

## 7.0 SECTION 4(f) EVALUATION

### A. Draft EIS Comments

#### Regional Agency Comments

##### Impacts to the Washington and Old Dominion Railroad Regional Park

**Regional Comment:** As stated in the Draft EIS, the W&OD is a Section 6(f) protected property under the Land & Water Conservation Fund Act. In the early 1960's the federal government acquired an easement across the W&OD for the Toll Road overpass. However, rail uses do not appear to be included in the easement. Therefore, the Virginia Department of Conservation and Recreation has requested a determination from the National Park Service as to whether a conversion of use would be required for construction of an additional overpass for Metrorail within the easement area. To date, a determination has not been made by the National Park Service. Therefore, the Draft EIS should not state, "no conversion of Section 6(f) land would occur." Regardless of whether or not a conversion is required, the Park Authority must review and approve, in writing, any new construction within the easement. (0456, 0456-L -3)

**Response:** *The Wiehle Avenue Extension will include a new three-span bridge structure over the Washington and Old Dominion Railroad Regional Park. In February 2004 the Virginia Department of Conservation and Recreation, after consultation with the National Park Service, made a determination that the proposed action would not result in a conversion of use under the Land & Water Conservation Fund Act because the Metrorail overpass will be within an existing transportation easement that includes highway overpasses for the DIAAH and Dulles Toll Road. A copy of this letter is located in Appendix K. DRPT will coordinate any construction activities in the vicinity of the Washington and Old Dominion Railroad Regional Park with the Northern Virginia Regional Park Authority.*

#### Public Comments

##### Impacts to the Washington and Old Dominion Railroad Regional Park

**Public Comment:** I understand that the draft environmental impact statement has ruled out transit stations at the Reston Town Center and at other locations outside the freeway median on the grounds that -- of impacts on the Washington and Old Dominion Trail. As a board member of the Friends of the W&OD Trail -- in fact, I was just patrolling the trail on my way over here -- I can't really see for the life of me why rail or bus transit couldn't overpass or underpass the W&OD Trail, just as the Dulles Access Toll Road does and the Reston Parkway, I-66, the Capital Beltway, and dozens of other transportation facilities. Of course, you know, you need to minimize park impacts, but it is certainly doable. (0066, 0254-T -3)

**Response:** *The Wiehle Avenue Extension in the median of the DIAAH will include a new three-span bridge structure over the Washington and Old Dominion Railroad Regional Park. During the scoping process, there was a suggested alternative alignment that would have departed the DIAAH median and utilized the Railroad Regional Park. This alternative, known as Alignment D2, was eliminated from further consideration for the following reasons:*

§ *It was inconsistent with existing land use and future local and regional land use plans.*

§ *It would have required permanent use of the Railroad Regional Park, which is Section 4(f) resource. Alignment D1, which has become the LPA, provided a prudent and feasible alternative to Alignment D2 under the terms of Section 4(f).*

### B. Supplemental Draft EIS Comments

No comments pertaining to this topic were received.