

Section 106 Correspondence



U.S. Department
of Transportation

**Federal Highway
Administration**

District of Columbia Division

November 4, 2011

1990 K Street, NW
Suite 510
Washington, DC 20006
202-219-3570

In Reply Refer To: HDA-DC

Mr. David Maloney
State Historic Preservation Officer
District of Columbia Historic Preservation Office
1100 4th Street, NW, Suite E650
Washington, DC 20024

Dear Mr. Maloney:

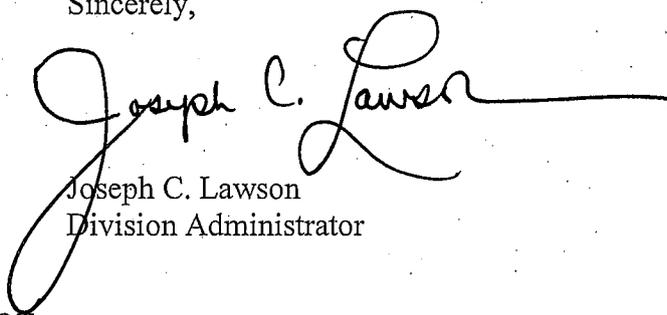
On May 8, 2011, FHWA agreed to Lead Agency status regarding the CSX Transportation, Inc. (CSXT) project regarding proposed changes to the Virginia Avenue Tunnel. Based on information provided from CSXT to date, it is anticipated the proposed reconstruction of the Virginia Avenue Tunnel will require closure of an I-295 access point (ramp) on 8th Street, SE and temporary usage of I-295 air/subsurface rights associated with that ramp.

It has been determined that the National Environmental Policy Act classification of action required for the CSXT project is an Environmental Assessment. At the time of lead agency acceptance by (FHWA), the effects of the CSXT project on historic resources were not known; however, after further consideration of the project and the anticipated area of potential effects (APE), FHWA has determined that Section 106 of the National Historic Preservation Act is applicable. The project area consist of Historic Capitol Hill, the L'Enfant Plan of the city of Washington (each National Register listed), the Virginia Avenue Tunnel and Saint Paul's African Union Methodist Church which are eligible for the National Register. In an effort to streamline the Section 106 process for this federalized project, FHWA is requesting initiation of early consultation to resolve effects to the Section 106 resources. We are also requesting your input on the list of potential consulting parties to be developed.

Once the construction phase begins, it is anticipated there will be effects to historic resources; therefore, FHWA seeks the involvement of all stakeholders in the findings and determinations made during the Section 106 process regarding the Virginia Avenue Tunnel reconstruction. A map of the APE and a project area map are enclosed.

If you have any questions or require additional information, please contact either Michael Hicks of my staff at (202) 219-3513 or by email at Michael.Hicks@dot.gov; or Faisal Hamed, DDOT at (202) 671-2326 or by email at Faisal.Hameed@dc.gov. Thank you for your cooperation and interest in this project.

Sincerely,

A handwritten signature in black ink that reads "Joseph C. Lawson". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Joseph C. Lawson
Division Administrator

cc: Faisal Hameed, PPSA, DDOT
Andrew Lewis, DC SHPO
Keith Brinker, CSX

GOVERNMENT OF THE DISTRICT OF COLUMBIA
STATE HISTORIC PRESERVATION OFFICER



November 22, 2011

Mr. Joseph Lawson, Division Administrator
U.S. Department of Transportation
Federal Highway Administration
District of Columbia Division
1990 K Street, NW, Suite 510
Washington, DC 20006

RE: Initiation of Section 106: CSXT New Jersey Avenue Track Lowering and Virginia Avenue Tunnel Replacement; "National Gateway Initiative" - CSX Transportation Inc., Washington, DC

Dear Mr. Lawson:

Thank you for formally initiating the Section 106 review process for the above-referenced undertaking with the DC State Historic Preservation Office (DC SHPO). We are writing to provide our initial comments regarding effects on historic properties.

As you are aware, we wrote to the District Department of Transportation (DDOT) and the Federal Highway Administration (FHWA) on September 8, 2011 to summarize our informal coordination with CSX Transportation Inc., to date, and to provide copies of our prior correspondence.

In response to your recent letter, we have reviewed the draft Area of Potential Effects (APE) and concur that it is generally appropriate to take into account the effects of the undertaking as we currently understand it. Revisions to the APE may be necessary as we learn more about the proposed scope of work and the manner in which it will be carried out.

With regard to potential consulting parties, we understand that FHWA and DDOT are preparing a draft list of potential parties but we recommend that the following groups be notified and invited to participate in the consultation:

- Barracks Row MainStreet
- St. Paul's African Union Methodist Church
- The affected Advisory Neighborhood Commission(s)
- The Committee of 100 on the Federal City
- The U.S. Marine Corps
- The U.S. Navy

Property owners and other organizations and individuals in the immediate project area should also be contacted to determine whether they have any particular interest in effects on historic properties. We request to be notified of the groups that do express an interest in participating in the consultation. We note that the Capitol Hill Restoration Society has already requested consulting party status.

In order to move forward with the Section 106 process, we will require additional information about the scope of the project – especially as it relates to the Virginia Avenue Tunnel – so that we can begin to identify the potential direct and indirect effects of the undertaking. We understand that an Environmental Assessment (EA) will be prepared for NEPA compliance but a separate summary that specifically addresses the effects of the undertaking on historic properties would be helpful, if possible.

Mr. Joseph Lawson, Division Administrator
CSXT New Jersey Avenue Track Lowering and Virginia Avenue Tunnel Replacement; "National Gateway Initiative" CSX Transportation
November 22, 2011
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With regards to archaeology, two parcels (Reservations 122 and 126) within the proposed APE were surveyed in 2010 by John Milner & Associates, Inc., and no archaeological resources were identified. The DC SHPO concurred with the results of that study and a final copy of the report is now on file here (DC SHPO Archaeological Report # 478). Additional investigations may be needed in other parts of the APE and any survey areas will be determined in ongoing Section 106 consultation as the project scope and detailed plans are developed.

An additional archaeological concern is the effect(s) of the project on two sites within former square 999, identified during a survey for the 11th St. Bridges project. The proposed APE appears to cross these two sites, 51SE057 and 51SE062, but it is unclear exactly what level of activity is planned for them. These two sites will also be discussed during the Section 106 consultations for the proposed project.

We look forward to consulting with all parties to identify effects on historic properties and to resolve any adverse effects. If you should have any questions or comments regarding this matter, please contact me at andrew.lewis@dc.gov or 202-442-8841. Questions and comments relating to archaeology should be directed to Ruth Troccoli at ruth.troccoli@dc.gov or 202-442-8836.

Sincerely,



C. Andrew Lewis
Senior Historic Preservation Specialist
DC State Historic Preservation Office

09-100

cc: Elizabeth Purcell, CHRS
Keith Brinker, CSX
Mike Hicks, FHWA
Stephen Plano, Parsons Brinckerhoff

CAPITOL HILL RESTORATION SOCIETY

P.O. Box 15264 Washington, DC 202.543.0425

November 19, 2012

Mr. Joseph C. Lawson
Administrator, DC Division
Federal Highway Administration
1990 K Street, NW, Suite 510
Washington, DC 20006-1103

Subject: Section 106 Review of the Virginia Avenue Tunnel Project

Dear Mr. Lawson:

The Capitol Hill Restoration Society (CHRS) appreciates the opportunity to participate as a Consulting Party in the Section 106 review of the Virginia Avenue Tunnel Project (VAT), which would cross the Capitol Hill Historic District and could have serious effects on numerous historic properties. The meetings this year with Consulting Parties have been very helpful and informative, and CHRS would like to offer some comments based on information presented at the most recent of these meetings and at the public meeting in late September.

L'Enfant Plan and the Capitol Hill Historic District

CHRS agrees with the preliminary assessment that the project will have adverse effects on both the L'Enfant Plan and the Capitol Hill Historic District. For example, Virginia Avenue Park, which is a contributing property in both the Plan and the Historic District, will not only suffer visual effects during construction, but it would also be physically torn up during construction in all of the Build Alternatives and used for an open runaround track in Alternative 2. We also remain concerned about effects on Garfield Park, which is adjacent to the tunnel's east end, as well as on many contributing buildings.

We urge that those engaged in assessing effects look beyond visual effects, which seemed to be emphasized in the Preliminary Effect Assessment, and give further consideration to other effects, including vibrations both from trains running in open trenches and from heavy equipment, trucks, demolition, and earthmoving. In particular, we are concerned that Alternative 3 would involve a new permanent track alignment that could be as much as 20 feet farther south than the present tunnel, putting heavy trains even closer to fragile historic structures south of the freeway. Similarly, the temporary open runaround track needed for Alternative 2 would be closer to those fragile buildings when compared to Alternative 4, potentially subjecting them to substantial vibrations from moving trains unbuffered by an enclosed tunnel. Since no one staffing the breakout sessions at the last public meeting could tell us how close tracks would be to historic structures in the Build Alternatives, it would be very helpful for the DEIS to provide fairly precise information regarding the proximity of both runaround and permanent tracks to historic properties so measures to avoid, minimize, and mitigate adverse effects can be evaluated more knowledgeably.

CHRS is not inclined to assume that there would be no effects on the Washington & Georgetown Railroad Car House, which is a contributing property in the Historic District as well as being individually listed. Again, visibility is not the only concern here, and other effects such as vibrations need to be considered as well. In addition, if other possible impacts from noise, traffic, and construction activity were to affect the attractiveness of this building for adaptive reuse or postpone its redevelopment and thus lead to deferred maintenance or neglect, we would consider that to have an adverse effect.

We agree with Mr. Andrew Lewis of the DC Historic Preservation Office (HPO) that traffic issues affect the settings and use of historic properties and should be considered more carefully as well. The effects of traffic diversions, for instance, should be thought about in terms of whether they could direct heavier vehicles onto narrow residential streets than usual, which in turn could lead to damaging vibrations. Effects of traffic and construction activity on and around 8th Street should also receive careful scrutiny for their potential to disrupt pedestrian and vehicular access to the full length of Barracks Row Main Street businesses. Especially since this project would involve earthmoving and trenching across a historic district in close proximity to fragile historic structures, effects and their avoidance and minimization need to be thoughtfully studied.

Other Historic Properties

Virginia Avenue Tunnel – This clearly will be adversely affected if the project goes forward. It is not too soon to begin the tunnel's thorough recordation to Historic American Engineering Record standards, which should be undertaken in any case, if it hasn't been conducted already, due to its historic significance.

Archeological Site(s) – Since the Belgian Block Paving (51SE062) found during 11th Street Bridge construction could extend into the VAT project site, a presumptive adverse effect may be appropriate for this eligible site. For the M Street Midden, there doesn't appear to be enough information available to Consulting Parties to know whether it's eligible.

Navy Yard, Its East Extension, and Contributing Structures – CHRS is not in a position to evaluate the appropriateness of the preliminary no effect assessment for these properties and defers to the Navy's views.

St. Paul AUMP Church – CHRS does not agree with the preliminary no adverse effect assessment regarding the church. This historic structure is perilously close to the project site, and it stands to be adversely affected by vibrations and earthmoving activities as much as any historic structure within the historic district. Just because a building is eligible for its association with historic events does not mean that threats to its physical integrity can be ignored or dismissed. We believe it would be a mistake to assume this structure could not be damaged by vibrations or subsidence and therefore ask that an adverse effect finding be seriously considered.

Marine Barracks and Commandant's House NHL – CHRS is not in the best position to evaluate the appropriateness of the preliminary no effect assessment for these

properties. However, though effects on the Commandant's House appear unlikely, we question whether it's really feasible to confidently rule out every possible adverse effect on the southernmost of these structures at least. At the last meeting with Consulting Parties, DDOT stated that it would go for the "higher" call in the event of doubts or temporary adverse effects. We suggest that DDOT and FHWA consult very closely with the Marine Corps, Navy, and SHPO in exploring and anticipating all possible adverse effects to the Marine Barracks.

CHRS looks forward to additional meetings with Consulting Parties and further information about the results of the various tests and analyses that are being conducted, including those involving noise, traffic, vibrations, and long-range and cumulative effects. The ongoing exchange of information and views among the involved agencies, project proponents, and concerned organizations and individuals has been very productive.

Sincerely,

Shauna Holmes

Shauna Holmes
Chair, Historic Preservation Committee

Cc: David Maloney, DC SHPO
Andrew Lewis, DC SHPO
Michael Hicks, FHWA-DC
Carol Legard, ACHP
Louise Brodnitz, ACHP
Faisal Hameed, DDOT
Chip Dobson, CSX
Steve Flippin, CSX
Thomas Luebke, CFA
Steve Plano, Parsons Brinckerhoff
Kirsten Oldenberg, ANC 6B
David W. Levy, NCPC
Steve Whitesell, NPS