



US DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

EASTERN REGION

RECORD OF DECISION

FOR

DULLES CORRIDOR METRORAIL PROJECT

AT

WASHINGTON DULLES INTERNATIONAL AIRPORT

April 2005

INTRODUCTION

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. 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, Chapter 5, Paragraph 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 median of the airport access highway will be used by the Metrorail system in order to bring mass transit to the Dulles International Airport. On airport property, the rail line will be located either underground or along existing roadways. The station at the main terminal of the airport will be located underground. The project will also provide airport property within the airport buffer zone on land that would not otherwise be used for airport development for a new Metrorail Service & Inspection Yard.

FEDERAL ACTION

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

1. Unconditional approval of the Airport Layout Plan (ALP) to depict the location of the Metrorail stations and rail lines;
2. Approval to use airport property for non-aeronautical uses. The FAA has determined that the use of airport property for the project is consistent with Section VII.G of FAA's *Policy and Procedures Concerning the Use of Airport Revenue* (64 FR 7696-7723);
3. Release of airport property (however, the property interest to be conveyed will be determined at a later date closer to project construction and will be negotiated between FAA, FTA and MWAA).

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 I. 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.

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 include the following:

- A. The FAA made a determination under 14 CFR Part 157 (49 U.S.C. 40113) that it does not object to the proposed project from an airspace perspective, based upon aeronautical studies.
- B. The FAA will make a determination under 14 CFR Part 77 regarding potential obstructions to navigable airspace resulting from equipment being deployed during construction, when construction in close proximity to the airport begins.
- C. Pursuant to 49 U.S.C. 40103, the FAA determined that aircraft operational and/or air traffic control procedures are not needed to accommodate the proposed project.
- D. Pursuant to the requirements of 14 CFR Part 158, the FAA determined that this project is not eligible for the Passenger Facility Charge Program.
- E. Other agency decisions involving the FAA's Airports Program, including airport certification (see 49 U.S.C. 44702, 14 CFR Part 139), airport security (see 14 CFR Part 107), airport layout plan approval (see 49 U.S.C. App. 47107), and environmental approval (see 42 U.S.C. 4321 *et seq.* and 40 CFR Part 1500 *et seq.*), will be made as the project progresses toward the airport.

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.

The environmental documents satisfy the requirements of NEPA, the Airport and Airway Improvement Act, and FAA Orders 1050.1E and 5050.4A.

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, and I therefore, direct that action be taken to carry out agency actions noted above.

Recommended:



William J. Flanagan
Manager, Airports Division
Federal Aviation Administration
Eastern Region

4/11/05
Date

Approved:



Arlene B. Feldman
Regional Administrator
Federal Aviation Administration
Eastern Region

4/13/05
Date

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, is 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).