

Virginia Avenue Tunnel Reconstruction Project

Cultural Resources MOA - Quarterly Progress Report

December 5, 2014 - March 5, 2015

March 5, 2015

Work Completed this Quarter:

Status of Injunctions

- The Committee of 100 on the Federal City filed a preliminary injunction against the Federal Highway Administration (FHWA) and the District Department of Transportation (DDOT) on November 11, 2014.
- A hearing in Federal Court was held on January 26, 2015 regarding a request for discovery filed by the Committee of 100 on the Federal City for information beyond the NEPA documentation and associated Administrative Record. The judge denied the request for discovery.
- A hearing in Federal Court regarding the injunction filed by the Committee of 100 on the Federal City was scheduled on February 17, 2015 but was delayed due to inclement weather. The rescheduled hearing was held on February 20, 2015.
- The preliminary injunction hearing requested by the Committee of 100 on the Federal City (Committee) was held on February 20, 2015. The Committee was asking the court to stop the initiation of construction while the lawsuit proceeds. Counsel for the plaintiff and the defense made oral arguments. The ruling is pending.

Status of Early Project Activities

- Air Quality baseline monitoring along the project corridor was conducted between February 10 and February 12, 2015.
- Noise and Vibration baseline monitoring along the project corridor was initiated on February 23, 2015 and is expected to continue until March 8, 2015.
- The installation of silt fence around the New Jersey Yard on CSX property started on February 24, 2015.
- Limited grading and clearing for preparation of New Jersey Yard for installation of the construction trailers on CSX property started on March 2, 2015.

Status of Construction Damage Claims

- No construction damage claims were received during this quarter.

Meetings

- Open House for the Public on February 5, 2015.
- Project coordination with the DC SHPO and DDOT on February 11, 2015.

MOA Stipulation I - Historic Built Environment

A. Identification of Additional Historic Built Environment Properties and Assessment of Project Effects

- No additional historic built environment properties have been identified during the reporting period.

B. Construction Protection Plan (CPP)

- Draft CPP was submitted to DC SHPO for preliminary review on December 5, 2014.
- Methodology for 'no touch' zone around National Park Service (NPS) Reservation 122 was discussed with Robert Mocko, NPS on December 17, 2014.
- Preliminary review comments on the draft CPP received from the DC SHPO on December 18, 2014.
- Draft CPP (electronic copy) uploaded on the Virginia Avenue Tunnel (VAT) project website and the DC SHPO and consulting parties were notified by email of its availability for the 30-day review on January 13, 2015.
- Courtesy print copies of the Draft CPP were sent to the MOA signatories on January 14, 2015.
- At the request of the DC SHPO, the 30-day review period was extended from February 12, 2015 until February 13, 2015.
- The consulting parties and signatories were sent an email on February 11, 2015 notifying them of the extension to the 30-day comment period for the draft CPP and reiterated the request for comments.
- The 30-day review period for the draft CPP ended on February 13, 2015. Comments were received from ANC6B, DDOT, and the DC SHPO.

C. Historic American Engineering Record (HAER) Recordation of the Virginia Avenue Tunnel

- Interior HAER photographs were taken on December 1, 2014.
- Exterior HAER photographs were taken on December 17, 2014.
- Additional interior HAER photographs were taken on December 22, 2014.
- The NPS HABS/HAER office was contacted on February 4; Catherine Turton of HABS/HAER verified that HAER did not want to accession the documentation because the VAT is not nationally significant.
- Alternative repositories for the HAER documentation were suggested by the DC SHPO: the Washingtoniana Room at the Martin Luther King Library and the Washington

Historical Society. The repositories were contacted on February 19, 2015 and the initial response to accessioning the VAT HAER documentation was positive.

- At the request of the DC SHPO on February 11, 2015, the HAER digital photographs and captions were submitted to DC SHPO for review and approval in advance of the complete HAER packet (to facilitate the early construction schedule) on February 25, 2015.
- The DC SHPO requested several additional HAER photographs be taken to provide close-ups of the north portal stones and to provide higher resolution on the digital negatives, on March 3, 2015.
- Preparation of the HAER written documentation is ongoing.

D. Establishment of a Preservation Fund

- The Preservation Fund will be administrated by the DC Preservation League.
- Rebecca Miller at the DC Preservation League was contacted on March 2, 2015 and the process for transferring funds was discussed.

E. Restoration of Virginia Avenue SE

- Draft photodocumentation packet was submitted to DC SHPO for preliminary review on January 5, 2015.
- Approval of draft photodocumentation packet was received from the DC SHPO on January 8, 2015.
- Draft photodocumentation packet (electronic copy) was uploaded on the VAT project website and the DC SHPO and consulting parties were notified by email of its availability for review on January 8, 2015.
- Courtesy print copies were sent to the MOA signatories on January 14, 2015.

F. Restoration of Virginia Avenue Park

- Draft photodocumentation packet was submitted to DC SHPO for preliminary review on January 5, 2015.
- Approval of draft photodocumentation packet was received from the DC SHPO on January 8, 2015.
- Draft photodocumentation packet (electronic copy) was uploaded on the VAT project website and the DC SHPO and consulting parties were notified by email of its availability for review on January 8, 2015.
- Courtesy print copies were sent to the MOA signatories on January 14, 2015.

G. Interpretive Signage for the Virginia Avenue Tunnel

- Development of the text and graphics are underway.

H. Interpretive Signage for the L'Enfant Plan and Reuse of Virginia Avenue Paving

- Development of the text and graphics are underway.

I. Donation and Relocation of the Virginia Avenue Tunnel Portals Stones

- Draft notification letter submitted to the DC SHPO for preliminary review on January 21, 2015.
- Comments received from the DC SHPO on February 11, 2015.
- Notification letters sent to the Eligible Entities: DC Department of Parks and Recreation, National Railway Historic Society, National Park Service, and Friends of Garfield Park, on February 17, 2015.

J. Designation of Control Point Virginia Tower

- Preparation of the NRHP nomination form and DC Inventory of Historic Sites form is ongoing.

K. Rehabilitation of Control Point Virginia Tower

- Preparation of the Rehabilitation Plan is ongoing.

MOA Stipulation II - Archaeological Stipulations

A. Virginia Avenue Site (52SE062)

- Preliminary Draft combined Archaeological Work Plan (AWP) (hard copy) for removal of existing paving stones (Stipulation II.A.3) and phase I testing under cross streets (Stipulation II.A.4) was submitted to DC SHPO for preliminary review on December 3, 2014.
- Preliminary Draft AWP (electronic copy) was submitted to DC SHPO on December 5, 2014.
- Preliminary review comments were received from the DC SHPO on December 22, 2014.
- Draft AWP (electronic copy) was uploaded on the VAT project website and the DC SHPO and consulting parties were notified by email of its availability for the 30-day review on January 7, 2015.
- Courtesy print copies were sent to the MOA signatories on January 14, 2015.
- The 30-day review of the draft AWP ended on February 6, 2015. No written or email comments on the AWP were received from the consulting parties. One comment was received from DDOT, one of the signatories.
- DC SHPO verbally approved AWP on February 11, 2015.
- Final revised AWP was uploaded on the VAT project website on February 27, 2015.
- Courtesy print copies were sent to the MOA signatories on March 2, 2015.

B. Unanticipated Archaeological Discoveries

- Notification protocol was submitted to DC SHPO for preliminary review on December 5, 2014.
- Draft Unanticipated Archaeological Discovery Brochure was submitted to DC SHPO for preliminary review on February 10, 2015.

C. Unanticipated Archaeological Discoveries and Treatment of Human Remains on NPS Property

- Notification protocol was submitted to DC SHPO for preliminary review on December 5, 2014.
- Guidance on ARPA permit approach was received from Dr. Stephen Potter, NPS Regional Archaeologist, on December 18, 2014.

D. Treatment of Human Remains on non-NPS Property

- Notification protocol was submitted to DC SHPO for preliminary review on December 5, 2014.
- Revised notification protocol was submitted to DC SHPO on January 7, 2015 (based on revised information from the DC Office of the Chief Medical Examiner).

MOA Stipulation IV-Document and Deliverable Review

G. Notification to Consulting Parties

- Notification of the availability of the December 2014 Quarterly Progress Report on the website was sent by email on December 9, 2014.
- Notification of the availability of the Draft Archaeological Work Plan on the website was sent by email on January 7, 2015.
- Notification of the availability of the Photodocumentation Packets for Existing Conditions at Virginia Avenue and Virginia Avenue Park on the website was sent by email on January 8, 2015.
- Notification of the availability of the Draft Construction Protection Plan on the website was sent by email on January 13, 2015.
- A reminder email on the request for comments on the Draft Construction Protection Plan and extension of the 30-day review period was sent by email on February 11, 2015.
- Notification of the availability of the Final Archaeological Work Plan on the website was sent by email on February 27, 2015.

Anticipated Work for Next Quarter:

MOA Stipulation I - Historic Built Environment

B. Construction Protection Plan (CPP)

- Finalize the CPP and upload to the VAT project website.

C. Historic American Engineering Record (HAER) Recordation of the Virginia Avenue Tunnel

- Submit HAER Recordation to DC SHPO and appropriate HAER repository.

G. Interpretive Signage for the Virginia Avenue Tunnel

- Submit text and graphics for interpretive sign to DC SHPO for preliminary review.

H. Interpretive Signage for the L'Enfant Plan and Reuse of Virginia Avenue Paving

- Submit text and graphics for interpretive sign to DC SHPO for preliminary review.

J. Designation of Control Point Virginia Tower

- Submit the NRHP nomination form and DC Inventory of Historic Sites form for Control Point Virginia Tower to the DC SHPO for preliminary review.

K. Rehabilitation of Control Point Virginia Tower

- Submit the Rehabilitation Plan for Control Point Virginia Tower to the DC SHPO for preliminary review.

MOA Stipulation II - Archaeological Stipulations

A. Virginia Avenue Site (51SE062)

- Monitor the removal of the Virginia Avenue site (51SE062) near 11th Street SE.
- Monitor all utility excavations near the intersections of 2nd, 3rd, 4th, 5th, 7th, 8th, 9th and 11th Streets SE with Virginia Avenue SE and document evidence of historic pavers.

B. Unanticipated Archaeological Discoveries

- Finalize the Unanticipated Archaeological Discoveries brochure, prepare the Spanish translation, and prepare the bilingual poster for the New Jersey Yard construction board.