

PROJECT COMMITMENTS



D.C. TO RICHMOND SOUTHEAST HIGH SPEED RAIL

PROJECT COMMITMENTS

The following special commitments are the result of agency consultations, comments on the Draft Environmental Impact Statement (EIS), and regulatory requirements for the Washington, D.C. to Richmond Southeast High Speed Rail (DC2RVA) Project. Details for the basis of the commitments are included in the mitigation discussions in both the Draft and Final EIS, including the responses to agency and public comments on the Draft EIS. Each commitment has been agreed to by the Virginia Department of Rail and Public Transportation (DRPT) and will be implemented, as appropriate, in the Project's design and construction phases. The Project will be designed and constructed in increments as funding becomes available; as each Project increment is funded and moves forward through design and construction, the commitments appropriate to that specific Project increment will also be implemented. In the event that the Project is turned over to another sponsor during construction, DRPT will continue to coordinate the following commitments with that sponsor and the appropriate federal, state, and local regulatory and managing agencies.

Commitments are presented within the following topic areas:

- A. Continued Coordination
 - Agency Coordination and Permits
 - Coordination with Operating Railroads
 - Coordination with Localities
- B. Environmental Protection
 - Wetlands
 - Floodplains/Stormwater Management
 - Wildlife, Habitats, and Trees
 - Hazardous Materials
 - Air Quality
 - Noise and Vibration
 - Parks, Recreation Areas, and Wildlife Refuges
 - Visual and Aesthetics
- C. Cultural Resources and Section 106
- D. Design Requirements
 - Maintenance of Traffic/Grade Crossings
 - Pedestrian/Bicycle Facilities
 - Bridge Design
 - Utilities
 - Sustainability
- E. Right-of-Way Acquisition
- F. Supplemental Considerations

A. CONTINUED COORDINATION

A1 DRPT will continue to coordinate with federal and state agencies, affected localities, the general public, and other stakeholders during future phases of design and permitting in accordance with all applicable federal and state laws and regulations.

AGENCY COORDINATION AND PERMITS

A2 DRPT will continue to coordinate with the U.S. Army Corps of Engineers (USACE), U.S. Fish & Wildlife Service (USFWS), U.S. Environmental Protection Agency (EPA), National Marine Fisheries Service (NMFS), Virginia Department of Environmental Quality (DEQ), Virginia Department of Conservation and Recreation (VDCR), Virginia Department of Game and Inland Fisheries (VDGIF), Virginia Marine Resource Commission (VMRC) and other regulatory agencies regarding habitat and wildlife, including any updates to listed species, to ensure impacts are avoided to the extent practicable throughout future phases of design and permitting.

A3 For proposed activities that impact wetlands and/or surface waters, DRPT will prepare a Joint Permit Application (JPA) to be submitted to the USACE, DEQ, VMRC and local wetland boards. Proposed compensatory mitigation will be developed in coordination with the USACE during preparation of the JPA.

A3.1 ▪ Section 401 of the Clean Water Act – Water Quality Certification

A3.2 ▪ Section 402 of the Clean Water Act – National Pollution Discharge Elimination System (NPDES)

A3.4 ▪ Section 404 of the Clean Water Act – Dredge and Fill Materials

A3.5 ▪ Section 408 of the Clean Water Act – USACE permission to alter or occupy civil works projects previously constructed by the Corps such as dams, levees, or flood channels

A3.6 ▪ Code of Virginia Chapter 2, Title 62.1 Subaqueous Stream Bed Bottom – VMRC

A3.7 ▪ Section 9 of the Rivers and Harbors Act – United States Coast Guard

A3.8 ▪ Section 10 of the Rivers and Harbors Act – USACE

A3.9 ▪ MS4 Permit – Small Municipal Separate Storm Sewer Systems

A4 DRPT will consult the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS) to investigate the availability of mitigation bank credits during future phases of design. If there are insufficient bank or in-lieu fee credits, DRPT is prepared to develop a permittee-responsible mitigation proposal in coordination with USACE early in the permitting process.

A5 DRPT will coordinate with the National Park Service (NPS) during future phases of design and construction to avoid/minimize temporary impacts to NPS properties. Should such temporary impacts be unavoidable, DRPT will ask NPS for temporary construction access permits, as required, at that time.

A6 DRPT will ensure Project conformance with applicable performance criteria for areas protected by the Chesapeake Bay Preservation Act as specified in 9VAC 25-830-130 of the Chesapeake Bay Preservation Area Designation and Management Regulations and local ordinances, including minimizing land disturbance and impervious cover.

- A7 Since the DC2RVA Project would disturb more than 10,000 square feet of land, it must obtain a Virginia Stormwater Management Program (VSMP) general NPDES permit through the VDCR. A site-specific Stormwater Pollution Prevention Plan (SWPPP) will need to be prepared and implemented. The SWPPP outlines the steps and techniques the operator will take to comply with the terms and conditions of the permit, including water quality/quantity requirements that are consistent with the VSMP permit regulations, to reduce pollutants in the stormwater runoff from the construction site. The SWPPP also includes a description of post development stormwater management measures to be installed. Prior to construction, an erosion and sediment control (ESC) plan and a stormwater management plan (SMP) to ensure compliance with state law and regulations will be prepared and implemented.
- A8 DRPT will submit a Federal Consistency Determination for the Preferred Alternative that analyzes the coastal effects of the Project in light of the enforceable policies of the Virginia Coastal Zone Management Program and provides commitment to comply with those policies.

COORDINATION WITH OPERATING RAILROADS

- A8 Existing operations for Amtrak, Virginia Railway Express (VRE), and CSX Transportation (CSXT) will be maintained during construction to the extent practicable.
- A9 DRPT will continue to coordinate with FRA, District Department of Transportation (DDOT), VRE, and the Washington Metropolitan Area Transit Authority (WMATA) on the Long Bridge project throughout the design and construction phases.
- A10 DRPT will continue to coordinate with CSXT, Amtrak, and VRE to ensure proposed track improvements under DC2RVA align with any ongoing and planned station expansion projects. Additional commitments for track and station design will be the responsibility of CSXT and Amtrak.
- A11 Potential Project impacts to WMATA facilities, and the zone of influence if any impacts are discovered, will be identified as part of future phases of design.

COORDINATION WITH LOCALITIES

- A12 DRPT will continue to coordinate with all local governments along the Project corridor through future phases of design and construction. Specific coordination commitments include:
- A12.1 ▪ Arlington County: Activities in the vicinity of Long Bridge Park.
 - A12.2 ▪ City of Alexandria: Coordinate future design improvements for King Street Station and associated spanning of King Street and Commonwealth Avenue.
 - A12.3 ▪ Fairfax County: Coordinate with Fairfax County Park Authority through future phases of design for mitigation of impacts to Fairfax County parks.
 - A12.4 ▪ Prince William County: Develop plans for Railroad Avenue (in Woodbridge) to determine the feasibility of providing a frontage road or alternate access, with additional review of traffic data for grade crossings as needed.
 - A12.5 ▪ City of Fredericksburg: Coordinate future design elements of the Lansdowne Road grade separation, station improvements, and Rappahannock River Bridge.

- A12.6 ▪ Spotsylvania County: Continue to coordinate with the County to incorporate future roadway improvements.
- A12.7 ▪ Henrico County: Continue to coordinate with the County and other stakeholders during the future design of the Hungary Road overpass and the U.S. Bike Route 1 connectivity.
- A12.8 ▪ City of Richmond: Continue coordination and perform additional review of traffic data to update traffic conditions for existing at-grade crossings in Richmond, as required during future phases of design.
- A12.9 ▪ City of Richmond: Continue coordination to develop a parking plan for Main Street Station’s future intercity passenger needs in conjunction with the City’s plans for its property around Main Street Station and other development within Shockoe Bottom.

B. ENVIRONMENTAL PROTECTION

WETLANDS

- B1 Efforts to avoid and minimize impacts to wetlands will continue into future phases of design. At that time, the functions, values and condition of wetlands and the availability of mitigation sites will be evaluated. DRPT will use the methodology in use by USACE at the time of application for determining compensation requirements.
- B2 A formal jurisdictional determination will be submitted to the USACE during the Joint Permit Application process during future phases of design.

FLOODPLAINS/STORMWATER MANAGEMENT

- B3 The Project will be designed and constructed in accordance with Executive Order 11988–Floodplain Management; 23 CFR 650 Subpart A–Location and Hydraulic Design of Encroachments on Flood Plains, and the Virginia Erosion and Sediment Control Regulations, and the Virginia Stormwater Management Law and regulations.
- B4 DRPT will coordinate with the Federal Emergency Management Administration (FEMA) to determine if a Conditional Letter of Map Revision (CLOMR) and a subsequent final Letter of Map Revision (LOMR) are required for the Project. Floodplain development permits will be obtained from the local jurisdictions and include a no-rise/impact certification for each regulated floodplain/floodway and/or non-encroachment area crossing or a submittal for a CLOMR per 44 CFR Section 65.12.
- B5 Placement of stormwater management facilities will avoid wetlands and other aquatic habitats, to the extent feasible.
- B6 DRPT will develop and submit to DEQ site-specific Stormwater Management (SWM) and Erosion and Sediment Control (E&SC) plans.

WILDLIFE, HABITATS, AND TREES

- B7 To the maximum extent practicable, DRPT will avoid grading and construction during migratory bird breeding season. If construction is necessary during the breeding season, DRPT will conduct nest surveys, if necessary, and will avoid activities within 100 feet of active nests, where possible.

- B8 Bottomless culverts and single-span bridges will be considered at smaller streams to maintain fish passage and channel morphology and to avoid instream work to the extent practicable.
- B9 DRPT will continue to consider special design features to improve wildlife corridors. DRPT will evaluate providing oversized culverts and extended bridges in areas where habitat fragmentation would occur.
- B10 DRPT will continue coordination with USFWS, VDGIF, and NMFS pursuant to Section 7 of the Endangered Species Act of 1973, as amended, for potential impacts to federally listed species, where required during future phases of design and permitting.
- B11 Detailed maps depicting the location of new structures, including areas of pile driving and detailed descriptions of the proposed work, will be provided to VDGIF for review and comment during future phases of design. VDGIF's comments and proposed Time of Year restrictions will be incorporated in the DEQ and/or VMRC permit conditions.
- B12 Construction contract documents will include appropriate measures to protect mature trees along the limits of disturbance.
- B13 DRPT will provide special provisions for work in waters containing submerged aquatic vegetation (SAV). During future phases of design, DRPT will submit a request to remove SAV from, or plant SAV on, state-administered benthic surfaces as part of a JPA to the VMRC.

HAZARDOUS MATERIALS

- B14 DRPT will comply with the requirements for solid and hazardous wastes and hazardous materials specified by DEQ during construction. Prior to the acquisition of right-of-way and construction, thorough site investigations (Phase I or Phase II Environmental Site Assessment, as appropriate) will be conducted, as required, to determine whether any of the sites are contaminated, and, if so, the nature and extent of that contamination. Any additional hazardous material sites discovered during construction will be removed and disposed of in compliance with all applicable federal, state, and local regulations. All structures being demolished, renovated, and/or removed will be inspected for asbestos containing materials (ACM) and lead-based paint (LBP) prior to demolition. If ACM or LBP are found, in addition to the federal waste-related regulations, state regulations for ACM and for LBP will be followed. All necessary remediation will be conducted in compliance with applicable federal, state, and local environmental laws and will be coordinated with the EPA, DEQ, and other federal or state or local agencies as necessary.
- B15 All solid waste, hazardous waste, and hazardous materials generated by the Project will be handled and managed in accordance with federal, state and local regulations, including the Virginia Solid Waste Management Regulations.

AIR QUALITY

- B16 DRPT will follow the Virginia Department of Transportation (VDOT) Road and Bridge Specifications during design and construction. Dust suppression or containment systems will be implemented, as appropriate, to minimize migration of fugitive dust and airborne contaminants.

- B17 DRPT will take all reasonable precautions during Project construction to limit the emissions of volatile organic compounds (VOC) and nitrogen oxides (NO_x) and will adhere to limitations on the use of “cut-back” during construction consistent with 9 VAC 5-45-780 *et seq.*

NOISE AND VIBRATION

- B18 Noise and vibration mitigation will be addressed during future phases of design using FRA’s High-Speed Ground Transportation Noise and Vibration Impact Assessment (September 2012) procedures.
- B19 DRPT will coordinate with CSXT to mitigate vibration impacts related to freight trains on realigned or new tracks.
- B20 DRPT will consider implementing a community liaison program to address noise and vibration impacts and mitigation during future phases of design of the Project, as applicable.

PARKS, RECREATION AREAS, AND WILDLIFE REFUGES

- B21 DRPT will continue coordination with owners and operators of federal, state, and local parks, recreational areas and wildlife refuges throughout future phases of design and construction. Any land that is temporarily impacted will be restored and stabilized through revegetation to as near its prior condition as possible after construction, and the activities of the facility not be affected during the timeframe of the temporary impacts. Access and connectivity to parks and trails will be maintained throughout construction.
- B22 Impacts to the existing trees and vegetation within the existing right-of-way will be minimized to the greatest extent practical to maintain the visual buffer between parks and the rail corridor.

VISUAL AND AESTHETICS

- B23 DRPT will continue to work with affected communities during the future phases of design on the nature and style of design for visually-significant structures, such as the major waterway crossings of the Occoquan River, Neabsco Creek, Rappahannock River, and James River

C. CULTURAL RESOURCES AND SECTION 106

- C1 A “process” Programmatic Agreement (PA) for the Washington, DC to Charlotte, NC high speed rail corridor was developed during the Tier I phase of the Project. A Section 106 Memorandum of Agreement (MOA) is currently under development for the DC2RVA Project to outline the Project commitments under Section 106 of the National Historic Preservation Act; Appendix K of this Final EIS is the Draft MOA. The Final Section 106 MOA will be included in the Record of Decision (ROD) for this Project.
- C2 As part of the Section 106 process, DRPT, in consultation with the Virginia Department of Historic Resources (DHR), identified 21 historic properties along the DC2RVA corridor that would be adversely affected by the Project. This includes four buildings, two structures, seven historic districts, and eight archaeological sites. Specific Section 106 mitigations for each of these resources are presented in the following (in north to south order):

- C2.1 ▪ Richmond, Fredericksburg and Potomac Railroad (RF&P) (500-0001)
 - C2.1.1 – Architectural evaluation/Phase II-level study of bridges to be demolished as part of the Project that are contributing elements to the railroad district
 - C2.1.2 – Oral histories of two individuals with an in-depth knowledge/long tenure working on structures along historic RF&P rail line
 - C2.1.3 – Creation of an online Project map/story board to highlight historic properties along the corridor
- C2.2 ▪ RF&P Bridge over Occoquan River (500-0001-0022)
 - C2.2.1 – Design review of new structure to assure historic resource compatibility
 - C2.2.2 – Historic American Engineering Record (HAER) documentation of extant structure to include measured drawings, large-format photographs, archival research and production of HAER report
- C2.3 ▪ Rippon Lodge (076-0023)
 - C2.3.1 – Design review of new railroad structures near the Rippon Lodge to assure historic resource compatibility
 - C2.3.2 – Cultural landscape study of the Neabsco Creek watershed between Rippon Lodge and the Neabsco Creek bridge
 - C2.3.3 – Interpretive sign on Neabsco Creek watershed to be placed near the Rippon Lodge/Neabsco Creek in a location deemed suitable by Prince William County
 - C2.3.4 – Restoration of the viewshed between Rippon Lodge and the Neabsco Creek rail bridge through the removal of underbrush
- C2.4 ▪ Civil War Campsite (Site 44ST1223)
 - C2.4.1 – Archaeological data recovery at the portion of the site to be impacted by the Project
 - C2.4.2 – Installation of interpretive sign on archaeology and camp life in a location deemed appropriate by NPS-Fredericksburg
 - C2.4.3 – Scholarly article discussing the historical and archaeological importance of the site
- C2.5 ▪ Rappahannock River Railroad Bridge & Structures/ Platform (111-0132-0025)
 - C2.5.1 – Design review of new railroad structures to assure historic resource compatibility
 - C2.5.2 – Historic American Engineering Record (HAER) documentation of extant structures to include measured drawings, large-format photographs, archival research, and the production of HAER report
 - C2.5.3 – Cultural landscape study of the Rappahannock River watershed and historic transportation crossings within the City of Fredericksburg
- C2.6 ▪ Bridge/Marye's Mill (Site 44SP0178), Block 49 (Site 44SP0688), and Block 48 (Site 44SP0687)

- C2.6.1 – Archaeological data recovery at the portions of each site to be impacted by the Project
- C2.6.2 – Scholarly article discussing the historical and archaeological importance of these three sites
- C2.6.3 – Lecture presented to the general public on the history and archaeology of the three sites
- C2.6.4 – Museum display in new Fredericksburg passenger station to highlight the sites and showcase artifacts retrieved during data recovery
- C2.6.5 – Interpretive sign to be placed within or near Fredericksburg passenger station describing the archaeology of the area
- C2.7 ■ Fredericksburg Historic District (111-0132)
 - C2.7.1 – Design review of new parking deck and passenger station to assure historic district compatibility
 - C2.7.2 – Development of historic context on the evolution of the rail system in downtown Fredericksburg
 - C2.7.3 – Lecture for the general public on the results of the contextual study on the evolution of the railroad in Fredericksburg
 - C2.7.4 – Abbreviated narrative for use in developing a webpage on the history of the railroad in Fredericksburg, as well as details of the Project
- C2.8 ■ Earthwork/Jackson's Earthwork (Site 44SP0468)
 - C2.8.1 – Archaeological data recovery at the portion of the site to be impacted by the Project
 - C2.8.2 – Installation of interpretive sign on archaeology and camp life in a location deemed appropriate by NPS-Fredericksburg
 - C2.8.3 – Scholarly article discussing the historical and archaeological importance of the site
- C2.9 ■ Doswell Historic District (042-5448)
 - C2.9.1 – National Register of Historic Places (NRHP) nomination form for the historic district
 - C2.9.2 – Virginia state historical highway marker on the Doswell Historic District
 - C2.9.3 – Abbreviated narrative for use in developing a webpage on the history of Doswell, as well as details of the Project
- C2.10 ■ Doswell Depot and Tower (042-0093)
 - C2.10.1 – Historic American Building Survey (HABS) documentation of the tower to include measured drawings, large-format photography, archival research, and production of a HABS report
 - C2.10.2 – Move tower from limits of disturbance to new site adjacent to tracks but outside Project limits
 - C2.10.3 – Interpretive sign on the history of the resource to be placed within or near depot or tower

- C2.11
 - Berkleytown Historic District (166-5073)
 - C2.11.1 – Design review of new road structure (Vaughan Road) to assure historic district compatibility
 - C2.11.2 – Oral histories of two individuals with long tenure living or working in district
 - C2.11.3 – NRHP nomination form for the historic district
 - C2.11.4 – Create text for historic walking tour of district in consultation with Town of Ashland and Ashland Museum
 - C2.11.5 – Virginia state historical highway marker on the Berkleytown Historic District
- C2.12
 - Laurel Industrial School Historic District (043-0292) and Main Building/Robert Styles Building (043-0292-0001)
 - C2.12.1 – Design review of new road structure (Hungary Road) to assure historic district compatibility
 - C2.12.2 – Historic context on late-nineteenth/early-twentieth century reform schools in Central Virginia
 - C2.12.3 – Series of georeferenced, GIS-based overlays to illustrate the evolution of the landscape and road system in this area
 - C2.12.4 – Interpretive sign to be placed within or near Main Building/Robert Styles Building on the history of the resource
- C2.13
 - Shockoe Valley & Tobacco Row Historic District (127-0344)
 - C2.13.1 – Design review of platform and other station modifications to assure historic district compatibility
 - C2.13.2 – Development of historic context on the association of the slave trade and the RF&P railroad/the downtown Richmond segment of the Virginia Central Railroad and other precursors of the Chesapeake and Ohio/Seaboard Railroad
 - C2.13.3 – Lecture presented to the general public on the association of the slave trade and the RF&P railroad/the downtown Richmond segment of the Virginia Central Railroad and other precursors of the Chesapeake and Ohio/Seaboard Railroad
 - C2.13.4 – Work with City of Richmond and others to create boundaries for a potential slave trade-related historic district in Shockoe Bottom
 - C2.13.5 – Fabrication and installation of a Virginia state historical highway marker documenting the slave trade and nearby associated sites
- C2.14
 - Main Street Station Parking Lot/Railroad (Site 44HE1098), Railroad/Warehouse (Site 44HE1097), and Warehouse (Site 44HE1094)
 - C2.14.1 – Archaeological data recovery at the portions of each site to be impacted by the Project
 - C2.14.2 – Scholarly article discussing the historical and archaeological importance of these four sites

- C2.14.3 – Lecture presented to the general public on the history and archaeology of the four sites
- C2.14.4 – Interpretive sign describing the postbellum and 20th century history and archaeology of the area to be placed within or near Main Street Station
- C2.15
 - Main Street Station and Trainshed (127-0172)
- C2.15.1 – Design review of platform modifications to assure resource compatibility
- C2.15.2 – Development of historic context on the evolution of the rail system in downtown Richmond
- C2.15.3 – Creation of webpage documenting the evolution of the rail system in downtown Richmond
- C2.16
 - Seaboard Air Line Railroad Corridor (127-6271)
- C2.16.1 – Design review of modifications to contributing elements to the district to assure resource compatibility
- C2.16.2 – Development of historic context on railroad depots and associated facilities along the Seaboard Air Line Railroad in Virginia
- C2.16.3 – Document stations and towers that are contributing elements to the Seaboard Air Line Railroad that have not been previously recorded with the Virginia SHPO
- C3 As part of the NEPA process but outside of Section 106, DRPT, in consultation with FRA and the DHR, have committed to the following stipulations regarding the Grave Yard for Free People of Color and Slaves (44HE1203) in Richmond:
 - C3.1 – Completion of a landscape analysis of site 44HE1203 and surrounding area to understand the chronology of area development, including revisiting site boundaries and NRHP eligibility
 - C3.2 – Archaeological testing within the final limits of disturbance in the area of site 44HE1203 to examine the subsurface integrity and ascertain the potential for intact burials
 - C3.3 – Archaeological monitoring by a Secretary of the Interior-qualified archaeologist during all DC2RVA construction-related ground disturbing activities in this area to assure that no unanticipated/undiscovered archaeological or burial remains are encountered during ground-disturbing construction

D. DESIGN REQUIREMENTS

MAINTENANCE OF TRAFFIC/GRADE CROSSINGS

- D1 Detailed traffic control plans to minimize construction impacts will be developed as part of future phases of design.
- D2 Access will be maintained to all properties, including residential properties, during construction and will be coordinated with First Responders.
- D3 The specific dynamic crossing safety technology to control exit gates (such as embedded loops or radar) will be determined during future design phases of the Project and is subject to FRA approval at the time of that design.

- D4 For private at-grade crossings, DRPT will coordinate with CSXT and property owners to review or confirm means of access to each property, including specific features of locking gates at each crossing identified for such treatment, during future phases of design. At-grade crossing treatments are subject to FRA approval at the time of that design.

PEDESTRIAN/BICYCLE FACILITIES

- D5 DRPT will continue to work with NPS throughout future phases of design and will maintain trail connectivity and functionality throughout Project construction activities that affect the Mount Vernon Trail.
- D6 The DC2RVA Project will address and improve, as necessary, bike/pedestrian safety warning devices at all public crossings along the DC2RVA rail corridor, in keeping with the Project's Basis of Design, ADA requirements, and applicable FRA, Amtrak, CSXT, and VDOT safety standards, as well as local agencies' multimodal plans so as not to preclude any planned connections.

BRIDGE DESIGN

- D7 Future phases of design of major water crossings will at a minimum, match the existing horizontal and vertical openings of the existing crossings. Construction phasing will address impacts to recreational uses.
- D8 DRPT will coordinate with the Virginia Department of Conservation and Recreation (VDCR) regarding bridge design at scenic river crossings.
- D9 DRPT will coordinate with Prince William County on the design and aesthetic features of the Occoquan River and Neabsco Creek rail bridges.
- D10 DRPT will coordinate with the City of Fredericksburg on the design and aesthetic features of the Rappahannock River rail bridge.
- D11 DRPT will coordinate with the City of Richmond on the design and aesthetic features of the James River rail bridge.

UTILITIES

- D12 DRPT will coordinate with local utilities to identify potential impacts to public water distribution systems or sanitary sewage collection systems during future phases of design.
- D13 DRPT will inform local communities regarding utility impacts and will develop appropriate measures to minimize or mitigate impacts to the community.
- D14 DRPT will coordinate with utility owners, including Dominion Virginia Power, during future phases of design to identify potential conflicts with utilities outside of CSXT right-of-way and to coordinate the location of planned utilities outside of CSXT right-of-way to reduce or eliminate potential future conflicts.
- D15 DRPT will submit an application to the local health department(s) to relocate any onsite sewage systems that may be impacted by construction.

SUSTAINABILITY

- D16 DRPT will consider energy, environmental, and sustainability concepts listed in the LEED Green Building Rating System for facilities, to the extent practicable.

E. RIGHT-OF-WAY ACQUISITION

- E1 Details of the construction easements and restoration plans will be developed in coordination with public and private landowners during future phases of design.
- E2 The acquisition of right-of-way and the relocation of displaced persons and businesses will be performed by the Virginia Department of Transportation (Right-of-Way Administration office) and conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and 24 Virginia Administrative Code (VAC) 30-41.

F. SUPPLEMENTAL CONSIDERATIONS

- F1 If during future phases of design, the Project's design or impacts exceed the NEPA commitments established in this Final EIS or the ROD, then DRPT will re-evaluate the design and/or the NEPA documentation.
- F2 Potential impacts to environmental resources as identified in this Final EIS will be reconfirmed as part of future phases of design and permitting.