



COUNCIL OF THE DISTRICT OF COLUMBIA  
WASHINGTON, D.C. 20004

July 24, 2014

Matthew Brown, Acting Director  
District Department of Transportation  
55 M Street SE, Suite 400  
Washington, DC 20003

Dear Mr. Brown:

We write regarding the CSX Virginia Avenue Tunnel expansion project.

As you know, the District Department of Transportation (DDOT) is responsible for managing and permitting work for public space, including the right-of-way beneath Virginia Avenue needed by CSX to complete this project. A Memorandum of Agreement (MOA) signed by DDOT and CSX was attached to the Final Environmental Impact Statement (FEIS) for the tunnel project in 2010 in which DDOT promised to “expedite approvals of the required public space permits for the Virginia Avenue Tunnel Expansion Project” and send letters and grant applications to the U.S. Department of Transportation in support of the project. This language of the 2010 agreement suggests that the outcome of the FEIS issued in 2014 was predetermined. While the FEIS purports to consider a variety of alternatives, including a “no build option,” a promise to provide permits as early as 2010 suggests that the “no build” option was never seriously considered. Please explain under what circumstances DDOT entered into the 2010 MOA, whether a “no build” option was ever under consideration, and whether DDOT gave full consideration to all proposed alternatives.

We also request that DDOT delay the issuance of any permits for this project until September 15, 2014 in order for the Council to continue oversight on this issue. If necessary to do this, then we request that DDOT delay its part in the issuance of a Record of Decision for the project until September 15<sup>th</sup>. The Committee of the Whole and Committee on Transportation and the Environment are planning a hearing on the Virginia Avenue Tunnel project on August 26<sup>th</sup>. Given the substantial public interest, and the inability of DDOT to provide testimony before the Committee of the Whole at its April 30, 2014 hearing related to this project, it is imperative that the Council provide the public with additional opportunity to raise questions and concerns surrounding the Virginia Avenue Tunnel project in a forum where DDOT can provide answers prior to DDOT’s final action on this project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Phil Mendelson".

Phil Mendelson  
Chairman

A handwritten signature in blue ink, appearing to read "Mary M. Cheh".

Mary M. Cheh  
Chairperson, Committee on  
Transportation and the Environment

PM/ec

