

ATTACHMENT A
SIGNED NEPA CONCURRENCE

Franconia Third Track Project
Categorical Exclusion

TO: John Simkins, FHWA – Virginia Division
FROM: Randy Selleck, DRPT
DATE: 1/9/2020

NEPA DOCUMENTATION CONCURRENCE FORM

Project Name: Franconia 3rd Track

Project Limit -- From: Approximately one mile north of the Franconia-Springfield VRE station (CFP 98.8)

Project Limit -- To: Approximately 400 feet north of Furnace Road, just north of the Occoquan River (CFP 90.8)

County/City: Fairfax County

Background: The Virginia Department of Rail and Public Transportation (DRPT), in coordination with the Federal Railroad Administration (FRA), the Virginia Department of Transportation (VDOT), CSX Transportation (CSXT), Amtrak, and Virginia Railway Express (VRE), is advancing the Washington, D.C. to Richmond Southeast High Speed Rail project (DC2RVA). The DC2RVA Project includes additional track and other rail structural improvements plus additional passenger train service on the existing 123-mile rail corridor between Washington, D.C. and Richmond, Virginia. DRPT has completed a Tier II Environmental Impact Statement (EIS) and preliminary engineering (30% design) for the DC2RVA Project.

In 2015, DRPT identified the need to advance a third mainline track from Franconia to just north of the Occoquan River, separate from but compatible with the ongoing longer term DC2RVA Project. The purpose of the third mainline track is to provide additional capacity and relieve existing congestion in the crowded rail corridor. Consistent with this, the Franconia 3rd Track Project includes additional track and other rail structural improvements. The Franconia 3rd Track Project does not include additional passenger train service, but will accommodate future increases in passenger service envisioned in the DC2RVA Project. On September 24, 2015, FRA issued a NEPA class of action letter that supported advancing the 8-mile Franconia 3rd Track Project separately from, but compatible with, the DC2RVA Tier II EIS. FRA determined the NEPA class of action to be a Categorical Exclusion (CE), with documentation. A draft CE document was prepared and submitted to FRA; however, subsequent discussions between FRA and DRPT regarding potential funding sources led DRPT to approach FHWA for finalization of the environmental clearance process.

On September 5th, 2019, FRA signed the Record of Decision (ROD) for DC2RVA, which environmentally clears additional passenger service along the entire corridor and rail improvements for all but the 8-mile segment of corridor between Franconia (CFP 99.0) and Occoquan (CFP 90.8) in Fairfax County, Virginia.

Project Description: The proposed Franconia 3rd Track Project will primarily add a third mainline track to an existing two-track corridor, within the above referenced project limits, as well as:

- Shifting existing tracks in certain locations to increase speeds through curves.

- Adding a new rail bridge with capacity for two tracks over Newington Road and replacing the existing two-track rail bridge, with both of the rail bridges and adjacent track raised to allow for improved road underpass geometry. Only one track will be added initially.
- Adding a new rail bridge with capacity for two tracks over U.S. Route 1 and replacing the existing two-track rail bridge, with both of the rail bridges and adjacent track raised to allow for improved road underpass geometry. Only one track will be added initially.
- Adding a new passenger rail bypass (flyover bridge), between CFP 98.8 and CFP 95.8, which removes conflicts between freight and passenger trains by allowing passenger trains to move from the west side of the corridor to the east side of the corridor without crossing the existing two main tracks. The flyover will have capacity for two tracks, but only one track will be added initially.

The proposed Franconia 3rd Track Project, shown in Figure 1, including the additional rail bridges and flyover, will be largely within existing CSXT right-of-way and/or VDOT right-of-way. The new rail bridges and flyover will be constructed with sufficient space for a future fourth track, although only three tracks are included within the current project. The proposed improvements will allow the rail system to operate, independent of additional improvements elsewhere, and do not restrict consideration of alternatives for other reasonably foreseeable transportation improvements. DRPT and CSXT previously constructed 12 miles of third mainline track between the Potomac River and the Franconia-Springfield VRE Station in 2009, terminating the third track just north of the station. The proposed eight miles of additional mainline track will extend the third track further south, establishing 20 continuous miles of triple-tracked rail corridor south of Washington, DC, where commuter, intercity passenger, and freight rail share overburdened infrastructure.

Purpose and Need: Increase passenger and freight rail capacity, improve passenger service reliability, and decrease travel times for intercity passenger rail travel in the DC2RVA corridor.

Attachments:

Map ☒
Other ☐

Suggested Level of NEPA Document: Categorical Exclusion

CE Category 23 CFR 771.117:

Description of Category:

- ☒ CE (per 23 CFR 771.116(c)(12), 23 CFR 771.116(c)(17), and 23 CFR 771.117(h))
☐ EA (23 U.S.C. §139 may apply to EAs on a case-by-case basis. The default assumption is that it will not apply to this EA. FHWA concurrence infers agr
☐ EIS

Fiscal Constraint:

Project in STIP: No
 In Long Range Plan? Yes
 Logical Termini and Independent Utility: Yes
 Next Phase of Funding Available? Yes

Concurrence:

John Dimkins 1/13/2020
 Federal Highway Administration

Comments:

Based on information gathered as part of the DC2RVA Tier II EIS and ROD, the draft FRA Categorical Exclusion Worksheet, and feasibility/design documentation¹ to date, the following preliminary conclusions can be made regarding potential impacts of the proposed project that may be identified during the NEPA process. The following is presented so as to align with the VDOT Form EQ-104 for Categorical Exclusions.

During development of the NEPA documentation, alternative alignments and the typical cross sections will be analyzed for opportunities to minimize potential environmental impacts.

RESOURCE	POTENTIAL PRESENCE / IMPACTS / COMMENTS
Land Use, Right-of-Way, and Relocations (Residential, Commercial, and Non-Profit)	<p>The Project area consists largely of densely developed urban and suburban areas with residential, commercial, industrial, and recreation/open space areas. The potential impacts to land use would be limited to the immediate vicinity of the two new bridges, which could convert slivers of properties adjacent to the tracks to transportation use (see next bullet). Otherwise, no impacts to land use are anticipated.</p> <p>The Project is predominantly within CSXT and VDOT right-of-way, except for:</p> <ul style="list-style-type: none"> ▪ One location parallel to the tracks near the Franconia-Springfield Metro station, where approximately 0.2 acres of property will be needed from WMATA (may be acquired as an easement or as fee simple). ▪ The proposed two-track rail bridge over Newington Road, where approximately 2.1 acres of right-of-way would be required (based on VDOT feasibility study estimate). ▪ The proposed bridge over Route 1, where approximately 0.5 acres of right-of-way would be required (based on VDOT feasibility study estimate). <p>No residential displacements are anticipated.</p> <p>Minor commercial property acquisition but no business displacements required for the two new bridges; includes an estimated seven parcels at Newington Road and one parcel at Route 1 (based on VDOT feasibility study estimates). The VDOT feasibility study notes that these minor acquisitions are in order to avoid impacts to other properties, and that impacts could be further minimized or eliminated during final design by providing retaining walls inside the CSX right-of-way.</p>
Socio-Economic: Communities; Minority and Low-income Populations; Environmental Justice; and Consistency with Local Land Use	<p>The Project does not impact community facilities or the access to any such facilities or services.</p> <p>The Project has no direct adverse impacts to Title VI nor Environmental Justice populations. The Project will result in a safer and less congested railroad network which would provide better access and mobility to all communities and populations.</p> <p>The Project is consistent with Fairfax County Comprehensive Plan to "have a land use pattern which increases transportation efficiency, encourages transit use, and decreases automobile dependency."</p>

¹ CSX Bridges over Route 1 and Route 877 Conceptual Bridge Replacement Feasibility Study Report, VDOT, February 27, 2019

RESOURCE	POTENTIAL PRESENCE / IMPACTS / COMMENTS
Water Resources: Surface Waters; 100-Year Floodplains; Wetlands; Coastal Zone Management Areas; Water Quality; and Required Permits	<p>Some wetlands are present as are four small streams: Long Branch, Accotink Creek, Pohick Creek, and Giles Run). Anticipate minimal encroachment on/impacts to these water resources.</p> <p>No anticipated impacts to floodplains or water quality.</p> <p>No navigable waterways are crossed by the project corridor.</p> <p>The linear transportation project is consistent with the established Virginia Coastal Zone Enforceable Policies. A consistency determination will be submitted for the entire 123-mile DC2RVA corridor, including the 8-mile Franconia to Occoquan segment.</p> <p>It is expected that the Project will qualify for the Nationwide Permit (Section 404) and no individual permits will be required. The Section 401 Water Quality Permit would be issued from DEQ as part of the Joint Section 404 Permit. A Section 402 Construction General Permit (CGP) may be needed for construction near and in streams. Project will be coordinated with USACE and a permit application will be made at final design.</p>
Biological Resources/Threatened and Endangered Species	Project area consists of mostly developed sites typical of suburban developments that includes primarily residential and commercial uses, with few densely vegetated areas. Earlier data searches and surveys (from DC2RVA) suggest no protected species or habitat are anticipated to be within the Project area. Updated IPaC search will be performed to confirm.
Agricultural/ Forestal Districts and Open Space Easements	None known.
Farmland	None known.
Invasive Species	Do not anticipate temporary and/or permanent impacts from invasive species, with implementation of Best Management Practices (BMPs) and other measures included in VDOT's standard construction specifications.
Air Quality: Carbon Monoxide; Ozone; Fine Particulate Matter, and Mobile Source Air Toxics	<p>No long-term operational impacts to air quality, per the DC2RVA Tier II EIS analyses (which also included emissions from increased passenger service that are not part of Franconia 3rd Track Project). The project should satisfy requirements for a General Conformity determination and is included in the MWCOG conformity network.</p> <p>Short-term construction impacts are estimated to be minor and below the <i>de minimis</i> threshold.</p>

RESOURCE	POTENTIAL PRESENCE / IMPACTS / COMMENTS
Noise and Vibration	<p>No anticipated operational impacts (i.e., causing levels to rise above the threshold levels for noise and/or vibration exposure of any sensitive receptors) for the at-grade track improvements, per the DC2RVA Tier II EIS analyses of existing and anticipated increases in passenger service for the 123-mile corridor. As noted previously, no new service is proposed as part of the Franconia 3rd Track Project.</p> <p>The CE will evaluate changes in noise and vibration exposure of any sensitive receptors in the vicinity of the new passenger train flyover. The analysis will be based on FTA/FRA noise assessment guidelines for passenger trains. If impact thresholds are approached or exceeded, noise abatement measures including noise walls (on the structure or adjacent right-of-way) will be considered. The CE will also include an FTA/FRA General Vibration Assessment to evaluate the potential for vibration effects associated with the proposed flyover. If impact thresholds are approached or exceeded, mitigation measures will be considered.</p> <p>Temporary construction noise levels will be minimized through implementation of standard construction specifications.</p>
Energy	Beneficial impacts are anticipated, per the DC2RVA Tier II EIS analyses for the 123-mile corridor.
Visual Quality	<p>Low visual impact rating, based on evaluations of similar areas of additional mainline track in the DC2RVA Tier II EIS analyses.</p> <p>No major visual intrusions based on renderings prepared for the proposed flyover, or from the two new bridge replacements over US Route 1 and Newington Road.</p>
Cultural Resources/Section 106	<p>Determination of effect on historic properties was conducted in consultation with the Virginia Department of Historic Resources for the 123-mile DC2RVA corridor, inclusive of the 8 miles from Franconia to Occoquan. The DC2RVA Tier II EIS Section 106 analysis identified three historic resources within the Area of Potential Effects (APE) of the 8-mile project corridor:</p> <ul style="list-style-type: none"> ▪ Adverse Effect on the RF&P Railroad Corridor (500-0001) [Resource includes the 8 miles of Franconia 3rd Track] ▪ No Effect on the Old Colchester Road, Potomac Path, King's Highway (029-0953) [Resource is within the APE of the Franconia 3rd Track]. ▪ No Adverse Effect on the Colchester Arms, Fairfax Arms, 10712 Old Colchester Road (029-0043) [Resource is within the APE of the Franconia 3rd Track]. <p>Resolution of adverse effects to these historic resources are included in the final executed Section 106 Memorandum of Agreement (MOA) and ROD for the DC2RVA project.</p> <p>No additional consultation is anticipated for the two proposed bridges or the flyover.</p>
Section 4(f) and Section 6(f)	<p>Determination of use was conducted for the 123-mile DC2RVA corridor, inclusive of the 8 miles from Franconia to Occoquan. There are no Section 4(f) uses of any publicly-owned parks, recreation areas, wildlife and waterfowl refuges. The entire Richmond, Fredericksburg, and Potomac Railroad (500-0001) is a NRHP-listed property and will have a "use" per Section 4(f).</p> <p>No additional uses associated with the two proposed bridges or the flyover.</p>

RESOURCE	POTENTIAL PRESENCE / IMPACTS / COMMENTS
Solid Wastes and Hazardous Material	Some potential presence of hazardous materials sites based on the industrial land uses that are adjacent to the two new bridges. Otherwise, no anticipated impacts, per the DC2RVA Tier II analyses.
Transportation Impacts	Beneficial impacts to existing and future rail operations. Construction of new bridges would result in short-term disruptions to the local roadways, however roadway traffic impacts would be minimized through a VDOT-approved Maintenance of Traffic plan. Note the new rail bridges eliminate existing structural limitations to future roadway improvements to US Route 1 and Newington Road; however, roadway improvements are not part of this project.
Public Safety	Project will be designed in accordance with FRA regulations, industry standards, and CSXT requirements. Replacing older infrastructure and decreasing congestion will provide a greater level of safety for all rail traffic through the DC2RVA corridor, including transportation of hazardous materials.
Indirect and Cumulative Impacts	Other projects in the area in addition to the DC2RVA Project include: <ul style="list-style-type: none"> ▪ VRE's Penta-Platform improvements ▪ VDOT's Backlick Road Bridge reconstruction project. The Project design will accommodate VDOT's Backlick Road Bridge reconstruction project and VRE's planned improvements at Franconia VRE Station. Consequences of the narrow linear nature of the project presents a limited footprint of direct impacts and, therefore, a limited potential for expansive indirect impacts attributable to encroachment and alteration. Additionally, indirect effects would be limited because proposed improvements will modify an existing rail facility within which the locations of potential induced development are limited to station areas where development already is prevalent. When considered in the context of the Project setting, the nature and magnitude of the cumulative effects of the project would be small in the context of the effects of past, present, and reasonably foreseeable future actions.
Construction Impacts	Minor short-term impacts anticipated during construction. Application of appropriate BMPs and other measures included in VDOT's standard construction specifications will minimize/mitigate temporary construction impacts.
Public Involvement	The Categorical Exclusion will be posted on the DRPT website and made available for public review for 15 days. Appropriate notification will be published in local newspapers.
Agency Coordination	Agency scoping and coordination will occur as appropriate as the CE is developed. Anticipated consultation/coordination to include: <ul style="list-style-type: none"> ▪ US Fish & Wildlife Service ▪ US Army Corps of Engineers ▪ Virginia Department of Environmental Quality ▪ Virginia Department of Game and Inland Fisheries ▪ Virginia Department of Transportation ▪ Fairfax County

Figure 1. Project Location – Franconia 3rd Track Project