

**APPENDIX A**

**CONSULTATION AND CORRESPONDENCE FOR THE EA**

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# United States Department of the Interior

## NATIONAL PARK SERVICE

National Capital Region

1100 Ohio Drive, S.W.

Washington, D.C. 20242

IN REPLY REFER TO:  
L7617 (NCR-LRP)

SEP 16 2008

Mr. John Wolflin  
U.S. Fish and Wildlife Service  
177 Admiral Cochrane Drive  
Annapolis, Maryland 21401

Dear Mr. Wolflin:

The National Park Service (NPS) is preparing an Environmental Assessment (EA) for the Potomac Park Levee Project. This EA is being produced in accordance with the National Environmental Policy Act (NEPA) of 1969.

The Potomac Park Levee structure, authorized in 1936 and completed by the U.S. Army Corps of Engineers (USACE) in 1938, extends from 23<sup>rd</sup> Street at Constitution Avenue along Constitution Gardens, parallel to the Lincoln Memorial Reflecting Pool, to the western edge of the Washington Monument Grounds (see attached map). There are, however, two designed gaps in the levee: at 23<sup>rd</sup> Street and at 17<sup>th</sup> Street, and several areas where the grade has subsided or otherwise amended along the Reflecting Pool. Upon notice of a flood event from information provided monitoring stations on the Potomac River, above the District of Columbia, the levee would provide adequate protection when these gaps were closed. Presently, closure of the levee is reliant upon construction of temporary barriers of sandbags and soil (i.e., an earthen dike) across the road at 23<sup>rd</sup> Street, and a combination of sandbags, jersey barriers, and soil across 17<sup>th</sup> Street. Without these closures, downtown Washington, D.C. would be at risk of severe flood damage from a major (100-year or more) flood. This would include portions of the monumental core, portions of Pennsylvania and Constitution Avenues, Federal Triangle, and areas south of the U.S. Capitol to Fort McNair.

In 1992, the USACE completed an EA for modifications to the flood protection system to provide permanent or more reliable emergency closures. The selected and approved alternatives involved the placement of random earth fill to narrow the closure points, but still included the construction of a temporary earthen fill barrier to close the levee. This proposed effort did not receive Federal funding. Policy enacted by the Federal Emergency Management Agency (FEMA) since Hurricane Katrina (33 CFR 208.10) have led USACE to deem the Potomac Park Levee unreliable due to the uncertainties of implementing the temporary 17<sup>th</sup> Street closure. As a result, they have decertified the entire levee. For this reason, FEMA's most recently-proposed 100-year floodplain map for the downtown area of the District of Columbia, effectively the Federal Core, treats the 17<sup>th</sup> Street closure as if it did not exist (44 CFR Part 67 – Federal Register Volume 72, Number 186, pages 54631-54635), and would reflect the area as subject to river flooding.

This new mapping scheme puts a portion of downtown Washington, D.C. and the monumental core within the 100-year flood insurance rate zone, which would require additional flood insurance and/or

costly changes to meet upgraded building standards for those facilities that now fall within the new 100-year floodplain. At the District of Columbia's request, FEMA agreed to defer issuing their new floodplain maps until November 2009. The NPS, having agreed since 1938 to maintain the levee, and the District of Columbia which stands to be impacted should new flood maps be published, are using the deferral period to perform the necessary engineering analyses and associated Environmental Assessment that may provide an interim solution, and potential permanent solution with the necessary protection during the 100-year storm event (FEMA requirement) and the 185 year storm event (USACE design requirement).

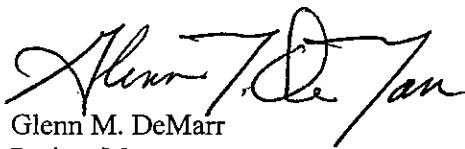
Therefore, the Potomac Park levee project will address three areas:

- 1) The 23<sup>rd</sup> Street closure, where it is proposed that the topography be regraded such that an emergency earthen dike would no longer be necessary;
- 2) The Reflecting Pool levee, wherein certain low points in the levee would be filled in so as to provide robust flood protection; and
- 3) The 17<sup>th</sup> Street closure, where a number of different alternatives will be evaluated.

We are writing you to request a list of federally listed species that may be impacted by this proposed project, and to initiate informal Section 7 consultation. Because of its location in a highly urbanized environment in downtown Washington, D.C., it is unlikely that the proposed levee improvements will affect any federally listed or locally sensitive species. However, we would appreciate written confirmation from your office. A letter is also being sent to the D.C. Department of the Environment and the U.S. Fish and Wildlife Service to solicit their input.

If you have any questions or require additional information, please contact me by phone at (202) 619-7027, by facsimile at (202) 438-0028, or by e-mail at [Glenn\\_DeMarr@nps.gov](mailto:Glenn_DeMarr@nps.gov). Project information is available for review on the National Park Planning and Comment (PEPC) site under National Mall & Memorial Parks, or by going to: <http://parkplanning.nps.gov/projectHome.cfm?parkid=427&projectid=22260>. Thank you in advance for your assistance.

Sincerely,



Glenn M. DeMarr  
Project Manager  
Lands, Resources and Planning

Enclosure

cc:  
Ms. Nancy Van Dyke  
The Louis Berger Group, Inc.

Mr. Steve Garbarino  
U.S. Army Corps of Engineers

Mr. Jeff Trulick  
U.S. Army Corps of Engineers



# United States Department of the Interior

## NATIONAL PARK SERVICE

National Capital Region

1100 Ohio Drive, S.W.

Washington, D.C. 20242

SEP 16 2008

IN REPLY REFER TO:  
L7617 (NCR-LRP)

Ms. Mary Pfaffko  
Fisheries & Wildlife Division  
D.C. Department of the Environment  
51 N Street, N.E., 5th Floor  
Washington, D.C. 20002

Dear Ms. Pfaffko:

The National Park Service (NPS) is preparing an Environmental Assessment (EA) for the Potomac Park Levee Project. This EA is being produced in accordance with the National Environmental Policy Act (NEPA) of 1969.

The Potomac Park Levee structure, authorized in 1936 and completed by the U.S. Army Corps of Engineers (USACE) in 1938, extends from 23<sup>rd</sup> Street at Constitution Avenue along Constitution Gardens, parallel to the Lincoln Memorial Reflecting Pool, to the western edge of the Washington Monument Grounds (see attached map). There are, however, two designed gaps in the levee: at 23<sup>rd</sup> Street and at 17<sup>th</sup> Street, and several areas where the grade has subsided or otherwise amended along the Reflecting Pool. Upon notice of a flood event from information provided monitoring stations on the Potomac River, above the District of Columbia, the levee would provide adequate protection when these gaps were closed. Presently, closure of the levee is reliant upon construction of temporary barriers of sandbags and soil (i.e., an earthen dike) across the road at 23<sup>rd</sup> Street, and a combination of sandbags, jersey barriers, and soil across 17<sup>th</sup> Street. Without these closures, downtown Washington, D.C. would be at risk of severe flood damage from a major (100-year or more) flood. This would include portions of the monumental core, portions of Pennsylvania and Constitution Avenues, Federal Triangle, and areas south of the U.S. Capitol to Fort McNair.

In 1992, the USACE completed an EA for modifications to the flood protection system to provide permanent or more reliable emergency closures. The selected and approved alternatives involved the placement of random earth fill to narrow the closure points, but still included the construction of a temporary earthen fill barrier to close the levee. This proposed effort did not receive Federal funding. Policy enacted by the Federal Emergency Management Agency (FEMA) since Hurricane Katrina (33 CFR 208.10) have led USACE to deem the Potomac Park Levee unreliable due to the uncertainties of implementing the temporary 17<sup>th</sup> Street closure. As a result, they have decertified the entire levee. For this reason, FEMA's most recently-proposed 100-year floodplain map for the downtown area of the District of Columbia, effectively the Federal Core, treats the 17<sup>th</sup> Street closure as if it did not exist (44 CFR Part 67 – Federal Register Volume 72, Number 186, pages 54631-54635), and would reflect the area as subject to river flooding.

This new mapping scheme puts a portion of downtown Washington, D.C. and the monumental core within the 100-year flood insurance rate zone, which would require additional flood insurance and/or

costly changes to meet upgraded building standards for those facilities that now fall within the new 100-year floodplain. At the District of Columbia's request, FEMA agreed to defer issuing their new floodplain maps until November 2009. The NPS, having agreed since 1938 to maintain the levee, and the District of Columbia which stands to be impacted should new flood maps be published, are using the deferral period to perform the necessary engineering analyses and associated Environmental Assessment that may provide an interim solution, and potential permanent solution with the necessary protection during the 100-year storm event (FEMA requirement) and the 185 year storm event (USACE design requirement).

Therefore, the Potomac Park levee project will address three areas:

- 1) The 23<sup>rd</sup> Street closure, where it is proposed that the topography be regraded such that an emergency earthen dike would no longer be necessary;
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We are writing you to request a list of federally listed species that may be impacted by this proposed project, and to initiate informal Section 7 consultation. Because of its location in a highly urbanized environment in downtown Washington, D.C., it is unlikely that the proposed levee improvements will affect any federally listed or locally sensitive species. However, we would appreciate written confirmation from your office. A letter is also being sent to the D.C. Department of the Environment and the U.S. Fish and Wildlife Service to solicit their input.

If you have any questions or require additional information, please contact me by phone at (202) 619-7027, by facsimile at (202) 438-0028, or by e-mail at [Glenn\\_DeMarr@nps.gov](mailto:Glenn_DeMarr@nps.gov). Project information is available for review on the National Park Planning and Comment (PEPC) site under National Mall & Memorial Parks, or by going to: <http://parkplanning.nps.gov/projectHome.cfm?parkid=427&projectid=22260>. Thank you in advance for your assistance.

Sincerely,



Glenn M. DeMarr  
Project Manager  
Lands, Resources and Planning

Enclosure

cc:

Ms. Nancy Van Dyke  
The Louis Berger Group, Inc.

Mr. Steve Garbarino  
U.S. Army Corps of Engineers

Mr. Jeff Trulick  
U.S. Army Corps of Engineers



# United States Department of the Interior

## NATIONAL PARK SERVICE

National Capital Region

1100 Ohio Drive, S.W.

Washington, D.C. 20242

SEP 16 2008

IN REPLY REFER TO:  
L7617 (NCR-LRP)

Mr. Brian King  
D.C. Department of Health  
Environmental Health Administration  
Fish and Wildlife  
51 N Street, N.E., Suite 5002  
Washington, D.C. 20002

Dear Mr. King:

The National Park Service (NPS) is preparing an Environmental Assessment (EA) for the Potomac Park Levee Project. This EA is being produced in accordance with the National Environmental Policy Act (NEPA) of 1969.

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If you have any questions or require additional information, please contact me by phone at (202) 619-7027, by facsimile at (202) 438-0028, or by e-mail at [Glenn\\_DeMarr@nps.gov](mailto:Glenn_DeMarr@nps.gov). Project information is available for review on the National Park Planning and Comment (PEPC) site under National Mall & Memorial Parks, or by going to: <http://parkplanning.nps.gov/projectHome.cfm?parkid=427&projectid=22260>.

Thank you in advance for your assistance.

Sincerely,



Glenn M. DeMarr  
Project Manager  
Lands, Resources and Planning

Enclosure

cc:

Ms. Nancy Van Dyke  
The Louis Berger Group, Inc.

Mr. Steve Garbarino  
U.S. Army Corps of Engineers

Mr. Jeff Trulick  
U.S. Army Corps of Engineers







"Whitworth, Sylvia  
(DDOE)"  
<sy/la.whitworth@dc.gov>

09/25/2008 10:24 AM  
AST

To: <Glenn\_DeMarr@nps.gov>  
cc: "King, Bryan (DDOE)" <bryan.king@dc.gov>, "Bullo, Ibrahim (DDOE)"  
<ibrahim.bullo@dc.gov>  
Subject: Potomac River Levee Project

Mr. DeMarr,

Good Thursday morning. This brief e-mail is to inform you that the District of Columbia, Fisheries and Wildlife Division has received your request for our office to provide NPS with known federally listed species and informal Section 7 consultation. A response to your request will be forthcoming within the next several days.

I wish to add that in the future, all such requests should be directed to the attention of Mr. Bryan D. King, Associate Director, Fisheries and Wildlife Division. Further, when your office completes your EA for the 'Potomac River Levee Project' it should be directed to Mr. Ibrahim Bullo, Environmental Review/Justice Coordinator, District Department of the Environment, Office of the Director, 51 N Street, NE 20002.

To assist you in updating your records Ms. Mary Pfaffko is no longer with the District Government and her name should be removed from your mailing list.

Thanks,  
Sylvia Whitworth, Chief  
Wildlife Management Branch  
Fisheries and Wildlife Division  
District Department of the Environment  
51 N Street, NE  
Washington, DC 20002  
(P)202.535.2276 or at AREC (P)202.581.2562  
(F)202.535.1373 or at AREC (F)202.581.2568



**DDOE**  
DISTRICT DEPARTMENT  
OF THE ENVIRONMENT



*Maryland Department of Planning*

*Martin O'Malley*  
Governor  
*Anthony G. Brown*  
Lt. Governor

*Richard Eberhart Hall*  
Secretary  
*Matthew J. Power*  
Deputy Secretary

September 24, 2008

Ms. Rudi Byron  
Environmental Scientist, 4th floor  
The Louis Berger Group, Inc.  
2445 M Street, N.W.  
Washington, DC 20037

**STATE CLEARINGHOUSE REVIEW – ADDITIONAL REVIEWER COMMENTS RECEIVED**

**State Application Identifier:** MD20080902-0894

**Project Description:** Potomac Park Levee Project's Effects on Historic Properties

**Project Address:** Monumental Core, 17th Street, Washington, DC

**Project Location:** the District of Columbia

**Clearinghouse Contact:** Bob Rosenbush

Dear Ms. Byron:

We are forwarding the comments made by Prince George's County regarding the referenced project for your information. Prince George's County addressed issues relating to: lack of hydraulic impacts to the County, and aesthetics of alternative levee designs. See the attached response form.

Should you have any questions, contact the State Clearinghouse staff person noted above at 410-767-4490 or through e-mail at [brosenbush@mdp.state.md.us](mailto:brosenbush@mdp.state.md.us). Your cooperation and attention to the review process is appreciated.

Sincerely,

Linda C. Janey, J.D., Assistant Secretary  
for Clearinghouse and Communications

LCJ:BR

cc: Beverly Warfield - PGEO

08-0894\_OLRR.OTH.doc



**Please Complete Your Review & Recommendation Before September 12, 2008**

**Return Completed Form To:** Linda C. Janey, J.D., Assistant Secretary for Clearinghouse and Communications, Maryland Department of Planning, 301 West Preston Street, Room 1104, Baltimore, MD 21201-2305 Phone: 410-767-4490 Fax: 410-767-4480

<b>State Application Identifier:</b> MD20080902-0894		<b>Clearinghouse Contact:</b> Bob Rosenbush, 410-767-4490 brosenbush@mdp.state.md.us	
<b>Location:</b> DC			
<b>Applicant:</b> The Louis Berger Group, Inc.			
<b>Description:</b> Potomac Park Levee Project's Effects on Historic Properties			
<b>Based on a Review of the Information Provided, We Have Checked ( ) the Appropriate Determination Below</b>			
<b>CONSISTENT RESPONSES (For Use By STATE AGENCIES Only)</b>			
<input type="checkbox"/>	<b>C1</b>	It is <b>Consistent</b> with our plans, programs, and objectives	
<input type="checkbox"/>	<b>C2</b>	It is <b>Consistent</b> with the policies contained in Executive Order 01.01.1992.27 (Maryland Economic Growth, Resource Protection, and Planning Act of 1992), Executive Order 01.01.1998.04 (Smart Growth and Neighborhood Conservation Policy), <u>and</u> our plans, programs, and objectives.	
<input type="checkbox"/>	<b>C3</b>	(MHT ONLY) It has been determined that the project will have "no effect" on historic properties and that the federal and/or State historic preservation requirements have been met.	
<input type="checkbox"/>	<b>C4</b>	(DNR ONLY) It has been determined that this project is in the Coastal Zone and is not inconsistent with the Maryland Coastal Zone Management Program.	
<input type="checkbox"/>	<b>C7</b>	(MDP ONLY) It is consistent with the requirements of State Finance and Procurement Article 5-7B-02; 03; 04 and 05 Smart Growth and Neighborhood Conservation (Priority Funding Areas).	
<b>CONSISTENT RESPONSES (For Use By COUNTY &amp; LOCAL AGENCIES Only)</b>			
<input checked="" type="checkbox"/>	<b>C5</b>	It is <b>Consistent</b> with our plans, programs, and objectives.	
<input type="checkbox"/>	<b>C6</b>	It is <b>Consistent</b> with the Economic Growth, Resource Protection, and Planning Visions (Planning Act of 1992), State Finance and Procurement Article 5-7B - Smart Growth and Neighborhood Conservation (Priority Funding Areas), <u>and</u> our plans, programs, and objectives.	
<b>OTHER RESPONSES (For Use By ...)</b>			
<input type="checkbox"/>	<b>R1</b>	<b>GENERALLY CONSISTENT WITH QUALIFYING COMMENTS:</b> It is generally <b>Consistent</b> with our plans, programs and objectives, but the attached qualifying comment is submitted for consideration.	
<input type="checkbox"/>	<b>R2</b>	<b>CONTINGENT UPON CERTAIN ACTIONS:</b> It is generally <b>Consistent</b> with our plans, programs and objectives contingent upon certain actions being taken as noted in the attached comment(s).	
<input type="checkbox"/>	<b>R3</b>	<b>NOT CONSISTENT:</b> It raises problems concerning compatibility with our plans, programs, objectives, or Planning Act visions/policies; or it may duplicate existing program activities, as indicated in the attached comment(s). If a meeting with the applicant is requested, please check here: <input type="checkbox"/>	
<input type="checkbox"/>	<b>R4</b>	<b>ADDITIONAL INFORMATION REQUESTED:</b> Additional information is required to complete the review. The information needed is identified below. If an extension of the review period is requested, please check here: <input type="checkbox"/>	
<input type="checkbox"/>	<b>R5</b>	<b>FURTHER INTEREST:</b> Due to further interest/questions concerning this project, we request that the Clearinghouse set up a conference with the applicant.	
<input type="checkbox"/>	<b>R6</b>	<b>SUPPORTS:</b> Supports "Smart Growth" and Federal Executive Order 12072 (Federal Space Management), which directs federal agencies to locate facilities in urban areas.	

Attach additional comments if necessary OR use these spaces:

**Name:** Beverly G. Warfield  
**Organization:** PGE0  
**Address:** Prince George's County Government  
 9400 Peppercom Place, Suite 610  
 Largo, Maryland 20774

**Signature:** *Beverly G. Warfield*  
**Phone:** (301) 883-5832  
**Date Completed:** Sept. 12, 2008  
☒ Check here if comments are attached.

MDPCH-1A

**ENTERED**

SEP - 5 2008

**Clearinghouse Referral Number:** MD20080902-0894

**Project Description:** Potomac Park Levee Project's Effects on Historic Properties

**Reviewer:** Dawn Hawkins-Nixon, Team Leader, Program Support Team, ESG, DER

**Date:** September 10, 2008

**Comments:**

Based on Prince George's County's review of the above mentioned package, the proposed levee project would occur along segments of the Potomac River and Tidal Basin that are located upstream of the Prince George's County limits and are hydraulically distant from the County. This project should not have any hydraulic impacts to the County.

(Note: Looking at the projects from an aesthetic perspective, some of the proposed alternative levee designs are quite appealing and would appear to blend well with the surrounding structures.)

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**APPENDIX B**

**SECTION 106 CORRESPONDENCE**

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## United States Department of the Interior

### NATIONAL PARK SERVICE

National Capital Region  
1100 Ohio Drive, S.W.  
Washington, D.C. 20242

IN REPLY REFER TO:

L2415 (NCR-LRP)

JUN 26 2008

Mr. David Maloney  
State Historic Preservation Officer  
District of Columbia Office of Planning  
801 North Capitol Street, N.E., Suite 3000  
Washington, D.C. 20002

Dear Mr. Maloney:

Subject: Section 106 Consultation - Potomac Park Levee Project

The National Park Service (NPS) wishes to formally initiate consultation with the District of Columbia Historic Preservation Office under Section 106 of the National Historic Preservation Act on the Potomac Park Levees Project in accordance with 36 CFR 800.3 of the regulations of the Advisory Council on Historic Preservation (ACHP). The NPS is aware that you have already assisted us informally in planning the public outreach and identification of potential consulting parties for this important project. In particular, we appreciate the hosting of the May 23, 2008 early consultation meeting at your offices.

The Potomac Park Levees Project is vital for the improvement of flood control in the nation's capital, with important economic and property protection consequences. Please refer to the attached "Fact Sheet" (Attachment A) for a brief but comprehensive description of the undertaking, the need to carry it out, and the participants in the process. Please note also that, due to the time sensitivity of this important project, and per 800.3 (g) of the ACHP regulations, we are pursuing an expedited consultation process. Some steps will be accomplished concurrently, but with adequate opportunity for public input.

We have also begun a parallel effort to develop an Environmental Assessment (EA) for the project under the National Environmental Policy Act (NEPA). Although, it is not our intention to utilize the section of the Council's regulation which permit the substitution of a NEPA document for the 106 process, we are making use of a plan to consult the public per 800.3 (e), which entails public meetings and web-based information that can serve both efforts. The Public Scoping Meeting for this project was held at the offices of the National Capital Planning Commission on June 10 from 6 to 8 p.m.

The NPS and the Baltimore District of the U.S. Army Corps of Engineers (USACE) have entered into an agreement that transfers funds to USACE for the purposes of various engineering studies, including preparation of the EA and support for the Section 106 process.



However, per 800.2 (a) (2), the NPS retains the role of Lead Federal Agency. Many other agencies have an important role as well, including the National Capital Planning Commission, the U.S. Commission of Fine Arts, and the District of Columbia Office of Planning.

At the suggestion of Mr. Andrew Lewis of your office and in response to comments received at the public scoping meeting, we are proposing a preliminary Area of Potential Effect (APE) for the project and a list of affected historic properties (Attachment B). At this early stage, it seems reasonable that the APE should include the two contributing Public Reservations, #2 and #332, which the project will traverse and the adjacent National Register historic districts. The individually listed National Register historic properties, and certain other property types within a short distance, such as cultural landscapes, should be considered the affected properties. We are well aware that other historic properties may be less directly affected, such as those located north of Constitution Avenue, N.W. However, the potential for many indirect effects, such as visual ones, is highly dependent on the project alternatives and cannot be completely predicted at this point.

The NPS looks forward to consultation with the District of Columbia Historic Preservation Office on further steps in the process.

Thank you again for your help. If you have any questions, please do not hesitate to call me or Peter May, Associate Regional Director for Lands, Resources and Planning at (202) 619-7025.

Sincerely,

(SIGNED) JOSEPH M. LAWLER

Regional Director, National Capital Region

Enclosure

cc:

Mr. Tom McCulloch  
Advisory Council on Historic Preservation

Mr. Jeff Trulick  
USACE, Baltimore District

Ms. Nancy Witherell  
National Capital Planning Commission

Mr. Thomas Luebke  
Commission of Fine Arts

Mr. C. Andrew Lewis  
District of Columbia State Historic Preservation Office





IN REPLY REFER TO:

L2415 (NCR-LRP)

## United States Department of the Interior

### NATIONAL PARK SERVICE

National Capital Region  
1100 Ohio Drive, S.W.  
Washington, D.C. 20242

JUN 26 2008

Mr. Don L. Klima  
Director  
Office of Federal Agency Programs  
Advisory Council on Historic Preservation  
1100 Pennsylvania Avenue, N.W., Suite 803  
Washington, D.C. 20004

Dear Mr. Klima:

The National Park Service (NPS) has recently initiated consultation with the District of Columbia State Historic Preservation Officer (DC SHPO) on the design and construction of the Potomac Park Levee Project, an undertaking which will have an effect on historic properties under Section 106 of the National Historic Preservation Act.

This project is vital for the improvement of flood control in the nation's capital, with important economic and property protection consequences. Please refer to the "Fact Sheet" which is included with our correspondence to the DC SHPO for a brief but comprehensive description of the project, the need to carry it out, and the participants in the process.

We have also begun a parallel effort to develop an Environmental Assessment (EA) for the project under the National Environmental Policy Act (NEPA). Although, it is not our intention to utilize the section of the Council's regulation which permits the substitution of a NEPA document for the 106 process, we are making use of a plan to consult the public per 800.3 (e), which entails public meetings and web-based information that serve both efforts. A Public Scoping Meeting was held at the offices of the National Capital Planning Commission on June 10 from 6 to 8 p.m.

The NPS and the Baltimore District of the U.S. Army Corps of Engineers (USACE) have entered into an agreement that transfers funds to USACE for the purpose of various engineering studies, including preparation of the EA and support for the Section 106 process. However, per 800.2 (a) (2) of the Council's regulations, the National Park Service retains the role of Lead Federal Agency. Many other agencies have an important role such as the National Capital Planning Commission, the U.S. Commission of Fine Arts, and the District of Columbia Office of Planning.

Although no formal determination has been made on the effect of the project upon historic properties, we acknowledge that it may have an adverse effect upon cultural resources or on eligibility for the National Register of Historic Places. Therefore, in accordance with the regulations implementing Section 106, we hereby request the participation of the Council in the consultation. Please note that, due to the time sensitivity of this important project, and per 800.3 (g), we are pursuing an expedited consultation process. Some steps will be accomplished concurrently, but with adequate opportunity for public input.

We appreciated the assistance of Mr. Tom McCulloch and Ms. Kelly Fanizzo of your staff at our initial Section 106 consulting parties meeting on May 23 at the District of Columbia Office of Planning and look forward to working with the Council.

If you have any questions, please do not hesitate to call Peter May, Associate Regional Director for Lands, Resources and Planning at (202) 619-7025.

Sincerely, (SIGNED) JOSEPH M. LAWLER

Regional Director, National Capital Region

Enclosure

cc:  
Mr. Tom McCulloch  
Advisory Council on Historic Preservation

Mr. Jeff Trulick  
USACE, Baltimore District

Ms. Nancy Witherell  
National Capital Planning Commission

Mr. Thomas Luebke  
Commission of Fine Arts

Mr. David Maloney  
District of Columbia Historic Office

bcc:  
NCR-Surname/File  
NCR-RD-JLawler  
NCR- DRD-LMendelson-Ielmini  
NAMA-PO'Dell  
NAMA-PWheelock  
LRP-PMay  
LRP-GDeMarr  
LRP-TStidham  
NCR-LRP-File

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## Potomac Park Levee Project FACT SHEET

### Project Description

The Potomac Park levee structure is located at the east end of Constitution Gardens parallel to the Lincoln Memorial Reflecting Pool. The levee crosses 17<sup>th</sup> Street to connect with the Monument Grounds. During a storm event, this levee provides protection during a flood event by using a combination of sandbags and soil (i.e., an earthen dike) to create a closure wall along 17<sup>th</sup> Street.

### Background

FEMA began a nation-wide map modernization program to update and digitize floodplains. Areas that were preliminarily identified as being located with flood-prone areas include:

- the Federal Triangle Area of downtown
- portions of the National Mall area and numerous museums that line the Mall area between 4<sup>th</sup> and 7<sup>th</sup> Streets
- Other public and private facilities that extend into Southwest, DC along 3<sup>rd</sup> Street, SW
- Many private residences in the community of Capital Park and others southward along 3<sup>rd</sup> Street to the intersection of P and Canal Street, SW

Recent changes in Federal Emergency Management Agency (FEMA) guidelines require a more reliable closure alternative in this location to provide flood protection solution for a storm event.

### Current Status

The District of Columbia requested FEMA consider a delay in issuing the new floodplain maps in March, 2008 in order to perform the necessary engineering analysis that may either substantially reduce the unprotected area, or more importantly, provide an interim solution with the necessary protection during a storm event. FEMA agreed to delay the implementation of the final issuance of the maps until November 2009, when construction of the interim levee solution would be completed. Part of this agreement requires the District and the affected federal agencies to meet several interim deadlines and demonstrate adequate progress in designing and constructing a viable flood protection solution.

### Interagency Coordination

The following agencies are working together on the Potomac Park Levee Improvement Project:

#### For the District of Columbia:

Office of the Deputy Mayor for Planning and Economic Development  
Office of Planning  
State Historic Preservation Office  
District Department of the Environment  
DC Water and Sewer Authority  
Washington Area Metropolitan Transit Authority

#### For the federal government:

United States Army Corps of Engineers  
National Park Service  
National Capital Planning Commission  
General Services Administration  
Commission of Fine Arts

### Known Challenges:

**A. Multiple Jurisdictions:** The responsibilities and jurisdiction for addressing flooding in the District are complex, especially related to the National Mall and the Downtown area. The federal government is the largest developer, tenant and property owner in downtown DC. The National Park Service maintains the Potomac Park Levee and is the land manager of the National Mall. The U.S. Army Corps of Engineers has design and construction responsibility for the Flood Protection system and annual inspection authority over federally authorized levee projects, of which the Potomac Park Levee is one.

**B. Local Impacts to Community:** Without a reliable flood protection solution in place, every building/property owner located within the mapped area is at risk for flooding. There are approximately 110 single-family homes, 116 multi-family buildings and 2.3 million square feet of potentially unusable ground floor commercial space at risk for flooding. The financial impact to private property owners located in the flood risk area will be realized through additional insurance requirements and upgraded building standards.

**C. Federal Interest Impacts:** FEMA's proposed floodplain maps include a large portion of the monumental core. The impacts to federal interests are substantial. The two primary requirements of federal facilities constructed within a floodplain are: a) compliance with Executive Order 11988 to avoid floodplain impacts, and b) adherence to more stringent building codes. Both of these requirements would result in substantial costs to upgrade existing facilities by relocating power and air handling systems above the base flood elevation. There are a number of building modernization projects currently in development that would be affected by the new floodplain maps. The federal areas at risk for flooding include essential executive and legislative functions critical to national security. Unless a reliable levee system is in-place, these government operations are at risk.

The NPS will (in the interim of more reliable interim or permanent solutions) erect the designed closure structure that has been part of the levee system design for 70 years.

**D. Engineering Alternatives:** Potential engineering solutions to correcting the levee closure deficiency that have been used in other municipalities include increasing the height or grade of the levee, raising the height of the roadway, post and panel structures, and a combination of sandbags/jersey barriers. During the development of the engineering alternatives, the design will consider the feasibility of maintaining the centerline of the existing levee. The development of the interim flood protection solution will inform the permanent solution, which would be designed and constructed when federal appropriations are received to complete the project.

MORE INFORMATION IS AVAILABLE ON  
<http://parkplanning.nps.gov/projectHome.cfm?parkID=427&projectId=22260>

John L. Nau, III  
Chairman

Susan S. Barnes  
Vice Chairman

John M. Fowler  
Executive Director



*Preserving America's Heritage*

July 25, 2008

Honorable Mary A. Bomar  
Director  
National Park Service  
1849 C Street, NW  
Washington, DC 20240

Dear Director Bomar:

In response to a notification by the National Park Service, the Advisory Council on Historic Preservation (ACHP) will participate in the consultation for the design and construction of the Potomac Park Levee Project in Washington, D.C. Our decision to participate in this consultation is based on the *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, contained within our regulations, "Protection of Historic Properties" (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act. The criteria are met for this proposed undertaking because of its potential to present important questions of policy.

Section 800.6(a)(1)(iii) of our regulations requires that we notify you, as the head of the agency, of our decision to participate in this consultation. We are also notifying Joseph M. Lawler, Regional Director of the National Capital Region, of this decision.

Our participation in this consultation will be handled by Kelly Fanizzo, who can be reached at 202-606-8583 or [kfanizzo@achp.gov](mailto:kfanizzo@achp.gov). We look forward to working with the National Park Service, the U.S. Army Corps of Engineers, the National Capital Planning Commission, the U.S. Commission of Fine Arts, the District of Columbia Office of Planning, and other consulting parties to consider alternatives to this undertaking that could avoid, minimize, or mitigate potential adverse effects to historic properties.

Sincerely,

John M. Fowler  
Executive Director

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004  
Phone: 202-606-8503 • Fax: 202-606-8647 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)





*Maryland Department of Planning*

*Martin O'Malley*  
Governor  
*Anthony G. Brown*  
Lt. Governor

*Richard Eberhart Hall*  
Secretary  
*Matthew J. Power*  
Deputy Secretary

September 2, 2008

Ms. Rudi Byron  
Environmental Scientist  
The Louis Berger Group, Inc.  
4th floor  
2445 M Street, N.W.  
Washington, DC 20037

**STATE CLEARINGHOUSE REVIEW PROCESS**

State Application Identifier: MD20080902-0894  
Reviewer Comments Due By: September 12, 2008  
Project Description: Potomac Park Levee Project's Effects on Historic Properties  
Project Address: Monumental Core, 17th Street, Washington, DC  
Project Location: and the District of Columbia  
Clearinghouse Contact: Bob Rosenbush

Dear Ms. Byron:

Thank you for submitting your project for intergovernmental review. Participation in the Maryland Intergovernmental Review and Coordination (MIRC) process helps ensure project consistency with plans, programs, and objectives of State agencies and local governments. MIRC enhances opportunities for approval and/or funding and minimizes delays by resolving issues before project implementation.

The following agencies and/or jurisdictions have been forwarded a copy of your project for their review: the Maryland Departments of the Environment, Transportation, Natural Resources; the Counties of Montgomery, and Prince George's; the Maryland-National Capital Park and Planning Commission in Montgomery, and Prince George's Counties; and the Maryland Department of Planning; including the Maryland Historical Trust. They have been requested to contact your agency directly by **September 12, 2008** with any comments or concerns and to provide a copy of those comments to the State Clearinghouse for Intergovernmental Assistance. Please be assured that after **September 12, 2008** all MIRC requirements will have been met in accordance with Code of Maryland Regulations (COMAR 14.24.04). The project has been assigned a unique State Application Identifier that should be used on all documents and correspondence.

If you need assistance or have questions, contact the State Clearinghouse staff noted above at 410-767-4490 or through e-mail at [brosenbush@mdp.state.md.us](mailto:brosenbush@mdp.state.md.us). Thank you for your cooperation with the MIRC process.

Sincerely,

Linda C. Janey, J.D., Assistant Secretary  
for Clearinghouse and Communications

LCJ:BR  
Enclosures  
cc:

Joane Mueller – MDE\*  
Cindy Johnson – MDOT\*  
Greg Golden – DNR\*  
Diane Jones – MTGM\*

Beverly Warfield – PGEO\*  
Jorge Valladares –  
MNCPPCM\*

Betty Carlson-Jameson –  
MNCPPCP\*  
Peter Conrad – MDPL\*  
Beth Cole – MHT\*

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301 West Preston Street • Suite 1101 • Baltimore, Maryland 21201-2305  
Telephone: 410.767.4500 • Fax: 410.767.4480 • Toll Free: 1.877.767.6272 • TTY Users: Maryland Relay  
Internet: [www.MDP.state.md.us](http://www.MDP.state.md.us)



**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

1800 Washington Boulevard • Baltimore, Maryland 21230

410-537-3000 • 1-800-633-6101 • <http://www.mde.state.md.us>

Martin O'Malley  
Governor

Anthony G. Brown  
Lieutenant Governor

Shari T. Wilson  
Secretary

Robert M. Summers, Ph.D.  
Deputy Secretary

October 1, 2008

Ms. Rudi Byron  
The Louis Berger Group, Inc.  
2445 M Street, NW  
Washington, DC 20037

RE: State Application Identifier: MD20080902-0894  
Project: Potomac Park Levee Project's Effects on Historic Properties

Dear Ms. Byron:

Thank you for providing the Maryland Department of the Environment (MDE) with the opportunity to comment on the above-referenced project. Copies of the documents were circulated throughout MDE for review, and it has been determined that this project is consistent with MDE's plans, programs and objectives.

Again, thank you for giving MDE the opportunity to review this project. If you have any questions or need additional information, please feel free to call me at (410) 537-4120.

Sincerely,

Joane D. Mueller  
MDE Clearinghouse Coordinator  
Science Services Administration

cc: Bob Rosenbush, State Clearinghouse