

Chapter 6  
Comments and Coordination



## Chapter 6

# Comments and Coordination

This chapter summarizes the agency and public consultation and coordination activities for the Project conducted to date. Project scoping, coordination and outreach activities included correspondence and meetings with government agencies, and contact with community organizations and other interested stakeholders, through small group and public meetings.

### 6.1 Agency Consultation and Coordination

#### 6.1.1 Early Agency Briefings

Prior to the initiation of the NEPA process, the project sponsor conducted briefings with officials from the federal government, the Government of the District of Columbia and various regional agencies and elected officials about the Project. Some of these briefings included discussion of other projects in the District.

#### Federal Agencies

- Architect of the Capitol, February 17, 2010
- Department of the Navy, Navy Yard, October 5, 2009
- Department of Interior, National Park Service, September 10, 2009
- Marine Corps, Marine Barracks Washington, November 12, 2009
- National Capital Planning Commission
  - September 29, 2009
  - November 12, 2009
  - February 10, 2010
  - March 3, 2010

#### Government of the District of Columbia

- City Administrator, September 16, 2009
- Department of Consumer and Regulatory Affairs, June 2009
- Department of Environment, March 19, 2009
- Department of General Services
  - January 8, 2010
  - September 2, 2010
- Office of the Deputy Mayor for Planning and Economic Development
- Office of Planning
  - September 24, 2008
  - April 28, 2009
  - April 30, 2009
  - August 27, 2009
  - May 25, 2010
- State Historic Preservation Office

- July 15, 2009
- January 21, 2010
- September 2, 2009
- June 10, 2010

#### Regional Agencies or Organizations

- DC Water and Sewer Authority (DC Water), May 15, 2009
- National's Stadium Authority, November 11, 2009
- Metropolitan Washington Council of Governments
  - April 4, 2008,
  - July 24, 2008
  - October 16, 2008 (site tour included)
  - June 17, 2009
  - June 26, 2009
  - July 15, 2009
  - September 4, 2009
  - September 10, 2009
  - September 16, 2009
  - January 28, 2010
  - July 8, 2010
- Washington Area Metropolitan Transit Authority, March 17, 2010

#### Elected Officials

- US Congresswoman Eleanor Holmes Norton
  - May 1, 2008
  - November 10, 2009
  - September 2, 2010
- Former DC Mayor Adrian Fenty, April 29, 2010
- Then DC Council Chairman Vincent Gray and Staff, October 28, 2009
- DC Councilman Phil Mendelson
  - November 13, 2009
  - January 27, 2010
- DC Councilman Tommy Wells and Staff
  - July 6, 2009
  - December 14, 2009
  - June 10, 2008
  - September 24, 2009
  - November 20, 2009

### 6.1.2 NEPA Scoping

At the beginning of the NEPA process for this Project, the following agencies were contacted by letter from DDOT (see Appendix A) and were asked if they were aware of any environmental or social issues associated with the Project, or if they had any environmental or other concerns. An

asterisk (\*) appears next to those agencies that responded to the request for comments letter. Copies of the response letters or emails are provided in Appendix A.

#### Federal Agencies

- National Capital Planning Commission\*
- U.S. Commission of Fine Arts
- U.S. Department of the Army
- U.S. Department of the Interior, National Park Service
- U.S. Environmental Protection Agency\*
- U.S. Fish and Wildlife Service
- U.S. Marine Corps

#### Government of the District of Columbia Agencies

- DC Housing Authority
- Department of Consumer & Regulatory Affairs
- Department of Housing and Community Development\*
- Department of Public Works
- Department of General Services
- Department of Parks and Recreation
- Department of the Environment
- Fire and EMS Department\*
- Office of Planning
- Office of Unified Communications
- Public Schools
- State Historic Preservation Office\*

#### Regional Agencies

- DC Water
- Metropolitan Washington Council of Governments
- Washington Metropolitan Area Transit Authority

At the time of the scoping letter (August 2, 2012) and responses from the agencies identified above, the FHWA's NEPA classification of the project was an EA process (Class III). FHWA initiated the NEPA process on May 9, 2011. FHWA later elevated the NEPA classification to an EIS process (Class I) and released a Notice of Intent (NOI) to prepare a Draft EIS in the Federal Register dated May 1, 2012. No agencies comments were received as a result of the NOI.

#### 6.1.3 Interagency Meetings

Interagency meetings were held on the following dates, and all the meetings were held at the offices of DDOT:

- October 6, 2010
- July 28, 2011
- November 16, 2011

- March 15, 2012
- May 8, 2012
- September 11, 2012

The October 6, 2010 interagency meeting was held prior to the initiation of the formal NEPA process (May 9, 2011). The purpose of the October 6<sup>th</sup> meeting was to brief the attendant agencies about the National Gateway Initiative (NGI) generally, and about the Project Sponsor's proposed projects in the District of Columbia, which include the reconstruction of Virginia Avenue Tunnel and lowering of the rail line beneath New Jersey Avenue (the proposed action or Project).

The July 28, 2011 interagency meeting was used to solicit NEPA scoping comments from the agencies. Unlike the interagency meeting held on October 6, 2010, the July 28<sup>th</sup>, meeting focused almost exclusively on the Project. The topics discussed during the meeting included Purpose and Need, Project elements, and the environmental resources at and surrounding the Project Area.

The November 16, 2011 interagency meeting was used to introduce the Project concepts (see Section 3.2.1) to the agencies, and invite comments on these concepts.

The March 15, 2012 interagency meeting was used to explain the alternatives screening process. The screening criteria described in Section 3.2.2 were presented to the agencies.

The May 8, 2012 interagency meeting was used to present the materials planned to be presented at the May 21, 2012 public meeting (see Section 6.2.2). The results of the concepts evaluation (see Section 3.2.3) and information about expected construction and associated maintenance of traffic plans were presented.

The September 11, 2012 interagency meeting was used used to present the materials planned to be presented at the September 27, 2012 public meeting (see Section 6.2.2).

#### 6.1.4 Agency Regulatory Coordination

Since the Project would require compliance with certain federal environmental laws and regulations, additional agency coordination and consultation was conducted as described below. Further information about these additional environmental requirements is provided in Chapters 3 and 4.

#### Endangered Species Act (ESA), Section 7

ESA Section 7 requires that federally-funded, authorized or permitted actions be done in a manner that will not jeopardize the continued existence of any plant or animal species listed as threatened or endangered (T&E), or adversely modify designated critical habitat. The Section 7 process involves consultation with either the U.S. Fish and Wildlife Service (FWS) or the National Marine Fisheries Service depending on the potentially affected species. The following

letter correspondence was conducted to date regarding compliance with ESA Section 7 (see Appendix A):

- DDOT letter to FWS dated August 22, 2011 requesting a list of T&E species or unique habitat that may be affected by the Project;
- FWS letter to DDOT dated June 11, 2012 in response to the August 22, 2011 letter stating that there are no T&E species known to exist near the Project Area, but recommended additional consultation with the National Park Service (NPS) and the DC Department of the Environment (DDOE);
- DDOT letter to DDOE dated June 22, 2012 requesting information about District T&E or critical habitat at or near the Project Area;
- DDOT letter to NPS dated July 7, 2012 requesting information about rare species at or near the Project Area;
- DDOE letter to DDOT dated July 13, 2012 providing a list of Species of Greatest Conservation Need that may be in the general vicinity of the Project Area; and
- NPS letter to DDOT dated July 18, 2012 stating that there no rare species known to existing in or near the Project Area.

#### National Historic Preservation Act (NHPA), Section 106

NHPA Section 106 requires that actions that are federally funded, authorized or permitted take into account the effect of such actions on any district, site, building, structure or object that is included in or eligible for inclusion in the National Register of Historic Places. The Section 106 process involves coordination and consultation with the State Historic Preservation Officer (SHPO), and other agencies and organizations that have an interest in or is mandated to protect historic properties. In addition, the Advisory Council on Historic Preservation is afforded the opportunity to comment on actions that may potentially affect historic properties. The following letter correspondence and other activities were conducted to date on behalf of the Project pursuant to NHPA Section 106 (see Appendix A):

- FHWA letter to the DC SHPO dated November 4, 2011 initiating the Section 106 process.
- DC SHPO letter to FHWA dated November 22, 2011 that:
  - Acknowledged the Section 106 initiation,
  - Noted that archaeological investigations were conducted on NPS-owned parcels Reservations 122 and 126, no archaeological resources were found and the DC SHPO has concurred with these findings,
  - Concurred with APE,
  - Noted the existence of two sites within the 11<sup>th</sup> Street Bridge right-of-way, and
  - Provided recommendations on consulting parties.
- Capitol Hill Restoration Society letter dated November 19, 2012 to FHWA that provided comments on the information provided to the Section 106 consulting parties for the Project (see below).
- Meeting with DC SHPO staff on March 21, 2012 to discuss the Project's Area of Potential Effects (APE) and Section 106 process.
- Meeting with DC SHPO staff on September 12, 2012 to discuss preliminary effect determinations and upcoming meeting with the consulting parties.

- Meeting with DC SHPO staff on January 10, 2013 to discuss potential mitigation measures.

The following consulting parties were invited or participated in the Project's Section 106 process:

- DC State Historic Preservation Officer
- Advisory Council on Historic Preservation
- National Capital Planning Commission
- U.S. Commission of Fine Arts
- National Park Service
- U.S. Department of the Navy
  - Marine Corps
  - Naval District Washington
- Federal Railroad Administration (FRA)
- DC Department of Housing and Community Development
- DC Department of Parks and Recreation
- Advisory Neighborhood Commission 6B
- Advisory Neighborhood Commission 6D
- Barracks Row Main Street
- Capitol Hill Restoration Society
- The Capitol Riverfront Business Improvement District
- Capitol Quarter Home Owners' Association
- The Committee of 100 on the Federal City
- DC Preservation League
- Friends of Garfield Park
- National Railway Historical Society
- The Pennsylvania Railroad Technical & Historical Society
- St. Paul AUMP Church
- Virginia Avenue Community Garden
- Washington Area Metropolitan Transit Authority
- Select approved individuals with a demonstrated interest

The following consulting parties meeting were held:

- February 14, 2012: Topics included an introduction of the Undertaking (Project), Section 106 Process and Next Steps
- May 21, 2012: Topics included introduction of the APE and historic properties identified in the APE
- September 26, 2012: Topics included discussion of effect determinations and potential mitigation



### 6.1.5 Other Agency Meetings

Other agency meetings were held to discuss particular topics pertinent to the preparation of the EIS and design of the Project. These meetings included:

- Federal Railroad Administration (FRA) on January 3, 2012 to provide a Project overview (FRA later accepted cooperating agency status);
- DDOE on February 10, 2012 and April 4, 2012 to discuss permitting requirements;
- DDOT Urban Forestry Administration on July 11, 2012 to discuss the potential tree displacement impacts of the Project and permitting requirements;
- DC Department of Parks and Recreation on February 12, 2013 to discuss the potential impacts to Virginia Avenue Park and the approvals needed to allow construction; and
- NPS National Capital Parks-East on February 12, 2013 to discuss the potential impacts to Virginia Avenue Park and the approvals needed to allow construction.

## 6.2 Community Outreach

Information about the Project and how to provide input were communicated to the general public through:

- Community group briefings;
- Four formal public information meetings;
- Project Website; and
- Newsletters.

### 6.2.1 Community Group Briefings

To reach people who may not typically attend public meetings or have special expertise or needs, project team members have provided briefings to a number of community and civic organizations, businesses and individuals. The following briefings before community and civic organizations, businesses and individuals were held. Most of these briefings were held prior to the initiation of the NEPA process.

#### Advisory Neighborhood Commissions

- ANC 6B
  - November 10, 2009
  - April 13, 2010
  - September 7, 2010
  - September 21, 2010
  - July 21, 2011 (Transportation Committee)
- ANC 6D
  - April 12, 2010
  - November 8, 2010
  - December 12, 2011

Community and Private Organizations and Individuals

- Arthur Capper Senior Apartments, April 7, 2010
- Barracks Row Main Street, October 1, 2009
- Capital Motor Works, April 7, 2010
- Capitol Hill Restoration Society
  - November 11, 2009
  - December 9, 2011
- Capitol Quarter Residents and Home Owners Association
  - June 1, 2010
  - November 9, 2010
  - March 22, 2012 (Association Board)
- Capitol Riverfront Business Improvement District Staff and Board
  - October 28, 2009
  - November 18, 2009
  - July 1, 2010
  - July 22, 2010
- Claudia Holwill, DC VoiceontheHill Blogger and Garfield Park Resident, October 21, 2009
- Cohen Group, August 19, 2010
- DOGMA
  - January 9, 2010
  - April 7, 2010
- EYA Housing Authority, December 3, 2009
- Garfield Park Association
  - October 7, 2009
  - November 12, 2009
- Greater Washington Board of Trade
  - November 30, 2009
- Lower 8th Street Vision, November 17, 2009
- StoneBridge/Carras, January 8, 2010
- Southwest Neighborhood Assembly, June 28, 2010
- Various Local Bloggers (VoiceontheHill, JDland (Washington Post), Greater Greater Washington; CHARTX; and HeardontheHill)
  - April 12, 2010
  - July 19, 2010 (walking tour)
  - February 3, 2010
- Virginia Avenue Park Community Garden
  - May 18, 2010
  - June 14, 2010
- William C. Smith Development Group, December 22, 2009

## 6.2.2 Public Information Meetings

A number of public workshops and meetings were held in advance of the public release of the Draft EIS. The purpose was to solicit feedback from the community on the Project and to involve the community in the development of alternatives for the Project. Various formats were used for the four public information meetings: traditional, open house, and modified open house/workshop. At each meeting, display boards containing project information were presented, forms for written comments were made readily available, and a verbatim reporter was available to record spoken comments. Copies of PowerPoint presentations, poster displays, completed comment forms submitted during and after the meeting (with personal information redacted), and meeting transcripts were made available on the project website.

Notices for the public meetings were placed in the Washington Post Express, the Hill Rag and El Tiempo (Spanish language newspaper). In addition, notices were placed on the project website and local community websites and blogs, including JDland.com, Capitol Community News (ccn.com), and The Hill is Home (thehillishome.com). Meeting flyers in English and Spanish were prepared for all of the meetings and were mailed to households within the communities surrounding the Project Area. A mass flyer mail out was not conducted for the third and fourth public meetings, but email alerts were sent to those individuals who had signed up to be on the project email list through the project website.

All four public meetings were held near the Project Area to make it easy for residents living near the Project Area to attend the meetings. Shuttle service was provided for residents of the Capper Senior Apartments for the second, third and fourth meetings. The first public meeting was located one block from this residence.

Meeting Displays Boards



### Public Meeting 1

The first public meeting was held on September 14, 2011 at Van Ness Elementary School. An open house format was used, and the meeting principally served for public scoping to support the NEPA process. Display stations were available depicting the Virginia Avenue Tunnel, the freight transportation industry, the NEPA process, potential key environmental issues, Purpose and Need, Section 106 of the National Historic Preservation Act (NHPA), and the study schedule. Project team members staffed the stations to explain the information on the displays

and answer questions from the public. Comments could be submitted on forms, noted on maps or verbally communicated to a verbatim reporter.

### Public Meeting 2

The second public meeting was held on November 30, 2011 at the Nationals Park. The purpose of the meeting was to present the project concepts as are described in Section 3.2.1. The traditional meeting format included a formal presentation followed by a moderated questions and answers session. Informational displays were staffed by the project team throughout the course of the meeting. The verbatim reporter transcribed the presentation and the comments, questions and answers that followed the formal presentation. Comment forms were also available.

Public Meeting 1



### Public Meeting 3

The third public meeting was held on May 21, 2012 at the Nationals Park, and again, a traditional meeting format was used, with open house displays. The purpose of the meeting was to present the concepts evaluation process and the concepts that were recommended to be further developed as the most viable candidate alternatives (see Sections 3.2.2 and 3.2.3). The maintenance of traffic plan was also presented. Similar to Public Meeting 2, the verbatim

Public Meeting 3



reporter transcribed the presentation and the comments, questions and answers that followed, and comment forms were available.

#### Public Meeting 4

The fourth public meeting was held on September 27, 2012 at the Washington Skyline Hotel. A modified open house format was used. The meeting began with a brief presentation. The participants were then asked to visit various stations where short presentations would be given by project staff. Following the presentation at a station, one-on-one conversations were initiated between the public and project staff. Each presentation and follow-up conversations were brief enough that a participant could visit several stations within the time frame provided. The stations included the following topics: sounds of transit (a tutorial about the nature and characteristics of sound), vibration, alternatives & construction sequencing, maintenance of traffic, construction practices, NHPA Section 106, and rail operations. The meeting ended with a general questions & answer session. Similar to previous public meetings, the verbatim reporter transcribed the opening remarks and ending questions & answers, and comment forms were available.

#### 6.2.3 Project Website

The project website became active on August 16, 2011. The website contains a schedule of upcoming activities, public meeting materials, public comments, "frequently asked questions" and a webpage on the NHPA Section 106. Website visitors could submit comments or sign-up to be on the project email list.

#### 6.2.4 Project Newsletters

Beginning in May 2012, seven project newsletters were published and distributed. The first newsletter appeared in May 2012, and subsequent newsletters were released starting in July 2012. The newsletters were posted on the project website, distributed to the project email list, and hand delivered to households near the Project Area. Copies of each of the newsletters released to date are provided in Appendix K.

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