



is currently under construction. Phase II of the project, which included the restoration of the marsh, has not been approved at this time through the permitting process with the Virginia Marine Resources Commission (VMRC). Consultation between the NPS and VMRC continues and the results of such consultation will have a bearing on the final design for any proposed wetlands restoration work at Dyke Marsh. Because of the uncertainty associated with Phase II of Dyke Marsh, according to NPS the project is not currently suitable as designated mitigation for the Project.

When infrastructure or other capital projects impacts NPS property or property interests, NPS evaluates wetlands within the NPS National Capital Region to identify a viable project with similar wetlands types (emergent, forest wetlands, etc.) and enough acreage to carry out the necessary mitigation. To be appropriate for mitigation for any project, the mitigation site must be of sufficient size, must be of similar wetland types and must be a viable project. At NPS's request, the Wetland Mitigation Agreement is proposed to be revised to remove Dyke Marsh as the stated location of the mitigation and to add language allowing NPS to determine a mitigation location, based on their established criteria, which will meet the mitigation requirements.

Many members of the community have reasonably expressed concern regarding the redirection of funds away from the Dyke Marsh project, and the possibility that these funds may be used in different areas of the National Capital Region (NCR). While staff shares these concerns and would prefer these mitigation funds to be used as close as possible to Alexandria, NPS has indicated that these mitigation funds will need to be utilized in an area within the NCR region which needs mitigation and which meets wetland type, cost and timing criteria and constraints. Hence, the 2016 Agreement must be amended per NPS request in order to avoid impacts to the overall project schedule. Per the Environmental Impact Statement for the Project, prior to construction activities being performed that will impact NPS wetlands, the Agreement must be executed, and funds committed.

**FISCAL IMPACT:** The Agreement established that the total temporary and permanent impacts to wetlands would be compensated at no less than a 1:1 ratio at Dyke Marsh, and that the City of Alexandria would provide funds for the compensation for the actual cost of the mitigation up to \$1 million per impacted acre (up to \$4.37 million). If the cost to the NPS for construction of the mitigation is less than \$1 million per acre, or if the actual impacts due to the project are less than 4.37 acres, the City will pay the actual cost of the mitigation for the impacted area.

**ATTACHMENTS:**

1. Agreement Regarding Wetland Mitigation for the Potomac Yard Metro Between the National Park Service and the City of Alexandria.
2. Executed Agreement Regarding Wetland Mitigation for the Potomac Yard Metro Between the National Park Service and the City of Alexandria

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