



## **FINDING OF NO SIGNIFICANT IMPACT**

### **PENNSYLVANIA AVE.—POTOMAC AVE., S.E. INTERSECTION IMPROVEMENT PROJECT**

#### **Washington, District of Columbia**

The District Department of Transportation (DDOT), along with the Federal Highway Administration (FHWA), and in cooperation with the National Park Service (NPS), prepared an Environmental Assessment (EA) to examine alternative actions and environmental impacts associated with the proposed project to provide transportation improvements at the intersection of Pennsylvania Avenue SE and Potomac Avenue SE, in Washington, DC. The Pennsylvania Avenue SE and Potomac Avenue SE intersection includes NPS property, which consists of the adjacent roadway medians and triangle parcels. The proposed project includes transfers of NPS property to DDOT and DDOT right-of-way to the NPS. The net transfer will be approximately 11,920 square feet of property from the DDOT to NPS and approximately 11,541 square feet from the NPS to DDOT. The purpose of the Pennsylvania and Potomac Avenues SE Intersection Improvement Project is to improve safety for pedestrians, pedestrian connections to transit, and traffic circulation.

The EA was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), the regulations of the Council on Environmental Quality (CEQ) for implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508), FHWA Technical Advisory (T6640.8a), Section 106 of the National Historic Preservation Act (NHPA), and NPS Director's Order (DO) 12, Conservation Planning, Environmental Impact Analysis, and Decision-making. The statements and conclusions reached in this finding of no significant impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file. To the extent necessary, relevant sections of the EA are incorporated by reference below.

After consultation with the DDOT and FHWA, review of the EA and other supporting documentation, the NPS, in accordance with 43 CFR 46.320, is adopting this EA and making its decision to allow the DDOT and FHWA to carry out the improvement to the Pennsylvania and Potomac Avenues, SE intersection and the transfer of land between DDOT and NPS to facilitate the reconfiguration of the intersection. The EA fulfills the requirements of NEPA and applicable regulations, and it meets the policies set forth in the NPS's Director's Order#12, Conservation Planning, Environmental Impact Analysis and Decision Making, and accompanying Handbook.

#### **SELECTED ALTERNATIVE**

Based on the analysis presented in the EA, NPS agrees with FHWA and DDOT and their decision to select Build Alternative 4 – Ellipse Park for implementation (See Page 2-10 of the EA for detailed description). The design resembles the reservation shapes illustrated in the L'Enfant Plan and also creates a centralized park space. The Ellipse will not have sharp turns, which allows for narrower travel lanes and more park space. Inside the Ellipse, Pennsylvania Avenue SE will have only three travel lanes. Outside the Ellipse, the design will retain the existing lane configuration on Pennsylvania Avenue SE – three travel lanes and one parking lane in each direction.

The selected alternative adds several crosswalks, providing more direct and safer paths for pedestrians. It will also include enhanced landscaping and hardscaping within the centralized park space. Two of the five existing bus stops will be relocated, and one (along Pennsylvania Avenue SE near the Metrorail station) will be removed. The limits of the proposed roadway are conservative; the proposed sidewalk and landscape improvements will avoid existing buildings, retaining walls, and other structures, and remain within the existing right-of-way.

The federal action under consideration by the NPS is the transfer of jurisdiction of land between DDOT and NPS within Reservations 53, 53A, 54, 54A, 54C, 54D, 54E, and 54F to DDOT required for implementation of the overall project. In accordance with 40 U.S.C. 8124(a). The selected alternative will

create five public spaces totaling 35,170 square feet. There will be an improved ellipse-shaped Pennsylvania Avenue SE median and four improved street corners. This alternative will create an additional 18,270 square feet of public space compared to existing conditions. Under Alternative 4, DDOT will receive 11,541 square feet of land from NPS, and NPS will receive 11,920 square feet of land from DDOT. After the transfer, NPS' total land coverage in the project area will total 69,885 square feet, a net increase of 379 square feet.

### **RATIONAL FOR DECISION**

Build Alternative 4 – Ellipse Park was selected because it will provide better transportation improvements at the intersection of Pennsylvania and Potomac Avenues, S.E., in Washington, DC. The design is sympathetic to the L'Enfant Plan and creates a centralized park space. Alternative 4 meets the need for the project and improve pedestrian and vehicular safety, create a usable park space, improve multimodal connectivity and access, and support improved land use and community needs.

### **MITIGATION MEASURES**

The NPS places a strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. Mitigation measures outlined in the EA are presented as Appendix A.

### **FINDING OF NO SIGNIFICANT IMPACT**

The impacts analysis was conducted for the Preferred Alternative (Ellipse Park) and is included in Section 4.0 of the Final EA. As documented in the EA, the selected alternative has the potential for both beneficial and adverse impacts on natural and cultural resources; however, the NPS has determined that the selected alternative can be implemented without significant adverse effects, as defined in 40 CFR § 1508.27.

**Biological Resources:** Short term adverse impacts will occur during construction from removal of street trees and other landscaping. Once construction is complete, appropriate vegetation will be incorporated into the landscaping design.

**Historic Structures and Cultural Landscapes:** Selected Alternative will have indirect impacts on the Capitol Hill Historic District, Barney Circle Historic District, Pennsylvania Avenue, SE cultural landscape and the Capitol Hill Southeast Survey Area. Changes to traffic patterns, traffic noise levels, and visual effects from replacing the central median with a larger, central open space, will be minimal. The Selected Alternative will not alter the character-defining features of the Capitol Hill Southeast Survey Area, including the collection of Harry Wardman buildings. The districts will retain integrity of design, materials, workmanship, setting, feeling, association, and location.

Implementation will impact two contributing elements of the L'Enfant Plan (Pennsylvania Avenue, Potomac Avenue, and reservations/parklets), and will alter the Pennsylvania Avenue SE alignment by creating the ellipse-shaped open space in the center of the intersection. The design was modeled primarily on reservation shapes for avenue intersections as illustrated in L'Enfant's Plan. This design is also similar to the rectangle park depicted at this intersection in the 1915 and 1921 Baist Real Estate Atlas of Surveys of Washington, DC. As such, the realignment of Pennsylvania Avenue SE is not without precedent and is not introducing new design elements that have not been used previously at this intersection.

Transportation circulation and orthogonal streets are some of the character-defining features of the L'Enfant Plan, along with the vistas and the parks, open spaces, and monuments. The design of the proposed intersection is in keeping with a prior design from the early 20th century. Sightlines to the Capitol are an integral part of the L'Enfant Plan and they will be altered along the Pennsylvania Avenue SE alignment under this alternative. The view of the Capitol will be maintained from the median, but the view while driving around the ellipse will not be direct. While the design and the spatial organization of this current intersection will be altered, the overall integrity of design of the entire historic property (the L'Enfant Plan) will be retained.

Impacts to contributing elements of the L'Enfant Plan (Pennsylvania Avenue, Potomac Avenue, and parklets). Under Section 106 of the National Historical Preservation Act (NHPA), FHWA and NPS made the determination of No Adverse Effect to historic properties, with concurrence from the District of Columbia State Historic Preservation Office (Appendix C).

**CONCLUSION**

As described above, the selected alternative and option does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement (EIS). The selected alternative will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA.

Based on the foregoing, it has been determined that an EIS is not required for this project and, thus, will not be prepared.

**Recommended:**

Tara D. Morrison  
Superintendent  
National Capital Parks – East  
Region 1 – National Capital Area

4/27/2020

Date

**Approved:**

Lisa A. Mendelson-Ielmini  
Acting Director  
Region 1 - National Capital Area

4/30/2020

Date

Appendix A: Mitigation Measures

Appendix B: Non-impairment determination

Appendix C: Section 106 Coordination

## APPENDIX A: MITIGATION MEASURES

The following mitigation measures will be implemented to mitigate or minimize impacts of the Preferred Alternative.

- Landscape plans will be developed in coordination with the NPS and DDOT's Urban Forestry Administration (UFA) to replace the trees and other landscaping removed during construction. The number and types of trees to be replaced and the configuration of landscaped areas will be determined during detailed design. The landscape plan will follow the National Capital Planning Commission (NCPD) tree replacement policy with a minimum one for one replacement ratio.
- Implementation of the erosion and sediment control plan will help to mitigate impacts to water quality during construction. Stormwater management plans will also be prepared to address long-term runoff and potential pollutant discharge into the Anacostia River watershed. LID methods will be used as possible to reduce stormwater runoff.
- Cultural resource monitoring will occur during construction for Inadvertent Discoveries.
- A Traffic Control Plan (TCP) will be prepared in accordance with DDOT Standard Specifications for Highways and Structures (DDOT, 2013c) and D.C. Temporary Traffic Control Manual (2006).
- During construction, any areas temporarily closed to pedestrians will be marked using signage and fences. Similarly, any vehicle detours will be clearly marked using signage.
- During construction activities, coordination with emergency services will occur to develop alternate routes and to keep the services informed of all road closures.
- Contractors will follow the procedures outlined in the DDOT Standard Specifications for Highways and Structures (DDOT, 2013c) relating to roadway construction activities.
- Construction noise impacts will be minimized by using BMPs, as necessary, to meet the requirements of the Washington, DC Noise Control Act.
- During final design and construction, DDOT will coordinate with Washington Metropolitan Area Transit (WMATA) Bus Planning (BPLN) to include the following elements into the project.
  - Allow for access for buses to access the kiss-and-ride/bus loop from the intersection of Pennsylvania Avenue as well as from 14th and G Street, SE.
  - Allow for recirculation of buses within the kiss-and-ride/bus loop (south on 14th to the station entrance, and north toward G Street).
  - Relocate the proposed bus stop from Jenkins Row to the eastern side of the intersection (1401 Pennsylvania Avenue SE).
  - Provide shelters with continuous electric power, seating, trashcans, and electronic real time bus arrival information signs at all bus stops.
  - Based on final design plans surrounding the Metro station, coordinate maintenance, real estate permit or land transfer needs with WMATA.
  - Work through WMATA's office of Joint Development and Adjacent Construction (JDAC) on review and approval of all construction on WMA TA property.
  - Allow for safe and accessible temporary bus stops during construction with adequate lane width and uninterrupted access to the Metrorail station entrance.



## APPENDIX B: NON-IMPAIRMENT DETERMINATION

By enacting the National Park Service (NPS) Organic Act of 1916 (Organic Act), Congress directed the US Department of Interior and the NPS to manage units “to conserve the scenery and the natural and historic objects and wildlife therein and to provide for the enjoyment of the same in such a manner and by such a means as will leave them unimpaired for the enjoyment of future generations” (54 USC 100101). Congress reiterated this mandate in the Redwood National Park Expansion Act of 1978 by stating that the NPS must conduct its actions in a manner that will ensure no “derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress” (16 USC 1a-1). NPS Management Policies 2006, Section 1.4 explains the prohibition on impairment of park resources and values:

*While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the National Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.*

The NPS has discretion to allow impacts on Park resources and values when necessary and appropriate to fulfill the purposes of a Park (NPS 2006 sec. 1.4.3). However, the NPS cannot allow an adverse impact that would constitute impairment of the affected resources and values (NPS 2006 sec 1.4.3). An action constitutes an impairment when its impacts “harm the integrity of Park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values” (NPS 2006 sec 1.4.5). To determine impairment, the NPS must evaluate “the particular resources and values that would be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts” (NPS 2006 sec 1.4.5).

This determination on impairment has been prepared for the selected alternative described in this Finding of No Significant Impact and is made for biologic resources and historic structures cultural landscapes. These resources are considered fundamental to National Capital Parks - East. An impairment determination is not made for community/visitor use and experience because impairment findings relate back to park resources and values, and these impact areas are not generally considered to be park resources or values according to the Organic Act and cannot be impaired in the same way that an action can impair park resources and values.

The project is in Southeast Washington, DC, at the intersection of Pennsylvania Avenue SE, Potomac Avenue SE, and 14th Street SE. The project limits are defined by G Street SE to the north, Ives Place SE to the south, 15th Street SE to the east, and 13th Street SE to the west. The lands in the median between the northwest and southeast bound lanes of Pennsylvania Avenue SE and in the two triangular areas located between the legs of Potomac Avenue SE on both sides of its intersection with Pennsylvania Avenue SE are owned by the United States of America, under the jurisdiction of the NPS. These reservations fall under the jurisdiction of the NPS National Capital Parks – East.

### CONCLUSION

The preferred alternative would not result in major, long-term adverse impacts on park resources. Therefore, the preferred alternative would result in no impairment of park resources.

## APPENDIX C: SECTION 106 COORDINATION

Sent via email



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**District of Columbia Division**

1990 K Street, NW  
Suite 510  
Washington, DC 20006-1103  
(202) 219-3570 - Office  
(202) 219-3545 - Fax  
[www.fhwa.dot.gov/dcddiv](http://www.fhwa.dot.gov/dcddiv)

AUG 15 2017

In Reply Refer To: HFO-DC

Mr. Andrew Lewis  
District of Columbia State Historic Preservation Office  
Office of Planning  
1100 4th Street, SW, Suite 650 East  
Washington, DC 20024

Dear Mr. Lewis:

Under the National Historic Preservation Act (NHPA) and in accordance with 36 CFR 800, the Federal Highway Administration formally initiated Section 106 consultation on May 10, 2013 for the undertaking identified as the Pennsylvania and Potomac Avenues SE Intersection Improvement Project. The Area of Potential Effects (APE) for the project was established in consultation with the District of Columbia State Historic Preservation Office (DCSHPO) and consulting parties in the spring of 2013 (see enclosed APE). A description of the undertaking; an "effect determination" for each property; and a "finding of effect" for the undertaking is provided via this letter.

**Ellipse Park**

The selected design for this undertaking is the *Ellipse Park Design* (concept enclosed). It resembles the reservation shapes illustrated in the *L'Enfant Plan for the City of Washington, D.C.* It creates a central, ellipse-shaped open park space. The ellipse does not have sharp turns, allowing for narrower travel lanes and more park space. The existing lane configuration on Pennsylvania Avenue, SE, would remain the same with three travel lanes and a parking lane inclusive of three travel lanes around the ellipse; however, there will be no parking lanes around the ellipse. The design includes several pedestrian crossings providing shorter more direct paths for pedestrians. A mid-block crosswalk for pedestrians crossing Pennsylvania Avenue, SE, would be added and would be aligned with 14th Street, SE. Because the shape of the ellipse reduces the need for wider lanes to accommodate the turning radii for buses, travel lanes would be 12 feet wide. A central public space would be created within the ellipse that would be enhanced with landscaping and hardscaping.

**Effects on Historic Properties**

The following table lists the identified historic properties within the APE and their National Register of Historic Places (NRHP) eligibility status.

### Identified Historic Properties within the APE

Historic Property	NRHP Eligibility
Barney Circle Historic District	Eligible
Capitol Hill Historic District	Listed
Capitol Hill Southeast Survey Area	Eligible
Congressional Cemetery	Listed, National Historic Landmark
L'Enfant Plan of the City of Washington, DC	Listed
U. S. Marine Corps Barracks and Commandant's House	Listed

### Archeological Resources

EAC Archaeology conducted archeological investigations of the APE of the direct impacts in 2009 to identify archeological resources and assess possible effects. Based on the historical development of the APE, EAC Archaeology found the landscape to have been highly fluid and unlikely to contain archeological resources from before the second decade of the 20th century. Although the APE may contain resources from the mid and late 20th century, these resources are considered too recent to be significant. The archeological investigations found no significant archeological resources in the direct impacts APE. These findings were submitted to the DCSHPO for review in September 2013. The exception is the possibility of historical roadway elements that may have been buried beneath newer surfaces. Monitoring for the possible discovery of these resources during construction is a recommended mitigation measure.

### Historic Built Environment Resources

The Pennsylvania Avenue, SE, median and other reservations in the intersection, currently under the jurisdiction of the National Park Service (NPS), would be acquired by DDOT for the proposed referenced improvements. Current DDOT right-of-way that would become part of the pedestrian walkway and landscaped areas would be transferred to the NPS. Under all alternatives, the NPS would receive more square footage than it would relinquish.

### Ellipse Park Effects

The Ellipse Park, would have no direct or indirect "effects" with regards to: visual; noise; vibration; or other "effects" to the Capitol Building; Marine Barracks and Commandant's House; Barney Circle Historic District; or Congressional Cemetery.



There would be indirect “effects” to the *Capitol Hill Historic District (CHHD)*; however, there are no direct “effects”. Traffic volume and traffic noise levels are not projected to change. The updated intersection would include reconfigured signalization and pedestrian walkways with an elliptical park at the center of the intersection that would be larger than the current median. The axis of the ellipse would be aligned with Pennsylvania Avenue. The viewsheds to and from the CHHD would remain substantially the same with the exception of the reconfigured central open space and landscape elements. The landscape and hardscape improvements would enhance the viewsheds. The improvements to the median and the roadway around the elliptical open area would not impact the features of the CHHD. The district would still convey the significance of the contributing buildings and street grid. The CHHD would retain: integrity of setting; feeling; association; location; design; workmanship; and materials. Subsequently, there would be “*No Adverse Effect*” to the CHHD from the Ellipse Park.

Similar to the CHHD, in the *Capitol Hill Southeast Survey Area (CHSSA)*, traffic volume and traffic noise levels are not projected to change. The updated intersection would include reconfigured signalization and pedestrian walkways with an elliptical park at the center of the intersection that would be larger than the current median. Beneficial effects include landscape and hardscape improvements and a safer intersection for pedestrians in the CHSSA. The viewshed within the CHSSA to and from this intersection would remain largely the same to the east and west; looking north and south to and from the reconfigured median, the view would be a larger central open space and cohesive landscape elements.

The alignment of Pennsylvania Avenue would be altered to go around the elliptical park. The “effects” from the reconfiguration of the Pennsylvania and Potomac Avenue SE intersection would not diminish the association of the neighborhood. The area would be improved by providing a greater area of open space that would accommodate more utilization. The landscape and hardscape enhancements would improve the aesthetics of the intersection within the CHSSA and encourage greater use of the open space by residents and visitors. The Ellipse Park would not alter the character-defining features of the neighborhood, including the collection of row houses associated with a local architect and developer. The CHSSA would retain: integrity of design; materials; workmanship; setting; feeling; association; and location. Subsequently, there would be “*No Adverse Effect*” to the CHSSA from the Ellipse Park.

Under the original 1791 L’Enfant Plan and throughout the 19th century, this intersection was open to three roadways and did not have a central median. However, during the early 20th century, the layout of this intersection was changed multiple times. The most recent redesign, taking place in the 1930’s, resulted in the current configuration of two parallel roadways, a central median, and two small triangle parks. The enclosed design for the Ellipse Park was modelled on reservation shapes for avenue intersections as illustrated in L’Enfant’s Plan and is also similar to the rectangle park depicted at this intersection in the 1915 and 1921 Baist’s Real Estate Atlas of Surveys of Washington, District of Columbia. The project improvements would remain within the existing right-of-way and within the original outer footprint of the L’Enfant-designed intersection. As such, the proposed reconfiguration of the Pennsylvania and Potomac Avenue SE intersection is based on historical precedents and uses design elements drawn from the L’Enfant Plan.

Currently, the view toward the Capitol Building from the median is obscured by trees planted in the median. The Capitol Building is visible from the Pennsylvania Avenue, SE, alignment and from the outer sidewalks which are partially obscured by trees from the median. The design would have plantings in the elliptical park area that would obscure a clear, direct view of the Capitol. The view from the Pennsylvania Avenue SE alignment would only be changed when going around the ellipse. It would change the angle of the view to the Capitol; however, the Capitol would not be obscured. Additionally, the connection of the north and south portions of the 14th Street, SE, alignment would be visually reunified by the more prominent central pedestrian crossing.

The design of the intersection for the Ellipse Park is consistent with a prior design from the early 20th century, and is based on L'Enfant's reservation shapes—alignments and vistas would not be diminished. The Ellipse Park improves parks and open spaces by adding a larger central open space. The integrity of: setting; feeling; workmanship; location; and association of the L'Enfant Plan would be retained. The materials of the original plan do not retain integrity because they have been altered multiple times throughout history. Therefore, there would be "*No Adverse Effect*" to the L'Enfant Plan from the Ellipse Park.

Based on the analysis of the information provided, the *Pennsylvania and Potomac Avenues, SE, Intersection Improvement Project* would have "*No Adverse Effect*" on historic properties.

Your concurrence with this determination is requested post your review of the information provided. Please provide a written response within 30 days of receipt of this letter. If you have any questions or concerns, you may contact either me at 202.493.7023 (email at [michael.hicks@dot.gov](mailto:michael.hicks@dot.gov)); Ravindra Ganvir, (DDOT) at [ravindra.ganvir@dc.gov](mailto:ravindra.ganvir@dc.gov) or Stephen Plano, (DDOT) at [stephen.plano@dc.gov](mailto:stephen.plano@dc.gov).

Sincerely,



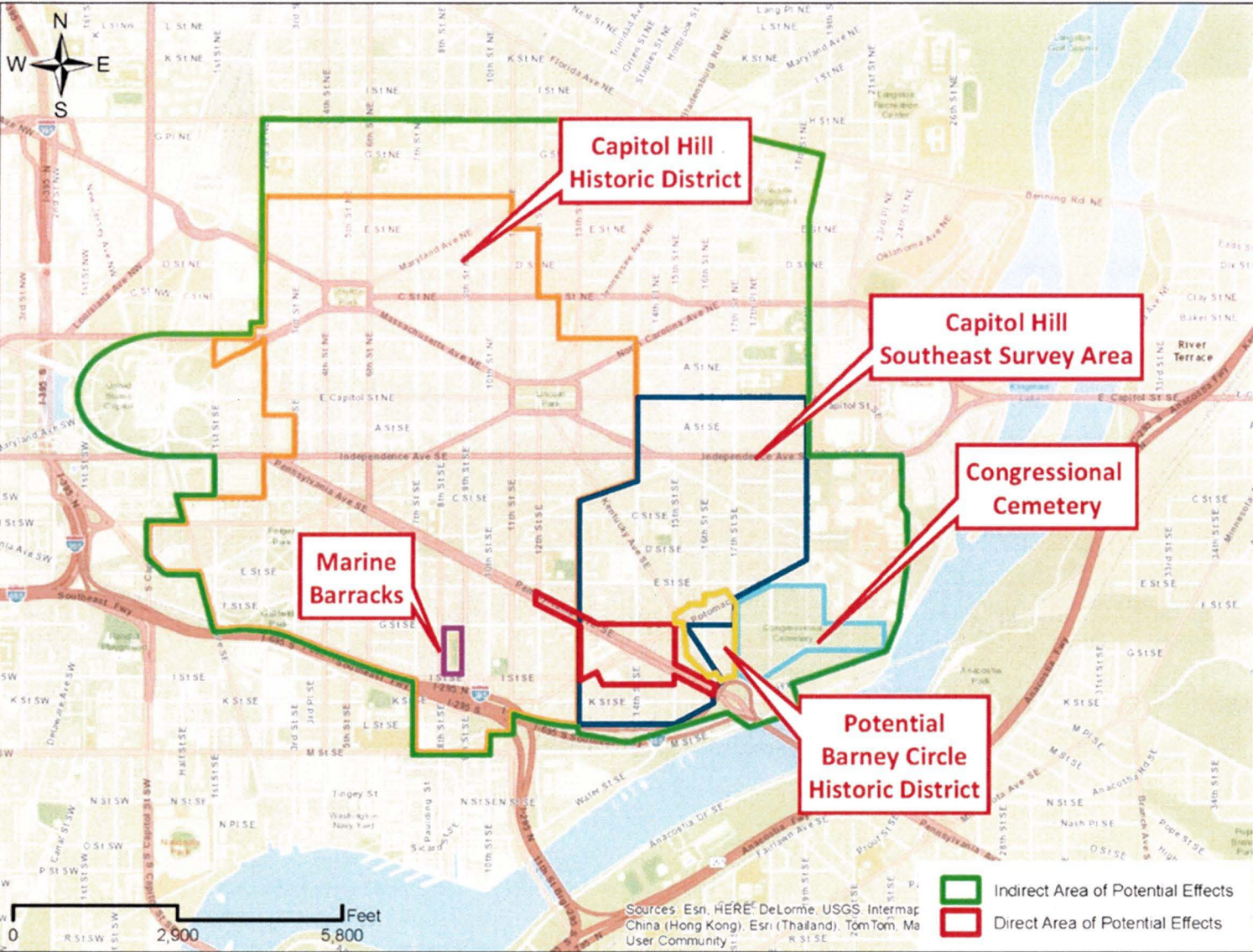
Michael Hicks  
Environmental Manager/Engineer

Cc: Ravindra Ganvir (DDOT)  
Stephen Plano, (DDOT)  
Carolyn Washburn (CH2M Hill) [Carolyn.Washburn@CH2M.com](mailto:Carolyn.Washburn@CH2M.com)  
Tom Ryburn, (DCA) [Tom.Ryburn@CH2M.com](mailto:Tom.Ryburn@CH2M.com)

Enclosures: Area of Potential Effects Map  
Ellipse Park Design  
Ellipse Park Rendering

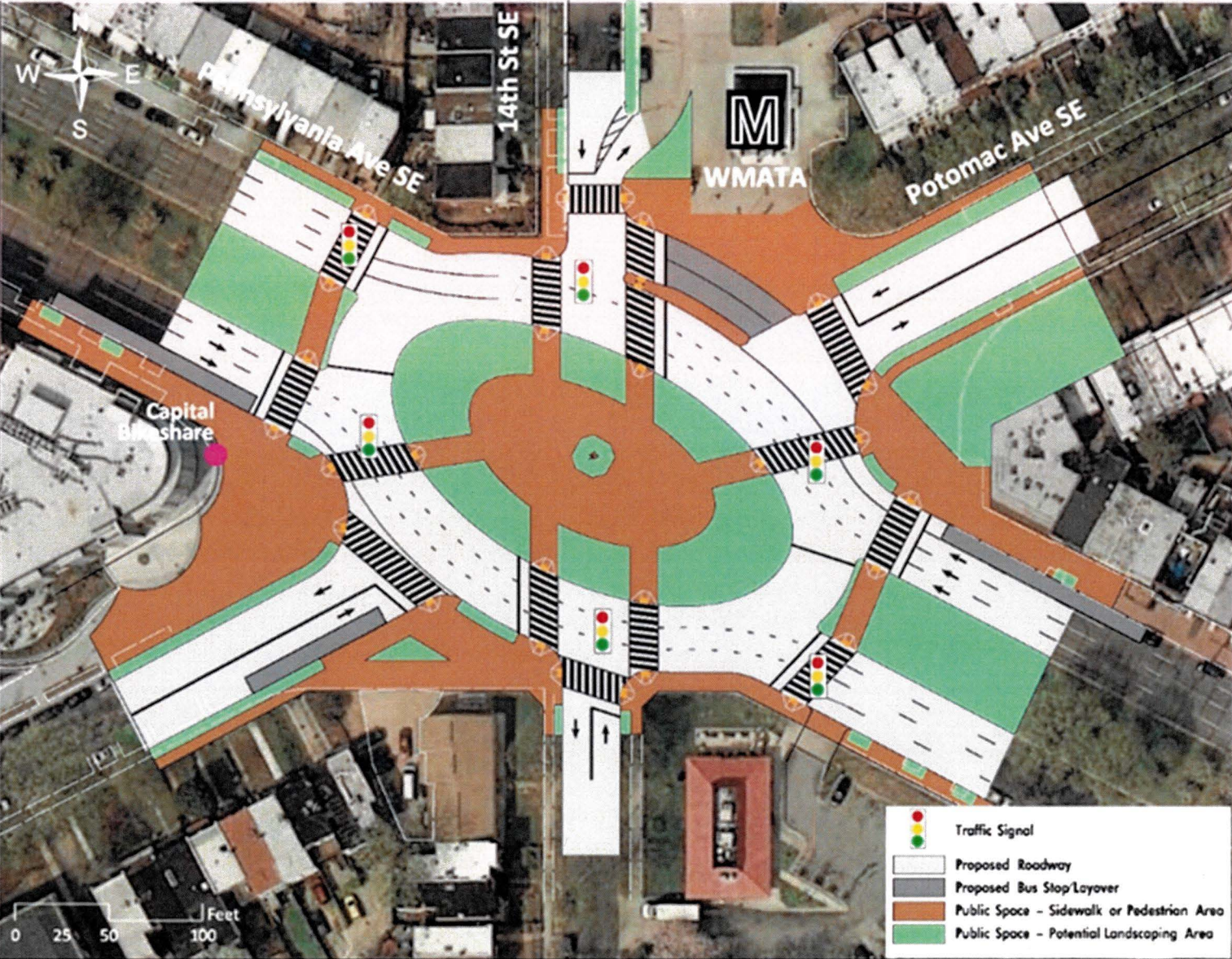


Area of Potential Effects





Ellipse Park Design





Ellipse Park Rendering



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
STATE HISTORIC PRESERVATION OFFICER



September 15, 2017

Mr. Michael Hicks  
Environmental Manager/Engineer  
U.S. Department of Transportation  
Federal Highway Administration  
District of Columbia Division  
1990 L Street, NW, Suite 510  
Washington, DC 20006-1103

RE: Completion of Section 106 Consultation for the Proposed Intersection Improvements at  
Pennsylvania and Potomac Avenues, SE

Dear Mr. Hicks:

Thank you for continuing to consult with the District of Columbia State Historic Preservation Officer (SHPO) regarding the above-referenced undertaking. We have reviewed the most recent project submittal and are writing to provide our concluding comments regarding effects on historic properties in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

The improvements proposed for the intersection of Pennsylvania and Potomac Avenues, SE have been the subject of several years of consultation. The importance of designing the traffic and pedestrian-related circulation improvements in a compatible manner with the Plan of the City of Washington (L'Enfant Plan) has been of primary importance from a historic preservation standpoint. Considerable efforts were invested to evaluate how the primarily affected L'Enfant reservation, Reservation 54, had evolved over time. These efforts revealed that while the earliest formal arrangements were rectangular, the open space at the intersection of these two important avenues has changed and evolved significantly over the decades, and has included triangular parks and roughly ovoid shapes.

The currently proposed "Ellipse Park" design (see attached) is consistent with the form and scale of other major reservations throughout the city and is, therefore, compatible with the L'Enfant Plan. Views and vistas associated with the L'Enfant Plan would not be compromised by the selected alternative because trees that were planted in the median relatively recently already block those views and vistas. The design has the added benefits of providing the greatest amount of useable green space of all the alternatives (see attached), significantly improved pedestrian safety features, and "softer" edges that better facilitate traffic flow. We also understand that design has been endorsed by Advisory Neighborhood Commission, the Capitol Hill Restoration Society, and the National Park Service (NPS).

Implementation of the proposed improvements will require the NPS and the District of Columbia to exchange several smaller, adjacent reservations. Like Reservation 54, the size and shape of these minor pieces of land have evolved over time so additional modifications/exchanges will not diminish any historic integrity. It is also our understanding that the exchanges will also result in a net gain for the NPS.

Investigations carried out in 2009 established that the limits of disturbance have been highly altered over time and are unlikely to contain any significant archaeological resources. The one possible exception may be historical roadway elements that were buried in more recent decades but the potential for such resources, if any exist, to be National Register eligible may be limited.


For the reasons listed above, we concur with FHWA's determination that its undertaking and implementation of the Pennsylvania and Potomac Avenues SE Intersection Improvement Project will result in "no adverse effect" on the L'Enfant Plan and the other historic properties located within the project's area of potential effect.

However, our finding of "no adverse effect" is conditioned upon further consultation regarding the final plans for the Ellipse Park – particularly as they relate to landscaping. As noted above, recently planted trees in the median block important L'Enfant views and vistas, but we believe it would be inappropriate to exacerbate blocked views in the newly designed reservation. Instead, trees should be planted only to the sides so that the direct view down the center of the median will remain unobscured. In time, it may be possible to fully restore the view along the entire length of Pennsylvania Avenue, SE.

On a related note, FHWA's letter identifies archaeological monitoring for potential historical roadway elements as "a recommended mitigation measure," but mitigation is only required when a project results in an "adverse effect" on historic properties. That is not the case for this project but we are conditioning our "no adverse effect" determination upon further consultation and evaluation of any roadway elements that may be discovered during project implementation.

If you should have any questions or comments regarding the historic built environment, please contact me at [andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov) or 202-442-8841. Questions or comments related to archaeology should be directed to Ruth Trocolli and [ruth.trocolli@dc.gov](mailto:ruth.trocolli@dc.gov) or 202-442-8836. Otherwise, we greatly appreciate the extended efforts that FHWA and all other parties have made to consult regarding the effects of this undertaking on historic properties and we are pleased that these efforts have resulted in a design that meets project goals and is compatible with historic properties.

Sincerely,

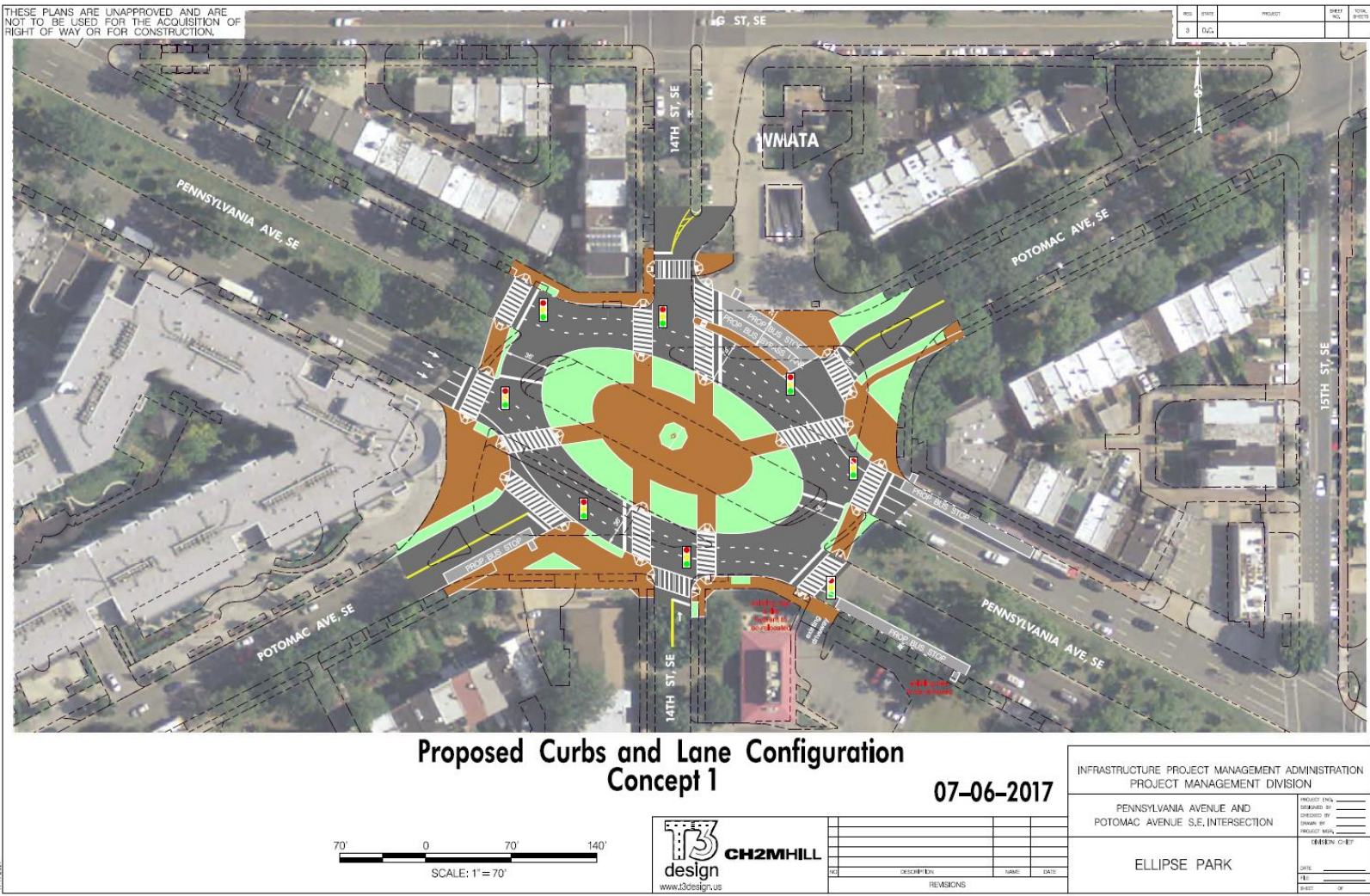


C. Andrew Lewis  
Senior Historic Preservation Officer  
DC State Historic Preservation Office

09-029









## Alternatives Considered



Alternative 1 – No Build



Alternative 2 – Triangle Parks



Alternative 3 – Rectangle Park



Alternative 4 – Ellipse Park



# United States Department of the Interior

## NATIONAL PARK SERVICE

National Capital Parks-East  
1900 Anacostia Drive, S.E.  
Washington, D.C. 20020

IN REPLY REFER TO:

H4217 (NCR-NACE/CR)

September 7, 2017

Mr. David Maloney  
Historic Preservation Office  
D.C. Office of Planning  
1100 4th Street, S.W., Suite E650  
Washington, D.C. 20024

Subject: Section 106 Compliance Determination of Effect: Pennsylvania and Potomac Avenues  
SE Intersection Improvement Project

Dear Mr. Maloney:

In accordance with Section 106 of the National Historic Preservation Act, National Capital Parks-East (NACE), a unit of the National Park Service (NPS), submits for your review and concurrence this finding of No Adverse Effect for the Pennsylvania and Potomac Avenues SE Intersection Improvement Project, Washington, D.C.

### **Management Summary**

The District Department of Transportation (DDOT), in conjunction with the Federal Highway Administration (FHWA), is proposing improvements to the intersection of Pennsylvania Avenue SE, Potomac Avenue SE, and 14th Street SE (the Undertaking). As part of this larger FHWA undertaking (Pennsylvania and Potomac Avenues SE Intersection Improvement Project, Attachment 2), NPS and DDOT are undertaking a transfer of land jurisdiction (Attachment 3). Due to the involvement of Federal lands administered by the NPS, we submit this letter to fulfill our consultation responsibility. The NPS has reviewed the selected design of the Ellipse Park (FHWA Preferred Alternative, Attachment 2) and has reached a determination of No Adverse Effect to historic properties from the Undertaking.

### **Description of the Undertaking Relevant to Section 106 of the National Historic Preservation Act**

The NPS undertaking is the transfer of land jurisdiction between the NPS and DDOT to facilitate reconstruction of the intersection (Attachment 3). The Undertaking would reconfigure the NPS reservations and add sidewalks, creating more convenient and safe routes for pedestrians to cross the intersection using marked crosswalks. Under the Undertaking, the NPS would receive more square footage from DDOT than it would relinquish to DDOT.

The selected design for the intersection is the Ellipse Park (Attachment 2). It resembles the reservation shapes illustrated in the *L'Enfant Plan for the City of Washington, D.C.* It creates a central, ellipse-shaped open park space. The ellipse does not have sharp turns, allowing for narrower travel lanes and more park space. The existing lane configuration on Pennsylvania Avenue, SE, would remain the same with three travel lanes and a parking lane, inclusive of three travel lanes around the ellipse; however, there will be no parking lanes around the ellipse. The design includes several pedestrian crossings providing shorter, more direct paths for pedestrians. A mid-block crosswalk for pedestrians crossing Pennsylvania Avenue, SE, would be added and would be aligned with 14th Street, SE. Because the shape of the ellipse reduces the need for wider lanes to accommodate the turning radii for buses, travel lanes would be 12 feet wide. A central public space would be created within the ellipse that would be enhanced with landscaping and hardscaping.

### **Identification and Description of Historic Properties**

The roadway, NPS reservations (medians), viewsheds, and circulation of the roadways are contributing elements of the *L'Enfant Plan for the City of Washington, DC*. The *L'Enfant Plan* was listed in the National Register of Historic Places (National Register) on April 24, 1997. The National Register lists the period of significance as 1791-1942. The NPS reservations are also a component of the Pennsylvania Avenue SE cultural landscape. The Cultural Landscape Inventory (2017) for this corridor recommends adding two additional periods of significance: 1862-1962 and 1965-1968 to recognize the role of the corridor in the development of public transportation in the city, and the improvement and beautification of urban recreational areas along the avenue. The reservations are also included as potential sites for future memorials and museums in the National Capital Planning Commission's Memorials and Museums Master Plan.

The Area of Potential Effects (APE) (Attachment 1) includes several NPS reservations (Attachments 3 and 4). Three NPS reservations comprise the median on Pennsylvania Avenue SE (Reservations 53A, 54A, and 54D). These reservations are continuous, so they include the sections of roadway that cross through the median and the existing paved sidewalks. The remainder of the median is composed of grass lawn and deciduous trees. The triangular NPS areas on the northeast side of Pennsylvania Avenue SE (Reservations 54 and 54E) are largely paved, including a portion of existing roadway and paver sidewalk, and contains several trees and a bus stop shelter; the triangular NPS area on the southwest side of Pennsylvania Avenue SE (Reservations 54C and 54F) includes a small area of existing roadway, but is largely lawn with trees, with a sidewalk along Pennsylvania Avenue SE and a bus stop shelter.

The reservations that comprise this intersection were reconfigured during the construction of Metrorail in the mid-1970s, creating its current ovoid shape. Throughout the 20<sup>th</sup> century, the shape and character of the reservations have changed; however, the landscape character of the space has been consistently dominated by an automobile focused design since the third period of significance identified in the CLI.

EAC Archaeology conducted archeological investigations of the APE for direct impacts in 2009 to identify archeological resources and assess possible effects. Based on the historical development of the APE, EAC Archaeology found the landscape to have been highly altered and



unlikely to contain archeological resources from before the second decade of the 20th century. The archeological investigations found no significant archeological resources in the direct impacts APE. These findings were submitted to the DCSHPO for review in September 2013. The exception is the possibility of historical roadway elements that may have been buried beneath newer surfaces. Monitoring for the possible discovery of these resources during construction is a recommended mitigation measure.

### **Description of Potential Effects to Historic Properties**

The Ellipse Park design would alter Pennsylvania Avenue SE alignment and the NPS reservations by creating the ellipse-shaped open space in the center of the intersection. Under the original 1791 L'Enfant Plan and throughout the 19th century, this intersection was open to three roadways and did not have a central median. The current NPS reservations are remnants of lands included in the original, open rectangular intersection. In the early 20th century, the layout of this intersection was changed multiple times, leading to the subdivision of the original Federal property. The most recent redesign, from the 1930s, resulted in the current configuration of two parallel roadways, a central median (within NPS reservations), and two small triangle parks (within NPS reservations and DDOT right-of-way). The enclosed design for the Ellipse Park was modelled on reservation shapes for avenue intersections as illustrated in L'Enfant Plan and is similar to the rectangle park depicted at this intersection in the 1915 and 1921 Baist's Real Estate Atlas of Surveys of Washington, District of Columbia. The project improvements would remain within the original outer footprint of the L'Enfant-designed intersection. The proposed reconfiguration of the Pennsylvania and Potomac Avenue SE intersection is based on historical precedents and uses design elements drawn from the L'Enfant Plan.

Currently, the view toward the Capitol Building from the median of Pennsylvania Avenue is obscured by trees planted in the median. The Capitol Building is visible from the Pennsylvania Avenue SE alignment and from the outer sidewalks, but is largely obscured by trees in the median. The design would have plantings in the elliptical park area that would obscure a clear, direct view of the Capitol. The view from the Pennsylvania Avenue SE alignment would only be changed when going around the ellipse. It would change the angle of the view to the Capitol; however, the Capitol would not be obscured. Additionally, the connection of the north and south portions of the 14th Street SE alignment would be visually reunified by the more prominent central pedestrian crossing. For images of local views, please review Attachment 5.

The design of the intersection for the Ellipse Park is consistent with a prior design from the early 20<sup>th</sup> century, and is based on L'Enfant designs for reservation shapes. Alignments and vistas would not be diminished. The Ellipse Park improves parks and open spaces by adding a larger central open space. The integrity of setting, feeling, workmanship, location, and association of the L'Enfant Plan would be retained. The materials of the original plan do not retain integrity because they have been altered multiple times throughout history. Therefore, there would be No Adverse Effect to the L'Enfant Plan from the Ellipse Park.

## **Consultation with Native American Groups**

Based on known information about Native American groups in the study area, we have determined that there are no federally recognized tribes listed that might attach cultural or religious significance to the APE. Therefore, no consultation with Native American groups has occurred. Additionally, it is not believed that this undertaking would affect ethnographic resources.

## **Finding of Effects**

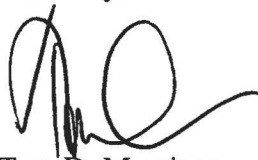
After applying the criteria of adverse effect in accordance with 36 CFR Part 800.5 we have determined that the proposed undertaking will have No Adverse Effect upon historic properties.

## **Unanticipated Discoveries**

If previously unrecorded and/or buried cultural deposits are encountered during this project, work will immediately cease, and an assessment will be made by the NPS archeologist. We will notify you of any unanticipated archeological findings immediately.

We have enclosed relevant maps to illustrate the location of the APE and ask that you respond to Kate Birmingham, Section 106 Coordinator at (202) 692-6048 or by email at [katherine\\_birmingham@nps.gov](mailto:katherine_birmingham@nps.gov) within 30 days with your concurrence with the no adverse effects determination.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tara D. Morrison', with a stylized flourish at the end.

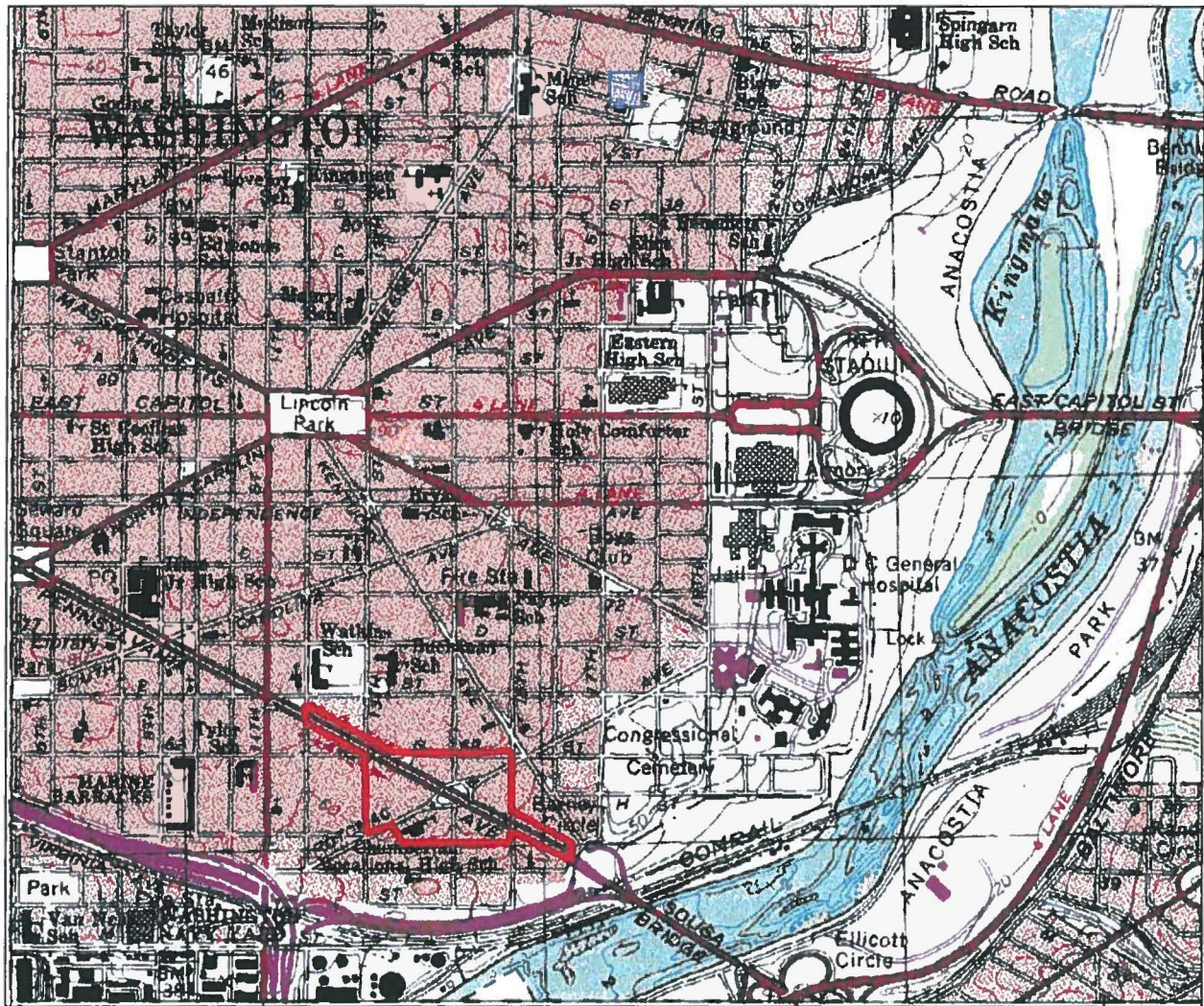
Tara D. Morrison  
Superintendent

### **Attachments:**

1. Area of Potential Effects
2. Ellipse Park Preferred Alternative
3. NPS Reservations
4. Transfer of Jurisdiction
5. Images of Existing Views



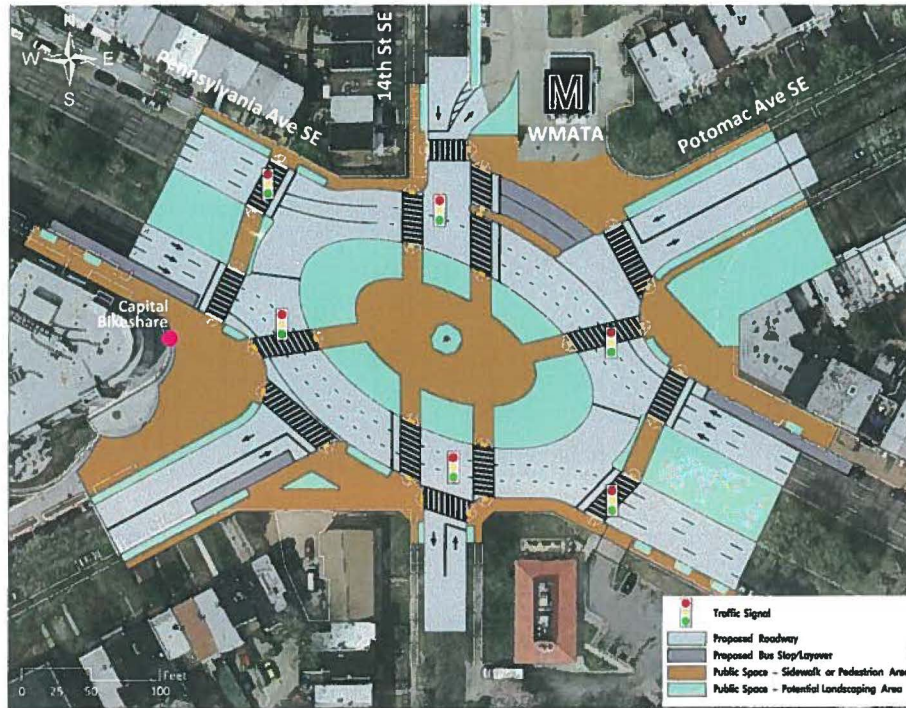
**Section 106 Compliance Determination of Effect: Pennsylvania and Potomac Avenues SE Intersection Improvement Project**



**Attachment 1.** Area of Potential Effects (APE) to NPS properties, highlighted in red on the Washington East, DC and MD – 7.5-minute USGS Quadrangle (1979).



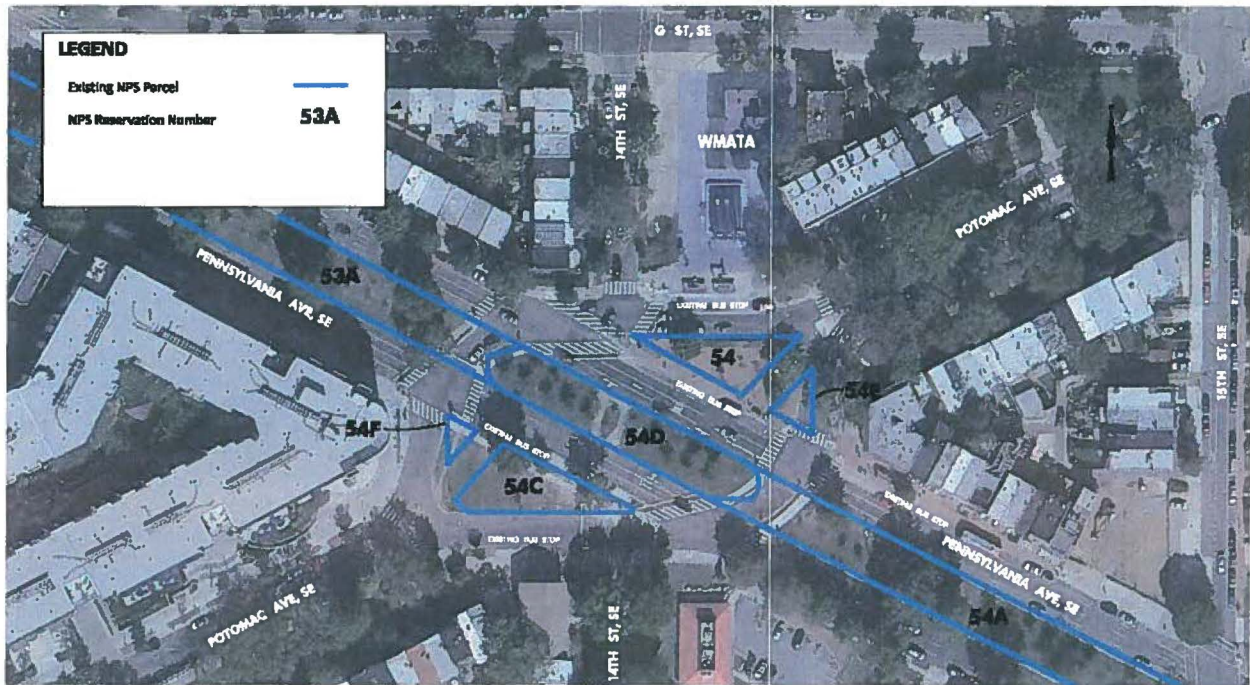
**Section 106 Compliance Determination of Effect: Pennsylvania and Potomac Avenues SE Intersection Improvement Project**



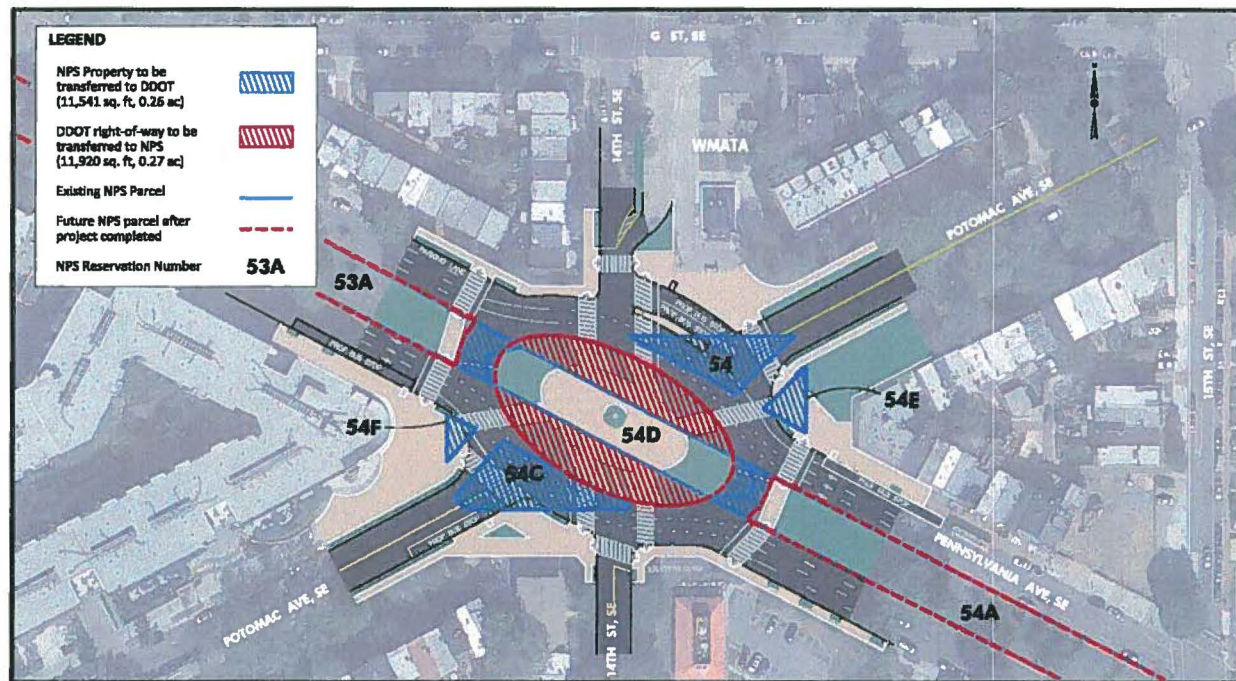
**Attachment 2.** Project maps showing the Ellipse Park Preferred Alternative.



**Section 106 Compliance Determination of Effect: Pennsylvania and Potomac Avenues SE Intersection Improvement Project**



**Attachment 3.** Project map showing existing NPS reservations in the APE.



**Attachment 4.** Project map showing proposed transfer of jurisdiction for lands between NPS and DDOT in the area of the Ellipse Park.



**Section 106 Compliance Determination of Effect: Pennsylvania and Potomac Avenues SE Intersection Improvement Project**

**Attachment 5. Existing views along Pennsylvania Avenue SE**



View 1. Median on Pennsylvania Avenue SE at Potomac Avenue SE, facing southeast.



View 2. Median on Pennsylvania Avenue SE at 14th Street SE, facing northwest.



**Section 106 Compliance Determination of Effect: Pennsylvania and Potomac Avenues SE Intersection Improvement Project**



View 3. Northeast triangle, facing southwest from Potomac Avenue SE.



View 4. Southwest triangle, facing northeast from Potomac Avenue SE.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
STATE HISTORIC PRESERVATION OFFICER



October 3, 2017

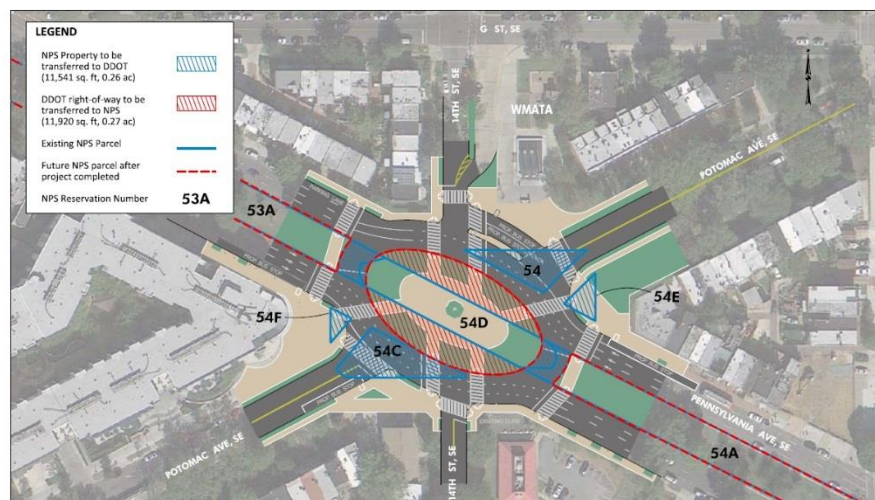
Ms. Tara Morrison  
Superintendent  
National Park Service  
National Capital Parks-East  
1900 Anacostia Drive, SE  
Washington, DC 20020

RE: Section 106 Consultation for Land Transfer Associated with the Proposed Intersection Improvements at Pennsylvania and Potomac Avenues, SE

Dear Ms. Morrison:

Thank you for consulting with the District of Columbia State Historic Preservation Officer (SHPO) regarding the above-referenced undertaking. We are writing to provide comments regarding effects on historic properties pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

As you are aware, the NPS and SHPO have been consulting together with the Federal Highway Administration (FHWA) and the District Department of Transportation (DDOT) for several years regarding the proposed improvements at the intersection of Pennsylvania and Potomac Avenues, SE. The final selected alternative requires transfer of several small pieces of land between the NPS and DDOT (see image at right).



This transfer of property out of federal ownership constitutes an undertaking subject to review under Section 106. Since the size and shape of these relatively minor pieces of land have evolved over time, however, we do not believe that the additional modifications or exchanges required by the project will diminish any historic integrity. It is also our understanding that the exchanges will also result in a net gain for the NPS. Therefore, we concur with the NPS determination that transfer/exchange of these small pieces of land will have “no adverse effect” on historic properties, conditioned as noted below.



We concurred with FHWA's determination that implementation of the selected design would have "no adverse effect" on historic properties in our letter dated September 15, 2017. That letter is attached for reference. The same conditions apply to the extent that NPS-owned land is involved in project implementation.

If you should have any questions or comments regarding the historic built environment, please contact me at [andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov) or 202-442-8841. Questions or comments related to archaeology should be directed to Ruth Trocolli and [ruth.trocolli@dc.gov](mailto:ruth.trocolli@dc.gov) or 202-442-8836. Otherwise, thank you for providing this opportunity to review and comment.

Sincerely,

A handwritten signature in blue ink that reads "Andrew Lewis".

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

Attachment  
18-0012 & 09-029