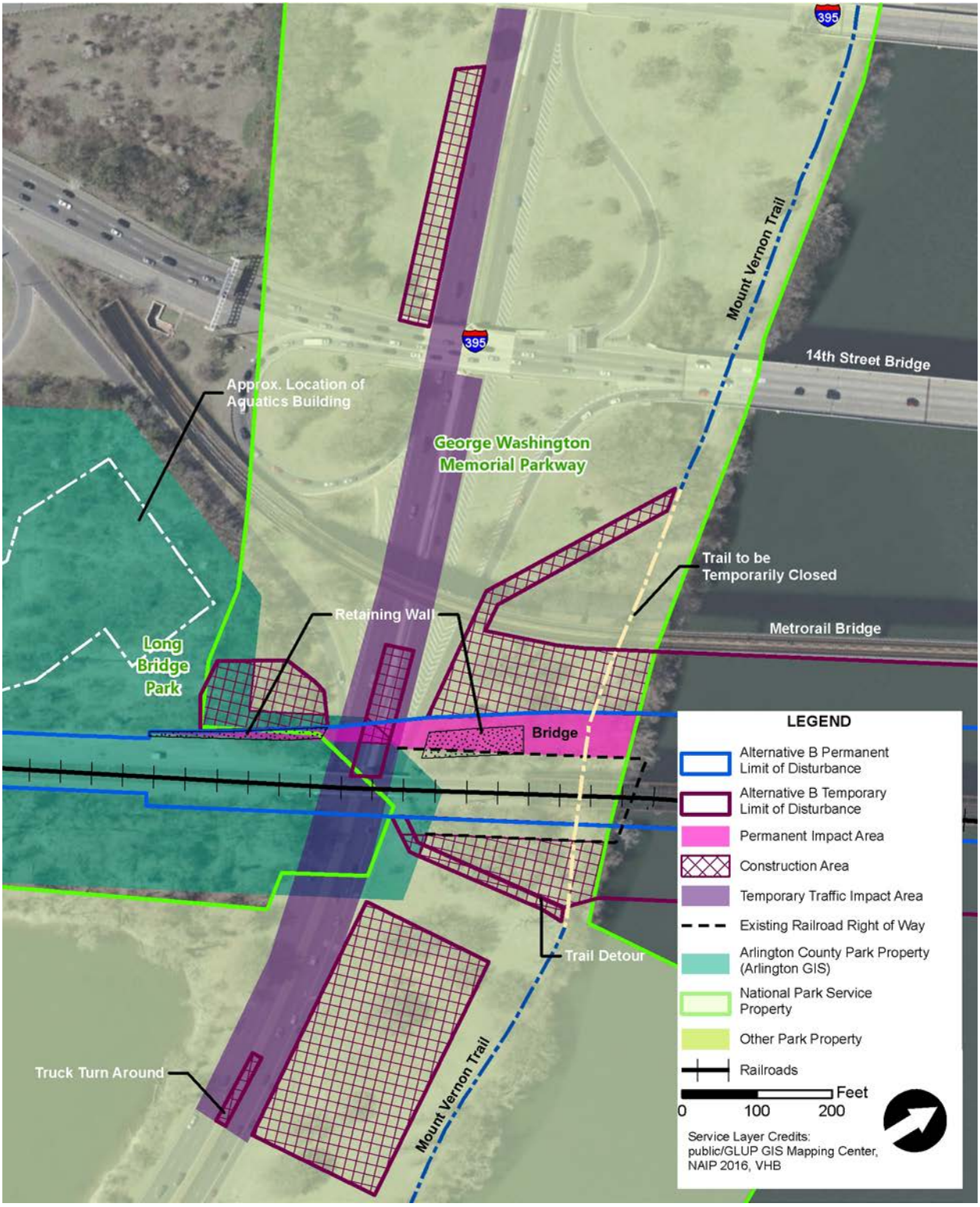
3.1.2. Action Alternative B

Action Alternative B would permanently incorporate either approximately 0.04 or 0.14 acres and temporarily occupy either approximately 0.01 or 0.3 acres of this park similar to Action Alternative A. The sections below describe where differences in uses would occur. The project would not adversely affect the activities, features or attributes of the park. Therefore, FRA has determined the use of Long Bridge Park would be *de minimis*. In addition, construction activities within the park would meet the requirements for a temporary occupancy exception, and therefore there is no temporary use. Arlington County, the Official with Jurisdiction over Long Bridge Park, concurred with FRA's determination on July 23, 2020.

3.1.2.1. Permanent Incorporation Analysis

Action Alternative B would permanently incorporate the same amount of Long Bridge Park in the same manner as Action Alternative A (**Figure 3-2**). FRA has determined the use of Long Bridge Park would be *de minimis* since the impact would not adversely affect the features, attributes, or activities qualifying the park for protection under Section 4(f). Arlington County, the Official with Jurisdiction over Long Bridge Park, concurred with FRA's determination on July 23, 2020.

Figure 3-2 | Action Alternative B Impacts: Long Bridge Park, GWMP, and MVT



3.1.2.2. Temporary Occupancy Analysis

Temporary occupancy of Long Bridge Park would be the same as under Action Alternative A but would last a longer duration of approximately 6 years and 8 months. As with Action Alternative A the temporary occupancy associated with construction would be for a short duration (less than the time needed for construction of the project), would not result in a change in ownership of the property, and would not result in adverse changes to the activities, features, or attributes of the property. Finally, the land would be fully restored to an equivalent or better condition following completion of the construction activities. FRA has determined that this activity falls under the temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use of Long Bridge Park. Arlington County, the Official with Jurisdiction over Long Bridge Park, concurred with FRA's determination on July 23, 2020.

3.1.2.3. Constructive Use Analysis

As with Action Alternative A, there would be no constructive use of Long Bridge Park due to Action Alternative B.

3.2. George Washington Memorial Parkway, George Washington Memorial Parkway Historic District, and Mount Vernon Memorial Highway Historic District

The GWMP is both an historic site and a recreational resource. Congress established the GWMP, one of the nation's premiere parkways, in the 1930s to commemorate the first President of the United States, provide scenic drives and connectivity to historic sites along the Potomac River, and create an aesthetic entryway into the District. The 25-mile parkway, owned by the United States and administered by NPS, runs along the Virginia shoreline of the Potomac River from the Mount Vernon Estate to Great Falls, Virginia. The GWMP also includes the MVMH, which is the original 15.2-mile segment of the scenic parkway commemorating the birth of George Washington. **Chapter 15, Cultural Resources**, and **Chapter 16, Recreation and Parks** of the **DEIS** provide details about the GWMP's historic and recreational attributes.

As noted in **Section 3.1.1, Long Bridge Park**, Arlington County and NPS parcel data conflict where Long Bridge Park and the GWMP meet (**Figure 3-1**). Therefore, the analyses below present ranges for the amount of park property affected by the Action Alternatives. A title search and survey during later design phases would be required to determine specific property lines.

3.2.1. Action Alternative A (Preferred Alternative)

Action Alternative A would result in the permanent use of either approximately 0.4 acres or 0.5 acres and a temporary use of either approximately 3.4 acres or 3.8 acres of the GWMP including a perpendicular crossing of the GWMP with a new bridge structure along the western side of the existing Long Bridge.

3.2.1.1. Permanent Incorporation Analysis

Action Alternative A would permanently incorporate either approximately 0.4 acres or 0.5 acres of the GWMP for the new tracks depending on the outcome of additional property research. Action Alternative A would use up to approximately 0.1 acres (approximately 4,718 square feet) of the park to place the two new railroad tracks on fill with a retaining wall parallel with the tracks between the GWMP roadway and the MVT (**Figure 3-1**). The bridges across the GWMP and near the Potomac River shoreline would incorporate approximately 0.3 acres of park property. Park visitors would continue to have access under the bridges when using the roadway or the MVT.

As described in **Appendix E3** of the **DEIS, Section 106 Assessment of Effects Report**, Action Alternative A would have adverse effects to the GWMP and MVMH Historic Districts. The removal of contributing vegetation, especially mature trees that date to the 1932 planting plan and were intended to screen the railroad bridge from motorists, would diminish the integrity of design, materials (specifically, the contributing vegetation), and feeling of the GWMP and MVMH. Because Action Alternative A would result in a Section 106 determination of adverse effect to the GWMP and MVMH as historic sites, the Section 4(f) use does not qualify as *de minimis*.

3.2.1.2. Temporary Occupancy Analysis

Action Alternative A would occupy multiple sites on GWMP property for construction access and staging, totaling either approximately 3.4 acres or 3.8 acres (**Figure 3-1**). These sites include a field located between the northbound and southbound lanes of I-395; areas immediately southwest, northwest, and northeast of existing GWMP bridge; and an area slightly further east from the north abutment between the GWP and the Potomac River. The sites are necessary for equipment storage, laydown areas for materials, and space for workers to fabricate materials and erect the new bridge structure. At each location, construction would require clearing shrubs and trees and fencing areas with signage. Loss of these trees would diminish the integrity of design, materials (specifically, the contributing vegetation), and feeling of the GWMP Historic District. Construction activities would also occupy two small areas in the roadway median to construct a new bridge support and provide a truck turn-around area to the east of the existing bridge.

During construction, Action Alternative A would require the temporary closure of approximately 600 linear feet of the MVT found on the GWMP property, which is discussed as a separate Section 4(f) recreational resource.

Action Alternative A would need approximately 2,000 linear feet of the GWMP for construction vehicle access and the delivery of supplies (**Figure 3-1**). The GWMP has two eastbound and two westbound lanes. During construction of the bridge over the GWMP, traffic control measures would be used to maintain a safe work zone. Temporary lane shifts would be implemented to construct the abutments, pier, and superstructure. Additional construction activities would require intermittent lane closures during nighttime hours for the delivery of large materials. These activities would last over a period of approximately 2 years. A permit from GWMP would be required for construction vehicles to access this area.

As described in **Appendix E3** of the **DEIS, Section 106 Assessment of Effects Report**, Action Alternative A would have a temporary adverse effect to the GWMP and MVMH Historic Districts due to the location of

construction staging and access areas which would diminish the integrity of feeling, association, and setting of the GWMP and MVMH. The construction staging would not qualify as a temporary occupancy exception to Section 4(f). In addition, because Action Alternative A would result in a Section 106 determination of adverse effect to the GWMP and MVMH as historic sites, the Section 4(f) use does not qualify as *de minimis*.

3.2.1.3. Constructive Use Analysis

FRA finds there is no constructive use of the GWMP and MVMH. Impacts to air quality, vibration, and visual resources are described in **Chapter 10, Air Quality and Greenhouse Gas Emissions**; **Chapter 13, Noise and Vibration**; and **Chapter 14, Visuals and Aesthetics** of the **DEIS.** Action Alternative A would not cause air quality, vibration, noise, or visual impacts that would substantially diminish the protected activities, features, or attributes of the GWMP. As described in **Chapter 16, Recreation and Parks**, although noise levels would increase along the GWMP and MVMH near the proposed bridge, serenity and quiet are not significant attributes of this section of the resource; therefore, increases in noise would not substantially interfere with the use and enjoyment of the resource. There would be no impacts related to vibration. Additionally, although there would be visual changes to the GWMP and MVMH due to the removal of mature trees, particularly when travelling south under the complex of bridges, Action Alternative A would not substantially impair the overall aesthetic features of the GWMP and MVMH from which it derives its value. This is because the affected views are already dominated by transportation infrastructure which limits the visual impact of the new bridge(s). Therefore, these impacts would not cause a constructive use of the property.

3.2.2. Action Alternative B

Action Alternative B would permanently incorporate either approximately 0.4 acres or 0.5 acres and temporarily occupy either approximately 3.7 acres or 4.1 acres of the GWMP and MVMH. Action Alternative B includes the construction of a new bridge across the GWMP as described under Action Alternative A, as well as the replacement of the existing Long Bridge and railroad bridge across the roadway. NPS considers the railroad bridge across the GWMP roadway a contributing resource to the GWMP and MVMH Historic Districts. In addition, Action Alternative B would not cause constructive use of the GWMP and MVMH.

3.2.2.1. Permanent Incorporation Analysis

Action Alternative B would cause the same permanent incorporation of the GWMP and MVMH as Action Alternative A. Although Action Alternative B would replace the existing railroad crossing at the GWMP, the footprint of the replacement crossing would fall within the existing railroad right-of-way. Therefore, the replacement of the existing bridge would not require a transfer of land causing a permanent loss of park property (**Figure 3-2**).

As described in **Appendix E3** of the **DEIS, Section 106 Assessment of Effects Report**, Action Alternative B would have adverse effects to the GWMP and MVMH Historic Districts. The removal of contributing vegetation, especially mature trees that date to the 1932 planting plan and were intended to screen the railroad bridge from motorists, would diminish the integrity of design, materials (specifically, the contributing vegetation), and feeling of the GWMP and MVMH. Because Action Alternative B would

result in a Section 106 determination of adverse effect to the GWMP and MVMH as historic sites, the Section 4(f) use does not qualify as *de minimis*.

3.2.2.2. Temporary Occupation Analysis

Action Alternative B would occupy either approximately 3.7 acres or 4.1 acres of the GWMP and MVMH for staging and laydown areas. Action Alternative B would also occupy 2,000 linear feet of the GWMP and MVMH roadway as described above for Action Alternative A (**Figure 3-2**). Action Alternative B includes removal and replacement of the existing bridge across the GWMP, thus requiring the occupation of additional property within the GWMP and MVMH for a construction area immediately southeast of the existing tracks at the MVT.

As described in **Appendix E3** of the **DEIS, Section 106 Assessment of Effects Report**, Action Alternative B would have a temporary adverse effect to the GWMP and MVMH Historic Districts due to the location of construction staging and access areas which would diminish the integrity of feeling, association, and setting of the GWMP and MVMH. The construction staging would not qualify as a temporary occupancy exception to Section 4(f). Because Action Alternative B would result in a Section 106 determination of adverse effect to the GWMP and MVMH as historic sites, the construction staging constitutes a Section 4(f) use and is not *de minimis*.

3.2.2.3. Constructive Use Analysis

The proximity impacts resulting from Alternative B are the same as described above for Action Alternative A. Therefore, there would be no constructive use of the GWMP and MVMH due to Action Alternative B.

3.3. Mount Vernon Trail

NPS administers the MVT, which is owned by the United States. This 18-mile paved trail for pedestrians and bicyclists stretches from George Washington's Mount Vernon Estate to Theodore Roosevelt Island. The MVT is a recreational resource within the property limits of the GWMP. While the MVT is a major recreation feature within the park, it is not currently a contributing resource to the GWMP or MVMH Historic Districts and therefore is not eligible for protection as a Section 106 historic site.

3.3.1. Action Alternative A (Preferred Alternative)

Action Alternative A would temporarily occupy approximately 600 linear feet of the MVT for the construction of a new bridge over the trail. It would not permanently incorporate the resource or result in a constructive use. FRA has determined that the occupancy associated with construction meets the criteria for a temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use. In a letter dated April 30, 2020, DOI concurred with FRA's determination. As NPS, the Official with Jurisdiction for the MVT, is an agency within DOI, this letter serves as concurrence from NPS.

3.3.1.1. Permanent Incorporation Analysis

Action Alternative A would not cause permanent use of the MVT. While trail users would cross under an additional bridge, the recreational use would continue on the existing trail and no property would be permanently incorporated into the Project.

3.3.1.2. Temporary Occupancy Analysis

During construction, Action Alternative A would close approximately 600 linear feet of the MVT for approximately 2 years (**Figure 3-1**). The trail closure would enable construction of bridge abutments, retaining walls, and the bridge superstructure. The detour would begin at a point east of the existing Long Bridge underpass and travel west towards the GWMP. The trail could continue alongside the GWMP and travel underneath the railroad bridge and the Metrorail Yellow Line before reconnecting to the existing trail between the Metrorail Yellow Line and the 14th Street Bridge. Where the detoured trail would travel adjacent to the GWMP, temporary barriers between the trail and the roadway would protect trail users. During construction, the movement of vehicles and materials would sometimes require temporary, short-duration full closures of the trail to safeguard users. The short-term closures could last from several minutes to several hours depending on the construction activities.

The occupancy associated with construction would be for a short duration (less than the time needed for construction of the project), would not result in a change in ownership of the property, and would not preclude the public's use of the trail for recreational activities. Finally, DRPT would restore the trail to its current route, in an equivalent or better condition, following completion of the construction activities. Therefore, FRA has determined that the occupancy associated with construction meets the requirements for a temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use. In a letter dated April 30, 2020, DOI concurred with FRA's determination. As NPS, the Official with Jurisdiction for the MVT, is an agency within DOI, this letter serves as concurrence from NPS.

3.3.1.3. Constructive Use Analysis

FRA finds there is no constructive use of the MVT. Impacts to air quality, vibration, and visual resources are described in **Chapter 10, Air Quality and Greenhouse Gas Emissions**; **Chapter 13, Noise and Vibration**; and **Chapter 14, Visuals and Aesthetics** of the **DEIS**, Action Alternative A would not cause air quality, vibration, noise, or visual impacts that would substantially diminish the protected activities, features, or attributes of the MVT. Although noise levels would increase along the MVT near the proposed bridge, serenity and quiet are not significant attributes of this section of the resource; therefore, increases in noise would not substantially interfere with the use and enjoyment of the resource. There would be no impacts related to vibration. Additionally, although there would be visual changes to the MVT due to the removal of mature trees, particularly when travelling south under the complex of bridges, Action Alternative A would not impair the overall aesthetic features of the MVT from which it derives its value. Therefore, these impacts would not cause a constructive use of the property.

3.3.2. Action Alternative B

Action Alternative B would temporarily occupy the same 600 linear feet of this recreational resource as described for Action Alternative A. However, the occupancy would last a longer duration of 5 years and 2 months. Action Alternative B would not cause any constructive use. FRA has also determined that the occupancy associated with construction meets the criteria for a temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use. In a letter dated April 30, 2020, DOI concurred with FRA's determination. As NPS, the Official with Jurisdiction for the MVT, is an agency within DOI, this letter serves as concurrence from NPS.

3.3.2.1. Permanent Incorporation

There would be no permanent incorporation of the MVT required under Action Alternative B. As with Action Alternative A, while trail users would cross under an additional bridge, the recreational use would continue on the existing trail and no property would be permanently incorporated into the Project.

3.3.2.2. Temporary Occupancy

Temporary occupancy of the MVT would be the same as described under Action Alternative A but would last a longer duration of 5 years and 2 months. However, construction activities, would not preclude the public's use of the trail for recreational activities and once construction is complete, the Virginia Department of Rail and Public Transportation (DRPT), the Project Sponsor for final design and construction, would restore the trail to its current route. The temporary occupancy associated with construction would be for a short duration (less than the time needed for construction of the project), would not result in a change in ownership of the property, and would not preclude the public's use of the trail for recreational activities. Finally, DRPT would restore the trail to its current route, in an equivalent or better condition, following completion of the construction activities. Therefore, FRA has determined that the occupancy associated with construction meets the requirements for the temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use. In a letter dated April 30, 2020, DOI concurred with FRA's determination. As NPS, the Official with Jurisdiction for the MVT, is an agency within DOI, this letter serves as concurrence from NPS.

3.3.2.3. Constructive Use Analysis

The proximity impacts resulting from Action Alternative B would be same as described above for Action Alternative A. Therefore, there would be no constructive use of the MVT due to Action Alternative B.

3.4. East and West Potomac Parks and East and West Potomac Parks Historic District

East Potomac Park and West Potomac Park are located on a manmade island in the Potomac River in the District. They are recreational resources and are part of the National Mall and Memorial Parks (NAMA) network (**Figure 2-1**). The park complex offers a wide range of amenities including a public golf course, memorials, a public swimming pool, picnic areas, parking areas, and extensive roads and paths for cyclists, walkers, and runners. The Thomas Jefferson Memorial and George Mason Memorial are in West Potomac Park on the southern edge of the Tidal Basin.

East and West Potomac Parks Historic District encompasses 730 acres of parkland along the Potomac River, developed over approximately 100 years. Most of the land currently making up the parks was once part of the Potomac River. The historic district's significance derives from its size and many visitor attractions making it unique as an urban park, its use for special events including the National Cherry Blossom Festival, the fact that it provides the setting for various monuments and memorials and provides a backdrop for many other Federal buildings and monuments, and the involvement of many architects, artists, and landscape architects in its design and evolution over 100 years of development. Long Bridge, built in 1904, is a contributing element to the East and West Potomac Parks Historic District.

3.4.1. Action Alternative A (Preferred Alternative)

Action Alternative A would permanently incorporate approximately 1.9 acres and temporarily occupy approximately 3.4 acres of East and West Potomac Parks for construction of the new upstream bridge and railroad right-of-way. Specifically, Action Alternative A would have permanent impacts of 0.5 acres to East Potomac Park and 1.4 acres to West Potomac Park, and would have temporary impacts of 2.1 acres to East Potomac Park and 1.3 acres to West Potomac Park. Action Alternative A would not cause constructive use of East or West Potomac Park.

3.4.1.1. Permanent Incorporation Analysis

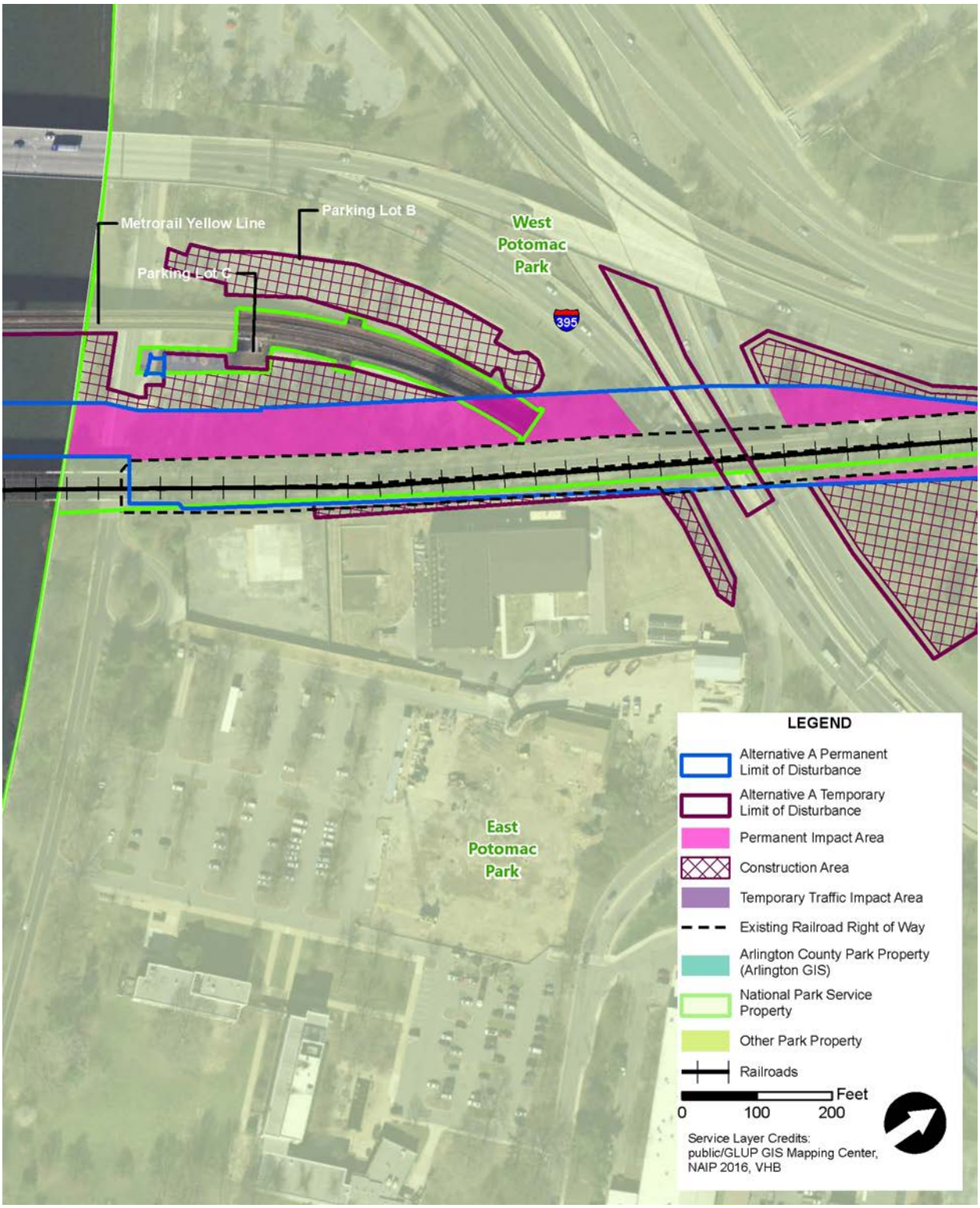
Permanent incorporation of East and West Potomac Parks includes approximately 0.5 acres in East Potomac Park and 1.4 acres in West Potomac Park for the new retaining walls, abutments, and bridges through the park (**Figures 3-3 and 3-4**). The new bridge would require removal of up to four Japanese cherry blossom plantings in West Potomac Park considered to be contributing resources to the Historic District, as well as other mature vegetation within the parks. Loss of these features would diminish the integrity of design, the materials (specifically the Japanese cherry blossom plantings themselves), and the feeling of the parks. The railroad Corridor widening would also cause removal of an existing linear strip of mature trees next to the existing Long Bridge Corridor in East Potomac Park between the existing tracks and the I-395 South off-ramp to Ohio Drive SW.

NPS has three surface parking areas in West Potomac Park located in succession along Ohio Drive SW—NPS Parking Lots A, B, and C—which together offer a total of 247 spaces. Action Alternative A would cause the permanent loss of approximately 50 of the existing 67 parking spaces at NPS Parking Lot C to accommodate the addition of two railroad tracks. The public makes heavy use of these surface parking areas in early spring when the Japanese cherry blossom plantings are in bloom around the Tidal Basin. The loss of parking spaces would impact park access by requiring some visitors to park at more distant lots or choose alternate modes of transportation. However, the majority of visitors to the parks use multiple other transportation modes, including Metrorail, bus, walking, bicycling, and water taxi.[9] In addition, during the National Cherry Blossom Festival, NPS runs the National Cherry Blossom Festival Shuttle between the Jefferson Memorial and more remote parking locations within East Potomac Park.[10]

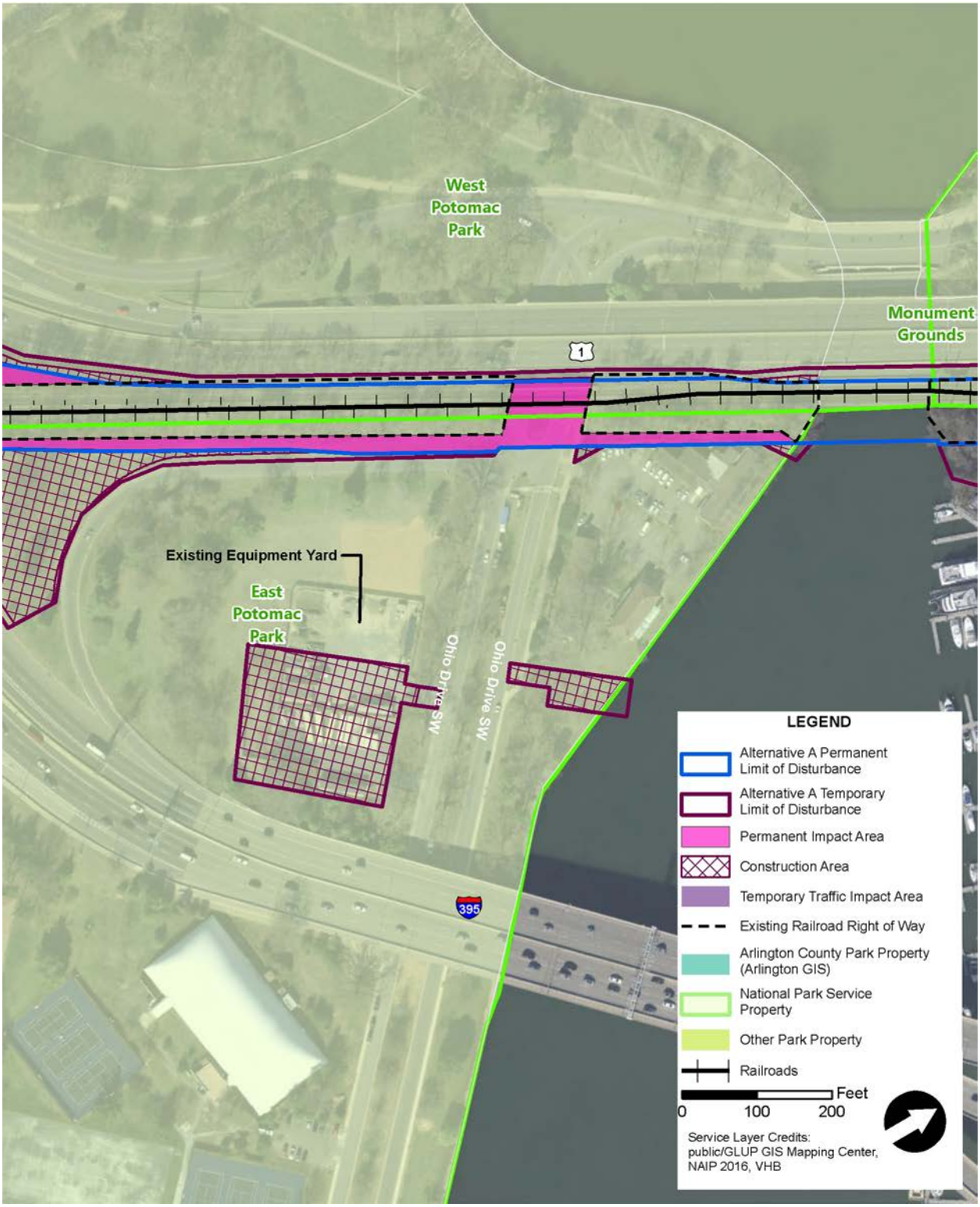
As described in **Appendix E3** of the **DEIS, Section 106 Assessment of Effects Report**, Action Alternative A would have an adverse effect on East and West Potomac Parks Historic District through incorporation of property within the historic district and removal of up to four contributing Japanese cherry blossom plantings, which would diminish the integrity of setting, design, materials, and feeling of the park. Addition of the new bridge would also obstruct views of the existing Long Bridge from the north, diminishing the visual integrity of the contributing structure and resulting in an adverse effect.

[9] NPS. National Cherry Blossom Festival Directions. March 2018. Accessed from https://www.nps.gov/subjects/cherryblossom/directions.htm. Accessed January 8, 2019.
[10] NPS. National Cherry Blossom Festival Map. Undated. Accessed from https://www.nps.gov/subjects/cherryblossom/upload/Pad_Map_Side_1_FINAL.jpg. Accessed January 8, 2019.

Figure 3-3 | Action Alternative A Impacts: East and West Potomac Parks (Potomac River to I-395)



485 **Figure 3-4** | Action Alternative A Impacts: East and West Potomac Parks (I-395 to Washington Channel)



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3.4.1.2. Temporary Occupancy Analysis

Occupancy of East and West Potomac Parks would include construction access and staging areas in the existing NPS Parking Lots B and C, as well as existing grassy and open areas totaling approximately 3.4 acres of land as shown in **Figures 3-3 and 3-4** (2.1 acres in East Potomac Park and 1.3 acres in West Potomac Park). This temporary occupancy would last approximately 4 years and 9 months. Construction activities would cause closure of NPS Parking Lots B and C to the public consisting of 143 parking spaces. As noted above, the public makes heavy use of the surface parking areas in early spring and the use of these areas for construction would impact park access during peak demand by requiring visitors to park at more distant lots or choose alternate modes of transportation. However, the majority of visitors to the parks use other transportation modes that would not be affected by the Project.

In East Potomac Park, a temporary staging area off Ohio Drive SW between I-395 and 14th Street SW as well as a temporary finger pier at the shores of the Washington Channel would be used for approximately 4 years and 9 months. NPS has recently restored the baseball field in this location and generates income through fees for field rental. The construction activities would not meet the requirements for a temporary occupancy exception to Section 4(f) and therefore qualify as a use of the Section 4(f) property.

As described in **Appendix E3** of the **DEIS, Section 106 Assessment of Effects Report**, Action Alternative A would have an adverse effect on East and West Potomac Parks Historic District through the use of portions of the historic site for construction activities. Therefore, the construction activities would constitute a use of the Section 4(f) property.

3.4.1.3. Constructive Uses

FRA finds there is no constructive use of East or West Potomac Park. Impacts to air quality, vibration, and visual resources are described in **Chapter 10, Air Quality and Greenhouse Gas Emissions; Chapter 13, Noise and Vibration;** and **Chapter 14, Visuals and Aesthetics** of the **DEIS**. As described in **Chapter 16, Recreation and Parks** of the **DEIS**, Action Alternative A would not cause visual impacts that would substantially diminish the protected activities, features, or attributes of East or West Potomac Park. Therefore, these impacts would not cause a constructive use of the property.

3.4.2. Action Alternative B

Action Alternative B would permanently incorporate approximately 2.0 acres and temporarily occupy approximately 3.5 acres of East and West Potomac Parks. Specifically, Action Alternative B would have permanent impacts of 0.5 acres to East Potomac Park and 1.5 acres to West Potomac Park, and would have temporary impacts of 2.2 acres to East Potomac Park and 1.3 acres to West Potomac Park. Action Alternative B would cross East and West Potomac Parks with two new railroad tracks as described for Action Alternative A. As Action Alternative B would replace two existing bridges, it would have more impacts near those bridges including approximately an additional 0.1 acres in West Potomac Park. This alternative would cause a use of the Section 4(f) property for construction and permanent use for the wider right-of-way. Action Alternative B would also require the removal and permanent loss of the historic Long Bridge, a contributing feature to the East and West Potomac Parks Historic District, to be replaced with a new two-track bridge.

3.4.2.1. Permanent Incorporation Analysis

Permanent incorporation of West Potomac Park would be similar to Action Alternative A but would have a slightly larger footprint for a wider right-of-way. The new bridge that would replace the existing Long Bridge would be wider; therefore, the railroad footprint approaching the bridge on the shores of West Potomac Park would need to be wider. Permanent incorporation of West Potomac Park would total approximately 1.5 acres. Approximately 2.0 acres would be fill with retaining walls (**Figures 3-5 and 3-6**). Permanent incorporation of East Potomac Park would be the same as Action Alternative A.

Long Bridge is a contributing element of the East and West Potomac Parks Historic District. Its loss would diminish the integrity of design, feeling, association, and materials of the Historic District. Construction of the two new railroad bridges would require the removal of up to seven contributing Japanese cherry blossom plantings in West Potomac Park, as well as other mature vegetation in East and West Potomac Parks. Loss of these features would diminish the integrity of design, materials, and feeling of the historic site.

As described in **Appendix E3** of the **DEIS, Section 106 Assessment of Effects Report**, Action Alternative B would have an adverse effect on East and West Potomac Parks Historic District through removal of the existing Long Bridge, incorporation of property within the historic district and removal of up to seven contributing Japanese cherry blossom plantings, which would diminish the integrity of setting, design, materials, and feeling of the park. Addition of the new bridge would also obstruct views of the existing Long Bridge from the north, diminishing the visual integrity of the contributing structure and resulting in an adverse effect.

3.4.2.2. Temporary Occupation Analysis

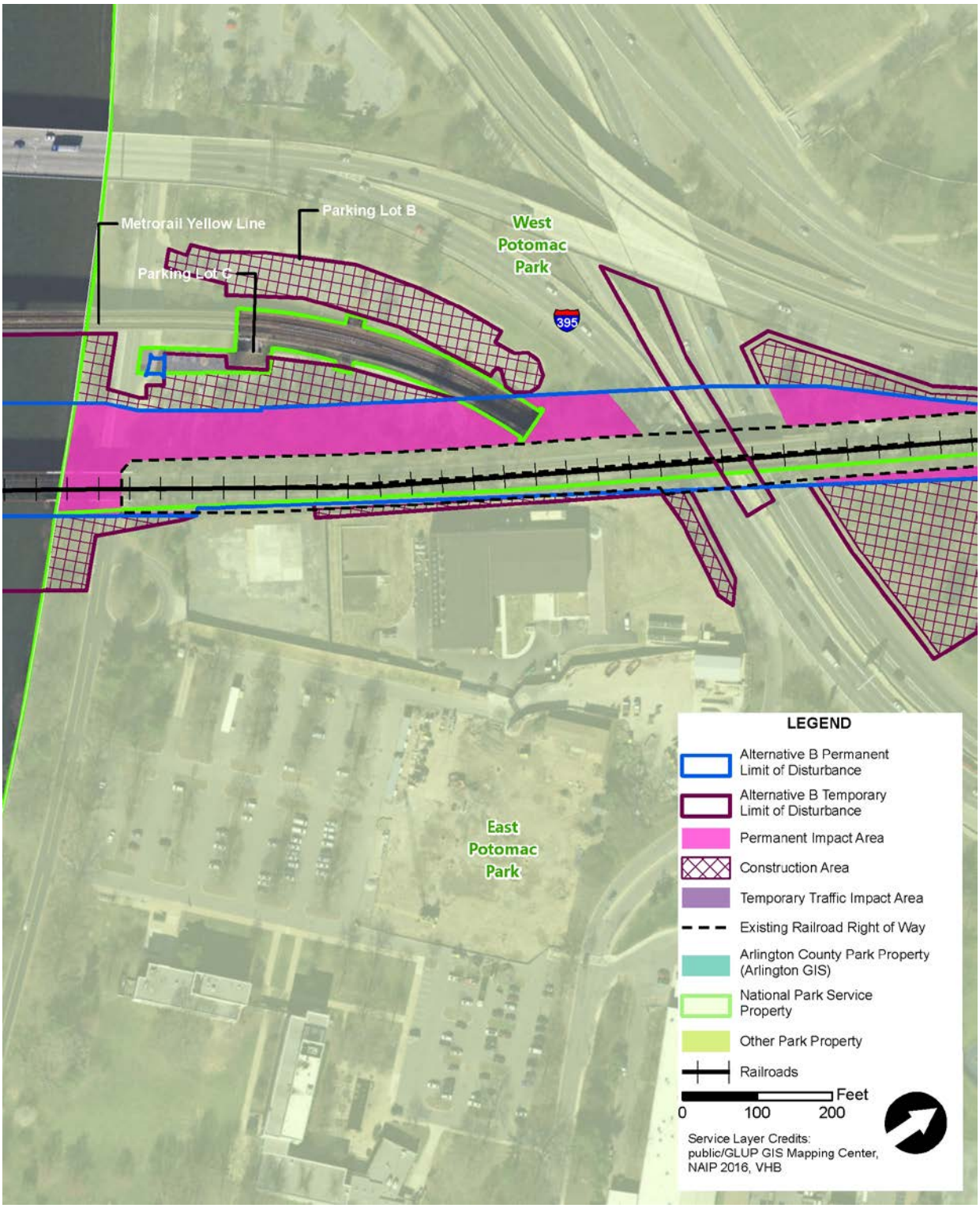
Construction staging and access for Action Alternative B would temporarily occupy approximately 3.5 acres of East and West Potomac Parks (**Figures 3-5 and 3-6**). Specifically, Action Alternative B would have temporary impacts of 2.2 acres to East Potomac Park and 1.3 acres to West Potomac Park. Temporary use of NPS Parking Lots B and C and other open space for construction staging and access would be the same as Action Alternative A. Temporary use of East and West Potomac Parks for construction staging and access would last approximately 8 years and 1 month. The construction activities would not meet the requirements for a temporary occupancy exception to Section 4(f).

As described in **Appendix E3** of the **DEIS, Section 106 Assessment of Effects Report**, Action Alternative B would have an adverse effect on East and West Potomac Parks Historic District through the occupation of portions of the historic site for construction activities, which qualifies as a use of the Section 4(f) property.

3.4.2.3. Constructive Uses

As with Action Alternative A, there would be no constructive use of East or West Potomac Park due to Action Alternative B.

562 **Figure 3-5** | Action Alternative B Impacts: East and West Potomac Parks (Potomac River to I-395)



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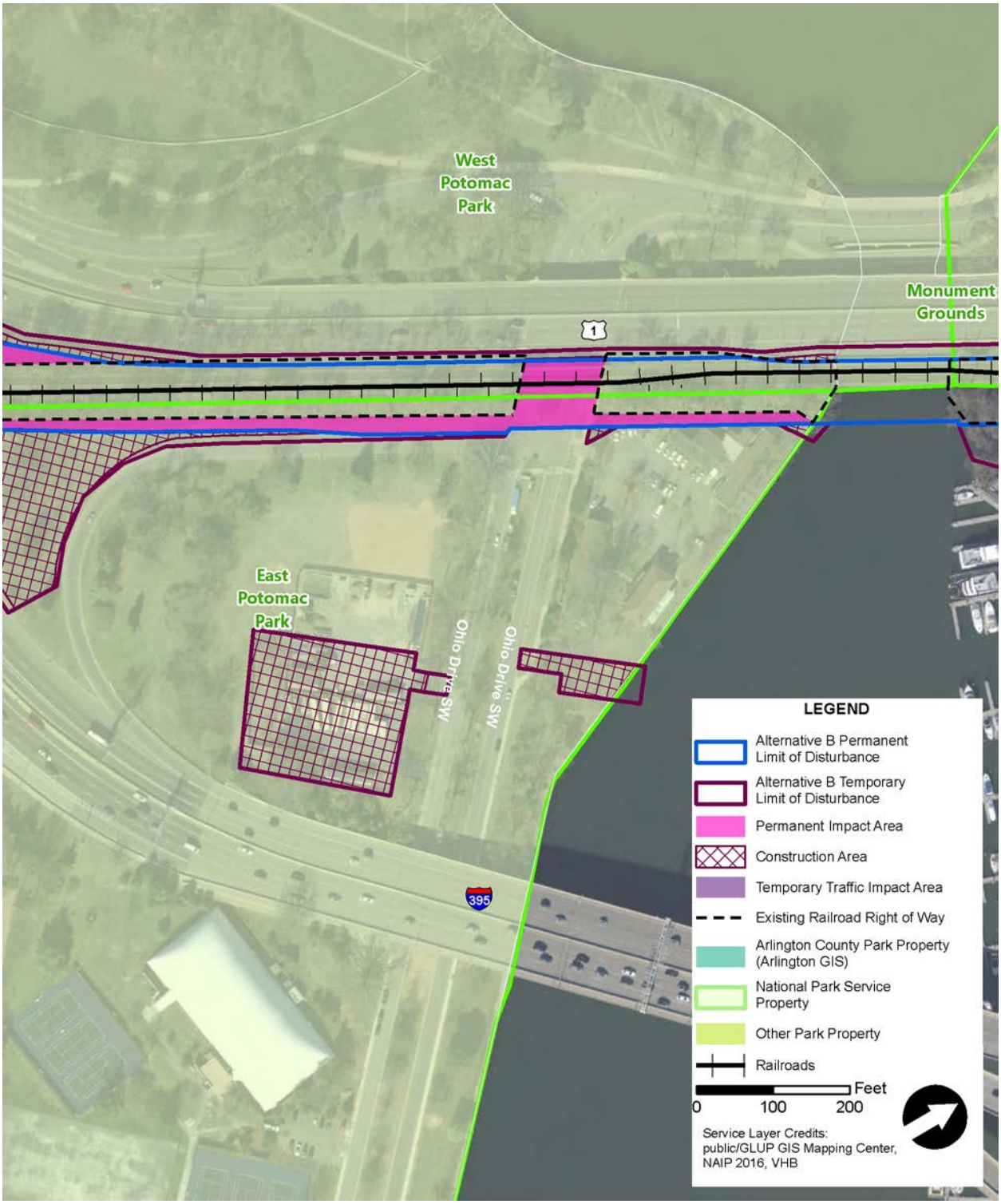
564 **Figure 3-6** | Action Alternative B Impacts: East and West Potomac Parks (I-395 to Washington
565 Channel)



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3.5. Hancock Park

NPS administers Hancock Park, which is owned by the United States. Hancock Park is an irregularly shaped, 1.3-acre parcel at the northern end of the Study Area (**Figure 3-7**). Located between 9th Street SW and 7th Street SW, the park is bounded by the railroad tracks on the east and C Street SW to the west, and features a landscaped, grassy, open area with pedestrian walkways. Hancock Park is a recreational resource. It is also a contributing resource to the Plan of the City of Washington Historic District (see **Section 3.6, Plan of the City of Washington**, for further analysis).

3.5.1. Action Alternative A (Preferred Alternative)

There would be no permanent incorporations or constructive uses to Hancock Park. Action Alternative A would temporarily occupy approximately 0.09 acres of Hancock Park for construction access. FRA has determined that the occupancy associated with construction meets the criteria for a temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use. In a letter dated April 30, 2020, DOI concurred with FRA's determination. As NPS, the Official with Jurisdiction for Hancock Park, is an agency within DOI, this letter serves as concurrence from NPS.

3.5.1.1. Permanent Incorporation Analysis

Action Alternative A would not cause permanent use of Hancock Park because the park is outside the permanent limits of disturbance.

3.5.1.2. Temporary Occupancy Analysis

Planned construction activity within Hancock Park includes a construction access area for approximately 3 years. This access area would allow the contractor to bring railroad materials, equipment, and crews into the depressed railroad Corridor. The area would not be used for staging. During construction, there would be a loss of public use of a portion of Hancock Park equal to the size of the access area (approximately 0.09 acres). This access point has historically been used for railroad corridor access and is currently being used in this manner (see **Figure 3-8**). This portion of the park currently consists of a gravel access road and trucks access the area using the ramp at the crosswalk.

The construction access (see **Figure 3-7**) would not preclude the use of the park for recreational activities that currently take place. The portion of the park near 7th Street SW, where the majority of public use occurs in the existing condition, would remain available for continued public use. Upon the completion of construction, DRPT would restore the park to its current condition. The occupancy associated with construction would be for a short duration (less than the time needed for construction of the project), would not result in a change in ownership of the property, and would not result in adverse changes to the activities, features, or attributes of the property.

599 **Figure 3-7** | Action Alternatives A and B Construction Access Area in Hancock Park

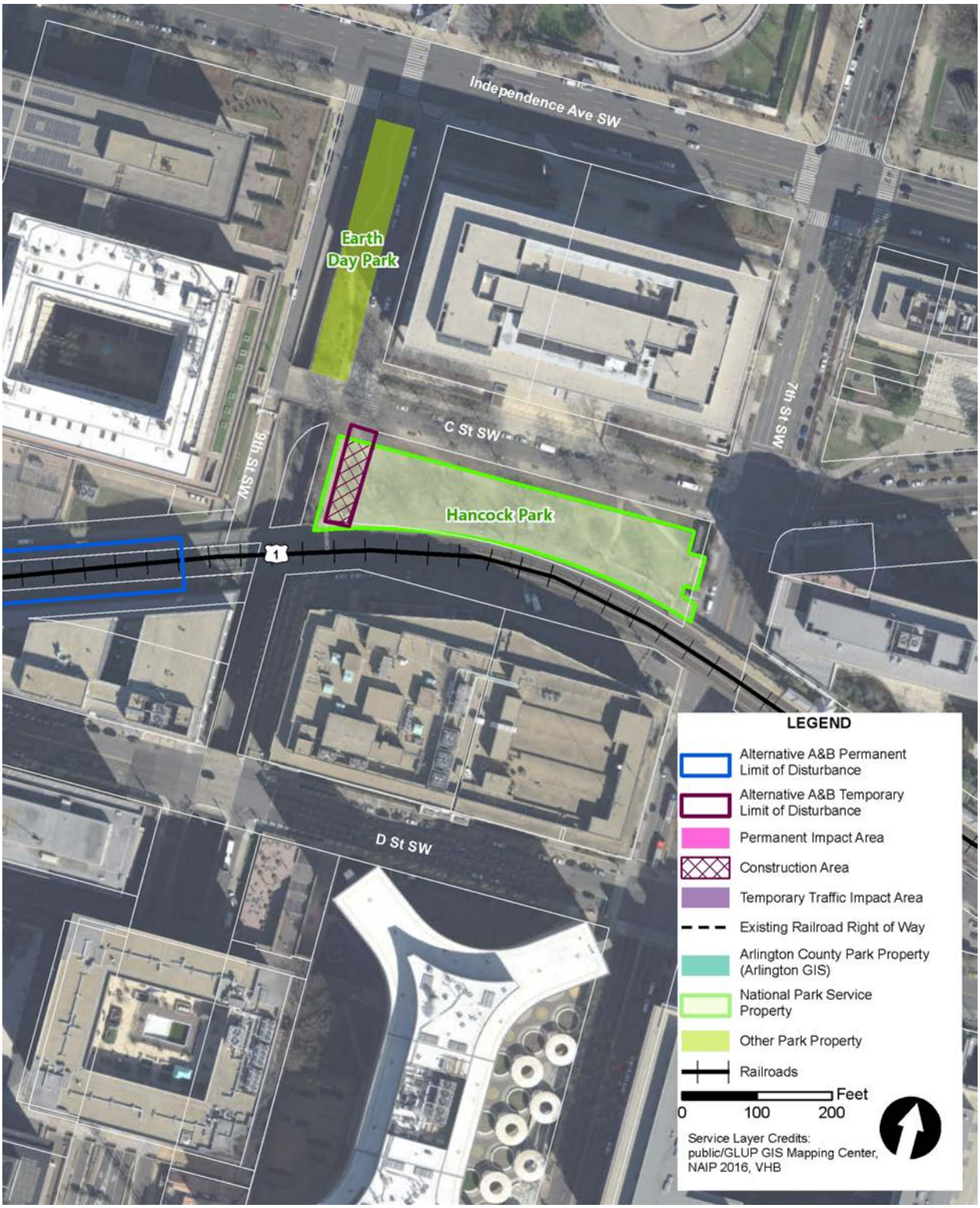

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Figure 3-8 | Existing View of Area of Hancock Park Planned for Construction Access

DRPT would require the contractor maintain visitor access to parkland during construction and minimize impingement on areas used by park visitors. DRPT would stipulate details of access and use in the construction contract based on criteria that is satisfactory to NPS, to be coordinated during final design. This would be accomplished through the following measures:

- To minimize disturbance to activities within the park, construction access would be channelized and surrounded by fencing with gate access. Vehicular traffic would be intermittent, and DRPT would require the contractor to minimize frequency during periods of the day when the park is heavily used. Much of the access would be for nighttime work to avoid heavier train volumes. In addition, there would be extended periods when there is no use at all while the contractor mobilizes between various sites along the corridor. It is not anticipated that this area would be in continuous use throughout the construction cycle.
- To minimize views of construction equipment and materials, visual screening of the construction area would be designed to meet NPS standards.
- To minimize injury and compaction of vegetated surfaces, the contractor would be required to install fencing, mulch, and when those surfaces are the only option for staging near the Project.
- To minimize disturbance from erosive forces and sedimentation, the contractor would employ erosion control and stormwater management measures during construction.

Finally, the property would be fully restored to an equivalent or better condition following completion of the construction activities. Therefore, FRA has determined that the construction occupancy meets the criteria for a temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use of Hancock Park. In a letter dated April 30, 2020, DOI concurred with FRA's determination. As NPS, the Official with Jurisdiction for Hancock Park, is an agency within DOI, this letter serves as concurrence from NPS.

3.5.1.3. Constructive Use Analysis

FRA finds there is no constructive use of Hancock Park. Impacts to air quality, vibration, and visual resources are described in **Chapter 10, Air Quality and Greenhouse Gas Emissions; Chapter 13, Noise and Vibration;** and **Chapter 14, Visuals and Aesthetics** of the **DEIS**. Action Alternative A would not cause air quality, vibration, noise, or visual impacts within Hancock Park. Therefore, these impacts would not cause a constructive use of the property.

3.5.2. Action Alternative B

Action Alternative B would temporarily occupy the same approximately 0.09 acres of Hancock Park for construction activities as Action Alternative A. There would be no permanent incorporation or constructive uses to Hancock Park. FRA has determined that the occupancy associated with construction meets the criteria for a temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use. In a letter dated April 30, 2020, DOI concurred with FRA's determination. As NPS, the Official with Jurisdiction for Hancock Park, is an agency within DOI, this letter serves as concurrence from NPS.

3.5.2.1. Permanent Incorporation Analysis

As with Action Alternative A, Action Alternative B would not cause permanent use of Hancock Park because the park is outside the permanent limits of disturbance.

3.5.2.2. Temporary Occupancy Analysis

As with Action Alternative A, Action Alternative B would require the temporary occupation of land totaling approximately 0.09 acres for construction just as Action Alternative A (**Figure 3-7**). The duration of the construction activities would be longer at approximately 5 years. As with Action Alternative A, this use would not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f). Finally, the land would be fully restored to an equivalent or better condition following completion of the construction activities. Therefore, FRA has determined that this temporary occupancy falls under the temporary occupancy exception and would not constitute a Section 4(f) use of Hancock Park. In a letter dated April 30, 2020, DOI concurred with FRA's determination. As NPS, the Official with Jurisdiction for Hancock Park, is an agency within DOI, this letter serves as concurrence from NPS.

3.5.2.3. Constructive Use Analysis

As with Action Alternative A, Action Alternative B would not cause constructive use of Hancock Park.

3.6. Plan of the City of Washington

The Plan of the City of Washington Historic District incorporates the street grid, diagonal avenues, parks, vistas among monuments, and sites over Federal land within the L'Enfant Plan boundary. The listing includes original elements of Pierre Charles L'Enfant's plan for the City of Washington, including later elements proposed by the McMillan Commission. Hancock Park is a contributing element to this Historic District (see **Section 3.5, Hancock Park** for more detail).

3.6.1. Action Alternative A (Preferred Alternative)

Action Alternative A would require construction access within Hancock Park, a contributing element to the Plan of the City of Washington. There would be no permanent incorporation or constructive uses to the Plan of the City of Washington. FRA has also determined that the occupancy associated with construction meets the criteria for a temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use. In a letter dated April 30, 2020, DOI concurred with FRA's determination. As NPS, the Official with Jurisdiction for Hancock Park, is an agency within DOI, this letter serves as concurrence from NPS. DC SHPO, the Official with Jurisdiction for the Plan of the City of Washington, concurred with FRA's finding in a letter dated June 2, 2020.

3.6.1.1. Permanent Incorporation Analysis

Action Alternative A would not cause permanent use of the Plan of the City of Washington because it would not cause alterations to contributing streets and reservations, or cause changes to contributing views and vistas.

3.6.1.2. Temporary Occupancy Analysis

Construction access within Hancock Park as described in **Section 3.5, Hancock Park** would not diminish the integrity of design, materials, workmanship, feeling, and association of the Plan of the City of Washington. **Appendix E3** of the **DEIS, Section 106 Assessment of Effects Report**, submitted to DC SHPO, VDHR, and ACHP on December 7, 2018, finds Action Alternative A would have no adverse effect on the Plan of the City of Washington as a historic site.

Hancock Park is a contributing element to the Plan of the City of Washington. Construction access within Hancock Park would be for a short duration (less than the time needed for construction of the project), would not result in a change in ownership of the property, and would not result in adverse changes to the activities, features, or attributes of the property. Finally, the land would be fully restored to an equivalent or better condition following completion of the construction activities. As Hancock Park is the only element of Plan of the City of Washington in which construction will take place, and construction in Hancock Park constitutes a temporary occupancy exception to Section 4(f) use, the occupancy of Plan of the City of Washington also constitutes a temporary occupancy exception to Section 4(f) use. Therefore, FRA has determined that the occupancy associated with construction meets the criteria for a temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use of the Plan of the City of Washington. In a letter dated April 30, 2020, DOI concurred with FRA's determination. As NPS, the Official with Jurisdiction for Hancock Park, is an agency within DOI, this letter serves as concurrence from NPS. DC SHPO, the Official with Jurisdiction for the Plan of the City of Washington, concurred with FRA's finding in a letter dated June 2, 2020.

3.6.1.3. Constructive Use Analysis

FRA finds there is no constructive use of the Plan of the City of Washington. Impacts to air quality, vibration, and visual resources are described in **Chapter 10, Air Quality and Greenhouse Gas Emissions; Chapter 13, Noise and Vibration;** and **Chapter 14, Visuals and Aesthetics** of the **DEIS**. Action Alternative A would not cause air quality, vibration, noise, or visual impacts within Hancock Park, which is the only contributing element of the Plan of the City of Washington affected by the Project. Therefore, these impacts would not cause a constructive use of the Plan of the City of Washington.

3.6.2. Action Alternative B

Action Alternative B would require the same permanent and construction access within Hancock Park, a contributing element to the Plan of the City of Washington, as Action Alternative A. Therefore, there would be no permanent or constructive uses to the Plan of the City of Washington. FRA has determined that the occupancy associated with construction meets the criteria for a temporary occupancy exception to Section 4(f) and would not constitute a Section 4(f) use. In a letter dated April 30, 2020, DOI concurred with FRA's determination. As NPS, the Official with Jurisdiction for Hancock Park, is an agency within DOI, this letter serves as concurrence from NPS. DC SHPO, the Official with Jurisdiction for the Plan of the City of Washington, concurred with FRA's finding in a letter dated June 2, 2020.

4.0 Avoidance Alternatives Analysis

For each Section 4(f) resource for which the Project would result in a "use," this section provides an alternatives analysis as required by Section 4(f). The alternatives analysis demonstrates that there are no feasible and prudent avoidance alternatives. This section provides the rationale for determining that the Action Alternatives are compliant with Section 4(f). Each such alternative includes a discussion of whether the alternative is feasible and prudent.

A feasible and prudent avoidance alternative avoids using Section 4(f) property. In assessing the importance of protecting the Section 4(f) property, it is appropriate to consider the relative value of the resource to the preservation purpose of the statute.

An alternative is *not feasible* if it cannot be built as a matter of sound engineering judgement. Furthermore, an alternative is *not prudent* if:

1. It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;
2. It results in unacceptable safety or operational problems;
3. After reasonable mitigation, it still causes:
    a. Severe social, economic, or environmental impacts;
    b. Severe disruption to established communities;
    c. Severe disproportionate impacts to minority or low-income populations; or,
    d. Severe impacts to environmental resources protected under other Federal statutes;

4. It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;
5. It causes other unique problems or unusual factors; or
6. It involves multiple factors of the above, that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.

The existing railroad Corridor occurs within a section of the District and Arlington County bisecting numerous parks and historic sites. As described in **Appendix B1** of the **DEIS, Alternatives Development Report**, an initial step in the Project's evaluation in accordance with NEPA, was a multi-phase concept screening and alternatives development process. FRA and DDOT conducted the screening process to identify build alternatives that meet the Purpose and Need of the Project. FRA and DDOT developed and evaluated a total of 19 concepts, including 8 concepts that could potentially avoid the large parks on either side of the Potomac River (the GWMP, East Potomac Park, and West Potomac Park) via tunnels or alternative corridors. **Chapter 3.1.3** of the **DEIS, Concept Screening Process**, describes this process in detail. FRA and DDOT evaluated the concepts against a two-tiered set of criteria:

The first level of screening assessed the concepts based on their ability to meet the Project Purpose and Need. The second level of screening evaluated the retained concepts first without and then with alignment options based on additional Purpose and Need metrics, as well as feasibility metrics.

As a result of this screening evaluation, FRA and DDOT identified three alternatives for analysis in the EIS: the No Action Alternative, Action Alternative A (Preferred Alternative), and Action Alternative B. **Section 1.3, Alternatives**, summarizes these alternatives, while **Chapter 3.2** of the **DEIS, DEIS Alternatives**, provides a detailed description.

Table 4-1 lists the 19 concepts developed and evaluated in the preliminary screening process and describes the conclusions for this Section 4(f) evaluation related to their feasibility and prudence. The table further distinguishes between alternatives that avoid a use of Section 4(f) resources and those that do not. This table reports the results of both the Level 1 and Level 2, Step 1 concept screenings. Note that for the alternatives using a crossing *or* tunnel, only the tunnel option could avoid Section 4(f) resources.

For purposes of this Section 4(f) evaluation, any alternative that "compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need" is not prudent.[11] The following sections and **Appendix B1** of the **DEIS, Alternatives Development Report** provide additional explanation for why the No Action Alternative, tunnel concepts, and new corridors would not be prudent or feasible.

As shown in **Table 4-1**, most of the alternatives considered would not avoid the use of the Section 4(f) resources listed in **Table 3-1**. The alternatives that would avoid the use of Section 4(f) resources—alternatives using a tunnel below the Potomac River and Washington Channel and alternatives using a new corridor entirely—are not feasible because they cannot be built as a matter of sound engineering judgement; would result in additional construction, maintenance, or operational costs of an

[11] 23 CFR 774.17

767 extraordinary magnitude; or would not meet the Project Purpose and Need and are therefore not
768 prudent.

769 After evaluation, FRA and DDOT determined that there is no feasible and prudent avoidance alternative
770 for the Project.

771 **Table 4-1** | Section 4(f) Screening Evaluation of Concepts Developed During the NEPA Process

Alternative	Result of Screening
Alternatives That Could Avoid Section 4(f) Resources	
No Action	Does not meet Project Purpose and Need because it would not provide required railroad capacity, resiliency, or redundancy. Therefore, it is not prudent.
Three-Track Tunnel	It would be unreasonable to proceed with the project in light of its stated Purpose and Need because a three-track tunnel would not provide required railroad capacity, network connectivity, resiliency, or redundancy.
Four-Track Tunnel	It would be unreasonable to proceed with the project in light of its stated Purpose and Need because a four-track tunnel would not provide required network connectivity.
Two-Track Crossing; Two-Track Tunnel	It would be unreasonable to proceed with the project in light of its stated Purpose and Need because a two-track crossing and two-track tunnel combination would not provide required network connectivity.
Five Plus-Track Crossing or Tunnel	It would be unreasonable to proceed with the project in light of its stated Purpose and Need because there are no plans to expand to five or more tracks on either side of the river, and therefore the fifth track would essentially act as a siding over the river. In addition, a tunnel would not provide required network connectivity.
Five Plus-Track Crossing or Tunnel with Bike-Ped Path	It would be unreasonable to proceed with the project in light of its stated Purpose and Need because there are no plans to expand to five or more tracks on either side of the river, and therefore the fifth track would essentially act as a siding over the river. In addition, a tunnel would not provide required network connectivity.
Five Plus-Track Crossing or Tunnel with Streetcar	It would be unreasonable to proceed with the project in light of its stated Purpose and Need because there are no plans to expand to five or more tracks on either side of the river, and therefore the fifth track would essentially act as a siding over the river. In addition, a tunnel would not provide required network connectivity.
Five Plus-Track Crossing or Tunnel with Vehicle Lanes	It would be unreasonable to proceed with the project in light of its stated Purpose and Need because there are no plans to expand to five or more tracks on either side of the river, and therefore the fifth track would essentially act as a siding over the river. In addition, local, regional, and state transportation plans do not call for another roadway over the Potomac River in this area. Finally, a tunnel would not provide required network connectivity.
New Corridor – Retain or Replace Existing	It would be unreasonable to proceed with the project in light of its stated Purpose and Need because it would not add needed capacity in the Long

Alternative	Result of Screening
	Bridge Corridor; would not provide required network connectivity; and would not provide required resiliency and redundancy in the corridor.
New Corridor – Remove Existing	It would be unreasonable to proceed with the project in light of its stated Purpose and Need because a completely new corridor would not connect to important transportation facilities and activity nodes, including the existing VRE Crystal City and L'Enfant stations, Washington Union Station, the Virginia Avenue Tunnel, and employment centers in Arlington, Virginia and Washington, DC. In addition, new routes would traverse several communities, affect diverse natural resources, and have costs of an extraordinary magnitude.
Alternatives That Could Not Avoid Section 4(f) Resources	
Two-Track Bridge	
Three-Track Crossing	
Three-Track Crossing with Bike-Ped Path	
Three-Track Crossing with Streetcar	
Three-Track Crossing with Vehicle Lanes	
Four-Track Crossing	
Four-Track Crossing with Bike-Ped Path	
Four-Track Crossing with Streetcar	
Four-Track Crossing with Vehicle Lanes	

4.1. No Action Alternative

The No Action Alternative would not expand the existing railroad right-of-way from two to four tracks and would not construct a new crossing of the GWMP and Potomac River. Therefore, it would not require use of any Section 4(f) resources. However, it would also not meet the Project Purpose and Need because the Long Bridge Corridor must provide more than two tracks top meet future railroad capacity and redundancy needs. Therefore, the No Action Alternative is not a prudent avoidance alternative.

4.2. Tunnel Concepts

Concepts using a tunnel underneath the Potomac River could avoid the use of the Section 4(f) properties listed in **Table 3-1** by traveling underneath the properties. However, a tunnel would not be prudent because without connections to VRE Crystal City Station, VRE L'Enfant Station, and the Virginia Avenue Tunnel at a grade usable by both passenger and freight trains it would not meet the Project Purpose and Need.

The tunnel concepts would make it unreasonable to proceed with the project in light of its stated Purpose and Need, and would result in additional construction, maintenance, or operational cost of an extraordinary magnitude. Specifically:

- The tunnel concepts could not meet the Project's Purpose and Need, which requires that any new infrastructure retain the potential for interoperability between passenger and freight trains

while at the same time maintaining network connectivity. There is no engineering solution that would meet both requirements with a tunnel alternative. Based on previous studies, a tunnel under the Potomac River and Washington Channel would need to be at least 80 feet deep to avoid existing infrastructure (for example, Metrorail).[12] Given the grade requirements for freight trains (1.25 percent) and the need for the tunnel to connect to VRE Crystal City Station, VRE L'Enfant Station, and the Virginia Avenue Tunnel, the distance of an 80-foot-deep tunnel would require grades that would prevent freight trains from using the tunnel. It would be therefore impossible for freight and passenger trains to use the newly built tunnel infrastructure.

- The resiliency and redundancy criterion based on the Purpose and Need required that all tracks be usable by both passenger and freight trains. Therefore, any concepts that cannot accommodate both passenger and freight trains (such as a passenger railroad–only tunnel) do not meet purpose and need because they do not enable redundancy.

- The Phase I Long Bridge Study considered a twin bore tunnel that would carry freight and passenger trains in separate tunnels. This option would require construction of a new underground passenger rail station replacing the existing VRE L'Enfant Station in order to provide connectivity to existing passenger rail infrastructure. The study estimated the cost of the tunnel option at $5.728 billion in 2013 dollars. In addition to not meeting the redundancy criterion of the Project's Purpose and Need, this option would result in additional construction, maintenance, or operational cost of an extraordinary magnitude due to construction costs and the need to maintain and operate a new underground station.[13]

4.3. New Corridors

Concepts using a new corridor rather than or in addition to the existing Long Bridge Corridor could avoid the use of the Section 4(f) properties listed in **Table 3-1** by avoiding a Potomac River crossing near the Monumental Core. However, a new corridor would not be prudent because it would not meet the Purpose and Need of the Project, and it would likely result in severe social, economic, and environmental impacts.

A new corridor would fail to serve as a critical link connecting the local, regional, and national transportation network because it would not facilitate connections to existing railroad stations (including VRE Crystal City and L'Enfant stations and Washington Union Station), employment and residential nodes, freight railroad infrastructure (including the recently reconstructed Virginia Avenue Tunnel), and other modes of transportation; connecting to these options would bypass existing facilities. Failing to connect to these important nodes would make it unreasonable to proceed with the project in light of its stated Purpose and Need.

The screening of alternatives did not evaluate specific rerouting options. However, analysis completed for the *Virginia Avenue Tunnel Environmental Impact Statement* found that alternative routes that had

[12] The concept evaluation for the Virginia Avenue Tunnel EIS analyzed a deep bore tunnel that would need to be 80 feet deep and 9 miles long. A tunnel as part of the Long Bridge Project would share many of the same drivers for length and depth. (FHWA and DDOT, Virginia Avenue Tunnel Reconstruction Project FEIS, Appendix B: Concepts Evaluation Technical Report. July 2012. Accessed from https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search. Accessed February 6, 2020).
[13] DDOT. Long Bridge Study. January 2015. Accessed from https://ddot.dc.gov/publication/final-long-bridge-study. Accessed February 6, 2020.

previously been studied would require a new bridge over the Potomac River and more than 30 miles of new railroad, would traverse several communities, would affect diverse natural resources, and would have extremely high costs (from over $3 billion to over $4 billion in 2007 dollars).[14]

4.4. Construction Staging and Access

The Project Area encompasses a variety of properties, including privately owned mixed-use developments and multi-story buildings, several highly-traveled roadway networks, numerous underground utilities, and public parks located on both sides of the Potomac River. Construction engineers and planners assessed the construction activities, materials, and equipment required to complete the Project under normal train operations. They reviewed the Corridor and surrounding areas extensively for locations that could provide construction access and staging areas that would avoid Section 4(f) properties. Due to the density of land uses surrounding the Corridor, opportunities for construction staging locations and access are limited. This results in necessary and unavoidable construction access and staging within Section 4(f) properties including Long Bridge Park, GWMP, East Potomac Park, West Potomac Park, and Hancock Park because of their proximity to project construction activities. Avoiding these areas would cause construction inefficiencies, including longer construction durations, severe impacts to roadway networks and train operations throughout construction, inaccessible construction activities, and increased construction costs and would not be a prudent alternative to the use of the Section 4(f) properties during construction.

5.0 Planning Undertaken to Minimize Harm

When there is no feasible and prudent alternative to the use of a Section 4(f) resource, the Project must include all possible planning to minimize harm to the Section 4(f) property. This section provides a summary of the planning efforts undertaken to minimize harm to each Section 4(f) resource that cannot be avoided, including, as appropriate, the results of consultation with VDHR and DC SHPO. FRA has coordinated with the NPS, VDHR, DC SHPO, and Arlington County. These entities are the OWJs for the Section 4(f) properties identified in **Section 2.0, Section 4(f) Protected Properties**. Plans to minimize harm for the two Action Alternatives are nearly the same. **Section 6.0, Least Overall Harm Analysis**, provides a summary of the differences to minimize harm between the alternatives.

Conceptual engineering for each of the Action Alternatives minimized harm to Section 4(f) resources by staying within the existing railroad right-of-way to the extent practicable. In addition, mitigation measures, such as restoring vegetation to areas cleared for construction staging and adding new landscaping, are proposed to minimize visual impacts on the GWMP, GWMP and MVMH Historic Districts, East Potomac Park, West Potomac Park, and East and West Potomac Parks Historic District.

For those locations where construction would be outside of the current right-of-way, FRA and DDOT identified staging and work areas that provide suitable construction access, sufficient space for storing equipment and supplies, and safety to workers and the public, all while minimizing harm to Section 4(f) properties. The sections below describe specific steps to minimize harm to each of the Section 4(f) park

[14] FHWA and DDOT. Virginia Avenue Tunnel Project Environmental Impact Statement, Chapter 3.7: Alternative Concepts Considered But Rejected. May 2014. Accessed from https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search. Accessed January 9, 2019.

properties where there is a Section 4(f) use that is not *de minimis*. **Figures 5-1 and 5-2** illustrate the changes made in construction staging plans for each Action Alternative to minimize harm to Section 4(f) resources.

5.1. George Washington Memorial Parkway and MVMH/GWMP Historic Districts

Early in the planning process, FRA and DDOT reached out to NPS, DC SHPO, and VDHR to hear their concerns regarding protection of NPS properties and historic sites given their legislative and policy mandates. Based on these early meetings, Project designers created a conceptual construction access and staging area design to facilitate future discussions. After further rounds of discussions with NPS staff from GWMP, NAMA, and the National Capital Region (NCR) regarding the initial construction access and staging design, FRA and DDOT made modifications to the locations of construction and staging areas. The construction access and staging areas presented in the Long Bridge Project EIS and this Section 4(f) Evaluation reflects those modifications.

The current construction access and staging areas plan reduces impacts to Section 4(f) resources in some areas and increases impacts in others. **Figures 5-1 and 5-2** compare the initial construction access and staging plan with the revised plan for each of the Action Alternatives. The sections below provide information about minimization of harm for the GWMP and GWMP and MVMH Historic Districts.

NPS maintains an enforceable policy that allows no commercial trucks on the GWMP. To comply with NPS policy, designers evaluated the use of other transportation routes to get materials and equipment to the construction site and considered all possible access routes to minimize harm to the GWMP and GWMP and MVMH Historic Districts.

Initial Access and Staging Plan: To construct the bridges over the GWMP, construction crews would require access to the center piers and abutments. Initial reviews of the site proposed access routes from a barge at Gravelly Point, located 0.43 miles south of Long Bridge. In this initial plan, construction vehicles would use the MVT to travel back and forth to Gravelly Point. Vehicles could also access the MVT via temporary exit ramps from I-395. This concept avoided use of the GWMP roadway to the extent practicable and eliminated the need for a staging area immediately east of the existing bridge alignment. However, this concept had a greater impact on other GWMP resources including closure of this section of the MVT to the public for the duration of construction.

Revised Access and Staging Plan: To avoid the impacts described above, designers developed a plan making use of the staging areas at Boundary Channel Drive and access via I-395 and a short (0.38-mile) section of the GWMP roadway. This plan would require an additional staging area immediately east of the existing bridge alignment as well as a staging area between I-395 and the GWMP. Designers initially proposed a 2.6-acre staging area on the parcel between I-395 and the GWMP, which is partially wooded with a grassy field. Following further coordination with NPS, designers reduced the size of this site to the approximately 1.2 acres occupied by the grassy field, minimizing impacts to mature trees.

Figure 5-1 | Action Alternative A Minimization Construction Impacts

899 **Figure 5-2** | Action Alternative B Minimization of Construction Impacts

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Construction: DRPT would require the contractor to implement a construction management control plan, which will minimize temporary construction impacts to the GWMP and GWMP and MVMH Historic Districts. The contractor would maintain visitor access to parkland during construction and minimize impingement on areas used by park visitors. The contractor would be required to install fencing, mulch, and planking to reduce injury and compaction when vegetated surfaces are the only option for staging near the Project. The contractor would also employ erosion control and stormwater management measures during construction to reduce disturbance from erosive forces and sedimentation. They would also avoid the use of the GWMP to transport construction equipment to the extent possible. Lane closures would be limited to off-peak hours, lane crossing of construction vehicles would be limited to nighttime hours, and two lanes of traffic would be maintained on the GWMP at all times.

Design Review: To minimize potential adverse effects of introducing new features into historic districts, any elements of the Project introduced into NPS-administered properties would be required to be compatible with the character of existing resources and appropriate for the context of Washington, DC's Monumental Core. DRPT, in consultation with FRA, will consult with DC SHPO, VDHR, NPS, NCPC and CFA as engineering and design are progressed including final engineering and design documents. Design Review would address, but would not be limited to the following unresolved design elements: a) new railroad bridge design and engineering, including structure type, vertical clearance, visual appearance of the structural system, and alignment; b) aesthetic treatment of new component bridges or other structures introduced into NPS-administered properties; c) landscape design within the limits of disturbance of the Project; d) any additional signage or lighting necessitated by the Project; e) design of the bike-pedestrian crossing and any associated access ramps and trail connections; and f) construction staging and access procedures.

Tree Protection Plan: A tree protection plan would be executed by DRPT to determine which vegetation and trees are anticipated to be removed or impacted by the Project. Where feasible, extant trees and vegetation would be preserved in situ and protected during construction. To the extent feasible and appropriate, trees and other vegetation would be introduced to screen new bridge structures and minimize their visual effect. The plan would include, at a minimum: documentation of the site's existing conditions; quantification and illustrations of trees and/or areas of trees that would be affected by the Project; specifications for the protection of trees where possible; specifications for the replacement of trees, and their caliper, where necessary; and a landscape plan.

5.2. East Potomac Park, West Potomac Park, and East and West Potomac Parks Historic District

Both Action Alternatives would require expanded right-of-way at East Potomac Park, West Potomac Park, and East and West Potomac Parks Historic District to make room for the additional two tracks. FRA and DDOT took steps to minimize harm to this park and historic site related primarily to construction access and staging. The limited space and existing infrastructure adjacent to the right-of-way make this particularly challenging. Few feasible opportunities exist to minimize impacts to East Potomac Park, West Potomac Park, and East and West Potomac Parks Historic District to accommodate vehicular and equipment access. Construction would not alter the existing road network, and existing on/off-ramps to 14th Street SW and I-395 would be used to access Ohio Drive SW and other points of entry to the construction zone within the park and historic district.

Initial Access and Staging Plan: To minimize traffic impacts within the park, designers initially considered bringing equipment and supplies to construction staging areas within the park via barge. This concept would require the construction of a loading and unloading finger pier in the Potomac River along the shoreline near the intersection of Ohio Drive SW and Buckeye Drive (**Figures 24-10 and 24-11**). It would also require a 2.1-acre staging yard across the street on a site currently occupied by temporary office trailers for the NPS NCR headquarters renovation project. In addition, the concept would likely require channel dredging of shallow water around the barge loading finger pier to prevent barge motors from scouring the river bottom.

Revised Access and Staging Plan: Following coordination with NPS, FRA and DDOT revised the plan described above. Revisions included use of finger piers, which have a smaller impact to the river bottom, rather than finger piers, and use of a spud barge rather than a finger pier at Buckeye Drive to avoid the need for dredging. Designers also worked with NPS to reduce the staging areas at NPS Parking Lots B and C, eliminating impacts to vegetation surrounding the lots. Designers also moved a proposed staging area at Ohio Drive SW and I-395 from an existing sports field to an adjacent parcel that currently in use as staging for the NPS NCR headquarters renovation.

Construction: DRPT would require the contractor to implement a construction management control plan, which will minimize temporary construction impacts to East Potomac Park, West Potomac Park, and East and West Potomac Park Historic District. The contractor would maintain visitor access to parkland during construction and minimize impingement on areas used by park visitors. The contractor would be required to install fencing, mulch, and planking to reduce injury and compaction when vegetated surfaces are the only option for staging near the Project. The contractor would also employ erosion control and stormwater management measures during construction to reduce disturbance from erosive forces and sedimentation.

Design Review: To minimize potential adverse effects of introducing new features into historic districts, any elements of the Project introduced into NPS-administered properties would be required to be compatible with the character of existing resources and appropriate for the context of Washington, DC's Monumental Core. DRPT, in consultation with FRA, will consult with DC SHPO, VDHR, NPS, NCPC and CFA as engineering and design are progressed including final engineering and design documents. Design Review would address, but would not be limited to the following unresolved design elements: a) new railroad bridge design and engineering, including structure type, vertical clearance, visual appearance of the structural system, and alignment; b) aesthetic treatment of new component bridges or other structures introduced into NPS-administered properties; c) landscape design within the limits of disturbance of the Project; d) any additional signage or lighting necessitated by the Project; e) design of the bike-pedestrian crossing and any associated access ramps and trail connections; and f) construction staging and access procedures.

Tree Protection Plan: A tree protection plan would be executed by DRPT to determine which vegetation and trees are anticipated to be removed or impacted by the Project. Where feasible, extant trees and vegetation would be preserved in situ and protected during construction. To the extent feasible and appropriate, trees and other vegetation would be introduced to screen new bridge structures and minimize their visual effect. The plan would include, at a minimum: documentation of the site's existing conditions; quantification and illustrations of trees and/or areas of trees that would be affected by the

Project; specifications for the protection of trees where possible; specifications for the replacement of trees, and their caliper, where necessary; and a landscape plan.

6.0 Least Overall Harm Analysis

FRA and DDOT determined that the alternative that causes the "least overall harm" is Action Alternative A (Preferred Alternative). If there are no feasible or prudent avoidance alternatives, FRA may approve only the alternative that causes the "least overall harm" in light of the purpose of Section 4(f).[15] The regulations require that FRA determine which alternative causes the least overall harm through assessing and balancing the following seven factors:

1. The ability to mitigate adverse impacts to each Section 4(f) property (including any measures that result in benefits to the property);
2. The relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection;
3. The relative significance of each Section 4(f) property;
4. The views of the OWJs over each Section 4(f) property;
5. The degree to which each alternative meets the purpose and need for the project;
6. After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f); and,
7. Substantial differences in costs among the alternatives.

This section summarizes the results of the assessment of the Action Alternatives relative to these seven factors for each of the Section 4(f) resources for which the Project would result in a "use."

6.1. Factor 1: The ability to mitigate adverse impacts to each Section 4(f) property (including any measures that result in benefits to the property)

Both Action Alternatives A and B would have unavoidable Section 4(f) uses of the GWMP, GWMP and MVMH Historic Districts, East Potomac Park, West Potomac Park, and the East and West Potomac Parks Historic District. **Table 6-1** provides a summary of the expected uses and proposed mitigation. Mitigation to offset uses of Section 4(f) properties typically depends on the type and intensity of the use. For the Long Bridge Project, the two Action Alternatives have similar impacts.

At each of the Section 4(f) properties listed in **Table 6-1**, mitigation would include restoring the areas affected by construction after completing construction. DRPT would develop a restoration plan. The plan would outline a planting plan for native trees and shrubs within open areas and sowing grass seed to re-

[15] 23 CFR 774.3(c)

create the park-like setting present before construction to restore the vegetative element of the cultural resource. DRPT would rehabilitate paved areas where needed.

Table 6-1 | Mitigation for Impacts to Section 4(f) Resources

Section 4(f) Resource	Mitigation
GWMP **GWMP Historic District** **MVMH Historic District**	• New bike-pedestrian crossing providing connectivity with regional trail network • Vegetation protection plan • Vegetation restoration plan • Vegetation replacement • Roadway restoration to original or better condition • Interpretation plan • Viewshed protection plan • Cultural landscape inventory
East Potomac Park **West Potomac Park** **East and West Potomac Parks Historic District**	• New bike-pedestrian crossing providing connectivity with regional trail network • Vegetation protection plan • Vegetation restoration plan • Vegetation replacement • Interpretation plan • Cultural landscape inventory • Compensate NPS for loss of parking spaces • Roadway and infrastructure restoration to original or better condition

Mitigation would include public communication of lot closures with mapping via hard copies or web apps to indicate alternative parking areas. Following construction, DRPT would restore and reopen the 76 spaces in NPS Parking Lot B for public use. However, the railroad right-of-way expansion would permanently use parking spaces at NPS Parking Lot C because there is no space to expand the surface parking area to regain lost spaces. Mitigation would also include designing permanent structures such as bridge piers and abutments to be compatible in appearance and materials to the existing bridge structures to maintain visual continuity.

In addition to site-by-site restoration activities, DRPT would offset the effects to recreational values across all permanently impacted parks along the Corridor through one mitigation project that benefits all parks. The mitigation plan includes constructing a new bike-pedestrian shared use path that (running south to north) would begin at Long Bridge Park, bridge over the GWMP, offer a connecting ramp to the MVT, cross the Potomac River to West Potomac Park in the District, and connect to Ohio Drive SW at NPS Parking Lot C (**Figure 6-1**).

This mitigation project would add to the recreational values of Long Bridge Park, GWMP, MVT, and East and West Potomac Parks by enhancing pedestrian and bicycle connectivity across the Potomac River between Virginia and the District for recreational users and commuters. This new pedestrian and bicycle bridge would connect the numerous Section 4(f) park and historic sites in the area and add a new connection to Long Bridge Park, enhancing the visitor experience. Pedestrians and bicyclists would be able to cross the Potomac River without the inconvenience and discomfort of traveling alongside

motorized traffic. This improved connectivity would be the same for both Action Alternatives. The design of the new bridge would be compatible with other existing bridges across the Potomac River to mitigate adverse impacts related to the appearance of a new structure.

Figure 6-1 | Section 4(f) Mitigation: Proposed New Bike-Pedestrian Crossing

The primary difference between the Action Alternatives would be the removal under Action Alternative B of the existing 1904 Long Bridge historic structure that spans the Potomac River, as well as the historic railroad bridge over the GWMP. The loss of the historic structure and the contributing elements these bridges offer to the GWMP and MVMH Historic Districts and the East and West Potomac Parks Historic District could be mitigated through actions such as documentation of the bridge through photographs and drawings prior to their removal or the addition of informational signage depicting or describing the historic bridges.

FRA, in coordination with DRPT, NPS, DC SHPO, and VDHR, have developed a Section 106 Programmatic Agreement (PA) to minimize and mitigate adverse effects from Action Alternative A (the Preferred Alternative) to the GWMP, MVMH, and East and West Potomac Parks Historic Districts. The PA (see **Appendix B** of the **Combined FEIS/ROD, Section 106 Programmatic Agreement**) includes the following minimization and mitigation measures:

- Design review (to include DRPT, FRA, DC SHPO, VDHR, NCPC, and NPS) as engineering and design progress to address unresolved design elements and ensure new elements are aesthetically compatible with the character of existing resources.

- Development and implementation of a vegetation protection plan to determine which vegetation and trees would be removed or impacted by the project.

- Development and implementation of a vegetation restoration plan to determine the number and caliper of trees to replace vegetation and trees removed or impacted by the project, as well as their replacement location.

- Development and implementation of an interpretation plan to provide information to the public on the history of Long Bridge.

- Development and implementation of a viewshed protection plan for the area of the GWMP and MVMH from Alexandria to Columbia Island.

- Development and implementation of cultural landscape inventories for GWMP and MVMH and East and West Potomac Parks.

- Development and implementation of a construction management control plan to minimize impacts to historic sites due to noise, vibration, and visual effects during construction.

6.2. Factor 2: Relative Severity of the Remaining Harm after Mitigation

Factor 2 analyzes the severity of the remaining harm to each Section 4(f) resource after implementation of measures to avoid, minimize, and mitigate. Where mitigation can effectively reduce the harm for all uses to a Section 4(f) resource, the severity of remaining harm is a key consideration. Section 4(f) requires a determination of whether the impacts following mitigation are significant within the context of the purpose, goals, plans, and other resource management objectives for the Section 4(f) resource.

Action Alternatives A and B would have similar uses across all Section 4(f) properties affected. The primary differences between alternatives include the additional property required for construction staging and access at the GWMP for Action Alternative B, the removal of the historic bridge structure for Action Alternative B, and additional permanent use of land to accommodate a slightly wider railroad right-of---way for Action Alternative B. The analysis of the relative severity of the remaining harm after mitigation to all Section 4(f) resources differs between the two Action Alternatives because of the removal of the historic bridge structures over the Potomac River and the GWMP. Action Alternative A would avoid harm to the historic structures, while Action Alternative B would remove these structures.

Mitigation to compensate for harm to Section 4(f) properties would focus on restoring vegetation at the areas used for construction staging and access, and at additional areas as needed. If the disturbed areas immediately adjacent to the new railroad crossing are not conducive for replanting, restoration efforts to compensate for harm may be located elsewhere. Following construction, mitigation and natural processes over time would return the recreational and scenic values at these areas.

After mitigation, visual impacts from the removal of trees would continue at the construction staging sites and adjacent to the existing railroad. The construction of a new path crossing the Potomac River would greatly enhance recreational values.

As described in **Section 6.1, Factor 1** minimization and mitigation measures for historic sites would include measures such as design review, vegetation protection and restoration plans, interpretation plan, viewshed protection plan, and a cultural landscape inventory. Through the measures included in the PA, the impacts on historic sites would be reduced below the level of significance.

6.3. Factor 3: Relative Significance of Each Section 4(f) Property

This section gives a brief summary description of the relative importance of each property affected by Action Alternative A and Action Alternative B as a Section 4(f) resource. Some properties have greater significance as a public resource than others.

The GWMP is both a recreational resource and an historic site. It consists of a 25-mile corridor on 7,146 acres adjacent to the western shore of the Potomac River. It offers motorists an attractive park setting with views of the Monumental Core and the river and connects numerous sites important to the history of the country. The GWMP, as a memorial to George Washington, began as a scenic route between the Mount Vernon Estate and Great Falls, Virginia. The GWMP Historic District is listed in the NRHP "as an instrument of conservation and protection of scenic and recreational values,"[16] and provides opportunities for hiking, bicycling, jogging, picnicking, and enjoyment of scenic views. The MVMH Historic District is the original 15.2-mile segment of this resource.

East Potomac Park consists of 330 acres on a manmade island in the Potomac River. West Potomac Park consists of 400 acres including the western end of the National Mall and encompassing the Tidal Basin. They offer a wide range of amenities including a public golf course, memorials, a public swimming pool, picnic areas, parking areas, and extensive roads and paths for cyclists, walkers, and runners. West Potomac Park includes the Jefferson Memorial and George Mason Memorial on the southern edge of the Tidal Basin. Ohio Drive SW is a perimeter road around the parks. The part of the parks where the railroad right-of-way is located consists of buildings, infrastructure, and open space considered part of the administrative offices of the NPS NCR and NAMA with little to no recreational use by the public. Action Alternatives A and B would have similar impacts to East and West Potomac Parks.

East and West Potomac Parks Historic District encompasses 730 acres of parkland along the Potomac River, developed over approximately 100 years. The district's significance derives from its size and many visitor attractions making it unique as an urban park, its use for special events including the National Cherry Blossom Festival, the fact that it provides the setting for various monuments and memorials and provides a backdrop for many other Federal buildings and monuments, and the involvement of many architects, artists, and landscape architects in its design and evolution over 100 years of development. Long Bridge, constructed in 1904, is a contributing element to the East and West Potomac Parks Historic District. Action Alternative B would remove this Section 4(f) historic structure. Removing this structure would cause a Section 106 adverse effect under the NHPA, resulting in a use under Section 4(f) while Action Alternative A would not.

[16] NPS. April 1995. National Register of Historic Places Nomination Form, George Washington Memorial Parkway.

6.4. Factor 4: Views of the Officials with Jurisdiction over Each Section 4(f) Property

The purpose of this factor is to judge the relative importance of each Section 4(f) resource and the relative significance of potential impacts to these resources based on the OWJ's point of view. Three entities have jurisdiction over the Section 4(f) resources that the Project would potentially affect:[17]

- NPS has jurisdiction over the GWMP, GWMP and MVMH Historic Districts, East Potomac Park, West Potomac Park, and East and West Potomac Parks Historic District.

- VDHR and DC SHPO have jurisdiction over NRHP-listed or eligible historic sites in the Study Area (the GWMP and MVMH Historic Districts and East and West Potomac Parks Historic District).

The following analysis explains the positions that these agencies have taken with regard to the potentially affected resources providing insights on how to integrate the views of these jurisdictions into this Section 4(f) analysis:

- **NPS** is a Cooperating Agency because they have jurisdiction over Federal park property in the Project Area, including the GWMP, East Potomac Park, and West Potomac Park. NPS has worked collaboratively with DDOT and FRA throughout the environmental review process. In particular, NPS, DDOT, and FRA worked to develop construction staging and access concepts that would minimize impacts to NPS-administered properties.

  NPS has stated that the both Action Alternatives would have significant permanent and temporary impacts to the GWMP, East Potomac Park, and West Potomac Park. They have agreed that most, but not all, of these impacts could be mitigated through the measures agreed to in the Section 106 Programmatic Agreement (see **Appendix B** of the **Combined FEIS/ROD, Section 106 Programmatic Agreement**) and the mitigation agreement between DRPT and NPS (see **Appendix C** of the **Combined FEIS/ROD, DRPT-NPS Mitigation Agreement**).

- **DC SHPO** has jurisdiction over the NRHP-listed or eligible historic sites within the District (East and West Potomac Parks Historic District). FRA has consulted with DC SHPO regarding historic resources throughout the environmental review process, starting with initiating the Section 106 process in September 2016. On November 8, 2018 DC SHPO concurred that implementation of either Action Alternative would have an adverse effect on the East and West Potomac Parks Historic District. DC SHPO further stated that Action Alternative B would have greater adverse effects than Action Alternative A, and recommended selection of Action Alternative A as the Preferred Alternative. DC SHPO also recommended that the new railroad bridge be constructed using through plate girders rather than deck plate girders, to establish a consistent, compatible vocabulary for the railroad bridges and differentiate them from the nearby Metrorail bridge.

- **VDHR** has jurisdiction over the NRHP-listed or eligible sites within the Commonwealth of Virginia (the GWMP and MVMH Historic Districts). FRA has consulted with VDHR regarding historic

[17] While not an Official with Jurisdiction for the purposes of Section 4(f), it should be noted that NCPC has approval authority over Federal projects within the District, and advisory approval for Federal projects elsewhere in the National Capital Region and for District of Columbia property.

resources throughout the environmental review process, starting with initiating the Section 106 process in September 2016. On November 8, 2018 VDHR concurred that implementation of either Action Alternative would have an adverse effect on the GWMP and MVMH Historic Districts.

6.5. Factor 5: Degree to Which Each Alternative Meets the Purpose and Need for the Project

DDOT and FRA considered 18 alternatives as part of the EIS process (see **Chapter 3** of the **DEIS, Alternatives**). The analysis resulted in dismissal of 16 alternatives from further consideration. The DEIS evaluated two Action Alternatives (Action Alternative A and Action Alternative B). These design and layout of these two alternatives is very similar. Both Action Alternatives would add two tracks to create a four-track railroad system crossing the Potomac River, and both Action Alternatives would equally meet the project Purpose and Need by increasing railroad capacity for passenger and freight trains, improving resiliency and redundancy, and maintaining network connectivity. Action Alternative A and Action Alternative B equally meet the Purpose and Need for the Project.

6.6. Factor 6: After Reasonable Mitigation, the Magnitude of Any Adverse Impacts to Resources Not Protected by Section 4(f)

This factor addresses the magnitude of unavoidable impacts to resources not protected by Section 4(f) after implementing mitigation measures. In consideration of the adverse impacts resulting from each alternative, the analysis has determined that impacts from the operation of trains, after construction of the Project, would be low and mitigatable for each alternative. However, the complexity of the Project being within and adjacent to parks, historic sites, building, highways, utilities, and surface waters presents a setting in which adverse impacts from construction activities would be unavoidable. **Chapters 5 through 21** of the **DEIS** summarize these impacts.

The two Action Alternatives have relatively the same finished footprint and would cause very similar impacts to the Potomac River, although replacement of the existing bridge would cause additional impacts to vegetation on the shoreline. Additionally, construction techniques and equipment would be the same between the two Action Alternatives, and both Action Alternatives would result in the same operational impacts once construction is complete (same number of trains per day). Impacts would be different between the Action Alternatives because Action Alternative A would keep the existing Long Bridge crossing the Potomac River; therefore, the duration of construction only covers a single bridge across the river and would be shorter than Action Alternative B. The total construction timeline for Action Alternative A would be approximately 5 years, while Action Alternative B would take an estimated 8 years and 3 months to complete. The difference in the construction timeline between alternatives means that Action Alternative B would cause noise, air quality, and visual impacts to other adjacent commercial and residential properties along the Corridor that are not protected by Section 4(f) over a longer duration. These impacts would temporarily impact the quality of life for area residents, commuters, and business workers for 5 years for Action Alternative A and 8 years and 3 months for Action Alternative B.

Construction of Action Alternative A and Action Alternative B would have adverse impacts to transportation during construction in the District. These impacts include lane closures and traffic

detours during certain times of the day that would disrupt traffic flow for vehicles, cyclist, and pedestrians. This adverse impact would not be mitigatable. The impact intensity would be the same for each alternative. However, the impacts to traffic under Action Alternative A would last between 3 years and 6 months to 5 years depending on the segment of construction, while impacts to traffic under Alternative B would last approximately 4 years and 1 month to 8 years and 3 months. **Chapter 9, Transportation**, presents details on the impacts to traffic.

6.7. Factor 7: Substantial Differences in Costs Among Alternatives

Action Alternative B would replace the existing Long Bridge over the Potomac River and the railroad bridge over the GWMP rather than retaining those bridges. The replacement of the existing Long Bridge would require a substantial difference of capital outlay compared to Action Alternative A. Action Alternative B would cost approximately $900 million more than Action Alternative A, an approximately 47 percent increase.

6.8. Least Overall Harm Analysis Conclusion

Table 6-2 summarizes the comparison of the two Action Alternatives under each of the seven factors considered in the Least Overall Harm Analysis. In making this least harm conclusion all seven factors have been considered and weighed, as required by Section 4(f) regulation.

The OWJs acknowledge that Action Alternative A would have impacts to Section 4(f)-protected properties, but have determined that most (but not all) of these impacts can be mitigated through measures that would be implemented as part of the Section 106 PA (see **Appendix B** of the **Combined FEIS/ROD**, **Section 106 Programmatic Agreement**) and the mitigation agreement between NPS and DRPT (see **Appendix C** of the **Combined FEIS/ROD**, **DRPT-NPS Mitigation Agreement**). Action Alternative A would meet the Purpose and Need of the Project by providing two additional tracks across the Potomac River with fewer impacts to historic sites and environmental resources than Action Alternative B, and would cost substantially less that Action Alternative B. Therefore, Action Alternative A would cause the least overall harm in light of Section 4(f)'s preservation purpose.

1227 **Table 6-2** | Summary of Least Overall Harm Factors

Factor	Action Alternative A	Action Alternative B
Section 4(f) Resources with a Use	• GWMP • GWMP HD • MVMH HD • East Potomac Park • West Potomac Park • East and West Potomac Parks Historic District	Same as Action Alternative A
Factor 1: Ability to Mitigate	• Offset effects to recreational values through construction of new bike-pedestrian crossing • Offset visual impacts and adverse effects to historic values through vegetation restoration/replacement, viewshed protection plans, cultural landscape inventories	Same as Action Alternative A, except not able to fully mitigate loss of historic bridges
Factor 2: Relative Severity of Remaining Harm	• After mitigation, visual impacts from the removal of trees would continue • Construction of bike-pedestrian crossing would greatly enhance recreational values • Through mitigation included in the PA, impacts on historic sites would be reduced below the level of significance	Same as Action Alternative A, except loss of historic bridges would be significant even after mitigation
Factor 3: Relative Significance of Each Section 4(f) Property	GWMP; GWMP HD; MVMH HD; East Potomac Park; West Potomac Park; East and West Potomac Parks Historic District are major recreational and historic resources of regional and national significance	Same as Action Alternative A
Factor 4: Views of the Officials with Jurisdiction	OWJs agree most, but not all, impacts can be mitigated	Same as Action Alternative A
Factor 5: Degree to Which Each Alternative Meets Purpose and Need	Meets the Purpose and Need for the Project	Same as Action Alternative A
Factor 6: Magnitude of Impacts to non-Section 4(f) Resources	Action Alternatives have relatively the same finished footprint and would cause very similar impacts	Longer construction duration would result in construction impacts being experienced for longer period of time
Factor 7: Substantial Difference in Cost	Action Alternative B would cost approximately $900 million more than Action Alternative A, an approximately 47 percent increase	

7.0 Coordination and Consultation

7.1. Public Comments on the Draft Section 4(f) Evaluation

FRA provided an opportunity for public review and comment on the Draft Section 4(f) Evaluation for the Long Bridge Project in conjunction with the public review period for the DEIS from September 5, 2019 through October 28, 2019. The Draft Section 4(f) Evaluation was made available to public together with the DEIS. While no public comments were received specifically on the Draft Section 4(f) Evaluation, the following summarizes public comments received related to impacts to Section 4(f)-protected resources:

- **Long Bridge Park:** The organization Friends of Long Bridge Park stated their opposition to any impacts to parkland within Long Bridge Park. They also requested additional information about construction activities within the park.
- **MVT:** Commenters expressed concern over construction impacts to the MVT. Some commenters also expressed concern that the new bike-pedestrian crossing would increase traffic on the trail, and suggested mitigation.
- **Mitigation:** Commenters expressed support for the bike-pedestrian crossing as mitigation for impacts to parkland.

7.2. Coordination with Officials with Jurisdiction

FRA provided the draft Section 4(f) Evaluation for coordination and comment to the OWJs during the DEIS comment period. FRA provided the evaluation to DOI, which has a 45-day review period.

NPS administers the GWMP, East Potomac Park, West Potomac Park, and Hancock Park and is a Cooperating Agency for this project. Arlington County owns Long Bridge Park and is a Participating Agency. VDHR and DC SHPO are also Participating Agencies. NPS, Arlington County, VDHR, and DC SHPO are OWJs in terms of Section 4(f) regulations.[18]

FRA coordinated with the OWJs during the entirety of the Section 4(f) evaluation. Prior to making Section 4(f) approvals, the Section 4(f) Evaluation by FRA was provided for coordination and comment to the OWJs. FRA is responsible for soliciting and considering the comments of OWJs over the Section 4(f) property, as part of the administration of Section 4(f).

Engagement with NPS, Arlington County, VDHR and DC SHPO in their roles in the NEPA and Section 106 process is described in **Tables 25-2 and 25-4** in **Chapter 25** of the **DEIS, Public Involvement and Agency Coordination.** In addition to the coordination points and meetings outlined in that chapter, FRA and DDOT have coordinated with OWJs through the methods described below. OWJs also had the opportunity to comment on the DEIS. Both NPS (through DOI) and Arlington County provided comments during the public review period for the DEIS (see **Appendix F** of the **Combined FEIS/ROD, Agency, Operator, and Organization Comments Received**).

[18] While not an Official with Jurisdiction for the purposes of Section 4(f), it should be noted that NCPC has approval authority over Federal projects within the District, and advisory approval for Federal projects elsewhere in the National Capital Region and for District of Columbia property.

- **NPS:** FRA and DDOT held regular monthly coordination meetings with NPS throughout the development of the EIS. The purpose of the meetings is to share information and discuss project issues and coordination needs.
- **Arlington County:** DDOT held coordination meetings with Arlington County to discuss issues and receive input specific to Long Bridge Park on August 31, 2017, and September 26, 2018.
- **Technical Advisory Committee Meeting:** On August 16, 2018, FRA and DDOT held a meeting with multiple agencies with an interest in the visual analysis, including NPS, VDHR, and DC SHPO. The purpose of the meeting was to discuss the viewsheds proposed for analysis using photo simulations.

7.3. Coordination with Cooperating Agencies

The Lead and Cooperating Agencies have specific opportunities for meaningful participation in the decision-making process for the Project, including review and comment on the Draft Section 4(f) Evaluation. For this Project, FRA is providing an opportunity for Cooperating Agency review and comment on this Draft Section 4(f) Evaluation in conjunction with their review period for the DEIS. Coordination among these agencies will continue throughout the development of the Project and further refinement of the Section 4(f) Evaluation. **Table 25-2** in **Chapter 25** of the **DEIS, Public Involvement and Agency Coordination**, lists and describes the key agency coordination points throughout the decision-making process for the Project**.**

7.4. Section 106 Consultation

FRA is conducting Section 106 consultation concurrently with development of the EIS and Section 4(f) Evaluation. For this project, Section 106 consultation involved coordination with DDOT, DC SHPO, VDHR, NPS, and Arlington County, as well as other Consulting Parties, regarding the potential impacts of the Action Alternatives to the GWMP, MVMH and East and West Potomac Parks Historic Districts. Consultation also included discussion of proposed measures to avoid, minimize, and mitigate adverse effects and FRA incorporated these measures into mitigation for impacts to Section 4(f) resources. **Chapter 25.6** of the **DEIS, Section 106 Consultation**, provides additional detail on the Section 106 consultation. **Table 25-4** of the **DEIS** lists the dates and topics of the meetings held with the Consulting Parties.

7.5. Public Involvement

Section 4(f) requires that FRA must provide public notice and an opportunity for public review and comment on the Draft Section 4(f) Evaluation and *de minimis* determinations. This requirement can be satisfied in conjunction with other public involvement procedures, such as the comment period provided on a DEIS prepared in accordance with NEPA.

On November 29, 2018, FRA and DDOT held a public meeting to inform the public of the identification of the Preferred Alternative for the Project. At the meeting, FRA and DDOT provided an overview of Section 4(f) and explained the potential for the bike-pedestrian crossing to serve as mitigation for impacts to Section 4(f) resources.

8.0 Section 4(f) Determination

As described in **Section 3.0, Use of Section 4(f) Protected Properties**, the Preferred Alternative for the Long Bridge Project would result in use of the following Section 4(f) properties:

- Long Bridge Park (*de minimis* impact)
- GWMP
- GWMP Historic District
- MVMH Historic District
- East Potomac Park
- West Potomac Park
- East and West Potomac Parks Historic District

FRA finds that there is no feasible and prudent alternative to the use of Section 4(f) properties for this project. FRA, DDOT, and NPS have committed to minimize the harm to these resources associated with the Preferred Alternative by implementing the measures of the Section 106 PA and the DRPT-NPS Mitigation Agreement. As described in **Section 6.0, Least Overall Harm Analysis**, the Preferred Alternative would cause the least overall harm in light of Section 4(f)'s preservation purpose in comparison to the other project alternatives.

LONG BRIDGE PROJECT
Connecting North and South Through our Nation's Capita

Attachment A:

Officials with Jurisdiction Correspondence

United States Department of the Interior

Office of the Secretary
Office of Environmental Policy and Compliance
1849 C Street, NW - MS 2629 - MIB
Washington, D.C. 20240

In Reply Refer to:

April 30, 2020

9043.1
ER 19/0417

Electronically Filed
David.Valenstein@dot.gov

David Valenstein
Senior Advisor – Major Projects & Credit Programs
USDOT/FRA Office of Railroad Policy and Development
55 M Street, SE
Suite 400
Washington, DC 20003

Subject: Final Section 4(f) Evaluation for the Long Bridge Project, Arlington, Virginia and Washington, D.C.

Dear Mr. Valenstein:

The U.S. Department of the Interior (Department) has reviewed the Final Section 4(f) Evaluation for the Long Bridge Project (the Project), which is to provide additional long-term railroad capacity and improve reliability of railroad service in the Long Bridge Corridor through a 1.8-mile railroad section between RO Interlocking in Arlington, Virginia, and L'Enfant Interlocking near 10th Street SW in the District of Columbia. The Project also includes a new bike-pedestrian crossing as part of the mitigation for use of Section 4(f)-protected property, which will be located upstream of the new railroad bridge and will provide connectivity over the Potomac River between Long Bridge Park in Arlington, Virginia to the District of Columbia.

The Department understands that the Federal Railroad Administration (FRA), jointly with the District Department of Transportation (DDOT) are the lead agencies that have prepared the Draft Environmental Impact Statement (EIS) and Section 4(f) Evaluation for the Project. The Virginia Department of Rail and Public Transportation (DRPT) is the named Project Sponsor for the future phases of the Long Bridge project.

In a letter dated October 28, 2019, the Department provided comments on the Draft EIS and Draft Section 4(f) Evaluation (see enclosure). The National Park Service (NPS) has been participating as a cooperating agency due to the use of property from the George Washington Memorial Parkway and the National Mall and Memorial Parks, and has been coordinating with FRA, DDOT, and DRPT during the development of the EIS. The Department understands that FRA is in the process of preparing a combined Final EIS / Record of Decision. Our comments

are solely on the Final Section 4(f) Evaluation which was submitted to the Department for review on April 23, 2020.

As stated in the Draft EIS and Draft Section 4(f) Evaluation, both build alternatives have approximately the same layout (i.e., they would cover approximately the same surface area during and after construction). The Final Section 4(f) Evaluation determined that of the two build alternatives being considered, Alternative A best meets the purpose and need of the Project by providing two additional tracks across the Potomac River with fewer impacts to historic sites and environmental resources than Action Alternative B, and would cost substantially less than Action Alternative B. Therefore, Action Alternative A would cause the least overall harm in light of Section 4(f)'s preservation purpose and there is no prudent and feasible alternative to the use of Section 4(f) properties for this Project. FRA, DDOT, and DRPT have committed to minimize the harm to these resources associated with the Preferred Alternative by implementing the measures of the Section 106 Programmatic Agreement and the DRPT and NPS Mitigation Agreement.

Alternative A will require the permanent use of up to 0.5 acres and the temporary use of up to 3.8 acres of the George Washington Memorial Parkway. This includes affecting approximately 600 linear feet of the Mount Vernon Trail for the construction of the new bridge over the trail. Access to the Mount Vernon trail and the George Washington Memorial Parkway will remain open to visitors throughout construction. Alternative A will also require the permanent use of up to 1.9 acres and the temporary use of up to 3.4 acres of East and West Potomac Park; and permanent use of up to 0.53 acres.

In the Draft Section 4(f) Evaluation, FRA determined that the use of Hancock Park for construction access and staging was *de minimis*. At that time, the NPS did not concur with this finding, and determined that it was a temporary use under Section 4(f) as a third of this very small park would be unavailable for use by the public for a duration of three years. FRA has reduced their use of Hancock Park down to .09 acres for construction access in a location that already serves as access and has now determined that it meets the criteria for a temporary occupancy exception and would not constitute a Section 4(f) use.

Upon review of the Final Section 4(f), the Department concurs with the findings of the least harm analysis and FRA's determination. We agree that the Preferred Alternative will have impacts to Section 4(f) resources and have determined that most of these impacts will be mitigated through the implementation of a new bicycle-pedestrian crossing and through measures stipulated in the Section 106 Programmatic Agreement and the Mitigation Agreement between the DRPT and the NPS. The Preferred Alternative would also result in a new bicycle-pedestrian connection with Long Bridge Park, the Mount Vernon Trail, Ohio Drive SW, the National Mall and Memorial Parks, and East Potomac Park.

The Department understands the need to provide additional long-term railroad capacity and improve the overall reliability of railroad service and the rationale for expanded capacity within this corridor. However, the NPS is concerned with the potential impacts to NPS resources and looks forward to the continued collaboration with FRA, DDOT, and DRPT during design and project implementation to mitigate and minimize impacts to NPS resources.

If you have any questions or need additional information, please contact Tammy Stidham, Deputy Associate Area Director, Lands and Planning at 1100 Ohio Drive SW, Washington DC, 20242. Ms. Stidham can be reached by phone at (202) 619-7474 or email at Tammy_Stidham@nps.gov.

We appreciate the opportunity to provide these comments.

Sincerely,

Michaela Noble

Michaela E. Noble
Director, Office of Environmental Policy
and Compliance

Enclosure:

cc: Anna Chamberlin, AICP, Long Bridge Project
Tammy Stidham, NPS

TRANSMITTED ELECTRONICALLY – NO HARD COPY TO FOLLOW

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Custom House, Room 244
200 Chestnut Street
Philadelphia, Pennsylvania 19106-2904

IN REPLY REFER TO:

October 28, 2019

9043.1
ER 19/0417

Anna Chamberlin, AICP
Long Bridge Project
55 M Street, SE
Suite 400
Washington, DC 20003-3515

Dear Ms. Chamberlin:

The Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (DEIS) and draft Section 4(f) Evaluation for the Long Bridge Project (the Project), which connects Arlington, Virginia to Washington D.C. The Department submits the following comments in accordance with provisions of the National Transportation Act of 1966, as amended 23 U.S.C. 138 and 49 U.S.C. 303, referred to as Section 4(f), and the applicable regulations at 23 C.F.R. 774, and other regulations and guidance.

The Department understands that the Federal Railroad Administration (FRA), jointly with the District Department of Transportation (DDOT) are the lead agencies that have prepared the DEIS and Draft Section 4(f) Evaluation for the Project. The Virginia Department of Rail and Public Transportation (DRPT) is the named Project Sponsor for the future phases of the Long Bridge project.

The purpose of the Project is to provide additional long-term railroad capacity and to improve the reliability of railroad service through the Long Bridge Corridor, a 1.8-mile railroad corridor between RO Interlocking in Arlington, Virginia, and L'Enfant Interlocking near 10th Street SW in the District of Columbia. The location of this proposal is in the Capitol Hill neighborhood of the District of Columbia (District) beneath eastbound Virginia Avenue SE from 2nd Street SE to 9th Street SE; Virginia Avenue Park between 9th and 11th Streets; and the 11th Street Bridge right-of-way. Construction is anticipated to start 2022 and last for approximately four to five years. The proposed new infrastructure includes a new two-track railroad bridge and a bicycle/pedestrian bridge over the Potomac River that will transect both the National Mall and Memorial Parks (NAMA) and the George Washington Memorial Parkway (GWMP). Because of the Project's impacts to these National Park Service (NPS) administrative units, the NPS is

serving as a cooperating agency on this project and has been coordinating with FRA, DDOT, and DPRT during the development of the DEIS.

As part of this DEIS and draft Section 4(f) Evaluation process, a number of different preliminary concepts were developed. Following an evaluation of these concepts several failed to meet the Project's overall purpose and need, and were dismissed from further analysis. The two action alternatives evaluated in the DEIS include:

- **Alternative A -** Action Alternative A would construct a new two-track railroad bridge over the Potomac River and the GWMP between the existing railroad bridge and the Metrorail Bridge. It would expand the Long Bridge Corridor from two to four tracks, including all necessary infrastructure improvements from RO Interlocking in Arlington, Virginia through LE Interlocking in the District. This alternative would retain the existing Long Bridge over the Potomac River as well as the railroad bridge over the GWMP.

- **Alternative B -** Similar to Action Alternative A, Action Alternative B would construct a new two-track railroad bridge over the Potomac River and the GWMP between the existing railroad bridge and the Metrorail Bridge. However, Action Alternative B would also replace the existing Long Bridge and the railroad bridge over the GWMP rather than keeping those bridges. In addition to replacing the bridge over the GWMP and Long Bridge, Action Alternative B would expand the Long Bridge Corridor from two to four tracks in the same manner as Action Alternative A.

As stated in the DEIS and draft Section 4(f) Evaluation, both build alternatives have approximately the same layout (i.e., they would cover approximately the same surface area during and after construction). Of the two build alternatives being considered, Alternative A was identified as being a preferred alternative in the DEIS and draft Section 4(f) Evaluation. Under both alternatives, a bicycle-pedestrian bridge with connections to Long Bridge Park, the Mount Vernon Trail, and Ohio Drive SW located between the Metrorail Bridge and a new upstream railroad bridge is being considered as potential mitigation for impacts to properties protected under Section 4(f).

After review of the DEIS and draft Section 4(f) Evaluation, the Department understands that, due to the current location, this project will result in significant permanent and temporary impacts of the following Section 4(f) resources:

- **The GWMP/Mount Vernon Memorial Highway** - Congress established the GWMP in May 1930, as one of the nation's premiere parkways, in the 1930s to commemorate the first President of the United States, provide scenic drives and connectivity to historic sites along the Potomac River, and create an aesthetic entryway into the District. The 25-mile parkway, administered by the NPS, runs along the Potomac River from the Mount Vernon Estate to Great Falls, Virginia. The Mount Vernon Memorial Highway (MVMH) is the original 15.2-mile segment of the GWMP commemorating the birth of George Washington.

- **Mount Vernon Trail (MVT) –** The MVT is an 18-mile paved trail for pedestrians and bicyclists that runs between George Washington's Mount Vernon Estate and Theodore Roosevelt Island and parallels the GWMP for its entire length. The MVT is a recreational resource within the park, however, it is not currently a contributing resource to the GWMP or MVMH Historic Districts.

- **East Potomac Park (EPP) -** East Potomac Park is one of the largest recreational spaces in the Washington, DC, core, occupying most of Hains Point between the Washington Channel and the Potomac River. It is almost 330 acres in size and extends southeast of West Potomac Park. East Potomac Park has been primarily developed for active recreation uses. The park currently contains a golf course with food service, one of the country's oldest miniature golf courses, a swimming pool, and a tennis facility. The area's roads are well used by bicyclists. Visitor services also include picnic facilities, restrooms, and a playground.

- **Hancock Park -** approximately 1.11-acre located between the existing railroad tracks, northeast of the LE Interlocking, west of 7th Street SW, south of Maryland Avenue SW, and east of the 9th Street SW Expressway. HP contains open space, walkways, landscaping and screening, and café tables and chairs.

Alternative A would require the permanent use of up to .5 acres for the new bridge structure along the western side of the exiting Long Bridge and approximately .62 acres from the new bicycle/pedestrian bridge. The new railroad bridge would pass over the MVT and GWMP roadway and would permanently occupy a portion of the vegetated area between the trail and the roadway, with 15-20 foot high retaining walls. Construction of the new bridge would result in removal of approximately 70 trees, including three larger trees with greater than 34-inch trunk diameters. Some of these trees date to the 1932 planting plan of the GWMP and were intended to visually screen the railroad bridge from the motorway. Temporary use of up to 3.8 acres of NPS-administered land from the GWMP and MVMH for construction access and staging.

Alternative A would require the permanent use of up to 2.75 acres for retaining walls, abutments, and bridges through the park and approximately .31 acres from the new bicycle/pedestrian from NPS property from EPP and WPP. The new railroad bridge would pass over East Ohio Drive and the two new tracks would require widening of the existing railroad embankment, affecting approximately 2.4 acres of the park. The widened railroad right-of-way would also permanently occupy a portion of NPS Parking Lot C, causing the permanent loss of up to 50 parking spaces. Construction staging areas and widening of the embankment would require removal of approximately 170 trees, including eight larger trees with greater than 34-inch trunk diameters and up to four Japanese cherry blossom plantings. The majority of the trees removed (150) would be small saplings under 12-inch trunk diameters that screen the railroad tracks. Temporary use of up to 5.7 acres of NPS property from EPP and WPP for construction access and staging.

FRA has determined that the use of Hancock Park is *de minimis.* The temporary use is for construction access and staging. The NPS does not concur with this finding as a third of this very small park will be unavailable for use by the public for a duration of three years. The NPS considered this a temporary use under Section 4(f).

The Department agrees with the statements in both the DEIS and Draft Section 4(f) Evaluation that the Project would result in a determination of "adverse effect" under Section 106 National Historical Preservation Act (Section 106) to GWMP,MVMH, EPP and WPP historic resources. The removal of contributing vegetation, especially mature trees that date to the GWMP's 1932 planting plan and were intended to screen the railroad bridge from motorists, and the introduction of highly visible major infrastructure would diminish the historic integrity (specifically, the contributing vegetation), and inherent feeling of both the GWMP and MVMH. Action Alternative A would have an adverse effect on East and West Potomac Parks Historic District through incorporation of parkland and removal of up to four contributing Japanese cherry blossom plantings, which would diminish the integrity of setting, design, materials, and feeling of the park. Addition of the new bridge would also obstruct views of the existing Long Bridge from the north, diminishing the visual integrity of the contributing structure and resulting in an adverse effect. Due to a determination of adverse effect, NPS has been participating as a consulting party in the development of a Programmatic Agreement which is being prepared in consultation with the DC State Historic Preservation Office and other consulting parties.

With regard to the draft Section 4(f), the Department understands no feasible and prudent alternatives that avoid the use of Section 4(f) properties were identified and that the action alternatives evaluated have somewhat equal impacts to Section 4(f) properties. The draft Section 4(f) Evaluation does not make a determination regarding prudent and feasible, as defined in 23 CFR 774.17. Document states that FRA will complete the Final Section 4(f) Evaluation at the same time as the FEIS for the Project. It will include a determination of the impacts to Section 4(f) properties resulting from the Preferred Alternative and documentation of measures to minimize harm. As a result, the Department is not likely to concur at this time. The Department will require more information regarding alternatives, mitigation and minimization as well as FRA determination of prudent and feasible. Implementation of the bicycle/pedestrian bridge is an element that would be a benefit to the NPS properties being impacted and would enhance access and connectivity to and through NPS properties.

Finally, the Department understands the need to provide additional long-term railroad capacity and improve the overall reliability of railroad services and understands the rationale for expanded capacity to occur within this corridor. However, we also understand the major significant impacts the project will have on NPS property, visitor use, access, and experience, impacts to additional Section 4(f) resources and that the disruption during construction will last between four and five years. The Department remains concerned with significant impacts to NPS resources and looks forward to the continued collaboration with FRA, DDOT, and DPRT during this long-term planning process to continue to mitigate and minimize these impacts.

If you have any questions or concerns regarding these comments, please contact Tammy Stidham, Deputy Associate Area Director - Lands and Planning at 1100 Ohio Drive SW, Washington DC, 20242. Ms. Stidham can be reached by phone at (202) 619-7474 or email Tammy_Stidham@nps.gov.

The Department appreciates the opportunity to provide these comments.

Sincerely,

Lindy Nelson
Regional Environmental Officer

cc: Tammy Stidham, NPS

June 2, 2020

Mr. David Valenstein
Senior Advisor – Major Projects & Credit Programs
Office of Railroad Policy and Development
U.S. Department of Transportation
Federal Railroad Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Long Bridge Project Section 4(f) Comments Regarding Hancock Park and the Plan of the City of Washington (L'Enfant Plan)

Dear Mr. Valenstein:

Thank you for consulting with the District of Columbia State Historic Preservation Officer (DC SHPO) regarding the Section 4(f) Evaluation for the Long Bridge Project. As you are aware, Hancock Park (aka Reservation 113) is a contributing element of the National Register of Historic Places-listed Plan of the City of Washington (aka L'Enfant Plan).

However, we concur with the Federal Railroad Administration's determination that temporary use of .09 acres of this park for construction access qualifies as a temporary occupancy for purposes of Section 4(f) of the U.S. Department of Transportation Act because the area to be used already serves as access; the use will be limited to three years; changes to the park will be minimal and will result in no permanent alterations; and because the park will be restored to existing conditions or better at the end of the three year period. We also understand that the Department of the Interior/National Park Service concurs with this finding.

If you should have any questions or comments regarding this matter, please contact me at andrew.lewis@dc.gov or 202-442-8841. Otherwise, we look forward to continued consultation under Section 106 of the National Historic Preservation Act, as appropriate.

Sincerely,

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

20-0532 / 17-0051

ARLINGTON
VIRGINIA

DEPARTMENT OF PARKS AND RECREATION

2100 Clarendon Boulevard, Suite 414, Arlington, VA 22201
TEL 703-228-3323 FAX 703-228-3328 TTY 711 parks.arlingtonva.us

July 23, 2020

Marlys A. Osterhues
Chief, Environment and Project Engineering
USDOT/FRA Office of Railroad Policy and Development
1200 New Jersey Avenue, SE
Washington DC, 20590

Re: Long Bridge Project, Section 4(f) Concurrence for Long Bridge Park

Dear Ms. Osterhues,

Arlington County received your letter dated May 6, 2020 requesting Arlington County Department of Parks and Recreation concurrence with the Federal Railroad Administration's (FRA) determination regarding permanent and temporary impacts to Long Bridge Park from the Long Bridge Project (Project) in accordance with Section 4(f) of the United States Department of Transportation of 1966 (Section 4(f)) now codified at 49 USC 303 et seq. and implemented in 23 CFR 774.

Please find attached an amended and signed concurrence clause. This amended concurrence clause states that this concurrence does not constitute a conveyance of any temporary or permanent interest in or access to park lands. Any temporary work or improvements will be subject to future agreement between Arlington County and the appropriate parties. That final conveyance of temporary or permanent interest will be based on final survey, negotiation, and agreement(s) between the County and appropriate parties when detailed information is available upon which to base final agreement(s).

For your convenience I have attached a redlined version of the original concurrence clause included in your May 6, 2020 letter.

Thank you for your attention to this matter. If you have any questions, please feel free to contact Erik Beach, Park Development Division Chief, at (703) 228-3318 or ebeach@arlingtonva.us

Respectfully,

Jane Rudolph

Jane Rudolph, Director

cc:

Erik Beach, PDD
Michelle Cowan, CMO
Stephen MacIsaac, CAO
Tim O'hora, DES
Dan Malouff, DES

Attachment: Original Long Bridge Park Concurrence Clause with Redlined Changes

Concurrence

Arlington County concurs that the proposed incorporation of park land within the Long Bridge Park by the Long Bridge Project would not adversely affect the activities, features, or attributes that make the Long Bridge Project eligible for Section 4(f) protection and therefore, the use of Long Bridge Park would be *de minimis* in accordance with 23 CFR 774.5. Arlington County also agrees that the proposed temporary occupancy of Long Bridge Project associated with construction of the Long Bridge Project meets the requirements for temporary occupancy exception per 23 CFR Part 774. This concurrence does not constitute a conveyance of any temporary or permanent interests in or access to park lands. Further, this concurrence is provided with the understanding that FRA or other appropriate parties will continue to coordinate with the Arlington County Department of Parks and Recreation during project development as specific details are determined and that further consultation will be undertaken with FRA or appropriate parties to ensure prior to granting of any temporary or permanent property interests that harm to the Long Bridge Park by the proposed project has been minimized and the conditions upon which this concurrence is based have not changed.

_____ __7/23/2020_____

Arlington County Signature for Concurrence **Date**

Attachment: Original Long Bridge Park Concurrence Clause with Redlined Changes

Concurrence

Arlington County concurs that the proposed incorporation of park land within the Long Bridge Park by the Long Bridge Project would not adversely affect the activities, features, or attributes that make the Long Bridge Project eligible for Section 4(f) protection and therefore, the use of Long Bridge Park would be *de minimis* in accordance with 23 CFR 774.5. Arlington County also agrees that the proposed temporary occupancy of Long Bridge Project associated with construction of the Long Bridge Project meets the requirements for temporary occupancy exception per 23 CFR Part 774. This concurrence does not constitute a conveyance of any temporary or permanent interests in or access to park lands. Further, this concurrence is provided with the understanding that FRA or other appropriate parties will continue to coordinate with the Arlington County Department of Parks and Recreation during project development as specific details are determined and that further consultation will be undertaken with FRA or appropriate parties to ensure prior to granting of any temporary or permanent property interests that harm to the Long Bridge Park by the proposed project has been minimized and the conditions upon which this concurrence is based have not changed.

_____ _____

Arlington County Signature for Concurrence **Date**