#### Exhibit E-4

## **Confirmed Track Separation Distances Less Than 15 Feet (Phases 1 and 2)**

#### I. <u>L'Enfant Fourth Track and Station Improvements</u>

The existing three track corridor, between CSXT Mileposts CFP 111.7 – CFP 112.35, includes mainline track centers spaced approximately 13 feet measured from centerline of track to centerline of track and the existing bridges associated with this project are four-track bridges located above 2nd Street, 3rd Street, 4th Street, and 6th Street. The existing raised structures are designed to accommodate a four-track corridor at substandard (13'-0") track center spacing. The existing track infrastructure including the siding track currently being used for VRE midday train storage is being conveyed from CSXT to DRPT as-is and the construction of the fourth track is proposed to tie into the existing siding track spaced approximately 13 feet from the centerline of the nearest mainline track. As a result of the existing infrastructure constraints, the proposed track centers do not meet the CSX Standard of 15 feet measured from centerline of track to centerline of track.

### II. Long Bridge Project

The existing corridor under the Maryland Avenue Overbuild, between CSXT Mileposts 111.2 – CFP 111.7, consists of two (2) CSXT mainline tracks spaced approximately 13 feet measured from centerline of track to centerline of track in one portal under the Maryland Avenue overbuild, and one stub track in a parallel portal north of the CSXT mainline portal, which is separated by a series of structural columns. Adding the proposed third track in the existing mainline portal requires shifting the two existing tracks. The proposed fourth track will tie into the existing stub track in the northern portal which is not wide enough to accommodate more than one track. As a result of the existing infrastructure constraints, the proposed track centers do not meet the CSX Standard of 15 feet measured from centerline of track to centerline of track and the horizontal clearances do not meet the CSX Standard of 9 feet from the centerline of track to an obstruction. The Long Bridge Project proposes to increase the existing spacing of tracks to approximately 14 feet between track centers while maintaining a minimum clearance of 7.5 feet from the existing horizontal obstruction.

## Conditions to Approval Of Deviations Required By The Proposed Long Bridge and L'Enfant 4<sup>th</sup> Track Project

Between CFP - 111.2 and CFP - 112.35 (the "Exhibit E-4 Locations")

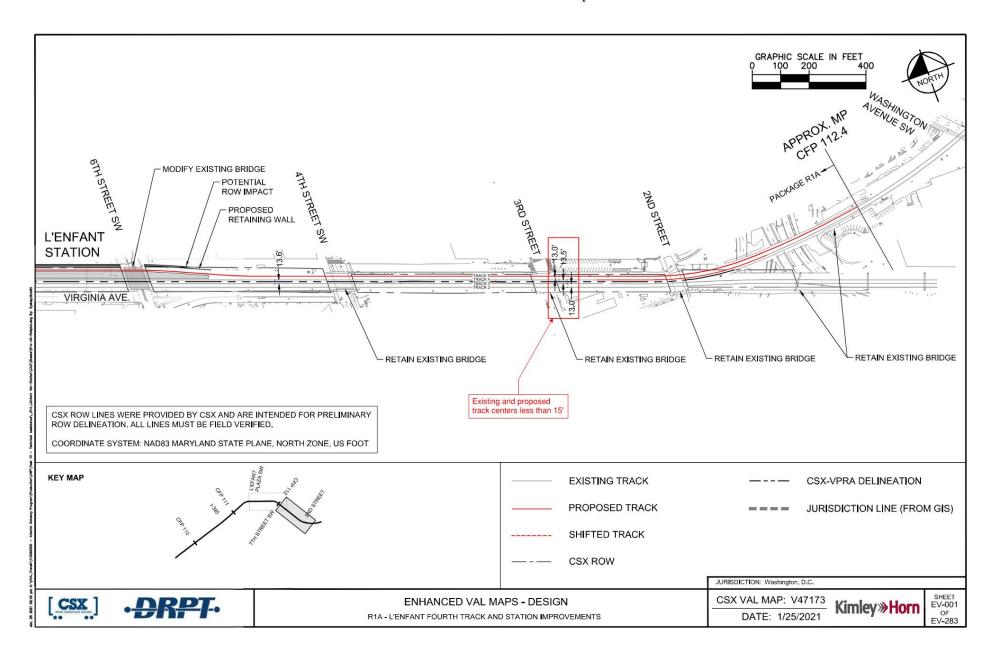
- 1. The three tracks in the east bay of the tunnel underlying Maryland Avenue SW must be constructed with a minimum 14-foot track centers and 7.5-foot lateral clearance.
- 2. DRPT will design and construct crash walls as required by the Applicable Project Standards (as defined in the Master Engineering Agreements).

- 3. If required by the Applicable Project Standards, DRPT will construct a crash wall to protect the Mandarin Hotel and any other occupied or bridge structure along the entire area in which a railroad track will be operated within 25-feet.
- 4. DRPT will install automatic railroad clearance detectors based on the updated horizontal clearances identified in the PE design phase. Further, existing CSXT automatic railroad clearance detector locations will be identified and assessed to determine their feasibility and suitability for continued use.
- 5. DRPT will work with CSXT to determine where additional safety and security lighting is appropriate.
- 6. DRPT will work with CSXT to assess lighted and prominent close clearance signs at and approaching the substandard lateral clearance areas. DRPT will implement such signage as required by the Applicable Project Standards.
- 7. DRPT will work with CSXT to assess the need for enhanced security fencing and will implement such fencing as required as part of the ROD commitments and ongoing mitigation efforts.
- 8. DRPT will install railroad rail "friction modifiers" as required through the ROD commitments and ongoing mitigation efforts, to help mitigate rail wear, noise, and vibration. CSXT and DRPT will each maintain the friction modifiers on their respective tracks.
- 9. Agreement by DRPT that the configuration permitted by this Exhibit E-4 will not set a precedent for other Long Bridge Project areas or other projects.
- 10. The parties affirmatively acknowledge that CSXT's approval of the proposed design exception is not intended to shift responsibility to CSXT for incidents or damages to the Maryland Avenue overhead structures, DDOT structures, the existing and proposed Portals V structures, or any other structures resulting from CSXT's approval.
- 11. DRPT will obtain and maintain insurance in the types and amounts required by Section 13.3 of the Joint Operating and Maintenance Agreement. Specifically, the liability insurance obtained and maintained by DRPT will cover specific tortious injuries to third parties, including injuries and damage to adjacent property owners caused by noise and vibration issues arising from shifting the existing tracks closer to the Mandarin Hotel and other buildings.
- 12. Agreement by DRPT that at such time in the future when the existing Maryland Avenue SW overhead bridge structures are proposed to be reconstructed, that it will support, or cause DDOT to support, CSXT's efforts to ensure a minimum 15-foot track centers and 9-foot lateral clearances for the tracks underlying the newly-reconstructed structures.
- 13. Agreement by DRPT that during final design of the Long Bridge Project, best efforts will be made to maximize the lateral clearance in this area to the extent possible without compromising track centers. In other words, increasing lateral clearance to greater than 7.5-feet would be prioritized, but only to the extent that the 14-foot track centers would not be reduced in any area.
- 14. Due to the significant existing constraints between CFP 111.3 and CFP 112.35, CSXT will approve a reduction in the track centers of newly constructed track so long as the final design will seek to maximize the track centers through this area, but in no case may the 4<sup>th</sup> Track be

constructed with track centers less than current track centers between the current Track 3 and VRE Siding. DRPT shall not reduce any existing track centers as a result of this new track.

The CSXT approvals and conditions outlined above do not relieve DRPT of securing any necessary approvals from any other impacted parties or regulatory agencies. CSXT reserves the right to review and approve the new Long Bridge and L'Enfant Fourth Track designs in accordance with the applicable Master Engineering Agreements and/or Master Construction Agreements for safety and operational needs to support CSXT's ability to use the existing and future rail assets. In the event there is a conflict between the terms of this Exhibit E-4 and the Agreement, or any Ancillary Agreement, the terms of this Exhibit E-4 will govern with respect to the Exhibit E-4 Locations.

## L'Enfant Fourth Track and Station Improvements



# Long Bridge Project

