

# **Public Hearing Report Supplement and Staff Recommendations**

for the

## **Preliminary Engineering Design Refinements Environmental Assessment**

DULLES CORRIDOR METRORAIL PROJECT, PHASE 2  
EXTENSION TO DULLES AIRPORT / ROUTE 772

(WMATA Hearing No. 575, Docket R12-01)

## 1.0 **INTRODUCTION**

This Public Hearing Report Supplement was prepared to document and provide responses to comments received on the **Public Hearing Report** for the **Dulles Corridor Metrorail Project, Phase 2, Extension To Dulles Airport / Route 772, Preliminary Engineering Design Refinements Environmental Assessment**.

The Metropolitan Washington Airports Authority (MWAA) and the Washington Metropolitan Area Transit Authority (WMATA) issued the **Public Hearing Report** for comment on July 18, 2012. The **Public Hearing Report** was placed on line, and in the same libraries where the Environmental Assessment (EA) had been placed previously. (See Appendix C for the announcement.)

The comment period ended at 5:00 pm on July 27, 2012. WMATA received comments from 18 individuals; the original comments are presented in Appendix A. After the comment period closed, WMATA received 3 additional comments; those comments are presented in Appendix B.

## 1.1 **PURPOSE AND ORGANIZATION**

This report presents responses to comments on the Public Hearing Report. Section 1 provides an introduction to the report. Section 2 presents comment summaries, the original comments, and staff responses. Section 3 provides staff analysis, while Section 4 provides staff recommendations.

## 1.2 **NEPA PROCESS**

The following text is excerpted from the Public Hearing Report:

“An Environmental Assessment (EA) on the Phase 2 Preliminary Engineering Design Refinements was prepared by the Metropolitan Washington Airports Authority (Airports Authority) for the Federal Transit Administration (FTA) in accordance with the National Environmental Policy Act (NEPA) of 1969 (42 USC 4321-4347), as amended, to address potential environmental impacts associated with design refinements to the Dulles Corridor Metrorail Project. The design refinements, which affect the Project’s Phase 2, came about as the Project proceeded through the preliminary engineering phase of project development. The EA describes modifications that have been made to Phase 2 of the Project since the publication of the *Dulles Corridor Rapid Transit Project Final Environmental Impact Statement and Section 4(f) Evaluation* (Final EIS) in December 2004 and since the issuance of an amended Record of Decision for the Project by FTA in November 2006. The EA presents the anticipated changes in effects from those documented in the Final EIS.”

## 1.3 **WMATA COMPACT PROCESS**

To ensure compliance with the WMATA Compact, WMATA reviewed the design refinements proposed by MWAA as a result of Phase 2 Preliminary Engineering. WMATA staff identified three proposed design refinements that required a public hearing. These three changes are identified below:

### **ROUTE 28 STATION**

At the request of Fairfax County, MWAA and WMATA propose to relocate the entire north side facility to a new site to the west of the current site. The elements of the north side facility would remain the same, but the pedestrian bridge connecting the facility with the median platform would be modified. The south side would be reconfigured to include a second access from Dulles Station Boulevard. Although the south side facility would be located at the same location as previously approved, the shape of the facility would be altered. The station's parking structure would be moved slightly, and the pedestrian bridge connecting with the median platform would be modified. The original access from Sunrise Valley Drive would be shifted to the west. The second access would provide access to the bus bays and the parking structure's south end.

### **DULLES AIRPORT**

MWAA and WMATA propose to move the Dulles Airport station from the currently approved underground location just north of the terminal building and within Saarinen Circle to an aerial location at the south face of the north parking garage. Passengers using the station would travel approximately 1,200 feet between the station and the main terminal using the existing pedestrian tunnel and moving sidewalks located underneath the hourly parking lot.

### **ROUTE 772 STATION**

At the request of Loudoun County, MWAA and WMATA propose to modify the Route 772 station. The size of the north side facility would remain the same as designed and approved previously, with only minor changes to the configuration of the bus bays and Kiss & Ride lot. The size of the south side facility would be smaller than what is currently approved because the surface parking lot was reduced in size (approximately 300 spaces eliminated from the plan) and the bus bays and Kiss & Ride lot were reconfigured and moved to a new location in order to maximize land availability for future transit-oriented development.

## 2.0 **COMMENTS AND RESPONSES**

Section 2 presents comments on the **Public Hearing Report** received during the comment period.

### 2.1 **STATION LOCATION**

Summary: One commentor wanted the station moved closer to the terminal.

***M. Burrill***

While I do understand the need to reduce capital costs by building an elevated station instead of an underground station at the airport, the very long walk from trains to the terminal will discourage many riders from taking Metro. Many will simply keep taking buses or taxis instead. Washington had the same problem for years at Reagan Airport before a new terminal was built directly across from the Metro station, connected by a short walkway to the terminal.

I encourage you to ask your design firms to propose an elegant, elevated or on-grade design concept for the Metro station that is much closer to the terminal. Talented architects can figure out how to do this without destroying the beauty of the terminal. One way to do this would be to simply transition to the level of the parking lot in front of the terminal, saving millions of dollars there, with elevated track as you approach it. You could easily figure out how to get people from the parking lot past the Metro station into the terminal. The roof of the Metro station could be about the same level as the drop-off lanes in front of the terminal.

The bottom line is that you do NOT need to locate an elevated METRO station as far away from the terminal as now planned to preserve the views of the terminal as you approach it. I am an architect and preservation-oriented fan of this beautiful terminal, but it is a huge mistake to build the Metro station so far away from it that few people will want to ride Metro to get to the airplane counters. It will already be a very long ride to get there from downtown DC.

San Francisco has an excellent, elegant elevated Metro station that leads to the front door of or its attractive international terminal, approach it from the side and preserving the views from the front. Surely we can find an architect here in DC who can solve this problem.

Don't think people won't take Metro to the airport, but the current design still strongly favors cars and buses. Passengers will take Metro only if it is easy to get to airline check-in counters and baggage claim, as it is in SFO. Union Station attracts 33,000+ weekday Metro riders, but Reagan airport only about 10,000. I have flown out of BWI or Reagan or taken a train to my destination often because transfers from Metro to Amtrak and Amtrak to BWI are easy, even though I live only 17 miles from Dulles.

PLEASE don't make a huge mistake by building the Metro station so far from the terminal it discourages people from using Metro at Dulles. It would take Metro riders at least ten wasted minutes to get to the terminal from the current station location. This is absurd.

I think the total capital costs of a Metro station closer to the terminal could be even less than the current design proposal. I would be glad to meet with you in August to explore this with your design firms, when I expect to be back in Fairfax. I am writing this from our home in Cincinnati.

Response: The project team performed a comprehensive evaluation of several alternative alignments and station locations at Dulles Airport in order to explore ways to reduce overall capital costs for Phase 2. The aerial station location with its direct connection to an underground pedestrian tunnel with moving sidewalks provided a significant reduction in capital costs.

MWAA has provided a response in Appendix D.

## 2.2 FINAL ENVIRONMENTAL IMPACT STATEMENT SCOPE

Several commentors state that the Final Environmental Impact Statement (FEIS) did not address issues thoroughly. Generally, comments about the FEIS, which was issued in December 2004, are beyond the scope of this Supplemental Public Hearing Report because that document was finalized in December 2004, with the Record of Decision issued in March 2005. (The Federal Transit Administration (FTA) Record of Decision was amended in November 2006.) The submitted comments are provided for information. These comments have been provided to FTA and MWAA for information.

### 2.2.1 Traffic Impacts

Summary: Commentors stated that the FEIS did not take into account the traffic impacts on adjacent roadways due to toll avoidance.

#### ***P. Arias***

As a citizen that lives in Western Loudoun I feel that the expansion will lead to overcrowding of our roads due to higher toll roads which I and my family use and with this economy we will need to find an alternate route to travel to Ashburn where my son plays hockey and I coach it. Since I am the head coach for the Valley/Woodgrove Hockey team this can impact the number of players that will be on the team as their parents may not be able to pay the tolls that will necessarily go up to pay for the rail and will be unable to due to time constraints be able to meet the scheduling demands.

The FEIS ignored induced traffic impacts in Herndon and Reston from Dulles Rail. The change in the Dulles Toll Road (DTR) funding share from 25% to 75%- federal and local contributions results in much greater toll increases than previously estimated. With 30,000+ cars/day being forced off the DTR to other roads by increased tolls, gridlock will cause massive environmental impacts.

Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Reston, Herndon, Dulles, and Ashburn. A recent Fairfax DOT study showed terrible gridlock coming around the stations from Wiehle Ave. to Rt. 28.

Drivers are bailing out along both the Dulles Toll Road and the Dulles Greenway. With potential tragic consequences, so too are the drivers of large vehicles and trucks. As Rep. Wolf has pointed out, "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets."

The latest round of toll increases probably will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads.

Congressman Wolf recently stated that "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets," Wolf continued. "Route 7, often the only available alternate route, is at capacity around the clock, including weekends. When large trucks divert from [toll avoidance]... they clog local roads and often use neighborhood streets. This puts additional stress on these roads, adds to congestion and puts the public at risk. No one wants their children playing in the front yard or on the sidewalk when a large truck rolls through their neighborhood all to avoid a toll."

#### ***D. Davies***

I regularly drive Rt. 7, I-66, and/or the Greenway/Dulles Toll Road to get between my home and Washington D.C. Anyone who has traveled in this area, or even looked at a map, knows that Rt. 7 is the only real alternative route between Falls Church/ Tysons Corner/ Ashburn/ Leesburg, yet the Final Environmental Impact Statement (FEIS) for the Dulles Rail Project excluded Route 7 from the Transportation Effects portion of the study. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.

The FEIS estimations of transportation effects did not take into account the effects of toll avoidance brought about by the post-FEIS increase of the DTR funding share from 25% to 75% (minus state

and federal contributions). Toll avoidance will cause massive congestion and air pollution along Rt. 7. This should have been included in a revised FEIS/ EA.

The increased tolls on the Dulles Toll Road will have a disproportionate impact on lower income households, as only extremely wealthy persons will be able to afford the additional \$1,125/year for a daily commuter when tolls double in the next 30 months to pay for rail. I make about \$25,000/yr and with a wife and baby on the way, this doubling of tolls makes the toll road unavailable to me. Section 3.8 of the FEIS should be revised to address this concern.

#### **D. Dickinson**

The Final Environmental Impact Statement (FEIS) for the Dulles Rail Project **excluded Route 7 from the Transportation Effects portion of the study**, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.

- The FEIS ignored induced traffic impacts in Herndon and Reston from Dulles Rail
- The change in the Dulles Toll Road (DTR) funding share from 25% to 75%- federal and local contributions results in much greater toll increases than previously estimated. With 30,000+ cars/day being forced off the DTR to other roads by increased tolls, **gridlock will cause massive environmental impacts.**
- Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Reston, Herndon, Dulles, and Ashburn. A [recent Fairfax DOT study](#) showed terrible gridlock coming around the stations from Wiehle Ave. to Rt. 28.
- Drivers are bailing out along both the Dulles Toll Road and the Dulles Greenway. With potential tragic consequences, so too are the drivers of large vehicles and trucks. As Rep. Wolf has pointed out, "These **outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets.**"
- The latest round of toll increases probably will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads.
- Congressman Wolf recently stated that "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets," Wolf continued. "Route 7, often the only available alternate route, is at capacity around the clock, including weekends. When large trucks divert from [toll avoidance]... they clog local roads and often use neighborhood streets. This puts additional stress on these roads, adds to congestion and puts the public at risk. No one wants their **children playing in the front yard or on the sidewalk when a large truck rolls through their neighborhood all to avoid a toll.**"

#### **D. & R. Porter**

- The FEIS ignored induced traffic impacts in Herndon and Reston from Dulles Rail
- The change in the Dulles Toll Road (DTR) funding share from 25% to 75%- federal and local contributions results in much greater toll increases than previously estimated. With 30,000+ cars/day being forced off the DTR to other roads by increased tolls, gridlock will cause massive environmental impacts.
- Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Reston, Herndon, Dulles, and Ashburn. A [recent Fairfax DOT study](#) showed terrible gridlock coming around the stations from Wiehle Ave. to Rt. 28.
- Drivers are bailing out along both the Dulles Toll Road and the Dulles Greenway. With potential tragic consequences, so too are the drivers of large vehicles and trucks. As Rep. Wolf has pointed out, "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets."
- The latest round of toll increases probably will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads.
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**R. Whitfield**

Issues that should have been addressed in the FEIS and EA but weren't include:

- The FEIS ignored induced traffic impacts in Tysons, Herndon and Reston from Dulles Rail.
- Both the FEIS and 2012 EA ignored far more cost effective and flexible transportation options such as expanded express bus service in the Dulles Corridor.
- Dulles Rail capital costs have doubled since the 2004 EIS to \$6 billion or more projected today including the costs offloaded to Fairfax and Loudoun counties. Federal and local tax district contributions were capped, which have resulted in far greater toll increases than previously estimated. Up to 30,000+ cars/day are projected by CDM Smith, MWAA's traffic consultant, to be forced off the DTR to other roads in coming years by increased tolls. The resulting traffic congestion will cause massive adverse environmental impacts.
- Drivers are bailing out along both the Dulles Toll Road and the Dulles Greenway. With potential tragic consequences, so too are the drivers of large vehicles and trucks.
- The latest round of toll increases will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads.
- Congressman Wolf recently stated that "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets," Wolf continued. "Route 7, often the only available alternate route, is at capacity around the clock, including weekends. When large trucks divert from [toll avoidance]... they clog local roads and often use neighborhood streets. This puts additional stress on these roads, adds to congestion and puts the public at risk. No one wants their children playing in the front yard or on the sidewalk when a large truck rolls through their neighborhood all to avoid a toll."

Response: The FEIS included an evaluation of transportation effects based on the regional travel demand model which included anticipated Dulles Toll Road and Dulles Greenway toll structures.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address these comments, as appropriate, in its final NEPA document.

MWAA has provided a response to these comments in Appendix D.

## **2.2.2 Traffic Impacts On Route 7**

Summary: Commentors stated that the FEIS should have included Route 7 in the traffic study.

**P. Arias**

The Final Environmental Impact Statement (FEIS) for the Dulles Rail Project excluded Route 7 from the Transportation Effects portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.

**R. & P. Costantino**

It has come to my/our attention that the final Environmental Impact Statement (FEIS) for Dulles Rail (Metro Silver Line Phase II) did not take into consideration the matter of toll avoidance in the context of its related traffic impact on Route 7 and secondary roads in Loudoun County. This is very important to me and others residing in Loudoun County as Route 7 is the only practical alternative to the toll road for those traveling eastbound or westbound between Falls Church/Tysons Corner and Ashburn/Lessburg. This is especially true for a great many residents and others who will never be able to afford either the anticipated toll rates or the ultimate charges for using the Metro or Dulles Rail. This information is absolutely essential for all interested parties. Frankly, I'm very disappointed that such information was neglected from the FEIS.

Furthermore, there are a great many of us in Loudoun County who fear that Route 7 will become so congested by those desperately attempting to avoid the anticipated confiscatory tolls on the above given toll roads that they will divert their heavy equipment, large trucks, small trucks and cars around the clock to secondary roads. Therefore it is essential that such information and data be cataloged according to the time and the calendar year. Nothing less than that will do. Additionally, it

is very likely that even minor neighborhoods roads and school bus transportation will be negatively impacted by such vehicular travel and transportation. Frankly, I'm especially worried what the circumstances will prove to be for children, senior citizens and handicapped people. Please undertake a proper formal study of the effect of traffic diversion as a consequence of the Dulles Rail. Thank you for your time and consideration.

**J. Grigsby**

I am a resident of Loudoun County, and recently found out that the Final Environmental Impact Statement (FEIS) for Dulles Rail did not include toll avoidance or consider the traffic impacts on Route 7.

This is really incredible. When I and every other commuter gets to or leaves Leesburg every morning, eastbound, we make a choice - whether to take the toll road or Route 7.

Those are the only two choices, beyond staying home, leaving the area, or buying a helicopter. How could you possibly leave out the substantial effects on a Route 7 commute of this project? Not only do I work near Tysons, but my eldest kids go to school there as well.

**E. Lockwood**

I live in Sugarland Run. The entrance to my community is right off Potomac View about a half mile from the intersection of Potomac View and Rt. 7 which is one of the most dangerous intersections in Loudoun County.

I understand that The Final Environmental Impact Statement (FEIS) for the Dulles Rail Project excluded Route 7 from the [Transportation Effects](#) portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.

**D. & R. Porter**

- The Final Environmental Impact Statement (FEIS) for the Dulles Rail Project excluded Route 7 from the [Transportation Effects](#) portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.

**R. Whitfield**

- The FEIS excluded Route 7 from the [Transportation Effects](#) portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Sterling/Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.

Response: The FEIS included an evaluation of transportation effects based on the regional travel demand model.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address this comment, as appropriate, in its final NEPA document.

MWAA has provided a response to these comments in Appendix D.

### **2.2.3 Air Quality**

Summary: A commentor stated that the FEIS should have documented air pollution effects associated with traffic (see Section 2.2.1).

**R. Whitfield**

- Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Tysons, Reston, Herndon, Dulles, and Ashburn and deterioration in local air quality. A [recent Fairfax DOT study](#) showed extreme gridlock projected around the stations from Wiehle Ave. to Rt. 28.



Response: The FEIS did analyze traffic and air pollution impacts and mitigation for traffic impacts was included in the FTA Record of Decision. For air quality, no additional mitigation measures were required to meet transportation conformity requirements.

FTA has received this comment and is taking it into consideration for project planning purposes. FTA intends to address this comment, as appropriate, in its final NEPA document.

MWAA has provided a response in Appendix D.

#### **2.2.4 Change In Funding Levels**

Summary: A commentor stated that the FEIS should have considered the effects of the changes in funding.

***R. Whitfield***

- The increase in the Dulles Toll Road (DTR) funding share of Phase 2 Dulles Rail from 25% as shown in the 2004 FEIS to 75% in the current financial plan without a public hearing process or without funding alternatives evaluated

Response: Comment noted.

FTA has received this comment and is taking it into consideration for project planning purposes. FTA intends to address this comment, as appropriate, in its final NEPA document.

MWAA has provided a response to this comment in Appendix D.

#### **2.2.5 Analysis of Options**

Summary: A commentor stated that the FEIS should have considered other transportation options.

***R. Whitfield***

- Both the FEIS and 2012 EA ignored far more cost effective and flexible transportation options such as expanded express bus service in the Dulles Corridor.

Response: The FEIS provided a comprehensive analysis and evaluation of a broad range of transportation options in the Dulles Corridor, including various improvements in local and express bus service as well as Bus Rapid Transit (BRT).

FTA has received this comment and is taking it into consideration for project planning purposes. FTA intends to address this comment, as appropriate, in its final NEPA document.

MWAA has provided a response to this comment in Appendix D.

### **2.3 FUNDING MECHANISM**

Summary: Commentors stated that the funding mechanism for Phase 2 is unfair.

***P. Arias***

AAA MID-ATLANTIC says "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair.

The Metropolitan Washington Airports Authority's Board of Directors will approve the three-year schedule for new toll rates in November. Now the motoring public will feel the full brunt of the toll rates on their wallets and household budgets starting in Jan 2013.

MWAA is using a reverse Robin Hood syndrome, robbing from the poor to give to the rich. As the latest round of toll hikes for a round-trip on the Dulles Toll Road prove, they don't call it the "Silver Line" for nothing."

**D. Dickinson**

- [AAA MID-ATLANTIC says](#) "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair..
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- MWAA is using a reverse Robin Hood syndrome, robbing from the poor to give to the rich. As the latest round of toll hikes for a round-trip on the Dulles Toll Road prove, they don't call it the "Silver Line" for nothing."

**S. Oberlander**

- [AAA MID-ATLANTIC says](#) "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair.
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**D. & R. Porter**

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- MWAA is using a reverse Robin Hood syndrome, robbing from the poor to give to the rich. As the latest round of toll hikes for a round-trip on the Dulles Toll Road prove, they don't call it the "Silver Line" for nothing."

**L.&L. Suter**

There are voices that need to be heard, such as the statement made by AAA Mid-Atlantic, "...the cost of the project is being disproportionately shouldered by motorists."

**R. Whitfield**

- [AAA MID-ATLANTIC says](#) "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair.
- The Metropolitan Washington Airports Authority's Board of Directors will approve a three-year schedule for new toll rates in November 2012. The motoring public will feel the full brunt of the toll rates on their wallets and household budgets starting in January 2013. **TOLLS ARE PAID WITH OUR AFTER TAX FUNDS!**
- MWAA is using a reverse Robin Hood syndrome, robbing from the poor to give to the rich. As the latest round of proposed toll hikes for a round-trip on the Dulles Toll Road prove, they don't call it the "Silver Line" for nothing."

Response: Plan of finance for the use of the DTR revenues is outside the scope of this EA.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address these comments, as appropriate, in its final NEPA document.

MWAA has provided a response to these comments in Appendix D.

## 2.4 ENVIRONMENTAL ASSESMENT

Using language similar to or, in some cases, identical to comments considered in Section 2.2 above, commentors state that the EA did not address certain issues or did not address the issue thoroughly. To the extent that those comments address WMATA Compact concerns, responses to the comments are presented below. These comments have been provided to MWAA and FTA.

### 2.4.1 General

Summary: Several commentors stated that the EA should have addressed additional issues that were not presented in the document.

#### ***T. Cranmer***

The Environmental Assessment ("EA") referenced below in your notice does not meet the requirements of the National Environmental Protection Act ("NEPA"); because the EA, the Washington Metropolitan Area Transit Authority, the Federal Transit Administration, the Metropolitan Washington Airports Authority, the Fairfax County Government, the Loudoun County Government, the Government of the Commonwealth of Virginia and the Virginia Department of Transportation (collectively the "Sponsors") failed to disclose critical assumptions underlying their decision to build and / or finance Phase 2 of the Dulles Rail Project ("Project"), plus their decision to finance the Project primarily through tolls on the Dulles Toll Road ("DTR") and instead provided the public with incomplete, misleading and incorrect information. The Project should be stopped until the conditions of NEPA are met.

#### ***T. Cranmer***

2. The EA did not consider and analyze the alternatives fully and their environmental and community impacts.

#### ***T. Cranmer***

In conclusion the actions by the Sponsors and issues cited above concerning the inadequacy of the EA are arbitrary, capricious, an abuse of discretion and otherwise not in accordance with law. The EA and behavior of the Sponsors was not searching and careful. The Sponsors and EA did not show they examined relevant data and did not articulate a satisfactory explanation for the actions proposed. The structure of the project by the Sponsors and EA has been a rubber stamp of the structure imposed early in the project by the Sponsors without seriously considering and publicizing alternatives, especially on requiring DTR users to pay the majority of the costs and financing of the Project.

The Sponsors and EA did not take a hard look at the environmental consequences of the Project. The Sponsors did not provide for a sufficiently broad dissemination of relevant environmental information. The issues were not sharply defined and there was no clear basis for choice among options by the public. The indirect and cumulative effects were not adequately assessed. The Sponsors failed to disclose that the EA and their statements to the public contained incomplete information. The Sponsors have responded falsely to public concerns.

#### ***D. Davies***

As a resident of Loudoun County, I am shocked and dismayed with the WMATA/MWAA blatant disregard for federal laws. This EA was totally inadequate, as it should have included a far broader re-analysis of the environmental, traffic, and social impacts of Phase 2 of the project.

#### ***D. Dayton***

##### Introduction

The Dulles Corridor Rapid Rail Project (DCMP) is under the statutorily imposed mandates of NEPA; the mandates required a review for environmental purposes as a part of the multi-modal transportation facilities in the areas near or adjacent to and surrounding the so called "Refined Locally Preferred Alternative." The DCMP proposed alignment consists of a corridor with the branch connection near West Falls Church as the connection to WMATA and proceeds through Tysons Corner and then as a part of the Dulles Toll Road, Dulles International Airport Access Highway, Dulles Airport (including the Y-15 yard), and finally along Greenway to Route 772. As

illustrated by the numerous and various chapters contained in the F EIS (See Volume One) and Section 4(f) Evaluation, the two phases require consideration of numerous effects. An EA is a part of that process and is not intended as a vehicle to avoid compliance through the use of a “scripted” plan to avoid changing circumstances. See listed topics below:

Final Environmental Impact Statement and Section 4(f) Evaluation

**December 2004**

**Volume I**

[Signature Page](#)

[Executive Summary](#)

[Federal Transit Administration \(FTA\) Final Environmental Impact Statement](#)

[Federal Transit Administration \(FTA\) – Abstract](#)

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[Chapter 11 – Public Coordination and Comments](#)

The statutory mandates of NEPA are broad and are intended to consider various effects, including financing. This broad scope contrasts sharply with the content of the Public Hearing and related report. The process was limited intentionally to essentially a short form “scripted” plan to avoid having to address the significant changes since 2004-2006. Notwithstanding, the broad scope of the FEIS effects that require consideration, the public notice, hearing and report ignore major differences in the DCMP after the take-over by a new lead entity. As a result, the public notice and hearing report do not reflect compliance with the NEPA mandates.

A major change occurred in 2007 as a result of the transfer of the DTR and related management of the Dulles Corridor Metrorail Project to the Metropolitan Washington Airports Authority (MWAA). However, it should be noted that the land managed by MWAA is still owned by the United States of America. MWAA has taken over the DTR and opted to not utilize the previous PE work performed by Dulles Transit Partners. Moreover, MWAA has undertaken obligations related to financing the DCMP and other transportation improvements in the Dulles Corridor and has materially altered the financial plans associated with the DTR, DIAAH, and Metrorail planning, design, construction and operation. Since the original EIS and the supplemental EA there have been **significant changes to the current transportation system, planned additions to this system and funding for the DCMP and future additions to the overall multimodal transportation system in the Dulles Corridor**. The current EA and the proposed report adopt a view that the effects of the significant changes are to be frozen in time with a reference to 2004 and 2006 studies. The current realities related to transportation facilities in the Dulles Corridor are simply ignored. The result is a current environmental record that is incomplete. The “script” presented at the public hearing and followed in the report was designed to avoid relating the effects created by the material changes in financing, facilities, and cost. However, cost is identified as the sole impetus for most of the changes for the so called refinements.

As a written commentor and attendee at public hearing, it is obvious that the report is not responsive to my written comments and all other comments that question the changes that have been implemented (See Whitlock Comment and response) under MWAA stewardship. I intend to address major issues below but must note that there was no response to my 4<sup>th</sup> and 5<sup>th</sup> comments. These comments are significant because they involve agreements related to planning for the future use and character of the DIAAH. In addition, there are public safety considerations on code compliance and permitting for activities on two airport properties. With respect to the latter, there is a real or apparent organizational conflict of interest related to safety and code enforcement-delegating enforcement to a state entity (DGS) that has no legislative authority to employ its police powers to act in this regard on Dulles Airport property. In addition, the Airports Authority has created two separate enterprises for addressing its work. The first deals with the DTR and Dulles

Corridor Metrorail Project; the second deals with the aviation enterprise at Dulles Airport. The separation as into distinct entities requires one entity not to be exploited by the other. There should be independent judgment because of separate financial responsibilities and obligations.. This separation must be maintained because legal recourse is different for each enterprise. The financial and legal ramifications are complex. The uses by the entities and their conflicting interests have not been explored in the EA. An example of the conflicts, real or apparent, is the use by DCMP for Airport Property that may have significant long term effects on aviation use. The uses that pose these problems are the change in the National Capital Gateway visual and aesthetic effects, the decision to use land above ground thus impacting or preventing development of a landside public conveyance system for aviation near the Dulles Terminal, and the use of sensitive ecological and aviation areas for disposal of soil from almost 15 miles away. These larger issues have been simply ignored because like the banks in the recent financial crisis, the Dulles Corridor Metrorail Project is being considered too large to fail.

As noted in recent discussions on participation by Loudoun County (a nonsignatory to the WMATA Compact) development interests are given paramount if not overriding weight. I support the Dulles Corridor Metrorail Project but my support is conditioned upon fair and adequate consideration of the need for environmental protection and building adequate supporting infrastructure. I submit that a realistic EA process is intended to meet the condition stated above ,but the current scripted EA is simply a checklist without a real desire to explore the question of what may be significant federal action. The realistic evaluation of change is one of the reasons that an EA process is employed.

The EA states that the Project Purpose and Need remains the same and then recites the goals and objectives as follows:

**Table 1-1**  
**Goals and Objectives from 2004 Final EIS**  
**Goals Objectives**

**Goal 1**

Improve Transportation Service

- ☐ Provide more frequent service for trips to the core of the region, Tysons Corner, Reston/Herndon, Dulles Airport, and eastern Loudoun County.
- ☐ Provide multi-modal access.
- ☐ Improve travel times within the corridor and the region.
- ☐ Provide integrated, seamless transit service to Tysons Corner and other major activity centers.
- ☐ Provide improved transit service in the corridor in the near term.

**Goal 2**

Increase Transit Ridership

- ☐ Provide more frequent service for trips to the core of the region, Tysons Corner, Reston/Herndon, Dulles Airport, and eastern Loudoun County.
- ☐ Provide multi-modal access.
- ☐ Improve the amenities of the existing transit service within the corridor and the region.
- ☐ Improve travel times within the corridor and the region.
- ☐ Provide integrated, seamless transit service to Tysons Corner and other major activity centers.
- ☐ Provide improved transit service in the corridor in the near term.

**Goal 3**

Support Future Development

- ☐ Provide improved accessibility to existing and planned activity centers in the corridor and the region.
- ☐ Provide transit service that supports and is consistent with the character of the existing and future land use and development.
- ☐ Provide stations that are compatible with the character of the surrounding neighborhoods and encourage transit use.

#### **Goal 4**

Support Environmental Quality

- ☐ Contribute to the attainment of regional air quality standards.
- ☐ Minimize negative impacts to traffic patterns.
- ☐ Minimize negative impacts on neighborhoods and residential land uses.
- ☐ Minimize negative impacts to ecologically sensitive areas.
- ☐ Minimize negative impacts to historic and cultural resources.
- ☐ Minimize negative visual and aesthetic impacts.

#### **Goal 5**

Provide Cost-effective, Achievable

Transportation Solutions

- ☐ Develop transportation improvements that are consistent with the funding and financial capacity of the region.
- ☐ Minimize project-operating costs.
- ☐ Optimize cost-effectiveness.

#### **Goal 6**

Serve Diverse Populations

- ☐ Balance benefits and impacts to all residents within the corridor.
- ☐ Improve accessibility to existing and planned employment centers from low-income and minority areas.
- ☐ Provide transportation improvements that comply with the Americans with Disabilities Act standards.
- ☐ Minimize and mitigate negative impacts to low-income and minority populations.

Source: US Department of Transportation, et al., December 2004

The yellow highlights are a listing of goals and objectives that are not addressed in the EA and the hearing report. The report ignores reality and instead considers only the time frame of 2004 and 2006 instead of reflecting the major changes in finances (tolling is one example) and planning for today. In summary, the EA and hearing report are not compliant with NEPA and WMATA mandates for a realistic analysis based upon current conditions before a significant federal action is allowed to be undertaken. The FHWA should have been consulted because of the involvement of federal and state highways and major impact of hot lanes and tolling rates on multimodal access to high activity areas.

#### ***D. Dayton***

The realities of a new financing plan as put forth by MWAA management require a full and open review of the various effects on residential areas, sensitive ecological areas, existing obligations to preserve the Dulles approach as a gateway to the National Capital Region, and economic consequences to the aviation enterprise and existing facilities. The EA and the public hearing report are a script to avoid the bigger issues related to the major changes to Phase 2. The realities of the changes to Phase 2 must be addressed to comply with NEPA.

#### ***L.&L. Suter***

A thorough and complete study of the impact of the rails must be included with the recent Environmental Assessment of the Phase 2 design revisions presented by the WMATA.

#### ***S. Mann***

The Study is completely lacking and inadequate, and a fair, thorough study needs to be done before the Federal Government or MWAA or WMATA proceeds.

#### ***S. Oberlander***

My understanding of the Environmental Assessment of the Phase 2 Dulles Rail project is that it is woefully inadequate.

Overall, I continue to be dumbfounded by the extraordinarily poor fiscal rationale for why the Dulles Rail is being extended passed Dulles Airport. Board of Supervisor Janet Clark laid out very specific concerns that I do not believe have been addressed. The ramifications are manifesting themselves by either what is left out or ignored in the "completed" Environmental Assessment.

***R. Whitfield***

Before final Phase 2 design approvals are obtained, a meaningful supplemental environmental impact analysis must be completed. All feasible transportation solutions for the Dulles Corridor must be evaluated.

Response: The EA documents the potential environmental and cultural resources effects for the Phase 2 Preliminary Engineering Design Refinements. Staff believes the EA meets the requirement of the WMATA Compact.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address these comments, as appropriate, in its final NEPA document.

MWAA has provided a response to these comments in Appendix D.

## **2.4.2 Traffic**

Summary: Several commentors stated that the EA should have documented changes in traffic patterns associated with changes in tolls.

***K. Abushar***

Please do not ignore the impact of the Dulles Rail funding plan which uses Dulles Toll Road tolls, will have on my neighborhood. I live in Reston Va and already see traffic increasing and have many neighbors friends who have recently stopped using the Dulles Toll Road because they cannot afford the tolls.

***T. Cranmer***

5. The EA, Sponsors and CDM Smith did not provide their methodology for determining the amount diversion of traffic from the DTR to free side roads in reaction to higher tolls. No references were made to independent studies of the elasticity of demand on toll roads, such as the one by Sullivan at Cal Poly in 2000 (copy attached) that shows when tolls double, over half the drivers divert to free parallel roads.

6. The EA did not assess the additional traffic and did not mention studies done by civic groups in Reston, VA (one is attached) or others.

***T. Cranmer***

8. The EA did not assess the increased accidents and deaths from the diversion of traffic off the DTR.

9. The Sponsors and EA did not provide information on the amount of additional time required to commute to employment on the Project and the Silver Line compared to a no build alternative and bus routes, including on the airport lanes of the DTR.

***J. Grigsby***

This is really incredible. When I and every other commuter gets to or leaves Leesburg every morning, eastbound, we make a choice - whether to take the toll road or Route 7.

Those are the only two choices, beyond staying home, leaving the area, or buying a helicopter. How could you possibly leave out the substantial effects on a Route 7 commute of this project? Not only do I work near Tysons, but my eldest kids go to school there as well.

This information should have been included in the Environmental Assessment.

***D. LaRock***

I am a resident of Loudoun County who frequently uses Rt. 7, Rt. 28, the Dulles Toll Road, Rt. 50, and may other local roads. It has come to my attention that there will be a huge impact on these roads as tolls on the Dulles Toll Road increase. I am contacting you because the environmental impact of thousands of cars stuck in traffic will be huge. Likewise the probability of accidents and loss of life will increase dramatically.

These concerns need to be addressed before allowing the planning of the Dulles Rail project to move forward. As far as I can see Rt. 7 has never been part of your study. That is ridiculous given that no other road will be more impacted.

**S. Mann**

I question the legitimacy of the Federal Environmental Study done with respect to the extension of metro to Dulles and beyond. I am a Loudoun resident who uses Rt 7, Rt 28, Rt 50 and the Dulles Toll Road, and cannot understand why the Environmental Study did not study the projected effects of raising the tolls on the Dulles Toll Road to pay for metro. Even MWAA's projections show that just next year when the tolls are going to rise to pay for metro, millions of toll payers will exit the Dulles Toll Road to use the local "free" network, which will result in greater congestion, idling and pollution. As the tolls rise again in successive years, the traffic congestion on our local network, especially Rt 7 will only worsen from its current failing status.

**S. Mann**

Route 7 was completely left out of the study. Why? The effects of raising the tolls was also left out of the study. Why?

**S. Oberlander**

- The Final Environmental Impact Statement (FEIS) for the Dulles Rail Project excluded Route 7 from the [Transportation Effects](#) portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.
- The FEIS ignored induced traffic impacts in Herndon and Reston from Dulles Rail
- The change in the Dulles Toll Road (DTR) funding share from 25% to 75%- federal and local contributions results in much greater toll increases than previously estimated. With 30,000+ cars/day being forced off the DTR to other roads by increased tolls, gridlock will cause massive environmental impacts.
- Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Reston, Herndon, Dulles, and Ashburn. A [recent Fairfax DOT study](#) showed terrible gridlock coming around the stations from Wiehle Ave. to Rt. 28.
- Drivers are bailing out along both the Dulles Toll Road and the Dulles Greenway. With potential tragic consequences, so too are the drivers of large vehicles and trucks. As Rep. Wolf has pointed out, "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets."
- The latest round of toll increases probably will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads.
- Congressman Wolf recently stated that "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets," Wolf continued. "Route 7, often the only available alternate route, is at capacity around the clock, including weekends. When large trucks divert from [toll avoidance]... they clog local roads and often use neighborhood streets. This puts additional stress on these roads, adds to congestion and puts the public at risk. No one wants their children playing in the front yard or on the sidewalk when a large truck rolls through their neighborhood all to avoid a toll."

**R. Ray**

Loudoun's Board of Supervisors voted at a time when all pertinent information was not available to them. Environmental studies show that Metro is a bad idea on traffic elsewhere.

**L.&L. Suter**

A day of reckoning is coming across this nation and even in our own Loudoun County when the hidden agendas of those in power, or of those who "feel empowered," will be exposed. We the People will be "heard" at the polls!

Rep. Frank Wolf has also stated, that "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets."

As card carrying members of AAA and constituents of Rep. Wolf, we can agree wholeheartedly! In our personal travels around the Dulles Corridor we often avoid the toll road and choose alternative routes even though we have Smart Tag scanners in each of our vehicles. The reason: the continual increased expense of the toll.



#### **R. Whitfield**

Issues that should have been addressed in the FEIS and EA but weren't include:

- The FEIS ignored induced traffic impacts in Tysons, Herndon and Reston from Dulles Rail.
- Both the FEIS and 2012 EA ignored far more cost effective and flexible transportation options such as expanded express bus service in the Dulles Corridor.
- The FEIS excluded Route 7 from the [Transportation Effects](#) portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Sterling/Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.
- Dulles Rail capital costs have doubled since the 2004 EIS to \$6 billion or more projected today including the costs offloaded to Fairfax and Loudoun counties. Federal and local tax district contributions were capped, which have resulted in far greater toll increases than previously estimated. Up to 30,000+ cars/day are projected by CDM Smith, MWAA's traffic consultant, to be forced off the DTR to other roads in coming years by increased tolls. The resulting traffic congestion will cause massive adverse environmental impacts.
- Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Tysons, Reston, Herndon, Dulles, and Ashburn and deterioration in local air quality. A [recent Fairfax DOT study](#) showed extreme gridlock projected around the stations from Wiehle Ave. to Rt. 28.
- Drivers are bailing out along both the Dulles Toll Road and the Dulles Greenway. With potential tragic consequences, so too are the drivers of large vehicles and trucks.
- The latest round of toll increases will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads.
- Congressman Wolf recently stated that "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets," Wolf continued. "Route 7, often the only available alternate route, is at capacity around the clock, including weekends. When large trucks divert from [toll avoidance]... they clog local roads and often use neighborhood streets. This puts additional stress on these roads, adds to congestion and puts the public at risk. No one wants their children playing in the front yard or on the sidewalk when a large truck rolls through their neighborhood all to avoid a toll."

Response: The FEIS included an evaluation of transportation effects based on the regional travel demand model. Plan of finance for the use of the DTR revenues is outside the scope of this EA. The EA documents the potential environmental and cultural resources effects for the Phase 2 Preliminary Engineering Design Refinements. Some changes to traffic patterns were identified (See Section 3.10 in the EA). Changes to tolls were not considered in the EA.

Staff believes the EA meets the requirement of the WMATA Compact.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address these comments, as appropriate, in its final NEPA document.

MWAA has provided a response to these comments in Appendix D.

#### **2.4.3 Financing**

Summary: Several commentors stated that project financing is unfair to individual car operators.

#### **K. Davies**

This information should have been included in the Environmental Assessment. The toll increases are also sure to do much greater financial hurt to poor and middle-class families than to wealthy people who can afford to use the Toll-Road even when the price doubles. Please correct these problems before moving on with this project.

**J. Grigsby**

The toll increases are also sure to do much greater financial hurt to poor and middle-class families such as mine, than to wealthy people who can afford to use the Toll-Road even when the price doubles.

**S. Oberlander**

[AAA MID-ATLANTIC says](#) "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair.

**L.&L. Suter**

There are voices that need to be heard, such as the statement made by AAA Mid-Atlantic, "...the cost of the project is being disproportionately shouldered by motorists."

**R. Whitfield**

- [AAA MID-ATLANTIC says](#) "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair.

Response: Plan of finance for the use of the DTR revenues is outside the scope of this EA.

MWAA has provided a response to these comments in Appendix D.

#### **2.4.4 Toll Avoidance**

Summary: One commentor stated that raising tolls would disproportionately affect certain segments of the population.

**K. Davies**

*I am a resident of Loudoun County, and recently found out that the Final Environmental Impact Statement (FEIS) for Dulles Rail did not include toll avoidance or consider the traffic impacts on Route 7. This information should have been included in the Environmental Assessment. The toll increases are also sure to do much greater financial hurt to poor and middle-class families than to wealthy people who can afford to use the Toll-Road even when the price doubles. Please correct these problems before moving on with this project.*

Response: Plan of finance for the use of the DTR revenues is outside the scope of this EA.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address these comments, as appropriate, in its final NEPA document.

MWAA has provided a response to this comment in Appendix D.

#### **2.4.5 Purpose and Need**

Summary: One commentor stated that the EA did not have a Purpose and Need Statement.

**T. Cranmer**

1. No Statement of Purpose and Need was provided.

Response: The project Purpose and Need statement is found in Section 1.2, page 1-2 of the EA.

#### **2.4.6 Air Pollution**

Summary: One commentor stated that the EA did not include all air pollution impacts.

***T. Cranmer***

7. The EA did not assess increased air pollution from not only additional traffic but also from generating the electricity required to move the rail cars and operate the Project and the entire Silver Line.

Response: The EA discusses air quality issues on page 3-5 of the EA. The EA did assess the impact of changes to traffic on air quality. No change was identified.

The EA did not analyze air quality impact associated with generating electricity, as no change from the alternative approved in the Amended Record of Decision was identified.

FTA has received this comment and is taking it into consideration for project planning purposes. FTA intends to address this comment, as appropriate, in its final NEPA document.

#### **2.4.7 Project Financing**

Summary: One commentor stated that the EA did not include a discussion of project financing.

***T. Cranmer***

3. The Sponsors and the EA did not provide the public with details of the annual expense build up and coverage ratios for determining toll rates (Tolls Bases) given to the consultant Wilbur Smith and its successor CDM Smith.

4. The Tolls Bases were incorrect and understated. A calculation of the correct tolls of \$13 each way on the DTR by 2018 is attached.

***T. Cranmer***

10. WMATA and the EA did not provide information on the tax impacts in Fairfax and Loudoun Counties for their increased shares of subsidy costs of operating the METRO and the \$13.3 billion Capital Needs Inventory WMATA determined on November 3, 2011.

12. The Sponsors and EA did not provide information on the history of the Greenway, including inter alia the Greenway's bankruptcy / defaults on its financial obligations and how the projections of commercial development failed to materialize.

13. The Sponsors and EA did not provide information on the bankruptcies and financial problems of other toll roads in the US and abroad.

***R. Whitfield***

- The increase in the Dulles Toll Road (DTR) funding share of Phase 2 Dulles Rail from 25% as shown in the 2004 FEIS to 75% in the current financial plan without a public hearing process or without funding alternatives evaluated

Response: Plan of finance for the use of the DTR revenues and the history of the Dulles Greenway and other toll roads is outside the scope of the EA.

Staff believes the EA meets the requirement of the WMATA Compact.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address these comments, as appropriate, in its final NEPA document.

MWAA has provided a response to these comments in Appendix D.

#### **2.4.8 Changed Project Need**

Summary: One commentor stated that the need for the project had changed.

***T. Cranmer***

11. The Sponsors and EA did not provide information on the changes in workplace locations and the decline in office space occupancy in Tysons Corner in the past four years and thus the decline in need for the Project.

Response: The EA was written to document differences in environmental effects between the alternative approved in the Amended Record of Decision and changes to the alternative that were identified and proposed as a result of preliminary engineering of Phase 2.

Staff believes the EA meets the requirement of the WMATA Compact.

FTA has received this comment and is taking it into consideration for project planning purposes. FTA intends to address this comment, as appropriate, in its final NEPA document.

#### **2.4.9 Information about Metro Fares**

Summary: One commentor stated that information about WMATA fares was inadequate or absent.

***T. Cranmer***

14. Inadequate or no information information was given to the public about METRO fares from various new stations to various destinations in 2018, including the method of calculating the fares, the numerical calculation of the fares, the percentage coverage of expenses and the lack of coverage of capital needs.

Response: The EA was written to document differences in environmental effects between the alternative approved in the Amended Record of Decision and changes to the alternative that were identified and proposed as a result of preliminary engineering of Phase 2. No information about fares was included in this document, as there is no change in WMATA fare policy contemplated by this effort.

Staff believes the EA meets the requirement of the WMATA Compact.

FTA has received this comment and is taking it into consideration for project planning purposes. FTA intends to address this comment, as appropriate, in its final NEPA document.

#### **2.4.10 EA options**

Summary: One commentor stated that the EA did not include a discussion of options to metrorail.

***R. Whitfield***

- Both the FEIS and 2012 EA ignored far more cost effective and flexible transportation options such as expanded express bus service in the Dulles Corridor.

***R. Whitfield***

Most significantly, the agencies responsible for the Dulles Rail project did not attempt to evaluate feasible options as required under the National Environmental Policy Act. Instead of Phase 2 rail, expanded express bus options can serve foreseeable transit needs of the commuting public in the Phase 2 service area for at least the next 30 years at approximately one eighth of the cost of heavy rail. At present, population and employment densities in the Phase 2 service area are less than one half the levels recommended by the Federal Transit Administration and the Commonwealth of Virginia to support Heavy Rail.

[http://www.drpt.virginia.gov/activities/files/Transit\\_Service\\_Design\\_Guidelines\\_FINAL.pdf](http://www.drpt.virginia.gov/activities/files/Transit_Service_Design_Guidelines_FINAL.pdf)

## **Rail**

Rail services are some of the most costly to implement, so consideration must be given to the markets, activity centers, and development conditions that rail will serve. These guidelines provide some suggested gross levels of development that are supportive of rail service (note: levels for commuter rail may be considerably less outside of the core area – for example 1-2 dwelling units per acre).

Development Levels Supportive of Rail

Measure Development Level

Population densities (persons per square mile) 6,667 - 15,000

Employment Served 125,000 - 250,000

Central Business District commercial floor to area ratio (FAR)\* 6.0 – 10.0

Other commercial floor to area ratio (FAR) 1.0 - 2.5

Residential dwelling units per acre 10 - 25

Sources: Federal Transit Administration: Guidelines and Standards for Assessing Transit Supportive

Land Use – May 2004

\* Floor to Area Ratio (FAR) is the relationship of total building floor area to the area of its zoning lot. Each zoning district has a FAR control number which, when multiplied by the square foot area of the lot, produces the maximum amount of floor area allowable in a building. For example, on a 10,000-square-foot lot in a district with a maximum FAR of 6.0, the floor area of a building can be up to 60,000 square feet.

**Response:** The EA was written to document differences in environmental effects between the alternative approved in the Amended Record of Decision and changes to the alternative that were identified and proposed as a result of preliminary engineering of Phase 2. The EA did not evaluate a change in modal alternative, but a wide variety of transportation modal alternatives were evaluated in the FEIS.

Staff believes the EA meets the requirement of the WMATA Compact.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address these comments, as appropriate, in its final NEPA document.

### **2.4.11 Road Network Analysis And Alternatives**

**Summary:** One commentor stated that the EA did not include an appropriate analysis the road network, and the implications of changing funding.

#### ***D. Dayton***

##### **Comment 1-Lack of Road Network Analysis and Alternatives**

The following are major elements that have not been considered in the EA-Hot Lanes, planning for a huge interchange at I-495 and the Dulles Connector, total rezoning in Tysons Corner and local road network and connecting roads, and planning for roads that will adversely affect neighborhoods between Old Courthouse Road and Tysons in Vienna (See recent furor at public hearing at Westbriar Elementary School as reported in Washington Post).

The road network as shown on the Project Map (Hearing Report Figure 1-1) clearly shows the following important roads –Route 606, Route 28, Route 7, Dulles Toll Road (DTR), Dulles International Airport Access Highway(DIAAH), Beulah Road, Hunter Mill Road, Route 7, Wiehle Avenue. Other major roads are omitted (road network considerations are discussed in FEIS). These roads are also of importance to the residential communities near the project area-bordering Beulah Road, Sunrise Valley Road, Sunset Hills Road, Crowell Road, Brown Mills Road Reston Parkway, Fairfax Parkway, and Monroe Street. This network of roads is a toll free complement for transportation access to the core of the region and activity centers such as Tysons Corner, Reston/Herndon, Dulles Airport, and eastern Loudoun County. The roads are part of the multimodal transportation system and they provide access via automobile to many communities. My own community is located off Beulah Road and is limited by its connection to Browns Mill Road, Old Courthouse Road, Trap Road and Route 7. Since these roads are interconnected to various

highway systems and provide the current outlets to the interstate highway system, federal highway system, and state highway system, they are the central focus of my comment 1.

These roads are being adversely affected by the tolling rate prospects and the lack of planning and funding for Route 7, DTR improvements, DIAAH changes including possible tolling, Hot Lanes, and the connection of the DTR/Connector at Route 123 and Interstate 495. In summary the network is overburdened and there is no finance plan to address providing relief to residential communities. The idle reference to future action and Transit Related Development does not satisfy federal requirements.

As a citizen of Fairfax County residing next to the DTR and DIAAH with access via Beulah Road to the North and South, a DTR user, and a Dulles Airport User, my residential community automobile access route is being inundated with traffic that seeks to avoid the DTR and Route 7. This is also true if access is sought to the Airport via Browns Mill Road, Crowell Road, and Hunter Mill Road. In effect, travel times are increasing in all directions. The effect is cascading with traffic buildup on Sunrise Valley Road at Hunter Mill Road as well as impossible conditions at the Hunter Mill Road, Sunset Valley Road, and the Hunter Mill underpass for the DTR and DIAAH. The EA report does not address the added traffic burdens created by the toll rate increases and the lack of certainty on parking facilities. The end result is improving Tysons Corner for the development community but disregarding the effects on residential communities. This is a systemic problem that is not addressed by references to future actions by VDOT and Fairfax and Loudoun counties. Moreover, the Historic Hunter Mill District and various park and trail facilities are being affected as well (e.g. Meadowlark Botanical Gardens. Bike trails from Vienna to Reston) by the lack of access.

There are numerous alternatives that have not been addressed including involving VDOT, FHWA, and MWAA in an effort to utilize the unused capacity of the DIAAH. In addition as reported in the Washington Post and Washington Examiner, there are significant impacts anticipated by the introduction of Hot Lanes such as backups into Maryland( a summit for Montgomery County and Fairfax leaders was convened to address traffic overload) . Network theory clearly recognizes that stoppages at entry and exit points and at branches lead to gridlock and lack of thru-put. These significant impacts are being felt in my residential community and its ability to access other roads the region core, activity centers, including Dulles Airport..

The EA as mandated by federal law is necessary to comply with NEPA so that significant federal action takes into account environmental effects when there are changes in circumstances and should be used in situations that ordinarily would involve issuing an EIS (NEPA, 40 CFR § § 1501-1508). An EA should be undertaken with due diligence and without a predetermined objective to move rapidly to a finding of no significant federal action (so called FONSI). Since the EIS and original EA on Phase 1 are now over six years old due diligence requires a review of new circumstances.

There are significant new circumstances.

1. MWAA has taken over the DTR, funding requirements, and management.
2. Funding restraints having materially altered Phase 2
  - a. Significant overruns on Phase 1-all contingency fund expended and new funds needed. Final costs in excess of starting price by significant amounts \$2.8B-\$3.5B.
  - b. DTR tolls must pay for most of this overrun.
  - c. Estimate for Phase 2 greatly understated for purpose of initial funding agreement. New estimate of \$3.8B instead of \$2.5B.
  - d. New agreements entered into that change the scope of the Project. Parking facilities are taken out of the project and potentially shifted to local entities. The same may be true of a station. There is no certainty that these parking facilities and other improvements promised by MWAA will be built.
  - e. The assumptions by MWAA of significant TIFIA funding for Phase 2 have been proven to be totally invalid.
  - f. Circumstances relating to the transportation impacts outlined in the original EIS have ignored. State funding for roads is limited in amount and is earmarked to be used for buying down financing costs not new improvements.
3. Toll rates are going to greatly increased thus affecting DTR usage. Travel trips will decrease and be shifted to existing roads. Travel times from residential areas are being impacted.
4. Dulles Airport passenger growth for the next ten years is not anywhere near the level assumed by the original EIS based upon MWAA projection information.
5. MWAA is considering altering the DIAAH including placing tolls on this road.

6. Management costs by MWAA including payments to its program manager and other supporting entities – VDOT and Department of General Services – appear to exceed benchmarks in the industry for program and contract management in a Design/Build setting (Exact information is not available at this time).

7. Additional funding from the Commonwealth of Virginia for the rail project and road network improvements prevents planned development consistent with infrastructure needs. There is no coherent multimodal funding plan or program. Virginia statutory mandates for coordination between local government and VDOT for a coordinated program are not being addressed in the context of changes in tolling on the DTR and studies of major highways. The end result is transportation improvement stagnation for the foreseeable future leaving the existing transportation network of two lane roads to handle current demands as well as new growth. In addition, the lack of funding from other sources guarantees that tolls will increase significantly thereby making the inadequate existing network a relief mechanism for toll avoidance. The tolls will burden existing streets with traffic volume that such streets are not designed to carry. The new volumes will create queuing and blocked branching channels that will cause significant detrimental effects the transportation needs of residents and citizens of both Fairfax and Loudoun Counties.

The EA is inadequate to show that the transportation facilities are not being overtaxed because of the lack of a plan to have road improvements put in place to support the Dulles Corridor Metrorail Project. As a citizen of Fairfax County that uses the local roads, the Toll Road, and Dulles Airport my access is being adversely impacted because traffic is backing up on Route 7, being diverted off Route 7 onto Beulah Road, backing up on Beulah Road, Browns Mill Road, Crowell Road, Hunter Mill Road. I am being prevented from using other roads because of congestion.

The EA is not adequate and fails to address the congestion effects.

The report refers to the actions of the Secretary of Transportation in attempting to address the significant changes to the DCMP scope in funding and shifting of responsibility for major aspects such as parking to local governments. The agreement in November of 2011 is a mere sketch and does not resolve with certainty toll rates and parking facilities. The reference to the MWAA website is an inadequate response to the comments of Mr. Whitlock and to my comments. The response that traffic studies are not needed or the subject of the EA is an abdication of the responsibility of a federal agency to address the multimodal nature of the corridor as well as the need for VDOT, Fairfax, Loudoun, and MWAA to assure adequate infrastructure for existing residential communities.

The reality of the changes in funding for Phase 2 and the lack of certainty on parking is that Phase 2 has significantly different environmental effects than what was presented in 2004 and 2006. The report admits that the Corridor is congested. It then concedes growth. It ignores economic and travel time effects on automobile travel from the west and in further automobile movement towards Tysons Corner a I-495, and Dulles Airport. The road networks have not been analyzed or addressed. Residential interests are not being valued and instead there is a bias in favor of development interests in Tysons Corner, Reston, Herndon and up and down the Dulles Corridor. The real estate market for commercial office buildings should also be analyzed to take into consideration the degrading effect of high commuting costs in the Dulles Corridor for future employers, owners or tenants of commercial buildings.

The MWAA Board has suggested tolling for the DIAAH. This is another significant action that is being considered. This sort of action has economic effects on automobile users and traffic flow. The consideration of all of these variables for the Dulles Corridor multimodal transportation system clearly shows that there should be a full EIS to address these significant actions. The EA reaches a conclusion by simply omitting a point of reference that is known as reality.

In summary, the EA does not meet the goals and objectives that are stated. The areas highlighted in yellow show the various areas that have not been analyzed or that are clearly deficient. I entreat the WMATA Board to act now and prevent the creation of another Mark Building development problem created by inadequate infrastructure by assuring real environmental analysis in a timely manner to assure adequate infrastructure. WMATA should not be the recipient of the criticism that will ensue from inadequate planning and environmental analysis reflected in the EA result in overwhelming traffic congestion.

Response: The EA was written to document differences in environmental effects between the alternative approved in the Amended Record of Decision and changes to the alternative that were identified and proposed as a result of the Phase 2 Preliminary Engineering Design Refinements. The FEIS included an evaluation of transportation effects based on the regional travel demand model which included anticipated Dulles Toll Road and Dulles Greenway toll structures. Plan of finance for the use of the DTR revenues is outside the scope of this EA. Staff believes the EA meets the requirement of the WMATA Compact.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address these comments, as appropriate, in its final NEPA document.

MWAA has provided a response to this comment in Appendix D.

#### **2.4.12 Yard Site Y-15**

Summary: One commentor stated that the EA did not include an appropriate analysis of activities at Y-15. The commentor states, “The current situation is a change of circumstance from the EIS and 2006 EA that requires a full impact statement to protect the wetlands and watercourses that traverse Dulles Airport. In addition, the aviation ramifications are not addressed.”

##### ***D. Dayton***

##### **Comment 2 -Major Land Use Change Y-15 Yard-Size Change-Environmental and Runway 5 Soil Use**

The Y-15 Yard site has undergone extensive changes in arrangement and land use since the FEIS. The site is not for a yard but is now a soil disposal depot. In the EA, there is a mention of using some of the soil for reuse but there are no explicit details on the regulatory structure for reuse or time frame. As presented the soil is likely to be in the location in the Y-15 yard indefinitely. There is change from limited use of soil for a berm and the re-transportation of the soil back to the primary sites between WFC and Wiehle Avenue. This is of great public importance because there is a suggestion in the EA that reused soil will now be be a part of aviation planning and construction of the Fifth runway at Dulles International Airport. A project that is not scheduled and is likely not to be needed in light of the current passenger stagnation in Dulles growth.

The use of the Y-15 site, located in and environmentally sensitive area, for construction staging and restricted reuse of stockpiled materials was introduced in the EA of February 2006-Figure 2-17. This figure shows the location and the division of the site into four components -a rectangular area for soil stockpile and three areas for precast fabrication and storage. This arrangement was not followed. The following descriptive dialogue is included in the 2006 EA:

##### **2.1.3 PE Wiehle Avenue Extension Yard Facilities**

The Final EIS Wiehle Avenue Extension would not include any improvements or construction activities at the future S&I Yard Site 15, which would be constructed as part of the project's second phase, the Extension to Dulles Airport/Route 772.

##### **2.2.3 PE Wiehle Avenue Extension Yard Facilities**

A portion of the future Y-15 site on Dulles Airport property (approximately 36 acres) would be used for construction staging, precast concrete fabrication, and precast storage for the PE Wiehle Avenue Extension. The site would be use to stockpile soil from the excavation and tunneling activities in Tysons Corner. The excavated soil would be stored for possible later reuse as fill, or possibly to construct a berm along Old Ox Road (Route 606) to screen future yard operations. All soil placed on this site would be placed to avoid any known wetlands and with proper sediment and erosion control. Figure 2-17 depicts the proposed layout of the Y-15 site for these uses. In addition, soil will be placed on this site **in coordination with MWAA to ensure soil compatibility with local conditions**.



Notwithstanding the foregoing explicit guidance, Dulles Airport property and travelers on Route 606 have not been protected from actual unauthorized land use. The entire land use plan changed without notice to the public or the issuance of a supplemental EA. The Dulles Airport property has been used in a manner that has resulted in significant degradation to its intended use. The Dulles Airport property has been converted to a soil disposal depot for Phase 1 for soil. The soil hauled to the site is from innumerable sources and **not the uncontaminated soil contemplated by the EA (primarily uncontaminated tunnel spoil)**. A visit to the site would reveal huge unseeded piles of soil without designation (See June Site Photos provided as a separate transmission-Appendix A). The huge soil mounds have steep slopes, are not compacted and are not seeded to prevent erosion and soil migration. The yard site was not used in accordance with Figure 2-17 and the resulting Design Build Contract. In addition, traffic control lanes have not been constructed thus endangering users of Route 606. Finally, the volume of truck traffic in the area has hindered traffic flow on Route 606. The EA does not address the total quantity of soil now on site, its composition, and when and how the soil will be used. From the size of the piles and the location in relation to watercourses, a flood plain, and forested habitat in the local area and nearby water courses there is a significant ongoing risk from the site as it exists. This risk has gone on for several years without taking into account the effects of flooding and traffic flow. The EA should have addressed what has happened and what, if any, deleterious effects have occurred or will occur from placement and then re-movement of the disposed soil. The overall result is a significant unevaluated risk including the effects on the highly sensitive areas. Remarkably, it would appear that the use of the site is a gratuitous grant of a permanent easement for soil storage to the Phase 1 contractor without approval by the MWAA Board of Directors. There is no document that establishes whether MWAA or WMATA is taking ownership of the soil the Phase 1 Contractor placed on the property. There is no time frame established for operations in the yard. The cost of off haul has not been addressed in terms of a schedule and it is unclear as to whether the basic Design Build obligations have been eliminated from the cost to the Phase 1 contractor notwithstanding its obligation to be solely responsible for excavation activities. If these obligations have been eliminated, the costs are being transferred to the aviation enterprise or solely to the toll road users.

The EA should have included mitigation measures including testing of the soil, off haul plans, new traffic arrangements for 606 including additional lanes and signals and economic consequences in shifting costs between Phase 1 and Phase 2 or to the aviation enterprise.

A significant impact is being made to other Airport Property since the EA states that the soil in excess of 500,000 cubic yards would be used for Runway 5. Route 606 and the rest of the Dulles Airport Property will be adversely affected. The following information is important when considering the effects.

***Report Response:*** *The impacts associated with the use of the Y-15 yard site for construction staging and storage activities were evaluated in the 2006 Environmental Assessment and the required mitigation was included in the Amended FTA Record of Decision executed in November 2006.*

The treatment of the Y-15 yard site for purposes of NEPA evaluation seems to be more like a bait and switch commercial undertaking instead of an environmental review. The original EIS reflected significant areas of impact related to the building of a yard on Dulles Airport property near forested areas, Horsepen Run, and other Horsepen water areas. The original EIS recognized issues with buffers, flood plains, and wetlands (See EIS e.g 4-16, 23, 24, 35, 52, 53, 54, 55, 59, 63, 67, 70 etc.. The size contemplated was 70-90 acres and there was no mention of land use as a soil storage facility for Phase 1 (See EIS, page 2-46). The site has aviation related issue since half of the area is within a designated approach area.

In the EA for Phase 1 as noted above ¶ 2.2.3 the use was 36 total acres was to be used for construction staging and precast concrete storage. There was restriction for reuse of soil and limited use as a berm. There was no mention of use of the site for massive soil storage for virtually all of the excavated soil from Phase 1. At the time of the EA there was no anticipated use of an **all precast guide-way. The contract as awarded did not have an all precast guide-way. Significant changes were made and the precast plan and facilities were not as contemplated at the time of the EA. The report does not address the changes. The report states that the impacts were evaluated in the 2006 EA. This is blatant misstatement.**

The report does not address comment and what has transpired in terms of significant impacts created by construction activities that have occurred at the site. Please refer to Exhibits 1, 2, 3 and 4. These exhibits show what has actually happened.

Exhibit 1 shows the site before activities. Exhibit 2 shows the site in late June (additional photographs are also provided as an appendix to this document). Exhibit 3 shows the plan view as envisioned at time of EIS. Exhibit 4 shows the site as envisioned in the EA. The EA states that walls will be placed to the North but it does not address site evolution during the period from 2007 until today. There is no protection to the South. The buffers and flood plain effects are not addressed. The steep slopes lack of seeding and sand bags on Route 606 clearly evidence the migration of soil in the area. Most importantly, there is no discussion of soil testing for contaminants or soil testing for use as suitable fill for runway construction as required by FAA standards. There is no quantity computation of the soil stored or any indication of where the soils originated. Sources of the soil are left as an unknown.

What is stated is that there will be storage and then movement of the soils. There is no analysis of how and when the soil will be moved. The movement to proposed Runway 5 is a substantial movement to the south to an area near Route 50. The cost for identification of soil source and composition is high. The movement of this soil (a large portion of which is probably very high in clay content) on airport is a significant financial undertaking as well. In addition, it does not address potential aviation hazards.

The following information is relevant to the need for a study of all of economic and environmental impacts relating to construction activity

Dulles Airport Dam is on a tributary of Horsepen Run River in Loudoun County, Virginia and is used for drinking water purposes. Construction was completed in 1962. At normal levels it has a surface area of 28 acres. Source Find Lakes.

The fifth runway will run parallel to existing runway 12-30 along the south side of Dulles Airport property. The runway would be roughly parallel to U.S.50, west of Chantilly. It will be approximately 10,500 feet long and 150 feet wide. When completed, the new runway will be named Runway 12R-30L and the existing parallel runway will be renamed 12L-30R. The numeric designation is the runway's compass bearing in degrees, divided by 10. The letters stand for left and right. Source MWAA Website.

However, the EA, and the report and response to comments ignores these critical factors. In addition, the EA and Report create confusion about what is really happening at the Yard site. Set forth below for comparison purposes are excerpts to the agreement of November 2011 and the EA.

EA

At the request of WMATA, the layout of the Yard was modified and reconfigured to enhance operations and safety (see Figure 2-16). **Additional regional facilities were also added, such as a spare parts warehouse and a police station.** Instead of entering the Yard from the southern end as proposed under the LPA (see Figure 2-15), the lead track would now enter the Yard limits on the northern end. Other design changes made to the Yard include a perimeter roadway for security, the addition of staff parking and a retaining wall on the north side of the Yard. The retaining wall would prevent the Yard from encroaching into a 100-year floodplain associated with Horsepen Run. In addition, rather than one large SWM facility within the Yard, five smaller SWM facilities would be provided to handle stormwater runoff within the Yard. **Due to the additional design features, the overall footprint of the Yard is approximately 10 acres larger than what was proposed under the LPA.**

**b. The Metrorail yard and shop facilities at the "Y-15" site at Dulles International Airport shall be reduced in size and scope to the level that is necessary to support the service provided by Phase 2. There will be at least 21 Yard Storage tracks provided for a minimum of eight car trains. The Dulles Yard will be sized for 184 cars. These and other yard and shop requirements are consistent with formal letters to the FTA dated June 10, 2011, and June 28, 2011.** WMATA may build additional or more extensive facilities at this site to support the service provided by other parts of the WMATA Metrorail network, but the costs of such expansion shall not be part of the Project costs and shall be the responsibility of WMATA.

The documentation and information available makes it impossible to determine what is the scope of the planned Yard, including size) and what is to happen with an unknown quantity of unknown soil at the site. There is no basis to determine buffer compliance as well as overall effects on existing sensitive ecological resources. The existing conditions are unknown and the soil may contain contaminants. It is also likely that a finding will be made that the soil classification is not suitable for runway subgrade use. MWAA would then shoulder a huge financial and environmental burden of disposal. The unknowns are too large to be able to state that the NEPA requirements are being met with respect to analysis of the so called refinements. Moreover, the economic impact to the Airport Authority's aviation enterprise could be huge. In light of WMATA's recent criminal plea ( See November 19, 2009 DOJ Press Release) for a pollution event at one of its Yard facilities, it would seem improbable that WMATA would assume the risk for long term storage and control of the soil depository created during Phase 1. The hearing report fails to adequately address current conditions and environmental risks and what entities bear the financial risks.

The current situation is a change of circumstance from the EIS and 2006 EA that requires a full impact statement to protect the wetlands and watercourses that traverse Dulles Airport. In addition, the aviation ramifications are not addressed.

## Appendix A Site Photos












Exhibit 1

Latitude: 38.96333 Longitude: -77.445 Sterling, VA Satellite Map and view - MapQuest Page 1 of 1

**mapquest** **m<sup>a</sup>**

Map of:  
**Latitude: 38.96333 Longitude: -77.445**  
Sterling, VA 20166

Notes



The satellite map displays a suburban landscape with a mix of greenery and built-up areas. A prominent feature is the Dulles Greenway, a multi-use trail, which runs diagonally across the upper right portion of the map. To the left of the greenway, there are several large, rectangular industrial or commercial buildings. A road, likely Route 267, runs horizontally across the middle of the map. Another road, Route 606, is visible on the right side. The map also shows a winding road labeled 'Old Ox' and a small stream or creek labeled 'Horsepen Run'. The MapQuest logo is visible in the bottom left corner of the map area.

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Exhibit 2

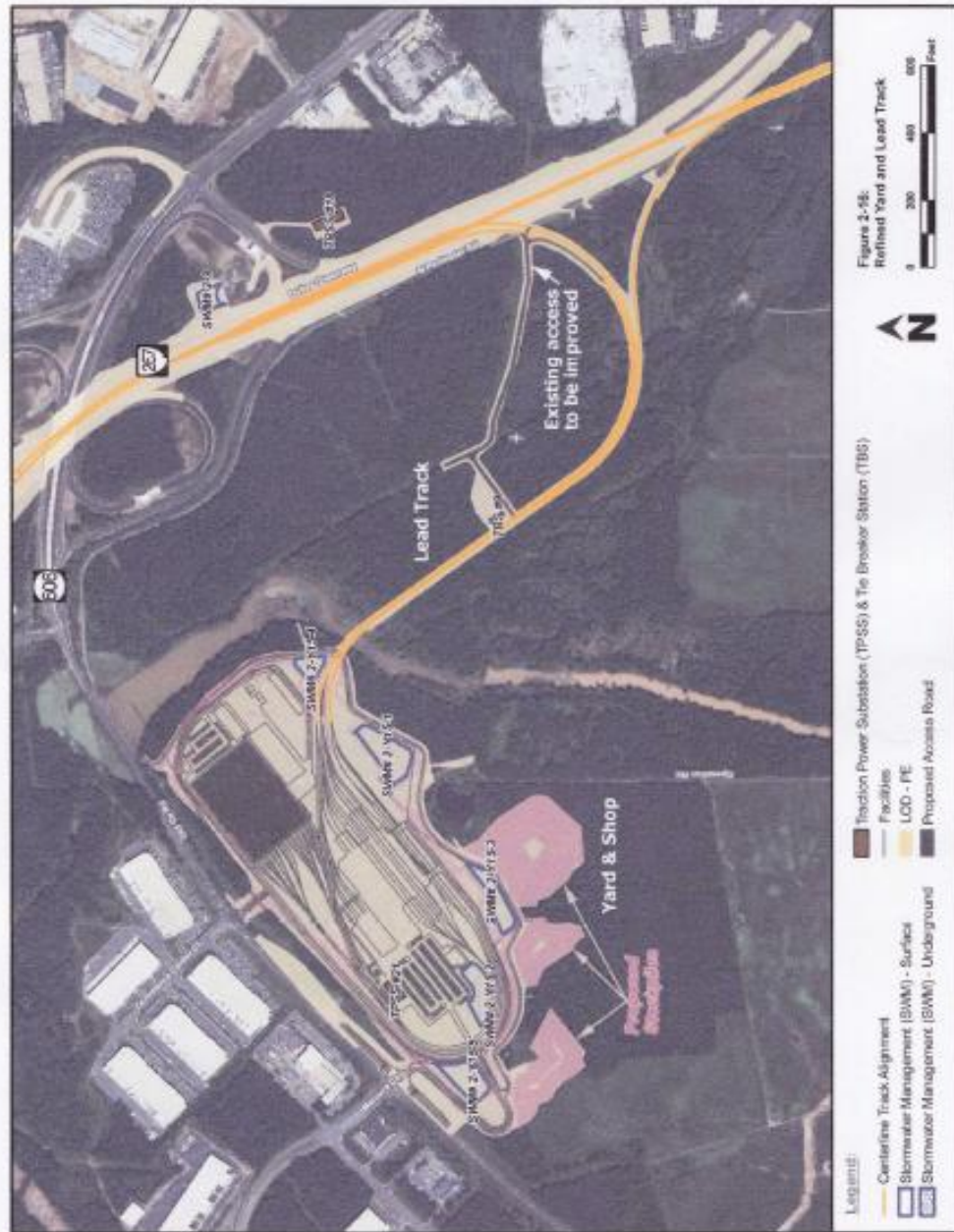


### Exhibit 3



Dulles Corridor Metrorail Project, Phase 2  
PE Design Refinements  
Environmental Assessment

Chapter 2  
Page 2-20



Response: The EA was written to document differences in environmental effects between the alternative approved in the Amended Record of Decision and changes to the alternative that were identified and proposed as a result of preliminary engineering of Phase 2. The EA does identify changes to changes to the Maintenance Yard and ancillary facilities, and associated impacts (See Section 3, generally, and specific sections for resource impacts). The EA does analyze impacts to aviation (See section 3.2 of the EA); no impact to aviation from changes to the yard was identified.

Staff believes the EA meets the requirement of the WMATA Compact.

Comments about the EA have been forwarded to MWAA for its review.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address these comments, as appropriate, in its final NEPA document.

#### **2.4.13 Cost and Environmental Analysis of New Elevated Line and At Grade Station**

Summary: One commentor stated that the EA did not include an appropriate analysis of changes to station at Dulles Airport, specifically as it relates to water, mold at stations, and associated costs.

##### ***D. Dayton***

##### **Comment 3-Inadequate Cost and Environmental Analysis of New Elevated Line and at grade Station**

The changes at Dulles Airport are not minor. The change from an underground facility to a surface facility is typical of the type of changes that mandate full EIS consideration. The alignment has changed as well as the nature of the construction and its tie-in with existing facilities. The second comment relates to what are normal and prudent preliminary engineering activities related to subsurface conditions and effects on existing facilities. In response, the report states *The Final Environmental Impact Statement (FEIS) design also connected to the existing walkway. The findings detailed in the EA for the Refined Locally Preferred Alternative design do not identify changes in these environmental effects from what was previously anticipated in the FEIS. Geotechnical studies for the Project were completed, but are outside the scope of this EA for Phase 2. In regards to mold, all efforts to mitigate and minimize for mold spores will be undertaken. The project will comply with all applicable regulatory and permitting requirements as required.* The report does not address the engineering issues related to water and control. Grouting costs and water control costs have been a significant issue for the Metro System. The fact that the original design also connected to the walkway does not address the changes as they relate to water movement and subsurface conditions. Studies were allegedly conducted on excavation levels and techniques. There are numerous references to cost savings from the higher elevation connection. The water control in the initial design was greatly aided by the presence of a tunnel and a lower station level. Water under such a design would flow to a common route-the tunnel and station. It would be easily controlled and would not migrate to the existing structure. In fact, it is likely that water would migrate away. So the fact that there is a connection does not mean that water behavior would be the same as suggested by the EA report. What is important is not conjecture but a detailed engineering study. This has not been reflected in the EA or the response to comments.

The statement that Geotechnical Studies were conducted “**but are outside the scope of this EA for Phase 2**” does not mean that there is NEPA compliance. The sole justification for moving the station is economic as is reflected in the comments. In fact the report makes specific reference to the savings. The savings must not be illusory. In addition, the savings should be evaluated on a life cycle savings, including capital and operating expenses of both MWAA and WMATA. In this regard, it is extremely important to consider the economic realities of the new design on such costs. The economic realities are tied to the engineering concepts that have changed and are part and parcel of the current EA.



The shift to an above and at grade arrangement comes with new realities. The punching of holes for piers that provide water paths downward without control and the existence of other structure creates a new water network below. Waterproofing of the new and existing structures is very important to cost factors. The new network is a swiss cheese arrangement that will make the existing structures a new drain for all of this water. As noted in the report, there will be a greater amount of impervious areas and there is no study to determine what will be the effects. Engineering prudence dictates that the existing structures be examined to ascertain their current condition and their history with respect to water intrusion. Water is the enemy of the mechanical equipment in the walkways. Water is also the enemy of the interior finishes because of the distinct possibility of mold.

The report does not address the current condition and history of water and/or mechanical outages for the equipment in the walkways. The “trust me statement” on mitigation and minimize does not address the health issues and economic issues presented by the new design.

The report is non-responsive, inadequate and fails to address the comments and realities of this major engineering change, euphemistically called a minor refinement in design.

Response: The EA was written to document differences in environmental effects between the alternative approved in the Amended Record of Decision and changes to the alternative that were identified and proposed as a result of preliminary engineering of Phase 2. Because less of the alignment is underground, the impacts to groundwater are expected to be less than those associated with the alternative approved in the Amended Record of Decision.

Comments about the EA have been forwarded to MWAA for its review.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address these comments, as appropriate, in its final NEPA document.

#### **2.4.14 Induced Development**

Summary: A commentor stated that the EA should have documented effects of induced development, including traffic associated with construction of the extension.

***S. Mann***

Many other issues were ignored, such as the induced development around the stations, and the increase in traffic that will be created by metro to those developments.

Response: In accordance with FTA requirements, traffic analyses in the EA were based on approved MWCOG regional forecasts, which reflect zoning and land development densities formally adopted by the local jurisdictions. Staff believes the analysis meets the requirements of the WMATA Compact.

FTA has received this comment and is taking it into consideration for project planning purposes. FTA intends to address this comment, as appropriate, in its final NEPA document.

MWAA has provided a response to this comment in Appendix D.

## **2.5 ENVIRONMENTAL IMPACTS FROM INCREASED TOLLS**

Summary: Three commentors stated that the EA did not include an appropriate analysis of changes to traffic caused by increased tolls.

**K. Abushar**

this is what's Dulles Rail will bring: worse Traffic to Eastern Loudoun, and higher Taxes to the whole county! I believe the gridlock will cause huge negative environmental impacts. It is clear from what I read that cars as well as large trucks from most area businesses will divert onto side roads and residential streets." I do not want this pollution and traffic in my neighborhood. rt. 7 will become a parking lot.

**K. Davies**

This information [toll avoidance and traffic impacts on Route 7] should have been included in the Environmental Assessment. The toll increases are also sure to do much greater financial hurt to poor and middle-class families than to wealthy people who can afford to use the Toll-Road even when the price doubles. Please correct these problems before moving on with this project.

**D. Dickinson**

I am a resident of Loudoun County, and recently found out that the Final Environmental Impact Statement (FEIS) for Dulles Rail did not include toll avoidance or consider the traffic impacts on Route 7. This information should have been included in the Environmental Assessment. The toll increases are also sure to do much greater financial harm to poor and middle-class families than to wealthy people who can afford to use the Toll-Road even when the price doubles. Please correct these problems before moving on with this project.

Response: The FEIS included an evaluation of transportation effects based on the regional travel demand model. Changes to the financing of the project were not part of the EA. Financing is the responsibility of MWAA.

FTA has received these comments and is taking them into consideration for project planning purposes. FTA intends to address these comments, as appropriate, in its final NEPA document.

MWAA has provided a response to these comments in Appendix D.

## **2.6 OPPOSE METRORAIL**

Summary: One commentor opposed extension of Metrorail into Loudoun County.

**R. Ray**

I oppose Metrorail coming into Loudoun County. We cannot afford taking on more taxes. Even federal money was denied due to low ridership projects.

Response: Comment noted.

## **2.7 LEVEL OF ENVIRONMENTAL ANALYSIS**

Summary: One commentor stated that a Supplemental Draft Environmental Impact Statement should have been prepared.

**R. Whitfield**

Without providing advanced public notice or providing proper grounds to justify their action, the Federal Transit Administration in conjunction with the Washington Metro Area Transit Authority and Metropolitan Washington Airports Authority declined to provide a comprehensive Environmental Impact Statement on the Dulles Rail Phase 2 project to update to the 2004 Final Environmental Impact Statement. It appears that this is a deliberate effort by the agencies responsible for Dulles Rail to wilfully avoid their responsibilities and duties to the public under federal law.

Instead of preparing a Supplemental Environmental Impact Statement for Phase 2 to update the 2004 report, a limited scope Environmental Assessment (EA) of Phase 2 design revisions was prepared. The EA did not address changes in comprehensive plans, zoning and development plans in the Dulles Corridor and Tysons Corner; rail ridership forecasts were not updated; changes were ignored in project capital and operating costs, financial structure, human impacts, particularly the

cost impacts to Dulles Corridor residents and businesses, traffic forecasts and resulting air quality impact analysis.

[http://www.fta.dot.gov/documents/NEPA\\_reg\\_clean\(1\).pdf](http://www.fta.dot.gov/documents/NEPA_reg_clean(1).pdf)

Environmental Impact and Related Procedures (23 CFR part 771)

ENVIRONMENTAL IMPACT AND RELATED PROCEDURES

Federal Highway Administration and Federal Transit Administration

Effective: April 23, 2009

§ 771.130 Supplemental environmental impact statements.

(a) A draft EIS, final EIS, or supplemental EIS may be supplemented at any time. An EIS shall be supplemented whenever the Administration determines that:

**(1) Changes to the proposed action would result in significant environmental impacts that were not evaluated in the EIS; or**

**(2) New information or circumstances relevant to environmental concerns and bearing on the proposed action or its impacts would result in significant environmental impacts not evaluated in the EIS.**

(b) However, a supplemental EIS will not be necessary where:

(1) The changes to the proposed action, new information, or new circumstances result in a lessening of adverse environmental impacts evaluated in the EIS without causing other environmental impacts that are significant and were not evaluated in the EIS; or

(2) The Administration decides to approve an alternative fully evaluated in an approved final EIS but not identified as the preferred alternative. In such a case, a revised ROD shall be prepared and circulated in accordance with §771.127(b).

(c) Where the Administration is uncertain of the significance of the new impacts, the applicant will develop appropriate environmental studies or, if the Administration deems appropriate, an EA to assess the impacts of the changes, new information, or new circumstances. If, based upon the studies, the Administration determines that a supplemental EIS is not necessary, the Administration shall so indicate in the project file.

(d) A supplement is to be developed using the same process and format (i.e., draft EIS, final EIS, and ROD) as an original EIS, except that scoping is not required

Environmental Impact and Related Procedures (23 CFR part 771)

Page 24 of 25

(e) A supplemental draft EIS may be necessary for major new fixed guideway capital projects proposed for FTA funding if there is a substantial change in the level of detail on project impacts during project planning and development. **The supplement will address site-specific impacts and refined cost estimates that have been developed since the original draft EIS.**

(f) In some cases, a supplemental EIS may be required to address issues of limited scope, such as the extent of proposed mitigation or the evaluation of location or design variations for a limited portion of the overall project. Where this is the case, the preparation of a supplemental EIS shall not necessarily:

(1) Prevent the granting of new approvals;

(2) Require the withdrawal of previous approvals; or

(3) Require the suspension of project activities; for any activity not directly affected by the supplement. If the changes in question are of such magnitude to require a reassessment of the entire action, or more than a limited portion of the overall action, the Administration shall suspend any activities which would have an adverse environmental impact or limit the choice of reasonable alternatives, until the supplemental EIS is completed.

[52 FR 32660, Aug. 28, 1987, as amended at 70 FR 24470, May 9, 2005; 74 FR 12530, Mar. 24, 2009]

Response: The “class of action” determination for the environmental document was made by FTA.

FTA has received this comment and is taking it into consideration for project planning purposes. FTA intends to address this comment, as appropriate, in its final NEPA document.

Staff believes the EA meets the requirement of the WMATA Compact.

## 2.8 PROJECT FINANCIAL FEASIBILITY

Summary: One commentor stated that project's financial feasibility has not been demonstrated.

***R. Whitfield***

Repeated requests to the Virginia Department of Rail and Public Transportation and other agencies involved in planning Dulles Rail during late 2011 and early 2012 for evidence of financial and economic feasibility of Phase 2 have gone unanswered. In April 2012, Thelma Drake, DRPT Administrator told me: "Rob, there is no Phase 2 feasibility report. We are relying on information provided by the Federal Transit Administration." The FTA has never provided information supporting the feasibility of Phase 2. In fact, since present costs are double those projected in 2002 when the FTA rejected "new starts" funding for Phase 2, it is likely that Phase 2 is far less feasible from a cost effectiveness viewpoint than in 2002

Response: The preliminary engineering design refinements do result in the reduction of several hundred million dollars in the capital cost of Phase 2.

MWAA has provided a response to this comment in Appendix D.

## 2.9 FTA COMMUNICATION

Summary: One commentor stated that FTA has not responded to phone calls.

***R. Whitfield***

Except for one instance in November 2011, when I asked about the status of the Environmental Impact Statement, FTA officials have never returned my telephone calls and e mail messages seeking information on project feasibility.

Response: FTA has received this comment and is taking it into consideration for project planning purposes. FTA intends to address this comment, as appropriate, in its final NEPA document.

## 2.10 FTA MEETINGS

Summary: One commentor stated that FTA has held inappropriate meetings.

***R. Whitfield***

In short, the Federal Transit Administration, which has coordinated planning for Dulles Rail Phase 2 under Transportation Secretary Ray LaHood has attempted to steam-roller project approval without any significant public input to offer project and financing alternative or a system to provide checks and balance to the review process. A series of at least eight secret meetings were held by parties to Dulles Rail between approximately June 2011 and June 2012 in direct violation of the US Department of Transportation's "open government" regulations/

Response: FTA has received this comment and is taking it into consideration for project planning purposes. FTA intends to address this comment, as appropriate, in its final NEPA document.

## 2.11 RESPONSES TO COMMENTS IN THE PUBLIC HEARING REPORT

Summary: One commentor stated MWAA and WMATA did not respond adequately to certain comments made on the EA. These comments and responses were presented in the **Public Hearing Report**. The original comment, original staff response, follow-on comment, and staff response are provided below for each comment.



**D. Dayton**

Original Comment: Not found.

Follow-on Comment: I intend to address major issues below but must note that there was no response to my 4<sup>th</sup> and 5<sup>th</sup> comments. These comments are significant because they involve agreements related to planning for the future use and character of the DIAAH .

Follow-on Staff Response: Staff reviewed the commentor's original submissions and did not identify any numbered comments. Staff reviewed Mr. Dayton's comments and believes responses have been provided.

**D. Dayton**

Original Comment: The following comment is made with respect to the EA as posted on the internet and and EIS for the Dulles Corridor Metrorail Project as enumerated in FAA and FTA record of decision as amended in March 2006. These documents do not address the significant issues that now exist at Dulles Airport concerning the Y-15 Yard Site. Use of the Yard Site was not addressed in the EIS. The use of the site for a stockpile was introduced in the EA of February 2006- Figure 2-17-Paragraph 2.4 Summary-Use Y-15 YARD SITE ON DULLES PROPERTY FOR CONSTRUCTION STAGING AND SOIL STORAGE. This figure shows the location and the division of the site into four components -a rectangular area for soil stockpile and three areas for precast fabrication and storage. The following descriptive dialogue is included in the 2006 EA:

**2.1.3 PE Wiehle Avenue Extension Yard Facilities**

\* \* \*

The Final EIS Wiehle Avenue Extension would **not** include any improvements or construction activities at the future S&I Yard Site 15, which would be constructed as part of the project's second phase, the Extension to Dulles Airport/Route 772.

\* \* \*

**2.2.3 PE Wiehle Avenue Extension Yard Facilities**

\* \* \*

A portion of the future Y-15 site on Dulles Airport property (approximately 36 acres) would be used for construction staging, precast concrete fabrication, and precast storage for the PE Wiehle Avenue Extension.

The site would be used to stockpile soil from the **excavation and tunneling activities in Tysons Corner**. The excavated soil would be stored for possible later reuse as fill, or possibly to construct a berm along Old Ox Road (Route 606) to screen future yard operations. All soil placed on this site would be placed to avoid any known wetlands and with proper sediment and erosion control. Figure 2-17 depicts the proposed layout of the Y-15 site for these uses. In addition, soil will be placed on this site **in coordination with MWAA to ensure soil compatibility with local conditions**.

Notwithstanding the foregoing explicit guidance, Dulles Airport property and travelers on Route 606 have not been protected. The Dulles Airport property has been used in a manner that has resulted in significant degradation to its intended use. The Dulles Airport property has been a soil disposal depot for Phase 1 for soil from innumerable sources. A visit to the site would reveal huge unseeded piles of soil without designation. It is not located in accordance with Figure 2-17. In addition, traffic control lanes have not been constructed. In addition, the volume of truck traffic has hindered traffic flow on Route 606. The EA does not address when and how the soil will be used. From the size of the piles and the location on the local area and nearby water courses are potential sites for runoff or other deleterious effects. Remarkably, it would appear that the cost of off haul have been eliminated from the cost to the Phase 1 contractor notwithstanding its obligation to dispose of the soil.

The EA should have included mitigation measures including testing of the soil, off haul plans, new traffic arrangements for 606 including, signalling. The current situation is a change of circumstance

from the EIS and 2006 EA that requires a full impact statement to protect the wetlands and watercourses that traverse Dulles Airport.

Original Staff Response: The impacts associated with the use of the Y-15 yard site for construction staging and storage activities were evaluated in the 2006 Environmental Assessment and the required mitigation was included in the Amended FTA Record of Decision executed in November 2006.

Follow-on Comment: However, the EA, and the report and response to comments ignores these critical factors. In addition, the EA and Report create confusion about what is really happening at the Yard site.

Follow-on Staff Response: Commentor is unclear in his Follow-on Comment *which* critical factors were ignored. Staff reviewed Mr. Dayton's comments and believes responses have been provided.

#### **D. Dayton**

Original Comment: One of the major revisions enumerated in the EA for Phase 2 is the movement of the Dulles Airport Station on the Airport Property and the construction of an above grade facility supported on piers. The apparent cost savings measure contemplates a connection to current underground walkways. The EA does not include a comprehensive Geotechnical Study of the effects on the new construction on the ground water levels and movements near and around the walkways and other facilities. The new alignment will involve new supporting structures that will create a network of water routes that could adversely affect the current walk way structures and their interiors. The current walk ways appear to have water leakage issues that will be further exacerbated by the newly created underground water network. The EA fails to address the long term effects on ambient air in the walk ways and the current condition of existing finishes and equipment such as moving sidewalks and escalators and elevators. The capital cost savings are not identified in specifics. Furthermore, there is no life cycle study that addresses water leakage, grouting, and mold control measures that may be necessitated by the new configuration. A full life cycle cost analysis should be made for all of the facilities-rail station, escalators, elevators, moving sidewalks, interior finishes, water removal, mold control on all underground surfaces. The evaluation of cost savings capital and O & M should be published before a decision is made. In addition, a study should be performed on the existing condition of walkways that will serve the new station to assess potential for mold and other conditions that might affect users.

Original Staff Response: The Final Environmental Impact Statement (FEIS) design also connected to the existing walkway. The findings detailed in the EA for the Refined Locally Preferred Alternative design do not identify changes in these environmental effects from what was previously anticipated in the FEIS. Geotechnical studies for the Project were completed, but are outside the scope of this EA for Phase 2. In regards to mold, all efforts to mitigate and minimize for mold spores will be undertaken. The project will comply with all applicable regulatory and permitting requirements as required.

Follow-on Comment: The water control in the initial design was greatly aided by the presence of a tunnel and a lower station level. Water under such a design would flow to a common route-the tunnel and station. It would be easily controlled and would not migrate to the existing structure. In fact, it is likely that water would migrate away. So the fact that there is a connection does not mean that water behavior would be the same as suggested by the EA report. What is important is not conjecture but a detailed engineering study. This has not been reflected in the EA or the response to comments.

Follow-on Staff Response: Staff reviewed Mr. Dayton's comments and believes responses have been provided. Staff believes that water intrusion will be of less concern to WMATA with an aerial station than with an underground station.

Summary Response: Staff believes that all comments were addressed in the **Public Hearing Report**.

## 2.12 ADDITIONAL INFORMATION

Summary: Two commentors submitted additional information for consideration.

***T. Cramner***

[Two pages of information as well as a report, were submitted by Mr. Cramner. The two pages, as well as the cover page of the report follow this page.]

**PUBLISHED DATA & RELATED PROJECTIONS FOR THE DULLES TOLL ROAD**

**DRAFT**  
by Thomas Cranmer 21 May 2012

Sheet 1

**BASED ON MWAA 2012 BUDGET**

	2011	2012	2013	2014	2015	2016	2017	2018 Total 2013-18	Total 2011-18
2012 Budget p. 192 for Revenue, Ops & Maint 2011-12. CDM Willbur Smith projections revenue 2013-18. Ops & Maint assumed incr \$3MM/yr 2013-18									
CDMS Rev. from VA Senate doc.	95	104	177	182	181	185	189	246	1160
O&M & Renewals p. 192	-32	-35	-38	-41	-44	-47	-50	-53	-273
Ph. 1 Debt Serve Budget p. 286	-66	-77	-81	-76	-82	-81	-93	-93	-506
Net Cash	-3	-8	58	65	55	57	46	100	381
									370

**FINANCING EXPECTED \$MM 2012 from MWAA presentation to Loudoun BOS 16 May 2012**

	Base Case			Total	% of Total	Percentages by Phase	
	Phase 1	Phase 2				Phase 1	Phase 2
Airports Authority DTR funding with bonds	1354	1667	3021	54.0	47	62	
Airports Authority - Aviation Funding		229	229	4.1	0	9	
Federal Transit Administration	900		900	16.1	31	0	
Commonwealth of Virginia	252	23	275	4.9	9	1	
Fairfax County	400	501	901	16.1	14	19	
Loudoun County		269	269	4.8	0	10	
Total Sources of Funds	2906	2689	5595	100.0	100	100	

**CAPITAL IMPROVEMENT PROGRAM 2012 BUDGET p. 205. Phase 2 capex for 2014-18 allocated on an engineering "S" curve.**

	2011	2012	2013	2014	2015	2016	2017	2018 Total 2013-18	Total 2011-18
Phase 1 expenditures Project	683	766	385	371				756	2205
Phase 2 expenditures Project	43	48	487	450	475	500	450	236	2689
Phase 1 expend. MWAA DTR	318	357	179	173					352
Phase 2 expend. MWAA DTR	27	30	302	279	294	310	279	146	1667

**Memo CDM Willbur Smith Assumptions Feb 2012 given VA Senate**

Revenue \$MM	95	104	177	182	181	185	189	246	
No. transactions MM	100	100	82	84	83	85	87	75	
Av. Payment/transaction	0.95	1.04	2.16	2.17	2.18	2.18	2.17	3.28	
Tolls ML & Ramp \$	1.258	0.75	1.508	0.75	2.758	1.75	2.758	1.75	4.008
Total ML & Ramp \$	2.00	2.25	4.50	4.50	4.50	4.50	4.50	6.75	

## Dulles Toll Road Fact Sheet #2: Traffic Diversion

*Put Dulles rail finances on the right track,  
Not on the toll road user's back!*

**Are you ready for nearly 10,000 more cars per day on Reston's streets?**

If CDM Smith's most recent traffic and revenue forecast (January 2012) is correct, about 34,000 vehicles per day will be added to the Dulles corridor's local roads next year. That includes some 9,800 vehicles per day added to Reston's streets by our conservative estimate.

Smith projects an 18% reduction in Dulles Toll Road (DTR) transactions next year *if tolls double to \$4.50 as forecast*. With recent gross average daily traffic counts on the toll road running at some 189,000 vehicles per day (based on 2010 VDOT report), 34,000 vehicles will divert to local roads. We expect 7,100 local Reston vehicles will avoid the DTR while another 2,700—ten percent of the total traffic diverted outside Reston—will add to Reston's congestion. In fact, **two-thirds of the diversions are likely to occur in Loudoun County, roughly 23,000, and we would expect much of that traffic to take Rt. 7.**

This diverted traffic will contribute to already congested conditions on nearby east-west streets in Reston. Although we are not able to quantify the specific impacts, the table below is our expectation of the streets most affected by diverted DTR traffic in rank order. Ironically, the diversion of traffic from the DTR may actually *marginally reduce* traffic on the four main north-south roads that provide DTR access in the short-term because some drivers won't be using them for that purpose anymore.

**Adding traffic to Reston and other Dulles corridor community roads is a very bad idea.**

- **These roads are already congested**—most of the nearby parallel roads in Reston carry an "F" grade for Level of Service (LOS)—and adding traffic will only aggravate congestion.
- The County has **no money and no plans** to maintain, much less improve, any of these intensely trafficked alternative routes while it continues to complain to Richmond about its transportation funding needs.
- It is an especially bad idea since there are **no transportation options**. Phase 1 Metrorail service won't begin until at least December 2013, and no area bus service improvements are planned.

**And the situation will only get worse if Smith is right.** In 2018, when Smith sees tolls going to \$6.75 one way, **it projects one-quarter of all traffic now in on the DTR will be diverted to local roads—almost 50,000 vehicles per day.** And that doesn't include added traffic generated by new jobs and residents along the corridor.

**Asking Dulles corridor drivers to absorb 75% of the cost of completing rail to Dulles is a very bad idea for drivers and our communities. Our leaders need to find alternative funding sources for the bulk the \$2.8 billion Phase 2 construction cost (\$2.1 billion now planned from tolls). We believe toll road users should absorb no more than 25% of the cost as planned in 2004. Until then, Phase 2 needs to be put on hold.**

Let our leaders know what you think of this "rail gone bad" idea.

**Continuation Study to Evaluate the Impacts of  
the SR 91 Value-Priced Express Lanes  
Final Report**



**Submitted to:**

State of California  
Department of Transportation  
Traffic Operations Program  
HOV Systems Branch  
Sacramento, CA 94273

**Submitted by:**

Edward Sullivan, Principal Investigator  
Department of Civil and Environmental Engineering  
Applied Research and Development Facility  
Cal Poly State University  
San Luis Obispo, CA 93407

**December 2000**



**R. Whitfield**

<http://www.fairfaxtimes.com/apps/pbcs.dll/article?AID=/20120727/OPINION/707279840/1065/dulles-rail-triggers-more-not-less-traffic-congestion&template=PrinterFriendlyFFX>

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*Published: Friday, July 27, 2012*

Dulles Rail triggers more, not less, traffic congestion

It's another election year — one where we regularly are “treated” to a variety of opinion peices touting one candidate or another.

U.S. Rep. Gerry Connolly (D-Dist. 11) recently offered his views on the relative merits of Tim Kaine (D) versus George Allen (R) on transportation. I won't touch that one. But I must address Connolly's argument that Dulles rail helps our horrible traffic congestion.

Dulles rail doesn't remedy traffic congestion and, indeed, triggers more development that, in turn, increases traffic congestion and causes a need for more road and non-rail transit improvements that will cost taxpayers billions of dollars more.

The Final Environmental Impact Statement for Phase 1, which was prepared by former Gov. Mark Warner's administration in its waning days, shows (Table 6-2.2) that with the single exception of the Dulles Airport Access Road, no major travel route studied experiences an improvement in Level of Service because of Dulles rail.

The same conclusion was confirmed by Fairfax County's 527 Traffic Impact Analysis that was submitted to the Virginia Department of Transportation in December 2009. That study projected massive increases in traffic by 2030, such that major road improvements are needed — including the widening of the Dulles Toll Road by as many as three-to-five lanes and the addition of one more lane on the Capital Beltway (beyond the Express Lanes now being completed) from Route 7 to Interstate 66 west.

The additional traffic occurs despite the arrival of Dulles rail; the construction of high-quality, mixed-use development at the four Tysons rail stations; the imposition of extremely aggressive Traffic Demand Management measures by the county and Tysons landowners to reduce volumes; and the availability of substantially more bus service serving Tysons. Yet, after 2030, the road network serving Tysons fails because of more automobiles and trucks. Therefore, between 2030 and 2051 — the end of the planning horizon — every new automobile trip to Tysons must be canceled by a new transit or pedestrian trip.

Fairfax County has estimated the costs for the additional road and bus transit needed to handle Tysons' growth through 2051 to be \$3.04 billion, excluding inflation and interest on bonds sold to help finance the transportation improvements. Also excluded are the costs for two additional heavy rail lines that would be needed to supplement Dulles rail. With inflation, the \$3 billion reaches \$5.46 billion, according to the county. The specific requirements are listed in Table 7 of the Tysons Comprehensive Plan.

Moreover, the 2009 traffic estimates now are obsolete because they were based on a level of development that is about 30 percent less than what the Fairfax County Board of Supervisors approved in June 2010. Although this is a good land-use plan because it concentrates new development at the four stations, it does generate more traffic, which, in turn, will increase the costs for road and bus transit beyond \$5.46 billion.

To put things in perspective, raising \$5.46 billion requires state and local government to set aside more than \$2 million each and every single week between today and 2051. So whether we live near or far from Tysons, each of us residing in Fairfax County likely has a heavy tax bill to pay to handle the added automobile traffic triggered by Dulles rail.

Robert H. Jackson, McLean

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Response: Information noted.

## **2.12 COMMENTS RECEIVED AFTER THE CLOSE OF THE COMMENT PERIOD**

Three comment sets were received after 5:00 pm, July 27, 2012, the close of the comment period. The comments are included in Appendix B. Although no response is provided, many of these comments are similar to other comments presented above.



### **3.0     STAFF ANALYSIS**

During the comment period, 18 comments were submitted.

The primary purpose of this Public Hearing Report Supplement is to allow commentors to respond to staff's analysis of comments on the Environmental Assessment and Proposed General Plans. One commentor (D. Dayton) indicated that certain comments on the Environmental Assessment had not been adequately addressed (See Section 2.11). Staff reviewed the commentor's original comments and believes all original comments are addressed.

One commentor was opposed to the relocation of the Dulles Airport station from underground in front of the Dulles Terminal to an aerial station near the North Garage. A second commentor stated that the analysis presented did not support the change in location.

Many commentors used this comment opportunity to state that the Environmental Assessment was inadequate, as discussed in Section 2.4. Staff believes that the Environmental Assessment meets the requirements of the WMATA Compact. These concerns have been forwarded to FTA and MWAA for their review. MWAA has provided responses in Appendix D.

Some commentors object to the financing mechanism, believe it to be unfair, or believe that the financial feasibility has not been demonstrated. These comments have been referred to MWAA for its review. MWAA has provided responses in Appendix D.

Some commentors state that the original FEIS did not address certain issues. The FEIS was finalized in 2004, and the Record of Decision was issued in 2005. (The Record of Decision was later amended in 2006, to address project changes unrelated to Phase 2.) Staff believes that the changes proposed (See Section 1.3) are adequately analyzed in the EA, and that no further analysis is needed to support an action under the WMATA Compact. These concerns have been forwarded to FTA and MWAA for their review. MWAA has provided responses in Appendix D. FTA intends to address these comments, as appropriate, in its final NEPA document.

Some commentors express the following concern: Increases in Dulles Toll Road tolls, which will be used to fund the Phase 2 extension, will induce vehicle operators to use other roads in the region. Commentors state that this change in usage will have traffic impacts and air pollution impacts that have not been documented.

One commenter opposed the extension of Metrorail.

#### **4.0     STAFF RECOMMENDATIONS**

Staff recommends modifications to Phase 2 of the Dulles Corridor Metrorail Project as described below:

**ROUTE 28 STATION:** The elements of the north side facility remain the same, but the pedestrian bridge connecting the facility with the median platform would be modified. The south side will be reconfigured to include a second access from Dulles Station Boulevard. Although the south side facility will be located at the same location as previously approved, the shape of the facility would be altered. The station's parking structure would be moved slightly, and the pedestrian bridge connecting with the median platform will be modified. The original access from Sunrise Valley Drive will be shifted to the west. The second access will provide access to the bus bays and the parking structure's south end.

**DULLES AIRPORT:** Move the Dulles Airport station from the currently approved underground location just north of the terminal building and within Saarinen Circle to an aerial location at the south face of the north parking garage. Passengers using the station will travel approximately 1,200 feet between the station and the main terminal using the existing pedestrian tunnel and moving sidewalks located underneath the hourly parking lot.

**ROUTE 772 STATION:** The size of the north side facility will remain the same as approved previously, with minor changes to the configuration of the bus bays and Kiss & Ride lot. The size of the south side facility will be smaller because the surface parking lot was reduced in size (approximately 300 spaces eliminated from the plan) and the bus bays and Kiss & Ride lot will be reconfigured and moved to a new location to maximize land availability for future transit-oriented development.

**APPENDIX A**  
**ORIGINAL COMMENTS**

**From:** kareem abushar [REDACTED]  
**Sent:** Friday, July 27, 2012 2:33 PM  
**To:** writtentestimony  
**Subject:** Public Comment on Docket R12-01

Dear Sirs,

**I am commenting on Docket R12-01.**

Please do not ignore the impact of the Dulles Rail funding plan which uses Dulles Toll Road tolls, will have on my neighborhood. I live in Reston Va and already see traffic increasing and have many neighbors friends who have recently stopped using the Dulles Toll Road because they cannot afford the tolls.

This is a final reminder to please send a quick email to Metro before 5pm! Check out this Fairfax County letter to the editor- this is what's Dulles Rail will bring: worse Traffic to Eastern Loudoun, and higher Taxes to the whole county! I believe the gridlock will cause huge negative environmental impacts. It is clear from what I read that cars as well as large trucks from most area businesses will divert onto side roads and residential streets.” I do not want this pollution and traffic in my neighborhood. rt. 7 will become a parking lot.

Make sure this has all been taken into account please.

Kareem Abushar

Reston, Va.

**From:** Paul Arias [<mailto:> ]  
**Sent:** Friday, July 27, 2012 9:44 AM  
**To:** writtentestimony  
**Subject:** Public Comment on Docket R12-01

I respectfully submit that WMATA and the MWAA have not done thier due diligence with the environmental impact statement and below are some of the concerns. As a citizen that lives in Western Loudoun I feel that the expansion will lead to overcrowding of our roads due to higher toll roads which I and my family use and with this economy we will need to find an alternate route to travel to Ashburn where my son plays hockey and I coach it. Since I am the head coach for the Valley/Woodgrove Hockey team this can impact the number of players that will be on the team as thier parents may not be able to pay the tolls that will necessarily go up to pay for the rail and will be unable to due to time constraints be able to meet the scheduling demands.

My exceptions to the FEIS are as follows:

The Final Environmental Impact Statement (FEIS) for the Dulles Rail Project excluded Route 7 from the Transportation Effects portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.

The FEIS ignored induced traffic impacts in Herndon and Reston from Dulles Rail

The change in the Dulles Toll Road (DTR) funding share from 25% to 75%- federal and local contributions results in much greater toll increases than previously estimated. With 30,000+ cars/day being forced off the DTR to other roads by increased tolls, gridlock will cause massive environmental impacts.

Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Reston, Herndon, Dulles, and Ashburn. A recent Fairfax DOT study showed terrible gridlock coming around the stations from Wiehle Ave. to Rt. 28.

AAA MID-ATLANTIC says "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair.

Drivers are bailing out along both the Dulles Toll Road and the Dulles Greenway. With potential tragic consequences, so too are the drivers of large vehicles and trucks. As Rep. Wolf has pointed us, "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets."

The latest round of toll increases probably will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads.

The Metropolitan Washington Airports Authority's Board of Directors will approve the three-year schedule for new toll rates in November. Now the motoring public will feel the full brunt of the toll rates on their wallets and household budgets starting in Jan 2013.

MWAA is using a reverse Robin Hood syndrome, robbing from the poor to give to the rich. As the latest round of toll hikes for a round-trip on the Dulles Toll Road prove, they don't call it the "Silver Line" for nothing."

Congressman Wolf recently stated that "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets," Wolf continued. "Route 7, often the only available alternate route, is at capacity around the clock, including weekends.

When large trucks divert from [toll avoidance]... they clog local roads and often use neighborhood streets. This puts additional stress on these roads, adds to congestion and puts the

public at risk. No one wants their children playing in the front yard or on the sidewalk when a large truck rolls through their neighborhood all to avoid a toll.”

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Friday, July 20, 2012 12:38 PM  
**To:** writtentestimony  
**Subject:** Dulles Airport Station Design Concepts

While I do understand the need to reduce capital costs by building an elevated station instead of an underground station at the airport, the very long walk from trains to the terminal will discourage many riders from taking Metro. Many will simply keep taking buses or taxis instead. Washington had the same problem for years at Reagan Airport before a new terminal was built directly across from the Metro station, connected by a short walkway to the terminal.

I encourage you to ask your design firms to propose an elegant, elevated or on-grade design concept for the Metro station that is much closer to the terminal. Talented architects can figure out how to do this without destroying the beauty of the terminal. One way to do this would be to simply transition to the level of the parking lot in front of the terminal, saving millions of dollars there, with elevated track as you approach it. You could easily figure out how to get people from the parking lot past the Metro station into the terminal. The roof of the Metro station could be about the same level as the drop-off lanes in front of the terminal.

The bottom line is that you do NOT need to locate an elevated METRO station as far away from the terminal as now planned to preserve the views of the terminal as you approach it. I am an architect and preservation-oriented fan of this beautiful terminal, but it is a huge mistake to build the Metro station so far away from it that few people will want to ride Metro to get to the airplane counters. It will already be a very long ride to get there from downtown DC.

San Francisco has an excellent, elegant elevated Metro station that leads to the front door of or its attractive international terminal, approach it from the side and preserving the views from the front. Surely we can find an architect here in DC who can solve this problem.

Don't think people won't take Metro to the airport, but the current design still strongly favors cars and buses. Passengers will take Metro only if it is easy to get to airline check-in counters and baggage claim, as it is in SFO. Union Station attracts 33,000+ weekday Metro riders, but Reagan airport only about 10,000. I have flown out of BWI or Reagan or taken a train to my destination often because transfers from Metro to Amtrak and Amtrak to BWI are easy, even though I live only 17 miles from Dulles.

PLEASE don't make a huge mistake by building the Metro station so far from the terminal it discourages people from using Metro at Dulles. It would take Metro riders at least ten wasted minutes to get to the terminal from the current station location. This is absurd.

I think the total capital costs of a Metro station closer to the terminal could be even less than the current design proposal. I would be glad to meet with you in August to explore this with your design firms, when I expect to be back in Fairfax. I am writing this from our home in Cincinnati.

Michael Burrill AICP NCARB

Architect/Transportation Planner

Owner, Urban Visions

[www.urbanvis.com](http://www.urbanvis.com)

email: [REDACTED]

[REDACTED] home, Fairfax VA

[REDACTED] home, Cincinnati OH

[REDACTED] cell



**From:** Roberto Costantino [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** Friday, July 27, 2012 4:34 PM  
**To:** writtentestimony  
**Cc:** Loudoun OptOut  
**Subject:** Docket R12-01

To WMTA - Docket R12-01:

It has come to my/our attention that the final Environmental Impact Statement (FEIS) for Dulles Rail (Metro Silver Line Phase II) did not take into consideration the matter of toll avoidance in the context of its related traffic impact on Route 7 and secondary roads in Loudoun County. This is very important to me and others residing in Loudoun County as Route 7 is the only practical alternative to the toll road for those traveling eastbound or westbound between Falls Church/Tysons Corner and Asburn/Lessburg. This is especially true for a great many residents and others who will never be able to afford either the anticipated toll rates or the ultimate charges for using the Metro or Dulles Rail. This information is absolutely essential for all interested parties. Frankly, I'm very disappointed that such information was neglected from the FEIS.

Furthermore, there are a great many of us in Loudoun County who fear that Route 7 will become so congested by those desperately attempting to avoid the anticipated confiscatory tolls on the above given toll roads that they will divert their heavy equipment, large trucks, small trucks and cars around the clock to secondary roads. Therefore it is essential that such information and data be cataloged according to the time and the calendar year. Nothing less than that will do. Additionally, it is very likely that even minor neighborhoods roads and school bus transportation will be negatively impacted by such vehicular travel and transportation. Frankly, I'm especially worried what the circumstances will prove to be for children, senior citizens and handicapped people. Please undertake a proper formal study of the effect of traffic diversion as a consequence of the Dulles Rail. Thank you for your time and consideration.

Sincerely,

Roberto and Patricia Costantino

[REDACTED]  
Waterford, VA 20197-1016

--

*Roberto ('Bob') Costantino of Loudoun County and Commonwealth of Virginia*

**From:** Thomas L. Cranmer [[mailto: \[REDACTED\]](#)]

**Sent:** Friday, July 27, 2012 4:46 PM

**To:** writtentestimony

**Cc:** [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Subject:** Fw: DULLES RAIL ENVIRONMENTAL ASSESSMENT -PUBLIC PROCESS REPORT -DEADLINE FOR COMMENTS FRIDAY Public Hearing Report available for inspection

## **WMATA & MWAA**

Office of the Secretary

600 Fifth Street, NW, Room 2D-209

Washington, DC 20001

In response to the notice below I have the following comments.

The Environmental Assessment ("EA") referenced below in your notice does not meet the requirements of the National Environmental Protection Act ("NEPA"); because the EA, the Washington Metropolitan Area Transit Authority, the Federal Transit Administration, the Metropolitan Washington Airports Authority, the Fairfax County Government, the Loudoun County Government, the Government of the Commonwealth of Virginia and the Virginia Department of Transportation (collectively the "Sponsors") failed to disclose critical assumptions underlying their decision to build and / or finance Phase 2 of the Dulles Rail Project ("Project"), plus their decision to finance the Project primarily through tolls on the Dulles Toll Road ("DTR") and instead provided the public with incomplete, misleading and incorrect information. The Project should be stopped until the conditions of NEPA are met.

In summary the deficiencies in not meeting NEPA requirements are:

1. No Statement of Purpose and Need was provided.
2. The EA did not consider and analyze the alternatives fully and their environmental and community impacts.
3. The Sponsors and the EA did not provide the public with details of the annual expense build up and coverage ratios for determining toll rates (Tolls Bases) given to the consultant Wilbur Smith and its successor CDM Smith.
4. The Tolls Bases were incorrect and understated. A calculation of the correct tolls of \$13 each way on the DTR by 2018 is attached.
5. The EA, Sponsors and CDM Smith did not provide their methodology for determining the amount diversion of traffic from the DTR to free side roads in reaction to higher tolls. No references were made to independent studies of the elasticity of demand on toll roads, such as the one by Sullivan

at Cal Poly in 2000 (copy attached) that shows when tolls double, over half the drivers divert to free parallel roads.

6. The EA did not assess the additional traffic and did not mention studies done by civic groups in Reston, VA (one is attached) or others.

7. The EA did not assess increased air pollution from not only additional traffic but also from generating the electricity required to move the rail cars and operate the Project and the entire Silver Line.

8. The EA did not assess the increased accidents and deaths from the diversion of traffic off the DTR.

9. The Sponsors and EA did not provide information on the amount of additional time required to commute to employment on the Project and the Silver Line compared to a no build alternative and bus routes, including on the airport lanes of the DTR.

10. WMATA and the EA did not provide information on the tax impacts in Fairfax and Loudoun Counties for their increased shares of subsidy costs of operating the METRO and the \$13.3 billion Capital Needs Inventory WMATA determined on November 3, 2011.

11. The Sponsors and EA did not provide information on the changes in workplace locations and the decline in office space occupancy in Tysons Corner in the past four years and thus the decline in need for the Project.

12. The Sponsors and EA did not provide information on the history of the Greenway, including inter alia the Greenway's bankruptcy / defaults on its financial obligations and how the projections of commercial development failed to materialize.

13. The Sponsors and EA did not provide information on the bankruptcies and financial problems of other toll roads in the US and abroad.

14. Inadequate or no information was given to the public about METRO fares from various new stations to various destinations in 2018, including the method of calculating the fares, the numerical calculation of the fares, the percentage coverage of expenses and the lack of coverage of capital needs.

In conclusion the actions by the Sponsors and issues cited above concerning the inadequacy of the EA are arbitrary, capricious, an abuse of discretion and otherwise not in accordance with law. The EA and behavior of the Sponsors was not searching and careful. The Sponsors and EA did not show they examined relevant data and did not articulate a satisfactory explanation for the actions proposed. The structure of the project by the Sponsors and EA has been a rubber stamp of the structure imposed early in the project by the Sponsors without seriously considering and publicizing alternatives, especially on requiring DTR users to pay the majority of the costs and financing of the Project.

The Sponsors and EA did not take a hard look at the environmental consequences of the Project. The Sponsors did not provide for a sufficiently

broad dissemination of relevant environmental information. The issues were not sharply defined and there was no clear basis for choice among options by the public. The indirect and cumulative effects were not adequately assessed. The Sponsors failed to disclose that the EA and their statements to the public contained incomplete information. The Sponsors have responded falsely to public concerns.

Thomas L. Cranmer, Economist, Dulles Corridor Users Group; First VP and Director, Fairfax County Taxpayers Alliance, [REDACTED]

[REDACTED]. Tel [REDACTED]. Fax [REDACTED]. Cell [REDACTED]  
[REDACTED].

**DRAFT** **BASED ON MWAA 2012 BUDGET**  
by Thomas Cranmer 21 May 2012

**DRAFT**

2012 Budget p. 192 for Revenue, Ops & Maint 2011-12. CDM Wilbur Smith projections revenue 2013-18. Ops & Maint assumed incr \$3MM/yr 2013-18

Base Case				Percentages by Phase	
Phase 1	Phase 2	Total	% of Total	Phase 1	Phase 2

CAPITAL IMPROVEMENT PROGRAM 2012 BUDGET p. 205. Phase 2 capex for 2014--18 allocated on an engineering "S" curve.

Memo CDM Wilbur Smith Assumptions Feb 2012 given VA Senate

Revenue \$MM	95	104	177	182	181	185	189	246
No. transactions MM	100	100	82	84	83	85	87	75
Av. Payment/transaction	0.95	1.04	2.16	2.17	2.18	2.18	2.17	3.28
Tolls ML & Ramp \$	1.25&0.75	1.50&0.75	2.75&1.75	2.75&1.75	2.75&1.75	2.75&1.75	2.75&1.75	4.00&2.75
Total ML & Ramp \$	2.00	2.25	4.50	4.50	4.50	4.50	4.50	6.75

## Dulles Toll Road Fact Sheet #2: Traffic Diversion

*Put Dulles rail finances on the right track,  
Not on the toll road user's back!*

Are you ready for nearly **10,000 more cars per day** on Reston's streets?

If CDM Smith's most recent traffic and revenue forecast (January 2012) is correct, about 34,000 vehicles per day will be added to the Dulles corridor's local roads next year. That includes some 9,800 vehicles per day added to Reston's streets by our conservative estimate.

Smith projects an 18% reduction in Dulles Toll Road (DTR) transactions next year *if tolls double to \$4.50 as forecast*. With recent gross average daily traffic counts on the toll road running at some 189,000 vehicles per day (based on 2010 VDOT report), 34,000 vehicles will divert to local roads. We expect 7,100 local Reston vehicles will avoid the DTR while another 2,700—ten percent of the total traffic diverted outside Reston—will add to Reston's congestion. In fact, **two-thirds of the diversions are likely to occur in Loudoun County, roughly 23,000, and we would expect much of that traffic to take Rt. 7.**

**This diverted traffic will contribute to already congested conditions on nearby east-west streets in Reston.** Although we are not able to quantify the specific impacts, the table below is our expectation of the streets most affected by diverted DTR traffic in rank order. Ironically, the diversion of traffic from the DTR may actually *marginally reduce* traffic on the four main north-south roads that provide DTR access in the short-term because some drivers won't be using them for that purpose anymore.

**Adding traffic to Reston and other Dulles corridor community roads is a very bad idea.**

- **These roads are already congested**—most of the nearby parallel roads in Reston carry an “F” grade for Level of Service (LOS)—and adding traffic will only aggravate congestion.
- The County has **no money and no plans** to maintain, much less improve, any of these intensely trafficked alternative routes while it continues to complain to Richmond about its transportation funding needs.
- It is an especially bad idea since there are **no transportation options**. Phase 1 Metrorail service won't begin until at least December 2013, and no area bus service improvements are planned.

**And the situation will only get worse if Smith is right.** In 2018, when Smith sees tolls going to \$6.75 one way, **it projects one-quarter of all traffic now in on the DTR will be diverted to local roads—almost 50,000 vehicles per day.** And that doesn't include added traffic generated by new jobs and residents along the corridor.

**Asking Dulles corridor drivers to absorb 75% of the cost of completing rail to Dulles is a very bad idea for drivers and our communities. Our leaders need to find alternative funding sources for the bulk the \$2.8 billion Phase 2 construction cost (\$2.1 billion now planned from tolls). We believe toll road users should absorb no more than 25% of the cost as planned in 2004. Until then, Phase 2 needs to be put on hold.**

**Let our leaders know what you think of this “rail gone bad” idea.**

**Continuation Study to Evaluate the Impacts of  
the SR 91 Value-Priced Express Lanes  
Final Report**



**Submitted to:**

State of California  
Department of Transportation  
Traffic Operations Program  
HOV Systems Branch  
Sacramento, CA 94273

**Submitted by:**

Edward Sullivan, Principal Investigator  
Department of Civil and Environmental Engineering  
Applied Research and Development Facility  
Cal Poly State University  
San Luis Obispo, CA 93407

**December 2000**



**From:** Daniel Davies [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** Friday, July 27, 2012 2:24 PM  
**To:** writtentestimony  
**Subject:** Docket R12-01 Dulles Rail Phase 2 Public Comment

As a resident of Loudoun County, I am shocked and dismayed with the WMATA/MWAA blatant disregard for federal laws. This EA was totally inadequate, as it should have included a far broader re-analysis of the environmental, traffic, and social impacts of Phase 2 of the project.

I regularly drive Rt. 7, I-66, and/or the Greenway/Dulles Toll Road to get between my home and Washington D.C. Anyone who has traveled in this area, or even looked at a map, knows that Rt. 7 is the only real alternative route between Falls Church/ Tysons Corner/ Ashburn/ Leesburg, yet the Final Environmental Impact Statement (FEIS) for the Dulles Rail Project excluded Route 7 from the Transportation Effects portion of the study. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.

The FEIS estimations of transportation effects did not take into account the effects of toll avoidance brought about by the post-FEIS increase of the DTR funding share from 25% to 75% (minus state and federal contributions). Toll avoidance will cause massive congestion and air pollution along Rt. 7. This should have been included in a revised FEIS/ EA.

The increased tolls on the Dulles Toll Road will have a disproportionate impact on lower income households, as only extremely wealthy persons will be able to afford the additional \$1,125/year for a daily commuter when tolls double in the next 30 months to pay for rail. I make about \$25,000/yr and with a wife and baby on the way, this doubling of tolls makes the toll road unavailable to me. Section 3.8 of the FEIS should be revised to address this concern.

Daniel Davies

[REDACTED]  
Philomont, VA, 20131-0312

[REDACTED] cell

**From:** Kara Lee Davies [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** Friday, July 27, 2012 3:06 PM  
**To:** writtentestimony  
**Subject:** Docket R12-01 Dulles Rail EA Public Comment

*I am a resident of Loudoun County, and recently found out that the Final Environmental Impact Statement (FEIS) for Dulles Rail did not include toll avoidance or consider the traffic impacts on Route 7. This information should have been included in the Environmental Assessment. The toll increases are also sure to do much greater financial hurt to poor and middle-class families than to wealthy people who can afford to use the Toll-Road even when the price doubles. Please correct these problems before moving on with this project.*

*Sincerely,*

*Kara Lee Davies  
Philomont, VA*

**From:** Dennis Dayton [<mailto:> ]  
**Sent:** Friday, July 27, 2012 4:12 PM  
**To:** writtentestimony  
**Subject:** See Below

## **Docket R12-01**

### **Hearing Number 575**

### **Public Hearing Report**

#### **Metropolitan Washington Airports Authority**

#### **Washington Metropolitan Area Transit Authority**

##### **Environmental Assessment and Proposed General Plans**

##### **Preliminary Engineering Design Refinements for the**

##### **Dulles Corridor Metrorail Project**

##### **Phase 2: Extension to Dulles Airport/Route 772**

##### **Fairfax County and Loudoun County, Virginia**

#### **Comments By:**

**Dennis M. Dayton**

#### **Introduction**

The Dulles Corridor Rapid Rail Project (DCMP) is under the statutorily imposed mandates of NEPA; the mandates required a review for environmental purposes as a part of the multi-modal transportation facilities in the areas near or adjacent to and surrounding the so called “Refined Locally Preferred Alternative.” The DCMP proposed alignment consists of a corridor with the branch connection near West Falls Church as the connection to WMATA and proceeds through Tysons Corner and then as a part of the Dulles Toll Road, Dulles International Airport Access Highway, Dulles Airport (including the Y-15 yard), and finally along Greenway to Route 772. As illustrated by the numerous and various chapters contained in the F EIS (See Volume One) and Section 4(f) Evaluation, the two phases require consideration of numerous effects. An EA is

a part of that process and is not intended as a vehicle to avoid compliance through the use of a “scripted” plan to avoid changing circumstances. See listed topics below:

## Final Environmental Impact Statement and Section 4(f) Evaluation

**December 2004**

**Volume I**

[Signature Page](#)

[Executive Summary](#)

[Federal Transit Administration \(FTA\) Final Environmental Impact Statement](#)

[Federal Transit Administration \(FTA\) – Abstract](#)

[FTA Table of Contents](#)

[Chapter 1 – Purpose and Need for the Proposed Action](#)

[Chapter 2 – Alternatives Considered](#)

[Chapter 3 – Social Effects](#)

[Chapter 4 – Environmental Effects](#)

[Chapter 5 – Economic Effects](#)

[Chapter 6 – Transportation Effects](#)

[Chapter 7 – Section 4\(f\) Evaluation](#)

[Chapter 8 – Financial Analysis](#)

[Chapter 9 – Secondary and Cumulative Effects](#)

[Chapter 10 – Evaluation of Alternatives Carried Forward](#)

[Chapter 11 – Public Coordination and Comments](#)

The statutory mandates of NEPA are broad and are intended to consider various effects, including financing. This broad scope contrasts sharply with the content of the Public Hearing and related report. The process was limited intentionally to essentially a short form “scripted” plan to avoid having to address the significant changes since 2004-2006. Notwithstanding, the broad scope of the FEIS effects that require consideration, the public notice, hearing and report ignore major differences in the DCMP after the take-over by a new lead entity. As a result, the public notice and hearing report do not reflect compliance with the NEPA mandates.

A major change occurred in 2007 as a result of the transfer of the DTR and related management of the Dulles Corridor Metrorail Project to the Metropolitan Washington Airports Authority (MWAA). However, it should be noted that the land managed by MWAA is still owned by the United States of America. MWAA has taken over the DTR and opted to not utilize the previous PE work performed by Dulles Transit Partners. Moreover, MWAA has undertaken obligations related to financing the DCMP and other transportation improvements in the Dulles Corridor and has materially altered the financial plans associated with the DTR, DIAAH, and Metrorail planning, design, construction and operation. Since the original EIS and the supplemental EA there have been **significant changes to the current transportation system, planned additions**

**to this system and funding for the DCMF and future additions to the overall multimodal transportation system in the Dulles Corridor.** The current EA and the proposed report adopt a view that the effects of the significant changes are to be frozen in time with a reference to 2004 and 2006 studies. The current realities related to transportation facilities in the Dulles Corridor are simply ignored. The result is a current environmental record that is incomplete. The “script” presented at the public hearing and followed in the report was designed to avoid relating the effects created by the material changes in financing, facilities, and cost. However, cost is identified as the sole impetus for most of the changes for the so called refinements.

As a written commenter and attendee at public hearing, it is obvious that the report is not responsive to my written comments and all other comments that question the changes that have been implemented (See Whitlock Comment and response) under MWAA stewardship. I intend to address major issues below but must note that there was no response to my 4<sup>th</sup> and 5<sup>th</sup> comments. These comments are significant because they involve agreements related to planning for the future use and character of the DIAAH . In addition, there are public safety considerations on code compliance and permitting for activities on two airport properties. With respect to the latter, there is a real or apparent organizational conflict of interest related to safety and code enforcement-delegating enforcement to a state entity (DGS) that has no legislative authority to employ its police powers to act in this regard on Dulles Airport property. In addition, the Airports Authority has created two separate enterprises for addressing its work. The first deals with the DTR and Dulles Corridor Metrorail Project; the second deals with the aviation enterprise at Dulles Airport. The separation as into distinct entities requires one entity not to be exploited by the other. There should be independent judgment because of separate financial responsibilities and obligations.. This separation must be maintained because legal recourse is different for each enterprise. The financial and legal ramifications are complex. The uses by the entities and their conflicting interests have not been explored in the EA. An example of the conflicts, real or apparent, is the use by DCMF for Airport Property that may have significant long term effects on aviation use. The uses that pose these problems are the change in the National Capital Gateway visual and aesthetic effects, the decision to use land above ground thus impacting or preventing development of a landside public conveyance system for aviation near the Dulles Terminal, and the use of sensitive ecological and aviation areas for disposal of soil from almost 15 miles away. These larger issues have been simply ignored because like the banks in the recent financial crisis, the Dulles Corridor Metrorail Project is being considered too large to fail.

As noted in recent discussions on participation by Loudoun County (a nonsignatory to the WMATA Compact) development interests are given paramount if not overriding weight. I support the Dulles Corridor Metrorail Project but my support is conditioned upon fair and adequate consideration of the need for environmental protection and building adequate supporting infrastructure. I submit that a realistic EA process is intended to meet the condition stated above ,but the current scripted EA is simply a checklist without a real desire to explore the question of what may be significant federal action. The realistic evaluation of change is one of the reasons that an EA process is employed.

The EA states that the Project Purpose and Need remains the same and then recites the goals and objectives as follows:

#### **Table 1-1**

## Goals and Objectives from 2004 Final EIS

### Goals Objectives

#### Goal 1

##### Improve Transportation Service

- ☐ Provide more frequent service for trips to the core of the region, Tysons Corner, Reston/Herndon, Dulles Airport, and eastern Loudoun County.
- ☐ Provide multi-modal access.
- ☐ Improve travel times within the corridor and the region.
- ☐ Provide integrated, seamless transit service to Tysons Corner and other major activity centers.
- ☐ Provide improved transit service in the corridor in the near term.

#### Goal 2

##### Increase Transit Ridership

- ☐ Provide more frequent service for trips to the core of the region, Tysons Corner, Reston/Herndon, Dulles Airport, and eastern Loudoun County.
- ☐ Provide multi-modal access.
- ☐ Improve the amenities of the existing transit service within the corridor and the region.
- ☐ Improve travel times within the corridor and the region.
- ☐ Provide integrated, seamless transit service to Tysons Corner and other major activity centers.
- ☐ Provide improved transit service in the corridor in the near term.

#### Goal 3

##### Support Future Development

- ☐ Provide improved accessibility to existing and planned activity centers in the corridor and the region.
- ☐ Provide transit service that supports and is consistent with the character of the existing and future land use and development.
- ☐ Provide stations that are compatible with the character of the surrounding neighborhoods and encourage transit use.

#### Goal 4

##### Support Environmental Quality

- ☐ Contribute to the attainment of regional air quality standards.
- ☐ Minimize negative impacts to traffic patterns.
- ☐ Minimize negative impacts on neighborhoods and residential land uses.
- ☐ Minimize negative impacts to ecologically sensitive areas.
- ☐ Minimize negative impacts to historic and cultural resources.
- ☐ Minimize negative visual and aesthetic impacts.

#### Goal 5

##### Provide Cost-effective, Achievable Transportation Solutions

- ☐ Develop transportation improvements that are consistent with the funding and financial capacity of the region.
- ☐ Minimize project-operating costs.
- ☐ Optimize cost-effectiveness.

## Goal 6

### Serve Diverse Populations

- ☐ Balance benefits and impacts to all residents within the corridor.
- ☐ Improve accessibility to existing and planned employment centers from low-income and minority areas.
- ☐ Provide transportation improvements that comply with the Americans with Disabilities Act standards.
- ☐ Minimize and mitigate negative impacts to low-income and minority populations.

Source: US Department of Transportation, et al., December 2004

The yellow highlights are a listing of goals and objectives that are not addressed in the EA and the hearing report. The report ignores reality and instead considers only the time frame of 2004 and 2006 instead of reflecting the major changes in finances (tolling is one example) and planning for today. In summary, the EA and hearing report are not compliant with NEPA and WMATA mandates for a realistic analysis based upon current conditions before a significant federal action is allowed to be undertaken. The FHWA should have been consulted because of the involvement of federal and state highways and major impact of hot lanes and tolling rates on multimodal access to high activity areas.

### **Comment 1-Lack of Road Network Analysis and Alternatives**

The following are major elements that have not been considered in the EA-Hot Lanes, planning for a huge interchange at I-495 and the Dulles Connector, total rezoning in Tysons Corner and local road network and connecting roads, and planning for roads that will adversely affect neighborhoods between Old Courthouse Road and Tysons in Vienna (See recent furor at public hearing at Westbriar Elementary School as reported in Washington Post).

The road network as shown on the Project Map (Hearing Report Figure 1-1) clearly shows the following important roads –Route 606, Route 28, Route 7, Dulles Toll Road (DTR), Dulles International Airport Access Highway(DIAAH), Beulah Road, Hunter Mill Road, Route 7, Wiehle Avenue. Other major roads are omitted (road network considerations are discussed in FEIS). These roads are also of importance to the residential communities near the project area-bordering Beulah Road , Sunrise Valley Road, Sunset Hills Road, Crowell Road, Brown Mills Road Reston Parkway, Fairfax Parkway, and Monroe Street. This network of roads is a toll free complement for transportation access to the core of the region and activity centers such as Tysons Corner, Reston/Herndon, Dulles Airport, and eastern Loudoun County. The roads are part of the multimodal transportation system and they provide access via automobile to many communities. My own community is located off Beulah Road and is limited by its connection to Browns Mill Road, Old Courthouse Road, Trap Road and Route 7. Since these roads are interconnected to various highway systems and provide the current outlets to the interstate highway system, federal highway system, and state highway system, they are the central focus of my comment 1.

These roads are being adversely affected by the tolling rate prospects and the lack of planning and funding for Route 7, DTR improvements, DIAAH changes including possible tolling, Hot Lanes, and the connection of the DTR/Connector at Route 123 and Interstate 495. In summary the network is overburdened and there is no finance plan to address providing relief to residential communities. The idle reference to future action and Transit Related Development does not satisfy federal requirements.

As a citizen of Fairfax County residing next to the DTR and DIAAH with access via Beulah Road to the North and South, a DTR user, and a Dulles Airport User, my residential community automobile access route is being inundated with traffic that seeks to avoid the DTR and Route 7. This is also true if access is sought to the Airport via Browns Mill Road, Crowell Road, and Hunter Mill Road. In effect, travel times are increasing in all directions. The effect is cascading with traffic buildup on Sunrise Valley Road at Hunter Mill Road as well as impossible conditions at the Hunter Mill Road, Sunset Valley Road, and the Hunter Mill underpass for the DTR and DIAAH. The EA report does not address the added traffic burdens created by the toll rate increases and the lack of certainty on parking facilities. The end result is improving Tysons Corner for the development community but disregarding the effects on residential communities. This is a systemic problem that is not addressed by references to future actions by VDOT



and Fairfax and Loudoun counties. Moreover, the Historic Hunter Mill District and various park and trail facilities are being affected as well (e.g. Meadowlark Botanical Gardens. Bike trails from Vienna to Reston) by the lack of access.

There are numerous alternatives that have not been addressed including involving VDOT, FHWA, and MWAA in an effort to utilize the unused capacity of the DIAAH. In addition as reported in the Washington Post and Washington Examiner, there are significant impacts anticipated by the introduction of Hot Lanes such as backups into Maryland( a summit for Montgomery County and Fairfax leaders was convened to address traffic overload) . Network theory clearly recognizes that stoppages at entry and exit points and at branches lead to gridlock and lack of thru-put. These significant impacts are being felt in my residential community and its ability to access other roads the region core, activity centers, including Dulles Airport.. The EA as mandated by federal law is necessary to comply with NEPA so that significant federal action takes into account environmental effects when there are changes in circumstances and should be used in situations that ordinarily would involve issuing an EIS (NEPA, 40 CFR § § 1501-1508). An EA should be undertaken with due diligence and without a predetermined objective to move rapidly to a finding of no significant federal action (so called FONSI). Since the EIS and original EA on Phase 1 are now over six years old due diligence requires a review of new circumstances.

There are significant new circumstances.

1. MWAA has taken over the DTR, funding requirements, and management.
2. Funding restraints having materially altered Phase 2
  - a. Significant overruns on Phase 1-all contingency fund expended and new funds needed. Final costs in excess of starting price by significant amounts \$2.8B-\$3.5B.
  - b. DTR tolls must pay for most of this overrun.
  - c. Estimate for Phase 2 greatly understated for purpose of initial funding agreement. New estimate of \$3.8B instead of \$2.5B.
  - d. New agreements entered into that change the scope of the Project. Parking facilities are taken out of the project and potentially shifted to local entities. The same may be true of a station. There is no certainty that these parking facilities and other improvements promised by MWAA will be built.
  - e. The assumptions by MWAA of significant TIFIA funding for Phase 2 have been proven to be totally invalid.
  - f. Circumstances relating to the transportation impacts outlined in the original EIS have ignored. State funding for roads is limited in amount and is earmarked to be used for buying down financing costs not new improvements.
3. Toll rates are going to greatly increased thus affecting DTR usage. Travel trips will decrease and be shifted to existing roads. Travel times from residential areas are being impacted.
4. Dulles Airport passenger growth for the next ten years is not anywhere near the level assumed by the original EIS based upon MWAA projection information.
5. MWAA is considering altering the DIAAH including placing tolls on this road.
6. Management costs by MWAA including payments to its program manager and other supporting entities – VDOT and Department of General Services –appear to exceed benchmarks in the industry for program and contract management in a Design/Build setting (Exact information is not available at this time).
7. Additional funding from the Commonwealth of Virginia for the rail project and road network improvements prevents planned development consistent with infrastructure needs. There is no coherent multimodal funding plan or program. Virginia statutory mandates for coordination between local government and VDOT for a coordinated program are not being addressed in the context of changes in tolling on the DTR and studies of major highways. The end result is transportation improvement stagnation for the foreseeable future leaving the existing transportation network of two lane roads to handle current demands as well as new growth. In addition, the lack of funding from other sources guarantees that tolls will increase significantly

thereby making the inadequate existing network a relief mechanism for toll avoidance. The tolls will burden existing streets with traffic volume that such streets are not designed to carry. The new volumes will create queuing and blocked branching channels that will cause significant detrimental effects the transportation needs of residents and citizens of both Fairfax and Loudoun Counties.

The EA is inadequate to show that the transportation facilities are not being overtaxed because of the lack of a plan to have road improvements put in place to support the Dulles Corridor Metrorail Project. As a citizen of Fairfax County that uses the local roads, the Toll Road, and Dulles Airport my access is being adversely impacted because traffic is backing up on Route 7, being diverted off Route 7 onto Beulah Road, backing up on Beulah Road, Browns Mill Road, Crowell Road, Hunter Mill Road. I am being prevented from using other roads because of congestion.

The EA is not adequate and fails to address the congestion effects.

The report refers to the actions of the Secretary of Transportation in attempting to address the significant changes to the DCMP scope in funding and shifting of responsibility for major aspects such as parking to local governments. The agreement in November of 2011 is a mere sketch and does not resolve with certainty toll rates and parking facilities. The reference to the MWAA website is an inadequate response to the comments of Mr. Whitlock and to my comments. The response that traffic studies are not needed or the subject of the EA is an abdication of the responsibility of a federal agency to address the multimodal nature of the corridor as well as the need for VDOT, Fairfax, Loudoun, and MWAA to assure adequate infrastructure for existing residential communities.

The reality of the changes in funding for Phase 2 and the lack of certainty on parking is that Phase 2 has significantly different environmental effects than what was presented in 2004 and 2006. The report admits that the Corridor is congested. It then concedes growth. It ignores economic and travel time effects on automobile travel from the west and in further automobile movement towards Tysons Corner a I-495, and Dulles Airport. The road networks have not been analyzed or addressed. Residential interests are not being valued and instead there is a bias in favor of development interests in Tysons Corner, Reston, Herndon and up and down the Dulles Corridor.

The real estate market for commercial office buildings should also be analyzed to take into consideration the degrading effect of high commuting costs in the Dulles Corridor for future employers, owners or tenants of commercial buildings.

The MWAA Board has suggested tolling for the DIAAH. This is another significant action that is being considered. This sort of action has economic effects on automobile users and traffic flow. The consideration of all of these variables for the Dulles Corridor multimodal transportation system clearly shows that there should be a full EIS to address these significant actions. The EA reaches a conclusion by simply omitting a point of reference that is known as reality.

In summary, the EA does not meet the goals and objectives that are stated. The areas highlighted in yellow show the various areas that have not been analyzed or that are clearly deficient. I entreat the WMATA Board to act now and prevent the creation of another Mark Building development problem created by inadequate infrastructure by assuring real environmental analysis in a timely manner to assure adequate infrastructure. WMATA should not be the recipient of the criticism that will ensue from inadequate planning and environmental analysis reflected in the EA result in overwhelming traffic congestion.

#### **Comment 2 -Major Land Use Change Y-15 Yard-Size Change-Environmental and Runway 5 Soil Use**

The Y-15 Yard site has undergone extensive changes in arrangement and land use since the FEIS. The site is not for a yard but is now a soil disposal depot. In the EA, there is a mention of using some of the soil for reuse but there are no explicit details on the regulatory structure for reuse or time frame. As presented the soil is likely to be in the location in the Y-15 yard indefinitely. There is change from limited

use of soil for a berm and the re-transportation of the soil back to the primary sites between WFC and Wiehle Avenue. This is of great public importance because there is a suggestion in the EA that reused soil will **now be** be a part of aviation planning and construction of the Fifth runway at Dulles International Airport. A project that is not scheduled and is likely not to be needed in light of the current passenger stagnation in Dulles growth.

The use of the Y-15 site, located in an environmentally sensitive area, for construction staging and restricted reuse of stockpiled materials was introduced in the EA of February 2006-Figure 2-17. This figure shows the location and the division of the site into four components -a rectangular area for soil stockpile and three areas for precast fabrication and storage. This arrangement was not followed. The following descriptive dialogue is included in the 2006 EA:

### **2.1.3 PE Wiehle Avenue Extension Yard Facilities**

The Final EIS Wiehle Avenue Extension would **not** include any improvements or construction activities at the future S&I Yard Site 15, which would be constructed as part of the project's second phase, the Extension to Dulles Airport/Route 772.

\* \* \*

### **2.2.3 PE Wiehle Avenue Extension Yard Facilities**

\* \* \*

A portion of the future Y-15 site on Dulles Airport property (approximately 36 acres) would be used for construction staging, precast concrete fabrication, and precast storage for the PE Wiehle Avenue Extension. The site would be used to stockpile soil from the **excavation and tunneling activities in Tysons Corner**. The excavated soil would be stored for possible later reuse as fill, or possibly to construct a berm along Old Ox Road (Route 606) to screen future yard operations. All soil placed on this site would be placed **to avoid any known wetlands and with proper sediment and erosion control**. Figure 2-17 depicts the proposed layout of the Y-15 site for these uses. In addition, soil will be placed on this site **in coordination with MWAA to ensure soil compatibility with local conditions**.

Notwithstanding the foregoing explicit guidance, Dulles Airport property and travelers on Route 606 have not been protected from actual unauthorized land use. The entire land use plan changed without notice to the public or the issuance of a supplemental EA. The Dulles Airport property has been used in a manner that has resulted in significant degradation to its intended use. The Dulles Airport property has been converted to a soil disposal depot for Phase 1 for soil. The soil hauled to the site is from from innumerable sources and **not the uncontaminated soil contemplated by the EA (primarily uncontaminated tunnel spoil)**. A visit to the site would reveal huge unseeded piles of soil without designation (See June Site Photos provided as a separate transmission-Appendix A). The huge soil mounds have steep slopes, are not compacted and are not seeded to prevent erosion and soil migration. The yard site was not used in accordance with Figure 2-17 and the resulting Design Build Contract. In addition, traffic control lanes have not been constructed thus endangering users of Route 606. Finally, the volume of truck traffic in the area has hindered traffic flow on Route 606. The EA does not address the total quantity of soil now on site, its composition, and when and how the soil will be used. From the size of the piles and the location in relation to watercourses, a flood plain, and forested habitat in the local area and nearby water courses there is a significant ongoing risk from the site as it exists. This risk has gone on for several years without taking into account the effects of flooding and traffic flow. The EA should have addressed what has happened and what, if any, deleterious effects have occurred or will occur from placement and then re-movement of the disposed soil. The overall result is a significant unevaluated risk including the effects on the highly sensitive areas. Remarkably, it would appear that the use of the site is a gratuitous grant of a permanent easement for soil storage to the Phase 1 contractor without approval by the MWAA Board of Directors. There is no document that establishes whether

MWAA or WMATA is taking ownership of the soil the Phase 1 Contractor placed on the property. There is no time frame established for operations in the yard. The cost of off haul has not been addressed in terms of a schedule and it is unclear as to whether the basic Design Build obligations have been eliminated from the cost to the Phase 1 contractor notwithstanding its obligation to be solely responsible for excavation activities. If these obligations have been eliminated, the costs are being transferred to the aviation enterprise or solely to the toll road users.

The EA should have included mitigation measures including testing of the soil, off haul plans, new traffic arrangements for 606 including additional lanes and signals and economic consequences in shifting costs between Phase 1 and Phase 2 or to the aviation enterprise.

A significant impact is being made to other Airport Property since the EA states that the soil in excess of 500,000 cubic yards would be used for Runway 5. Route 606 and the rest of the Dulles Airport Property will be adversely affected. The following information is important when considering the effects.

***Report Response: The impacts associated with the use of the Y-15 yard site for construction staging and storage activities were evaluated in the 2006 Environmental Assessment and the required mitigation was included in the Amended FTA Record of Decision executed in November 2006.***

The treatment of the Y-15 yard site for purposes of NEPA evaluation seems to be more like a bait and switch commercial undertaking instead of an environmental review. The original EIS reflected significant areas of impact related to the building of a yard on Dulles Airport property near forested areas, Horsepen Run, and other Horsepen water areas. The original EIS recognized issues with buffers, flood plains, and wetlands (See EIS e.g 4-16, 23, 24, 35, 52, 53, 54, 55, 59, 63, 67, 70 etc.. The size contemplated was 70-90 acres and there was no mention of land use as a soil storage facility for Phase 1 (See EIS, page 2-46). The site has aviation related issue since half of the area is within a designated approach area. In the EA for Phase 1 as noted above ¶ 2.2.3 the use was 36 total acres was to be used for construction staging and precast concrete storage. There was restriction for reuse of soil and limited use as a berm. There was no mention of use of the site for massive soil storage for virtually all of the excavated soil from Phase 1. At the time of the EA there was no anticipated use of an **all precast guide-way. The contract as awarded did not have an all precast guide-way. Significant changes were made and the precast plan and facilities were not as contemplated at the time of the EA. The report does not address the changes. The report states that the impacts were evaluated in the 2006 EA. This is blatant misstatement.**

The report does not address comment and what has transpired in terms of significant impacts created by construction activities that have occurred at the site. Please refer to Exhibits 1, 2, 3 and 4. These exhibits show what has **actually happened.**

Exhibit 1 shows the site before activities. Exhibit 2 shows the site in late June (additional photographs are also provided as an appendix to this document). Exhibit 3 shows the plan view as envisioned at time of EIS. Exhibit 4 shows the site as envisioned in the EA. The EA states that walls will be placed to the North but it does not address site evolution during the period from 2007 until today. There is no protection to the South. The buffers and flood plain effects are not addressed. The steep slopes lack of seeding and sand bags on Route 606 clearly evidence the migration of soil in the area. Most importantly, there is no discussion of soil testing for contaminants or soil testing for use as suitable fill for runway construction as required by FAA standards. There is no quantity computation of the soil stored or any indication of where the soils originated. Sources of the soil are left as an unknown.

What is stated is that there will be storage and then movement of the soils. There is no analysis of how and when the soil will be moved. The movement to proposed Runway 5 is a substantial movement to the south to an area near Route 50. The cost for identification of soil source and composition is high. The movement of this soil (a large portion of which is probably very high in clay content) on airport is a significant financial undertaking as well. In addition, it does not address potential aviation hazards. The following information is relevant to the need for a study of all of economic and environmental impacts relating to construction activity

Dulles Airport Dam is on a tributary of Horsepen Run River in Loudoun County, Virginia and is used for drinking water purposes. Construction was completed in 1962. At normal levels it has a surface area of 28 acres. Source Find Lakes.

The fifth runway will run parallel to existing runway 12-30 along the south side of Dulles Airport property. The runway would be roughly parallel to U.S.50, west of Chantilly. It will be approximately 10,500 feet long and 150 feet wide. When completed, the new runway will be named Runway 12R-30L and the existing parallel runway will be renamed 12L-30R. The numeric designation is the runway's compass bearing in degrees, divided by 10. The letters stand for left and right. Source MWAA Website.

However, the EA, and the report and response to comments ignores these critical factors. In addition, the EA and Report create confusion about what is really happening at the Yard site. Set forth below for comparison purposes are excerpts to the agreement of November 2011 and the EA.

EA

At the request of WMATA, the layout of the Yard was modified and reconfigured to enhance operations and safety (see Figure 2-16). **Additional regional facilities were also added, such as a spare parts warehouse and a police station.** Instead of entering the Yard from the southern end as proposed under the LPA (see Figure 2-15), the lead track would now enter the Yard limits on the northern end. Other design changes made to the Yard include a perimeter roadway for security, the addition of staff parking and a retaining wall on the north side of the Yard. The retaining wall would prevent the Yard from encroaching into a 100-year floodplain associated with Horsepen Run. In addition, rather than one large SWM facility within the Yard, five smaller SWM facilities would be provided to handle stormwater runoff within the Yard. **Due to the additional design features, the overall footprint of the Yard is approximately 10 acres larger than what was proposed under the LPA.**

**b. The Metrorail yard and shop facilities at the "Y-15" site at Dulles International Airport shall be reduced in size and scope to the level that is necessary to support the service provided by Phase 2. There will be at least 21 Yard Storage tracks provided for a minimum of eight car trains. The Dulles Yard will be sized for 184 cars. These and other yard and shop requirements are consistent with formal letters to the FTA dated June 10, 2011, and June 28, 2011.** WMATA may build additional or more extensive facilities at this site to support the service provided by other parts of the WMATA Metrorail network, but the costs of such expansion shall not be part of the Project costs and shall be the responsibility of WMATA.

The documentation and information available makes it impossible to determine what is the scope of the planned Yard, (including size) and what is to happen with an unknown quantity of unknown soil at the site. There is no basis to determine buffer compliance as well as overall effects on existing sensitive ecological resources. The existing conditions are unknown and the soil may contain contaminants. It is also likely that a finding will be made that the soil classification is not suitable for runway subgrade use. MWAA would then shoulder a huge financial and environmental burden of disposal. The unknowns are too large to be able to state that the NEPA requirements are being met with respect to analysis of the so called refinements. Moreover, the economic impact to the Airport Authority's aviation enterprise could be huge. In light of WMATA's recent criminal plea ( See November 19, 2009 DOJ Press Release) for a pollution event at one of its Yard facilities, it would seem improbable that WMATA would assume the risk for long term storage and control of the soil depository created during Phase 1. The hearing report fails to adequately address current conditions and environmental risks and what entities bear the financial risks.

The current situation is a change of circumstance from the EIS and 2006 EA that requires a full impact statement to protect the wetlands and watercourses that traverse Dulles Airport. In addition, the aviation ramifications are not addressed.

### **Comment 3-Inadequate Cost and Environmental Analysis of New Elevated Line and at grade Station**

The changes at Dulles Airport are not minor. The change from an underground facility to a surface facility is typical of the type of changes that mandate full EIS consideration. The alignment has changed as well as the nature of the construction and its tie-in with existing facilities. The second comment relates to what are normal and prudent preliminary engineering activities related to subsurface conditions and effects on existing facilities. In response, the report states

*The Final Environmental Impact Statement (FEIS) design also connected to the existing walkway. The findings detailed in the EA for the Refined Locally Preferred Alternative design do not identify changes in these environmental effects from what was previously anticipated in the FEIS. Geotechnical studies for the Project were completed, but are outside the scope of this EA for Phase 2. In regards to mold, all efforts to mitigate and minimize for mold spores will be undertaken. The project will comply with all applicable regulatory and permitting requirements as required.*

The report does not address the engineering issues related to water and control. Grouting costs and water control costs have been a significant issue for the Metro System. The fact that the original design also connected to the walkway does not address the changes as they relate to water movement and subsurface conditions. Studies were allegedly conducted on excavation levels and techniques. There are numerous references to cost savings from the higher elevation connection. The water control in the initial design was greatly aided by the presence of a tunnel and a lower station level. Water under such a design would flow to a common route-the tunnel and station. It would be easily controlled and would not migrate to the existing structure. In fact, it is likely that water would migrate away. So the fact that there is a connection does not mean that water behavior would be the same as suggested by the EA report. What is important is not conjecture but a detailed engineering study. This has not been reflected in the EA or the response to comments.

The statement that Geotechnical Studies were conducted **"but are outside the scope of this EA for Phase 2"** does not mean that there is NEPA compliance. The sole justification for moving the station is economic as is reflected in the comments. In fact the report makes specific reference to the savings. The savings must not be illusory. In addition, the savings should be evaluated on a life cycle savings, including capital and operating expenses of both MWAA and WMATA. In this regard, it is extremely important to consider the economic realities of the new design on such costs. The economic realities are tied to the engineering concepts that have changed and are part and parcel of the current EA. The shift to an above and at grade arrangement comes with new realities. The punching of holes for piers that provide water paths downward without control and the existence of other structure creates a new water network below. Waterproofing of the new and existing structures is very important to cost factors. The new network is a swiss cheese arrangement that will make the existing structures a new drain for all of this water. As noted in the report, there will be a greater amount of impervious areas and there is no study to determine what will be the effects. Engineering prudence dictates that the existing structures be examined to ascertain their current condition and their history with respect to water intrusion. Water is the enemy of the mechanical equipment in the walkways. Water is also the enemy of the interior finishes because of the distinct possibility of mold.

The report does not address the current condition and history of water and/or mechanical outages for the equipment in the walkways. The "trust me statement" on mitigation and minimize does not address the health issues and economic issues presented by the new design.

The report is non-responsive, inadequate and fails to address the comments and realities of this major engineering change, euphemistically called a minor refinement in design.

### **Summary**

The realities of a new financing plan as put forth by MWAA management require a full and open review of the various effects on residential areas, sensitive ecological areas, existing obligations to preserve the Dulles approach as a gateway to the National Capital Region, and economic consequences to the aviation enterprise and existing facilities. The EA and the public hearing report are a script to avoid the bigger

issues related to the major changes to Phase 2. The realities of the changes to Phase 2 must be addressed to comply with NEPA.

Dennis M. Dayton  
Resident of Fairfax County  
User of Dulles Toll Road – E Z Pass Owner  
User of Dulles International Airport  
Residential Land Owner Abutting Subdivision to DTR  
User of Dulles Airport Access Highway  
Road User of Virginia Highway System

Note: Appendix A Site Photos  
Appendix B Exhibits 1-4  
Appendices will be transmitted by separate cover.

**Docket R12-01**

**Hearing Number 575  
Public Hearing Report**

**Metropolitan Washington Airports Authority  
Washington Metropolitan Area Transit Authority**

**Environmental Assessment and Proposed General Plans  
Preliminary Engineering Design Refinements for the  
Dulles Corridor Metrorail Project  
Phase 2: Extension to Dulles Airport/Route 772  
Fairfax County and Loudoun County, Virginia**

**Comments By:  
Dennis M. Dayton**



Appendix Yard and Route 606 Photos













2012.06.27 16:15













**Docket R12-01**

**Hearing Number 575  
Public Hearing Report**

**Metropolitan Washington Airports Authority  
Washington Metropolitan Area Transit Authority**

**Environmental Assessment and Proposed General Plans  
Preliminary Engineering Design Refinements for the  
Dulles Corridor Metrorail Project  
Phase 2: Extension to Dulles Airport/Route 772  
Fairfax County and Loudoun County, Virginia**

**Dayton Comments Appendix Photos**

Appendix Yard and Route 606 Photos













2012.06.27 16:15













**From:** Dennis Dayton [<mailto:> ]

**Sent:** Friday, July 27, 2012 3:33 PM

**To:** writtentestimony

**Subject:** Dayton Comments Exhibits Appendix Docket R12-01 Hearing 575 Emailing: 3\_NEW, Exhibit 1, Exhibit 1\_NEW, Exhibit 2, Exhibit 2\_NEW, Exhibit 4, Exhibit 4\_NEW

Your message is ready to be sent with the following file or link attachments:

3\_NEW

Exhibit 1

Exhibit 1\_NEW

Exhibit 2

Exhibit 2\_NEW

Exhibit 4

Exhibit 4\_NEW

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



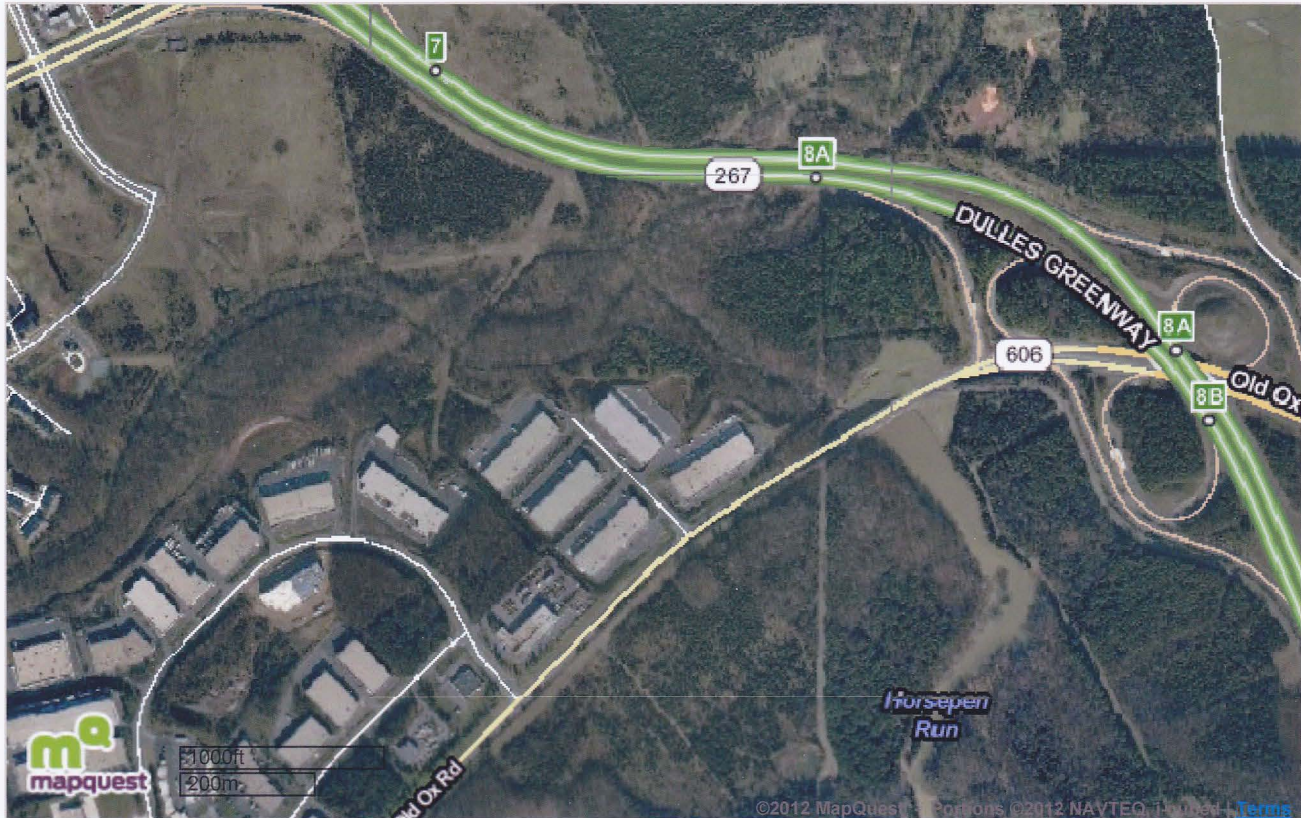


Map of:

**Latitude: 38.96333 Longitude: -77.445**

Sterling, VA 20166

Notes



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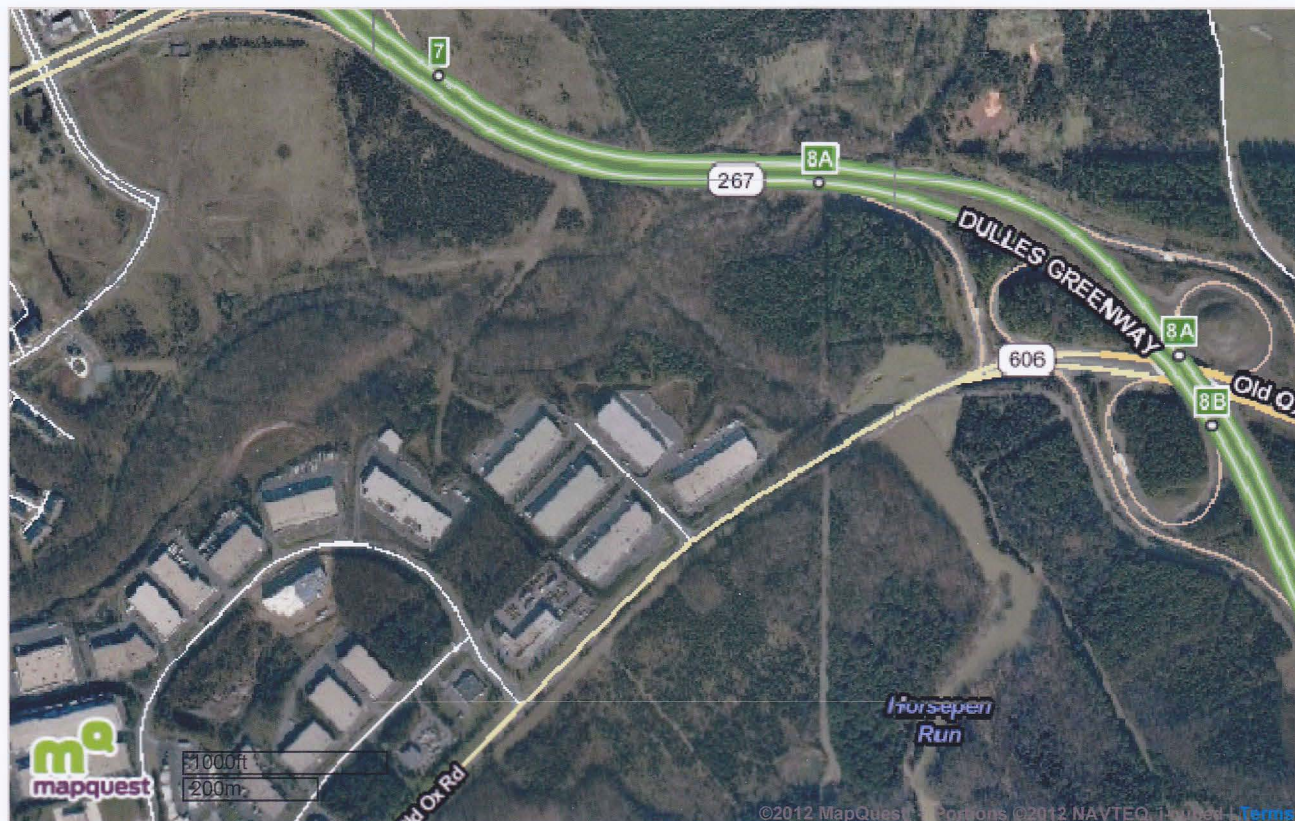


Map of:

**Latitude: 38.96333 Longitude: -77.445**

Sterling, VA 20166

Notes

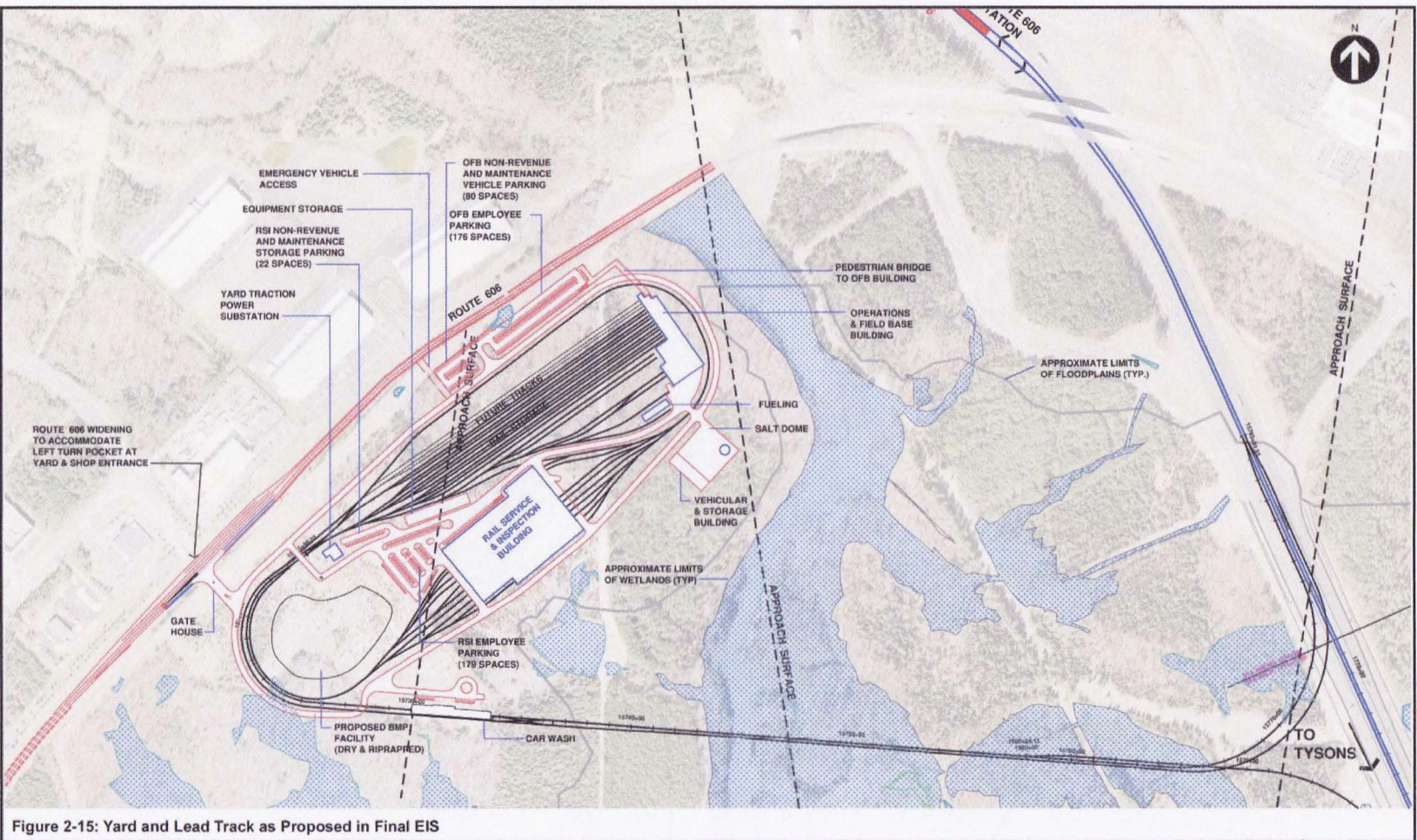


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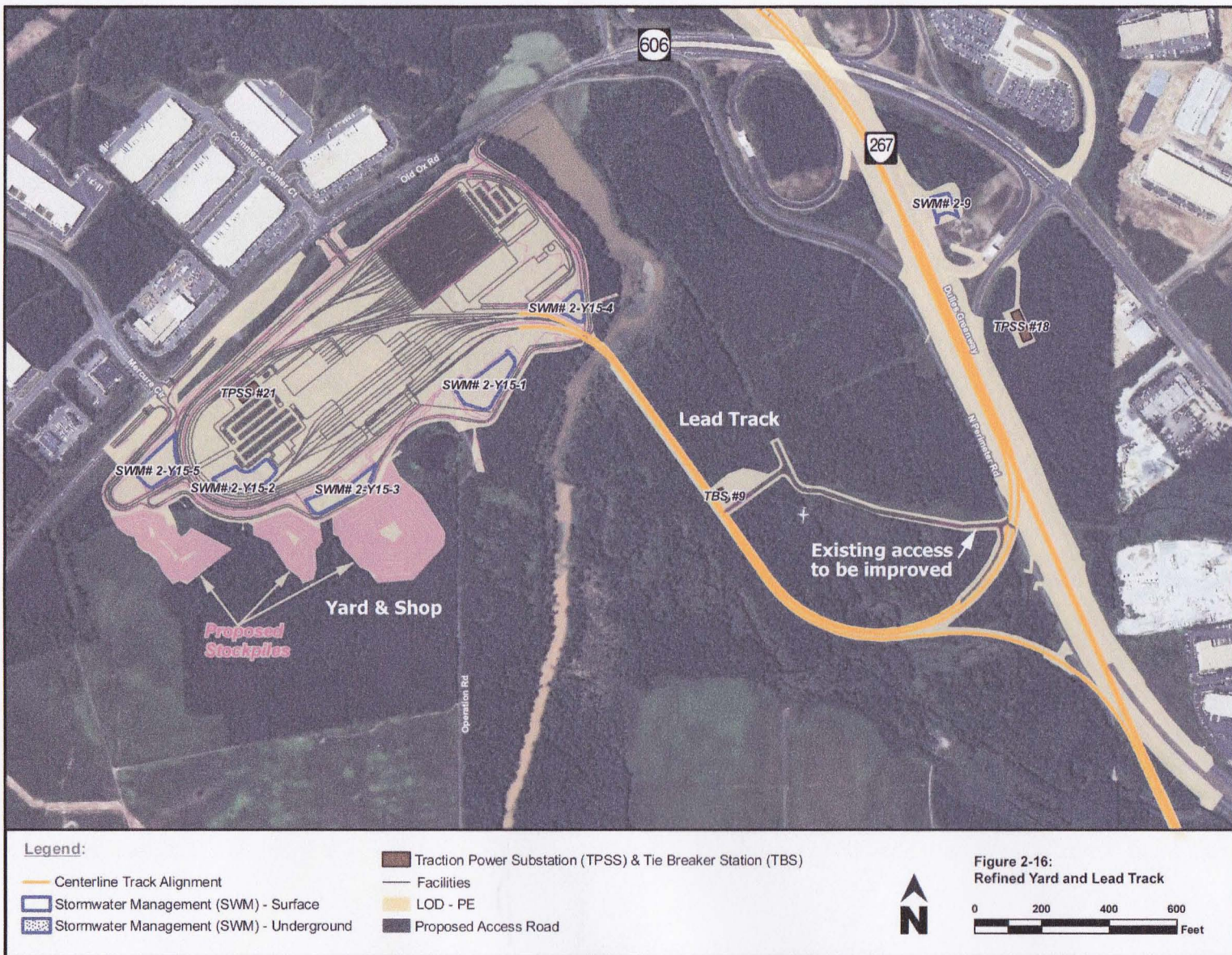




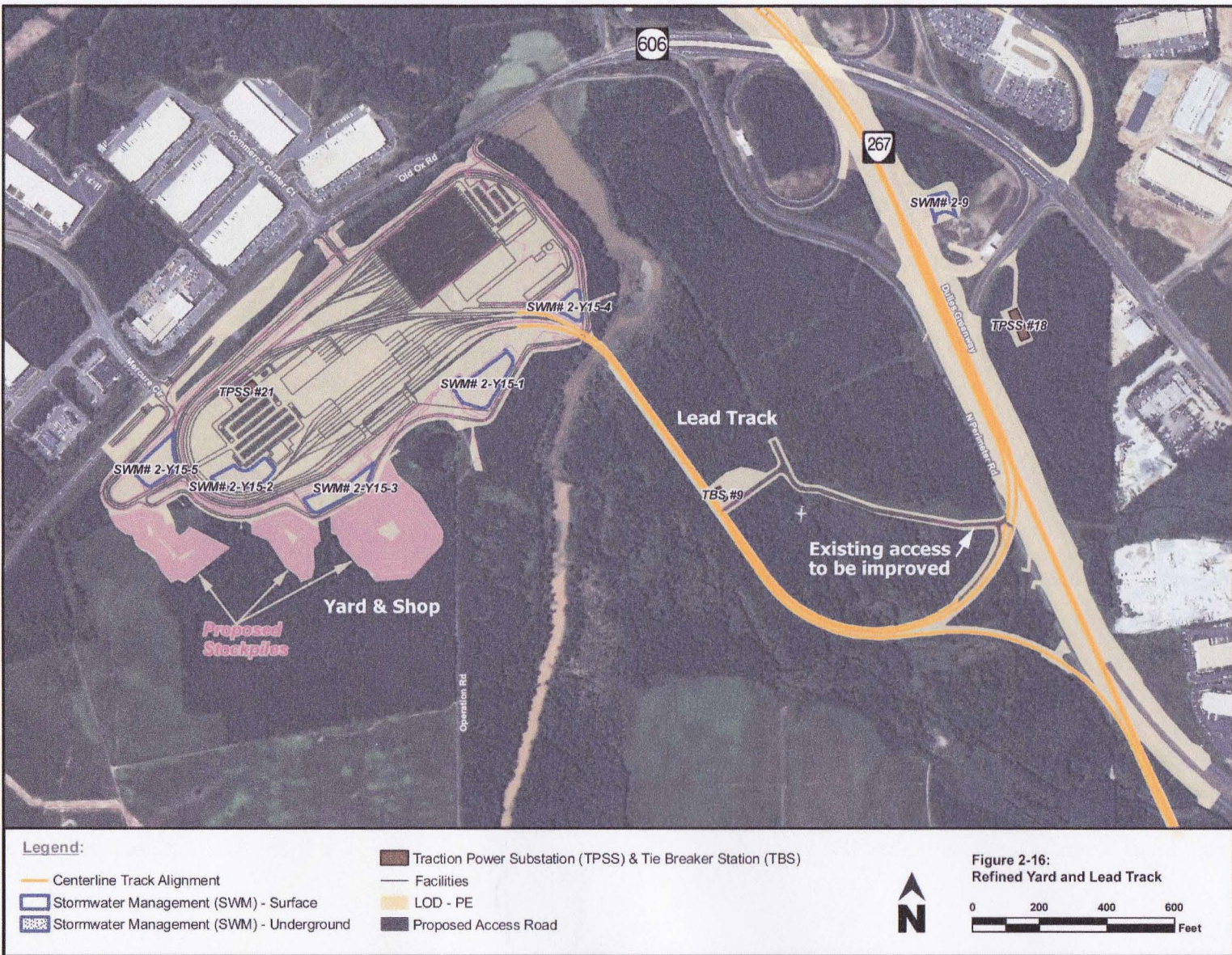














**From:** David Dickinson [<mailto:> ]  
**Sent:** Friday, July 27, 2012 3:34 PM  
**To:** writtentestimony  
**Subject:** Docket R12-01: Finish the Study

Dear WMATA,

I am a resident of Loudoun County, and recently found out that the Final Environmental Impact Statement (FEIS) for Dulles Rail did not include toll avoidance or consider the traffic impacts on Route 7. This information should have been included in the Environmental Assessment. The toll increases are also sure to do much greater financial harm to poor and middle-class families than to wealthy people who can afford to use the Toll-Road even when the price doubles. Please correct these problems before moving on with this project.

The Final Environmental Impact Statement (FEIS) for the Dulles Rail Project ***excluded Route 7 from the Transportation Effects portion of the study***, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.

- The FEIS ignored induced traffic impacts in Herndon and Reston from Dulles Rail
- The change in the Dulles Toll Road (DTR) funding share from 25% to 75%- federal and local contributions results in much greater toll increases than previously estimated. With 30,000+ cars/day being forced off the DTR to other roads by increased tolls, **gridlock will cause massive environmental impacts.**
- Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Reston, Herndon, Dulles, and Ashburn. A [recent Fairfax DOT study](#) showed terrible gridlock coming around the stations from Wiehle Ave. to Rt. 28.
- [AAA MID-ATLANTIC says](#) "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair.
- Drivers are bailing out along both the Dulles Toll Road and the Dulles Greenway. With potential tragic consequences, so too are the drivers of large vehicles and trucks. As Rep. Wolf has pointed us, "These **outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets.**"
- The latest round of toll increases probably will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads.
- The Metropolitan Washington Airports Authority's Board of Directors will approve the three-year schedule for new toll rates in November. Now the motoring **public will feel the full brunt of the toll rates on their wallets and household budgets starting in Jan 2013.**
- MWAA is using a reverse Robin Hood syndrome, robbing from the poor to give to the rich. As the latest round of toll hikes for a round-trip on the Dulles Toll Road prove, they don't call it the "Silver Line" for nothing."
- Congressman Wolf recently stated that "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets," Wolf continued. "Route 7, often the only available alternate route, is at capacity around the clock, including weekends. When large trucks divert from [toll avoidance]... they clog local roads

and often use neighborhood streets. This puts additional stress on these roads, adds to congestion and puts the public at risk. No one wants their **children playing in the front yard or on the sidewalk when a large truck rolls through their neighborhood all to avoid a toll.**”

Sincerely,  
David Dickinson  
Leesburg, VA

**From:** John Grigsby [mailto: [REDACTED]]  
**Sent:** Friday, July 27, 2012 2:53 PM  
**To:** writtentestimony  
**Subject:** Docket R12-01 Dulles Rail EA Public Comment

*I am a resident of Loudoun County, and recently found out that the Final Environmental Impact Statement (FEIS) for Dulles Rail did not include toll avoidance or consider the traffic impacts on Route 7.*

*This is really incredible. When I and every other commuter gets to or leaves Leesburg every morning, eastbound, we make a choice - whether to take the toll road or Route 7.*

*Those are the only two choices, beyond staying home, leaving the area, or buying a helicopter. How could you possibly leave out the substantial effects on a Route 7 commute of this project? Not only do I work near Tysons, but my eldest kids go to school there as well.*

*This information should have been included in the Environmental Assessment. The toll increases are also sure to do much greater financial hurt to poor and middle-class families such as mine, than to wealthy people who can afford to use the Toll-Road even when the price doubles. Please correct these problems before moving on with this project.*

Respectfully,

John Grigsby

[REDACTED]  
Hillsboro, VA

**From:** David LaRock [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
**Sent:** Friday, July 27, 2012 2:12 PM  
**To:** writtentestimony  
**Subject:** Public Comment on Docket R12-01

To whom it may concern,

Please enter this as a comment on **Docket R12-01**.

I am a resident of Loudoun County who frequently uses Rt. 7, Rt. 28, the Dulles Toll Road, Rt. 50, and may other local roads. It has come to my attention that there will be a huge impact on these roads as tolls on the Dulles Toll Road increase. I am contacting you because the environmental impact of thousands of cars stuck in traffic will be huge. Likewise the probability of accidents and loss of life will increase dramatically.

These concerns need to be addressed before allowing the planning of the Dulles Rail project to move forward. As far as I can see Rt. 7 has never been part of your study. That is ridiculous given that no other road will be more impacted.

David LaRock

Hamilton Virginia

**From:** Ellie Lockwood [<mailto:> ]  
**Sent:** Friday, July 27, 2012 11:42 AM  
**To:** writtentestimony  
**Subject:** Final Environmental Impact Statement

To: WMATA  
From: Eleanor Lockwood  
Re: **Docket R12-01**  
Date: July 27, 2012

I live in Sugarland Run. The entrance to my community is right off Potomac View about a half mile from the intersection of Potomac View and Rt. 7 which is one of the most dangerous intersections in Loudoun County. I understand that The Final Environmental Impact Statement (FEIS) for the Dulles Rail Project excluded Route 7 from the [Transportation Effects](#) portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.



From: Sally Mann [[mailto:\[REDACTED\]](mailto:[REDACTED])]  
Sent: Friday, July 27, 2012 12:17 PM  
To: writtentestimony  
Subject: Docket R12-01 Public Comment

Dear Sirs,

I question the legitimacy of the Federal Environmental Study done with respect to the extension of metro to Dulles and beyond. I am a Loudoun resident who uses Rt 7, Rt 28, Rt 50 and the Dulles Toll Road, and cannot understand why the Environmental Study did not study the projected effects of raising the tolls on the Dulles Toll Road to pay for metro. Even MWAA's projections show that just next year when the tolls are going to rise to pay for metro, millions of toll payers will exit the Dulles Toll Road to use the local "free" network, which will result in greater congestion, idling and pollution. As the tolls rise again in successive years, the traffic congestion on our local network, especially Rt 7 will only worsen from its current failing status.

Route 7 was completely left out of the study. Why? The effects of raising the tolls was also left out of the study. Why?

These are obvious concerns, the most critical issues, yet they were ignored.

Many other issues were ignored, such as the induced development around the stations, and the increase in traffic that will be created by metro to those developments.

The Study is completely lacking and inadequate, and a fair, thorough study needs to be done before the Federal Government or MWAA or WMATA proceeds.

Thank you,

Sally R. Mann

[REDACTED]  
Hamilton, VA 20158

**From:** Steve Oberlander [<mailto:> ]  
**Sent:** Friday, July 27, 2012 4:55 PM  
**To:** writtentestimony  
**Subject:** Docket R12-01

Here is some input regarding the Public Hearing Report: Dulles Rail Project,

My understanding of the Environmental Assessment of the Phase 2 Dulles Rail project is that it is woefully inadequate.

Overall, I continue to be dumbfounded by the extraordinarily poor fiscal rationale for why the Dulles Rail is being extended passed Dulles Airport. Board of Supervisor Janet Clark laid out very specific concerns that I do not believe have been addressed. The ramifications are manifesting themselves by either what is left out or ignored in the "completed" Environmental Assessment. Consider these concern:s::

- The Final Environmental Impact Statement (FEIS) for the Dulles Rail Project excluded Route 7 from the [Transportation Effects](#) portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.
- The FEIS ignored induced traffic impacts in Herndon and Reston from Dulles Rail
- The change in the Dulles Toll Road (DTR) funding share from 25% to 75%- federal and local contributions results in much greater toll increases than previously estimated. With 30,000+ cars/day being forced off the DTR to other roads by increased tolls, gridlock will cause massive environmental impacts.
- Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Reston, Herndon, Dulles, and Ashburn. A [recent Fairfax DOT study](#) showed terrible gridlock coming around the stations from Wiehle Ave. to Rt. 28.
- [AAA MID-ATLANTIC says](#) "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair.
- Drivers are bailing out along both the Dulles Toll Road and the Dulles Greenway. With potential tragic consequences, so too are the drivers of large vehicles and trucks. As Rep. Wolf has pointed us, "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets."
- The latest round of toll increases probably will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads.
- The Metropolitan Washington Airports Authority's Board of Directors will approve the three-year schedule for new toll rates in November. Now the motoring public will feel the full brunt of the toll rates on their wallets and household budgets starting in Jan 2013.
- MWAA is using a reverse Robin Hood syndrome, robbing from the poor to give to the rich. As the latest round of toll hikes for a round-trip on the Dulles Toll Road prove, they don't call it the "Silver Line" for nothing."
- Congressman Wolf recently stated that "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets," Wolf continued. "Route 7, often the only available alternate route, is at capacity around the clock, including weekends. When large trucks divert from [toll avoidance]... they clog local roads and often use neighborhood streets. This puts additional stress on these roads, adds to congestion and puts the public at risk. No one wants their children playing in the front yard or on the sidewalk when a large truck rolls through their neighborhood all to avoid a toll."

Steve Oberlander

Loudoun County Citizen

**From:** Dave [mailto: ]  
**Sent:** Friday, July 27, 2012 10:13 AM  
**To:** writtentestimony  
**Subject:** Docket R12-01 Public Comment

Dear WMATA,

I live in Loudoun county and have concerns about the upcoming metro project. There are many in our community who would like you to look into these issues.

- The Final Environmental Impact Statement (FEIS) for the Dulles Rail Project excluded Route 7 from the [Transportation Effects](#) portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.
- The FEIS ignored induced traffic impacts in Herndon and Reston from Dulles Rail
- The change in the Dulles Toll Road (DTR) funding share from 25% to 75%- federal and local contributions results in much greater toll increases than previously estimated. With 30,000+ cars/day being forced off the DTR to other roads by increased tolls, gridlock will cause massive environmental impacts.
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Sincerely,  
David & Rebecca Porter

**From:** Rose Ray [[mailto:](#) ]  
**Sent:** Friday, July 27, 2012 4:29 PM  
**To:** writtentestimony  
**Subject:** Docket R12-01

I oppose Metrorail coming into Loudoun County. We cannot afford taking on more taxes. Even federal money was denied due to low ridership projects.

Loudoun's Board of Supervisors voted at a time when all pertinent information was not available to them. Environmental studies show that Metro is a bad idea on traffic elsewhere.

Rose Ellen Ray, resident of Loudoun over 40 years

**From:** Lonnie and Linda [mailto: ]  
**Sent:** Friday, July 27, 2012 5:29 PM  
**To:** writtentestimony  
**Cc:**   
**Subject:** Docket R12-01 Public Comment

A day of reckoning is coming across this nation and even in our own Loudoun County when the hidden agendas of those in power, or of those who “feel empowered,” will be exposed. We the People will be “heard” at the polls!

A thorough and complete study of the impact of the rails must be included with the recent Environmental Assessment of the Phase 2 design revisions presented by the WMATA. There are voices that need to be heard, such as the statement made by AAA Mid-Atlantic, “...the cost of the project is being disproportionately shouldered by motorists.”

Rep. Frank Wolf has also stated, that “These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets.”

As card carrying members of AAA and constituents of Rep. Wolf, we can agree wholeheartedly! In our personal travels around the Dulles Corridor we often avoid the toll road and choose alternative routes even though we have Smart Tag scanners in each of our vehicles. The reason: the continual increased expense of the toll.

Sincerely,

Lonnie and Linda Suter

Round Hill, VA



**From:** Rob Whitfield [mailto: [REDACTED]]  
**Sent:** Friday, July 27, 2012 4:55 PM  
**To:** writtentestimony  
**Subject:** Docket R12-01- DULLES RAIL PHASE 2 -ENVIRONMENTAL ASSESSMENT PUBLIC PROCESS

## **DULLES CORRIDOR USERS GROUP**

[REDACTED]  
**LEESBURG, VA 20175**

[REDACTED]  
July 27, 2012

Office of the Secretary  
Washington Metropolitan Area Transit Authority  
600 Fifth Street, NW  
Washington, D.C. 20001

Re: Docket R12-01 -DULLES RAIL PHASE 2 -ENVIRONMENTAL ASSESSMENT PUBLIC PROCESS

The following comments are submitted by the Dulles Corridor Users Group on the public hearing process for Dulles Rail Phase 2 Environmental Assessment. We reserve the right to revise and expand these remarks.

Without providing advanced public notice or providing proper grounds to justify their action, the Federal Transit Administration in conjunction with the Washington Metro Area Transit Authority and Metropolitan Washington Airports Authority declined to provide a comprehensive Environmental Impact Statement on the Dulles Rail Phase 2 project to update to the 2004 Final Environmental Impact Statement. It appears that this is a deliberate effort by the agencies responsible for Dulles Rail to wilfully avoid their responsibilities and duties to the public under federal law.

Instead of preparing a Supplemental Environmental Impact Statement for Phase 2 to update the 2004 report, a limited scope Environmental Assessment (EA) of Phase 2 design revisions was prepared. The EA did not address changes in comprehensive plans, zoning and development plans in the Dulles Corridor and Tysons Corner; rail ridership forecasts were not updated; changes were ignored in project capital and operating costs, financial structure, human impacts, particularly the cost impacts to Dulles Corridor residents and businesses, traffic forecasts and resulting air quality impact analysis.

[http://www.fta.dot.gov/documents/NEPA\\_reg\\_clean\(1\).pdf](http://www.fta.dot.gov/documents/NEPA_reg_clean(1).pdf)

Environmental Impact and Related Procedures (23 CFR part 771)  
ENVIRONMENTAL IMPACT AND RELATED PROCEDURES  
Federal Highway Administration and Federal Transit Administration  
Effective: April 23, 2009

§ 771.130 Supplemental environmental impact statements.

(a) A draft EIS, final EIS, or supplemental EIS may be supplemented at any time. An EIS shall be supplemented whenever the Administration

determines that:

- (1) Changes to the proposed action would result in significant environmental impacts that were not evaluated in the EIS; or**
- (2) New information or circumstances relevant to environmental concerns and bearing on the proposed action or its impacts would result in significant environmental impacts not evaluated in the EIS.**

(b) However, a supplemental EIS will not be necessary where:

- (1) The changes to the proposed action, new information, or new circumstances result in a lessening of adverse environmental impacts evaluated in the EIS without causing other environmental impacts that are significant and were not evaluated in the EIS; or
- (2) The Administration decides to approve an alternative fully evaluated in an approved final EIS but not identified as the preferred alternative. In such a case, a revised ROD shall be prepared and circulated in accordance with §771.127(b).

(c) Where the Administration is uncertain of the significance of the new impacts, the applicant will develop appropriate environmental studies or, if the Administration deems appropriate, an EA to assess the impacts of the changes, new information, or new circumstances. If, based upon the studies, the Administration determines that a supplemental EIS is not necessary, the Administration shall so indicate in the project file.

(d) A supplement is to be developed using the same process and format (i.e., draft EIS, final EIS, and ROD) as an original EIS, except that scoping is not required

Environmental Impact and Related Procedures (23 CFR part 771)  
Page 24 of 25

(e) A supplemental draft EIS may be necessary for major new fixed guideway capital projects proposed for FTA funding if there is a substantial change in the level of detail on project impacts during project planning and development. **The supplement will address site-specific impacts and refined cost estimates that have been developed since the original draft EIS.**

(f) In some cases, a supplemental EIS may be required to address issues of limited scope, such as the extent of proposed mitigation or the evaluation of location or design variations for a limited portion of the overall project. Where this is the case, the preparation of a supplemental EIS shall not necessarily:

- (1) Prevent the granting of new approvals;
- (2) Require the withdrawal of previous approvals; or
- (3) Require the suspension of project activities; for any activity not directly affected by the supplement. If the changes in question are of such magnitude to require a reassessment of the entire action, or more than a limited portion of the overall action, the Administration shall suspend any activities which would have an adverse environmental impact or limit the choice of reasonable alternatives, until the supplemental EIS is completed.

[52 FR 32660, Aug. 28, 1987, as amended at 70 FR 24470, May 9, 2005; 74 FR 12530, Mar. 24, 2009]

Most significantly, the agencies responsible for the Dulles Rail project did not attempt to evaluate feasible options as required under the National Environmental Policy Act. Instead of Phase 2 rail, expanded express bus options can serve foreseeable transit needs of the commuting public in the Phase 2 service area for at least the next 30 years at approximately one eighth of the cost of heavy rail. At present, population and employment densities in the Phase 2 service area are less than one half the levels recommended by the Federal Transit Administration and the Commonwealth of Virginia to support Heavy Rail.

[http://www.drpt.virginia.gov/activities/files/Transit\\_Service\\_Design\\_Guidelines\\_FINAL.pdf](http://www.drpt.virginia.gov/activities/files/Transit_Service_Design_Guidelines_FINAL.pdf)

## **Rail**

Rail services are some of the most costly to implement, so consideration must be given to the markets, activity centers, and development conditions that rail will serve. These guidelines provide some suggested gross levels of development that are supportive of rail service (note: levels for commuter rail may be considerably less outside of the core area – for example 1-2 dwelling units per acre).

### **Development Levels Supportive of Rail**

#### **Measure Development Level**

Population densities (persons per square mile) 6,667 - 15,000

Employment Served 125,000 - 250,000

Central Business District commercial floor to area ratio (FAR)\* 6.0 – 10.0

Other commercial floor to area ratio (FAR) 1.0 - 2.5

Residential dwelling units per acre 10 - 25

Sources: Federal Transit Administration: Guidelines and Standards for Assessing Transit Supportive Land Use – May 2004

\* Floor to Area Ratio (FAR) is the relationship of total building floor area to the area of its zoning lot. Each zoning district has a FAR control number which, when multiplied by the square foot area of the lot, produces the maximum amount of floor area allowable in a building. For example, on a 10,000-square-foot lot in a district with a maximum FAR of 6.0, the floor area of a building can be up to 60,000 square feet.

Repeated requests to the Virginia Department of Rail and Public Transportation and other agencies involved in planning Dulles Rail during late 2011 and early 2012 for evidence of financial and economic feasibility of Phase 2 have gone unanswered. In April 2012, Thelma Drake, DRPT Administrator told me: "Rob, there is no Phase 2 feasibility report. We are relying on information provided by the Federal Transit Administration." The FTA has never provided information supporting the feasibility of Phase 2. In fact, since present costs are double those projected in 2002 when the FTA rejected "new starts" funding for Phase 2, it is likely that Phase 2 is far less feasible from a cost effectiveness viewpoint than in 2002

Except for one instance in November 2011, when I asked about the status of the Environmental Impact Statement, FTA officials have never returned my telephone calls and e mail messages seeking information on project feasibility.

Issues that should have been addressed in the FEIS and EA but weren't include:

- The FEIS ignored induced traffic impacts in Tysons, Herndon and Reston from Dulles Rail.
  - Both the FEIS and 2012 EA ignored far more cost effective and flexible transportation options such as expanded express bus service in the Dulles Corridor.
  - The FEIS excluded Route 7 from the [Transportation Effects](#) portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Sterling/Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.
  - The increase in the Dulles Toll Road (DTR) funding share of Phase 2 Dulles Rail from 25% as shown in the 2004 FEIS to 75% in the current financial plan without a public hearing process or without funding alternatives evaluated
  - Dulles Rail capital costs have doubled since the 2004 EIS to \$6 billion or more projected today including the costs offloaded to Fairfax and Loudoun counties. Federal and local tax district contributions were capped, which have resulted in far greater toll increases than previously estimated. Up to 30,000+ cars/day are projected by CDM Smith, MWAA's traffic consultant, to be forced off the DTR to other roads in coming years by increased tolls. The resulting traffic congestion will cause massive adverse environmental impacts.
  - Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Tysons, Reston, Herndon, Dulles, and Ashburn and deterioration in local air quality. A [recent Fairfax DOT study](#) showed extreme gridlock projected around the stations from Wiehle Ave. to Rt. 28.
  - [AAA MID-ATLANTIC](#) says "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair.
  - Drivers are bailing out along both the Dulles Toll Road and the Dulles Greenway. With potential tragic consequences, so too are the drivers of large vehicles and trucks.
  - The latest round of toll increases will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads.
  - The Metropolitan Washington Airports Authority's Board of Directors will approve a three-year schedule for new toll rates in November 2012. The motoring public will feel the full brunt of the toll rates on their wallets and household budgets starting in January 2013.
- TOLLS ARE PAID WITH OUR AFTER TAX FUNDS!**
- MWAA is using a reverse Robin Hood syndrome, robbing from the poor to give to the rich. As the latest round of proposed toll hikes for a round-trip on the Dulles Toll Road prove, they don't call it the "Silver Line" for nothing."
  - Congressman Wolf recently stated that "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets," Wolf continued. "Route 7, often the only available alternate route, is at capacity around the clock, including weekends. When large trucks divert from [toll avoidance]... they clog local roads and often use neighborhood streets. This puts additional stress on these roads, adds to congestion and puts the public at risk. No one wants their children playing in the front yard or on the sidewalk when a large truck rolls through their neighborhood all to avoid a toll."

In short, the Federal Transit Administration, which has coordinated planning for Dulles Rail Phase 2 under Transportation Secretary Ray LaHood has attempted to steam-roller project approval without any significant public input to offer project and financing alternative or a system to provide checks and balance to the review process. A series of at least eight secret meetings were held by parties to

Dulles Rail between approximately June 2011 and June 2012 in direct violation of the US Department of Transportation's "open government" regulations/

Before final Phase 2 design approvals are obtained, a meaningful supplemental environmental impact analysis must be completed. All feasible transportation solutions for the Dulles Corridor must be evaluated.

**ROBERT M. WHITFIELD**  
**DULLES CORRIDOR USERS GROUP**

<http://www.fairfaxtimes.com/apps/pbcs.dll/article?AID=/20120727/OPINION/707279840/1065/dulles-rail-triggers-more-not-less-traffic-congestion&template=PrinterFriendlyFFX>

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*Published: Friday, July 27, 2012*

**Dulles Rail triggers more, not less, traffic congestion**

It's another election year — one where we regularly are “treated” to a variety of opinion peices touting one candidate or another.

U.S. Rep. Gerry Connolly (D-Dist. 11) recently offered his views on the relative merits of Tim Kaine (D) versus George Allen (R) on transportation. I won't touch that one. But I must address Connolly's argument that Dulles rail helps our horrible traffic congestion.

Dulles rail doesn't remedy traffic congestion and, indeed, triggers more development that, in turn, increases traffic congestion and causes a need for more road and non-rail transit improvements that will cost taxpayers billions of dollars more.

The Final Environmental Impact Statement for Phase 1, which was prepared by former Gov. Mark Warner's administration in its waning days, shows (Table 6-2.2) that with the single exception of the Dulles Airport Access Road, no major travel route studied experiences an improvement in Level of Service because of Dulles rail.

The same conclusion was confirmed by Fairfax County's 527 Traffic Impact Analysis that was submitted to the Virginia Department of Transportation in December 2009. That study projected massive increases in traffic by 2030, such that major road improvements are needed — including the widening of the Dulles Toll Road by as many as three-to-five lanes and the addition of one more lane on the Capital Beltway (beyond the Express Lanes now being completed) from Route 7 to Interstate 66 west.

The additional traffic occurs despite the arrival of Dulles rail; the construction of high-quality, mixed-use development at the four Tysons rail stations; the imposition of extremely aggressive Traffic Demand Management measures by the county and Tysons landowners to reduce volumes; and the availability of substantially more bus service serving Tysons. Yet, after 2030, the road network serving Tysons fails because of more automobiles and trucks. Therefore, between 2030 and 2051 — the end of the planning horizon — every new automobile trip to Tysons must be canceled by a new transit or pedestrian trip.

Fairfax County has estimated the costs for the additional road and bus transit needed to handle Tysons' growth through 2051 to be \$3.04 billion, excluding inflation and interest on bonds sold to help finance the transportation improvements. Also excluded are the costs for two additional heavy rail lines that would be needed to supplement Dulles rail. With inflation, the \$3 billion reaches \$5.46 billion, according to the county. The specific requirements are listed in Table 7 of the Tysons Comprehensive Plan.

Moreover, the 2009 traffic estimates now are obsolete because they were based on a level of development that is about 30 percent less than what the Fairfax County Board of Supervisors approved in June 2010. Although this is a good land-use plan because it concentrates new development at the four stations, it does generate more traffic, which, in turn, will increase the costs for road and bus transit beyond \$5.46 billion.

To put things in perspective, raising \$5.46 billion requires state and local government to set aside more than \$2 million each and every single week between today and 2051. So whether we live near or far from Tysons, each of us residing in Fairfax County likely has a heavy tax bill to pay to handle the added automobile traffic triggered by Dulles rail.

Robert H. Jackson, McLean



## **APPENDIX B**

### **COMMENTS RECEIVED AFTER SUBMISSION DEADLINE**



**From:** Patty [<mailto:patricia.sweeney@yahoo.com>]  
**Sent:** Saturday, July 28, 2012 6:35 AM  
**To:** writtentestimony  
**Subject:** Public Comment on Docket R12-01

Dear WMATA

*I am a Loudoun County resident, and recently found out that the Final Environmental Impact Statement (FEIS) for Dulles Rail did not include traffic diverted off of the toll road to local roads in response to each scheduled toll increase or consider the traffic impacts on Route 7, Route 50, or Evergreen Mills Road. This information should have been compiled and the included in the Environmental Assessment. The toll increases will financially harm to poor and middle-class families much more than wealthy people who can afford to use the Toll-Road even when the price doubles. Please correct these problems before moving on with this project. Further, it is simply ridiculous for Toll Road users to subsidize METRO ridership, when METRO's riders are primarily federal government workers with a median salary of \$120,000 per year. The people benefiting from METRO subsidy are affluent in comparison to the unfortunate payers.*

Patty Sweeney  
tel 703-307-7477  
fax 775-898-6332

**From:** SusanGLevitt [<mailto:susanglevitt@gmail.com>]  
**Sent:** Saturday, July 28, 2012 12:11 AM  
**To:** writtentestimony  
**Subject:** Public Comment on Docket R12-01

I am generally I favor of public transportation, but I am utterly opposed to public development without proper consideration of the consequences. I believe the consequences of the Silver Line Metro Rail extension were not properly considered by all parties involved. The Environmental Impact Statement was seriously flawed, and the financial structure is untenable.

You are taxing a small proportion of the population which will benefit from the Silver Line to pay for it by raising tolls on Dulles Toll Road. We who drive the toll road will simply find it out of budget and drive non-toll roads. This will significantly reduce the revenues available no matter how high you raise the tolls. In addition, the non-toll road traffic will become even worse than it already is, so you and county, state and federal transportation officials will continue to hear nothing but complaints. In essence, you are building the Silver Line based on an incomplete transportation plan, so you will end up adding to the transportation problems rather than reducing them.

Many people will be excited and eager to ride the Silver Line. They will flood into Reston from points west every weekday morning, jamming Sunset Hills, Sunrise Valley, and Hunter Mill Roads as well as locking up the short stretch of Weihle Avenue which serves the Reston Station site. No one will be well served by this. The adverse impacts to neighborhoods served by these same roads was not properly assessed in the Environmental Impact Statement.

Let me assure you that I mean I will be severely adversely impacted. I live here, pay a steadily increasing property tax, and commute from here to my job. I have already significantly reduced my use of the Dulles Toll Road on a regular basis, and I may cease to use it at all. After the Reston Station opens, I expect that commuters will come into my neighborhood to park so they can walk to the Metro Station. I expect that my quality of life will be substantially reduced by traffic and it's associated noise, air pollution, accident rates, litter, and more.

I am familiar with the requirements of the National Environmental Policy Act. I know that some people consider it to be a series of hurdles which must be jumped in order to do what they want. These people are wrong. It is a common sense approach to a careful exploration of both the positive and negative impacts from a project. It does not require that negative impacts be eliminated, only that they be carefully considered in the public venue, that public concerns and public input be considered before spending public money. I believe that WMATA and its partners in the Silver Line project have failed to comply with the National Environmental Policy Act. It is not criminal to fail to comply with NEPA, but it is stupid.

I request that WMATA and its partners promptly address, in a public venue, the following:

- 1) the true impacts of traffic associated with operating the Silver Line when it terminates at Reston;
- 2) the viability of continuing to raise tolls on the Dulles Toll Road; and,
- 3) reasonable alternatives to reduce the adverse impacts of items (1) and (2).

Below are a few more specific points for the record.

Susan Levitt  
2006 Golf Course Drive  
Reston, VA 20191

- The FEIS ignored induced traffic impacts in Tysons, Herndon and Reston from Dulles Rail.
- Both the FEIS and 2012 EA ignored far more cost effective and flexible transportation options such as expanded express bus service in the Dulles Corridor.
- The FEIS excluded Route 7 from the [Transportation Effects](#) portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Sterling/Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.
- The increase in the Dulles Toll Road (DTR) funding share of Phase 2 Dulles Rail from 25% as shown in the 2004 FEIS to 75% in the current financial plan without a public hearing process or without funding alternatives evaluated
- Dulles Rail capital costs have doubled since the EIS to \$6 billion or more projected today including the costs offloaded to Fairfax and Loudoun counties. Federal and local tax district contributions were capped, which results in much greater toll increases than previously estimated. Up to 30,000+ cars/day are projected by CDM Smith, MWAA's traffic consultant, to be forced off the DTR to other roads in coming years by increased tolls. The resulting traffic congestion will cause massive environmental impacts.
- Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Tysons, Reston, Herndon, Dulles, and Ashburn. A [recent Fairfax DOT study](#) showed extreme gridlock coming around the stations from Wiehle Ave. to Rt. 28.
- [AAA MID-ATLANTIC says](#) "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair.
- The latest round of toll increases probably will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads

**From:** john soltis [<mailto:johnsoltis7@gmail.com>]  
**Sent:** Friday, July 27, 2012 6:18 PM  
**To:** writtentestimony  
**Subject:** Public Comment on Docket R12-01

Dear WMATA (Metro) and MWAA,

**J. Soltis**

Why didn't you do a complete update to the full Final Environmental Impact Statement (FEIS) of the Metro revisions?

- The Final Environmental Impact Statement (FEIS) for the Dulles Rail Project excluded Route 7 from the [Transportation Effects](#) portion of the study, despite Rt. 7 being the only real alternative route between Falls Church/ Tysons/ Ashburn/ Leesburg. This exclusion is totally inexcusable, and should render the FEIS invalid until corrected.
- The FEIS ignored induced traffic impacts in Herndon and Reston from Dulles Rail
- The change in the Dulles Toll Road (DTR) funding share from 25% to 75%- federal and local contributions results in much greater toll increases than previously estimated. With 30,000+ cars/day being forced off the DTR to other roads by increased tolls, gridlock will cause massive environmental impacts.
- Additional traffic due to high-density redevelopment in station areas will bring total gridlock to areas near the stations in Reston, Herndon, Dulles, and Ashburn. A [recent Fairfax DOT study](#) showed terrible gridlock coming around the stations from Wiehle Ave. to Rt. 28.
- [AAA MID-ATLANTIC says](#) "...the cost of the project is being disproportionately shouldered by motorists. That is not only draconian, it is also patently unfair.
- Drivers are bailing out along both the Dulles Toll Road and the Dulles Greenway. With potential tragic consequences, so too are the drivers of large vehicles and trucks. As Rep. Wolf has pointed us, "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets."
- The latest round of toll increases probably will lead even more motorists to seek alternatives to the toll road, spreading congestion to nearby roads.
- The Metropolitan Washington Airports Authority's Board of Directors will approve the three-year schedule for new toll rates in November. Now the motoring public will feel the full brunt of the toll rates on their wallets and household budgets starting in Jan 2013.
- MWAA is using a reverse Robin Hood syndrome, robbing from the poor to give to the rich. As the latest round of toll hikes for a round-trip on the Dulles Toll Road prove, they don't call it the "Silver Line" for nothing."
- Congressman Wolf recently stated that "These outrageous tolls cause cars as well as large trucks from most area businesses to divert to side roads and residential streets," Wolf continued. "Route 7, often the only available alternate route, is at capacity around the clock, including weekends. When large trucks divert from [toll avoidance]... they clog local roads and often use neighborhood streets. This puts additional stress on these roads, adds to congestion and puts the public at risk. No one wants their children playing in the front yard or on the sidewalk when a large truck rolls through their neighborhood all to avoid a toll."

John Soltis

## **APPENDIX C**

### **NOTICE OF AVAILABILITY OF PUBLIC HEARING REPORT**

**From:** "Pena, Danise" <[DPena@wmata.com](mailto:DPena@wmata.com)>  
**To:** writtentestimony <[writtentestimony@wmata.com](mailto:writtentestimony@wmata.com)>  
**Sent:** Wednesday, July 18, 2012 7:30 AM  
**Subject:** Public Hearing Report available for inspection

## **Metropolitan Washington Airports Authority Washington Metropolitan Area Transit Authority**

**Environmental Assessment and Proposed General Plans  
Preliminary Engineering Design Refinements for the  
Dulles Corridor Metrorail Project  
Phase 2: Extension to Dulles Airport/Route 772  
Fairfax County and Loudoun County, Virginia  
Docket R12-01**

### **PUBLIC HEARING REPORT AVAILABLE FOR INSPECTION**

Notice is hereby given that the public hearing report on proposed design refinements to the planned extension of Metrorail to Dulles Airport and Route 772 in Fairfax County and Loudoun County, Virginia is available for review and comment from July 18 to July 27, 2012. The document addresses comments on the Environmental Assessment and General Plans for the proposed design refinements to Phase II of the planned extension received at the public hearing held on June 13, 2012, as well as written comments received during the public comment period. A supplemental staff report will be prepared to respond to all comments received.

#### **HOW TO SUBMIT WRITTEN COMMENTS**

Comments on the public hearing report must be received by 5 p.m. on Friday, July 27, 2012 and may be e-mailed to [writtentestimony@wmata.com](mailto:writtentestimony@wmata.com), or mailed to the Office of the Secretary, Washington Metropolitan Area Transit Authority, 600 Fifth Street, NW, Washington, D.C. 20001. Alternatively, you may send a fax to 202-962-1133.

Please reference the Hearing and/or Docket Number shown on the front of this document in your submission. All comments received may be posted, without change, to [www.wmata.com/hearings](http://www.wmata.com/hearings), including any personal information provided. The report is available on-line at [www.dullesmetro.com](http://www.dullesmetro.com) and [www.wmata.com/hearings](http://www.wmata.com/hearings) (direct link is [http://www.wmata.com/community\\_outreach/R12-01\\_landing/R12-01\\_landing.cfm](http://www.wmata.com/community_outreach/R12-01_landing/R12-01_landing.cfm)) and during normal business hours at the locations listed below.

#### **WMATA**

Office of the Secretary  
600 Fifth Street, NW, Room 2D-209  
Washington, DC 20001  
202-962-2511  
(Please call in advance to coordinate)

#### **Ashburn Library**

43316 Hay Road  
Ashburn, VA 20147  
703-737-8100



**Dolley Madison Community Library**

1244 Oak Ridge Avenue  
McLean, VA 22101  
703-356-0770

**Cascades Library**

21030 Whitfield Place  
Sterling, VA 20165  
703-444-3228

**Mary Riley Styles Public Library**

120 N. Virginia Avenue  
Falls Church, VA 22046  
703-248-5030

**Great Falls Community Library**

9830 Georgetown Pike  
Great Falls, VA 22066  
703-757-8560

**Dulles Corridor Metrorail Project Office**

c/o Mr. Scott Peterson  
1595 Spring Hill Road, Suite 300  
Vienna, VA 22182  
703-572-0500  
(Please call in advance to coordinate)

**Herndon Fortnightly Library**

768 Center Street  
Herndon, VA 20170  
703-437-8855

**Patrick Henry Community Library**

101 Maple Avenue East  
Vienna, VA 22180  
703-938-0405

**Reston Regional Library**

11925 Bowman Towne Drive  
Reston, VA 20190  
703-689-2700

**Sterling Library**

120 Enterprise Street  
Sterling, VA 20164  
703-430-9500

**Tysons-Pimmit Regional Library**

7584 Leesburg Pike  
Falls Church, VA 22043  
703-790-8088

Danise Peña  
Office of the Board Secretary  
Washington Metropolitan Area Transit Authority  
600 Fifth Street NW  
Washington, DC 20001  
202-962-2511  
202-962-1133 fax

## **APPENDIX D**

### **METROPOLITAN WASHINGTON AIRPORTS AUTHORITY LETTER**

# METROPOLITAN WASHINGTON AIRPORTS AUTHORITY



Action Required: Yes  
Action Due: As Stated  
WBS No. 1.80.01.234

August 24, 2012

Mr. Ildefonso Burgos, P.E.  
Director, Office of Major Capital Projects  
Washington Metropolitan Area Transit Authority  
1593 Spring Hill Road, Suite 300  
Vienna, Virginia 22182-2228

Subject: Dulles Corridor Metrorail Project - Phase 2  
Review of the Washington Metropolitan Area Transit Authority's Draft  
Supplemental Public Hearing Report

Letter No.: MWAA-P2-00815

Reference: J. Ashe to K. Rohrer E-Mail, dated August 9, 2012

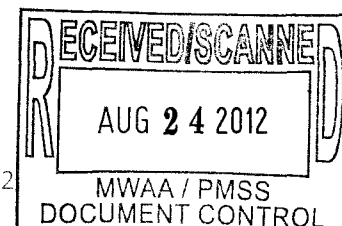
Dear Mr. Burgos:

As requested, the Metropolitan Washington Airports Authority (Airports Authority) has reviewed the draft of the Washington Metropolitan Area Transit Authority's (WMATA) Supplemental Public Hearing Report (PHR) for the Dulles Corridor Metrorail Project (Project) *Phase 2 Preliminary Engineering (PE) Design Refinements Environmental Assessment (EA)* and provided additional information for use in the final report.

The Supplemental PHR is being prepared to support WMATA Compact requirements for approving changes to the adopted Metrorail system. To address comments on several issues that are outside WMATA's responsibility, attached are the Airports Authority's responses to comments associated with the preparation of the EA and the capital funding for Phase 2. These responses should be referenced and included as an appendix to the final version of the Supplemental PHR.

When the Supplemental PHR has been completed and issued, please provide a complete copy to the Airports Authority for the Project record. Copies of any Board resolutions and other WMATA documentation associated with WMATA Board action(s) on acceptance of the Phase 2 PE design refinements are also requested.

Thank you for providing the Airports Authority an opportunity to review the draft Supplemental PHR.



Mr. Ildefonso Burgos, P.E.  
Letter No.: MWAA-P2-00815  
August 24, 2012  
Page 2

Please contact me at [REDACTED] if you have any questions about the materials provided.

Sincerely,



Karl A. Rohrer  
Deputy Project Director - Phase 2  
Dulles Corridor Metrorail Project

KAR/bg

Attachment: a/s

cc: P. Nowakowski  
C. S. Carnaggio  
J. Ashe, WMATA  
P. Elman, PMSS

## **2.0 COMMENTS AND RESPONSES**

### **2.1 STATION LOCATION**

*Commenter - M. Burrill*

#### **Airports Authority Response:**

The project team performed a comprehensive evaluation of several alternative alignments and station locations at Dulles Airport in order to explore ways to reduce overall capital costs for Phase 2. The Refined LPA aerial station location with its direct connection to an underground pedestrian tunnel with moving sidewalks provided a significant reduction in capital costs.

#### **2.2.1 TRAFFIC IMPACTS**

*Commenters - P. Arias, D. Davies, D. Dickinson, D. & R. Porter, R. Whitfield*

#### **Airports Authority Response:**

The FEIS was prepared in accordance with NEPA regulations. The transportation effects for each alternative were evaluated using a regional travel demand model and best available data.

#### **2.2.2 TRAFFIC IMPACTS ON ROUTE 7**

*Commenters - P. Arias, R. & P. Costantino, J. Grigsby, E. Lockwood, D. & R. Porter, R. Whitfield*

#### **Airports Authority Response:**

The FEIS was prepared in accordance with NEPA regulations. The transportation effects for each alternative were evaluated using a regional travel demand model and best available data.

#### **2.2.3 AIR QUALITY**

*Commenter: R. Whitfield*

#### **Airports Authority Response:**

The FEIS did analyze traffic and air pollution impacts and mitigation for traffic impacts was included in the FTA Record of Decision. For air quality, no additional mitigation measures were required to meet transportation conformity requirements.

#### **2.2.4 CHANGE IN FUNDING LEVELS**

*Commenter: R. Whitfield*

##### **Airports Authority Response:**

The current EA focuses only on design changes to Phase 2 since the FEIS. The Airports Authority and its funding partners are pursuing additional funding and financing to help minimize future toll rate increases on the Dulles Toll Road.

#### **2.2.5 ANALYSIS OF OPTIONS**

*Commenter: R. Whitfield*

##### **Airports Authority Response:**

The current EA focuses only on design changes to Phase 2 since the FEIS. The FEIS (and also the Draft EIS) provided a comprehensive analysis and evaluation of a broad range of transportation options in the Dulles Corridor, including various improvements in local and express bus service as well as Bus Rapid Transit (BRT).

#### **2.3 FUNDING MECHANISM**

*Commenters: P. ARIAS, D. DICKINSON, S. OBERLANDER, D. & R. PORTER, L.&L. SUTER, R. WHITFIELD*

##### **Airports Authority Response:**

The current EA focuses only on design changes to Phase 2 since the FEIS. The Airports Authority and its funding partners are pursuing additional funding and financing to help minimize future toll rate increases on the Dulles Toll Road.

#### **2.4 ENVIRONMENTAL ASSESMENT**

##### **2.4.1 GENERAL**

*Commenters: T. CRANMER, D. DAVIES, D. DAYTON, L.&L. SUTER, S. MANN, S. OBERLANDER, R. WHITFIELD*

##### **Airports Authority Response:**

The EA documents the potential environmental and cultural resources effects for the Phase 2 Preliminary Engineering Design Refinements as included in the proposed Refined LPA.



## **2.4.2 TRAFFIC**

*Commenters: K. ABUSHAR, T. CRANMER, J. GRIGSBY, D. LAROCK, S. MANN, S. OBERLANDER, R. RAY, L.&L. SUTER, R. WHITFIELD*

### **Airports Authority Response:**

The current EA focuses only on design changes to Phase 2 since the FEIS.

## **2.4.3 FINANCING**

*Commenters: K. DAVIES, J. GRIGSBY, S. OBERLANDER, L.&L. SUTER, R. WHITFIELD*

### **Airports Authority Response:**

The current EA focuses only on design changes to Phase 2 since the FEIS. The Airports Authority and its funding partners are pursuing additional funding and financing to help minimize future toll rate increases on the Dulles Toll Road.

## **2.4.4 TOLL AVOIDANCE**

*COMMENTER: K. DAVIES*

### **Airports Authority Response:**

The current EA focuses only on design changes to Phase 2 since the FEIS. The Airports Authority solicited public input on proposed Dulles Toll Road toll rates in 2009, 2010, and 2011. Additional public hearings and meetings are scheduled in September 2012 and will be held with any future toll rate adjustments. A link to the schedule for upcoming meetings and materials presented is found on the Airport Authority's website at [www.mwaa.com](http://www.mwaa.com).

## **2.4.7 PROJECT FINANCING**

*COMMENTERS: T. CRANMER, R. WHITFIELD*

### **Airports Authority Response:**

The current EA focuses only on design changes to Phase 2 since the FEIS. The Airports Authority and its funding partners are pursuing additional funding and financing to help minimize future toll rate increases on the Dulles Toll Road.

#### **2.4.11 ROAD NETWORK ANALYSIS AND ALTERNATIVES**

*COMMENTER: D. DAYTON*

##### **Airports Authority Response:**

The EA was written to document differences in environmental effects between the alternative approved in the FTA Amended Record of Decision and changes to the alternative that were identified and proposed as a result of preliminary engineering of Phase 2. The transportation effects for each alternative were evaluated in the FEIS using a regional travel demand model and best available data.

#### **2.4.13 INDUCED DEVELOPMENT**

*COMMENTER: S. MANN*

##### **Airports Authority Response:**

In accordance with FTA requirements, traffic analyses in the EA were based on approved MWCOG regional forecasts, which reflect zoning and land development densities formally adopted by the local jurisdictions.

#### **2.5 ENVIRONMENTAL IMPACTS FROM INCREASED TOLLS**

*COMMENTERS: K. ABUSHAR, K. DAVIES, D. DICKINSON*

##### **Airports Authority Response:**

The FEIS and EA were prepared in accordance with NEPA regulations. The transportation effects for each alternative were evaluated using a regional travel demand model and best available data.

#### **2.8 PROJECT FINANCIAL FEASIBILITY**

*COMMENTER: R. WHITFIELD*

##### **Airports Authority Response:**

The current EA addresses preliminary design refinements to Phase 2 which enhanced financial viability by reducing estimated capital costs by several hundred million dollars.