

US DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

EASTERN REGION

**RECORD OF DECISION**

FOR

**DULLES CORRIDOR METRORAIL PROJECT**

AT

**WASHINGTON DULLES INTERNATIONAL AIRPORT**

July 2005

The Federal Aviation Administration (FAA), a cooperating agency on the Dulles Corridor Metrorail Project (the project), is issuing this Record of Decision (ROD) based on its review and adoption of the Final Environmental Impact Statement (FEIS), dated December 2004. This ROD will supersede the previous FAA ROD issued for the project on April 13, 2005. The FAA ROD of April 13, 2005 is retracted with the issuance of this decision. The lead federal agency for the project was the Federal Transit Administration (FTA). On March 2, 2005, the FTA issued its ROD for the project. The FTA's ROD describes the project background, a basis for its decision, a brief description of alternatives that were considered, environmental impacts and measures to minimize those impacts, a summary of the agency's public outreach, and the agency's determinations/findings.

In accordance with 40 CFR 1506.3 and FAA Order 1050.1E, Chp 5, para 518h, the FAA has adopted the FTA's FEIS. The FEIS was prepared in accordance with the Council on Environmental Quality (CEQ) regulations, 40 CFR 1500, implementing the National Environmental Policy Act (NEPA) of 1969.

### **PROJECT DESCRIPTION**

The project will provide mass transit service to passengers utilizing Dulles International Airport (IAD) by extending the Metrorail track from the current terminus at West Falls Church station west along the median of the airport access highway, which is dedicated airport property. The project will be constructed in two phases; Phase I will extend the Metrorail system to provide service out to Wiehle Avenue in Reston, Virginia, approximately ten miles east of IAD. Phase I will be located along the median of the access road from the point at which the track crosses Interstate 66 heading towards the northwest until the new end point at Wiehle Avenue and is scheduled for completion by 2009.

Phase II will continue the extension of the Metrorail system northwest along the median of the airport access highway from Wiehle Avenue until the access road enters the airport proper. At this point, the system line will turn south toward the existing terminal complex at IAD, then west, through the complex, and north once it completes the transition. The system line will continue north until intersecting the Dulles Greenway, at which point it will turn to the northwest along the median and continue to Virginia Route 772, just west of IAD. Phase II will also include the construction of station platforms and supporting infrastructure to provide direct access to the IAD terminal complex and include a new Metrorail Service & Inspection Yard within the airport buffer zone on land that would not otherwise be used for airport development. Phase II is currently scheduled to begin in 2009 with a completion date of 2015.

### **FEDERAL ACTION**

There are three actions that FAA is required to take toward the implementation of this project subsequent to the issuance of this ROD:

1. A determination pursuant to the requirements of 14 CFR Part 158 of project eligibility for the Passenger Facility Charge Program;
2. Approval to use airport property for non-aeronautical uses for Phase I and II; and

3. Unconditional approval of the Airport Layout Plan (ALP) for Phase I to depict the location of the Metrorail stations and rail lines, and for Phase II to depict the location of the Metrorail stations, rail lines, and Service & Inspection Yard.

### **BASIS FOR DECISION**

This decision was based in part on the FEIS, which was approved by the FAA on October 25, 2004 and made available to the public through the US Environmental Protection Agency's (EPA) Notice of Availability published on December 23, 2004 in the Federal Register. As a cooperating agency, the FAA has found that its action is consistent with existing national environmental policies and objectives as set forth in Section 101(a) of NEPA.

The FAA is attaching the FTA's ROD as Appendix 1. For the purposes of the FAA's ROD, Attachment 1 is referenced to present the potential environmental impacts and other relevant factors, including safety, economic and social impacts, considered by the FAA regarding whether to approve the Federal action needed for the proposed development of the Dulles Corridor Metrorail Project on Washington Dulles International Airport property.

The ROD prepared by the FTA establishes the phased approach for decision-making on this project by stating "[t]he Virginia Department of Rail and Public Transportation (DRPT), the Project sponsor, is seeking financial assistance from FTA for the first phase of the Project (the Extension to Wiehle Avenue)...and plans to apply for separate FTA funding for the subsequent extension west of Wiehle Avenue to Dulles International Airport and eastern Loudoun County (the Extension to Dulles Airport/Route 772)." The FAA is also establishing its Agency Findings based on a phased approach and the applicable decisions made for each phase are presented in the following section of this ROD.

### **AGENCY FINDINGS**

The proposed project is reasonably consistent with existing plans of public agencies for the development of the area surrounding the airport (49 U.S.C. 47106).

The proposed project has been planned in compliance with the provisions of Executive Order 12898 on Federal actions to address Environmental Justice in minority and low-income populations.

The FAA actions involved in the implementation of the Dulles Corridor Metrorail Project are considered by each Phase of the project.

For Phase I of the project, which is located approximately 10 miles from IAD, the FAA has determined:

- A. Pursuant to the requirements of 14 CFR Part 158, Phase I is not eligible for the Passenger Facility Charge Program.

- B. Pursuant to 14 CFR Part 157 (49 U.S.C. 40113), there is no objection to the project from an airspace perspective, based upon aeronautical studies.
- C. Pursuant to 14 CFR Part 77, there are no potential obstructions to navigable airspace resulting from equipment being deployed during construction.
- D. Pursuant to 49 U.S.C. 40103, no aircraft operational and/or air traffic control procedures will be needed to accommodate the proposed project.
- E. Pursuant to 14 CFR Part 139 (49 U.S.C. 44702), no revision to the airport certification manual is required.
- F. Conditional environmental approval of the action is given. Unconditional environmental approval and a determination that the environmental documents satisfy the requirements of NEPA, the Airport and Airway Improvement Act, and FAA Orders 1050.E and 5050.4A will be made upon receipt and review of the request for land release for the portions of Phase I located on dedicated airport property. This request must be submitted by the airport sponsor, the Metropolitan Washington Airports Authority, to the FAA and will be reviewed for consistency with Section VII.G of FAA's *Policy and Procedures Concerning the Use of Airport Revenue* (64 FR 7696-7723). All appropriate determinations regarding the approval to use airport property for non-aeronautical uses and unconditional approval of the changes to the ALP for Phase I of the project also will be made subsequent to that review.

For Phase II of the project, which extends the Metrorail system along the median of the access road and through the IAD terminal complex:

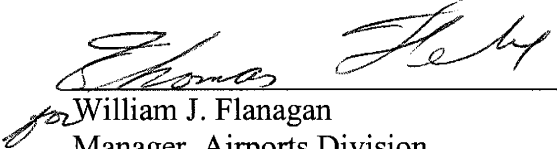
- G. The FAA has determined that a written reevaluation of the continued adequacy, accuracy, and validity of the FEIS will be required prior to the commencement of Phase II actions, in accordance with Paragraph 514 b (2) of FAA Order 1050.1E, *Environmental Impacts: Policies and Procedures*, because the project will be implemented in stages (phases) and Phase II will not commence until more than three years after the approval of this FEIS.
- H. The FAA has determined, pursuant to the requirements of 14 CFR Part 158 regarding the use of Passenger Facility Charge Program for this project, that the construction of the station and associated infrastructure located at the IAD terminal complex is eligible for funding under the Passenger Facility Charge Program. A determination of funding under the Passenger Facility Charge Program will be made upon receipt of the project application.
- I. The FAA must make a determination under 14 CFR Part 157 (49 U.S.C. 40113) as to whether or not it objects to the proposed project from an airspace perspective, based upon aeronautical studies, as the design of Phase II progresses.
- J. The FAA must make a determination under 14 CFR Part 77 regarding potential obstructions to navigable airspace resulting from equipment being deployed during construction as the design of Phase II progresses.

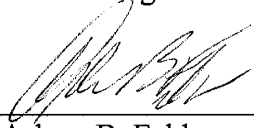
- K. The FAA must make a determination pursuant to 49 U.S.C. 40103 whether aircraft operational and/or air traffic control procedures will be needed to accommodate the proposed project as the design of Phase II progresses.
- L. Pursuant to 14 CFR Part 139 (49 U.S.C. 44702), no revision to the airport certification manual is required.
- M. The airport sponsor, the Metropolitan Washington Airports Authority, must submit a request for land release for the portions of Phase II located on dedicated airport property. The FAA will review the request for consistency with Section VII.G of FAA's *Policy and Procedures Concerning the Use of Airport Revenue* (64 FR 7696-7723). All appropriate determinations regarding the approval to use airport property for non-aeronautical uses and unconditional approval of the changes to the ALP for Phase II of the project will be made subsequent to that review.

**DECISION**

The FAA recognizes its responsibility under NEPA, CEQ regulations and its own directives. Recognizing these responsibilities, I have carefully considered the objectives of the proposed project in relation to aeronautical and environmental factors at Washington Dulles International Airport and utilized the environmental review process to make a more informed decision.

Having carefully considered aviation safety and operational objectives of the proposed project, as well as being advised as to the anticipated environmental impacts of the proposed action, under the authority delegated to me by the Administrator of the FAA, I find that the project is reasonably supported, holding to the conditions listed in Agency Findings F, G, I, J, K, and M above, and I therefore, direct that action be taken to carry out agency actions noted above.

**Recommended:**  \_\_\_\_\_ 7/11/05  
 Date  
 William J. Flanagan  
 Manager, Airports Division  
 Federal Aviation Administration  
 Eastern Region

**Approved:**  \_\_\_\_\_ 7/12/05  
 Date  
 Arlene B. Feldman  
 Regional Administrator  
 Federal Aviation Administration  
 Eastern Region

This Decision, including any subsequent actions necessary for certification of airspace determination, unconditional approval of the Airport Layout Plan, determination regarding the use of Passenger Facility Charge (PFC) funds and determination regarding the use of Airport Improvement Program funds to finance the project, are taken pursuant to 49 U.S.C. 40101 *et seq.*, and constitute orders of the Administrator, which are subject to review by courts of appeals of the United States in accordance with the provisions of 49 U.S.C. 46110(a).