

APPENDIX C
National Historic Preservation Act Section 106 Documentation

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C.1 State Historic Preservation Officer Response

District of Columbia Office of Planning



September 15, 2022

Robert L. Williams, Environmental Business Line Coordinator
By direction of the Commanding Officer
Department of the Navy
Naval Facilities Engineering Systems Command Washington
1314 Harwood Street, SE
Washington Navy Yard, DC 20374-5018

RE: Washington Navy Yard Land Acquisition and Exchange Project – Additional Comments Regarding the Area of Potential Effect/Identification of Historic Properties/Assessment of Effects and Resolution of Adverse Effects

Dear Mr. Williams:

Thank you for your most recent letter regarding the above-referenced undertaking. We received the letter on August 16, 2022 and appreciate that its attachments, including the report entitled *Area of Potential Effects (Built Environment), Identification of Historic Resources, Assessment of Effects, and Proposed Resolution of Adverse Effects* and the spreadsheet entitled *Comments and Responses Matrix* were revised and developed in part to respond to the comments we provided in our letter dated July 7, 2022. We are writing to provide additional comments regarding effects on historic properties in accordance with Section 106 of the National Historic Preservation Act.

The revised Area of Potential Effect (APE) (attached) seems to address all our earlier recommendations and be sufficient to take into account the direct and indirect effects of the undertaking on historic properties. It is unlikely that the APE will need to be modified but if any additional properties come to mind, we will notify the Navy as quickly as possible.

As previously stated, we do not believe it is possible to make definitive findings of effect at this relatively early stage of consultation due to the extremely complicated nature of the undertaking and the lack of specific information about the proposed development in both the E and O Parcels. However, the information available at this point suggests we may ultimately be able to concur with the recommended findings of “no adverse effect” and suggests that the highest potential for adverse effects likely relates to the historic districts that make up the larger Historic Navy Yard complex including the National Historic Landmark Central Yard, the National Register-listed Navy Yard Annex (aka Southeast Federal Center and “The Yards”), and the National Register-eligible Eastern and Western Extensions.

Specific properties within those districts that appear to have the most potential to be adversely affected include, but are not necessarily limited to, the Commandant’s Office, the Boundary Wall, Buildings 68, 70, 74, 166, 202 and Structures 301 (pier), 302 (pier) and 308 (boat slip). Hopefully, the proposed and existing covenants, design guidelines and similar approaches identified through on-going consultation will be incorporated into the relevant agreement document(s) and implemented to avoid or at least minimize adverse effects on these properties.

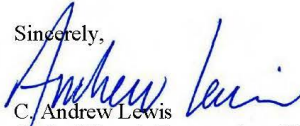
Beyond the Navy Yard, we concur that Anacostia Park and the Plan of the City of Washington (L’Enfant Plan) also have the potential to be adversely affected. Please note that the table on page 4 of the report states that the undertaking will have “no adverse effect” on these resources while the text on pages 45 and 54, respectively, documents the potential for both these resources to be adversely affected.

1100 4th Street, SW, Suite E650, Washington, D.C. 20024 Phone: 202-442-7600, Fax: 202-442-7638

Robert L. Williams
Additional Comments Regarding the Navy Yard Land Acquisition & Exchange Project
September 15, 2022
Page 2

We continue to look forward to consulting further regarding the effects of this undertaking on historic properties and the agreement document(s) that will be executed to resolve those effects. In the meantime, please contact me at andrew.lewis@dc.gov or 202-442-8841 if you should have any questions or comments regarding the historic built environment. Questions or comments related to archaeology should be directed to Ruth Troccoli at ruth.troccoli@dc.gov or 202-442-8836. Thank you for continuing to consult with us regarding this important undertaking.

Sincerely,



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

17-0589

1100 4th Street, SW, Suite E650, Washington, D.C. 20024 Phone: 202-442-7600, Fax: 202-442-7638

District of Columbia Office of Planning



July 7, 2022

Robert L. Williams
Environmental Business Line Coordinator
By direction of the Commanding Officer
Department of the Navy
Naval Facilities Engineering Systems Command Washington
1314 Harwood Street, SE
Washington Navy Yard, DC 20374-5018

RE: Washington Navy Yard Land Acquisition and Exchange Project – Area of Potential Effect/Identification of Historic Properties/Assessment of Effects and Resolution of Adverse Effects

Dear Mr. Williams:

Thank you for continuing to consult with the District of Columbia State Historic Preservation Officer (SHPO) regarding the above-referenced undertaking. We have reviewed your most recent correspondence which delineates an Area of Potential Effect (APE), identifies historic properties, assesses effects and proposes methods to resolve adverse effects. This letter provides our comments on each of these steps pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

At the risk of stating the obvious, we must first emphasize that the Navy's proposed Land Acquisition and Exchange Project is an extremely complicated, multi-year effort that has potential to result in a myriad of direct and indirect effects across every area that historically served as part of the Washington Navy Yard and upon historic properties in the surrounding APE. For this reason, it is not possible to fully and comprehensively identify the nature and degree of those effects at this early stage in consultation. The Navy indirectly acknowledged this by referencing 36 CFR 800.14(b)(1)(i) in its correspondence and noting that this is a case where "...effects on historic properties cannot be fully determined prior to the approval of an undertaking." With this in mind, we note that the comments provided in this letter are based upon the relatively limited information we have available at this time. Our views may change as more information becomes available through continued consultation.

Area of Potential Effect and Identification of Historic Properties

We appreciate that the Navy is recommending an extensive APE that takes long views of the Navy Yard into account (see below). We generally agree with the proposed boundaries but request that the following questions and comments be addressed before the APE is finalized. Some of these comments relate to the identification of historic properties but we do not believe any additional evaluation efforts (e.g. Determination of Eligibility Forms) will be necessary at this time.

1. The National Register-listed Main Sewerage Pumping Station at 1331 2nd Street, SE should be added to the APE map.
2. We believe the boundaries of the National Register-eligible Anacostia Park extend further west on the north side of the Anacostia River, please confirm the boundaries with the NPS.

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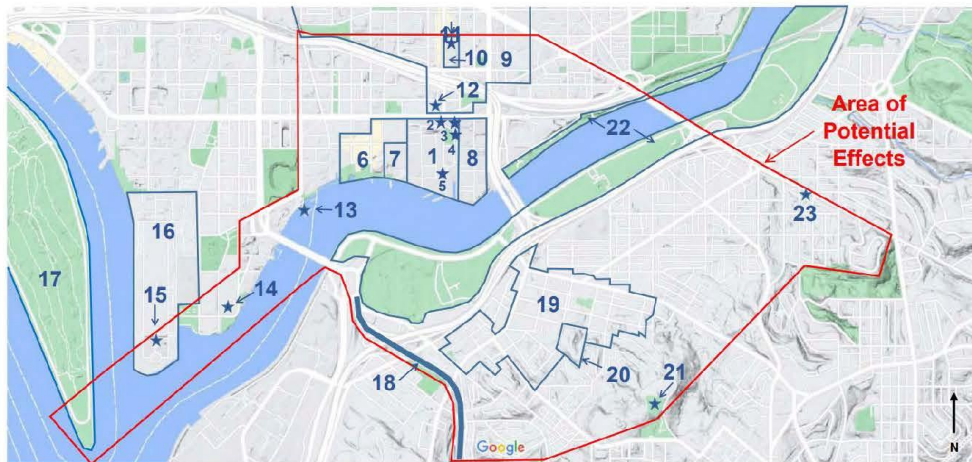
Robert L. Williams

Navy Yard Land Acquisition & Exchange Project APE/Historic Properties/Assessment of Effects/Resolution of Adverse Effects

July 7, 2022

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3. The boundaries of the National Register-listed Fort Stanton-Fort Circle Parks Historic District are larger than indicated on the APE map. Please revise the boundaries to reflect the full extent of the historic district within the APE. Refer to www.propertyquest.dc.gov
4. The Plan of the City of Washington (L'Enfant Plan) is included in the list of historic properties but not identified on the APE map. Given the nature of the resource, we recognize the difficulty of denoting the entire plan on the map but recommend that elements of the plan which still exist within the Navy Yard boundaries (e.g. O Street, SE), be identified. Similarly, significant viewsheds that may include the project area (e.g. those along New Jersey, Virginia and Potomac Avenues) should be indicated with arrows or other graphic representations that illustrate how the viewsheds continue.
5. We suspect the suggested area of visibility west of the Frederick Douglas Bridge is accurate but request confirmation that the Navy Yard is not visible from any portion of JBAB, especially the Anacostia Naval Air Station Historic District.
6. During the review of several projects at St Elizabeths, views from "The Overlook" were the subject of much discussion and the Navy Yard is clearly visible from this important National Register-listed Historic District. We strongly recommend that the APE be expanded to include St. Elizabeths.
7. There are a number of properties throughout the APE which the SHPO considers National Register-eligible or potentially eligible. These include, but are not necessarily limited to the Anderson Tire Manufacturing Company at 1701 14th St SE; the DC Water Pumping Station immediately south of the new southern traffic oval and west of Howard Rd, SE; the Capitol Pumphouse in the Anacostia River at the foot of 1st St SE; Anacostia High School at 1601 16th St, SE; Kramer Middle School at 17 Q St SE; and the historic Boathouse Row along Water St, SE. This is not an exhaustive list and we do not believe it is necessary to prepare one given the extent of the APE and the low potential for adverse effects outside of the immediate project areas. However, we are noting historic properties/potential historic properties such as these in the unlikely event that unanticipated effects may warrant a closer examination and/or additional identification and evaluation efforts as consultation continues.



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Robert L. Williams
Navy Yard Land Acquisition & Exchange Project APE/Historic Properties/Assessment of Effects/Resolution of Adverse Effects
July 7, 2022
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Assessment of Effects

As noted above, our comments regarding the assessment of effects are preliminary at this time. However, we generally agree that the highest potential for adverse effects is likely to be limited to the historic districts that make up the larger Historic Navy Yard complex including the National Historic Landmark Central Yard, the National Register-listed Navy Yard Annex (aka Southeast Federal Center and “The Yards”), and the National Register-eligible Eastern and Western Extensions.

We appreciate that the Navy’s most recent correspondence provided graphics to illustrate the highest allowable height for new construction within the E and O Parcels but we do not yet have sufficient information to definitively concur with the proposed findings of “no adverse effect” for individually listed properties within the Navy Yard such as the Latrobe Gate, Quarters A (Tingey House), Quarter B, or the Commandant’s Office.

Although we may ultimately agree with them, such determinations must be based not only upon height, but also upon design, location, orientation, and even the materials that are used for the new construction. Indirect effects other than visual changes (e.g. noise, vibration, duration of construction, etc.) must also be considered along with the cumulative effects of the entire undertaking. Of all the individually listed properties, the potential for adverse effects appears to be the highest for the Commandant’s Office because of its proximity to the proposed new development.

The same considerations must be applied to historic properties outside the Navy Yard’s historic districts before final determinations of effect can be made for those properties but we also generally agree that the potential for adverse effects on these properties is lower than those within the Navy Yard’s historic districts. However, we note that development of the O Parcels will substantially alter views from/within the Anacostia Park National Register-eligible Historic District and that some aspects of the L’Enfant Plan could be adversely affected if any new development extends into the right-of-way of any streets or avenues that contribute to the plan.

Resolution of Adverse Effects

The SHPO also generally agrees with the overall approaches that the Navy has suggested to resolve adverse effects but offers the following comments, questions and caveats:

1. The Navy’s recommended resolution suggests that a covenant be applied to “all parts of the O Parcels” rather than solely to the historic buildings within the O Parcels (e.g. Building 166). We are not necessarily opposed to the Navy’s recommendation but believe the nature and extent of the O Parcel covenant(s) warrant further consultation.
2. We concur that Programmatic Agreements (PA) will be required for the O and E Parcels but note that the agreement for the latter parcels should be coordinated with GSA and require perpetuating the covenants that are already in place for Buildings 74 and 202.
3. The PAs should require assessing effects on any historic properties for which determinations of “no adverse effect” cannot be agreed upon in advance (e.g. the Commandant’s Office, etc.).
4. The O Parcels PA should stipulate the development of a National Register of Historic Places nomination for the Eastern Extension and listing of the historic district in the National Register as one measure to mitigate adverse effects. The E Parcels PA should do the same for the Western Extension.

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Robert L. Williams
Navy Yard Land Acquisition & Exchange Project APE/Historic Properties/Assessment of Effects/Resolution of Adverse Effects
July 7, 2022
Page 4

5. Design guidelines for all new construction in the E and O Parcels should be developed (based on the existing guidelines for the E Parcels) and incorporated into the PAs.
6. The PA(s) and long-term leases should ensure that ownership of any properties within NHL boundaries that are to be leased to a developer will remain with the Navy.
7. The O Parcels PA should stipulate retention and rehabilitation of the remaining piers at the Navy Yard.

We look forward to providing more informed and definitive comments as consultation continues. In the meantime, please contact me at andrew.lewis@dc.gov or 202-442-8841 if you should have any questions or comments regarding the historic built environment. Questions or comments related to archaeology should be directed to Ruth Troccoli at ruth.troccoli@dc.gov or 202-442-8836. Thank you for continuing to consult with us regarding this important undertaking.

Sincerely,



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

17-0589

1100 4th Street, SW, Suite E650, Washington, D.C. 20024 Phone: 202-442-7600, Fax: 202-442-7638

C.2 National Park Service Response

C.2.1 Response from Daniel Weldon

From: [TOMPKINS-FLAGG, Nicole Marie \(Nik\) CIV USN NAVFAC WASHINGTON DC \(USA\)](#)
To: [Kathleen Riek](#); [Farrell, Peggy \[US-US\]](#); [Cristina Ailes](#)
Subject: EXTERNAL: FW: [EXTERNAL] Washington Navy Yard Land Acquisition - Area of Potential Effects, Identification of Historic Properties, Effects Analysis
Date: Tuesday, June 14, 2022 6:44:33 AM

For the admin record and Appendix A.

From: Darsie, Julie C CIV USN NAVFAC WASHINGTON DC (USA) <julie.c.darsie.civ@us.navy.mil>
Sent: Monday, June 13, 2022 3:39 PM
To: TOMPKINS-FLAGG, Nicole Marie (Nik) CIV USN NAVFAC WASHINGTON DC (USA) <nicole.m.tompkins-flagg.civ@us.navy.mil>
Subject: FW: [EXTERNAL] Washington Navy Yard Land Acquisition - Area of Potential Effects, Identification of Historic Properties, Effects Analysis

For you records and for forwarding to the contractor.

From: Weldon, Daniel T <daniel_weldon@nps.gov>
Sent: Thursday, June 9, 2022 6:47 AM
To: Darsie, Julie C CIV USN NAVFAC WASHINGTON DC (USA) <julie.c.darsie.civ@us.navy.mil>
Subject: [Non-DoD Source] Re: [EXTERNAL] Washington Navy Yard Land Acquisition - Area of Potential Effects, Identification of Historic Properties, Effects Analysis

Julie,

Thank you for the opportunity to review the Area of Potential Effects for the proposed transfer and future development. Here are my notes:

- Regarding the APE, it is my opinion that the boundary presented sufficiently encapsulates the project. NACE resources including the Frederick Douglass NHS, Anacostia Park, and Fort Stanton. The analysis on the units also appears to be accurate. I would note that I believe the District Yacht Club, which is within the APE, was listed recently. Please ensure that the boundary of the Anacostia Historic District is accurate as there was conversation of expanding in a recent meeting.
- Regarding historic resources, is the Anacostia seawall intact at the Navy Yard? NACE has had several conversations with the DC SHPO regarding the seawall in the past and it is a point of discussion. Otherwise, I believe the analysis is accurate.
- I agree that Adverse Effects will be limited to the identified districts.
- I agree with the remedies prescribed and would ask that in addition to height limitations, that the restrictions also focus on setbacks and massing of any potential new development.
- Please ensure that NHL Coordinator Kathryn Smith (NPS) has had an opportunity to review the materials as well.

I look forward to any future reviews.

Thank you again.

Daniel

Daniel T. Weldon, MHP

Cultural Resources Program Manager (CRPM)
COR and ATR

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

(202)6926048 office
(202)4655176 cell
daniel_weldon@nps.gov

pronouns: he/him

Schedule: M-F 6 am to 3 pm; Every other Friday off

From: Darsie, Julie C CIV USN NAVFAC WASHINGTON DC (USA) <julie.c.darsie.civ@us.navy.mil>

Sent: Wednesday, June 8, 2022 2:47 PM

To: Weldon, Daniel T <daniel_weldon@nps.gov>

Subject: [EXTERNAL] Washington Navy Yard Land Acquisition - Area of Potential Effects,
Identification of Historic Properties, Effects Analysis

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C.2.2 Response from Kathryn Smith

From: Smith, Kathryn G [mailto:Kathryn_Smith@nps.gov]
Sent: Tuesday, September 13, 2022 3:57 PM
To: Darsie, Julie C CIV USN NAVFAC WASHINGTON DC (USA) <julie.c.darsie.civ@us.navy.mil>
Cc: Daniel Weldon <daniel_weldon@nps.gov>; C. Andrew Lewis <andrew.lewis@dc.gov>; Tanya Gossett <tanya_gossett@nps.gov>; Katharine R. Kerr <kkerr@achp.gov>; Ruth Trocolli <ruth.trocolli@dc.gov>; Carlton Hart <carlton.hart@ncpc.gov>; Diane Sullivan <diane.sullivan@ncpc.gov>; Dan Fox <dfox@cfa.gov>; Nicole Marie (Nik) CIV USN NAVFAC WASHINGTON DC (USA) <nicole.m.tompkins-flagg.civ@us.navy.mil>
Subject: [External] Re: [EXTERNAL] Continuing Consultation under Section 106 for Land Acquisition, Washington Navy Yard

Sorry, Julie. I forgot to also attached my notes on the comments spreadsheet. These will show up as notes on the spreadsheet; some of them repeat items in my list I just sent.

Thanks,
Kathryn

Kathryn G. Smith (she/her)

National Historic Landmarks & National Register Coordinator
National Park Service
National Capital Region
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202.913.3859 mobile

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Washington, DC 20242
kathryn_smith@nps.gov

NCR Website <https://www.nps.gov/RESSNCR>

NHL Website <http://www.nps.gov/nhl>

Facebook [National Historic Landmark Program - NPS](#)

Instagram [NationalHistoricLandmarkNPS](#) #NationalHistoricLandmark #FindYourPark

From: Smith, Kathryn G <Kathryn_Smith@nps.gov>

Sent: Tuesday, September 13, 2022 3:38 PM

To: Darsie, Julie C CIV USN NAVFAC WASHINGTON DC (USA) <julie.c.darsie.civ@us.navy.mil>

Cc: Weldon, Daniel T <daniel_weldon@nps.gov>; Lewis, Andrew (OP) <andrew.lewis@dc.gov>;
Gossett, Tanya <Tanya_Gossett@nps.gov>; Katharine R. Kerr <kkerr@achp.gov>; Troccoli, Ruth (OP)
<ruth.troccoli@dc.gov>; Hart, Carlton <carlton.hart@ncpc.gov>; Sullivan, Diane
<diane.sullivan@ncpc.gov>; Daniel Fox <dfox@cfa.gov>; Nicole Marie (Nik) CIV USN NAVFAC
WASHINGTON DC (USA) <nicole.m.tompkins-flagg.civ@us.navy.mil>

Subject: Re: [EXTERNAL] Continuing Consultation under Section 106 for Land Acquisition,
Washington Navy Yard

Julie,

Below are NPS's comments on the revised Area of Potential Effect and Assessment of Effect with proposed mitigations for the Land Acquisition project at the Washington Navy Yard.

Thank you for the extra time to review this and for the opportunity to comment.

1. Attached is a copy of the Frederick Douglass NHS National Register update that is currently pending Keeper review. Please correct any documentation in the Assessment of Effect section for Frederick Douglass NHS based on

this revised and updated nomination.

2. Please check Table 1 to be sure that the assessment of effects match what is outlined in the narrative - example #22 Anacostia Park doesn't match.
3. The National Historic Landmarks Program would prefer that no properties within the NHL boundary be included in this lease/transfer (O parcel) due to the high potential for adverse effects to contributing elements of the district. For example, it's difficult to imagine an adaptive reuse of building 70 (Model Basin - contributes to the NHL) and its surroundings that won't cause changes that would threaten the NHL's high degree of integrity. If it must be leased, the PA should stipulate that minimal changes will be allowed and in some cases, restoration of historic features may be required. For instance, part of building 70's historic design character is its lack of windows along either of its long sides. Additionally, the PA should require the completion of a Historic Structure Report along with a historic analysis of the surrounding landscape within and adjacent to the NHL (perhaps a Cultural Landscape Report with treatment recommendations), prior to design development. The studies should identify what reuse and design is compatible with protection of the NHL. These studies should also inform the Navy and its consulting parties as design guidelines are developed.
4. For the NHL district, our first goal should be avoidance of adverse effects. I am concerned that by relying wholly on the PA process to resolve adverse effects that we are limiting the possibilities for avoiding adverse effects. It appears that preservation/development parameters need to be set before the Navy enters into agreements with the developer who will have expectations of being able to develop the parcels at their highest and best use. The best way to set those parameters are through study and consultation (see studies recommended above). For instance, perhaps the guidelines need to establish height limits adjacent to the NHL in the O Parcel.
5. In the Assessment of Effects sections, please identify buildings and structures that are not only National Register listed, but are also contributing elements in the NHL district. Note that any adverse effects to these buildings are also adverse effects to the district.
6. Photo 3 - Quarters B - Not clear if this view will be blocked once leaves are off this tree. Reassess.
7. Is it possible to see a copy of the historic covenant placed on the SE Federal Center? For reference.
8. All PA's should outline steps to be taken (or already taken) to avoid, minimize, and mitigate adverse effects.
9. I think I'd prefer to see two separate PAs - one for E parcel; one for O

parcel.

10. Make sure the historic covenant governs alterations to the historic resources including the historic landscape character and setting of each building or historic district. And keep in mind that districts have landscape characteristics that also contribute to the historic resource, not just buildings and structures.
11. I think the O and E parcels are mislabeled in Figure 5.
12. St. Elizabeths - GSA probably has photos from the Overlook that they can share. Please correct: GSA "owns" the West Campus portion of the St. Elizabeths NHL district. DC owns the East Campus.

Kathryn G. Smith (she/her)

National Historic Landmarks & National Register Coordinator

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NHL Website <http://www.nps.gov/nhl>

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Instagram [NationalHistoricLandmarkNPS](#) #NationalHistoricLandmark #FindYourPark

From: Darsie, Julie C CIV USN NAVFAC WASHINGTON DC (USA)

Sent: Tuesday, September 13, 2022 8:06 AM

To: Smith, Kathryn G

Subject: RE: [EXTERNAL] Continuing Consultation under Section 106 for Land Acquisition, Washington Navy Yard

Hi Kathryn, that is fine. Thanks, Julie

From: Smith, Kathryn G <Kathryn_Smith@nps.gov>

Sent: Monday, September 12, 2022 5:40 PM

To: Darsie, Julie C CIV USN NAVFAC WASHINGTON DC (USA) <julie.c.darsie.civ@us.navy.mil>

Subject: [URL Verdict: Neutral][Non-DoD Source] Re: [EXTERNAL] Continuing Consultation under Section 106 for Land Acquisition, Washington Navy Yard

Julie,

I am so sorry I missed the Sept. 6th deadline! Is it still possible to submit comments and questions?

If so, I will get you my thoughts by COB tomorrow!

Thanks,
Kathryn

Kathryn G. Smith (she/her)

National Historic Landmarks & National Register Coordinator
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NHL Website <http://www.nps.gov/nhl>

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Instagram [NationalHistoricLandmarkNPS](#) #NationalHistoricLandmark #FindYourPark

From: Smith, Kathryn G

Sent: Monday, August 22, 2022 12:12 PM

To: Darsie, Julie C CIV USN NAVFAC WASHINGTON DC (USA)

Cc: Smith, Kathryn G

Subject: RE: [EXTERNAL] Continuing Consultation under Section 106 for Land Acquisition, Washington Navy Yard

Julie – Sorry, I was just able to open this. I will take a look and get you any comments by Sept. 6.

Thanks,
Kathryn

From: Darsie, Julie C CIV USN NAVFAC WASHINGTON DC (USA) <julie.c.darsie.civ@us.navy.mil>

Sent: Tuesday, August 16, 2022 4:19 PM

To: Smith, Kathryn G <Kathryn_Smith@nps.gov>

Subject: [EXTERNAL] Continuing Consultation under Section 106 for Land Acquisition, Washington Navy Yard

Dear Kathryn, attached please find the revised Section 106 consultation materials covering the Area of Potential Effect, identification of built historic resources, preliminary assessments of effect, and preliminary methods to resolve adverse effects. Also attached is a matrix of comments the Navy received about the June 2, 2022 submission and the Navy's responses. If you have any further comments about these materials, please return them to me by September 6, 2022.

v/r

Julie Darsie
Cultural Resources Program Manager
NAVFAC Washington
410-218-4467 (cell)

C.3 Advisory Council on Historic Preservation Response

From: [TOMPKINS-FLAGG, Nicole Marie \(Nik\) CIV USN NAVFAC WASHINGTON DC \(USA\)](#)
To: [Kathleen Riek](#); [Farrell, Peggy \[US-US\]](#); [Cristina Ailes](#)
Subject: EXTERNAL: FW: [External] Re: [EXTERNAL] Continuing Consultation under Section 106 for Land Acquisition, Washington Navy Yard
Date: Wednesday, September 21, 2022 12:03:56 PM

FYSA – ACHP comments.

From: Katharine R. Kerr <kkerr@achp.gov>
Sent: Wednesday, September 21, 2022 11:30 AM
To: Darsie, Julie C CIV USN NAVFAC WASHINGTON DC (USA) <julie.c.darsie.civ@us.navy.mil>
Cc: Daniel Weldon <daniel_weldon@nps.gov>; C. Andrew Lewis <andrew.lewis@dc.gov>; Tanya Gossett <tanya_gossett@nps.gov>; Ruth Troccoli <ruth.troccoli@dc.gov>; Carlton Hart <carlton.hart@ncpc.gov>; Diane Sullivan <diane.sullivan@ncpc.gov>; Dan Fox <dfox@cfa.gov>; TOMPKINS-FLAGG, Nicole Marie (Nik) CIV USN NAVFAC WASHINGTON DC (USA) <nicole.m.tompkins-flagg.civ@us.navy.mil>; Brett Banks <brett.banks@gsa.gov>; Laura Lavernia <llavernia@achp.gov>; Alexis Clark <aclark@achp.gov>; Kathryn G. Smith <kathryn_smith@nps.gov>
Subject: [URL Verdict: Neutral][Non-DoD Source] RE: [External] Re: [EXTERNAL] Continuing Consultation under Section 106 for Land Acquisition, Washington Navy Yard

Julie,

Thank you for the additional time to provide comments on the both the revised APE and effects document. Below is the ACHP's comments/edits/questions specifically about the document:

1. We need to standardized the terms we are using to discuss the various tracks of land within the Yards/Southeast Federal Center (SEFC) and the Washington Navy Yard.
 - a. Many of us have been involved with the GSA and the development of the SEFC for over ten years. If something is referred to as "Parcel ___" we are referring to the designation as found in the Master Plan for the SEFC that is implemented by the GSA and its privatization partner (currently Brookfield).
 - b. The terms "E Parcel" and "O Parcel" are referring to the designated parcels of land (with existing infrastructure) being considered specifically for this consultation.
 - c. While the "E Parcel" is the same as "Parcel E-1," "Parcel E-2," "Parcel E-3," and "Parcel E-4" in the SEFC Master Plan, we need to be mindful that there was a "Parcel O-1" and "Parcel O-2" in the SEFC Master Plan referring to the parcel bounded by 4th Street, Tingey Street, and Water Street and is not the same as the O Parcel as designated by the Navy which is the southeast corner of the current Washington Navy Yard.
2. We request clarification regarding the illustration of the E Parcel in Figures 3, 4, 5, 6, 7, 8, 10, 11, 12. In these figures it appears as if the E Parcel shall include the "new" construction, next to Bldg. 202, in what was referred to as Parcel D in the SEFC Master Plan (a.k.a., Harris Teeter).
 - a. Is this correct? Or is it an oversight as the underlying figure used as a map is outdated (i.e., doesn't include current construction)? And will it in fact just include the area referred to by GSA and its developer in the SEFC Master Plan as Parcel E?

- b. We need a unified/standardize map that is used by the Navy, the GSA, and Brookfield showing the current built environment of the Yards/SEFC and the Washington Navy Yard with the overlay of the E Parcel and O Parcel.
- 3. How is this going to play out? We are still a little unclear as to how this will all happen and just want to make sure we understanding correctly.
 - a. It is clear that the development rights that Brookfield has for Parcel E shall be revoked by the GSA, and the E Parcel shall be transferred from the GSA to the Navy.
 - b. Is the Navy going to transfer the O Parcel to the GSA who then in turn leases it to Brookfield?
 - i. If that is going to happen it is best for the GSA to revise the SEFC Master Plan and Section 106 PA to include O Parcel
 - c. Or is the Navy going to transfer or lease parts of the O Parcel (based on the boundary of the Washington Navy Yard Central Yard NHL) directly to Brookfield?
 - i. If this is going to happen it is best for the Navy to list the Washington Navy Yard Eastern Extension Historic District on the DC Register of Historic Places which would then kick in the local DC ordinance regarding historic properties for the part of the O Parcel that will be directly transferred to Brookfield.

Below are the comments/questions that ACHP has regarding the consultation in general:

- 1. The four documents envisioned to handle compliance with Section 106
 - a. MOU under which the Navy will assume caretaker status of the E Parcel
 - i. It is understood that the GSA shall transfer the E Parcel (including all infrastructure) to the Navy
 - ii. The E Parcel is part of the APE for the *Programmatic Agreement Among the United States General Services Administration, the Advisory Council on Historic Preservation, and the District of Columbia State Historic Preservation Office, Regarding the Transfer by Sale and/or Ground Lease to Forest City SEFC, LLC for Mixed-Use Development of 42 Acres of the Southeast Federal Center, Washington, D.C.* (executed in 2007).
 - iii. Both the SEFC Master Plan and the 2007 PA will need to be amended to remove the E Parcel/Parcel E.
 - iv. Before the transfer is completed, the Navy shall assume responsibility of the E Parcel and as such, there needs to be an agreement between the GSA and the Navy (a Memorandum of Understanding, or MOU) about how the Navy shall maintain the property in the spirit of the SEFC Master Plan/2007 PA even though it would technically be the responsibility of the GSA.
 - b. a PA for future development of the E Parcel
 - i. Once the E Parcel is officially transferred to the Navy and its administrative control, any action taken within the parcel must be determined if that action is an undertaking subject to Section 106. We need to understand who has administrative and/or operational control of the Washington Navy Yard (i.e., NAVFAC Washington, Navy Region Washington, Public Works Directorate, etc.) to then understand how future development of the E Parcel could be proposed, analyzed, and implemented. Currently all

projects at the Washington Navy Yard (minus housing) determined to be undertakings are reviewed in accordance with the standard regulatory process at 36 CFR §§ 800.3 through 800.7. I would like us to all have a discussion regarding the development of a specific project agreement for the E Parcel versus a program agreement for the entire Washington Navy Yard property.

c. a preservation condition for the O Parcel

- i. The Navy has the power to place a preservation condition on the O Parcel.
- ii. According to the hand out from the January 2022, the O Parcel shall be conveyed using a combination of lease and fee-simple transfer. Regardless of the disposal vehicle (transfer or lease) a preservation condition can be placed on the property. However, the content of that preservation condition can vary and we need to understand what commitments the Navy is willing to include in the preservation condition.
- iii. We also need to understand how the preservation condition will be enforced (i.e., the new property owner can understand that the condition is on the property but if there is not a third party to enforce the condition it can become moot).
- iv. What about placing the Washington Navy Yard Eastern Extension Historic District on the DC Register of Historic Places which would then mean local DC ordinances would kick in?

d. a PA for the future development of the O Parcel

- i. A Section 106 PA can only be developed and executed for the portions of the O Parcel that are leased to Brookfield. If the property is transferred to Brookfield then after the transfer there is no Section 106 hook. If the property is going to be leased, then we need to understand the terms of the long-term lease because that long-term lease will then dictate what can be achieved with the PA. Which is why listing the Washington Navy Yard Eastern Extension Historic District on the DC Register of Historic Places is recommended.
- ii. If the long-term lease does not require Brookfield to receive approval from the Navy before implementing a project then a Section 106 agreement would be hard to develop and enforce. If Brookfield will have to receive approval from the Navy then we could develop a process for the purposes of Section 106 that will ensure the Navy continues to take into account effects to historic properties.

- 2. The fact that the O Parcel includes a portion of the Washington Navy Yard Central Yard NHL. The NPS has already voiced its concern regarding the disposal of a portion of a NHL. Section 110(f) of the NHPA has a statutory requirement that a federal agency to the maximum extent possible minimize harm to any NHL that may be directly or indirectly affected by an undertaking. It has been discussed in our two meetings (November 2021 and January 2022) as to why that identified portion of the Washington Navy Yard Central Yard NHL has been included in the boundary of the O Parcel.

a. The 2019 National Defense Authorization Act (NDAA) authorized an exchange of

property interests wherein the Navy may accept Parcels E1, E2, E3 and E4 in exchange for conveyance of real property of equal value. But the NDAA does not specifically state where that real property of equal value must be.

- b. The Secretary of the Navy (Secretary) may convey all right, title, and interest of the United States in and to one or more parcels of real property under the jurisdiction of the Secretary, including any improvements thereon and, without limitation, any leasehold interests of the United States therein, as the Secretary considers appropriate to protect the interests of the United States.
- c. The developer expressed a strong preference for property within the District of Columbia, meaning the Washington Navy Yard (the Naval Observatory was deemed not feasible due to the Vice President's Residence).
- d. The Navy's screening criteria identifying real property assets that would be candidates for exchange were 1) underutilized by the Navy; 2) not adjacent to mission critical functions; and 3) adjacent to a fence line. What appears to be missing from this screening criteria is whether the real property was a historic property. Was that considered at all given this screening criteria? Or were historic properties identified after selecting the real property?
- e. According to the January 2022 handout, the contributing resources to the NHL shall be leased to Brookfield. By leasing the property the Navy can minimize harm to the NHL by controlling what Brookfield can and cannot do to the contributing resource-- which will direct affect the NHL itself. Is the Navy willing to put strict controls (preservation condition and a Section 106 agreement document), and then enforce those controls, on Brookfield? Or will that seem contrary to the NDAA requirement?

We look forward to our next consultation meeting.

Thanks,

Kate

C.4 Navy Response to the State Historic Preservation Officer and National Parks Service

Area of Potential Effects (Built Environment), Identification of Historic Resources, Assessment of Effects, and Proposed Resolution of Adverse Effects

Land Acquisition, Washington Navy Yard, Washington, D.C.

June 2022

Statement of Undertaking

As directed by the 2019 National Defense Authorization Act, the Navy intends to acquire certain parcels of land, known as the E parcels, from the General Services Administration for Anti-Terrorism Force Protection and anti-surveillance purposes. The E parcels are part of the Southeast Federal Center. A private developer owns the development rights. In exchange for the E parcels and associated development rights, the Navy will convey to the developer assets of equal value from the Washington Navy Yard in some combination of transfers of ownership, leases, in-kind considerations and options. The assets identified as candidates for conveyance are known as the O parcels. (Figure 1)

Methodology

The Navy based the assessment below on the Navy acquisition of the E Parcels and transfer/lease of the O Parcels to a private sector developer as well as the reasonably foreseeable development of the E Parcels and O Parcels that could result. Effects outside the Washington Navy Yard and South East Federal Center would be the result of development. Because the specifics of the development are not yet known, the Navy used the maximum allowable height (130 feet) under the Height of Buildings Act as the basis for determining the Area of Potential Effect and for the assessment of effects.

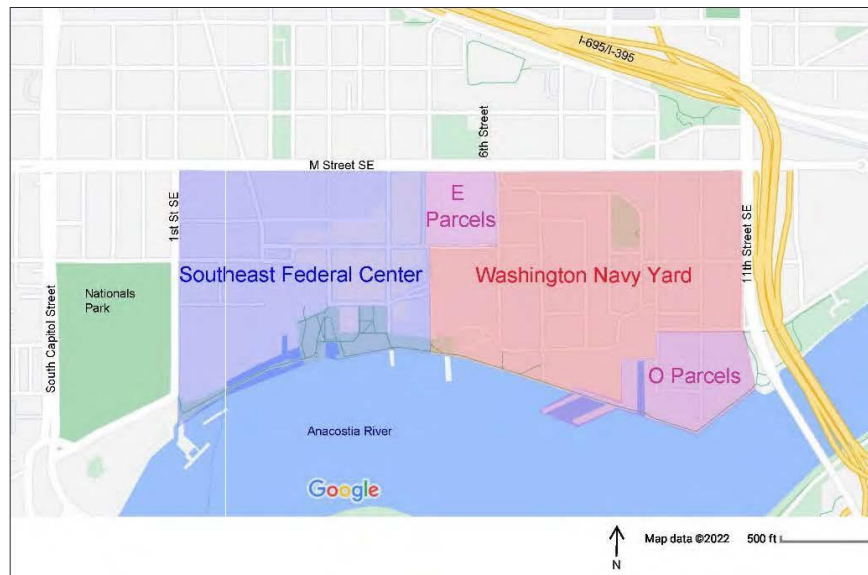


Figure 1: Vicinity Map showing Southeast Federal Center, Washington Navy Yard, and E and O Parcels

Area of Potential Effects (APE)

The Area of Potential Effects (APE) for the Washington Navy Yard Land Acquisition was drawn to estimate the maximum potential limits of visibility for development. The limits of the APE, shown on Figure 2, are as follows:

- On the north, G Street SE between 1st Street SE and Pennsylvania Avenue SE.
- On the northeast, Pennsylvania Avenue SE between G Street SE and the ridgeline of the Anacostia Hills.
- On the southeast, the ridgeline of the Anacostia Hills between Pennsylvania Avenue SE and St. Elizabeths Hospital.
- On the southwest, Suitland Parkway between the ridgeline of the Anacostia Hills and the Frederick Douglass Memorial Bridge.
- On the west, the Anacostia River corridor between the Frederick Douglass Memorial Bridge and Hains Point.
- On the northwest, the blocks that border the north shore of the Anacostia River between Hains Point and 1st Street SE, then 1st Street SE between the north shore of the Anacostia River and G Street SE.

Identification of Historic Properties

The Navy identified Historic Properties within the APE by reviewing its own records of surveys and evaluations, as well as records provided by the General Services Administration, in order to identify historic properties within the Washington Navy Yard and South East Federal Center. The Navy also used the *District of Columbia Inventory of Historic Sites*, including Updates and Pending Nominations in order to identify other historic properties within the APE. Finally, Consulting Parties provided information about other historic properties not captured in the above records. The Navy identified 32 historic properties within the APE, described in Table 1 and shown on Figure 2.

Assessment of Effects

The Navy visited each historic property within the APE, most during the winter when trees had no foliage. The Navy evaluated the effects of the Undertaking on each historic property by taking into consideration effects on its areas of significance. The Navy also evaluated the potential for the Undertaking to have physical effects on the materials and workmanship of each property, as well as effects on its integrity of location, design, setting, feeling and association. The Navy found the potential for adverse effects primarily at the Washington Navy Yard, including the Central Yard, Latrobe Gate, Quarters A, Quarters B, Commandant's Office, Annex Historic District, Western Extension Historic District, and Eastern Extension Historic District. Outside the Washington Navy Yard, the Undertaking may have adverse effects on Anacostia Park and the Plan for the City of Washington. Results of the assessment of effects are summarized in Table 1, below, and analyzed in detail on the following pages.

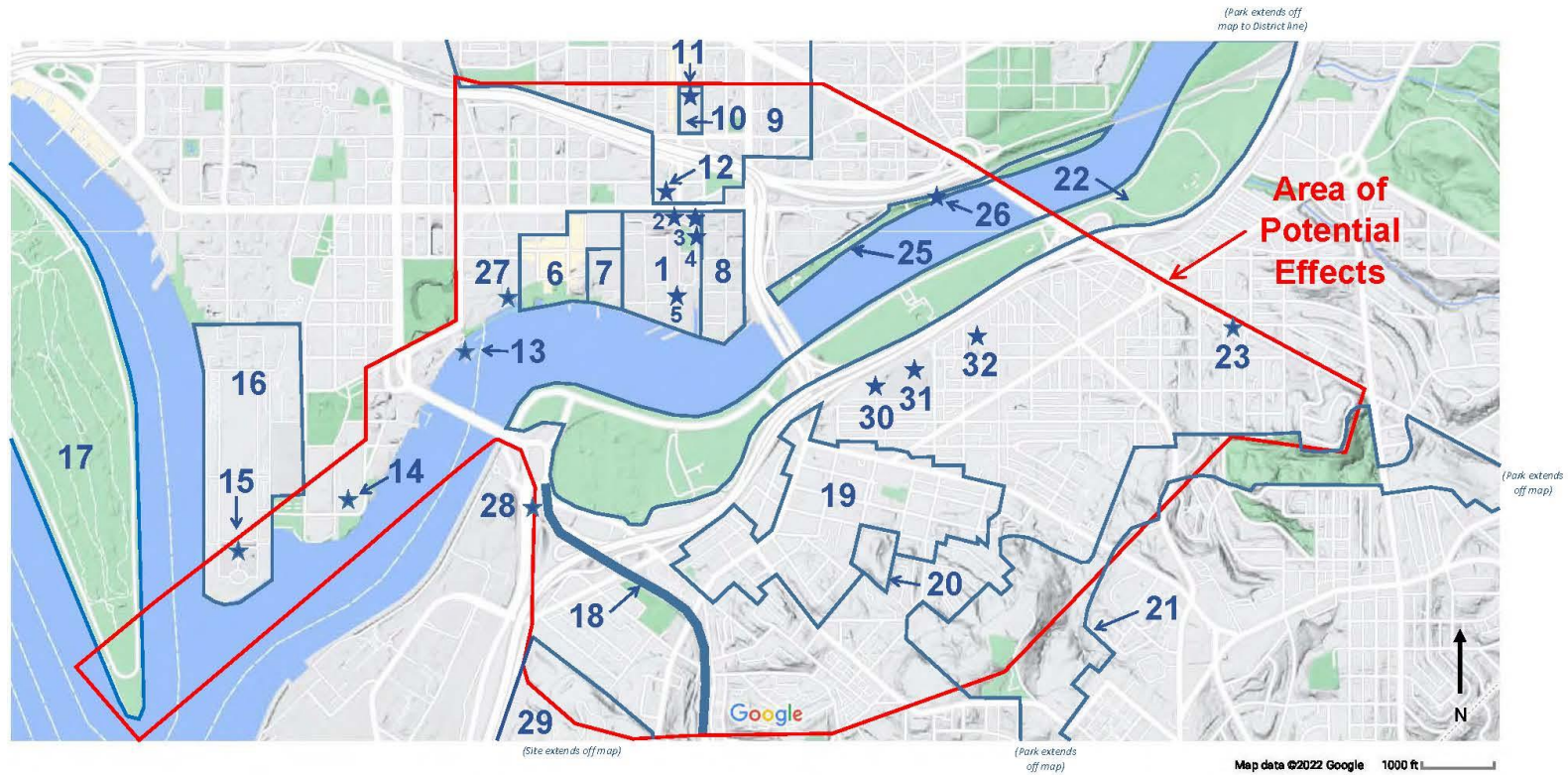


Figure 2: Area of Potential Effects (Red) and Historic Properties (Blue)
Washington Navy Yard Land Acquisition

Table 1: Historic Properties within APE and Assessment of Effects

Number	Name	Historic Status	Assessment of Effect
1	Washington Navy Yard Central Yard	National Historic Landmark	Potential Adverse Effect
2	Washington Navy Yard Latrobe Gate	National Register Listed	No Adverse Effect
3	Washington Navy Yard Quarters A (Tingey House)	National Register Listed	No Adverse Effect
4	Washington Navy Yard Quarters B	National Register Listed	No Adverse Effect
5	Washington Navy Yard Commandant's Office	National Register Listed	No Adverse Effect
6	Washington Navy Yard Annex Historic District	National Register Listed	Potential Adverse Effect
7	Washington Navy Yard Western Extension Historic District	National Register Eligible	Potential Adverse Effect
8	Washington Navy Yard Eastern Extension Historic District	National Register Eligible	Potential Adverse Effect
9	Capitol Hill Historic District	National Register Listed	No Adverse Effect
10	Marine Barracks Washington	National Historic Landmark	No Adverse Effect
11	Marine Barracks Commandant's House	National Register Listed	No Adverse Effect
12	Navy Yard Car Barn	National Register Listed	No Adverse Effect
13	Capitol Power Plant Pump House	National Register Listed	No Adverse Effect
14	Buzzard Point Power Plant	National Register Listed	No Adverse Effect
15	National War College	National Historic Landmark	No Adverse Effect
16	Fort McNair Historic District	National Register Listed	No Adverse Effect
17	East and West Potomac Parks Historic District	National Register Listed	No Adverse Effect
18	Suitland Parkway	National Register Listed	No Adverse Effect
19	Anacostia Historic District	National Register Listed	No Adverse Effect
20	Frederick Douglass National Historic Site	National Register Listed	No Adverse Effect
21	Civil War Fort Sites and Fort Circle Park Historic District - Fort Stanton	National Register Listed	No Adverse Effect
22	Anacostia Park	National Register Eligible	No Adverse Effect
23	Engine Company No. 19 (Randle Highlands Firehouse)	D.C. Inventory of Historic Properties	No Adverse Effect
24	Plan for the City of Washington (L'Enfant Plan)	National Register Listed	No Adverse Effect
25	Boathouse Row	National Register Eligible	No Adverse Effect
26	Washington Yacht Club	National Register Listed	No Adverse Effect
27	Main Sewerage Pumping Station	National Register Listed	No Adverse Effect
28	Poplar Point Pumping Station	National Register Eligible	No Adverse Effect
29	St Elizabeths Hospital	National Historic Landmark	No Adverse Effect
30	Anderson Tire Manufacturing Company	National Register Eligible	No Adverse Effect
31	Anacostia High School	National Register Eligible	No Adverse Effect
32	Kramer Middle School	National Register Eligible	No Adverse Effect

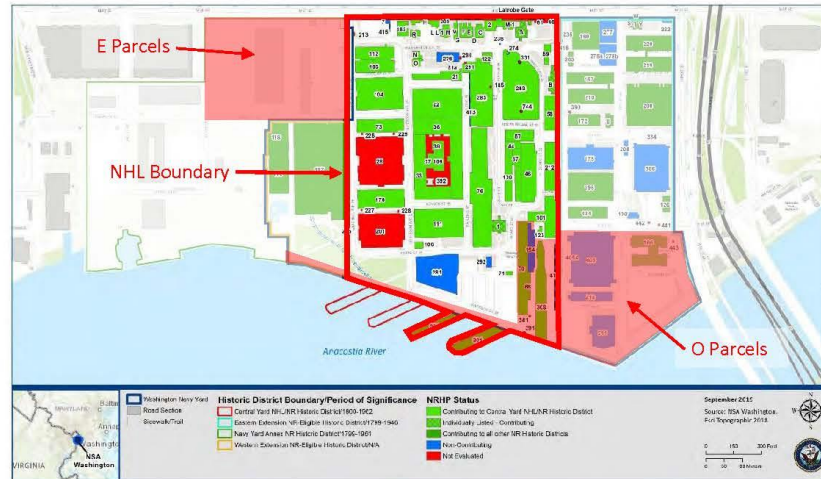


Figure 3: Map showing Washington Navy Yard Central Yard NHL (heavy red) with E and O Parcels (pink).

1. Washington Navy Yard Central Yard - National Historic Landmark

Summary Statement of Significance: Established in 1799, the Washington Navy Yard Central Yard was the first Navy Yard in the United States. The Central Yard is significant under Criterion A as the nation's first naval yard and home port, as the major site for U.S. naval ordnance manufacture beginning in the 1850s, as the center of naval ordnance production during World Wars I and II, and for its role in the development of important ordnance technology. The Central Yard is significant under Criterion B for its association with military innovators, including Commodore John Rodgers, Rear Admiral John A. Dahlgren and Rear Admiral David Taylor. The Central Yard is significant under Criterion C as a massive complex of industrial architecture dating from the mid-19th through the mid-20th centuries. The Central Yard is significant under Criterion D as the site of naval buildings, technologies and activities dating back to ca. 1800.

Assessment of Effects: The Undertaking would result in acquisition and potential development of the E Parcels immediately to the west of the National Historic Landmark (NHL); transfer to a private developer and development of the O Parcels immediately east of the NHL; and lease to a private developer and rehabilitation of contributing resources within the NHL.

As part of the Undertaking, the following contributing resources within the NHL would be leased for rehabilitation by the private developer:

- Building 70 (1897, Model Basin),
- Building 68 (1898, Tool Storage),
- Structure 308 (1855, Marine Railway and Dry Dock)
- Structures 301 and 302 and associated bulkhead (1942, Piers and Bulkhead)

Lease and rehabilitation of the above-listed contributing resources by the private developer would have the potential to adversely affect the NHL's integrity of: design, through alterations to the plans, spatial relationships and circulation patterns of the resources; setting, through alterations to the relationships of the resources to their surroundings; materials, through alterations to historic materials and significant features; workmanship, through loss of physical evidence of craft, skill and construction method; feeling, through alteration of the historic military and industrial character of the resources; and association, through loss of use by the Navy.

Also as part of the Undertaking, new construction could occur on the E Parcels and would occur on the O Parcels. New construction would be immediately adjacent to the NHL boundary. New construction would have the potential to adversely affect the NHL's integrity of setting and feeling through change from the historic military and industrial character of the surroundings to a large-scale, urban, residential and commercial environment.

36 CFR 800.5(a)(2)(vii) describes "transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance" as an adverse effect. Further, 36 CFR 800.10(a) states that "Section 110(f) of the act requires that the agency official, to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm to any National Historic Landmark that may be directly and adversely affected by an undertaking." Finally, 36 CFR 800.14(b)(1)(ii) states that an agency may negotiate Programmatic Agreements "when effects on historic properties cannot be fully determined prior to approval of an undertaking".

The Undertaking has the potential to have adverse effects on the Washington Navy Yard Central Yard NHL. The Navy proposes to address the potential for adverse effects on the NHL through the negotiation of Historic Covenant(s) and Programmatic Agreement(s):

- The Navy would negotiate Historic Covenant(s), which would be held by the DC SHPO. The Historic Covenant(s) would be an encumbrance on all parts of the O Parcels. In addition, the requirements of the Historic Covenant(s) would be included in the lease agreement for the part of the O Parcels to be leased to a private developer. The Historic Covenant(s) would continue in perpetuity and would govern alterations to historic resources, demolition of historic resources, and new ground disturbance after the period of initial development and rehabilitation concludes.
- The Navy would negotiate Programmatic Agreement(s), to include the National Park Service and the private developer, to govern implementation of the Undertaking and resolve adverse effects resulting from rehabilitations and new construction within both the leased and transferred parts of the O Parcels. The Programmatic Agreement(s) would state the rights and obligations of all parties and would be limited term, to expire after the initial period of development. The Programmatic Agreement(s) would also resolve adverse effects on the Eastern Extension Historic District, as described in a later section.
- The Navy would negotiate a Programmatic Agreement, to include any parties associated with the development of the E Parcels, to govern the implementation of the Undertaking and resolve adverse effects on the NHL resulting from new construction on the E parcels. This Programmatic Agreement would also resolve adverse effects resulting from rehabilitation and new construction on the Washington Navy Yard Annex and Western Extension Historic Districts, as described in a later section.



Latrobe Photo 1: View SE from Latrobe Gate to O Parcels. O Parcel development would be behind trees on left.

2. Washington Navy Yard Latrobe Gate – National Register Listed

Summary Statement of Significance: Designed by Benjamin Henry Latrobe and constructed in 1805-1806, the Latrobe Gate was the original entry point to the Washington Navy Yard. It is one of three buildings at the Washington Navy Yard to survive the War of 1812. A barracks for Marines stationed at the Washington Navy Yard was constructed on each side and over the Gate in 1881. The Latrobe Gate is significant under Criterion C as the work of architect Benjamin Henry Latrobe and as an early example of Greek Revival architecture.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O and E Parcels. The scale of the development is not yet known, but new construction to the height of 130 feet may be visible from the Latrobe Gate.

The Undertaking has the potential to have adverse effects on the Latrobe Gate. The Navy proposes to address the potential for adverse effects by including ongoing evaluation of effects on the Latrobe Gate in the Programmatic Agreements governing future development of the O and E Parcels.



Latrobe Photo 2: View to west from Latrobe Gate down M Street SE toward E Parcels. Street and lawn trees block view.



Quarters A Photo 1: view to SE from Quarters A toward O parcels. O parcel development would be one block east and two blocks south of visible building in center.

3. Washington Navy Yard Quarters A (Tingey House) – National Register Listed

Summary Statement of Significance: Quarters A was designed by William Lovering and constructed from 1801 to 1804 as the residence for the Superintendent of the Washington Navy Yard. Commodore Thomas Tingey, the first Commandant of the Washington Navy Yard, was its first resident. It is one of three buildings at the Washington Navy Yard to survive the War of 1812. The original Georgian-style main block has been enlarged and remodeled many times. Quarters A is significant under Criterion A for its association with the early history of the Washington Navy Yard and the War of 1812, under Criterion B for its association with Commodore Thomas Tingey, and under Criterion C as an example of Georgian-Victorian architecture.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O and E Parcels. The scale of the development is not yet known, but new construction to the height of 130 feet may be visible from Quarters A.

The Undertaking has the potential to have adverse effects on Quarters A. The Navy proposes to address the potential for adverse effects by including ongoing evaluation of effects on Quarters A in the Programmatic Agreements governing future development of the O and E Parcels.



Quarters B Photo 1: View to south from Quarters B front elevation toward waterfront.

4. Washington Navy Yard Quarters B – National Register Listed

Summary Statement of Significance: Quarters B was designed by William Lovering and constructed about 1801. The building integrates the original eastern boundary wall of the Washington Navy Yard. It is the oldest building on the Washington Navy Yard and is one of three buildings to survive the War of 1812. It historically housed the second officer of the Washington Navy Yard. The original 2 ½-story brick main block has multiple additions and alterations. Quarters B is significant under Criterion A for its association with the early history of the Navy, the Washington Navy Yard, and the War of 1812.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O and E Parcels. The scale of the development is not yet known, but new construction to the height of 130 feet may be visible from Quarters B.

The Undertaking has the potential to have adverse effects on Quarters B. The Navy proposes to address the potential for adverse effects by including ongoing evaluation of effects on Quarters B in the Programmatic Agreements governing future development of the O and E Parcels.



Quarters B Photo 2: View to SE from SE corner of Quarters B toward O Parcels. Area proposed for development marked in orange.



Quarters B Photo 3: View to SE from middle of east elevation of Quarters B. Street trees block visibility of O Parcels.



Commandant Photo 1: View to SE from Commandant's Office toward waterfront. Estimated O Parcel development shown in orange.

5. Washington Navy Yard Commandant's Office – National Register Listed

Summary Statement of Significance: The Commandant's Office (Building 1) was probably constructed in the 1830s and overlooked the waterfront of what was then an active shipyard. It is the oldest office building in the Navy. Rear Admiral John A. Dahlgren lived in the building during the Civil War, and President Abraham Lincoln frequently visited him there. The two-story, brick building has a two-story veranda on all sides. The Commandant's Office is significant under Criterion A for its role in the history of the Navy and the Washington Navy Yard, and under Criterion B for its association with Rear Admiral John A. Dahlgren.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O and E Parcels. The scale of the development is not yet known, but new construction to the height of 130 feet may be visible from Commandant's Office.

The Undertaking has the potential to have adverse effects on the Commandant's Office. The Navy proposes to address the potential for adverse effects by including ongoing evaluation of effects on the Commandant's Office in the Programmatic Agreements governing future development of the O and E Parcels.

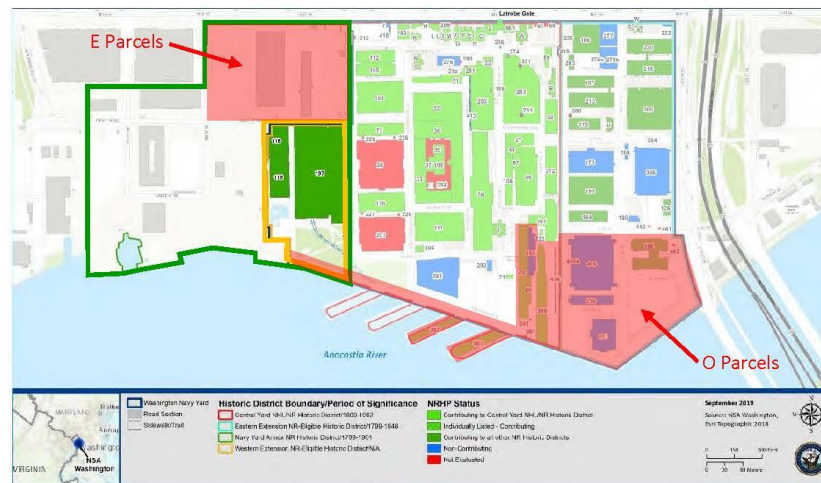


Figure 4: Map showing Navy Yard Annex Historic District (heavy green), Western Extension Historic District (heavy gold), and E and O Parcels (pink).

6. **Washington Navy Yard Annex Historic District – National Register Listed, and**
7. **Washington Navy Yard Western Extension Historic District – National Register Eligible**

Summary Statement of Significance: The Washington Navy Yard Annex Historic District encompasses the 1902 and 1916 expansions of the Washington Navy Yard, which occurred as Naval Gun Factory production increased during World War I. The Navy Yard Annex includes 15 contributing buildings, including E Parcels Buildings 74 and 202. The Navy Yard Annex is significant under Criterion A as the center of naval ordnance production during World Wars I and II, and under Criterion C as a massive complex of early- and mid-20th century industrial architecture. The Washington Navy Yard Western Extension Historic District overlays the southeast corner of the Navy Yard Annex and encompasses the three buildings in the Navy Yard Annex still owned by the Navy (116, 118 and 197). The Western Extension came about because the Navy was not a party to the Navy Yard Annex National Register listing but independently evaluated its buildings.

Assessment of Effects: The Undertaking would result in acquisition by the Navy of the E Parcels and reasonably foreseeable rehabilitation and new construction. The E Parcels are within the Navy Yard Annex Historic District and immediately adjacent to the Western Extension Historic District.

As part of the Undertaking, the following contributing resources to the Navy Yard Annex Historic District would be transferred to the Navy:

- Building 74 (1938, Transportation Repair Shop),
- Building 202 (1941, Broadside Mount Shop),
- Boundary Wall (1906)

The Navy would assume caretaker status of the three buildings listed above and would be subject to the 2007 Historic Covenant placed on the South East Federal Center by the General Services Administration.

Because the transfer is between federal agencies, it is considered to be neutral under Section 106. The Navy will enter into a Memorandum of Understanding to assume the responsibilities of the 2007 Historic Covenant.

Within the reasonably foreseeable future, the Navy and/or another party in association with the Navy could rehabilitate the above-listed contributing resources. Rehabilitation would have the potential to adversely affect the Navy Yard Annex Historic District's integrity of: design, through alterations to the plans, spatial relationships and circulation patterns of the resources; setting, through alterations to the relationships of the resources to their surroundings; materials, through alterations to historic materials and significant features; workmanship, through loss of physical evidence of craft, skill and construction method; and feeling, through alteration of the historic military and industrial character of the resources.

Also within the reasonably foreseeable future, new construction could occur on the E Parcels. New construction would be within the Navy Yard Annex Historic District and immediately adjacent to the Western Extension Historic District. New construction would have the potential to adversely affect the integrity of setting and feeling of both Historic Districts through change from the historic military and industrial character of the surroundings.

The Undertaking has the potential to have adverse effects on the Washington Navy Yard Annex Historic District and Washington Navy Yard Western Extension Historic District within the reasonably foreseeable future. 36 CFR 800.14(b)(1)(ii) states that an agency may negotiate Programmatic Agreements "when effects on historic properties cannot be fully determined prior to approval of an undertaking". The Navy proposes to address the potential for adverse effects on the Navy Yard Annex Historic District and Western Extension Historic District through the negotiation of a Programmatic Agreement, to include any parties associated with the development of the E Parcels. The Programmatic Agreement would govern implementation of the Undertaking and resolve adverse effects resulting from rehabilitations and new construction on the E Parcels. This Programmatic Agreement would also resolve adverse effects on the Washington Navy Yard Central Yard National Historic Landmark, as described in a previous section.

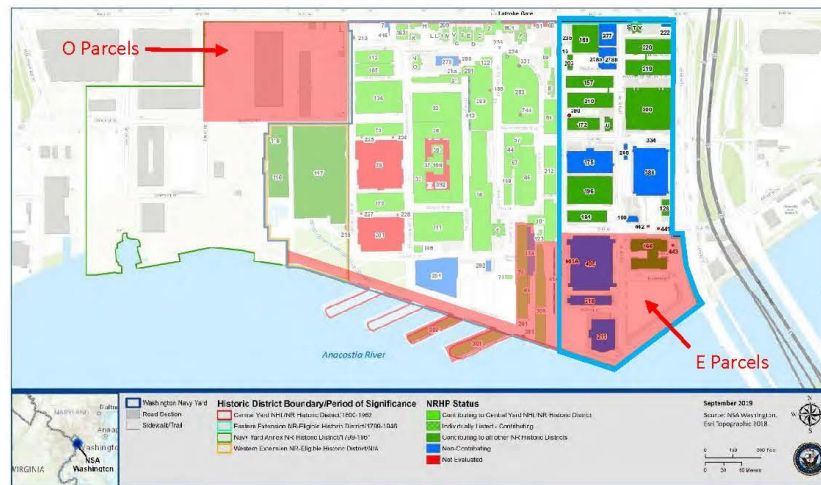


Figure 5: Map showing Eastern Extension Historic District (heavy aqua) and E and O Parcels (pink).

8. Washington Navy Yard Eastern Extension Historic District – National Register Eligible

Summary Statement of Significance: The Washington Navy Yard Eastern Extension Historic District encompasses the 1917 addition to the Washington Navy Yard and includes facilities that were critical to ordnance development and production during World Wars I and II. The Historic District includes 18 contributing buildings. The southern portion of the Historic District is included in the O Parcels of the Undertaking, including contributing Building 166, the contributing bulkhead, and non-contributing Buildings 211, 218 and 405. The Eastern Extension Historic District is significant under Criterion A for its role in naval ordnance development, testing and production during World Wars I and II. The District is also significant under Criterion C for its early to mid-20th century industrial architecture, including buildings with distinct features to serve a scientific or technical function.

Assessment of Effects: The Undertaking would result in transfer to a private developer and subsequent development of the O Parcels at the south end of the Eastern Extension Historic District. The transfer would include Building 166 (1918, Seamen Gunners School) and the bulkhead (1942), both contributing resources to the Historic District.

Transfer to a private developer would have the potential to adversely affect the Eastern Extension Historic District's integrity of: design, through alterations to the plans, spatial relationships and circulation patterns of the District; setting, through alterations to the relationships of the resources within the District to their surroundings; materials, through alterations to historic materials and significant features; workmanship, through loss of physical evidence of craft, skill and construction method; feeling, through alteration of the historic military and industrial character of the District; and association, through loss of use by the Navy.

36 CFR 800.5(a)(2)(vii) describes "transfer, lease, or sale of property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance" as an adverse effect. 36 CFR 800.14(b)(1)(ii) states that an agency

may negotiate Programmatic Agreements “when effects on historic properties cannot be fully determined prior to approval of an undertaking”.

The Undertaking has the potential to have adverse effects on the Eastern Extension Historic District.

The Navy proposes to address the potential for adverse effects on the Historic District through negotiation of a Historic Covenant and Programmatic Agreement(s).

- The Navy would negotiate a Historic Covenant, which would be held by the DC SHPO. The Historic Covenant would be an encumbrance on the O Parcels. The Historic Covenant would continue in perpetuity and would govern alterations to historic resources, demolition of historic resources, and new ground disturbance after the period of initial development and rehabilitation concludes.
- The Navy would negotiate Programmatic Agreement(s), to include the National Park Service and the private developer, to govern implementation of the Undertaking and resolve adverse effects resulting from rehabilitations and new construction within both the leased and transferred parts of the O Parcels. The Programmatic Agreement(s) would state the rights and obligations of all parties and would be limited term, to expire after the initial period of development. The Programmatic Agreement(s) would also resolve adverse effects on the Washington Navy Yard Central Yard National Historic Landmark, as described in a previous section.

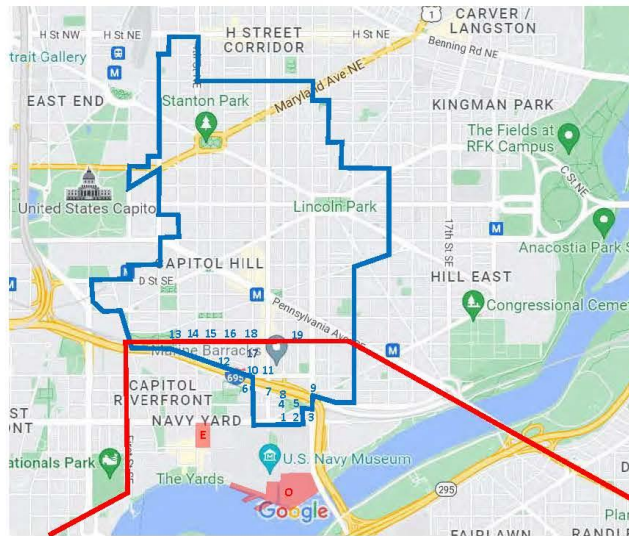


Figure 6: Map Showing APE (red), E and O Parcels (pink), boundaries of Capitol Hill Historic District (blue) and photo locations (blue numbers)

9. Capitol Hill Historic District – National Register Listed

Summary Statement of Significance: The Capitol Hill Historic District was largely laid out according to the Pierre L'Enfant's Plan for the City of Washington and features a range of rowhouses and other building types from the early-19th through early-20th century. The neighborhood historically housed the wealthy and laborers alike. The Historic District is significant under Criterion A for its representation of early expansion and growth in Washington, D.C. and under Criterion C for its examples of a range of architectural types and styles, with particular emphasis on the rowhouse.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels that could be visible to varying degrees from that portion the Capitol Hill Historic District that is east of 7th Street SE and south of G Street SE (Photos 1-11, 17-19). The visibility of the development would vary depending on the angle of the vista, the heights of nearby buildings, and the elevation of the I-695 infrastructure.

In addition, it is reasonably foreseeable that the Undertaking would result in development of the E Parcels that could be visible from that portion of the Historic District that is west of 7th Street SE and south of G Street SE (Photos 12-16).

However, visibility of new development would not constitute an adverse effect on the Historic District because it would not affect the Historic District's association with the historic development of Washington, D.C., nor would it physically affect the Historic District's architecture. The Undertaking would not diminish the Historic District's integrity of location, design, setting, materials, workmanship, feeling, or association.

The Undertaking would have no adverse effect on the Capitol Hill Historic District.



Capitol Hill Photo 1: View to south from 9th and M Streets SE. Maximum extent of development marked in orange.



Capitol Hill Photo 2: View to south from 10th and M Streets SE. Maximum extent of development marked in orange.



Capitol Hill Photo 3: View to SW from 11th and M Streets SE. Maximum extent of development marked in orange.



Capitol Hill Photo 4: View to south from 9th and L Streets SE. Maximum extent of development marked in orange.



Capitol Hill Photo 5: View to south from 10th and L Streets SE. Maximum extent of development marked in orange.



Capitol Hill Photo 6: View to south from 7th St. and Virginia Ave. SE. Development not visible.



Capitol Hill Photo 7: View to south from 8th St. and Virginia Ave. SE. Development not visible.



Capitol Hill Photo 8: View to south from 9th St. and Virginia Ave. SE. Development either not visible or minimally visible.



Capitol Hill Photo 9: View to south from 11th and K Street SE. Development either not visible or minimally visible.



Capitol Hill Photo 10: View to south from 7th and I Streets SE. Development not visible.



Capitol Hill Photo 11: View to south from 8th and I Streets SE. Development not visible.



Capitol Hill Photo 12: View to south from 6th and H Streets SE. Development not visible.



Capitol Hill Photo 13: View to south from 3rd and G Streets SE. Development not visible.



Capitol Hill Photo 14: View to south from 4th and G Streets SE. Development not visible.



Capitol Hill Photo 15: View to south from 5th and G Streets SE. Development not visible.



Capitol Hill Photo 16: View to south from 6th and G Streets SE. E Parcels development may be minimally visible above freeway.



Capitol Hill Photo 17: View to south from 7th and H Streets SE. Development not visible.



Capitol Hill Photo 18: View to south from 7th and G Streets SE. Development not visible.



Capitol Hill Photo 19: View to south from 10th and G Streets SE. Development not visible.

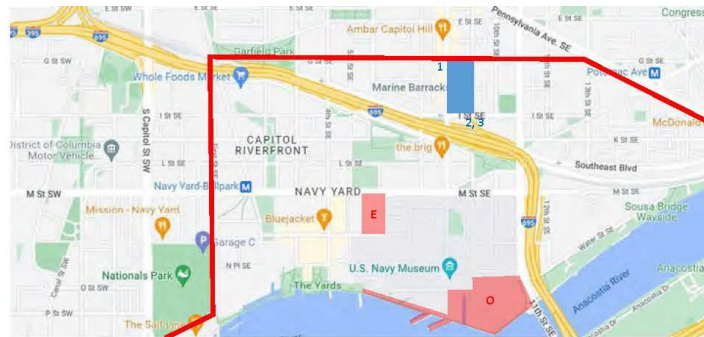


Figure 7: Map showing Area of Potential Effect (red), E and O Parcels (pink), Marine Barracks Washington (blue) and photo locations (blue numbers)

10. **Marine Barracks Washington – National Historic Landmark, and**
11. **Marine Barracks Commandant's House – National Register Listed**

Summary Statement of Significance: The Marine Barracks Commandant's House, first designed by George Hadfield, was constructed from 1801-1805 and is the official residence of the Commandant of the Marine Corps. It is the only building at Marine Barracks Washington to survive the War of 1812. The Marine Barracks Commandant's House is significant under Criterion A for its association with the history of the Marine Corps and Marine Barracks Washington; under Criterion B for its association with Commodore Joshua Barney and General Archibald Henderson, among other Commandants; and under Criterion C as the work of architect George Hadfield and as an early Greek Revival-style residence in Washington, D.C.

Marine Barracks Washington was established under President Thomas Jefferson in 1801. It is the oldest Marine Corps installation in the United States and has been home to the "President's Own" Marine Band since its establishment. Marine Barracks Washington is significant under Criterion A for its association with the history of the Marine Corps and Marine Corps Band; under Criterion B for its association with Commodore Joshua Barney, General Archibald Henderson, and John Philip Sousa; and under Criterion C for its quadrangle of buildings, most designed by Hornblower and Marshall, surrounding a central parade ground.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. Field visits revealed that development of the O parcels would not be visible from the Commandant's House (Photo 1). Development of the E parcels would also not be visible from Commandant's House. The Undertaking would result in new development of the Washington Navy Yard O Parcels. Field visits revealed that development of the O parcels would be minimally visible from the Marine Barracks Washington National Historic Landmark (Photos 2-3). That visibility would not be sufficient to constitute an adverse effect. The 1970s Marine Barracks buildings, the skywalk across 9th Street SE, and I-695 block most views. Development of the E parcels would not be visible from Marine Barracks Washington.

The Undertaking would have no adverse effect on Marine Barracks Washington or Marine Barracks Commandant's House.



Marine Barracks Washington and Commandant's House Photo 1: View to south from 8th and G Streets SE. Development not visible.



Marine Barracks Washington and Commandant's House Photo 2: View south from 7th and I Sts. SE. Development minimally visible in circled area.



Marine Barracks Washington and Commandant's House Photo 3: View south from 7th and I Sts. SE. Development minimally visible in circled area.

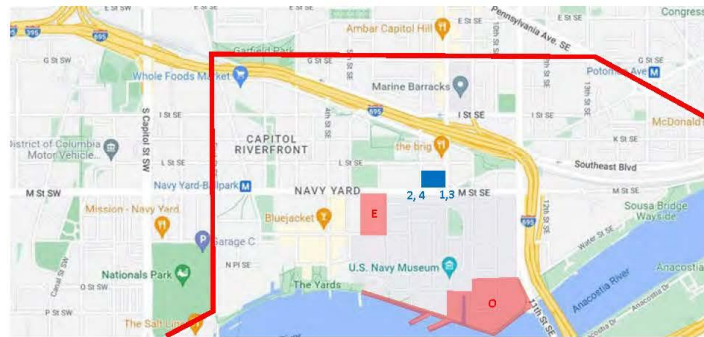


Figure 8: Map showing APE (red), E and O Parcels (pink), Navy Yard Car Barn (blue), and photo locations (blue numbers)

12. Navy Yard Car Barn – National Register Listed

Summary Statement of Significance: Designed by architect Walter C. Root in the Romanesque Revival style, the Navy Yard Car Barn was constructed in 1891 at the terminus of the Washington and Georgetown Railroad Company streetcar line that connected southeast Washington, D.C. to Georgetown via Pennsylvania Avenue. It is significant under Criterion A for its association with the streetcar system that served Washington, D.C., and under Criterion C as an example of Romanesque Revival architecture.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. Field visits revealed that the Latrobe Gate would block the visibility of O Parcel development from the Navy Yard Car Barn (Photos 1, 2). The Undertaking could result in development of the E Parcels. While visible from the Navy Yard Car Barn, E Parcel development would not affect the Car Barn's historic associations or architecture (Photos 3, 4).

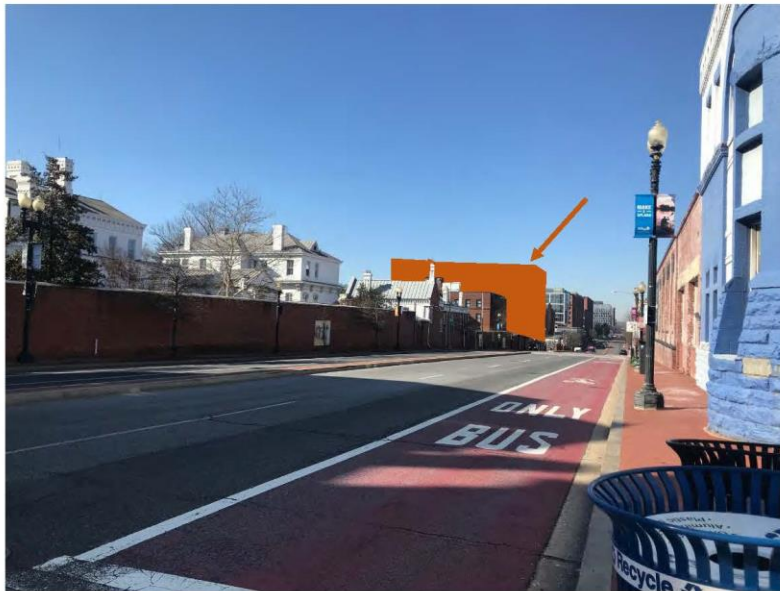
The Undertaking would have no adverse effect on the Navy Yard Car Barn.



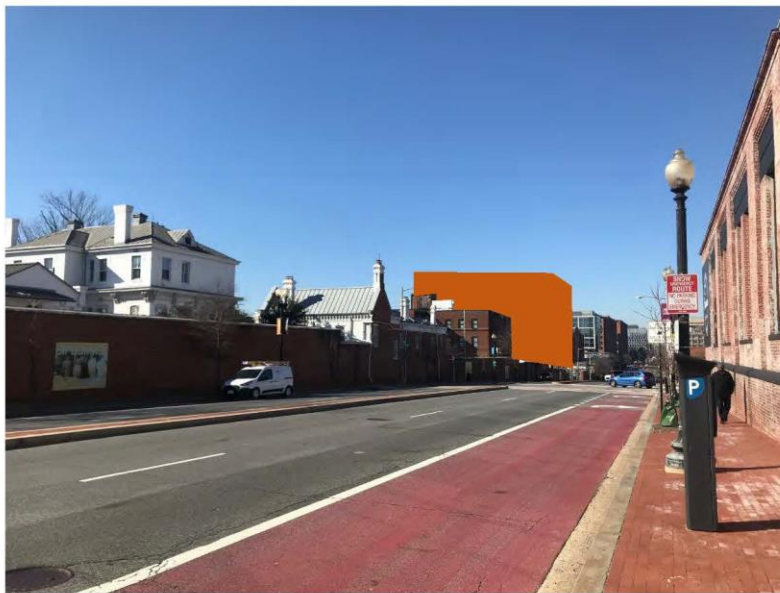
Navy Yard Car Barn Photo 1: View to SE from 8th and M Streets SE. Development not visible.



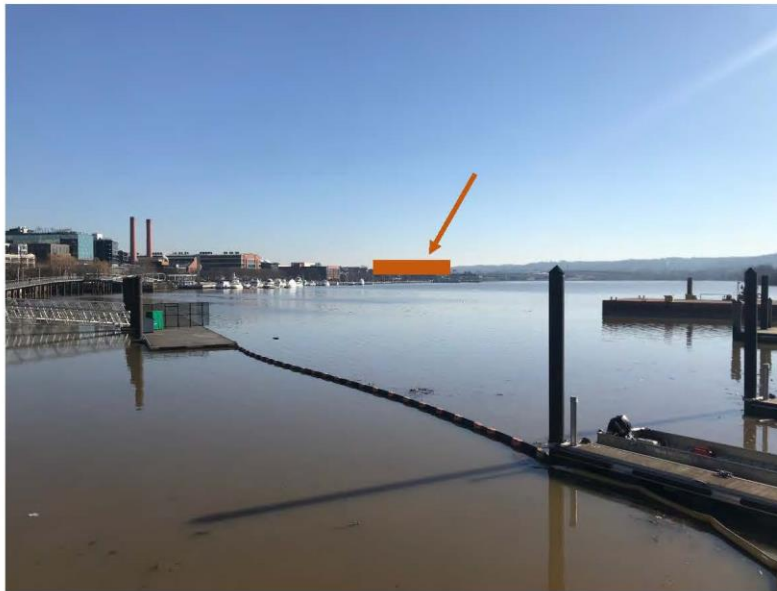
Navy Yard Car Barn Photo 2: View to SE from 7th and M Streets SE. Development not visible.



Navy Yard Car Barn Photo 3: View to SW from 8th and M Streets SE. E Parcel development visible.



Navy Yard Car Barn Photo 4: View to SW from 7th and M Streets SE. E Parcel development visible.



Pump House Photo 1: View to northeast from Pump House to O Parcels. Approximate area of development marked in orange.

13. Capitol Power Plant Pump House – National Register Listed

Summary Statement of Significance: The Capitol Power Plant Pump House, constructed in 1910 and enlarged in 1935, stands atop a concrete base on the north bank of the Anacostia River at the terminus of 1st Street SE. The small, brick and tile industrial building is significant under Criterion A for its association with the development of a centralized electric power system in Washington, D.C.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. Field visits revealed that O Parcel development would be visible from the Capitol Power Plant Pump House, but it would have no effect on the historic associations for which the Pump House is significant. The Undertaking could result in development of the E Parcels. However, field visits revealed that development of the E Parcels would not be visible from the Pump House.

The Undertaking would have no adverse effect on the Capitol Power Plant Pump House.



Power Plant Photo 1: View to NE from Buzzard Point Power Plant shore line toward Washington Navy Yard. Area of O Parcel development circled.

14. Buzzard Point Power Plant – National Register Listed

Summary Statement of Significance: Buzzard Point Power Plant was designed by Stone & Webster and constructed in 1932-1933. The Power Plant supported the development of southwest Washington, D.C., and during the 1940s, expanded to support wartime production at the Washington Navy Yard. The Power Plant is significant under Criterion A for its association with the development of southwest and southeast Washington, D.C., and under Criterion C as an example of Art Moderne industrial style.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. Field visits revealed that O Parcel development would not be visible from the Power Plant due to the new Frederick Douglass Memorial Bridge and Anacostia Park peninsula. The Undertaking could result in development of the E Parcels. However, field visits revealed that development of the E Parcels would not be visible from the Power Plant.

The Undertaking would have no adverse effect on the Buzzard Point Power Plant.



Fort McNair Photo 1: View to NE from tip of Fort McNair toward Washington Navy Yard. Development on Buzzard Point blocks views.

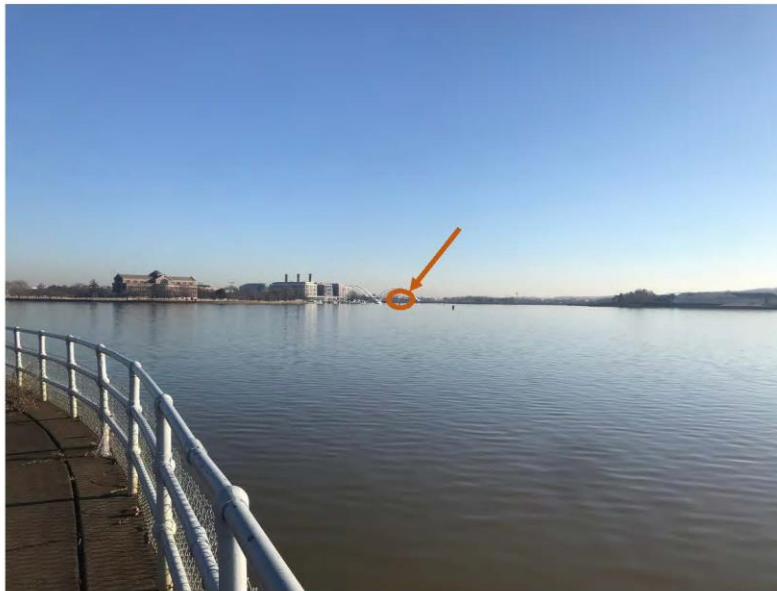
15. **National War College - National Historic Landmark, and**
16. **Fort McNair Historic District - National Register Listed**

Summary Statement of Significance: The National War College began as the Army War College in 1901 to educate and train senior army officers. Since 1907, it has occupied the McKim, Mead and White-designed building at the head of the Fort McNair campus on Greenleaf Point. Re-designated the National War College in 1946 and the National Defense University in 1976, it is significant under Criterion A for its role in the education and training of high ranking military officers and under Criterion C as the work of McKim, Mead and White.

Fort McNair began as the Washington Arsenal in 1791 and was the main storehouse for munitions for the Federal City. Rebuilt after the War of 1812, it housed the Federal Penitentiary for Washington, D.C. as well as the Army General Hospital and Army Medical School. Later additions included the Army War College and Army Industrial College. Fort McNair is significant under Criterion A for its role in military history, military education, and health and medicine. It is significant under Criterion C as a Beaux Arts campus designed by McKim, Mead, and White.

Assessment of Effects: Field visits revealed that, due to recent high rise development in the Buzzard Point neighborhood, the Washington Navy Yard is not visible from the National War College or Fort McNair Historic District.

The Undertaking would have no adverse effect on the National War College or Fort McNair Historic District.



East Potomac Park Photo 1: View to NE from tip of Hains Point toward Washington Navy Yard. Development of O Parcels might be minimally visible in circled area.

17. East and West Potomac Parks Historic District – National Register Listed

Summary Statement of Significance: East and West Potomac Parks were first envisioned as part of the MacMillan Commission plan and created as a massive Army Corps of Engineers land reclamation project beginning in 1882. East Potomac Park, completed in 1911, was intended for active recreational use. East and West Potomac Parks are significant under Criterion C as a manifestation of the MacMillan Commission plan and as an example of City Beautiful-era urban planning.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. Field visits revealed that development of the O parcels would be barely visible from the tip of East Potomac Park (Hains Point). However, that development would have no effect on the characteristics of the Park that make it significant under Criterion C. The Undertaking could result in development of the E Parcels. However, field visits revealed that development of the E Parcels would not be visible from East Potomac Park.

The Undertaking would have no adverse effect on the East and West Potomac Parks Historic District.



*Suitland Parkway Photo 1: View to NE from intersection of Suitland Parkway and South Capitol Street Circle.
Visible waterfront is further west than Undertaking.*

18. Suitland Parkway – National Register Listed

Summary Statement of Significance: Suitland Parkway was authorized in 1937 and built in 1943-44 to connect Andrews Air Force Base with Washington, D.C. It combined elements of the defensible highway system advocated by President Franklin D. Roosevelt, parkway designs advocated by Gilmore D. Clarke and Jay Downer, and efficiencies displayed by then-new German autobahns. It is one of the major designed entries into Washington, D.C. Suitland Parkway is significant under Criterion A for its role in transportation and defense, and under Criterion C for its unique design and its place in the design of Washington, D.C.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. Field visits revealed that O Parcel development would not be visible from Suitland Parkway due to a combination of topography, tree cover, and infrastructure associated with I-295. The Undertaking could result in development of the E Parcels. However, field visits revealed that development of the E Parcels would not be visible from the Suitland Parkway.

The Undertaking would have no adverse effect on Suitland Parkway.

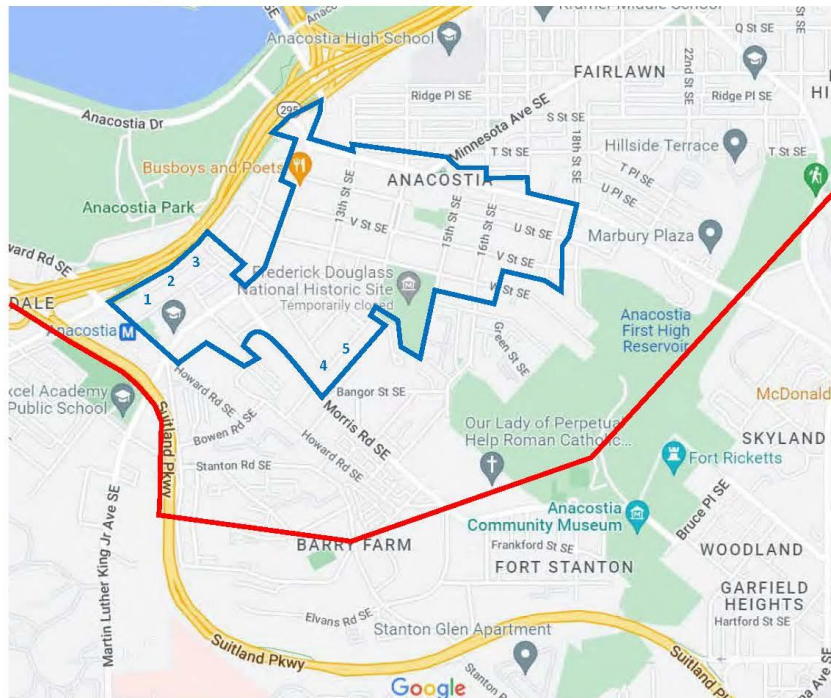


Figure 9: Map of Anacostia Historic District showing APE (red), Historic District Boundaries (blue) and photo locations (blue numbers)

19. Anacostia Historic District – National Register Listed

Summary Statement of Significance: The Anacostia Historic District originated as the suburb of Uniontown in 1854. It housed Navy Yard workers as well as a significant African American community. The Anacostia Historic District is significant under Criterion A for its illustration of suburban community planning and development as well as for its African-American history. The Historic District is also significant under Criterion C for its array of vernacular residential and commercial buildings dating from the mid-19th through mid-20th centuries.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. Extensive field evaluation of the vistas from the Anacostia Historic District revealed that development of the O parcels would be visible from the alley behind Shannon Place in the west corner of the Historic District (Photos 1-3). In addition, development would be visible from certain high points in the Historic District that have vistas over the city: Maple View Place SE, High Street SE (Photos 4-5); and the Frederick Douglass National Historic Site (assessed separately). However, development would have no effect on the historic associations or architecture of the Anacostia Historic District. The Undertaking could result in development of the E Parcels. However, field visits revealed that development of the E Parcels would not be visible from the Anacostia Historic District.

The Undertaking would have no adverse effect on the Anacostia Historic District.



*Anacostia Photo 1: View to NE from alley behind Shannon Place SE toward Washington Navy Yard O Parcels.
Approximate area of O Parcel development circled.*



*Anacostia Photo 2: View to NE from alley behind Shannon Place SE toward Washington Navy Yard O Parcels.
Approximate area of O Parcel development circled.*



Anacostia Photo 3: View to NE from alley behind Shannon Place SE toward Washington Navy Yard O Parcels. Approximate area of O Parcel development circled.



Anacostia Photo 4: View to north from Maple View Place SE toward Washington Navy Yard. O Parcel development would be in circled area behind trees.



Anacostia Photo 5: View north from High Street SE toward Washington Navy Yard. O Parcel development would be minimally visible within circled area.



Douglass Photo 1: View to NW from Frederick Douglass National Historic Site to Washington Navy Yard. E Parcel and O Parcel development marked in orange.

20. Frederick Douglass National Historic Site – National Register Listed

Summary Statement of Significance: The Frederick Douglass house was constructed from 1855 to 1859. Douglass purchased the property in 1877 and lived there until his death in 1895. The property is significant under Criterion B for its association with abolitionist, writer and orator Frederick Douglass. The property has a notable vista from the hilltop to the city across the Anacostia River.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels and could result in new development of the E Parcels. The development of both parcels would be visible from the hilltop of the Frederick Douglass National Historic Site. The vista across the Anacostia River to the city, while not mentioned in the 1960s National Register materials, is presumed to contribute to the setting and feeling of the site. However, from the distance, the development would blend with other development along the southeast waterfront and would not constitute a significant change to the vista.

The Undertaking would have no adverse effect on the Frederick Douglass National Historic Site.



Fort Stanton Photo 1: View to NW from Fort Stanton toward Washington Navy Yard

**21. Civil War Fort Sites and Fort Circle Park Historic District:
Fort Stanton – National Register Listed**

Summary Statement of Significance: The Civil War Fort Sites (Fort Circle Parks) are a ring of 68 defensive fortifications constructed by the Union Army around the city of Washington, D.C. from 1861 to 1865. After the Civil War, they became part of a trail and park system. Of the remaining fortifications, only Fort Stanton is within the Area of Potential Effect for the Undertaking. The Civil War Fort Sites are significant under Criterion A for their association with the defense of Washington, D.C. during the Civil War.

Assessment of Effects: A field visit conducted during the winter revealed that the Washington Navy Yard is not visible from Fort Stanton due to the density of vegetation cover.

The Undertaking would have no adverse effect on the Civil War Fort Sites and Fort Circle Park Historic District.

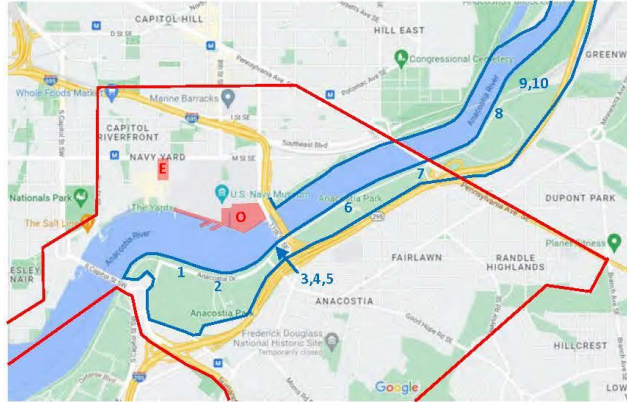


Figure 10: Map showing APE (red), O and E parcels (pink), Anacostia Park boundaries (blue), and photo numbers (blue numbers)

22. Anacostia Park - National Register Eligible

Summary Statement of Significance: Anacostia Park was first conceived by the MacMillan Commission in 1901. Constructed through land reclamation beginning in 1902 and continuing into the 1930s, Anacostia Park stretches from the South Capitol Street Bridge north to the District boundary. It was the site of the Bonus Expeditionary Forces March on Washington camp in 1932. Anacostia Park is significant under Criterion A for its association with the development of the parks system in Washington, D.C. under the MacMillan Commission, and for its association with the Bonus Expeditionary Forces.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. The scale of the development is not yet known, but extensive field evaluation of the vistas from Anacostia Park revealed that development of the O Parcels would be highly visible from Anacostia Park between the Frederick Douglass Memorial Bridge and Pennsylvania Avenue Bridge (Photos 1-7). Development would change the vista from the Park across the Anacostia to the O parcels by introducing new elements in the form of large new buildings. The Undertaking could result in development of the E Parcels. However, development of the E Parcels would not be visible from Anacostia Park.

The Undertaking has the potential to have adverse effects on Anacostia Park. The Navy proposes to address the potential for adverse effects by including ongoing evaluation of effects on Anacostia Park in the Programmatic Agreement governing future development of the O Parcels.



Anacostia Park Photo 1: View to NE from Anacostia Park toward Washington Navy Yard. Approximate area of O Parcel development marked in orange.



Anacostia Park Photo 2: View to NE from Anacostia Park toward Washington Navy Yard. Approximate area of O Parcel development marked in orange.



Anacostia Park Photo 3: View to NW from Anacostia Park toward Washington Navy Yard. Approximate area of O Parcel development marked in orange.



Anacostia Park Photo 4: View to NW from Anacostia Park toward Washington Navy Yard. Approximate area of O Parcel development marked in orange.



Anacostia Park Photo 5: View to NW from Anacostia Park toward Washington Navy Yard. Approximate area of O Parcel development marked in orange.



Anacostia Park Photo 6: View to west from Anacostia Park toward Washington Navy Yard. Approximate area of O Parcel development marked in orange.



Anacostia Park Photo 7: View to west from Anacostia Park toward Washington Navy Yard. Approximate area of O Parcel development marked in orange.



Anacostia Park Photo 8: View to SW from Anacostia Park toward Washington Navy Yard. O Parcel development not visible.



*Anacostia Park Photo 9: View to SW from Anacostia Park pedestrian bridge toward Washington Navy Yard. O
Parcel development not visible.*



*Anacostia Park Photo 10: View to SW from Anacostia Park pedestrian bridge toward Washington Navy Yard. O
Parcel development not visible.*



Firehouse Photo 1: View to NW from Firehouse down Pennsylvania Avenue

23. Engine Company No. 19 (Randle Highlands Firehouse) – D.C. Inventory of Historic Properties

Summary Statement of Significance: Engine Company No. 19 stands along Pennsylvania Avenue SE just inside the APE. Constructed in 1910, the eclectic Victorian style firehouse was one of the early stations east of the Anacostia River. The building is significant under Criterion A for its association with the history of the District's fire and rescue system, and under Criterion C for its Victorian architecture.

Assessment of Effects: A field visit revealed that despite the elevation of Engine Company No. 19 and its vista down Pennsylvania Avenue, development resulting from the Undertaking would be too far east to be visible.

The Undertaking would have no adverse effect on Engine Company No. 19.

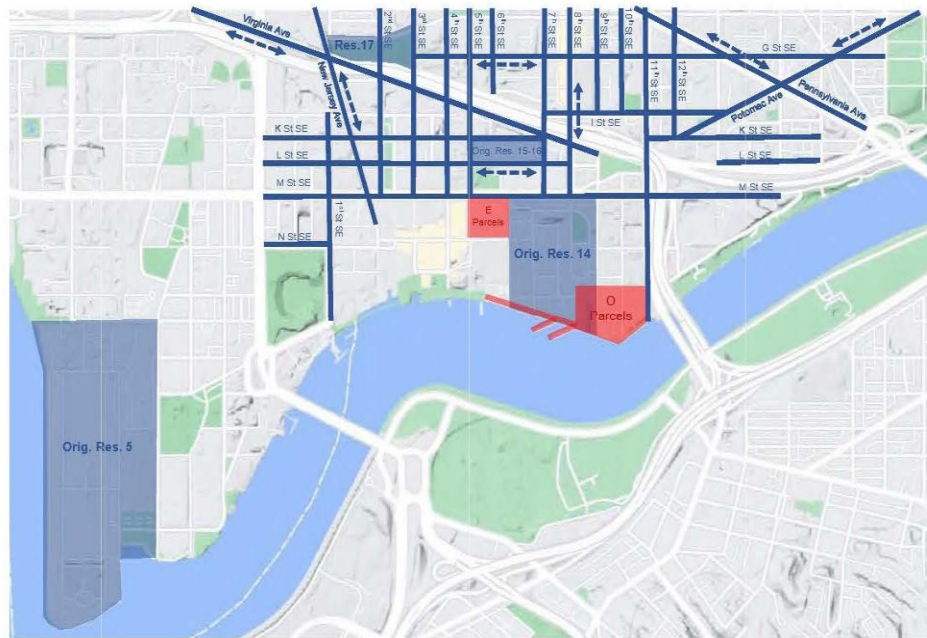


Figure 11: L'Enfant Plan, Contributing elements within APE (blue) and area of Undertaking (red)

24. The Plan of the City of Washington (L'Enfant Plan; L'Enfant-McMillan Plan) – National Register Listed

Summary Statement of Significance: The Plan for the City of Washington (L'Enfant Plan) was first laid out by Pierre L'Enfant in 1791 and was refined through later enhancements, most notably the MacMillan Plan of 1901. It is significant under Criterion A for its association with the founding of the United States and Washington, D.C., under Criterion B as the work of Pierre L'Enfant and subsequent designers and developers, and under Criterion C as a Baroque city plan with Beaux Arts era modifications. The L'Enfant Plan was listed in the National Register in 1997.

Based on the 1997 National Register nomination form, the following contributing elements are at least partially within the APE:

Reservations

- Reservation No. 17 (now Garfield Park)

Diagonal Avenues (including vertical airspace)

- Potomac Ave. SE between 12th and 19th Sts. SE
- Virginia Ave. SE between 7th St. SW and 9th St. SE

North-South Streets (including vertical airspace)

- 1st St. SE between Potomac Ave. SE and I St. SE
- 2nd St. SE between M St. SE and E. Capitol St.

- 3rd St. SE between M St. SE and E. Capitol St.
- 4th St. SE between M St. SE and E. Capitol St.
- 5th St. SE between M St. SE and E. Capitol St.
- 6th St. SE between Virginia Ave. SE and E. Capitol St.
- 7th St. SE between M St. SE and E. Capitol St.
- 8th St. SE between M St. SE and E. Capitol St.
- 9th St. SE between Marine Barracks (I St. SE) and E. Capitol St.
- 10th St. SE between Marine Barracks (I St. SE) and E. Capitol St.
- 11th St. SE between Anacostia River and E. Capitol St.
- 12th St. SE between K and A Sts. SE

East-West Streets (including vertical airspace)

- G St. SE between Garfield Park and 17th St. SE
- I St. SE between 7th and 13th Sts. SE
- K St. SE between S. Capitol St. and 7th St. SE, and 11th and 15th Sts. SE
- L St. SE between S. Capitol St. and 8th St. SE, and 13th and 15th Sts. SE
- M St. SE between S. Capitol St. and 14th St. SE
- N St. SE between S. Capitol St. and 1st St. SE

Axial Vistas along Streets (indicated on map with dotted arrows)

- Virginia Avenue
- New Jersey Avenue
- Pennsylvania Avenue
- Potomac Avenue
- G Street SE
- L Street SE
- 8th Street SE

In addition, the following original reservations within the Area of Potential Effect are not described as contributing elements in the National Register nomination, but are included in this analysis:

- Reservation No. 5 (Greenleaf Point, Arsenal, now Fort McNair)
- Reservation No. 14 (Navy Yard, bounded by Anacostia River, M, 6th, and 9th Sts. SE)
- Reservation Nos. 15 and 16 (original site of Eastern Market, now Reservation No. 19, playground, bounded by 5th, 7th, K and L Sts. SE)

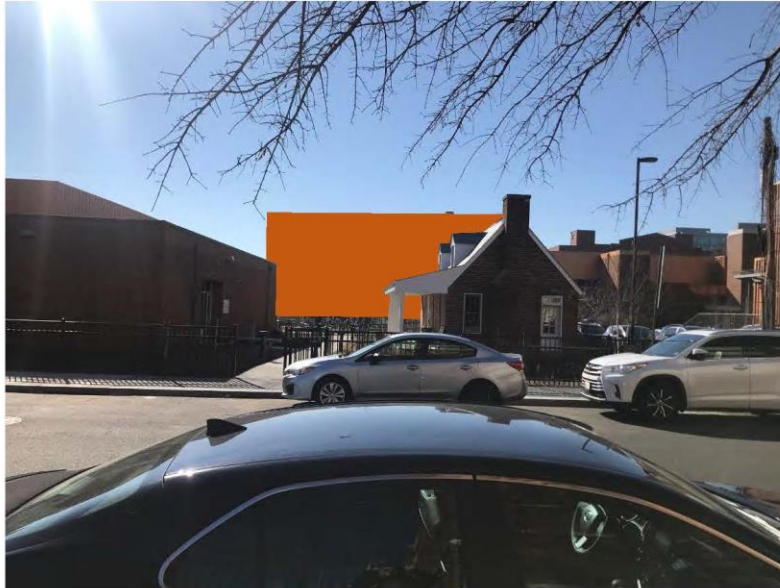
Assessment of Effects:

The undertaking is not visible from Reservation Nos. 5 (Greenleaf Point, Arsenal, Fort McNair) or 17 (Garfield Park). The undertaking is not within the corridors or vertical airspace of any Avenues or Streets described in the National Register nomination as contributing to the L'Enfant Plan, but it may be visible from them. The contributing sections of 2nd through 10th Streets SE terminate at M Street SE at the boundary wall for the Washington Navy Yard. 1st and 11th Streets SE terminate at the Anacostia River. The axial vistas along Potomac Avenue SE and 8th Street SE historically terminated at the Latrobe Gate of the Washington Navy Yard. The other axial vistas within the APE do not pass through the area of the undertaking.

The undertaking would be within the vista looking south from original Reservation Nos. 15 and 16 (current Reservation No. 19) (Photos 1-2). Reservation Nos. 15 and 16 were the original Eastern Market Site and had direct vistas south to the Anacostia River and planned 6th Street Canal. However, market fell out of use during the Civil War and relocated to its current site in 1873. Reservation Nos. 15 and 16 were re-designated as Reservation No. 19 and served as a playground by 1914. Recreational use continues in some form to the present. Meanwhile, Navy acquired the land east of 5th St SE in 1801 and expanded west to 4th St SE in 1902. Since the first decade of the 20th century, the vista south from Reservation 19 has terminated at the Navy Yard wall on the south side of M Street SE, a condition that would not change with the undertaking.

The undertaking would include a small part of Reservation No. 14 (Washington Navy Yard). The 1791 L'Enfant Plan designated Reservation No. 17, the area between 7th and 9th Streets SE, as a major government or commercial center. In 1799, Congress appropriated funds for construction of the Navy Yard, by then re-designated Reservation No. 14 and expanded west to 6th Street SE. This area became the core of the Washington Navy Yard and has been in continuous Navy use since 1799. However only the land mass under the north ends of Buildings 70, 154 and the Marine Railway existed when the Navy Yard was established. Reservation No. 14 would remain in Navy ownership, although commercial development would be allowed in and around Buildings 70, 154 and the Marine Railway.

The full extent of the effects of the Undertaking on the L'Enfant Plan cannot be determined until plans for future construction on the O and E Parcels are developed further. The Navy proposes to address the potential for adverse effects by including ongoing evaluation of effects on the L'Enfant Plan in the Programmatic Agreements governing future development of the O and E Parcels.



L'Enfant Photo 1: View to south from 5th and L Streets SE (Reservation No. 19) toward E Parcels. Potential E Parcel Development marked in orange.



L'Enfant Photo 2: View to south from 6th and L Streets SE (Reservation No. 19) toward E Parcels. Potential E Parcel Development marked in orange.

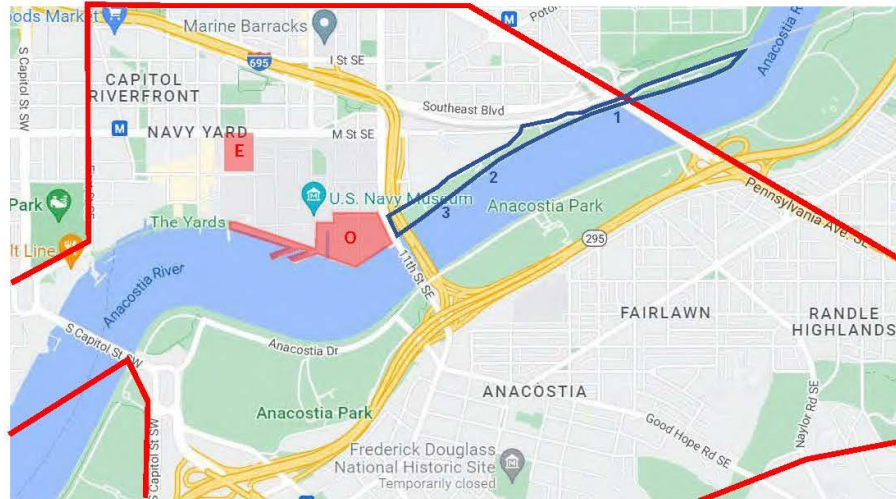


Figure 12: Map showing APE (red), O and E parcels (pink), Boathouse Row boundaries (blue), and photo numbers (blue numbers)

25. Boathouse Row – National Register Eligible

Summary Statement of Significance: Boathouse Row is a narrow strip of land with marinas along west bank of the Anacostia River. Previously part of Anacostia Park, it was transferred to the District of Columbia in 2008. Boathouse Row includes the 1905 Eastern Power Boat Club, the 1910 Washington Yacht Club, the 1945 Seafarers Yacht Club and the 1952 District Yacht Club. Boathouse row is significant under Criterion A for its association with trends in recreation, specifically motor boating and associated water sports.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. Field evaluation of the vistas from Boathouse Row revealed that development of the O Parcels would be minimally visible from Boathouse Row due to foliage and the infrastructure associated with I-695 and the 11th Street Bridge. Development of the O Parcels would not affect Boathouse Row's historic association with recreation, nor would it affect Boathouse Rows' integrity of location, design, materials, workmanship or association. Effects to Boathouse Row's integrity of setting and feeling would be minimal. The Undertaking could result in development of the E Parcels. However, development of the E Parcels would not be visible from Boathouse Row.

The Undertaking would have no adverse effect on Boathouse Row.



Boathouse Row Photo 1: View to SW from Pennsylvania Avenue Bridge toward Washington Navy Yard. O Parcel development not visible.



Boathouse Row Photo 2: View to SW from trail behind Boathouse Row toward Washington Navy Yard. O Parcel development not visible.



Boathouse Row Photo 3: View to SW from Seafarers Yacht Club toward Washington Navy Yard. O Parcel development not visible.



Washington Yacht Club Photo 1: View to SW toward O Parcels

26. Washington Yacht Club – National Register Listed

Summary Statement of Significance: The Washington Yacht Club began in 1915 and moved to its current location on the west bank of the Anacostia River in 1924. Per the National Register nomination, the complex includes a clubhouse, workshop, shed, flagpole, docks, parking area and seawall. The Washington Yacht Club is significant under Criterion A for its association with trends in recreation, specifically motor boating and associated water sports. It is also significant under Criterion C as an example of a motorboat club.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. Field evaluation of the vista from the Washington Yacht Club revealed that development of the O Parcels would be minimally visible due to foliage and the infrastructure associated with I-695 and the 11th Street Bridge. Development of the O Parcels would not affect Washington Yacht Club's historic association with recreation, nor would it affect the integrity of location, design, materials, workmanship or association. Effects to integrity of setting and feeling would be minimal. The Undertaking could result in development of the E Parcels. However, development of the E Parcels would not be visible from the Washington Yacht Club.

The Undertaking would have no adverse effect on the Washington Yacht Club.



Main Sewerage Pumping Station Photo 1: View to SE from outside fence line at SE corner of building toward WNY O Parcels

27. Main Sewerage Pumping Station – National Register Listed

Summary Statement of Significance: The Main Sewerage Pumping Station, constructed 1904-1907, is an active plant on the west bank of the Anacostia River at the foot of 1st Street SE. The monumental building is significant under Criterion A for its association with the development of infrastructure in Washington, D.C. and under Criterion C as an outstanding example of Beaux Arts architecture.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. Field visits revealed that O Parcel development would not be visible from the Main Sewerage Pumping Station due to high rise development on South East Federal Center parcels. The Undertaking could result in development of the E Parcels. However, field visits revealed that development of the E Parcels would not be visible from the Main Sewerage Pumping Station.

The Undertaking would have no adverse effect on the Main Sewerage Pumping Station.



Poplar Point Pumping Station Photo 1: View from across the street from Poplar Point Pumping Station toward the Washington Navy Yard (site inaccessible due to road construction)

28. Poplar Point Pumping Station – National Register Eligible

Summary Statement of Significance: The Poplar Point Pumping Station was constructed in 1915 and served Washington, D.C. east of the Anacostia River. The Poplar Point Pumping Station is eligible under Criterion A for its association with the development of infrastructure systems that supported Washington, D.C.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels. Field visits revealed that O Parcel development would not be visible from the Poplar Point Pumping Station due to a combination of topography, tree cover, and infrastructure associated the Frederick Douglass Memorial Bridge and interchange. The Undertaking could result in development of the E Parcels. However, field visits revealed that development of the E Parcels would not be visible from the Poplar Point Pumping Station.

The Undertaking would have no adverse effect on Poplar Point Pumping Station.

29. St. Elizabeths Hospital – National Historic Landmark

Summary Statement of Significance: St. Elizabeths Hospital was established in 1852 as the first federally-funded hospital for the mentally ill in the nation. The facility occupies a high point of the Anacostia Hills overlooking Washington, D.C. to the west and north. “The Overlook”, an area just inside the original main gate, has historic significance to the Anacostia community as a traditional site for family picnics and outings. St. Elizabeths Hospital is significant under Criterion A for its association with health/medicine and social history, and under Criterion C for its Gothic Revival architecture.

Assessment of Effects: The General Services Administration owns St. Elizabeths Hospital, and the Department of Homeland Security occupies the site. Therefore it is not accessible for field visits. NAVFAC Washington speculates that development of both the Washington Navy Yard O Parcels and E Parcels would be visible from The Overlook. The vista from The Overlook contributes to the setting and feeling of the site. However, from the distance, the development would blend with other development along the southeast waterfront and would not constitute a significant change to the vista.

NAVFAC Washington requests the General Services Administration’s concurrence that the Undertaking would have no adverse effect on St. Elizabeths Hospital.



Anderson Tire Manufacturing Company Photo 1: View to NW from west wall of building toward Washington Navy Yard

30. Anderson Tire Manufacturing Company – National Register Eligible

Summary Statement of Significance: The Anderson Tire Manufacturing Company was constructed in 1916 by a modular building company and exhibits the design principles of an early-20th century “daylight factory.” It is one of very few heavy industrial buildings constructed in Washington, D.C. by the private sector. The Anderson Tire Manufacturing Company is significant under Criterion A for its association with industry in Washington D.C. and under Criterion C as a good example of early-20th century industrial architecture.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels and could result in new development of the E Parcels. The Anderson Tire Manufacturing Company stands east of and at a lower elevation than I-295 and infrastructure associated with the I-295/I-695/11th Street interchange. The interstate, interchange and foliage block all views to the Washington Navy Yard from the Anderson Tire Manufacturing Company.

The Undertaking would have no adverse effect on the Anderson Tire Manufacturing Company.



Anacostia High School Photo 1: View to NW from NW corner of building

31. Anacostia High School – National Register Eligible

Summary Statement of Significance: Anacostia High School was constructed as a high school for white students in 1935 and was the site of protests concerning its integration in 1954. The building has additions from the 1940s, 1960s and 1970s. Anacostia High School is significant under Criterion A for its association with the history of education.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels and could result in new development of the E Parcels. Anacostia High School stands east of and at a lower elevation than I-295 and infrastructure associated with the I-295/I-695/11th Street interchange. The interstate, interchange and foliage block all views to the Washington Navy Yard from Anacostia High School.

The Undertaking would have no adverse effect on Anacostia High School.



Kramer Middle School Photo 1: View to west from NW corner of school building.

32. Kramer Middle School – National Register Eligible

Summary Statement of Significance: Kramer Middle School was constructed in 1939 for white students in Anacostia and integrated in 1954. The school was named for Washington D.C. educator Stephen E. Kramer (1871-1936). Kramer Middle School is significant under Criterion A for its association with the history of education.

Assessment of Effects: The Undertaking would result in new development of the Washington Navy Yard O Parcels and could result in new development of the E Parcels. Kramer Middle School stands east of I-295 where the interstate is at grade. The high-rise development that is visible across the Anacostia River from Kramer Middle School is east of the Washington Navy Yard. The Washington Navy Yard is not visible from Kramer Middle School.

The Undertaking would have no adverse effect on Kramer Middle School.

C.5 Navy Letters to Consulting Parties

C.5.1 Distribution Lists

<i>Letter Dated August 5, 2022</i>	
Mr. David Maloney District of Columbia State Historic Preservation Office Office of Planning 1100 4th Street SW, Suite 650E Washington, DC 20024 Attn: Mr. Andrew Lewis	Mr. Reed Nelson Advisory Council on Historic Preservation Office of Federal Agency Programs 401 F Street NW, Suite 308 Washington, DC 20001-2637 Attn: Ms. Katharine Kerr
Mr. Thomas Luebke U.S. Commission of Fine Arts Government Project Review 401 F Street NW, Suite 312 Washington, DC 20001-2728 Attn: Mr. Daniel Fox	Ms. Kathryn Smith National Park Service – National Capital Area 1100 Ohio Drive SW Washington, DC 20242
Mr. Brett Banks General Services Administration NCR Office of Portfolio Management and Real Estate 1800 F Street NW Washington, DC 20405	Mr. Marcel Acosta National Capital Planning Commission Urban Design and Plan Review Division 401 9th Street NW Suite 500N Washington, DC 20004 Attn: Mr. Lee Webb
Mr. Daniel Weldon Cultural Resources Program Manager National Capital Parks – East 1900 Anacostia Drive SE Washington, DC 20020	Mr. Michael Alvino, Coordinator Trails Program DC Department of Transportation 250 M Street SE Washington, DC 20003
Mr. Corey Homan, Chairperson Advisory Neighborhood Commission ANC6B04 921 Pennsylvania Ave SE Washington, DC 20003 Attn: Ms. Kirsten Oldenburg	Ms. Beth Purcell Capitol Hill Restoration Society P.O. Box 15264 Washington, DC 20003
Mr. Michael Stevens, President Capitol Riverfront BID 1100 New Jersey Ave SE, Suite 1010 Washington, DC 20003	Ms. Camille Bourguignon-Roger Ms. Gretta Fuller Co-Presidents Historic Anacostia Preservation Society
<i>Letter Dated January 31, 2023</i>	
Mr. David Maloney District of Columbia State Historic Preservation Office Office of Planning 1100 4th Street SW, Suite 650E Washington, DC 20024 Attn: Mr. Andrew Lewis	Ms. Katharine Kerr Advisory Council on Historic Preservation Office of Federal Agency Programs 401 F Street NW, Suite 308 Washington, DC 20001-2637
Mr. Daniel Fox U.S. Commission of Fine Arts Government Project Review 401 F Street NW, Suite 312 Washington, DC 20001-2728	Ms. Kathryn Smith National Park Service – National Capital Area 1100 Ohio Drive SW Washington, DC 20242

Mr. Daniel Weldon Anacostia Park National Capital Parks – East 1900 Anacostia Drive SE Washington, DC 20020	Mr. Michael Alvino Anacostia Riverwalk Trail Trails Program DC Department of Transportation 250 M Street SE Washington, DC 20003
Mr. Lee Webb National Capital Planning Commission Urban Design and Plan Review Division 401 9th Street, NW Suite 500N Washington DC 20004	

C.5.2 Example Letters



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING SYSTEMS COMMAND WASHINGTON
1314 HARWOOD STREET SE
WASHINGTON NAVY YARD DC 20374-5018

IN REPLY REFER TO
5090
EV/032
05 AUG 22

Mr. David Maloney
District of Columbia State Historic Preservation Office
Office of Planning
1100 4th Street SW, Suite 650E
Washington, DC 20024
Attn: Mr. Andrew Lewis

Dear Mr. Lewis:

SUBJECT: CONTINUING CONSULTATION UNDER SECTION 106 FOR LAND
ACQUISITION, WASHINGTON NAVY YARD, WASHINGTON, DC

On June 8, 2022, NAVFAC Washington continued consultation regarding the Washington Navy Yard Land Acquisition by submitting materials delineating an Area of Potential Effect for the built environment; identifying historic built resources within the APE; assessing effects on those resources; and proposing methods to resolve adverse effects. Since then, NAVFAC Washington has received comments on the submission from National Capital Parks – East and the District of Columbia State Historic Preservation Office. The attached matrix details those comments and NAVFAC Washington's responses. Also attached are the submission materials, revised in accordance with the comments. If you have any further comments, please return them to NAVFAC Washington by September 6, 2022. Assessment of effects and resolution of adverse effects will continue through development of the four proposed agreement documents: a Memorandum of Understanding under which the Navy will assume caretaker status of the E Parcels, a Programmatic Agreement for future development of the E Parcels, a Historic Covenant for the O Parcels, and a Programmatic Agreement for future development of the O Parcels. Please also notify NAVFAC Washington if there are any items you wish to be included in any of the agreement documents.

Communications may be directed to Ms. Julie Darsie, Cultural Resources Program Manager, at julie.c.darsie.civ@us.navy.mil. The Navy thanks you for your support of this project and welcomes any suggestions or corrections you can offer.

Sincerely,

WILLIAMS.ROBE
RT.L.1255226181

Digitally signed by
WILLIAMS.ROBERT.L.12552261
81
Date: 2022.08.08 18:42:11 -0400

ROBERT L. WILLIAMS
Environmental Business Line Coordinator
By direction of the Commanding Officer

Subj: CONTINUING CONSULTATION UNDER SECTION 106 FOR LAND
ACQUISITION, WASHINGTON NAVY YARD, WASHINGTON, DC

Encl: Comments and Responses Matrix

REVISED Area of Potential Effects (Built Environment), Identification of Historic
Resources, Assessment of Effects, and Proposed Resolution of Adverse Effects for Land
Acquisition, Washington Navy Yard, Washington, D.C.

Copy to:
Nicole Tompkins-Flagg, NEPA Program Manager, NAVFAC Washington

Enclosure (1) Project Location Maps

3



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING SYSTEMS COMMAND WASHINGTON
1314 HARWOOD STREET SE
WASHINGTON NAVY YARD DC 20374-5018

IN REPLY REFER TO
5090
EV/002
31 JAN 23

Mr. David Maloney
District of Columbia State Historic Preservation Office
Office of Planning
1100 4th Street SW, Suite 650E
Washington, DC 20024
Attn: Mr. Andrew Lewis

Dear Mr. Lewis:

SUBJECT: CONTINUING CONSULTATION UNDER SECTION 106 FOR LAND
ACQUISITION, WASHINGTON NAVY YARD, WASHINGTON, DC

The Navy wishes to continue consultation regarding the Washington Navy Yard Land Acquisition by submitting the enclosed reports detailing the condition and costs for repair and rehabilitation of Building 166 at the Washington Navy Yard. Building 166 is an H-shaped building consisting of two wings connected by a hyphen. The north wing was constructed in 1917-1918 as the Seaman Gunners' School and residence. The hyphen and south wing were added in 1940-1941, by which time the entire building was a receiving station. Building 166 contributes to the National Register-eligible Eastern Extension Historic District because the Seaman Gunner's School supported the Washington Navy Yard's primary mission of ordnance production.

The *Building 166 Assessment and Cost Analysis* (2012) (Enclosure 1) was prepared for the Navy by Patton, Harris, Rust & Associates, who led a team that included Robinson & Associates for Historic Preservation. The purpose of the report was to collect recommendations and cost estimates for building upgrades. The team used noninvasive techniques to evaluate the building. The structural evaluation (pages 80-81) noted poor conditions in the basement of the original (north) wing. The original wing has shallow footings. Without deep piles to support the structure, soil settlement has resulted in damage to structural elements, exemplified by cracked walls, bowed walls, and separated connections. The basement floor slab is concrete slab on grade reinforced with mesh. The evaluation noted that the slab in the original wing had settled substantially, possibly due to poor quality and preparation of fill and soils at the time of construction. The evaluation also noted that the concrete frame superstructure had corrosion and spalling on the underside of the first floor. Structural repairs recommended included replacement of the slab-on-grade as well as repairs to structural elements damaged by settlement and to spalled areas of the concrete superstructure. The evaluation mentioned that background research had unearthed a set of 95% drawings from a 2003 rehabilitation project that was never carried out. Woods Peacock Engineering Consultants prepared the 2003 drawings and noted conditions consistent with what the 2012 evaluation found.

Subj: CONTINUING CONSULTATION UNDER SECTION 106 FOR LAND ACQUISITION, WASHINGTON NAVY YARD, WASHINGTON, DC

The *Building #166, Navy Yard, Washington DC, Structural Condition Survey Report* (2022) (Enclosure 2) was prepared for Redbrick by Smislova, Kehnemui & Associates, P.A. The purpose of the report was to inform structural repair, planning and development of the building. The team conducted visual inspections of the entire building and invasive/exploratory inspections at five locations. The report stated that most structural components were generally in fair condition, but the enclosed porches and slab-on-grade in the original wing were in poor condition. The report noted serious settlement and resulting deflection in the enclosed porches of the original wing. Settlement of the slab-on-grade was observed throughout the basement area. In addition, the first-floor slab was in fair to poor condition due to delamination and spalling. Structural repairs recommended included demolition and reconstruction of the porches, replacement of the slab-on-grade, and repair of the concrete joist slab at all the delaminated areas.

The 2012 report resulted in a DD Form 1391 (Military Construction Project Data Sheet) (Enclosure 3) used to request funds for an FY17 construction project to make repairs and ATPF upgrades to Building 166. Naval Support Activity Washington requested but did not receive funding for the project. The total estimated cost for FY17 was \$25,341,000. Escalation at 5% per year to FY25 would have brought the cost to \$37,440,197. Incorporating actual escalation rates for FY21 (9%) and FY22 (14%) would have brought the cost to \$42,197,905.

The 2022 report provided current year, private-sector construction costs for the recommended repairs totaling \$21,510,248. Of that amount, 20% (\$4,325,000) would be to address the enclosed porches (including façade repair and restoration after removal), slab-on-grade, and first floor slab. With inflation, insurance, contingency, fees, permits and overhead added, and a 20% historic preservation tax credit subtracted, repair costs would total \$30,513,814 in 2025. Once repaired, the cost to convert the building to residential use was estimated at \$26,688,610 in 2025. The total per square foot to repair the building and bring it into residential service would be \$807.09 per square foot. The current market value per square foot is \$357.90. In order to repair Building 166 and convert it to residential use, the developer would have to invest 126% (\$449.19) more per square foot than the market value.

At the Navy's request, the developer explored retaining the original wing of Building 166 and demolishing only the 1940s wing. However, the original wing requires the most extensive repairs, therefore the repairs would constitute a greater proportion of the total costs and would result in a higher cost per square foot.

The Navy also considered retaining Building 166 for its own use. As previously noted, Naval Support Activity requested but did not receive funds for rehabilitation. However, in June 2021, the Vice Commander of Naval Operations issued an official Memo, "Navy Distributed Workforce Optimization and Administrative Office Reduction Strategy," (Enclosure 4) which set a 20% minimum target reduction of administrative space for Navy installations in the United States. The Washington Navy Yard is almost entirely administrative. Some reduction will be

Subj: CONTINUING CONSULTATION UNDER SECTION 106 FOR LAND
ACQUISITION, WASHINGTON NAVY YARD, WASHINGTON, DC

accomplished by moving personnel currently in commercial leased space onto the Washington Navy Yard, but removing Buildings 166 and 218 from the Navy's inventory is needed to meet the target reduction.

It is not cost feasible for the Navy to retain or the developer to rehabilitate Building 166. At this point, the Navy wishes to discuss mitigation measures for the demolition of the building.

Sincerely,

WILLIAMS.ROBE
RT.L.1255226181

Digitally signed by
WILLIAMS.ROBERT.L.12552261
81
Date: 2023.01.31 13:51:45 -0500

ROBERT L. WILLIAMS
Environmental Business Line Coordinator
By direction of the Commanding Officer

Encl: (1) Building 166 Assessment and Cost Analysis (2012)
(2) Building #166, Navy Yard, Washington DC, Structural Condition Survey Report (2022)
(3) WNY-166 Full Repair 1391
(4) VCNO Memo "Navy Distributed Workforce Optimization and Administrative Office Reduction Strategy"

Copy to:

Nicole Tompkins-Flagg, NEPA Program Manager, NAVFAC Washington

C.6 Tribal Correspondence



DEPARTMENT OF THE NAVY
COMMANDING OFFICER NAVAL DISTRICT WASHINGTON
1043 HARWOOD ST SE
WASHINGTON, DC 20373

IN REPLY REFER TO:
5090
Ser EV/054
14 OCT 2022

Delaware Nation
P.O. Box 825
Anadarko, OK 73005

Dear Sir or Madam:

SUBJECT: NOTICE OF AVAILABILITY AND VIRTUAL PUBLIC MEETINGS FOR THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED LAND ACQUISITION AT THE WASHINGTON NAVY YARD, WASHINGTON, DISTRICT OF COLUMBIA

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as implemented by the Council on Environmental Quality Regulations, the Department of the Navy (Navy) prepared and filed with the United States Environmental Protection Agency (U.S. EPA), a Draft Environmental Impact Statement (EIS) that evaluates the potential environmental effects associated with acquisition of land at the Southeast Federal Center (SEFC), adjacent to the Washington Navy Yard (WNY), Washington, D.C. The Navy proposes to obtain 6 acres of land on the SEFC (the SEFC E Parcels) to improve the overall Antiterrorism (AT) posture of the WNY.

Private development on the SEFC E Parcels has already been approved by the local government in accordance with zoning ordinances and is currently scheduled to begin construction as early as 2023. By obtaining the SEFC E Parcels, the Navy would: (1) improve the WNY AT posture by reducing the encroachment threat posed by planned, private development on the SEFC E Parcels; (2) protect mission-critical activities conducted at the WNY from visual surveillance, and acoustic and electronic eavesdropping; and (3) enhance the overall safety of personnel, facilities, and infrastructure at the WNY.

Should the Navy obtain ownership of the SEFC E Parcels, the Navy is considering three alternative uses for the acquired property: construction and operation of a relocated Navy Museum, construction of administrative facilities, or maintaining the status quo (no new development).

The Navy invites you to participate in the EIS and Section 106 of the National Historic Preservation Act (NHPA) processes and welcomes your input.

Virtual Public Meetings

Due to current federal and state guidance on social distancing in response to the COVID-19 pandemic, the Navy will hold two virtual public meetings to receive comments on the Draft EIS. In addition, per Section 106 of the NHPA (36 CFR Part 800.2(5)(d)), this undertaking has the potential to have effects on historic resources associated with the WNY. The public will be able to submit comments on the analysis pursuant to Section 106 of the NHPA.

The meetings will be held:

- November 15, 2022, 6 p.m. to 7 p.m.
- November 16, 2022, 1 p.m. to 2 p.m.

Information on how to participate in the virtual public meetings is available on the Navy website at:

<https://ndw.cnrc.navy.mil/WNY-Land-Acquisition/1/>

Submitting Comments

The Navy requests and welcomes your comments on the Draft EIS and pursuant to Section 106 of the NHPA. You are invited to review and provide comments on the alternatives, information, and analysis, and the summary thereof, contained in the Draft EIS. The Draft EIS is available for electronic viewing or download at: <https://ndw.cnrc.navy.mil/WNY-Land-Acquisition/1/>

Comments may be submitted:

- 1) **Verbally** at the virtual public meetings
- 2) **Electronically by email** at NAVFACWashNEPA1@navy.mil, or
- 3) **Via U.S. Postal Service**, mailed to:

Naval Facilities Engineering Command Washington
Attention: EIS Project Manager
Washington Navy Yard
1314 Harwood Street SE
Washington, D.C., 20374

The public comment period will be open from October 14, 2022 through December 2, 2022. Comments must be postmarked by **Friday, December 2, 2022**. All comments submitted by this date will be considered in the preparation of the Final EIS.

Draft EIS

In the Draft EIS, the Navy is considering the impacts of the no action alternative and two action alternatives:

- No Action Alternative, - The Proposed Action would not occur. The Navy would not acquire or reuse the SEFC E Parcels. Instead, the private development on the SEFC E Parcels would proceed as planned.
- Alternative 1 - Land Acquisition through Land Exchange,
- Alternative 2 - Direct Land Acquisition.

Both action alternatives have the same three sub-alternatives that address reuse of the acquired property. The three sub-alternatives are: A) construct and operate a relocated National Museum of the United States Navy; B) construct and operate Navy administrative facilities; and C) bring property within the WNY fence line, but leave the parcels in their current underdeveloped state.

The Navy analyzes potential environmental impacts of the alternatives on the following resources: traffic, cultural resources, land use/zoning, hazardous materials and wastes, water resources, construction noise, air quality, socioeconomic, environmental justice, and utilities and infrastructure. In addition, the Navy analyzed potential cumulative effects.

The Navy will conduct all coordination and consultation activities required by the NHPA and other laws, regulations, and Executive Orders determined to be applicable to the project. The Navy could implement mitigation and monitoring measures to avoid or reduce environmental impacts, as determined in cooperation with the appropriate regulatory agencies and consulting parties.

Thank you again for your participation in the NEPA and Section 106 processes. For more information, please contact Nik Tompkins-Flagg, EIS Project Manager, NAVFAC Washington, Washington Navy Yard, 1314 Harwood Street SE, Washington, D.C., 20374 at NAVFACWashNEPA1@navy.mil.

Sincerely,



Robert L. Williams
Environmental Business Line
Director
By Direction



DEPARTMENT OF THE NAVY
COMMANDING OFFICER NAVAL DISTRICT WASHINGTON
1043 HARWOOD ST SE
WASHINGTON, DC 20373

IN REPLY REFER TO:
5090
Ser EV/054
14 OCT 2022

Delaware Tribe
Ms. Susan Bachor
Delaware Tribe Historic Preservation
Pennsylvania Office, P.O. Box 64
Pocono Lake, PA 18347

Dear Sir or Madam:

SUBJECT: NOTICE OF AVAILABILITY AND VIRTUAL PUBLIC MEETINGS FOR
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED LAND
ACQUISITION AT THE WASHINGTON NAVY YARD, WASHINGTON, DISTRICT OF
COLUMBIA

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as implemented by the Council on Environmental Quality Regulations, the Department of the Navy (Navy) prepared and filed with the United States Environmental Protection Agency (U.S. EPA), a Draft Environmental Impact Statement (EIS) that evaluates the potential environmental effects associated with acquisition of land at the Southeast Federal Center (SEFC), adjacent to the Washington Navy Yard (WNY), Washington, D.C. The Navy proposes to obtain 6 acres of land on the SEFC (the SEFC E Parcels) to improve the overall Antiterrorism (AT) posture of the WNY.

Private development on the SEFC E Parcels has already been approved by the local government in accordance with zoning ordinances and is currently scheduled to begin construction as early as 2023. By obtaining the SEFC E Parcels, the Navy would: (1) improve the WNY AT posture by reducing the encroachment threat posed by planned, private development on the SEFC E Parcels; (2) protect mission-critical activities conducted at the WNY from visual surveillance, and acoustic and electronic eavesdropping; and (3) enhance the overall safety of personnel, facilities, and infrastructure at the WNY.

Should the Navy obtain ownership of the SEFC E Parcels, the Navy is considering three alternative uses for the acquired property: construction and operation of a relocated Navy Museum, construction of administrative facilities, or maintaining the status quo (no new development).

The Navy invites you to participate in the EIS and Section 106 of the National Historic Preservation Act (NHPA) processes and welcomes your input.

Virtual Public Meetings

Due to current federal and state guidance on social distancing in response to the COVID-19 pandemic, the Navy will hold two virtual public meetings to receive comments on the Draft EIS. In addition, per Section 106 of the NHPA (36 CFR Part 800.2(5)(d)), this undertaking has the potential to have effects on historic resources associated with the WNY. The public will be able to submit comments on the analysis pursuant to Section 106 of the NHPA.

The meetings will be held:

- November 15, 2022, 6 p.m. to 7 p.m.
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<https://ndw.cnrc.navy.mil/WNY-Land-Acquisition/1/>

Submitting Comments

The Navy requests and welcomes your comments on the Draft EIS and pursuant to Section 106 of the NHPA. You are invited to review and provide comments on the alternatives, information, and analysis, and the summary thereof, contained in the Draft EIS. The Draft EIS is available for electronic viewing or download at: <https://ndw.cnrc.navy.mil/WNY-Land-Acquisition/1/>

Comments may be submitted:

- 1) **Verbally** at the virtual public meetings
- 2) **Electronically by email** at NAVFACWashNEPA1@navy.mil, or
- 3) **Via U.S. Postal Service**, mailed to:

Naval Facilities Engineering Command Washington
Attention: EIS Project Manager
Washington Navy Yard
1314 Harwood Street SE
Washington, D.C., 20374

The public comment period will be open from October 14, 2022 through December 2, 2022. Comments must be postmarked by **Friday, December 2, 2022**. All comments submitted by this date will be considered in the preparation of the Final EIS.

Draft EIS

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- No Action Alternative, - The Proposed Action would not occur. The Navy would not acquire or reuse the SEFC E Parcels. Instead, the private development on the SEFC E Parcels would proceed as planned.
- Alternative 1 - Land Acquisition through Land Exchange,
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The Navy analyzes potential environmental impacts of the alternatives on the following resources: traffic, cultural resources, land use/zoning, hazardous materials and wastes, water resources, construction noise, air quality, socioeconomics, environmental justice, and utilities and infrastructure. In addition, the Navy analyzed potential cumulative effects.

The Navy will conduct all coordination and consultation activities required by the NHPA and other laws, regulations, and Executive Orders determined to be applicable to the project. The Navy could implement mitigation and monitoring measures to avoid or reduce environmental impacts, as determined in cooperation with the appropriate regulatory agencies and consulting parties.

Thank you again for your participation in the NEPA and Section 106 processes. For more information, please contact Nik Tompkins-Flagg, EIS Project Manager, NAVFAC Washington, Washington Navy Yard, 1314 Harwood Street SE, Washington, D.C., 20374 at NAVFACWashNEPA1@navy.mil.

Sincerely,



Robert L. Williams
Environmental Business Line
Director
By Direction

From: TOMPKINS-FLAGG, Nicole Marie (Nik) CIV USN NAVFAC WASHINGTON DC (USA)
To: Kathleen Riek; Farrell, Peggy [US-US]; Cristina Ailes
Subject: EXTERNAL: FW: [Non-DoD Source] Fwd: Notice of Availability: Proposed Washington Navy Yard Land Acquisition Draft EIS
Date: Friday, December 23, 2022 10:44:47 AM

See response from Delaware Tribe of Indians below.

Nik Tompkins-Flagg
 NEPA Program Manager
 NCPC/CFA Liaison
 NAVFAC Washington
 Washington Navy Yard, Bldg 212
 Work cell: (202) 355-2084
 Personal cell: (410) 474-7518
nicole.m.tompkins-flagg.civ@us.navy.mil

****Please note new work phone number****

From: Susan Bachor <sbachor@DelawareTribe.onmicrosoft.com>
Sent: Wednesday, December 21, 2022 1:46 PM
To: TOMPKINS-FLAGG, Nicole Marie (Nik) CIV USN NAVFAC WASHINGTON DC (USA)
 <nicole.m.tompkins-flagg.civ@us.navy.mil>
Cc: Susan Bachor <temple@delawaretribe.org>
Subject: [URL Verdict: Neutral]Re: [Non-DoD Source] Fwd: Notice of Availability: Proposed Washington Navy Yard Land Acquisition Draft EIS

Thank you for notifying the Delaware Tribe of the plans for the above-referenced project. The Delaware Tribe is committed to protecting sites important to our tribal heritage, culture, and religion. After reviewing our files, we determined that there are no known religious or culturally significant sites within the selected project area. We have no objection to the proposed project.

We ask that if any archaeological materials (artifacts, subsurface features, etc.) are discovered during the construction process that work in the immediate area be halted until an archaeologist can view and assess the finds. Furthermore, we ask that if any human remains are accidentally unearthed during the project that you cease development immediately and inform the Delaware Tribe of Indians of the inadvertent discovery. If you have any questions, feel free to contact this office by phone at (539) 529-1671 or by email at sbachor@delawaretribe.org.

Susan Bachor, M.A.
 Deputy THPO & Archaeologist
Delaware Tribe Historic Preservation
 126 University Circle
 Stroud Hall, Rm. 437
 East Stroudsburg PA 18301
NEW *cell-1.539.529.1671*****
sbachor@delawaretribe.org- electronic submissions preferred
 Please call for appointment.

This electronic message contains information from the Delaware Tribe of Indians that may be confidential, *privileged* or proprietary in nature. The information is intended solely for the specific use of the individual or entity to which this is addressed. If you are not the intended recipient of this message, you are notified that any use, distribution, copying, or disclosure of this communication is strictly prohibited. If you received this message in error, please notify the sender then delete this message.

From: TOMPKINS-FLAGG, Nicole Marie (Nik) CIV USN NAVFAC WASHINGTON DC (USA)
Sent: Tuesday, December 20, 2022 2:30 PM
To: Susan Bachor
Cc: Susan Bachor
Subject: RE: [Non-DoD Source] Fwd: Notice of Availability: Proposed Washington Navy Yard Land Acquisition Draft EIS

Good afternoon,

We did not receive any comments from you during the comment period, so I just wanted to follow up to see if I could answer any questions for you.

Hope to talk to you soon.

Nik Tompkins-Flagg
NEPA Program Manager
NCPC/CFA Liaison
NAVFAC Washington
Washington Navy Yard, Bldg 212
Work cell: (202) 355-2084
Personal cell: (410) 474-7518
nicole.m.tompkins-flagg.civ@us.navy.mil

****Please note new work phone number****

From: TOMPKINS-FLAGG, Nicole Marie (Nik) CIV USN NAVFAC WASHINGTON DC (USA)
Sent: Tuesday, October 25, 2022 7:01 AM
To: Susan Bachor <sbachor@DelawareTribe.onmicrosoft.com>
Cc: Susan Bachor <temple@delawaretribe.org>
Subject: RE: [Non-DoD Source] Fwd: Notice of Availability: Proposed Washington Navy Yard Land Acquisition Draft EIS

Ms. Bachor,

I've attached a copy of the Draft EIS. More information is available on the project website, and we

will continue adding information there leading up to the public meetings in November:

<https://ndw.cnmc.navy.mil/WNY-Land-Acquisition/1/>

Thank you!

Nik

From: Susan Bachor <sbachor@DelawareTribe.onmicrosoft.com>

Sent: Monday, October 24, 2022 3:51 PM

To: TOMPKINS-FLAGG, Nicole Marie (Nik) CIV USN NAVFAC WASHINGTON DC (USA)

<nicole.m.tompkins-flagg.civ@us.navy.mil>; lheady@delawaretribe.org

Cc: Susan Bachor <temple@delawaretribe.org>

Subject: Re: [Non-DoD Source] Fwd: Notice of Availability: Proposed Washington Navy Yard Land Acquisition Draft EIS

Hè Nik Tompkins-Flagg,

Please resend link or copy of draft EIS. The letter attached doesn't fully describe the undertaking. My initial review shows that this project may be just outside our area of interest. We will review and get back to you.

Best,

Susan Bachor, M.A.

Deputy THPO & Archaeologist

Delaware Tribe Historic Preservation

126 University Circle

Stroud Hall, Rm. 437

East Stroudsburg PA 18301

NEW *cell-1.539.529.1671*****

sbachor@delawaretribe.org - electronic submissions preferred

Please call for appointment.

This electronic message contains information from the Delaware Tribe of Indians that may be confidential, *privileged* or proprietary in nature. The information is intended solely for the specific use of the individual or entity to which this is addressed. If you are not the intended recipient of this message, you are notified that any use, distribution, copying, or disclosure of this communication is strictly prohibited. If you received this message in error, please notify the sender then delete this message.

From: TOMPKINS-FLAGG, Nicole Marie (Nik) CIV USN NAVFAC WASHINGTON DC (USA)

Sent: Monday, October 24, 2022 2:44 PM

To: lheady@delawaretribe.org

Cc: Susan Bachor

Subject: RE: [Non-DoD Source] Fwd: Notice of Availability: Proposed Washington Navy Yard Land Acquisition Draft EIS

Thank you Mr. Heady.

Ms. Bachor – I will ensure we only use email correspondence moving forward. Please let me know if you have any questions about this project.

Nik Tompkins-Flagg
NAVFAC Washington
NEPA Program Manager
NCPC/CFA Liaison
Washington Navy Yard
1314 Harwood St SE, Bldg 212
Washington, DC 20374
O: (202) 685-8437
C: (410) 474-7518

** Make note of new email address: nicole.m.tompkins-flagg.civ@us.navy.mil**

From: Larry Heady <lheady@delawaretribe.org>
Sent: Monday, October 24, 2022 2:09 PM
To: TOMPKINS-FLAGG, Nicole Marie (Nik) CIV USN NAVFAC WASHINGTON DC (USA)
<nicole.m.tompkins-flagg.civ@us.navy.mil>
Cc: Susan Bachor <temple@delawaretribe.org>
Subject: [Non-DoD Source] Fwd: Notice of Availability: Proposed Washington Navy Yard Land Acquisition Draft EIS

Dear Ms. Tompkins-Flagg:

Please discontinue sending hard copy materials for tribal review unless specific hard copy reports are requested. In future, please send all Public Notice correspondence and/or requests for project review per NEPA and NHPA Section 106 to the Delaware Tribe of Indians via electronic correspondence (email) only. For eastern states send to the attention of SUSAN BACHOR Sbachor@delawaretribe.org or temple@delawaretribe.org. For Ohio and west of there, send directly to my attention at lheady@delawaretribe.org.

***Wanishi! Anushiik!
Miigwech!***

LARRY HEADY | Tribal Historic Preservation Officer
Delaware Tribe of Indians
125 Dorry Lane | Grants Pass, OR 97527
262.825.7586 | lheady@delawaretribe.org
"Preserving the Legacy of Lenape Culture and the Delaware Diaspora"

I recognize that I am a guest in the ancient and sacred homeland of the living nations of the Coos, Hupa, Karuk, Klamath, Modoc, Takelma, Shasta, Siuslaw, Cow Creek Band of

Umpqua, Yahooskin, and Yurok. I extend my respect and gratitude to the Indigenous people who call these lands home.

From: "TOMPKINS-FLAGG, Nicole Marie (Nik) CIV USN NAVFAC WASHINGTON DC (USA)" <nicole.m.tompkins-flagg.civ@us.navy.mil>
To: "lheady@delawaretribe.org" <lheady@delawaretribe.org>
Sent: 10/24/2022 6:57 AM
Subject: Notice of Availability: Proposed Washington Navy Yard Land Acquisition Draft EIS

Good morning Mr. Heady,

I'm reaching out about a potential project at the Washington Navy Yard in Washington, D.C. The Navy has initiated an Environmental Impact Statement (EIS) for a proposed land acquisition and recently released the Draft EIS. A Notice of Availability and Notice of Public Meetings was published in the Federal Register on October 14th, initiating a public comment period extending to December 2nd. The Navy would like to invite the Delaware Tribe of Indians to participate in the public comment process.

We sent a letter via Certified Mail that was returned because the address was vacant. I've attached a copy of the letter, but we can also send a copy via mail again if you prefer. Can you confirm if this is the correct mailing address?

Larry Heady, Tribal Historic Preservation Officer
Delaware Tribe of Indians
125 Dorry Lane Grants Pass Oregon, OR 97527

If the letter should be mailed to another address please let me know. I am available by phone or email if you have any questions about this action.

Thank you!

Nik Tompkins-Flagg
NAVFAC Washington
NEPA Program Manager
NCPC/CFA Liaison
Washington Navy Yard
1314 Harwood St SE, Bldg 212
Washington, DC 20374
O: (202) 685-8437
C: (410) 474-7518

** Make note of new email address: nicole.m.tompkins-flagg.civ@us.navy.mil **

C.7 Final Programmatic Agreement

NDW
7050
Ser N00/N68469-20230712-12600

PROGRAMMATIC AGREEMENT

AMONG

THE DEPARTMENT OF THE NAVY,

THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,

THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICE,

THE DEPARTMENT OF THE INTERIOR (NATIONAL PARK SERVICE),

AND

THE NATIONAL CAPITAL PLANNING COMMISSION,

REGARDING

WASHINGTON NAVY YARD LAND EXCHANGE, E AND O PARCELS, DISTRICT OF COLUMBIA

WHEREAS, this Programmatic Agreement ("PA") is made as of this 21st day of July 2023, by and among the Department of the Navy ("Navy"), the Advisory Council on Historic Preservation ("Council"), the District of Columbia State Historic Preservation Office ("SHPO"), the Department of the Interior, represented by the National Park Service ("NPS"), and the National Capital Planning Commission ("NCPC") pursuant to Section 106 of the National Historic Preservation Act ("NHPA"), 54 U.S. Code ("USC") §306108, and its implementing regulations at 36 Code of Federal Regulations ("CFR") §800 regarding the Washington Navy Yard Land Exchange, E and O Parcels, District of Columbia; and

WHEREAS, Section 2845 ("Land exchange, Naval Support Activity, Washington Navy Yard, District of Columbia") of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, 115 Public Law 232, 132 Stat. 1636 (Aug. 13, 2018) ("NDAA") provides that the Navy may "convey all right, title, and interest of the United States in and to one or more parcels of real property under the jurisdiction of the Secretary [of the Navy], including any improvements thereon and, without limitation, any leasehold interests of the United States therein, as the Secretary considers appropriate to protect the interests of the United States" and "In exchange for the property interests . . . , the Secretary may accept parcels at the Southeast Federal Center in the vicinity of the Washington Navy Yard, replacement of facilities being conveyed of equal value and similar utility, as determined by the Secretary, and any additional consideration the Secretary feels is appropriate, including maintenance, repair, or restoration of any real property, facility, or infrastructure under the jurisdiction of the Secretary"; and

WHEREAS, in accordance with the NDAA, the Navy seeks to acquire certain parcels of land under the jurisdiction and control of the General Services Administration ("GSA") at the Southeast Federal Center ("SEFC") in the vicinity of the Washington Navy Yard, collectively known as the "E Parcels" and shown on Exhibit 1, via a federal-to-federal transfer; and

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WHEREAS, GSA has agreed to transfer the E Parcels to the Navy via a federal-to-federal transfer; and

WHEREAS, the E Parcels are presently subject to the *Programmatic Agreement among the United States General Services Administration and the District of Columbia State Historic Preservation Office Regarding the Transfer By Sale and/or Ground Lease to Forest City SEFC, LLC for Mixed-Use Development of 42 Acres of the Southeast Federal Center, Washington, D.C. (2007)* and a Historic Covenant, applicable to the SEFC Property as defined by the GSA and Forest City SEFC, LLC Development Agreement of June 16, 2005, which was recorded with the District of Columbia Recorder of Deeds in accordance with the Programmatic Agreement, by the GSA and consented to by the SHPO; and

WHEREAS, the E Parcels include Building 74, Building 202 and the Navy Yard Boundary Wall, which contribute to the National Register-listed Washington Navy Yard Annex Historic District, as shown in Exhibit 2; and

WHEREAS, the Environmental Impact Statement for Proposed Land Acquisition at Washington Navy Yard, Washington D.C. evaluated the impacts of three alternatives for use of the E Parcels following transfer: development as the National Museum of the United States Navy; development as administrative space for the Navy; and maintenance of the parcels with no development; and

WHEREAS, the Navy has identified development of the E Parcels as the Museum of the United States Navy and associated facilities as the Preferred Alternative because it allows the Navy to meet a long-term need of relocating the existing Museum; and

WHEREAS, the Navy will conduct separate consultation pursuant to Section 106 of the NHPA for design and construction of the Museum or for implementation of the other alternatives on the E Parcels should development of the Museum not proceed; and

WHEREAS, in accordance with the NDAA, the Navy will convey to a private entity through a lease that may be converted by the private entity to a fee simple land transfer at future date, certain parcels of land under the jurisdiction and control of the Navy at the Washington Navy Yard ("WNY"), collectively known as the Washington Navy Yard Southeast Corner O Parcels ("WNY O Parcels"), shown on Exhibits 3 and 4 and

WHEREAS, a portion of the WNY O Parcels is within the Washington Navy Yard Central Yard National Historic Landmark ("NHL") district and includes Buildings 68A-C, 70, 123, Pier 1, Pier 2, Structure 308 (Marine Railway) and associated landscape and hardscape features, which contribute to the NHL; Buildings 154, 414, the Anacostia Riverwalk Trail, and Washington Navy Yard fence lines, which do not contribute to the NHL; and Building 241, which is unevaluated, all of which are shown in Exhibit 2; and

WHEREAS, within the NHL, the private entity intends to rehabilitate, for commercial, recreational and educational uses, Buildings and Structures 68A-B, 70, 123, and the Anacostia Riverwalk Trail; heavily modify Piers 1 and 2; demolish Buildings 68C, 154, 241 and the Washington Navy Yard fence line; and construct new buildings and a new Washington Navy Yard fence line, and the extent of effects on historic properties that will result from these actions cannot be determined prior to execution of this PA; and

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WHEREAS, Building 71, shown on Exhibit 2, contributes to the NHL, and the Navy intends to retain and utilize Building 71 within the Washington Navy Yard fence line and rehabilitate the building through in-kind consideration from the private entity; and

WHEREAS, a portion of the WNY O Parcels is within the National Register-eligible Eastern Extension Historic District and includes Building 166 and the 10th Street SE and Parsons Avenue SE corridors, which contribute to the Historic District; and Buildings 211, 218 and 405, parking areas, the Anacostia Riverwalk Trail, and the Washington Navy Yard fence line, which do not contribute to the Historic District, as shown in Exhibit 2; and

WHEREAS, within the Eastern Extension Historic District, the private entity intends to redesign and remodel the Anacostia Riverwalk Trail; demolish Buildings 211, 218, the parking areas, the Washington Navy Yard fence line, and a portion of Building 166; and construct new buildings, a large addition on top of the remaining portion of Building 166 and a new Washington Navy Yard fence line, and the extent of effects on historic properties that will result from these actions cannot be determined prior to execution of this PA; and

WHEREAS, the actions described above constitute the "Undertaking"; and

WHEREAS, the Navy has determined that the Undertaking has the potential for effects on historic properties and is subject to Section 106 of the National Historic Preservation Act (54 USC §306108); and

WHEREAS, pursuant to 36 CFR §800.4(a)(1), the Navy has defined the built environment and archaeological Areas of Potential Effects ("APE") for the Undertaking as shown in Exhibits 5 and 6; and

WHEREAS, the built environment APE includes the NHL, the National Register-listed Latrobe Gate, Quarters A, Quarters B, Naval District Washington Commandant's Office, and Annex Historic District, the National Register-eligible Eastern Extension Historic District, and other historic properties as shown in Exhibit 5; and

WHEREAS, the Navy conducted the study entitled "Phase IA Archaeological Assessment, Southeast Federal Center and Washington Navy Yard, Washington, DC" (SEARCH, Inc., 2022) in order to identify areas within the archaeological APE that have the potential to contain archaeological resources, and the study indicates that all property within the archaeological APE has high sensitivity for potentially significant archaeological resources associated with Site 51SE066, which is the master site number for archaeological resources associated with the Washington Navy Yard and is eligible for the National Register of Historic Places; and

WHEREAS, the Navy has determined that the Undertaking will have the following adverse effects on historic properties which are listed in or eligible for listing in the National Register of Historic Places: lease, and if the private entity so elects, fee simple transfer, of Federal property out of Federal control; physical destruction of all or parts of Buildings 68C, 166, Pier 1 and Pier 2; alterations to Buildings 68A-B, 70 and 71 that are not consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Secretary's Standards); change of character within the NHL and Eastern Extension

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Historic District from industrial and military to commercial and residential; introduction of visual elements in the form of new construction that will diminish the integrity of the NHL, Eastern Extension Historic District and Site 51SE066, and additional adverse effects that may result from the on-going design and implementation of projects associated with the Undertaking; and

WHEREAS, the Navy has consulted with the SHPO pursuant to 36 CFR §800; and

WHEREAS, as required under 54 USC §306107 (Section 110(f) of the NHPA) and its implementing regulations (specifically 36 CFR §800.6 and §800.10), prior to the approval of any Federal undertaking that may directly and adversely affect any NHL, the head of the responsible Federal agency shall to the maximum extent possible undertake such planning and actions as may be necessary to minimize harm to the NHL. In accordance with the applicable law and regulations, the Navy has notified the Council and the Department of the Interior, represented by NPS – National Capital Region (as the Secretary of the Interior's designee) of this consultation regarding the NHL property and has invited the Department of the Interior to participate in the creation of this PA, to consult on the resolution of any adverse effects to the NHL, and to sign as an Invited Signatory within thirty (30) days of execution of the PA by the Signatories; and

WHEREAS, in accordance with 36 CFR §800.6(a)(1), the Navy has notified the Council of its adverse effect determination with specified documentation and the Council has chosen to participate in the consultation pursuant to 36 CFR §800.6(a)(1)(iii); and

WHEREAS, in accordance with 36 CFR §800.14(b)(3), the Navy determined that the development of a PA rather than an MOA was warranted for this Undertaking in order to allow for a phased approach to the assessment of effects and to resolve and mitigate identified adverse effects in conjunction with the implementation, design and construction of projects associated with the Undertaking; and

WHEREAS, pursuant to 36 CFR §800.2(a)(4), the Navy has determined that there are no properties of traditional, religious or cultural significance to any Native American tribes present within the APE; and

WHEREAS, the NCPC has approval authority over projects located on Federal land within the District of Columbia pursuant to the National Capital Planning Act (40 USC § 8722(b)(1) and (d)), has approval authority over transfer of jurisdiction between federal agencies located within the District of Columbia pursuant to 40 USC § 8124, and is a Consulting Party in the Section 106 process pursuant to 36 CFR § 800.3(f)(1); and the NCPC has elected to fulfill its Section 106 responsibilities by participating in this consultation and signing this PA as a Signatory; and

WHEREAS, the Commission of Fine Arts (CFA) has participated in the consultation as a Consulting Party; and

WHEREAS, RB O Street LLC (Redbrick), an affiliate of Redbrick LMD, has participated in the consultation as a Consulting Party under 36 CFR § 800.3(f) as it may be the private entity to whom the WNY O Parcels could be leased with an option for fee-simple transfer; and Redbrick has been invited to sign this PA as a Concurring Party within thirty (30) days of execution by the Signatories; and

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WHEREAS, the Navy consulted with Advisory Neighborhood Commission 6B, the Capitol Hill Restoration Society, the Capitol Riverfront Business Improvement District, the District of Columbia Department of Transportation ("DDOT"), the National Park Service-National Capital Parks East ("NACE"), the Historic Anacostia Preservation Society, the District of Columbia Preservation League ("DCPL"), the Committee of 100 on the Federal City, and the National Trust for Historic Preservation regarding the effects of the Undertaking on historic properties, and invited all to participate in this consultation as Consulting Parties. DDOT elected to participate as a Consulting Party but not sign as a Concurring Party, NACE elected to participate as a Consulting Party and is part of NPS-National Capital Region, and DCPL elected to participate as a Consulting Party and is invited to sign as a Concurring Party within thirty (30) days of execution by the Signatories; and

WHEREAS, the Navy has informed the public of the Undertaking and solicited their views on its effect on historic properties in accordance with Section 106 through a series of four virtual public meetings held on March 8, March 9, November 15 and November 16, 2022, at which the Navy presented the project and collected questions and comments as shown in Exhibit 7, which the Navy has taken into account.

NOW THEREFORE, the Signatories (Navy, ACHP, SHPO, NCPC) and Invited Signatory (NPS) agree that the Undertaking shall be implemented in accordance with the following Stipulations in order to take into account the effect of the Undertaking on historic properties.

STIPULATIONS

The Navy, in consultation with the Signatories, Invited Signatory, Concurring Parties and Consulting Parties ("Parties"), shall ensure that the following measures are carried out in connection with the Undertaking:

I. General Requirements: The following parties are Signatories to this PA: Navy, ACHP, SHPO and NCPC. The following party is an Invited Signatory: NPS. The Invited Signatory who signs this PA within thirty (30) days of its execution is hereinafter included in the term "Signatories". The following parties are Consulting Parties: CFA, DDOT, NACE, Redbrick and DCPL. The following parties are Concurring Parties to this PA: Redbrick, and DCPL. The Signatories shall be responsible for complying with applicable provisions of this PA, and have assigned rights under Stipulations XI, XII and XIII related to disputes, amendment, and termination under this PA. The Signatories, Consulting Parties and Concurring Parties are collectively referred to as "Parties" throughout this PA. Additional interested parties may submit written requests for Consulting Party status to the Navy in the future.

II. Design Review Process for the Built Environment:

- A. For each project in the Undertaking, the Navy shall provide the Parties with hard or electronic copies of the concept (15%) and preliminary (35%) plans. In addition, for properties within the NHL, Building 166, and the newly proposed Buildings 1 and 7 (shown on Exhibit 11), the Navy shall provide the Parties with hard or electronic copies of the pre-final (65%) design plans. The concept design plans shall be sufficient to show the massing and general appearance of buildings and structures within their physical context, as well as their consistency with previous submissions and the Historic Preservation Design Guidelines (Exhibit 8). The preliminary and

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pre-final design plans shall be in sufficient detail to show the exterior design intent and, if the designs include historic buildings or structures, the design intent for the entire buildings or structures, including their character-defining elements, exterior materials, finishes and landscape features. With each submission required by the Design Review Process, the Navy shall provide an assessment of effects on historic properties within the APE, to include a written summary of measures taken to avoid adverse effects, measures taken to minimize adverse effects, alternatives considered and dismissed, and cumulative effects from nearby and related undertakings. For any project associated with the Undertaking, the Parties may, but are not required to, agree in writing to truncate the Design Review process, alter the submission milestones to conform to the project schedule, delegate continued review of specific aspects of the project to a Navy Cultural Resources Professional, or continue consultation on specific aspects of the project.

- B. The Navy shall offer to host a site visit and/or review meeting with the Parties within seven (7) calendar days of sending each submission.
- C. The Parties shall review each submission for compliance with Stipulations V, VI and Exhibit 8 of this PA. The Parties who wish to submit comments shall provide them to the Navy in written form within thirty (30) calendar days of either the receipt of each submission or the site visit/meeting, should there be one. If the Parties do not provide comments within the designated time period, the Navy may move forward with the plans as proposed.
- D. The Navy shall provide a comments response matrix to the Parties within fifteen (15) calendar days of receipt of the last comments for each submission. In its response, the Navy shall consider the comments to the fullest reasonable extent. Should the Navy object to any comment, the Navy shall provide a written explanation of its objection and shall consult with the Parties to resolve the objection. If no agreement is reached, the Signatories and Concurring Parties shall use the Dispute Resolution process in Stipulation XI.
- E. The Navy shall share with the Parties the official actions and reports resulting from submission of projects within the Undertaking to NCPC pursuant to 40 USC §§ 8722(a), (b)(1) and (d) and to CFA pursuant to 45 CFR § 2101(a)(1).
- F. If avoidance of adverse effects is not possible, the Parties shall consult to resolve adverse effects using the process set forth in 36 CFR § 800.6(b)(1) to develop a Memorandum of Agreement, as appropriate. The mitigation measures shall be commensurate with the nature and severity of the adverse effect, including any cumulative adverse effects that may result from related projects.
- G. Following completion of consultation and extending until completion of construction for each project included in this Undertaking, a Navy professional meeting the Secretary of the Interior's Professional Qualifications Standards for Architectural Historian, historic architect, or archaeologist, as appropriate, shall review requests for change orders in order to determine whether the proposed changes have potential to cause additional effects or intensify known adverse effects on historic properties. If the proposed changes have the potential for additional or intensified effects, the Navy shall consult the Parties as follows:

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1. The Navy shall submit to the Parties a description of the proposed change, identification of historic properties and historic materials affected by the proposed change, an assessment of effects resulting from the proposed change, proposed measures to avoid and minimize adverse effects, a finding of whether the proposed change will result in additional or intensified adverse effects, and, if so, proposed mitigation. In its submission, the Navy shall clearly identify the resource or character-defining feature to which a change is proposed and include narratives, photographs, drawings and maps sufficient to convey the proposed change and its effects.
2. The Parties who wish to shall provide comments in written form within thirty (30) calendar days of receipt of submission. If the Parties do not respond within the designated time period, the Navy may move forward with the plans as proposed.
3. If SHPO or any party disagrees with the Navy's finding in writing and specifies the reasons for the disagreement in the notification, the Navy shall consult with the party to resolve the disagreement in accordance with Stipulation XI.
4. Resolution of additional adverse effects on historic properties resulting from the proposed change shall be documented in an amendment to the appropriate MOA.

III. Identification, Evaluation, and Determination of Effects for Archaeological Resources

A. Identification and Evaluation

1. Should ground-disturbing activities be proposed in areas with archaeological sensitivity, the Navy shall consult with the DC SHPO per 36 CFR § 800.3 and 800.4 as soon as project planning begins in order to determine and conduct the appropriate level of archaeological survey required to identify and evaluate archaeological resources.
2. All archaeological identification and evaluation activities shall conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, Standards for Identification (48 Federal Register § 44716 and 44720-44723), the National Park Service's Cultural Resource Management Guideline (Release No. 5, 1997), and the Guidelines for Archaeological Investigations in the District of Columbia (April 1998). All phases of archaeological survey shall be conducted in accordance with a work plan prepared in consultation with and approved by the SHPO. Artifacts and records generated as a result of these activities shall be curated according to Stipulation X of this agreement, and copies of all data generated shall be provided to the SHPO.

- B. Determination of Effects: Should archaeological resources be identified as a result of the above-described archaeological surveys, the Navy shall continue consultation with the DC SHPO and other Parties per 36 CFR § 800.5 and 800.6 to assess and resolve adverse effects. Resolution of adverse effects shall use the process set forth in 36 CFR § 800.6(b)(1) to develop a Memorandum of Agreement, as appropriate.

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IV. Design Guidelines

- A. The Parties have consulted on and agreed to the Historic Preservation Design Guidelines (Exhibit 8). The Navy shall apply the Historic Preservation Design Guidelines to all future undertakings within the Lease and Transfer Areas, described in Stipulation V and VI. The Historic Preservation Design Guidelines are based on and are intended to be consistent with the Secretary's Standards, which shall prevail and apply in case of conflict with the Historic Preservation Design Guidelines.
- B. The Parties anticipate that amendments to the Historic Preservation Design Guidelines may be needed as further study, design and development of the Lease and Transfer Areas proceed. The Parties shall consult as follows to amend or expand the Historic Preservation Design Guidelines:
 - 1. The Party proposing an amendment shall submit to the other Parties a detailed description of the proposed amendment, a justification for the proposed amendment, and an analysis of potential resulting changes to effects on historic properties.
 - 2. The Parties shall provide the Navy with written comments regarding the proposed amendment within fifteen (15) calendar days of receipt of each submission. If the Parties do not provide comments within the designated time period, the Navy will assume there is no objection to the proposed amendment.
 - 3. Within fifteen (15) days of receipt of comments, the Navy shall submit to the Parties a comments response matrix and the revised text of the proposed amendment.
 - 4. The Parties shall continue to consult according to the process in Stipulations IV.B.2 and IV.B.3 of this PA until the Parties concur on the content of the proposed amendment.
 - 5. If the Parties are unable to reach concurrence with sixty (60) days of the initial submission, the Signatories and Concurring Parties shall resolve the dispute using the process set forth in Stipulation XI of this PA.
 - 6. The Navy shall provide copies of the final amendment to all Parties within fifteen (15) days of concurrence.

V. Lease Area within NHL

As a result of the Undertaking within the NHL lease area (Exhibit 3) and Building 71, the Navy anticipates adverse effects, the full extent of which cannot be determined at the time of this PA, resulting from lease of historic property out of Federal control; physical destruction of all or part of Buildings 68C, Pier 1 and Pier 2; alterations to Buildings 68A-B, 70 and 71; construction of new buildings, facilities and landscape features, and change in use from industrial and military to commercial and residential. The Navy anticipates that design development for the lease areas within the NHL lease area will occur from 2024 through 2025, with construction commencing in 2026.

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The Navy acknowledges its responsibility under NHPA to undertake planning and actions necessary to minimize harm to any NHL to the maximum extent possible. To that end, the following minimization and mitigation measures have been incorporated into the project: lease instead of transfer of the area; reopening of the Building 70 roof monitor; reopening of original window openings on the south façade of Building 70; and minimization of new openings in Buildings 68 and 70. The Navy shall comply with the following Stipulations in order to avoid, minimize and mitigate adverse effects to historic properties within the NHL and to archaeological resources to the maximum extent possible:

- A. Ownership: The Navy shall retain ownership of all real property within the NHL. Buildings, structures and improvements within the NHL shall revert to the Navy at the end of the lease period.
- B. Caretaker Maintenance: Absent destruction of or material damage due to causes beyond the Navy's reasonable control, The Navy shall maintain Buildings 68, 70, 71, 123, 154 and 241 in a secure and weather tight condition without material deterioration. If the Buildings will be vacant for more than nine (9) months, the Navy shall mothball the buildings in accordance with *Preservation Brief 31: Mothballing Historic Buildings* (National Park Service, 1993).
- C. Section 106 Responsibility: The Navy shall retain permanent responsibility for conducting consultation under Section 106 for all undertakings within the NHL lease area.
- D. Historic Preservation Design Guidelines: The Parties have consulted on and agreed to the Historic Preservation Design Guidelines attached hereto as Exhibit 8. The Historic Preservation Design Guidelines shall apply to the NHL lease area for the entire term of the lease and shall be incorporated into the lease agreement.
- E. Fence Line, Utility and Security Alterations: The Navy will relocate the Washington Navy Yard fence line to separate the NHL lease area from the WNY military installation. The Navy will remove the existing fence line within the NHL along the Anacostia Riverwalk Trail between the west side of Building 70 and Parsons Avenue SE. The new fence line will consist of the west wall of Building 70, an interior wall in the north end of Building 70, and some combination of walls and fences between the northeast corner of Building 70 and Parsons Avenue SE... The Navy shall consult with the Parties regarding these alterations in accordance with Stipulations II and III. The concept submission shall include an analysis of all alternatives considered to avoid and minimize adverse effects, including an alternative that utilizes the walls of Building 101 in a manner similar to the way the walls of Building 70 are being utilized.
- F. Evaluation of Building 241: Within one (1) month of the execution date of this PA, the Navy shall prepare and submit to the Parties a Determination of Eligibility form for Building 241 (1942, Sewage Pump Station, currently inactive) in order to evaluate whether Building 241 contributes to the NHL. If Building 241 contributes to the NHL, the Navy shall include effects on Building 241 in the assessment of effects for the Undertaking, as described in Stipulations II and V.F.
- G. Design Review: The Navy presented iterations of the pre-concept and concept designs for the NHL lease area on 17 March 2023 and 27 April 2023. The most recent version of the concept (15%) designs, included as Exhibit 9, show modified designs in response to the Parties'

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comments on previous iterations. The Navy shall take into account the comments the Parties have submitted to-date and shall continue consultation regarding effects on the built environment with the Parties in accordance with Stipulation II of this PA during and through completion of the construction in order to continue avoiding and minimizing effects on the NHL while preserving its character-defining elements. In addition, preliminary (35%) design plans for the marine railway and quay walls shall include evaluation and recommendations from a Historic Architect about how best to preserve, restore, and enhance the remaining historic materials.

- H. Protection of Archaeological Resources: The Navy shall consult with the Parties regarding identification, evaluation, and potential for adverse effects on archaeological resources during the Undertaking in accordance with Stipulation III of this PA. Potential archaeological resources related to Site 51SE066 may include or be related to shipbuilding and repair (East Ship House, marine railway and shop buildings), land-making and Waterfront Technology (shipwreck shown on 1828 map, early bulkheads and slips), and installation support (water and gas lines, auxiliary boiler plant, auxiliary coal shed).
- I. Additional Studies: In order to mitigate known adverse effects on the NHL resulting from the Undertaking, and in order to inform design consultations within the NHL lease area, the Navy shall submit to the Parties Historic Structure Reports for Buildings 68, 70, 71, 123, 154, 241, Piers 1 and 2 and Structure 308 (Marine Railway), and a Cultural Landscape Survey focused on the Washington Navy Yard waterfront.
1. The Navy shall submit the draft Historic Structure Reports for Buildings 68, 70, 71, 123, 154, 241, Piers 1 and 2 and Structure 308 (Marine Railway) to the Parties within six (6) months of execution of the initial conveyance of land interest. The Parties shall provide comments on the draft report to the Navy within thirty (30) days. The Navy shall provide the final Historic Structure Reports and a comments response matrix within ninety (90) days after receipt of comments.
 2. The Navy shall submit the draft Cultural Landscape Survey to the Parties within six (6) months of the initial conveyance of land interest. The Parties shall provide comments on the draft report to the Navy within thirty (30) days. The Navy shall provide the final Cultural Landscape Survey and a comments response matrix within ninety (90) days after receipt of comments.
 3. The above-described studies shall be used to inform preservation, rehabilitation, and restoration of elements of the NHL. The Navy will ensure that the designers and consultants receive and review the studies in order to inform designs and treatments for the buildings and landscapes prior to finalizing or implementing any such designs or treatments.
- J. Mitigation of Adverse Effects: For each project within the Undertaking, at the conclusion of consultation to resolve adverse effects as described in Stipulation II.E, the Parties shall consult to reach agreement upon measures to mitigate adverse effects. Some potential mitigation measures are listed below. Mitigation measures are neither limited to this list, nor must they encompass this list in its entirety.

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1. Rehabilitation of Building 123 as a Marine Railway interpretive center.
 2. Installation of interpretive displays within Building 68 and 70 highlighting the history of the Model Basin and related topics.
 3. Installation of an interpretive path along the waterfront highlighting significant events that took place there.
 4. Restoration of one or more physical elements within the NHL lease area.
 5. Reconstruction of a historic feature within the NHL lease area.
 6. Detailed physical documentation of buildings and/or features within NHL, such as HABS/HAER/HALS documentation, laser scanning, or 3-D photography.
 7. Docking of a display vessel at the Washington Navy Yard waterfront, preferably one that has a historical connection to the Navy Yard, and installation of interpretive displays explaining the vessel's significance.
 8. Archaeological Phase III data recovery if adverse effects to Site 51SE066 cannot be avoided.
- K. Post-Completion Consultation: Following completion of construction of each project within the Undertaking, the Navy shall consult with the Parties on any proposed new Undertakings within the NHL Lease area, in accordance with 36 CFR §800.

VI. O Parcels East of Parsons Avenue SE

As a result of the lease with option for fee simple transfer of the O Parcels east of Parsons Avenue SE, the Navy anticipates adverse effects, the full extent of which cannot be determined at the time of this PA, resulting from lease with option for fee simple transfer of historic property out of Federal control; physical destruction of part of Building 166; change of character of the Eastern Extension Historic District from industrial and military to large-scale commercial and residential; and introduction of visual elements in the form of new construction that will diminish the integrity of the NHL and Eastern Extension Historic District. The Navy anticipates that the initial build period for the O Parcels area east of Parsons Avenue SE will consist of design development from 2024 through 2025, with construction commencing in 2026.

The Navy shall comply with the following Stipulations in order to avoid, minimize and mitigate adverse effects of the Undertaking within the O Parcels east of Parsons Avenue SE on historic properties, including the Eastern Extension Historic District and the NHL:

- A. Ownership: The Navy shall retain ownership of the land if and until such time as the lease is converted.

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- B. Section 106 Responsibility: The Navy shall retain responsibility for compliance with Section 106 for all undertakings within the lease area during the term of the lease.
- C. Historic Preservation Design Guidelines: The Parties have consulted on and agreed to the Historic Preservation Design Guidelines attached hereto as Exhibit 8. The Historic Preservation Design Guidelines are based on and are intended to be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties, which shall prevail and apply in case of conflict with the Historic Preservation Design Guidelines. The Historic Preservation Design Guidelines shall apply to the O Parcels area east of Parsons Avenue during the entire the Undertaking
- D. Fence Line, Utility and Security Alterations: The Navy will relocate the Washington Navy Yard fence line to separate the O Parcels area east of Parsons Avenue SE from the WNY installation. The Navy will remove the existing fence line along the Anacostia Riverwalk Trail between Parsons Avenue SE and the west side of 11th Street SE, and along the west side of 11th Street SE between the Anacostia Riverwalk Trail and the north side of O Street SE. The new fence line will extend along the north side O Street SE between the west side of 11th Street SE and Parsons Avenue SE. The new fence will incorporate turnstiles and monitor cameras. The Navy shall consult with the Parties regarding these alterations in accordance with Stipulations II and III.
- E. Design of Building 166: The Navy presented a volumetric study for retention of part of the Building 166 façade and its integration into new construction as shown in Exhibit 10. Exhibit 10 shows a modified design in response to the Parties' comments on previous iterations and represents the volumetric envelope and height of Building 166 with the retained facades of the northern wing. The Navy shall continue consultation as described in Stipulation II of this PA and below in order to define and develop a contextual architectural language for the building's massing, façade articulation and materials that conforms to Exhibit 8.
 - 1. The concept (15%) submission that includes Building 166 shall include further development of the massing and exterior appearance of the building, the reconstruction of the historic porches and missing architectural elements on the facades, and the conformance of the designs with Exhibit 8.
 - 2. The preliminary (35%) submission that includes Building 166 shall include detailed information about how the character-defining elements of Building 166, as described in the Historic Preservation Design Guidelines, will be treated. The preliminary submission shall also include information about the proposed demolition methods for the Building 166 interior, stabilization of the Building 166 façade, renovation of historic porches, in-kind replacement of significantly deteriorated elements, and reconstruction of any missing elements.
 - 3. The pre-final (65%) submission will provide more detailed information than the concept and preliminary design submissions and highlight any responses to Parties' comments and previously unreviewed changes that are being considered for the project.

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- F. Design of New Construction: The Navy presented a diagrammatic site plan for the new construction on the O parcels area east of Parsons Avenue SE on 27 April 2023 and 11 May 2023. Exhibit 11 represents building footprints, heights, mass and site features. The Navy shall continue consultation regarding new construction east of Parsons Avenue SE in conformance with Stipulation II, with particular attention to developing an architectural language that is consistent with Exhibit 8. In addition, the concept (15%) submission for new construction fronting Parsons Avenue SE shall include a narrative describing how the design plans have been refined to reduce visual effects on the NHL.
- G. Protection of Archaeological Resources: The Navy shall consult with the Parties regarding identification, evaluation and potential for effects on archaeological resources during Undertaking in accordance with Stipulation III of this PA. Potential archaeological resources related to Site 51SE066 may comprise the nineteenth century neighborhood (residential housing prior to 1920 in the northeast corner of Square 979, a mill, and remnants of the Navy Yard and Anacostia bridges in the southeast corner of Square 979.
- H. Updates to National Register of Historic Places and DC Inventory of Historic Sites Documentation Relating to the Entirety of the Historic Washington Navy Yard: To eliminate confusion resulting from terms such as “The Yards”, “Southeast Federal Center”, “Western Extension”, “Eastern Extension”, and other nomenclature used to describe various portions the Washington Navy Yard, the Navy shall hire a qualified firm to develop one National Register of Historic Places/DC Inventory of Historic Sites Nomination Form (Nomination) that incorporates areas that were historically part of the Washington Navy Yard as shown in Exhibit 12. This single historic property shall be known simply as the “Washington Navy Yard Historic District” and shall incorporate the existing relevant National Register listed properties, including the current “Washington Navy Yard” National Register Historic District and NHL, “Navy Yard Annex Historic District”, Site 51SE066, as well as buildings and areas that were formerly part of the Washington Navy Yard but previously were excluded from National Register documentation primarily due to ownership. The Nomination shall include areas with clearly demonstrated ties to the history of the Washington Navy Yard and sufficient integrity to convey their significance, including the National Register-eligible “Eastern Extension Historic District” that has not been formally nominated. The Eastern Extension Historic District shall be incorporated into the proposed “Washington Navy Yard Historic District” Nomination and shall be bounded by M Street SE on the north, 11th Street SE on the east, the north side of O Street SE plus Building 166 on the south, and Parsons Avenue SE on the west. For areas and buildings not previously designated, and to the extent that previous nominations do not already do so, the Nomination shall address the historic built environment, the historic landscape, and the archaeological resources within the historic district. The qualified firm shall be hired by the Navy within twelve (12) months of the execution of the initial conveyance of land interest. The Navy shall develop and submit the nomination to the SHPO and the Keeper consistent with 36 CFR 60.10.
- I. Mitigation of Adverse Effects: At the conclusion of consultation to resolve adverse effects as described in Stipulation II.E, the Parties shall consult to reach agreement upon measures to mitigate adverse effects. Some suggested mitigation measures are listed below. Mitigation measures are neither limited to this list, nor must they encompass this list in its entirety.

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1. Incorporation of the history and role of the Seamen Gunners' School into the interpretive path along the waterfront and on interpretive signage immediately adjacent to the building.
 2. Incorporation of the history and role of the World War II-era Receiving Station at the Washington Navy Yard into the interpretive path along the waterfront.
 3. Incorporation of the history and role of the Washington Navy Yard Deep Sea Diving School into the interpretive path along the waterfront.
 4. Restoration of one or more physical elements within the NHL lease area.
 5. Reconstruction of a historic feature within the NHL lease area.
 6. Archaeological Phase III data recovery where adverse effects cannot be avoided.
- J. Consultation After Completion: Following completion of construction of each project in the Undertaking, the Navy shall consult with the Parties on any new projects associated with this Undertaking within the O Parcels area east of Parsons Avenue SE, including termination of the lease and transfer of the property, in accordance with this PA to determine what additional actions may be necessary to address the effects of the proposed transfer, if any, and amend this PA accordingly, if needed. If consultation regarding the proposed transfer results in the identification of potential for new or intensified adverse effects, consultation will be initiated in accordance with 36 CFR §800 in lieu of amending this PA if requested by and agreed to by all Signatories. The Design Guidelines will run with the land and remain enforceable after the fee transfer through restrictions or land use controls contained within the deed.

VII. E Parcels

- A. Caretaker Status: Prior to implementation of the Preferred Alternative or other alternative, the Navy shall maintain Building 74, Building 202 and the Navy Yard Boundary Wall in Caretaker status as described below:
1. Stabilization and Maintenance Program
 - a. The Navy has transmitted to the Parties the final *Historic Buildings Assessment* of Buildings 74, 202 and the Navy Yard Boundary Wall.
 - b. Upon transfer of the E Parcels, the Navy shall take immediate stabilization action to repair roof leaks, secure windows and doors, remove vegetation, remedy standing water, and make any other repairs necessary to halt further deterioration of Buildings 74 and 202. The Navy shall consult with the Parties regarding stabilization plans using the process described in Stipulation II and implement all the above-referenced repairs within six (6) months of the completion of consultation with the Parties.

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- c. Following completion of Stipulation VII.A.1.b, the Navy shall maintain (absent destruction of or material damage due to causes beyond the Navy's reasonable control) Building 74, Building 202 and the Navy Yard Boundary Wall without any further material deterioration.
 - d. The Navy shall implement (absent destruction of or material damage due to causes beyond the Navy's reasonable control), the Maintenance Program attached hereto as Exhibit 13 as appropriate for Building 74, Building 202 and the Navy Yard Boundary Wall.
 - e. During fiscal year 2024 (October 1, 2023 through September 30, 2024), subject to available funding, and in accordance with the recommendations of the *Historic Buildings Assessment*, the Navy shall award a contract to professional structural and civil engineers to conduct additional investigations of Buildings 74, 202 and the Navy Yard Boundary Wall and recommend additional repair and stabilization measures. The Navy shall transmit the resulting reports to the Parties within fifteen (15) days of receiving said reports.
 - f. The Navy shall share with the Parties the results of the additional investigations described in Stipulation VII.A.1.e and shall consult with the Parties regarding the Scope of Work to implement the actions recommended as a result of the additional investigations using the process set forth in Stipulation II. The Navy shall implement the recommended actions no later than one (1) year after completing consultation with from the Parties.
2. The provisions of Stipulation VII.A.1 shall remain in effect for each building and structure until the Navy completes rehabilitation of that building or structure.
- B. Fence Line, Utility and Security Alterations: Upon transfer of the E Parcels, the Navy will construct a temporary fence line around the E Parcels and then across Tingey Street connecting to Building 118. The temporary fence line may incorporate monitor cameras and ingress/egress point(s). The Navy will construct a new permanent fence line that incorporates the materials presently used at the Washington Navy Yard at some time in the future. The Navy will also connect utilities serving Buildings 74 and 202 to the Washington Navy Yard systems, with ground disturbance requirements not yet determined. The Navy shall consult with the Parties regarding these alterations in accordance with Stipulations II and III and in accordance with the Programmatic Agreement for Future Development of E Parcels described in Stipulation VII.C below.
- C. Programmatic Agreement for Future Development of E Parcels: Within twelve (12) months of execution of this PA, the Navy shall initiate consultation to develop, in consultation with the Parties, a Programmatic Agreement (separate from this PA) in order to implement whichever Alternative is chosen by the Navy that anticipates future development of the E parcels. The Programmatic Agreement shall include, but not necessarily be limited to, the protections for Buildings 74, 202 and the Navy Yard Boundary Wall as described in Exhibit 14, with specific attention to retention of the character-defining elements listed in Exhibit 15.

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- D. If, for any reason, the Navy determines that development of all or any part of the E Parcels for the Preferred Alternative cannot proceed, or if the Navy decides to proceed with a different alternative (e.g. Navy administrative space or no development), the Navy shall immediately notify the Parties and shall comply with all terms of the Programmatic Agreement for the Preferred Alternative, including design review of the historic built environment, identification and treatment of archaeological resources, protections for Buildings 74, 202 and the Navy Yard Boundary Wall as described in Exhibit 14 of this PA, and retention of the character-defining elements as listed in Exhibit 15 of this PA.
- E. At any time after the transfer of the E Parcels to the Navy, the SHPO and ACHP may, subject to reasonable prior notice in writing to the Navy, visit the E Parcels and inspect the interiors of Buildings 74 and 202 to ascertain whether the Navy is complying with the Stipulations of this PA and the Programmatic Agreement for the Preferred Alternative.
- F. Repair and Restoration after Casualty: If there is damage to Building 74, 202 or the Navy Yard Boundary Wall resulting from casualty loss such as a fire, flood or other unexpected and uncontrollable event, notwithstanding the timing of any redevelopment, restoration or repair, and without limiting any other obligations of this PA and the Programmatic Agreement for the Preferred Alternative, the Navy shall promptly take all reasonable steps necessary to render any remains of the building or structure in a reasonably safe condition and promptly take all financially and physically reasonable efforts to render any remains of the building or structure in a secure and weather-tight condition and to minimize additional damage to the building or structure. Following the immediate actions described above, the Navy, in consultation with the Parties, shall repair or restore, as appropriate, the building or structure in compliance with the Secretary's Standards, unless it is not feasible to do so because of financial or physical infeasibility or legal mandates. If it is not feasible for the aforementioned reasons to repair or restore the building or structure in compliance with the Secretary's Standards, then the Navy shall consult with the Parties so that repairs and restoration are consistent to the maximum extent possible with the Secretary's Standards.

VIII. Emergency Situations:

Notwithstanding the approval requirements and consultation requirements set forth elsewhere in this PA or the Programmatic Agreement for the Preferred Alternative, the Navy may take the following actions in response to emergency situations:

- A. Immediate Action: The Navy shall use all financially and physically reasonable efforts to ensure that any immediate rescue and salvage operations on the E Parcels that are (i) required because of an emergency (i.e., a disaster or emergency declaration by the President or the Mayor of Washington, D.C., or another threat to life or property) that adversely affects Building 74, 202 or the Navy Yard Boundary Wall; and (ii) necessary to preserve life or property shall be carried out in accordance with any emergency orders or citations issued by the appropriate official of the District of Columbia or the United States, as applicable. The Navy shall use its best efforts to notify the SHPO and Council of such operations within two (2) business days after the commencement of such operations. Nothing in this PA or the Programmatic Agreement for the

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Preferred Alternative shall be deemed to prevent the Navy from taking immediate rescue and salvage operations on the E parcels as necessary in an emergency to prevent the loss of life or property.

B. Emergency Undertakings:

1. If the Navy proposes an emergency undertaking, which may have an effect on Building 74, Building 202 or the Navy Yard Boundary Wall, as an essential and immediate response to a disaster or emergency declaration by the President or the Mayor of Washington, D.C., or another threat to life or property, the Navy shall notify the SHPO and Council within two (2) calendar days of determining that an emergency action is necessary and afford them an opportunity to comment within seven (7) business days of such notification. If the Navy determines the circumstances do not permit seven (7) business days for comment, then the Navy shall notify SHPO and Council and invite comments within the time available. The Navy shall consider, as applicable in light of the urgency of the circumstances, any comments received in reaching a decision on how to proceed with the emergency undertaking.
2. These emergency procedures apply only to undertakings that may have an effect on Building 74, Building 202 or the Navy Yard Boundary Wall, and that will be implemented within thirty (30) calendar days after the disaster or emergency occurs. The Navy may request an extension of the period of applicability from SHPO and Council prior to the expiration of the thirty (30) calendar days.

IX. Unanticipated Discoveries and Effects

If during the implementation of any project associated with the Undertaking, previously unidentified historic properties of historic, architectural, archaeological or other significance are discovered within the APE, or previously unanticipated effects occur to known historic properties within the APE, the persons responsible for the activity shall stop work in the vicinity until the discovery can be investigated by an Archaeologist or Architectural or Landscape Historian meeting the Secretary of the Interior's Professional Qualifications Standards.

- A. The Navy shall notify the Parties of the discovery within 24 hours. The Navy shall then determine actions that can be taken to avoid or minimize further effects to the property, and shall notify the Parties by telephone of those actions within 48 hours of the discovery. Also within 48 hours, the Navy shall email the Parties a plan of action that shall include documentation, evaluation, a work plan, a Determination of Eligibility form, and proposed actions to resolve potential adverse effects.
- B. The Council and SHPO shall respond within 48 hours of the telephone and email notifications. Any requests for access to the area of the discovery will be subject to reasonable requirements for identification, escorts (if necessary), safety, and other administrative and security procedures.

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- C. The Navy shall take into account comments received from Parties about the plan of action, including evaluation of the resource and mitigation for adverse effects. Should the plan of action include archaeological investigations; the investigations shall be carried out by an Archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards. The Navy shall provide the Parties with a report of the actions when they are completed.

X. Curation

The Navy shall be responsible for the long-term curation of any artifacts and records generated as a result of archaeological investigations, monitoring activities, and post review discoveries pursuant to this PA, in consultation with the DC SHPO. All materials shall be curated in a federally approved curation facility, such as the Maryland Archaeological Conservation Laboratory. Curation will follow the procedures established in the Curation of Federally Owned and Administered Archeological Collections (36 CFR §79, et seq.). Copies of all data generated shall be provided to the SHPO, including electronic copies of artifact databases, digital data, field notes, and associated records prepared per the Guidelines for Archaeological Investigations in the District of Columbia (April 1998).

XI. Dispute Resolution Process

- A. Should any Signatory or Concurring party to this PA, object at any time to any actions proposed or the manner in which the terms of this PA are implemented, the Navy shall consult with such party to resolve the objection.
- B. If, after consulting in good faith and in a manner appropriate to the nature and complexity of the dispute, the Navy determines that such objection cannot be resolved, the Navy shall:
 - 1. Forward all documentation relevant to the dispute, including the Navy's proposed resolution, to the Signatories. The Council shall provide the Navy with its advice on the resolution of the objection within thirty (30) calendar days. Prior to reaching a final decision on the dispute, the Navy shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the Signatories, and provide each with a copy of this written response. The Navy shall then proceed according to its final decision.
 - 2. If the Council does not provide its advice regarding the dispute within the thirty (30) calendar day time period, the Navy may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the Navy shall prepare a written response to the Signatories that takes into account any timely comments regarding the dispute, and provide the Council with a copy of such written response, with a copy to the Signatories.
- C. The Navy's responsibilities to carry out all other actions subject to the terms of this PA that are not the subject of the dispute remain unchanged.
- D. Should any member of the public raise a timely and substantive objection pertaining to the manner in which the terms of this PA are carried out, at any time during its implementation, the Navy shall take the objection into account by consulting with the objector and the Signatories to

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respond to the objection. When the Navy responds to an objection, it shall notify the Signatories of the objection and the manner in which it will be addressed. The Navy may request the assistance of the Signatories to respond to an objection.

XII. Amendment

- A. Any Signatory may propose an amendment to this PA. The amendment process will start when a Signatory notifies the others in writing requesting an amendment. The notification will include the proposed amendment and the reasons supporting it. The Signatories shall consult to consider any proposed amendment.
- B. An amendment will take effect once the Council has received signatures from the Signatories. An amendment shall not take effect until it has been agreed to and executed by the Council.
- C. If an amendment cannot be agreed upon, the dispute resolution process set forth in Stipulation XI will be followed.

XIII. Termination Process

- A. If any Signatory determines that its terms under this PA will not or cannot be carried out, that Party shall immediately consult with the other Signatories to attempt to develop an amendment per Stipulation XII. If within thirty (30) calendar days (or another time period agreed to by all Signatories) an amendment cannot be reached, any Signatory may terminate the PA upon written notification to the other Signatories and Consulting Parties.
- B. Once the PA is terminated, and prior to work continuing on the project that resulted in termination or any other project associated with the Undertaking, the Navy shall either (a) execute a new PA or (b) comply with 36 CFR § 800.3-800.7 regarding the on-going implementation of the Undertaking. The Navy shall notify the Signatories as to the course of action it will pursue. In the event of termination, if a project review has been completed in accordance with Stipulation II, the project may proceed and any applicable binding commitments shall remain in effect, even if this agreement is terminated.

XIV. Anti-Deficiency Act Provisions

The Navy's obligations under this PA are subject to the availability of appropriated funds. Nothing herein shall constitute nor be considered to constitute an obligation or expenditure of funds in advance of or in excess of a proper appropriation by Congress of the United States or otherwise be in violation of the Anti-Deficiency Act, 31 USC §1341, et seq. If compliance with the Anti-Deficiency Act alters or impairs the Navy's ability to implement the Stipulations of this PA, the Navy will consult in accordance with the amendment and termination procedures found at Stipulations XII and XIII.

XV. Electronic Copies

Within one (1) week of the last signature on this Agreement, the Navy shall provide each Signatory with one high quality, legible, full color, electronic copy of this fully executed Agreement and all of its

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attachments fully integrated into one, single document. Internet links shall not be used as a means to provide copies of attachments since links to web-based information often change. If the electronic copy is too large to send by e-mail, the Navy shall provide each Signatory with a copy of this Agreement as described above, via an electronic file share or other suitable, electronic means.

XVI. Duration

This PA shall become effective upon execution by all Signatories and shall remain in effect until ten (10) years from the date of execution, unless the Signatories consult to extend the PA by amendment in accordance with Stipulation XII or terminate the PA in accordance with Stipulation XIII.


Execution and implementation of the terms of this PA will serve as evidence of the fact that the Navy has afforded the Council an opportunity to comment on this Undertaking, and that the Navy has taken into account the effects of the Undertaking on historic properties.

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**SIGNATURE PAGE
PROGRAMMATIC AGREEMENT
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E AND O PARCELS, DISTRICT OF COLUMBIA**

The undersigned Signatory verifies that they have full authority to represent and bind their respective agency for the purposes of amending this Agreement.

THE UNITED STATES OF AMERICA
DEPARTMENT OF THE NAVY

By 
Nancy Lacroix
Rear Admiral, United States Navy
Commandant, Naval District Washington

Date 14 July 2023

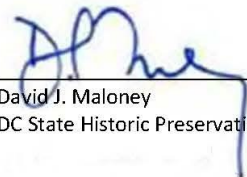
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**SIGNATURE PAGE
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REGARDING WASHINGTON NAVY YARD LAND EXCHANGE
E AND O PARCELS, DISTRICT OF COLUMBIA**

The undersigned Signatory verifies that they have full authority to represent and bind their respective agency for the purposes of amending this Agreement.

THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER

By



David J. Maloney
DC State Historic Preservation Officer

Date July 20, 2023

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**SIGNATURE PAGE
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The undersigned Signatory verifies that they have full authority to represent and bind their respective agency for the purposes of amending this Agreement.

THE ADVISORY COUNCIL ON HISTORIC PRESERVATION

By 
Reid Nelson
Executive Director

Date July 21, 2023

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**SIGNATURE PAGE
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The undersigned Invited Signatory verifies that they have full authority to represent and bind their respective agency for the purposes of amending this Agreement.

THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR

By

Kym A. Hall
Regional Director
National Capital Region, National Park Service
for National Historic Landmarks Program and National Capital Parks - East

Date

SIGNATURE PAGE
PROGRAMMATIC AGREEMENT
REGARDING WASHINGTON NAVY YARD LAND EXCHANGE
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The undersigned Signatory verifies that they have full authority to represent and bind their respective agency for the purposes of amending this Agreement.

NATIONAL CAPITAL PLANNING COMMISSION

By Marcel Acosta
Marcel Acosta
Executive Director
National Capital Planning Commission

Date July 20, 2023

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CONCURRING PARTY

DC PRESERVATION LEAGUE

By _____
Rebecca Miller
Executive Director
DC Preservation League

Date _____

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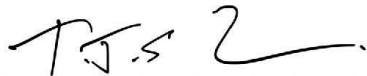
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CONCURRING PARTY

RB O Street LLC

By: RB O Street Manager LLC, its Manager

By



Thomas Skinner
Manager
RB O Street LLC

Date



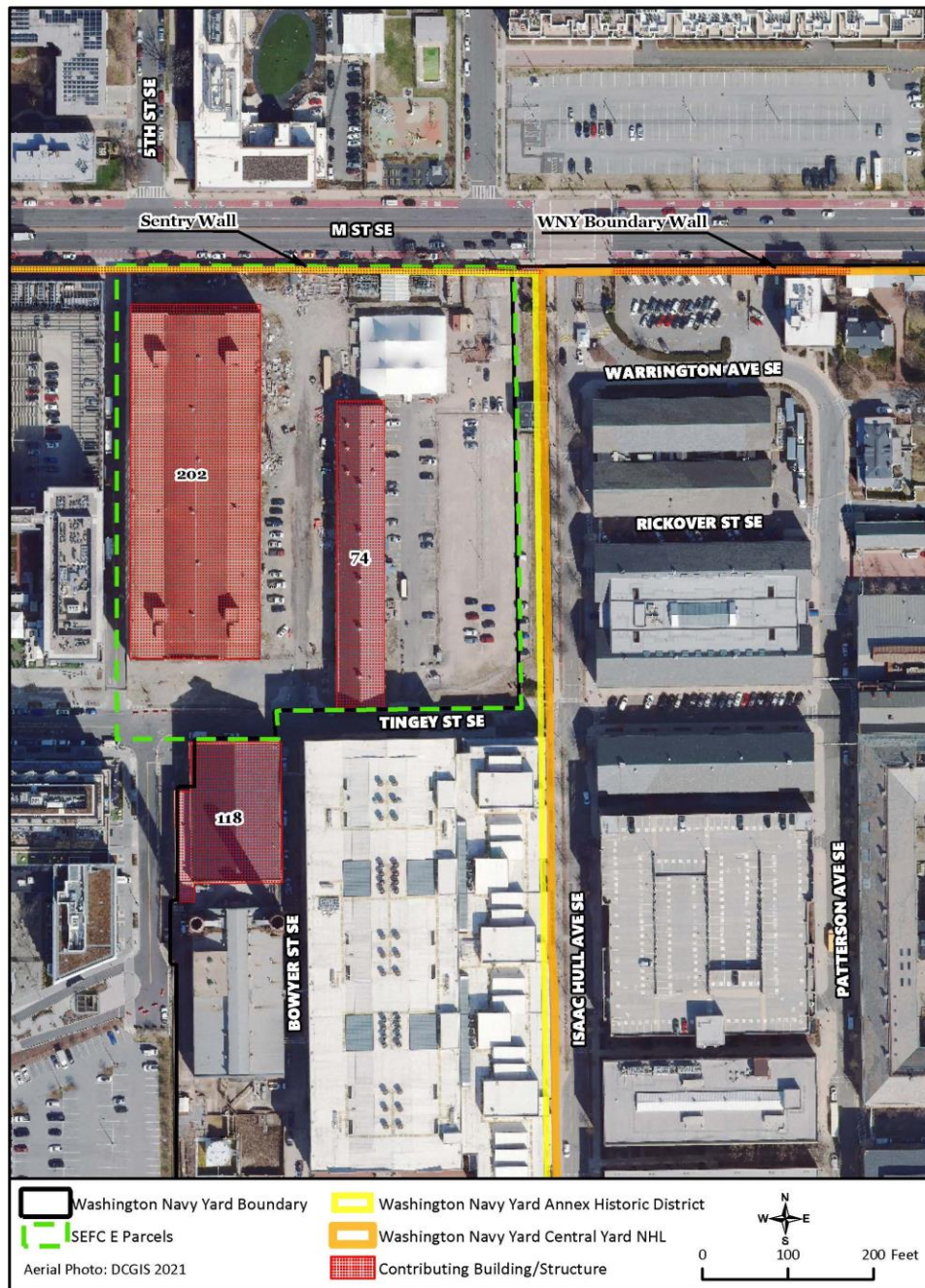
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Washington Navy Yard Land Exchange, E and O Parcels
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Exhibit 1: Map of E Parcels

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Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

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Exhibit 2: Buildings and Structures Included in the Undertaking




<i>E Parcels</i>	
<p>Building 74 1938 Contributing to Navy Yard Annex H.D.</p> <p>Building 74 is a 2-story, 3-bay wide, 25-bay deep, brick rectangular industrial building that was constructed as a Transportation Repair Shop for the Naval Gun Factory in 1938.</p>	
<p>Building 202 1941 Contributing to Navy Yard Annex H.D.</p> <p>Building 202 is a 5-story, 5-bay wide, 20-bay deep, brick rectangular industrial building that was constructed as the Broadside Mount Shop for the Naval Gun Factory in 1941.</p>	
<p>Washington Navy Yard Boundary Wall 1906 Contributing to Navy Yard Annex H.D.</p> <p>The section of the Washington Navy Yard Boundary wall surrounding the E Parcels was mostly constructed in 1906. The wall is 12 feet tall and constructed of 5-1 common bond brick with brick piers and corbelling.</p>	

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Exhibit 2: Buildings and Structures Included in the Undertaking


<i>O Parcels Lease Area within National Historic Landmark</i>	
<p>Building 68 1898 Contributing to National Historic Landmark</p> <p>Building 68 was constructed in 1898 as tool storage for Building 70. It has three blocks from different time periods. The south block, 68A, was constructed in 1898, The center block, 68B, was constructed from 1931-1935. The north block, 68C, was constructed between 1941 and 1947.</p>	
<p>Building 70 1897 Contributing to National Historic Landmark</p> <p>Constructed from 1897 to 1899, Building 70 is the original ship model testing facility in the United States and operated from 1899 until 1939. Building 70 is a large, single-story brick building that is 503 feet long and 52 feet wide and stands perpendicular to the Anacostia River.</p>	
<p>Building 71 1898 Contributing to National Historic Landmark</p> <p>Building 71 was constructed in 1898 as an oil storage facility for the Experimental Model Basin in Building 70. Building 71 is a 1-story brick building with metal gable roof. It is three bays wide and one bay deep.</p>	

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Exhibit 2: Buildings and Structures Included in the Undertaking




<p>Building 123 1904 Contributing to National Historic Landmark</p> <p>Building 123 was constructed in 1904 to contain the winch that hauled vessels up the Marine Railway for dry docking and maintenance. The building has an addition from 1922-1927.</p>	
<p>Building 154 1918 Non-Contributing to National Historic Landmark</p> <p>Building 154 was constructed in 1918 as a storage facility in support of the Experimental Model Basin (Building 70). Building 154 originally was three stories, but the top two were demolished in 1953.</p>	
<p>Building 241 1942 Unevaluated</p> <p>Building 241 was constructed in 1942 as a Sewage Pumping Station. The small brick building stands east of the south end of Building 70. The building has not been evaluated for its contributing or non-contributing status.</p>	

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Exhibit 2: Buildings and Structures Included in the Undertaking




<p>Structure 308 1855 Contributing to National Historic Landmark</p> <p>Structure 308 is the Marine Railway and associated quay walls. Some remaining features date to 1854-1855, 1904 and the 1920s, with additional layers from later years. The current Marine Railway channel is approximately 50 feet wide and 400 feet long.</p>	
<p>Structure 414 Ca. 1990s Non-Contributing to National Historic Landmark</p> <p>Structure 414 is a retaining wall that marks the grade change between Marine Railway and Parsons Avenue SE. Although the property record gives a construction date of 1950, Structure 414 was clearly rebuilt in the 1990s.</p>	
<p>Piers 1 and 2 1942 Contributing to National Historic Landmark</p> <p>Piers 1 and 2 were constructed for loading ordnance manufactured at the Washington Navy Yard onto vessels. The piers are constructed on wood pilings with concrete decks. They measure 50 feet wide by 300 feet long.</p>	

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Exhibit 2: Buildings and Structures Included in the Undertaking

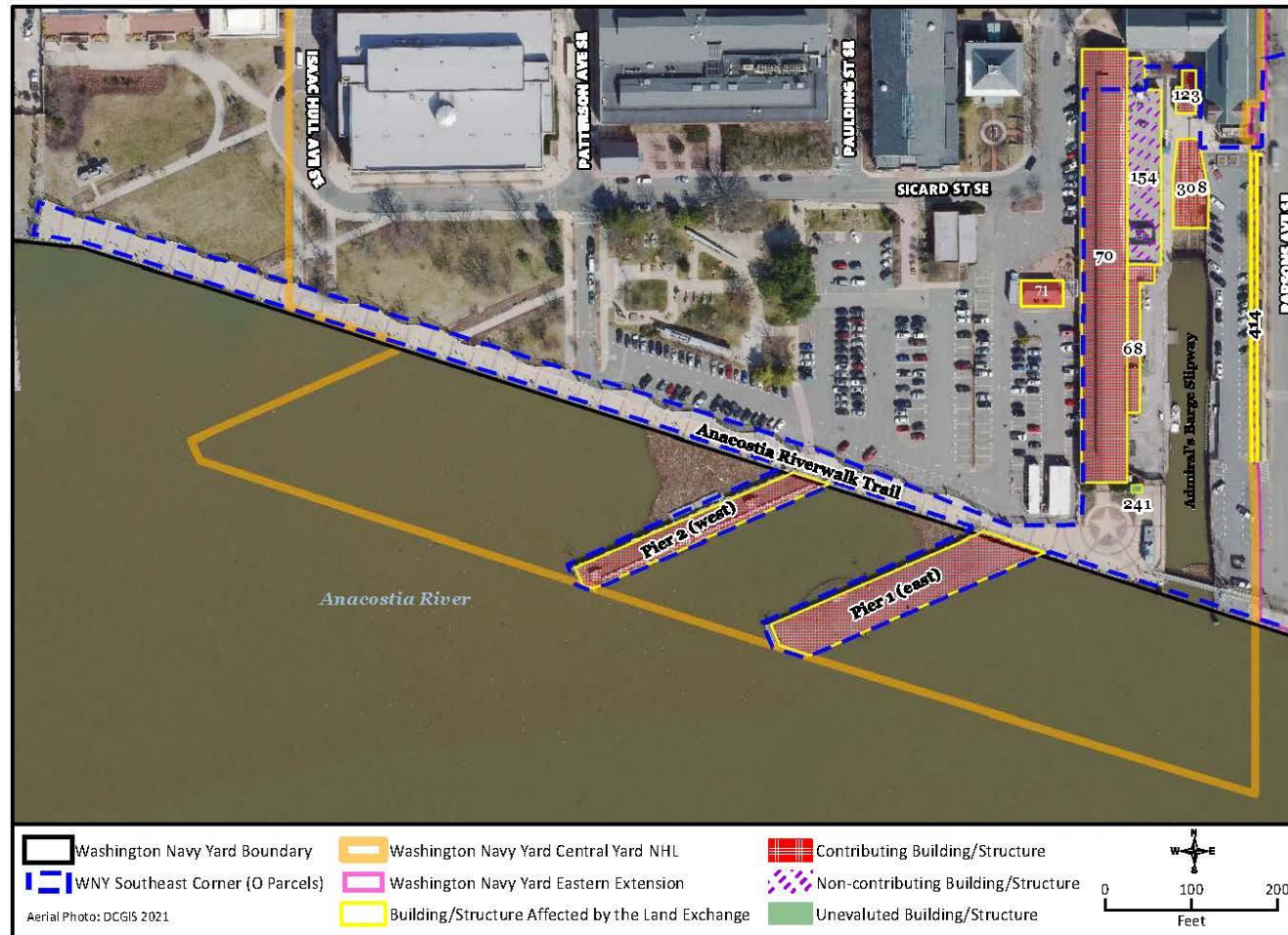
<i>O Parcels Lease-to-Transfer Area within Eastern Extension</i>	
<p>Building 166 1918 Contributing to Eastern Extension Historic District</p> <p>Building 166 was constructed in 1918 as the Seaman Gunners' School. It doubled in size in 1940-1941. Building 166 is three stories tall over a raised basement. It has an "H" shape and a flat roof.</p>	
<p>Building 211 1942 Non-contributing to Eastern Extension Historic District</p> <p>Building 211 was constructed in 1942 as a paint storage building. Its current appearance reflects a 2000s conversion to a conference center. It is non-contributing due to a loss of integrity.</p>	
<p>Building 218 1943 Non-contributing to Eastern Extension Historic District</p> <p>Building 218 was constructed in 1943 as the Gunners Mates School. Over the years, it housed other base support functions, such as a move theater. It is heavily altered with the addition of a third story and is non-contributing.</p>	
<p>Building 405 1998 Non-contributing to Eastern Extension Historic District</p> <p>Building 404 is a Parking Garage that was constructed in 1998. It is non-contributing.</p>	

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Exhibit 3: Map of Washington Navy Yard O Parcels Lease Area within NHL

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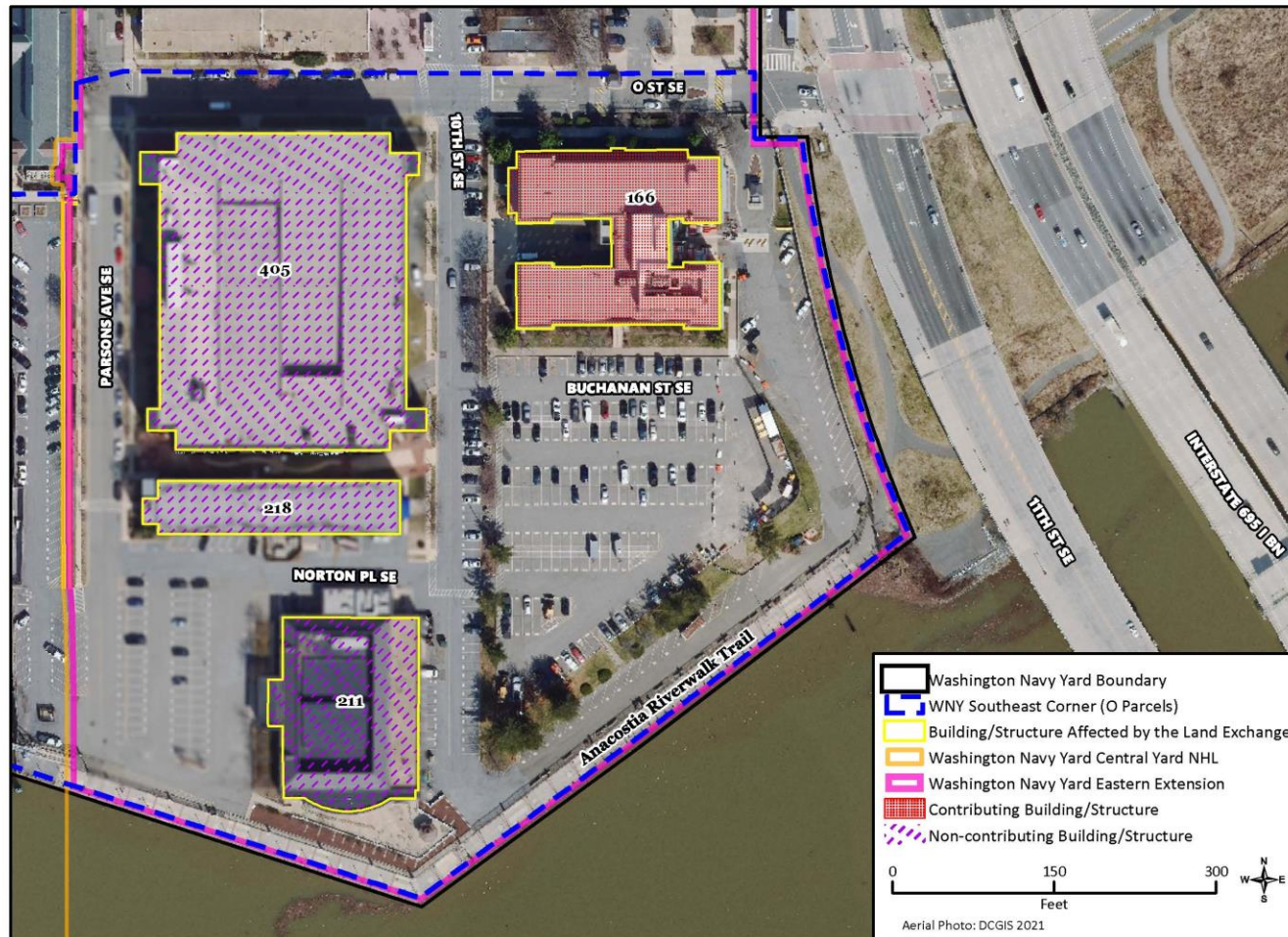


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Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 4: Map of Washington Navy Yard O Parcels within Eastern Extension Historic District

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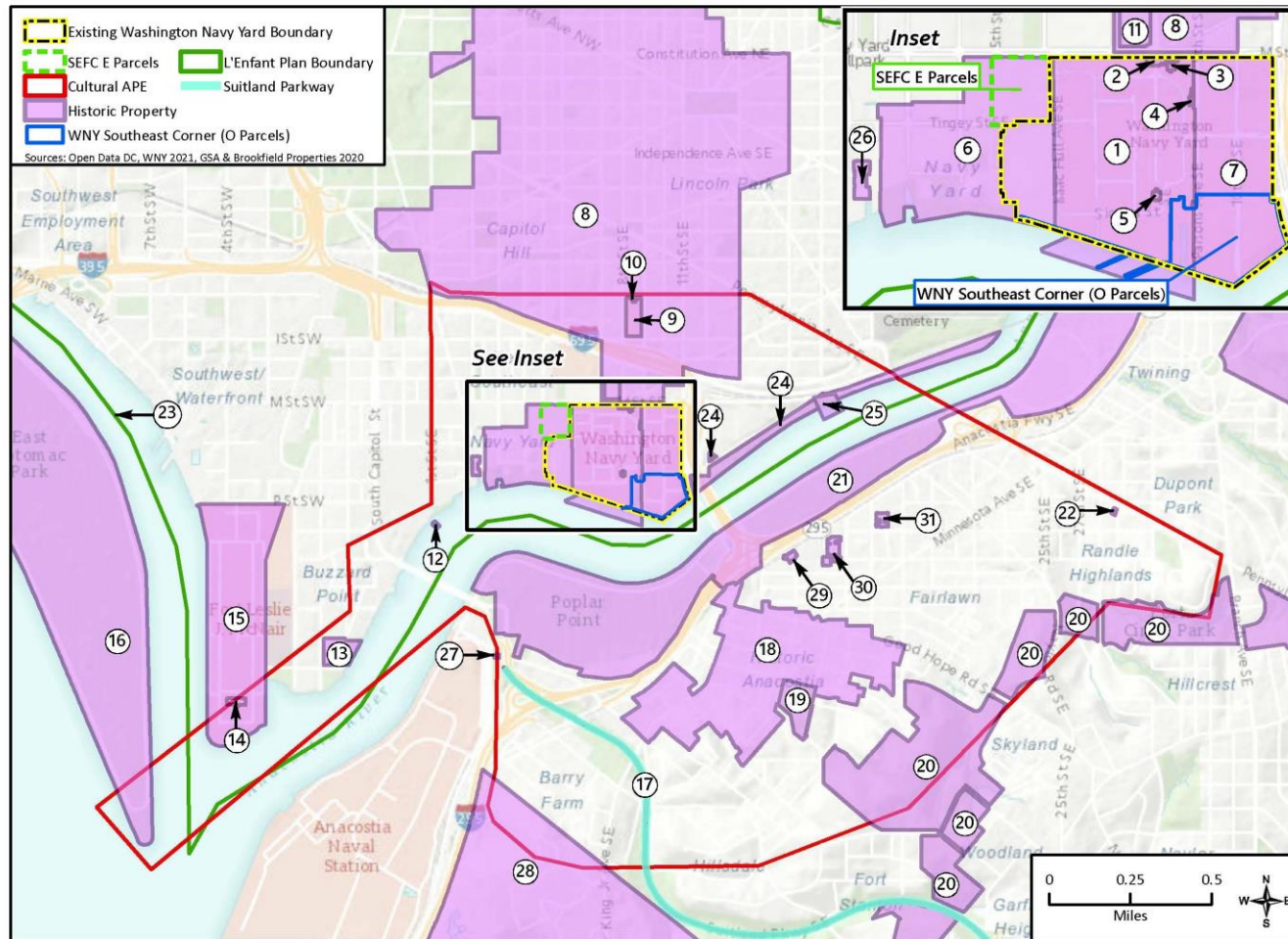


Agreement No. Ser N00/N68469-20230712-12600

Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 5: Built Environment Area of Potential Effects and Historic Properties

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Exhibit 5: Built Environment Area of Potential Effects and Historic Properties**Key for Historic Properties Located Within the Architectural Resources APE**

Exhibit 3 Locator Number	Historic Property Name	Historic Status
1	WNY Central Yard	National Historic Landmark
2	WNY Latrobe Gate	National Register Listed
3	WNY Quarters A (Tingey House)	National Register Listed
4	WNY Quarters B	National Register Listed
5	WNY Commandant's Office	National Register Listed
6	WNY Annex Historic District	National Register Listed
7	WNY Eastern Extension Historic District	National Register Eligible
8	Capitol Hill Historic District	National Register Listed
9	Marine Barracks Washington	National Historic Landmark
10	Marine Barracks Commandant's House	National Register Listed
11	Washington and Georgetown Car Barn	National Register Listed
12	Capitol Power Plant Pump House	National Register Listed
13	Buzzard Point Power Plant	National Register Listed
14	National War College	National Historic Landmark
15	Fort McNair Historic District	National Register Listed
16	East and West Potomac Parks Historic District	National Register Listed
17	Suitland Parkway	National Register Listed
18	Anacostia Historic District	National Register Listed
19	Frederick Douglass National Historic Site	National Register Listed
20	Civil War Fort Sites and Fort Circle Park System - Fort Circle Parks Historic District	National Register Listed
21	Anacostia Park	National Register Eligible
22	Engine Company No. 19 (Randle Highlands Firehouse)	D.C. Inventory of Historic Properties
23	Plan for the City of Washington (L'Enfant Plan)	National Register Listed
24	Boathouse Row	National Register Eligible
25	Washington Yacht Club	National Register Listed
26	Main Sewerage Pumping Station	National Register Listed
27	Poplar Point Pumping Station	National Register Eligible
28	St Elizabeths Hospital	National Historic Landmark
29	Anderson Tire Manufacturing Company	National Register Eligible
30	Anacostia High School	National Register Eligible
31	Kramer Middle School	National Register Eligible

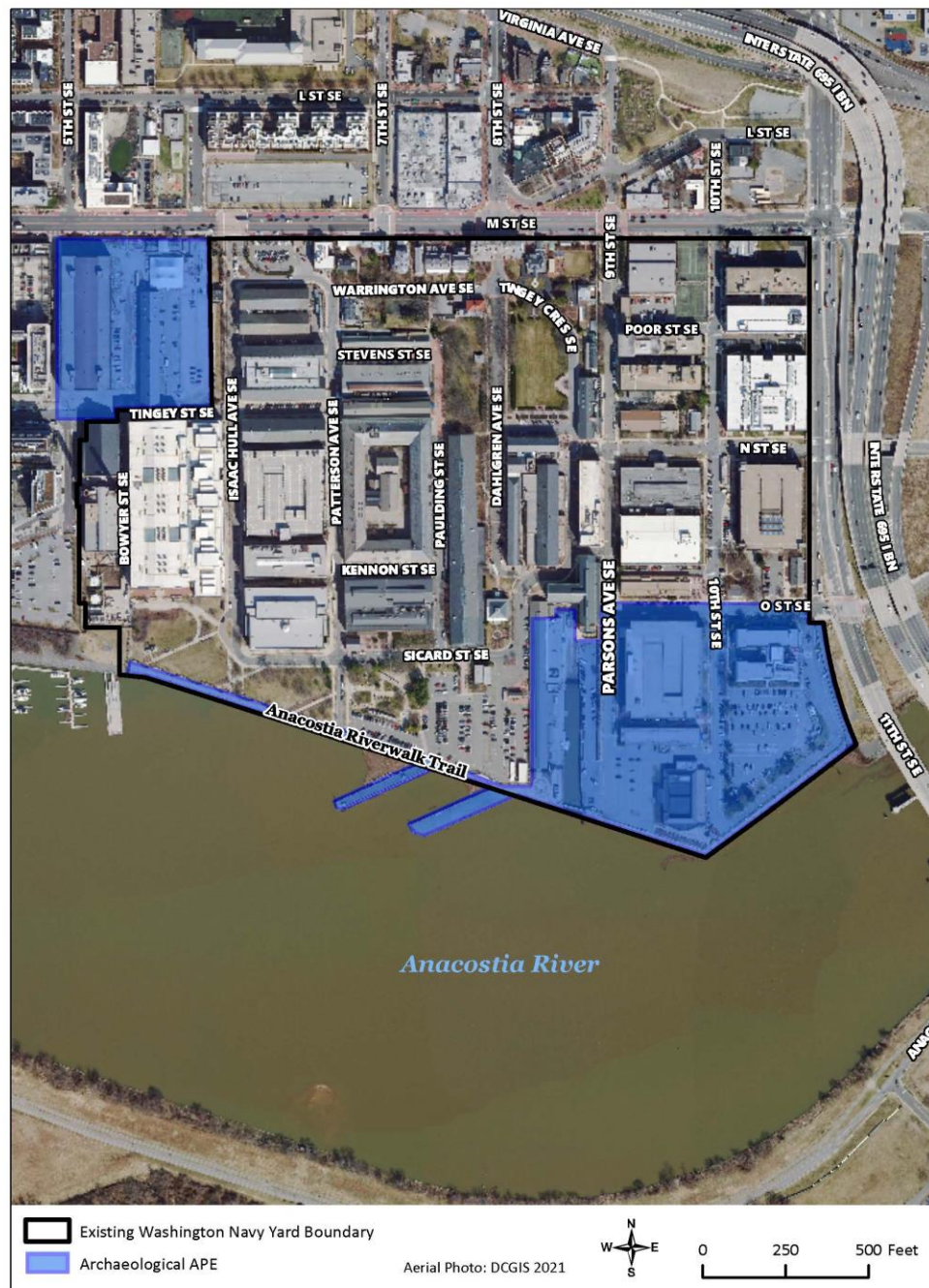
Notes: APE = Area of Potential Effects; D.C. = District of Columbia; WNY = Washington Navy Yard.

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Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 6: Archaeological Area of Potential Effects

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Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 7: Comments Received During or Following Public Meetings

Commenter Type	Topic	Sub-Topic	Commenter (Submitted By)	Substantive Comment	Response
Agency	Section 106 of the NHPA		Stepan Nevshehirlan (EPA)	In section 3.3.3.2, it is unclear if the “assessment and economic analysis” for building 166 is being completed as part of the NHPA Section 106 process, and how the information from the assessment will be utilized. In addition, this section states that the DEIS is analyzing the scenario with the highest potential for impacts. EPA recommends that additional information be included regarding the impacts from land acquisition through the land exchange as described on page 3-37, including additional details describing how the information from the assessment will be utilized, describing how and when the impacts from the renovation will be assessed, and identifying if rehabilitation will be analyzed, as this may result in different impacts.	The assessment and economic analysis for Building 166 will be part of the Section 106 consultation process. The text has been updated in the Final EIS.
Agency	Section 106 of the NHPA		Stepan Nevshehirlan (EPA)	In Section 3.3.2.3 it is unclear how coordination is occurring with the tribes, how that information is being utilized, or if the tribes were contacted as part of the NHPA consultation. EPA recommends that additional information be included that supports the coordination efforts with the tribes.	The Navy sent letters by Certified Mail to the two identified tribes along with copies of the Draft EIS. One letter was returned but the Navy reached out by email and the email was acknowledged and identified as the preferred contact method. The Delaware Tribe confirmed that there are no known religious or culturally significant sites within the selected project area and they had no objections to the proposed project. No comments were received from the Delaware Nation. Letters and the email are provided in Appendix C.5 of the Final EIS.
Agency	Section 106 of the NHPA		Stepan Nevshehirlan (EPA)	Page 3-39 the DEIS states that the new residential towers would result in an adverse effect to the visual setting but would not be substantial enough to impact its eligibility for the National Register of Historic Places. EPA recommends providing additional rationale for the basis of this statement and including responses from the consulting parties on whether they agree or disagree with this determination.	Text in Section 3.3, <i>Cultural Resources</i> , was updated in the Final EIS and the draft PA and agency correspondence have been appended.

Exhibit 7: Comments Received During or Following Public Meetings

Commenter Type	Topic	Sub-Topic	Commenter (Submitted By)	Substantive Comment	Response
Agency	Proposed Action / Preferred Alternative	Section 106 of the NHPA	Andrew L. Raddant (NPS)	<p>The proposed project will directly impact the Washington Navy Yard Historic District, which is a historic property of national importance that was designated a National Historic Landmark (NHL) in 1976. Due to the NPS responsibility to monitor the protection and the preservation of NHLs, the NHL program representative for the National Capital Region has been participating actively in the ongoing National Historic Preservation Act (NHPA) Section 106 consultation.</p> <p>The Section 106 consultation has focused almost solely on Alternative 1-Land Acquisition through Land Exchange which is the preferred alternative in the DEIS. The preferred alternative appears to have the most significant adverse impacts on cultural resources of all the alternatives.</p>	<p>The Navy concurs that development on the SEFC and the WNY Southeast Corner would visually impact the NHL. Even under the No Action Alternative, proposed high-rise buildings would impact the NHL. Based on discussions with the consulting parties, the Navy minimized the adverse effect of private development of the WNY Southeast Corner. The Navy would lease Buildings 68, 70 (partial), 123, 154, Admiral's Barge Slipway, and Piers 1 and 2, so that the buildings and structures would remain under federal control.</p>
Agency	Proposed Action / Preferred Alternative		Andrew L. Raddant (NPS)	<p>The Navy could reduce or eliminate some of the impacts by revising the program or undertaking. The proposed land exchange includes much more than a parcel-for-parcel value-based exchange and the amount of land being considered for exchange adversely impacts the NHL. The amount of land should be reduced to solely what is necessary for the future use in order to reduce effects on the NHL. While the land exchange relies heavily on the implementation of a covenant or covenants and a programmatic agreement to mitigate the effects, the first step should be to avoid the adverse effects/impacts by revising the program or undertaking.</p>	<p>Avoiding the action does not meet the Navy's purpose and need. The Navy has minimized the effects of the Proposed Action by keeping the NHL properties under Navy ownership rather than transferring to the private developer. As structured, the Preferred Alternative has already been limited to only what will make the deal economically feasible for the Navy and the developer per Section 2845 of the 2019 NDAA.</p>
Agency	Section 106 of the NHPA		Andrew L. Raddant (NPS)	<p>The appropriateness of the long-term lease to a commercial entity of parcels and buildings/structures within the NHL historic district as the private developer's needs may not be compatible with the protection of the historic buildings and landscapes in the NHL</p>	<p>The lease to the private developer is necessary to make the land exchange economically feasible per Section 2845 of the 2019 NDAA. The Navy will maintain Section 106 responsibility for actions within the NHL. Allowing adaptive reuse of these NHL facilities creates an opportunity for public access and protection of these facilities.</p>
Agency	Section 106 of the NHPA		Andrew L. Raddant (NPS)	<p>What other, non-NHL parcels were considered for the land exchange?</p>	<p>Please see Section 2.5 of the EIS for the list of alternatives considered but not carried forward for detailed analysis.</p>

Exhibit 7: Comments Received During or Following Public Meetings

Commenter Type	Topic	Sub-Topic	Commenter (Submitted By)	Substantive Comment	Response
Agency	Section 106 of the NHPA	Visual Resources	Andrew L. Raddant (NPS)	The construction of large scale, high-rise buildings directly adjacent to the NHL district will have a direct adverse visual effect on the NHL by diminishing its integrity of setting. It remains unclear how the height, massing, and design will be controlled to minimize the adverse effects on the NHL. It is our understanding that zoning for the redevelopment parcels is taking place now before the DEIS and NHPA Section 106 processes have concluded, which limits the ability to comment on the appropriate height and density for these parcels.	DDOT is working with the DC Office of Planning (OP) to draft a Text Amendment that assigns zoning regulations to the Southeast Corner site. The new Navy Yard East (NYE) zone, which has not yet been adopted by the Zoning Commission, is anticipated to include a requirement that any new development undergoes a Design Review with the Zoning Commission. The Draft Programmatic Agreement has been appended to the Final EIS.
Agency	Proposed Action		Andrew L. Raddant (NPS)	One of the “In-kind considerations at the WNY to be provided by the developer” is the addition of two levels to the garage. This would have an adverse visual effect on the NHL	Text was added to Section 3.3, <i>Cultural Resources</i> .
Agency	Section 106 of the NHPA		Andrew L. Raddant (NPS)	In the preferred alternative, the whole segment of riverwalk will be permanently acquired by a private owner legally separating the historically important waterfront from the Naval installation and limiting opportunities to one day restore the Navy’s historic relationship to the river.	Based on discussions with the consulting parties, the Navy minimized the adverse effect of private development of the WNY Southeast Corner. The Navy would lease Buildings 68, 70 (partial), 123, 154, Admiral’s Barge Slipway, and Piers 1 and 2, so that the buildings and structures would remain under federal control. Rehabilitation and reuse of the facilities will include a substantial interpretive component focused on the significance of the Model Basin and Marine Railway. The public will again have access to the facilities.

Exhibit 7: Comments Received During or Following Public Meetings

Commenter Type	Topic	Sub-Topic	Commenter (Submitted By)	Substantive Comment	Response
Agency	Proposed Action		Andrew L. Raddant (NPS)	The DEIS states that the alternative to exchange the Navy Joint Base Anacostia-Bolling parcels was dismissed because of sensitive operations adjacent to those parcels however, this option is included in the exchange deal with the developer. If these parcels are part of the exchange, then they must be included as part of the preferred alternative.	The JBAB parcels are part of the preferred alternative; however, NEPA on any future development of these parcels is expressly deferred due to the uncertainty as to when or even if the JBAB option is exercised, as well as what could be constructed on the parcels given the government's development limitations. For any development to occur on the JBAB parcels, the option parcels must first be excessed by the Navy, and any resulting conveyance comes burdened with considerable development constraints because of their proximate location to sensitive government operations. Should the Navy not excess the parcels, or the land restrictions render the property commercially undevelopable, there is language in the land agreement for alternative consideration. Given all this uncertainty, any future development of JBAB or a replacement site would be conditioned upon completing appropriate NEPA analysis.
Agency	Proposed Action / Preferred Alternative		Diane Sullivan (NCPC)	NCPC staff supports the Navy's stated goals to improve WNY security posture, protect mission critical activities, and enhance the overall safety of personnel, facilities and infrastructure at the WNY. In particular, the relocation of the Navy Museum to a site that can be more publicly accessible is a significant and exciting opportunity. We remain interested in understanding the development potential at the southeastern portion of the WNY, as well as transportation, floodplain, and historic resource impacts associated with Alternative 1A. Our comments below have been grouped based on the E Parcel (retained for federal ownership) and the WNY Southeast Parcels (transferred to a private owner with some leased components).	Thank you for your comments. Comments are addressed individually below.

Exhibit 7: Comments Received During or Following Public Meetings

Commenter Type	Topic	Sub-Topic	Commenter (Submitted By)	Substantive Comment	Response
Agency	Proposed Action / Preferred Alternative	Land Use	Diane Sullivan (NCPC)	E Parcels In the preferred alternative, the E Parcels would remain under federal government control. The underlying jurisdiction would be transferred from GSA to the Navy. Separately, GSA would amend the SEFC Master Plan to remove these parcels from that plan. The Navy would update the WNY Master Plan to add these parcels and remove the southeast parcels. NCPC would continue to have review authority over the E Parcels pursuant to the National Capital Planning Act.	The Navy is updating its WNY Master Plan and Transportation Management Plan and will continue to coordinate with NCPC.
Agency	Section 106 of the NHPA	E Parcels	Diane Sullivan (NCPC)	The Historic Navy Yard is comprised of several listed districts, including the National Historic Landmark Central Yard, the National Register of Historic Places listed Navy Yard Annex (which includes the Southeast Federal Center and “The Yards”, and the National Register-eligible Eastern and Western Extensions. There are also individually listed resources found within the Navy Yard, including the Latrobe Gate, Quarters A and B, and the Commandant’s Office. The proposed land exchange and transfer at the Washington Navy Yard described in this DEIS does have the potential to result in adverse effects to historic properties and resources, and these potential impacts will need to be fully evaluated in the Section 106 consultation process, with guidance from Section 110 as well. The direct adverse effects could impact the historic buildings in Parcel E, while indirect impacts, such as visual effects have the potential to impact historic resources outside the project area.	The Section 106 consultation will result in a Programmatic Agreement which will include design guidelines and a process for continued consultation.
Agency	Section 106 of the NHPA	E Parcels	Diane Sullivan (NCPC)	For any new construction, determinations for both direct and indirect impacts would need to consider such factors as height, design, location, orientation, and materials. Areas outside of the Navy Yard that have the potential to receive indirect adverse effects due to impacts to views include Anacostia Park and the Plan of the City of Washington. The Section 106 process will assist in making determinations of effect and will guide the applicant to first attempt to avoid impacts, with then consideration as to how to minimize the adverse effects. Agreement documents such as programmatic agreements, memorandums of agreements, and any agreed upon covenants or design guidelines should be anticipated in the Section 106 consultation process, to assist in resolving adverse effects, as well as minimization measures to lessen the project’s impact on historic properties.	The Section 106 consultation will result in a Programmatic Agreement which will include design guidelines and a process for continued consultation.

Exhibit 7: Comments Received During or Following Public Meetings

Commenter Type	Topic	Sub-Topic	Commenter (Submitted By)	Substantive Comment	Response
Agency	Proposed Action / Preferred Alternative		Diane Sullivan (NCPC)	Southeast Corner Parcels of WNY In the preferred alternative, the southeast parcels and a strip of land including the waterfront trail and docks, would be transferred or leased to a private developer. While the DEIS provides an estimated development program for the site, the specific design and layout of any future development is not yet known. In general, NCPC staff supports parcelization of the site to create multiple building footprints with a street grid that builds upon the historic rights-of-way. Since these parcels will ultimately be redeveloped privately, there are several impacts that need to be considered.	Comment acknowledged. Specific comments are addressed below.
Agency	Section 106 of the NHPA	Southeast Corner of the WNY	Diane Sullivan (NCPC)	As noted previously, potential impacts will need to be fully evaluated in the Section 106 consultation process, with guidance from Section 110 as well. The WNY southeast parcels include several historic buildings that could be either leased or transferred to private ownership. The direct adverse effects could impact historic buildings in the area, while indirect impacts, such as visual effects have the potential to impact historic resources outside the project area. In particular, we are interested in direct impacts to existing historic buildings resulting from reuse or redevelopment, as well as indirect impacts to surrounding historic districts due to the insertion of new development. The visual impacts of the proposed private development are not yet clear and will need further evaluation during the Section 106 process.	Comment acknowledged. Specific comments are addressed below.
Individual	Cultural Resources		(name redacted to protect privacy)	Enclosed you will find a recent article in the Naval Historical Foundation's historical Pull Together newsletter highlighting the historical significance of the Washington Navy Yard Marine Railway and David Taylor Model Basin which the EIS includes on the parcel of WNY property to be turned over to a private developer. Assuming the developer will retain the Marine Railway inlet and the industrial ramp leading to the winch house intact, my greater concern is the placement in private hands of the Model Basin building, a legacy of an era when the WNY was better known as the Washington Naval Gun Factory. The enclosed article addressed the origins of what is known today as Building 70 and the important role that facility played in not only in the development of the fleet in the early 20th century but also in the development of naval aviation.	The Navy would lease Buildings 68, 70 (partial), 123, 154, Admiral's Barge Slipway, and Piers 1 and 2, so that the buildings and structures would remain under federal control. The Navy is discussing a Programmatic Agreement and associated stipulations. Rehabilitation and reuse of the facilities will include a substantial interpretive component focused on the significance of the Model Basin and Marine Railway. The public will again have access to the facilities.

Exhibit 7: Comments Received During or Following Public Meetings

Commenter Type	Topic	Sub-Topic	Commenter (Submitted By)	Substantive Comment	Response
Individual	Cultural Resources		(name redacted to protect privacy)	However, the building's recent use is also historically significant. In the late 1990's at the urging of the then Vice Chief of Naval Operations Donald Pilling, the Naval Historical foundation undertook a fifteen million dollar capital campaign to acquire world-class exhibits to repurpose Building 70 into the museum's Cold War annex. To prepare the building to accept the exhibits, the Navy invested some four million dollars to upgrade the structure that previously housed historic artifacts.	As mentioned above, the Navy is discussing a Programmatic Agreement and associated stipulations for Building 70. Rehabilitation and reuse of the facility will include a substantial interpretive component focused on the significance of the Model Basin and Marine Railway. The public will again have access to the facility.
Individual	Cultural Resources		(name redacted to protect privacy)	A major building block of what would become known as the "Cold War Gallery" came from the Smithsonian American History Museum in the form of an exhibit titled "Boomers and Fast Attacks" which celebrated the centennial of the submarine force. This exhibit was successfully moved and installed, thanks in part to a multi-million dollar contribution by General Dynamics Electric Boat. Other major exhibits completed included the central hall featuring a Trident C4 missile, a Ready Room Theater, and a Vietnam immersion display titled "Into the Lions Den." During the Summer of 2023, arrangements were made for the south entrance of the building facing the riverwalk to open for general public entry and thousands took advantage of the opportunity to view the displays. Tragically in September 2013, there were the shootings at NAVSEA that took the lives of a dozen Navy employees. Though the shooter was a subcontractor who had legitimate access to the Navy Yard, the WNY tightened security and closed direct public access to the Cold War Gallery. With that, the Naval Historical Foundation ended its capital campaign having raised some eight million dollars including a three million federal appropriation thanks to Senator John W. Warner. However, despite the assess restrictions, the Cold War Gallery has continued to attract thousands of visitors in the ensuing decade and has proven to be a popular venue to host official Navy receptions and has hosted numerous private after hour gatherings through leasing arrangements that have enabled the partner foundation to funnel profits back to support Navy Museum education programs. One of the more successful endeavors was a two-year Summer program that invited top high school STEM teachers to study the Cold War Gallery's historical exhibits to develop lesson plans that can be found http://www.usnavymuseum.org/ .	The U.S. Naval Institute would like to move the museum outside the secure perimeter of the WNY so that the public would not have to go through the security clearance process. The Visioning Plan indicated attendance at the current museum location is less than 100,000 visitors per year; however, with a modern facility that is easily accessible, the number of visitors could increase ten-fold annually. The museum would operate daily and could have up to 1.1 million annual visitors. A conference area is also contained within the Visioning Plan. Another benefit of the proposed location is that it is closer walking distance from Metrorail stations.

Exhibit 7: Comments Received During or Following Public Meetings

Commenter Type	Topic	Sub-Topic	Commenter (Submitted By)	Substantive Comment	Response
Individual	Cultural Resources		(name redacted to protect privacy)	Of course, I recognize that assuming that the new museum is built on the parcel that the Navy seeks to acquire, components of these Cold War Gallery exhibits will be incorporated into the new facility. However, “Rome was not built overnight” so I would argue the current displays should be allowed to continue to tell a vital story as progress is made to construct a new facility. As such, the space would continue to host functions such as the Centennial of Carrier Naval Aviation Mess Night that is to be held on November 5, 2022.	The date on which the Cold War Museum would vacate the facility is still undetermined. Rehabilitation and reuse of the facilities will include a substantial interpretive component focused on the significance of the Model Basin and Marine Railway. The public will again have access to the facilities.
Individual	Cultural Resources		(name redacted to protect privacy)	Over the longer term, I could envision additional possibilities for the building given its location next to the waterfront and new residential commercial development. Unfortunately, one of the oversights of the current museum with its historical overview of the U.S. Navy is the total absence of the significant history of the Navy in the Capital Region and that story is the technological evolution of the Navy over the past centuries. When you think about it, nearly all of the Navy’s major R&D facilities trace to the Washington Navy Yard. During the 19th Century the yard hosted an experimental gun battery to test cannons. Eventually that activity went down the Potomac to Dahlgren. Of course, Building 70 hosted a water tank to test hull designs. That facility is now at Carderock. As previously noted that building also hosted the first wind tunnel and NAS Anacostia served as an aircraft test facility. Those activities are now at Pax River. The Naval Research Laboratory has been nearby since the 1920s.	The current museum location is too small (resulting in overcrowded displays, limits to artifact sizes), and can only present limited periods of Naval history. The new museum, if the Navy moves forward with the proposal, would be able to accommodate additional displays and represent significant Navy history including Navy presence in the National Capital Region.
Individual	Cultural Resources		(name redacted to protect privacy)	Needless to say, there are more than enough historical underpinnings to justify a history of technology-based display center that salutes the WNY. Given the building’s heritage, there is no building better suited to host such a display center than the former David Taylor Model Basin.	Rehabilitation and reuse of the facilities will include a substantial interpretive component focused on the significance of the Model Basin and Marine Railway. The public will again have access to the facilities.

Exhibit 7: Comments Received During or Following Public Meetings

1
2
3 Public Meeting for Washington Navy Yard
4 Proposed Land Acquisition
5
6 Public Comments
7
8 Moderated by Tania Fragomeno
9 Tuesday, March 8, 2022
10 3:33 p.m. to 3:59 p.m.
11
12
13 Remote Proceeding
14 Los Angeles, California 90001
15
16
17
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19 Reported by: Ivory Hallstein
20 JOB NO.: 5109155
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Veritext Legal Solutions
866 299-5127

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Exhibit 7: Comments Received During or Following Public Meetings

1 APPEARANCES
2 List of Attendees:
3 Tania Fragomeno, Moderator (by videoconference)
4 Public Comment (by videoconference) 5 Public
6 Comment (by videoconference) 6
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1 property to be returned to the Navy to the northwest
2 side of -- of the Navy yard.
3 I own a condo in the neighborhood and
4 I'm excited to see the potential for development of
5 that area in a manner consistent with the Navy's FATF
6 requirements and also my preferred alternative would
7 be the building of a new Navy museum.
8 And I will stop there and let you
9 answer the question on preservation of the historic
10 buildings, if they're turned over to the developer.
11 MS. FRAGOMENO: Okay. Thank you, 12
13 XXXXXX, for your comment. We aren't answering any
14 questions today. We are just taking public comments
15 for the record.
16 For verbal comments, if you would like
17 to speak during today's meeting, please click on the
18 "raise hand" icon likely located at the bottom of your
19 screen. This will put you into the queue for verbal
20 comments.
21 If you're on a mobile device, you may
22 need to tap your screen for the "raise hand" icon to
23 appear. I will call on individuals in the order
24 received.
25 If you're joining us by phone, you can
26 dial star nine to raise your hand. I will call on you

1 by the last few digits of your phone number. You will
2 then need to dial star six to complete the unmute
3 process once it's your turn.
4 We're also accepting written comments
5 into the Q&A box if you'd prefer to type your comment
6 instead of stating it verbally. The Q&A box is
7 located at the bottom of your screen.
8 If you're having any technical issues
9 with Zoom webinar, you can call our technical support
10 hotline at area code 800-619-2270. You can also use
11 the chat feature located at the bottom of your
12 screen to message the host for technical support.
13 Hi, XXXXXX. I see you have your hand
14 up? You should see -- yep, there you go, to unmute.
15 MR. XXXXXXX: Yeah. I -- I just wanted
16 to format my -- my thought in the form of a comment
17 then, for the record, as you said you're not answering
18 questions.
19 MS. FRAGOMENO: Okay. Thank you.
20 MR. XXXXXXX: So my comment --
21 comment would be that I encourage the process to
22 ensure that the characteristics of the historic
23 buildings that would potentially be transferred to the
24 developer, those characteristics of those buildings
25 are maintained in the eventual use under the

Page 2

Page 4

1 PROCEEDINGS
2 MR. XXXXXXX: Good evening. You
3 did fine on pronouncing that.
4 MS. FRAGOMENO: Okay.
5 MR. XXXXXXX: My name is XXXXXX
6 XXXXXXX.
7 Now first, thank you for -- all of you
8 for putting this together. It's very informative and
9 well-done. And I understand that this is just for the
10 draft environmental impact statement and you may not
11 have answers for all of the questions on the projects
12 down the road, but in the proposed alternative one
13 where there's a land swap and development rights are
14 transferred to the southeast corner of the existing
15 Navy yard, will there be any restrictions placed on
16 the developer as to the amount of change that the
17 developer can make with the historic buildings in
18 in order to preserve the character and define a use
19 consistent with maintaining them as much as possible
20 to the original design?
21 And -- and I'll let you answer that,
22 but also, just to state for the record, I -- I
23 strongly support the issuance of the environmental
24 impact statement and the eventual approval of it. And
25 -- and the selected alternatives for future use of the

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2 (Pages 2 - 5)

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Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 7: Comments Received During or Following Public Meetings

1 development rights as much as feasible.
2 And then the final comment is I -- I
3 couldn't see all the names on the slide of the
4 organizations that you were working with, but -- but
5 one I did not see was the Capitol Riverfront
6 Improvement -- Capitol Riverfront Business Improvement
7 District. And I -- I encourage them to be involved in
8 the -- in the process of the environmental impact
9 statement and the potential transfer.
10 Thank you very much.
11 MS. FRAGOMENO: Okay. Thank you for
12 your comment. XXXXX.
13 On the project website, we have
14 information about the project including fact sheets
15 that you can download. We will also be posting this
16 recording and presentation slides to the website.
17 We will be remaining on the line until
18 we get more people into the queue who may want to make
19 a comment.
20 If you're just joining us, we currently
21 have no verbal comments being made at this time, nor
22 any hands raised for the queue.
23 If you would like to speak during
24 today's meeting, please click on the "raise hand" icon
25 likely located at the bottom of your screen. This

1 queue. XXXXXX. I will -- I give you
2 permission to unmute yourself. Please state and spell
3 your name for the court reporter and you will have
4 three minutes to provide your comment.
5 MR. XXXXXXXXXXXX: Good evening. My name
6 is XXXXXXXXXXXX. That's XXXXXXXXXXXXXXXXXXXX
7 and I'm here speaking on behalf of the
8 Washington Area Bicycle Association.
9 I just wanted to note that -- very
10 important to this environmental impact statement
11 process -- is that the Anacostia River Trail which
12 runs along the southern perimeter -- southern and
13 eastern perimeter of the existing Navy yard, this is a
14 really critical east/west and north/south biking and
15 walking route and trail, both for recreation and
16 transportation. And so I would hope through the
17 the coming process, you all take that into account as
18 one of the important, you know, resources in the area
19 both for connecting the existing trail, but also as an
20 alternative -- a safe alternative to M Street
21 Southeast and connecting to the 11th Street Bridge.
22 That's all I have to say. Thanks for
23 the presentation.
24 MS. FRAGOMENO: Okay. Thank you for
25 your comment.

1 will put you into the queue for verbal comments. I
2 will call on individuals in the order received.
3 If you're joining us by phone, you can
4 dial star nine to raise your hand. I will call on you
5 by the last few digits of your phone number. You will
6 then need to dial star six to complete the unmute
7 process once it's your turn.
8 If you're having any technical issues
9 with Zoom webinar, you can call our technical support
10 hotline at area code 800-619-2270. You can also use
11 the chat feature located at the bottom of your screen
12 to message the host for technical support.
13 You can type your comment into the Q&A
14 box located at the bottom of your screen, if you'd
15 prefer to submit a comment that way instead of
16 verbally.
17 We will continue to remain on the line
18 for any verbal comments. We currently do not have any
19 hands in the queue.
20 As a reminder, on the project website,
21 which is listed at the bottom of your screen, there is
22 information about the project, including fact sheets
23 that you can download. We will also be posting this
24 recording and presentation slides to the website.
25 Okay. We have a commenter in the

1 We currently do not have any more
2 commenters in the queue. If you would like to speak
3 during today's meeting, please click on the "raise
4 hand" icon likely located at the bottom of your
5 screen. This will put you into the queue for verbal
6 comments. I will call on individuals in the order
7 received.
8 If you're joining us by phone, you can
9 dial star nine to raise your hand. Again, that is
10 star nine to raise your hand. I will call on you by
11 the last few digits of your phone number. You will
12 then need to dial star six to complete the unmute
13 process once it's your turn.
14 If you're having technical issues with
15 Zoom webinar, you can call our technical support
16 hotline at area code 800-619-2270. You can also use
17 the chat feature located at the bottom of your screen
18 to message the host for technical support.
19 If you're joining from a mobile device,
20 you might need to click on or tap your screen to see
21 the icons.
22 You can also type your comment into the
23 Q&A box located at the bottom of your screen.
24 We will continue to remain on the line
25 for any verbal comments.

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Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 7: Comments Received During or Following Public Meetings

<p>1 On the project website, there is 2 information about the project, including fact sheets 3 that you can download. We will also be posting this 4 recording and presentation slides to the website. 5 There are currently no verbal comments 6 being made at this time, nor any hands raised for the 7 queue. We thank you for joining us this evening. 8 If you would like to speak, please 9 click on the "raise hand" icon likely located at the 10 bottom of your screen. This will put you into the 11 queue for verbal comments. I will call on individuals 12 in the order received. 13 If you're joining us by phone, you can 14 dial star nine to raise your hand. I will call on you 15 by the last few digits of your phone number. You will 16 then need to dial star six to complete the unmute 17 process once it's your turn. 18 If you're having any technical issues 19 with Zoom webinar, please call our technical support 20 hotline at area code 800-619-2270. You can also use 21 the chat feature located at the bottom of your screen 22 to message the host for technical support. 23 You can also type your comment into the 24 Q&A box located at the bottom of your screen. We will 25 continue to remain on the line for any verbal</p> <p style="text-align: right;">Page 10</p>	<p>1 of your screen. 2 On the project website, there is 3 information about the project, including fact sheets 4 that you can download. We will also be posting this 5 recording and presentation slides to the website. 6 We will continue to remain on the line 7 for any verbal comments. 8 We currently don't have anyone in the 9 queue to give a verbal comment, so in just a few 10 minutes, we are going to replay the presentation and 11 you are welcome to join the queue after the 12 presentation. 13 I will repeat some instructions here. 14 If you would like to speak during 15 today's meeting, please click on the "raise hand" icon 16 likely located at the bottom of your screen. This 17 will put you into the queue for verbal comments. I 18 will call on individuals in the order received. 19 If you're joining us by phone, you can 20 dial star nine to raise your hand. I will call on you 21 by the last few digits of your phone number. 22 If you're having any technical issues 23 with Zoom webinar, you can call our technical support 24 hotline at area code 800-619-2270. You can also use 25 the chat feature located at the bottom of your screen</p> <p style="text-align: right;">Page 12</p>
<p>1 comments. 2 On the project website is more 3 information. You can download fact sheets and we will 4 also be posting this recording and presentation slides 5 to the website. 6 There are currently no verbal comments 7 being made at this time, nor any hands raised in the 8 queue. 9 If you would like to speak, please 10 click on the "raise hand" icon located at the bottom 11 of your screen. This will put you into the queue for 12 verbal comments. I will call on individuals in the 13 order received. 14 If you're joining us by phone, you can 15 dial star nine to raise your hand. I will call on you 16 by the last few digits of your phone number. You will 17 then need to dial star six to complete the unmute 18 process once it's your turn. 19 If you're having technical issues with 20 Zoom webinar, please call our technical support 21 hotline at area code 800-619-2270. You can also use 22 the chat feature located at the bottom of your screen 23 to message the host for technical support. 24 If you would like to type in your 25 comment, you can use the Q&A box located at the bottom</p> <p style="text-align: right;">Page 11</p>	<p>1 to message the host for technical support. 2 You can also type your comment into the 3 Q&A box located at the bottom of your screen if you'd 4 prefer to submit a comment through the Q&A box. And 5 we have not received any comments through the Q&A box. 6 We will continue to remain on the line 7 for any verbal comments. 8 On the project website, there is 9 information about the project, including fact sheets 10 that you can download. We will also be posting this 11 recording and presentation slides to the website. 12 So again, we will be repeating the 13 presentation in just a few moments. 14 (Whereupon, the public comments 15 concluded at 3:59 p.m.) 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 13</p>

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Agreement No. Ser N00/N68469-20230712-12600 7-12
Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 7: Comments Received During or Following Public Meetings

Comment Session Transcript from March 09, 2022 Scoping Meeting

1 Public Meeting for Washington Navy Yard
2 Proposed Land Acquisition
3
4

5 Moderated by Tania Fragomeno
6 Wednesday, March 9, 2022
7 1:00 p.m. ET
8
9

10 Remote Proceeding
11 Los Angeles, CA 90001
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16 Reported by: Ivory Hallstein
17 JOB NO.: 5109198
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Exhibit 7: Comments Received During or Following Public Meetings

1 APPEARANCES

2 List of Attendees:
 3 Tania Fragomeno, Moderator
 4 Nik Tompkins-Flagg, Presenter
 5 Michael Steffen, Presenter
 6 Julie Darsi, Presenter
 7 Public commenter
 8 Public commenter
 9 Public commenter

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1 permission to speak. You'll see a dialog box pop up
 2 on your screen. You should be able to unmute yourself
 3 now. If you could please state and spell your name
 4 for the record and you will have three minutes to give
 5 us your comment. Thank you.

6 MR. XXXXXX: My name is XXXXXXXXXX,
 7 XXXX, last name XXXXX, XXXXXXXXXX, and I'm the
 8 Anacostia Riverkeeper. I'm just curious what the
 9 time window is for acquisition from when as
 10 possible, no hitches at all, or if it takes longer?

11 THE MODERATOR: Okay. We are not
 12 taking any questions tonight, but we will be
 13 considering your questions in the development of the
 14 draft EIS. You do have a couple more minutes, though,
 15 on the timer if you would like to formulate your
 16 question into a comment.

17 MR. XXXXXX: Nope, that's it. Just
 18 trying to get a handle on timeline. We are in
 19 Building 74 and we've not heard a ton about it, so.

20 THE MODERATOR: Okay. Thank you for
 21 your comment. We do not have any other hands in the

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1 MR. XXXXXX: This is XXXXXXXXX,
 2 XXXXXXXXX first name XXXXXXXXX, the executive
 3 director for the Navy Museum Development Foundation. 4
 5 On behalf of our Board led by XXXXXXXXX, the
 6 Secretary of the Navy, and Vice-Admiral
 7 XXXXXXX, the Foundation looks forward to supporting
 8 the building of a new world class National Museum of
 9 the United States Navy. We are excited to be a part
 10 of this historic project. Thank you.

11 THE MODERATOR: Okay. Thank you for
 12 your comment. We have no other speakers in the queue.
 13 We will continue to remain on the line. If you would
 14 like to submit a verbal comment, please use the raised
 15 hand icon located at the bottom of your screen. If
 16 you're on a mobile device, you might need to tap that
 17 screen so you can see the icon. And if you're calling
 18 us on the phone, you would dial *9 to raise your hand
 19 to enter the queue.

20 Okay, we have a caller that entered our
 21 queue. Or sorry, someone joining us from Zoom. XX
 22 XXXXX of the Anacostia Riverkeeper. I will give you

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24
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2 (Pages 2 - 5)

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Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 7: Comments Received During or Following Public Meetings

<p>1 questions tonight, but we will be considering them in 2 the development of the draft EIS. 3 Okay. Joining us in the queue again we 4 have XXXXXXX of Anacostia Riverkeeper. If you 5 could please state and spell your name for the record. 6 XXXXXXX: Thank you. I think you 7 have me on record from just a minute ago. I am 8 curious, when will you be taking questions? This is 9 the first EIS public participation session I've ever 10 been in where the questions aren't taken. 11 THE MODERATOR: Okay. For this process 12 we are currently just taking these verbal comments and 13 written comments that can be submitted to us. We will 14 be taking questions during the draft EIS meeting when 15 the draft EIS is available for review. 16 17 18 19 20 21 22 23 24 25</p>	<p>1 CERTIFICATE OF TRANSCRIBER 2 I, SHARON PHILLIPS, do hereby certify that 3 this transcript was prepared from the digital audio 4 recording of the foregoing proceeding, that said 5 transcript is a true and accurate record of the 6 proceedings to the best of my knowledge, skills, and 7 ability; that I am neither counsel for, related to, 8 nor employed by any of the parties to the action in 9 which this was taken; and, further, that I am not a 10 relative or employee of any counsel or attorney 11 employed by the parties hereto, nor financially or 12 otherwise interested in the outcome of this action. 13 14 Dated: 3/22/2022 15 16 17 18 19 20 21 22 <i>Sharon M. Phillips</i> 23 SHARON PHILLIPS 24 25</p>
--	--

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<p>1 CERTIFICATE OF DEPOSITION OFFICER 2 I, IVORY HALLSTEIN, the officer before whom 3 the foregoing proceedings were taken, do hereby 4 certify that any witness(es) in the foregoing 5 proceedings, prior to testifying, were duly sworn; 6 that the proceedings were recorded by me and 7 thereafter reduced to typewriting by a qualified 8 transcriptionist; that said digital audio recording of 9 said proceedings are a true and accurate record to the 10 best of my knowledge, skills, and ability; that I am 11 neither counsel for, related to, nor employed by any 12 of the parties to the action in which this was taken; 13 and, further, that I am not a relative or employee of 14 any counsel or attorney employed by the parties 15 hereto, nor financially or otherwise interested in the 16 outcome of this action. 17 18 Dated: 3/22/2022 19 20 21 22 <i>I. Hallstein</i> 23 IVORY HALLSTEIN 24 Notary Public in and for the 25 State of California</p>	<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
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Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 7: Comments Received During or Following Public Meetings

From: [REDACTED]
To: NAVFAC Wash NEPA
Subject: [URL Verdict: Neutral][Non-DoD Source] Environmental Impact.... (5090 EV/001)
Date: Thursday, March 17, 2022 11:30:58

Mr. Williams,
Sorry I missed the 2 virtual meetings. I feel that our historical land should be protected and used only by the government. As a former NODAC employee and during WWII Seeing the overhead Lift, brings back memories. We lived at 3rd and L Sts..My aunt was a Rosie. Our Military mission was should always be first.
Sincerely

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

Agreement No. Ser N00/N68469-20230712-12600 7-16
Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 7: Comments Received During or Following Public Meetings



United States Department of the Interior

NATIONAL PARK SERVICE
Interior Region 1- National Capital Area
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:
ER22-0067

March 18, 2022

Naval Facilities Engineering System Command
Washington Navy Yard
ATTN: EIS Project Manager
314 Hardwood Street SE
Washington, DC 20374
NAVFACWashNEPA1@navy.mil

To Whom it May Concern:

The National Park Service (NPS) understands that the Department of the Navy has released a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for a proposed land acquisition for the Washington Navy Yard, located in Washington, D. C. This NOI initiated a 30-day scoping period that seeks public and agency comment on the proposal.

The NPS has reviewed the scoping materials and has been engaged in the ongoing National Historic Preservation Act (NHPA) Section 106 consultation for this project. It appears that, as presented, the actions proposed will not likely have direct impacts on any properties under the jurisdiction of the NPS. However, it should be noted that NPS has jurisdiction over the bed of the Anacostia River and that if any of the proposed actions include use of the bed of the river then coordination with the NPS would be required. In addition, the NPS has jurisdiction over a large portion of the Anacostia Riverwalk Trail and the portion of trail that is within the study area of this upcoming EIS is a critical connection. Should there be any reason for the temporary closure of this section of trail, coordination with the NPS prior to this closure is requested.

The proposed project will directly impact the National Historic Landmark (NHL) Washington Navy Yard Historic District, which is a historic property of national importance, so designated in 1976. Because of its role under the NHPA and because of the NPS's direct interest in the protection and preservation of NHLs throughout the nation, the NHL program representative for our region has been involved in the ongoing Section 106 consultation.

We appreciate the opportunity to provide these comments. For continued coordination please contact Joel Gorder, Regional Environmental Coordinator at joel_gorder@nps.gov or 202-619-7405.

Sincerely,

Tammy M. Stidham
Deputy Associate Area Director
Lands and Planning

INTERIOR REGION 1 • NORTH ATLANTIC-APPALACHIAN
CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS,
NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, VERMONT,
VIRGINIA, WEST VIRGINIA

Agreement No. Ser N00/N68469-20230712-12600

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Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 7: Comments Received During or Following Public Meetings

Government of the District of Columbia
Department of Transportation

**d. Planning and Sustainability Division**

March 21, 2022

Naval Facilities Engineering Systems Command Washington
 Washington Navy Yard
 ATTN: Navy EIS Project Manager
 1314 Hardwood Street SE
 Washington DC 20374

Dear Mr. Williams:

Subject: Opening Consultation Under Section 106 For Land Acquisition, Washington Navy Yard, Washington DC

The District Department of Transportation (DDOT) is in receipt of your March 3rd, 2022, letter in reference to opening consultation under Section 106 of the National Historic Preservation Act regarding the proposed undertaking. DDOT requests to be a cooperating agency to the Environmental Impact Statement and a consulting party under Section 106. Adjacent the proposed project area, DDOT has interests in the Anacostia Riverwalk Trail, the public right-of-way on 11th Street and O Street SE, and the proposed 11th Street Bridge Park.

Under Alternative 1, a land exchange is proposed in the Washington Navy Yard southeast corner, and the following items are of interest to DDOT:

- 24-hour public access to the Anacostia Riverwalk Trail shall be maintained.
- Restore the Anacostia Riverwalk Trail to a state of good repair in accordance with ADA, ABAAS, and PROWAG guidance.
- Complete a Comprehensive Transportation Review (CTR) to determine the impacts of the proposed development(s) on the District's transportation network.
- Ensure the number of off-street parking spaces is consistent with the Preferred Maximum Vehicle Parking Rates outlined in DDOT's *Guidance for Comprehensive Transportation Review (Jan 2022)*.
- Provide long-term and short-term bicycle parking spaces compliant with the 2016 Zoning Regulations.
- Public space, including curb and gutter, street trees and landscaping, street lights, sidewalks, curb ramps, and other features within the public rights of way, are expected to be designed and built to DDOT standards.
- Ensure private/internal sidewalks and roadways are built to DDOT standards.

District Department of Transportation | 250 M Street, SE, Washington, DC 20003 | 202.673.6813 | ddot.dc.gov

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 Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 7: Comments Received During or Following Public Meetings

- Site design should focus on minimizing vehicle and pedestrian conflicts at its access points, loading facilities, vehicle parking areas, and public space adjacent to the site.
- Coordinate with the 11th Street Bridge Park project team throughout the EIS to ensure each project properly considers the other. If the project moves forward, the 11th St. western sidewalk from M St to the waterfront should be evaluated to be widened to accommodate separate pathways for pedestrians and bicyclists and matching with the 11th St Bridge Park project design.
- Any possibility of removing the brick wall along the Riverwalk should be considered for the opportunity to make a more inviting and open Riverwalk Trail.
- The Riverwalk Trail is intended for active transportation users, any activation of the piers should include adequate queueing space outside of the Riverwalk Trail to ensure its continued use as a transportation.

DDOT looks forward to continued coordination on this action and appreciates the opportunity to participate in this important effort.

Michael Alvino is the DDOT point of contact for this project and can be reached at Michael.Alvino@dc.gov or 202-497-7153.

Sincerely,



Anna Chamberlin
Associate Director

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Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 8: Historic Preservation Design Guidelines**WASHINGTON NAVY YARD****O PARCELS, NATIONAL HISTORIC LANDMARK AND EASTERN EXTENSION HISTORIC DISTRICT****HISTORIC PRESERVATION DESIGN GUIDELINES**

In 2023, the Navy intends to enter into a real estate action to re-acquire an approximately 6-acre parcel adjacent to the northwestern perimeter of the Washington Navy Yard (WNY) known as the E Parcels from the General Services Administration via a federal-to-federal transfer. In exchange for the acquisition rights to the aforementioned parcel, the Navy will then enter into a lease, that may be converted by the private entity to a fee simple land transfer at a future date, with a private developer (RB WNY LLC) for redevelopment of the approximately 15-acre Washington Navy Yard Southeast Corner O Parcels (WNY O Parcels). These Historic Preservation Design Guidelines are intended to guide that redevelopment. The WNY O Parcels are located on the north shore of the Anacostia River within the current boundaries of the Washington Navy Yard. The WNY O Parcels are partially within the Washington Navy Yard Central Yard National Historic Landmark (NHL) and partially within the National Register-eligible Eastern Extension Historic District. The WNY O Parcels contain multiple extant buildings and structures that contribute to the NHL and one extant building that contributes to the Eastern Extension Historic District.

As a means of avoiding, minimizing and mitigating Adverse Effects on historic properties caused by the planned redevelopment, these Historic Preservation Design Guidelines for the WNY O Parcels have been written in consultation with the District of Columbia State Historic Preservation Office (SHPO), National Park Service (NPS), National Capital Planning Commission (NCPC), Advisory Council on Historic Preservation (ACHP) and other Consulting Parties. The Historic Preservation Design Guidelines are one product of the consultation process under Section 106 of the National Historic Preservation Act (NHPA). The Historic Preservation Design Guidelines provide a framework for the treatment of historic structures, site features, street improvements, and new construction in the WNY O Parcels through compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties (36 CFR 68) ("Secretary's Standards"). They are intended to guide development of the WNY O Parcels in a manner that will preserve, restore and rehabilitate contributing elements of the Washington Navy Yard while adding compatible new construction. They are intended to be consistent with other planning and design regulatory reviews, such as those by the National Capital Planning Commission and Commission of Fine Arts, but do not include every aspect reviewed by those Commissions. In cases where these Design Guidelines conflict with the Secretary's Standards, the Secretary's Standards shall prevail.

Description of Zones

The Historic Preservation Design Guidelines establish three zones to guide development of the WNY O Parcels, as shown on Figure 1: the Marine Railway-Model Basin Zone, the Waterfront Zone, and the New Construction Zone. These zones are not representative of the historic divisions of the Washington Navy Yard. Instead, they reflect the varying new use plans for parcels of the WNY O Parcels.

The Marine Railway-Model Basin Zone includes the contributing buildings and structures 68, 70, 71, 123, and 308 (Marine Railway and associated structures), as well as non-contributing Building 154 (non-contributing due to demolition of its original 2nd and 3rd stories) and Structure 414 and unevaluated

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Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 8: Historic Preservation Design Guidelines

structure 241. In the Marine Railway-Model Basin Zone, historic buildings and structures will be preserved and rehabilitated to the maximum extent possible, with limited restoration, and hardscape and circulation improvements will be designed to maximize the preservation of existing original or later historically significant fabric and be compatible with the Zone's historic context.

The Waterfront Zone extends along the north shore of the Anacostia River from 11th Street SE on the east to the SEFC boundary on the west. It includes Piers 1 and 2, which contribute to the NHL, and the non-contributing Anacostia Riverwalk Trail. The Waterfront Zone is intended for public circulation and recreational uses. Per the terms of the PA, the Navy will consult on the treatment of Piers 1 and 2 in order to assess the effect and determine avoidance, minimization and mitigation measures. Renovation of non-historic elements such as the Anacostia Riverwalk Trail, and the addition of new elements, such as marinas, recreational amenities, and in-water landscape features, will incorporate compatible contemporary design with interpretation of the Washington Navy Yard's history.

The New Construction Zone occupies the area north of the Waterfront Zone and east of the Marine Railway-Model Basin Zone. This area includes contributing Building 166 and non-contributing buildings 211, 218 and 405. The New Development Zone is expected to include modern residential, commercial and office space.

Historic Resources*Washington Navy Yard Central Yard National Historic Landmark*

Established in 1799, the Washington Navy Yard Central Yard was the first Navy Yard in the United States. The Central Yard is significant under Criterion A 1 as the nation's first naval yard and home port, as the major site for manufacture and testing of ships' technology and naval ordnance beginning in the 1850s, as the center of naval ordnance production during World Wars I and II, and for its role in the development of important ordnance technology. The Central Yard is significant under Criterion B for its association with military innovators, including Commodore John Rodgers, Rear Admiral John A. Dahlgren and Rear Admiral David Taylor. The Central Yard is significant under Criterion C 4 as a massive complex of industrial architecture dating from the mid-19th through the mid-20th centuries. The Central Yard is significant under Criterion D as the location for potentially important archaeological information about naval buildings, technologies and activities dating back to ca. 1800.

In 1976, the Washington Navy Yard was designated a National Historic Landmark, the highest form of federal designation for a historic property. As the country's first navy yard, it served as the Navy's first home port and as the center for early 19th-century naval operations crucial to the development of American nationalism. Torpedoes, submarines, and ordnance have been tested here over time. For a century and a half, the Washington Navy Yard played an important role in the transformation of the United States from a relatively weak country militarily to a position as one of the world's superpowers. The NHL recognizes the Navy Yard's significance under Criterion 1 (events and broad patterns of history) and Criterion 4 (design/construction). Its period of significance spans from its establishment in 1799 to 1962 when all ordnance work ceased at the site.

The following contributing resources within the NHL will be leased for rehabilitation by the private developer:

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- Building 70 (1897, Experimental Model Basin), Constructed from 1897 to 1899, Building 70 is highly significant as the original ship model testing facility in the United States. It also hosted aircraft research. It operated from 1899 until the function moved to the current model basin in Carderock, Maryland in 1939. Building 70 is a large, single-story brick building that is 503 feet long and 52 feet wide and stands perpendicular to the Anacostia River. In addition to its size, shape and massing, the known character-defining features (CDFs) of Building 70 are as follows:

- The exterior brick walls with piers, corbelling and water table;
- The gable roof shape;
- The roof form and;
- The large double door opening, flanking window openings (currently filled). An oculus on the south elevation if documentation establishes that it was there during the Period of Significance;
- Minimal openings on the east and west elevations;
- The large, open interior space with limited enclosures and the associated interior north-south axis;
- The exposed steel roof trusses on the interior;
- The exposed roof monitor on the interior (currently partially covered); and
- The concrete ledges around the interior perimeter (currently covered) that mark the location and height of the basin that once ran the length of the interior.

- Building 68 served as tool storage in support of Building 70 and has three blocks from different time periods, each with a different floor elevation. The south block, 68A, is the original block. Constructed in 1898, 68A features brick walls with piers, corbelling and water table matching those on Building 70 and a gable roof with the ridge line parallel to that on Building 70. The south block is two stories tall but appears smaller because the stories are approximately seven feet tall. The center block, 68B, was constructed from 1931-1935. 68B is a lean-to with brick walls that match those on Building 70 and 68A. The north block, 68C, was constructed between 1941 and 1947. 68C is a very simple, two-story block with a flat roof. The known contributing features of Building 68 are as follows:

- The exterior brick walls with piers, corbelling and water table
- The gable roof shape on 68A and shed roof shape on 68B;
- The exposed post-and-beam system on the interior of the 68A; and
- The exposed brick interior walls.

- Building 123, constructed in 1904, sits at the head of the Marine Railway and houses the winch that historically hauled vessels along the Marine Railway for dry docking and maintenance. An addition was constructed between 1922 and 1927. Building 123 is a small, rectangular brick building with segmental arches over windows and doors and wood window sills. Wood beams and columns remain on the interior. The building still houses a winch and associated machinery. The known contributing features of Building 123 are as follows:

- The exterior brick walls with segmental arches over windows and doors;
- The gable roof;
- The wood window sills;
- The remaining wood beams and columns on the interior;
- The winch and associated machinery; and

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- The ground level opening on the south elevation where the rail connects to the winch.
- Structure 308 (1855, Marine Railway and Dry Dock). The first marine railway in the United States was constructed on this site in 1822-1823. Some remaining features date to 1854-1855, 1904 and the 1920s, with additional layers from later years. The current Marine Railway channel is approximately 50 feet wide and 400 feet long. The contributing features are as follows:
 - The stone quay walls (partially covered in concrete);
 - The incline/ramp and tracks toward Building 123 (Winch House);
 - Funnel-shaped form;
 - Remaining historic hardware or fixtures used for ship repair or for securing ships; and
 - The remaining rail lines.
- Piers 1 and 2 were constructed in 1942 for loading ordnance manufactured at the Washington Navy Yard onto vessels. They are the only remaining piers of the five that served the Washington Navy Yard during World War II. The piers are constructed on wood pilings with concrete decks. They measure 50 feet wide by 300 feet long. The contributing features are as follows:
 - The locations of the piers;
 - The length and width of the piers;
 - The 42-degree angle to the shoreline;
 - The wood pilings and concrete decking; and
 - Any remaining original hardware or fixtures, including bumpers and curbs.
- Building 71 was constructed in 1898 as an oil storage facility for the Experimental Model Basin in Building 70. During the 1960s, it was converted to restrooms in support of the Museum of the United States Navy in Building 76. Building 71 is a 1-story brick building with metal gable roof. It is three bays wide and one bay deep, measuring 36 feet long and 18 feet wide. The contributing features are as follows:
 - The exterior brick walls with corbelled brick detailing and string course;
 - The gable roof shape;
 - The window and door openings with segmental arch lintels and stone sills.

Eastern Extension Historic District

The Washington Navy Yard Eastern Extension Historic District encompasses that part of the 1917 addition to the Washington Navy Yard on which there are historic buildings and includes facilities that were critical to ordnance development and production during World Wars I and II. The Eastern Extension Historic District is significant under Criterion A for its role in naval ordnance development, testing and production during World Wars I and II. The District is also significant under Criterion C for its early to mid-20th century industrial architecture, including buildings with distinct features to serve a scientific or technical function.

Building 166 is a contributing resource to the Eastern Extension Historic District. Building 166 was constructed in 1918 as the Seaman Gunners' School. It doubled in size in 1940-1941. Building 166 is three stories tall over a raised basement. It has an "H" shape and a flat roof. A 2022 structural analysis of Building 166 detailed that the soils under the 1918 wing of Building 166 were inadequately

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compacted and have slumped, leading the basement slab to fail and the concrete superstructure to deflect. The contributing features of Building 166 are as follows:

- The “H” shape footprint;
- The three story above raised basement height;
- The flat roof;
- The yellow brick walls, belt course, and lintels;
- The stone water table, sills and keystones;
- The denticulated cornice;
- The multi-light, double-hung window pattern (the windows themselves are replacement); and
- The porches on the 1918 wing (originally open, now enclosed).

Design Guidelines*Marine Railway-Model Basin Zone*

The Marine Railway-Model Basin Zone contains a concentration of highly significant historic buildings and structures and opportunities for preservation and rehabilitation projects that are in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties. Historic resources dominate this zone, although there is opportunity to weave in small-scale new construction based on the multiple small scale sheds and service buildings that existed during the Period of Significance but have since been removed. In addition, new infrastructure and hardscape elements must be integrated in a way that enhances the accessibility and interpretation of the historic resources, but does not detract from the historic character.

Characteristics

The Marine Railway-Model Basin Zone includes two major works of 19th century engineering. Building 70, constructed in 1897-1899, and its associated ancillary structures, was the first ship model testing basin constructed in the United States. Structure 308, constructed in 1855, but with origins dating to the 1820s, was the first Marine Railway in the United States. Historic maps show an ever-changing series of lean-tos and freestanding sheds in this area, including Buildings 68 and 71 and the non-contributing Building 154, both of which were built to serve the testing activities happening in Building 70. Buildings and structures in this zone consistently had long, narrow footprints oriented perpendicular to the Anacostia River. Historic photographs show a gritty, industrial landscape characterized by buildings of brick and wood siding, stone quay walls, ground surfaces with cobbles and rail lines, and the ship cradle, a frame (first heavy timber, later steel) that rested on wheels on the Marine Railway and, with the aid of the winch in Building 123, was used to haul vessels in and out of the water. There were no plantings or unused exterior spaces.

Design Goals

The design goals for the Marine Railway-Model Basin Zone are as follows:

- To preserve the integrity of all features and fabric that contribute to the significance of the NHL including character-defining elements not called out in the NHL documentation;
- To rehabilitate contributing buildings and structures in accordance with the Secretary of the Interior’s Standards for Rehabilitation;

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- To preserve historic materials in accordance with the Secretary of the Interior's Standards for Preservation;
- To avoid adverse effects to the NHL "to the maximum extent possible" as per 36 CFR part 800.10;
- To integrate new sustainable technologies in accordance with the Secretary of the Interior's Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings.
- To retain the integrity of the extant contributing NHL buildings and structures so that most of the changes being made to them could be reversed in the future;
- To maintain the site's north-south organization and orientation and connection to the Anacostia River;
- To maintain the vernacular, industrial character of the historic landscape through maximum retention of historic fabric and, in cases where historic fabric remains but is deteriorated beyond repair replacement in kind. When historic fabric no longer exists or the historic material is unknown, and when new elements are introduced traditional industrial materials such as brick, wood, concrete, stone, metal, glass and other appropriate materials will be used;
- To integrate a limited number of new elements that are compatible with the historic setting and landscape without dominating or diminishing the historic character of the NHL; and
- To provide interpretive opportunities so the public can better understand and engage with the significance of the NHL.
- To support public accessibility wherever possible.

Design Criteria

- Site: The Marine Railway-Model Basin Zone will retain its north-south linear organizational pattern and orientation and connection to the Anacostia River. Access and circulation will remain primarily pedestrian.
 - Trees and landscape beds will be used sparingly within the Marine Railway-Model Basin Zone to preserve the character of historic industrial use. Tree species with small canopies are encouraged in an effort to preserve the industrial character and minimize obstructed views.
 - The pedestrian zone within the District will present a lively and engaging experience through the use of pedestrian furnishings and landscaping that are compatible with the historic setting in terms of design, number and other details.
- Massing: The massing and scale of new construction in the Marine Railway-Model Basin Zone should reflect that of the existing historic buildings: long, narrow footprints oriented perpendicular to the Anacostia River, simple rectangular forms with repetitive structural bays, a variety of roof lines, and height slightly smaller, lower, and deferential to the historic buildings in other massing-related details.
- Building Heights: No additional height will be added to Buildings 68, 70, 71 or 123. Building 154, which no longer contributes to the significance of the NHL, originally was approximately 55 feet tall with three stories. Vertical additions could be made to the original remaining first floor, taking Building 154 to its original height, or the building could be replaced with a new building of the same size or smaller, but with a height limitation of 55 feet. The proposal for Building 154 is

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shown on Exhibit 9 of the Programmatic Agreement. The current parking area east of Structure 308 historically had a series of utilitarian sheds with a maximum height of two stories. New construction of three pavilions ranging in height from 25 to 35 feet are planned. See Exhibit 9 of the Programmatic Agreement.

- **New Construction Materials:** Planned new buildings may incorporate areas of brick, wood, concrete, stone, metal, glass, and other appropriate materials in ways that reflect the industrial and maritime heritage of the Site, but also allow for contemporary interpretation. Expressive engineering and innovative designs may be used to evoke the character of this and other historic industrial waterfront sites provided they do not visually compete with or overwhelm the historic character of the NHL.
- **Historic Buildings and Structures:** The treatment of historic buildings and structures will be consistent with the Secretary of the Interior's Standards for Preservation and Rehabilitation to the maximum extent possible, as determined through consultation as stipulated in the Programmatic Agreement for the Land Exchange.
 - New openings in Buildings 68, 70 and 71 will be minimized. Building access will first utilize existing historic and non-historic openings on the non-contributing Building 154 and then utilize the existing openings on the south end of Building 70 and Buildings 68. The size of existing openings may be adjusted to accommodate doors or a few window openings may be converted to door openings. Reopening of previous historic openings that have been infilled is encouraged based on the Historic Structures Report and consultations.
 - Existing masonry may be cleaned, then repaired and repointed as necessary in a manner consistent with the Secretary's Standards for and following preservation guidelines published by the National Park Service. Existing masonry should not be painted. If evidence emerges that a building was painted historically, it may be possible to repaint it if it can be demonstrated that restoration of a historic paint color is appropriate within the larger historic context and NPS and the DC SHPO agree that such actions would be appropriate when weighed against the damage that paint can cause to masonry buildings.
 - Roofs: Existing character-defining rooflines and the monitors will be maintained. Other historic roof features such as skylights may be restored/reconstructed if clear evidence of them emerges. There are no original roofing finishes within the Marine Railway-Model Basin Zone. If roofing replacements are necessary in the future, the replacement materials will match the historic materials based on photographic evidence or other period documentation. Roof replacement on Buildings 70 will be slate (not synthetic slate) unless there is documentation that a different material was used. New mechanical equipment and kitchen ventilation will be located and designed to minimize visual impacts and loss of historic materials.
 - Any proposed building additions will be compatible with the original building in form, massing, scale, materials, color and all other details, per the Secretary's Standards. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired. New additions, exterior alterations, or

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related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

- Removal of non-contributing additions and materials will be undertaken so as not to damage the building or leave unsightly scars. Original fabric and features exposed through the removal of additions will be generally restored to their original configuration.
- The interior of Building 70 will remain a linear open space to the greatest extent possible, and any new alterations will be designed to minimize interruption of the historic north-south view that originally characterized the building's interior. The building's roof trusses and roof monitor will remain exposed.
- Any alterations to the Marine Railway, such as removal of existing concrete to expose earlier stone, or removal of metal panels to expose additional rail, will be conducted carefully and in consultation with the Navy as well as architectural historians and archaeologists at the SHPO in order to avoid damaging earlier materials.
- Any restoration or reconstruction of historic features will be undertaken in compliance with the Secretary's Standards and will be supported by documentation from historic sources.
- Alterations needed to address flood risks require careful consideration and will be reviewed in compliance with the PA, these Design Guidelines, and the Secretary of the Interior's Standards for Rehabilitation and Guidelines on Flood Adaptation for Rehabilitating Historic Buildings.

Waterfront Zone

The Waterfront Zone stretches from 11th Street SE west to the SEFC boundary. It is bounded by the Anacostia River on the south and, at present, the fence line of the Washington Navy Yard on the north. Following the transfer of the Washington Navy Yard SE Corner, there will be no fence line or other access restriction between the Waterfront Zone and the Marine Railway-Model Basin Zone or New Construction Zone but the fence line will remain between the Waterfront Zone and the military installation. The Waterfront Zone is intended to be a public recreation area. Future development of the Waterfront Zone will focus on enhanced amenities, including the piers, as well as displays interpreting the development of the waterfront by the Navy and significant events that took place there.

Characteristics

The current Waterfront Zone does not resemble its historic appearance. Historically, the Waterfront Zone was a staging and transfer area between the Washington Navy Yard industrial facilities and ships docked at the piers. No fence line separated the Anacostia River from the Washington Navy Yard. There were piers extending into the Anacostia River as well as ship houses over constructed inlets. The landscape north of the shoreline was open with railroad tracks, a dirt surface, open storage, and a scattering of utilitarian sheds.

At present, the Waterfront Zone retains the World War II-era Pier 1 and Pier 2. Pier 1 and Pier 2 contribute to the Washington Navy Yard Central Yard National Historic Landmark; no other buildings or structures within the Waterfront Zone contribute to either the NHL or Eastern Extension Historic Agreement No. Ser N00/N68469-20230712-12600
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District. The 1990s concrete and brick Anacostia Riverwalk Trail lines the shoreline. A brick and wrought-iron fence separates the Riverwalk from the Washington Navy Yard. A narrow metal bridge carries the Riverwalk over the Marine Railway/Admiral's slip. A Vietnam-era swift boat is on display near Building 70. A simple marker commemorates General Lafayette's visit to the Washington Navy Yard in 1824. The Anacostia Riverwalk Trail is a Navy-owned, publicly-accessible recreation space but has limited amenities.

Design Goals

The design goals for the Waterfront Zone are as follows:

- To preserve as much of Piers 1 and 2 as possible as the only two remaining historic elements in the Waterfront Zone.
- To introduce new design that provides recreational amenities while improving the historic character and connection to the NHL.
- To create an interpretive display telling the story of the historic development of the waterfront and the significant events that took place there.
- To enhance public access to and enjoyment of the site while improving the sense of historic connection between the water and the historic Naval installation and recalling something of the historic character of the military-industrial waterfront;
- To take advantage of the opportunity to reconnect the historic Navy Yard and the NHL zone to the river;
- To create new amenities that integrate into and enhance the Waterfront Zone; and
- To maintain and enhance public access wherever possible.

Design Criteria

- Site: the Waterfront Zone will remain a publicly-accessible waterfront recreational amenity.
- Historic Structures: Inspection of Piers 1 and 2 revealed that the pilings are failing. Due to environmental risks and regulations regarding disturbance of the silt and sediment in the Anacostia River, strengthening the existing pilings and adding new pilings may not be viable. Future consultation will begin with an evaluation of how much historic material remains and whether any of that material is still useable. Consultation will then focus on how best to integrate the remaining historic material into recreated Piers in a way that accurately conveys the historic appearance and character of the Piers.
 - The current locations of Piers 1 and 2, along with their size, shape, angle and orientation will be retained.
 - In addition, the developer may explore new amenities, such as marinas and floating landscapes, in the Waterfront zone, including reactivating the locations of the other three piers that existed during World War II.
 - Any proposed new amenities, such as slips and patios, will be clearly identified as modern in contrasting, yet compatible materials.
- New construction: One of the Design Goals for the Waterfront Zone is to enhance public enjoyment of the Anacostia waterfront. To that end, the private developer may consider

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additional amenities both along the Anacostia Riverwalk Trail and extending into the Anacostia River.

- The existing footbridge that carries the Anacostia Riverwalk Trail over the Marine Railway may be replaced provided the new bridge has a light, open appearance that does not obstruct views from the Marine Railway and has a continuous, flush surface with minimal texture.
- New features and amenities should read as added elements through contrasting, but compatible materials and design.
- New features and amenities should not overwhelm, detract from or distract from the historic character of the Washington Navy Yard.
- **Landscape:** Existing historic hardscape will be retained as much as possible, preserving historic materials. Plantings, hardscape and furnishings will be consistent with the industrial character of the Waterfront Zone and will reinforce the recreational use and public enjoyment of the site while recalling the informal, industrial character of the waterfront and reconnecting the historic Navy Yard to the water. The Navy may loan large artifacts for public display with appropriate interpretive signage.

New Construction Zone

The New Construction Zone stretches from 11th Street SE west to Parsons Avenue SE (9th Street SE). It is bounded by the Anacostia Riverwalk Trail on the south and O Street SE on the north. Following the transfer of the Washington Navy Yard SE Corner, there will be no fence line or other access restriction between the Waterfront Zone and the Marine Railway-Model Basin Zone or New Construction Zone. The New Construction Zone is intended for new development with high rise, high density housing, office and commercial spaces.

Characteristics

The Navy acquired the area that became the Eastern Extension Historic District in 1918 and began making the land that will be the New Construction Zone. Construction began on the north wing of Building 166 (Seamen Gunner's School and Receiving Station) in 1918. A 1919 historic photograph (Figure 2) shows the front wing of Building 166 complete with fill activities underway to the south and west. A single rail line traces 10th Street SE before curving west to the waterfront. A smaller building stands at the base of the 11th Street Bridge. A 1926 map (Figure 3) shows a recreation field south of Building 166 and public works storage to the west. A 1946 map (Figure 4) shows parking and a subterranean magazine south of an enlarged Building 166, a recreation field to the west, and three new buildings: 211 (1942, Paint and Oil Storage), 214 (1942, Diving School) and 218 (1943, Naval Reserve Armory and Naval Ordnance Laboratory Movie Theater).

Historically, the New Construction Zone was underutilized compared to the rest of the Washington Navy Yard. Building 166 is the only building that contributes to the Eastern Extension Historic District; Buildings 211 and 218 have been heavily altered and no longer retain their integrity. Parking lots occupy the area south of Building 166 and the former site of Building 214. A parking garage (Building 405, constructed in 1998) now occupies the former recreation fields.

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Figure 2: 1919 Aerial Photograph of Building 166 and Eastern Extension under Construction (Source: NHHHC)

Design Goals

The design goals for the New Construction Zone are as follows:

- Retain the Parsons Avenue SE and 10th Street SE corridors;
- Retain and restore the north, east, and west facades of the north wing of Building 166;
- Design new construction connected to the retained facades of Building 166 so that the original size, shape and massing of the north wing remain discernable, and the original features of the façade are highlighted.
- Rehabilitate and replace in-kind, and reconstruct, as necessary, remaining facades of Building 166 and their missing elements in accordance with the Secretary's Standards ;
- Minimize visual height of new construction along Parsons Avenue SE facing the Washington Navy Yard NHL in order to minimize the visual impact of large-scale development that is out of character with the historic districts; and
- Respect the 19th- and early 20th-century industrial character of the Washington Navy Yard while introducing compatible modern materials.

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- Site:
 - The O Street SE, Parsons Avenue SE, and 10th Street SE corridors will be functional streets with vehicle and pedestrian access.
 - Public access to and interaction with the waterfront will be maintained.
 - The public ways will use a variety of materials, pedestrian furnishings and landscaping, including permanent and seasonal plantings, street furniture, and elements and artifacts related to naval history. Tenants' private landscape features may become formal and informal elements in the streetscape. Street trees will be used primarily and most liberally within the New Construction Zone.
- Massing: The orientation of new construction will echo the orientation historically found throughout the Washington Navy Yard and will consist of long, narrow forms predominantly oriented perpendicular to the Anacostia River. The forms will be fairly simple with flat roofs. A slight irregularity, echoing the ever-changing built environment of the Washington Navy Yard, is acceptable.
- Materials: Planned new buildings may incorporate historic materials seen within the WNY including brick, wood, concrete, stone, metal, glass, and other appropriate materials in ways that reflect the industrial and maritime heritage of the site, but also allow for contemporary interpretation.
- Height:
 - In keeping with the Height of Buildings Act, the buildings range from 110 to 130 feet.
 - The lowest building heights will be along Parsons Avenue SE adjacent to the Washington Navy Yard National Historic Landmark, using setbacks and shifting of volume to other parts of the site.
- Building 166
 - Existing masonry on the retained facades may be cleaned, then repaired and repointed as necessary in a manner consistent with the Secretary's Standards and NPS guidelines.
 - Wood features, such as the cornice, on the retained facades, will be repaired in accordance with the Secretary's Standards rather than removed and replaced.
 - The original wood porches on the east, north and west elevations of the north wing will be reconstructed based on physical historic photographic evidence and using in-kind (i.e. wood) materials.
 - Windows will be replaced with new windows matching the sash and pane configuration of the original windows based on historic photographic evidence.
 - Doors will be replaced with new doors that match the leaf, panel and pane configuration of the original doors based on historic photographic evidence.
 - New construction connected to Building 166 will be designed in order to showcase rather than obscure the massing, shape and height of the building.

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- New Construction
 - Design Features will include exterior expression of repetitive structural bays, large multi-pane windows, and large entrance portals.
 - Materials: New construction will incorporate utilitarian materials such as brick, wood, concrete, stone, metal and glass and other appropriate materials in a way that reflects the industrial buildings on the Washington Navy Yard.
 - The building ground floors will correspond to human scale. The pedestrian oriented design will provide a visual connection between the new construction and the streetscapes, while maintaining compatibility with the overall industrial character.

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EXIHIBIT 9:

CONCEPT (15%) DESIGN FOR NHL LEASE AREA

As of 6.20.23; consultation to continue at 35% design per the Programmatic Agreement

SITE PLAN

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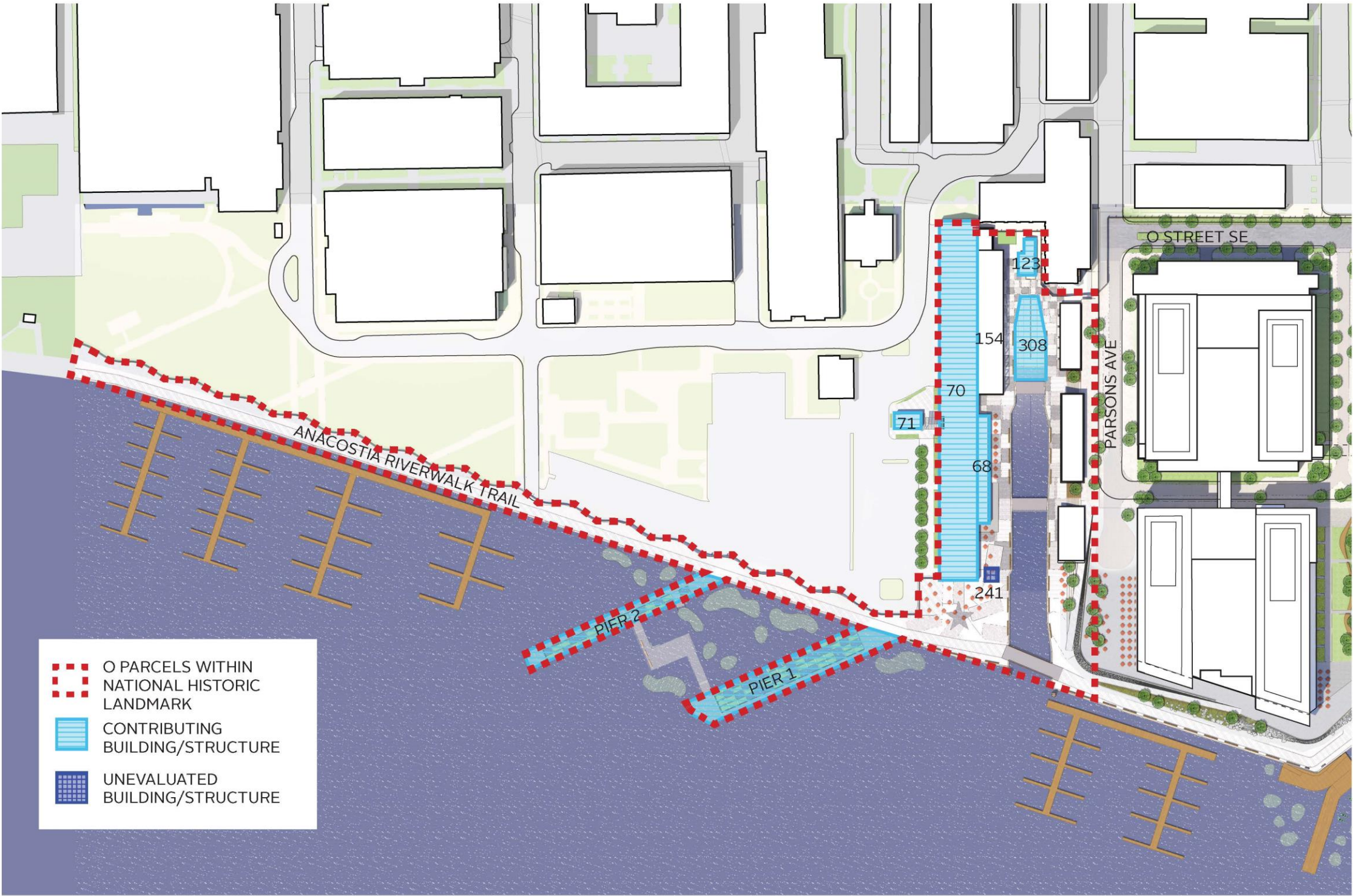


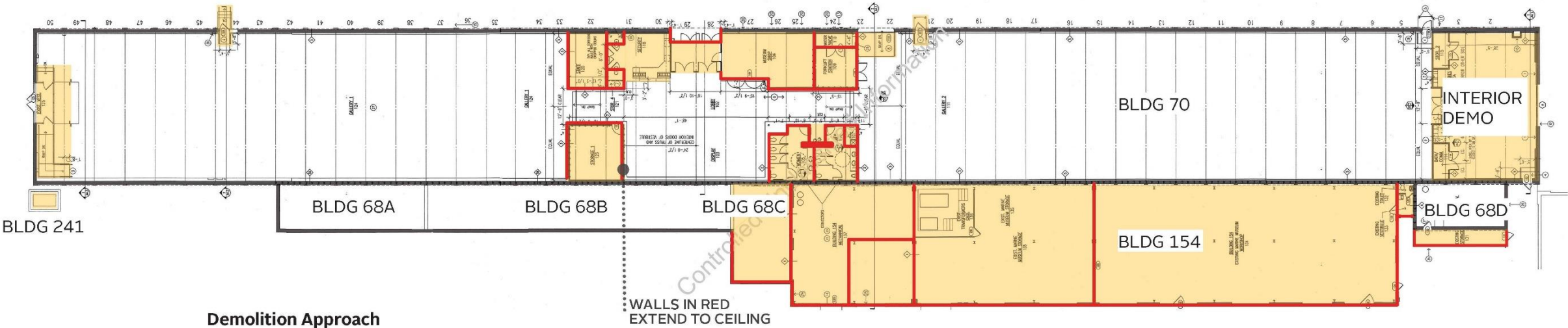
EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

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BUILDINGS 70 & 154

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BUILDING 70 PROPOSED DEMO PLAN



Demolition Approach

- Remove existing interior walls and rooms in center of Building 70
- Remove existing interior ceilings to expose the monitor roof
- Navy will retain north end of 70 - interior demolition
- Modify steps/ramp at south entry of 70
- Remove access steps/ramps and doors on west facade of 70
- Remove Buildings 154, 241, 68c, and the CMU addition of 68d

Legend

- AREA TO BE DEMOLISHED
- WALL TO BE DEMOLISHED



INTERIOR WALLS IN BUILDING 70 TO BE DEMOLISHED



CMU ADDITION ON 68D TO BE DEMOLISHED

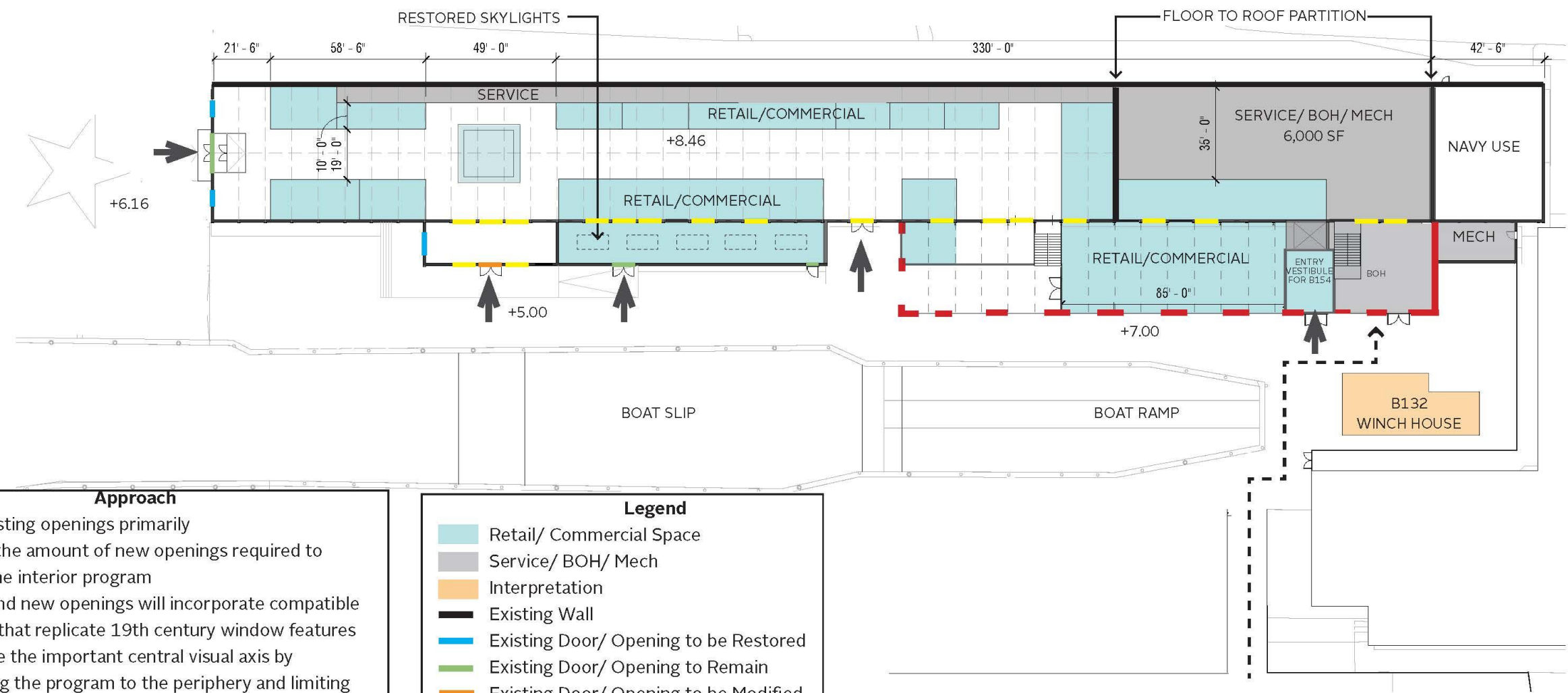


BUILDING 68C TO BE DEMOLISHED

EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

BUILDING 70 CONCEPT PLAN

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- Approach**
- Utilize existing openings primarily
 - Minimize the amount of new openings required to support the interior program
 - Existing and new openings will incorporate compatible materials that replicate 19th century window features
 - Emphasize the important central visual axis by configuring the program to the periphery and limiting the height of commercial features to below the trusses.
 - Reinforce the interior north-south view by reopening the monitor, skylights, and clerestory windows where possible.
 - Future sitewide studies will include sustainable measures for energy generation such as rooftop PV, green roofs, and passive ventilation.
 - Utilize salvaged brick from B154 into the replacement structure

- Legend**
- Retail/ Commercial Space
 - Service/ BOH/ Mech
 - Interpretation
 - Existing Wall
 - Existing Door/ Opening to be Restored
 - Existing Door/ Opening to Remain
 - Existing Door/ Opening to be Modified
 - New Opening in B70/ B68A
 - New brick wall
 - → Service entry
 - Main entry

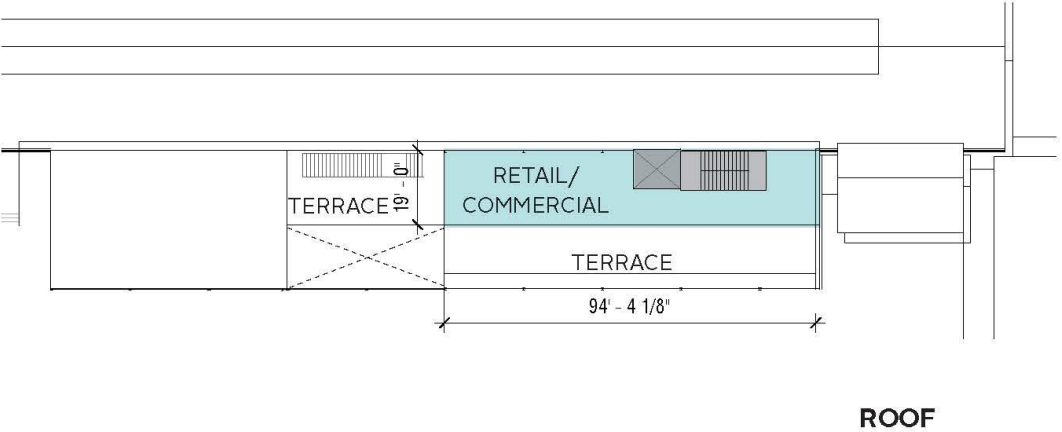
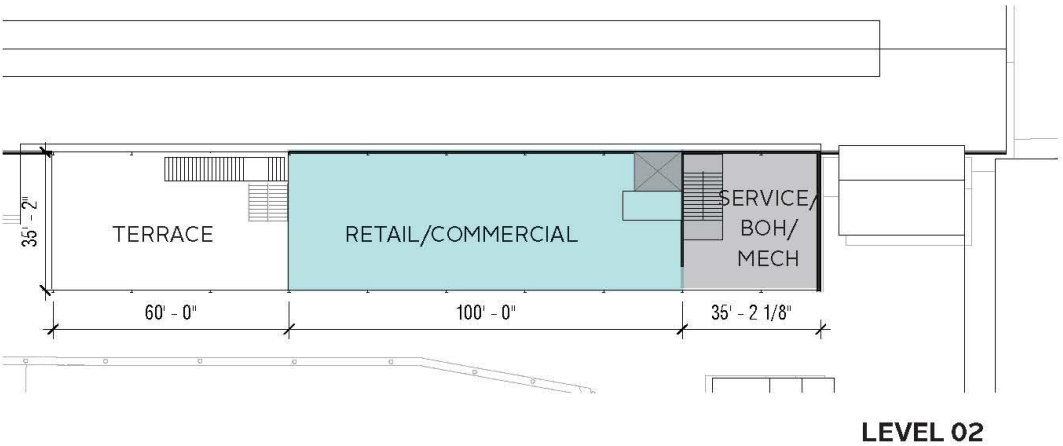
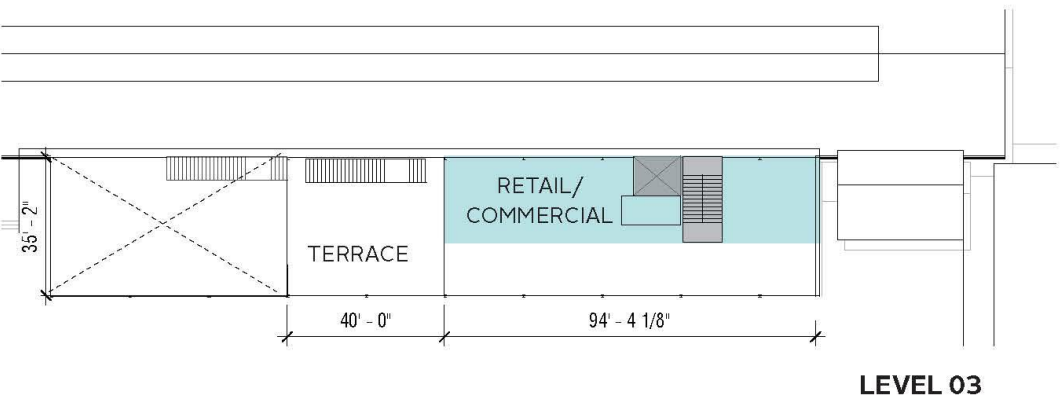
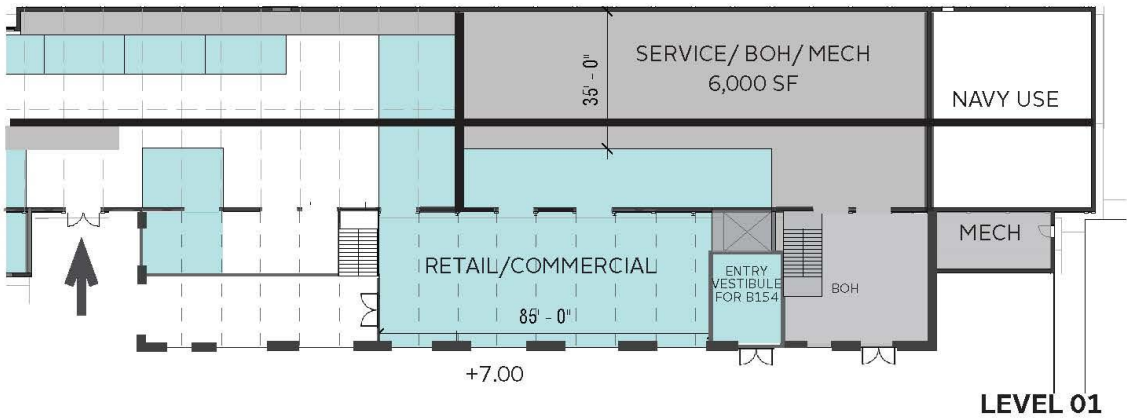
(LAYOUT IS CONCEPTUAL)



EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

BUILDING 70 CONCEPT PLAN

Copy in Color



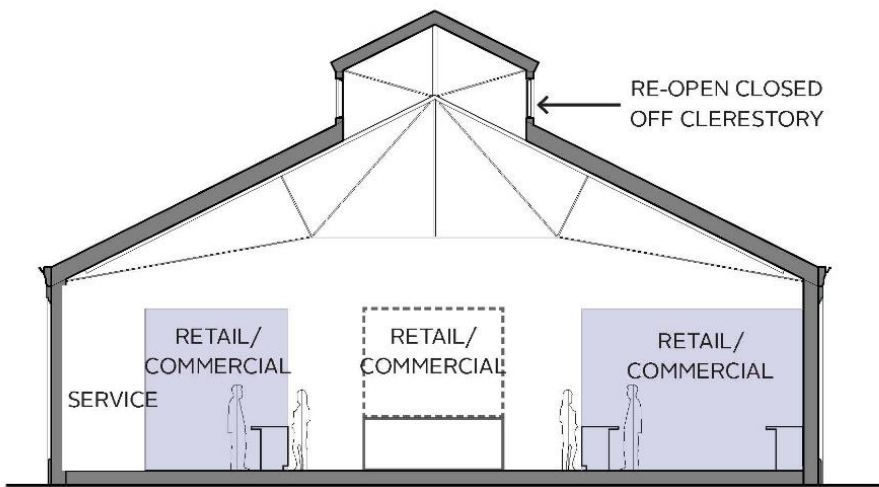
(LAYOUT IS CONCEPTUAL)



EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

BUILDING 70 SECTIONS

Copy in Color



SECTION DIAGRAM OF VENDOR STALLS



FREESTANDING RETAIL/COMMERCIAL PRECEDENT



EXISTING INTERIOR OF B70

EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

BUILDING 70 MECHANICAL INFORMATION

Copy in Color

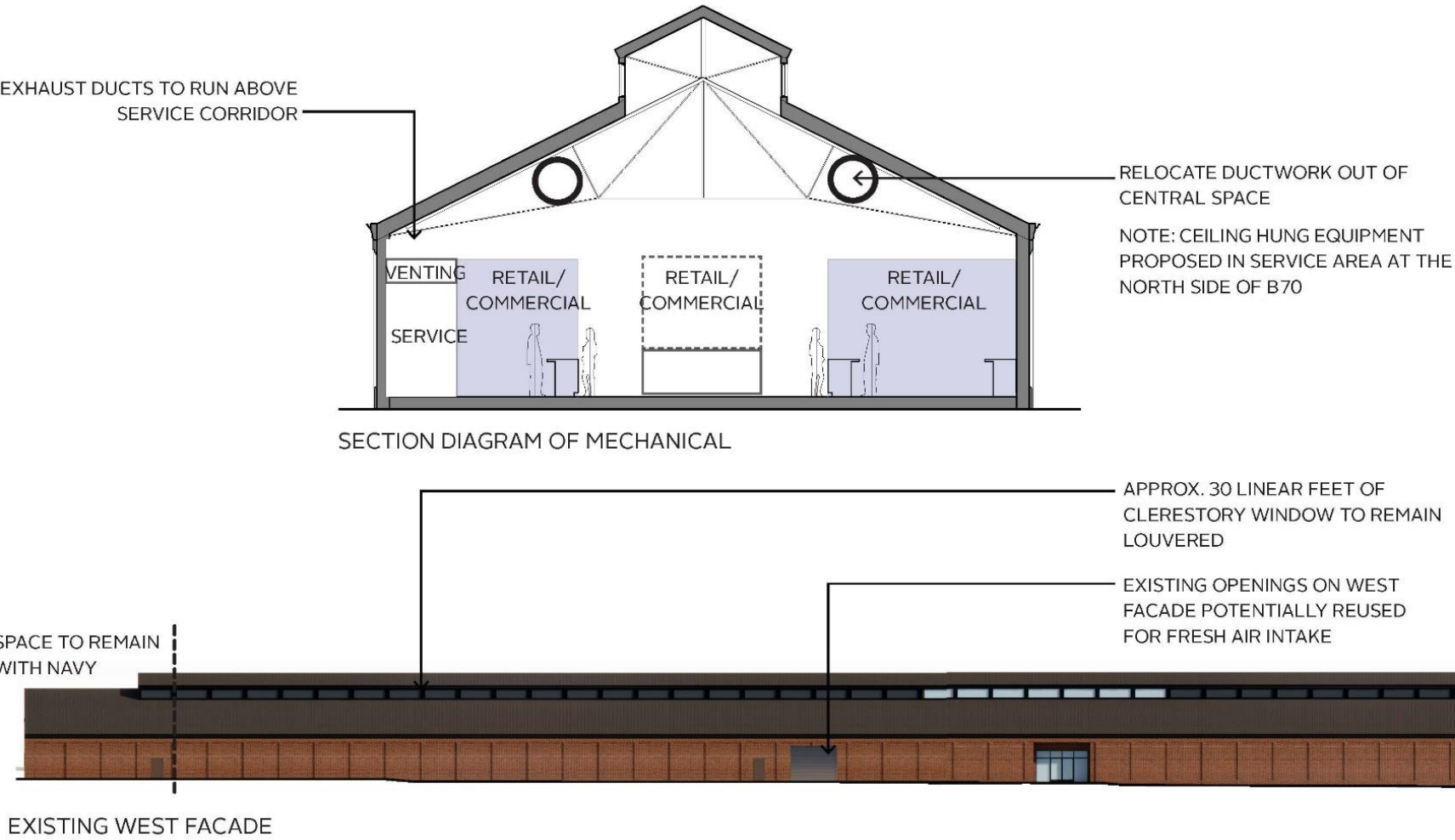
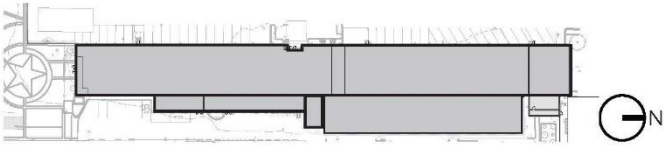


EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

BUILDING 70 EXISTING BUILDING ELEVATIONS

Copy in Color



EXISTING WEST FACADE



EXISTING EAST ELEVATION

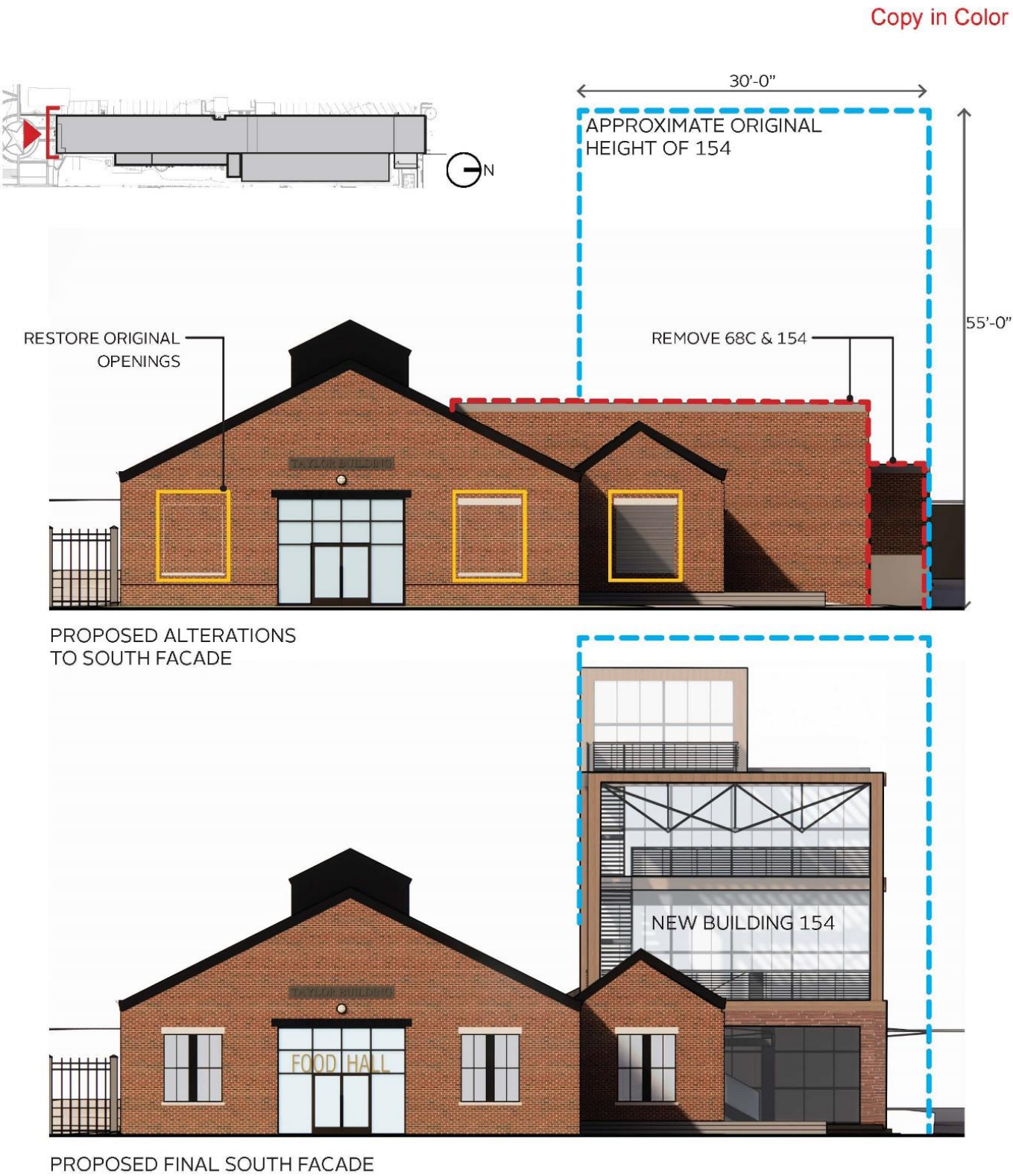


EXISTING SOUTH ELEVATION



EXISTING NORTH ELEVATION

EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA



LEGEND	
—	Existing Opening to Remain
—	Existing Opening to be Altered
—	Existing Opening to be Infilled
—	Proposed New Opening
—	Original Opening to be Restored

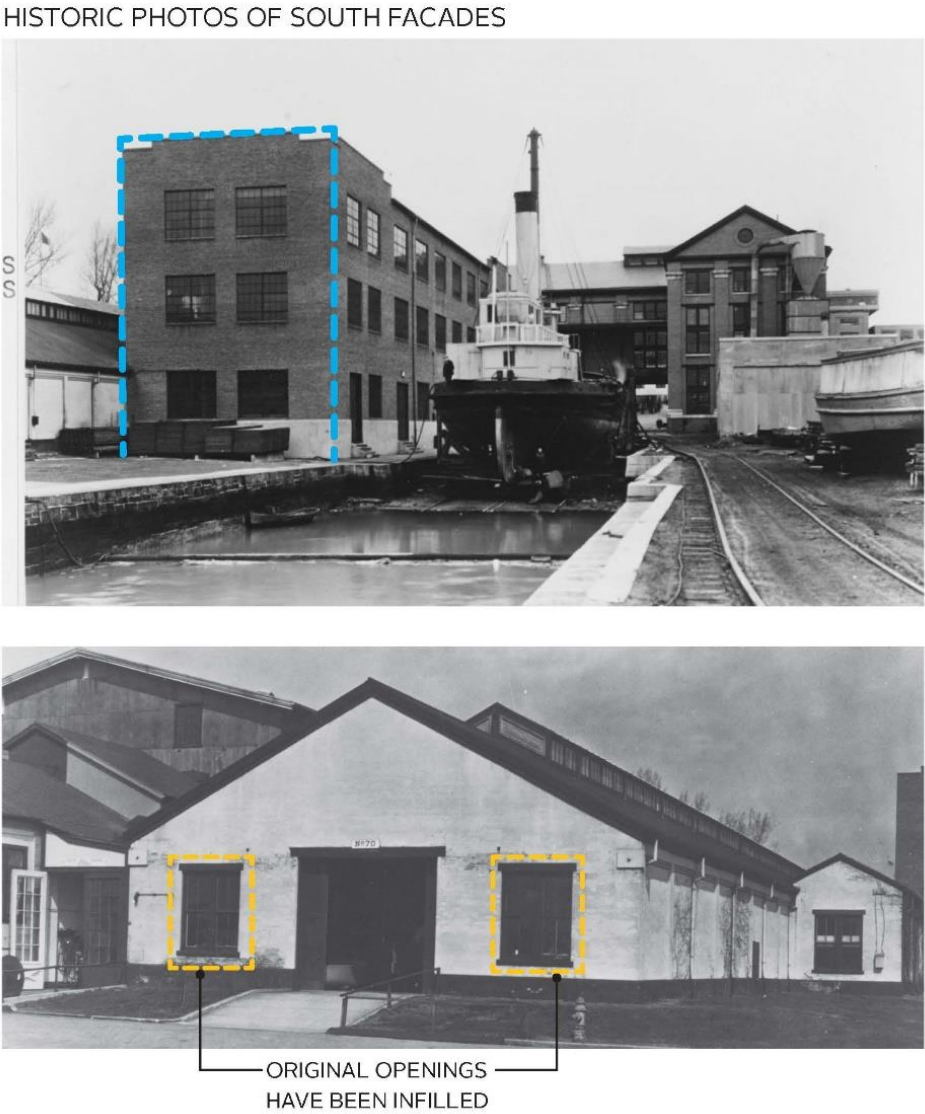


EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

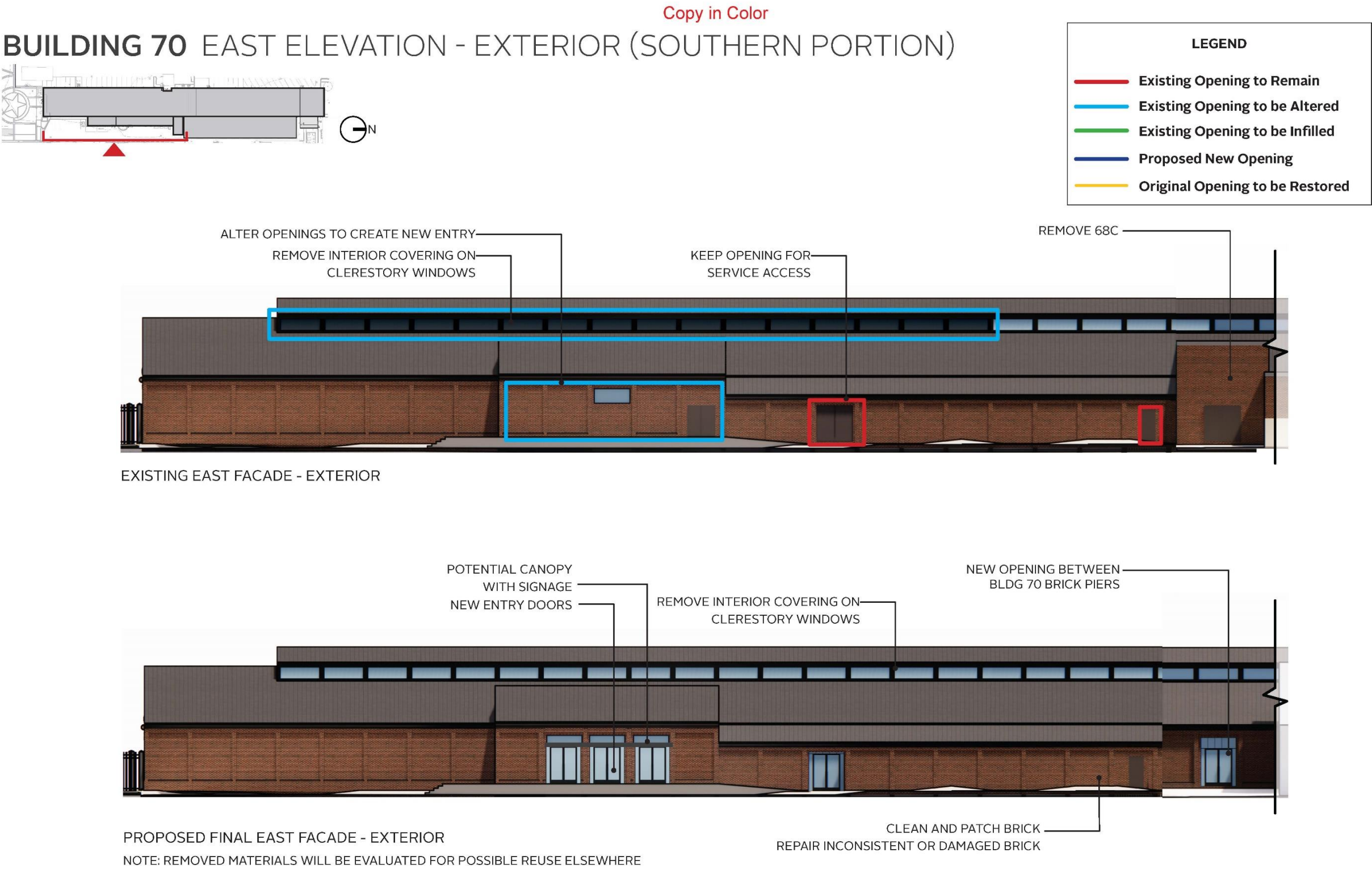
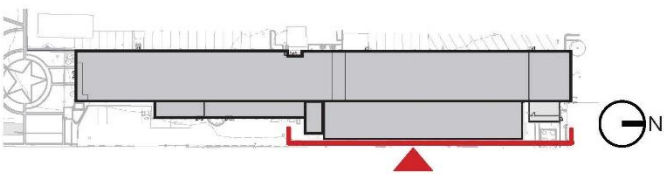


EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

Copy in Color

BUILDING 70 EAST ELEVATION - EXTERIOR (NORTHERN PORTION)

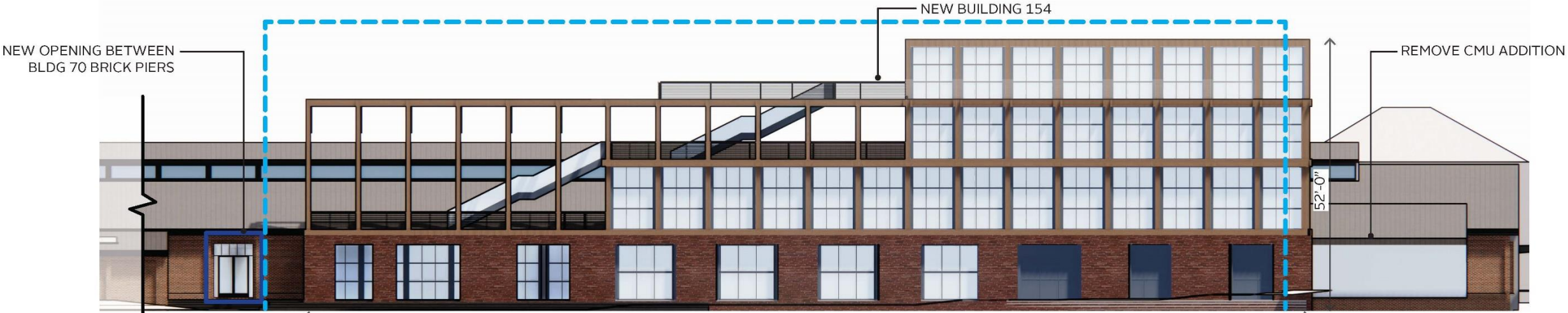


LEGEND

- Existing Opening to Remain
- Existing Opening to be Altered
- Existing Opening to be Infilled
- Proposed New Opening
- Original Opening to be Restored



PROPOSED ALTERATIONS TO EAST FACADE - EXTERIOR

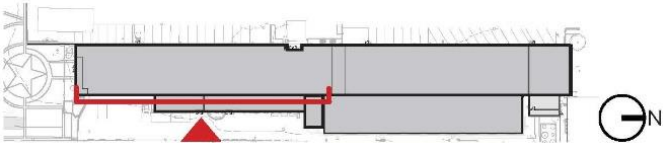


PROPOSED FINAL EAST FACADE - EXTERIOR

EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

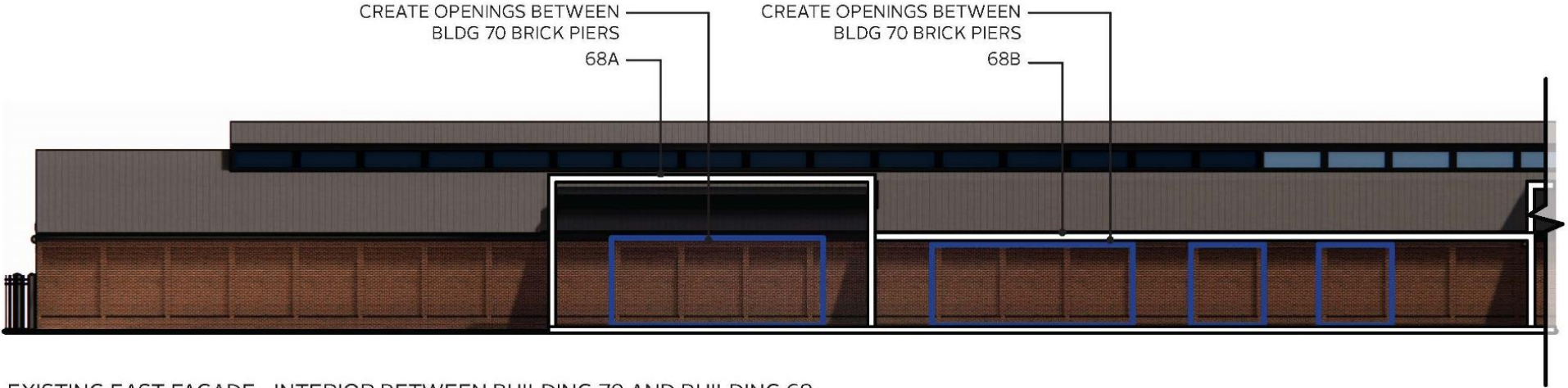
Copy in Color

BUILDING 70 EAST ELEVATION - INTERIOR (SOUTHERN PORTION)

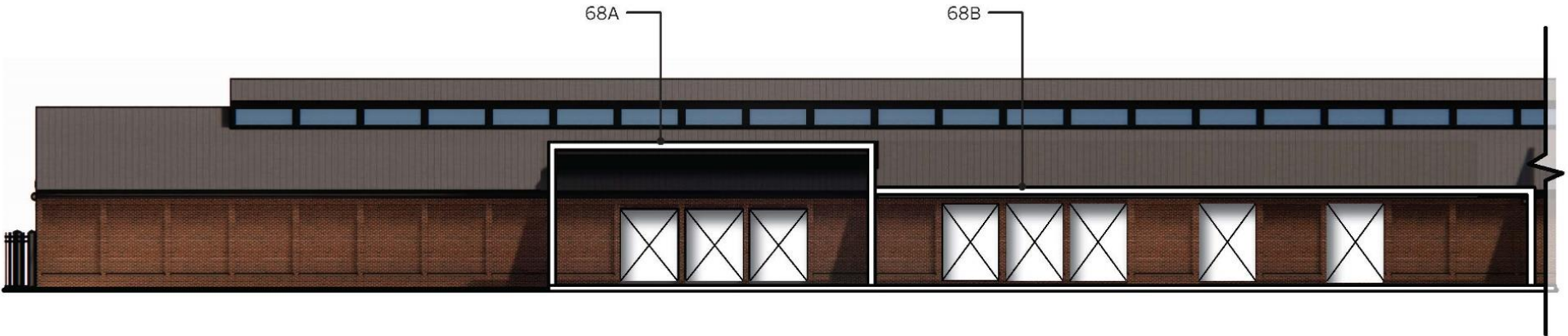


LEGEND

- Existing Opening to Remain
- Existing Opening to be Altered
- Existing Opening to be Infilled
- Proposed New Opening
- Original Opening to be Restored



EXISTING EAST FACADE - INTERIOR BETWEEN BUILDING 70 AND BUILDING 68
NOTE: SITE OBSERVATION NEEDED TO CONFIRM CURRENT STATE OF BUILDING
70 WALL INSIDE BUILDINGS 68a and b.

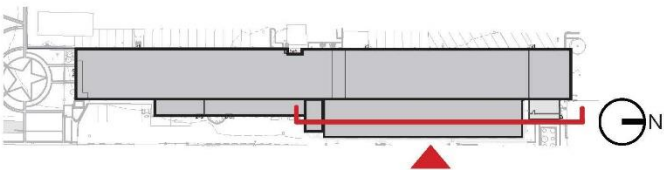


PROPOSED FINAL EAST FACADE - INTERIOR BETWEEN BUILDING 70 AND BUILDING 68

EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

Copy in Color

BUILDING 70 EAST ELEVATION - INTERIOR (NORTHERN PORTION)



LEGEND

- Existing Opening to Remain
- Existing Opening to be Altered
- Existing Opening to be Infilled
- Proposed New Opening
- Original Opening to be Restored

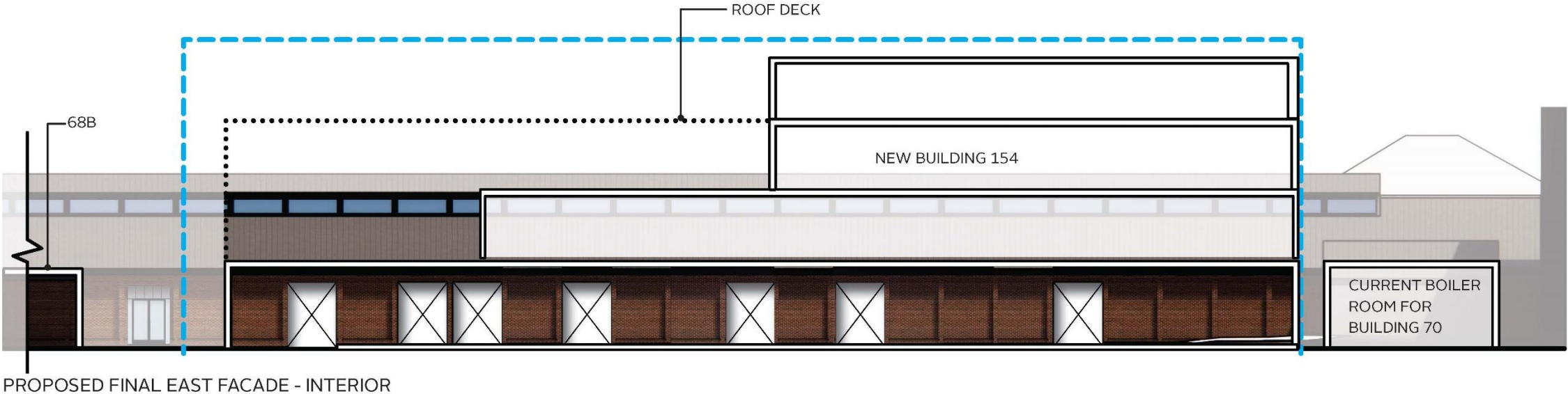
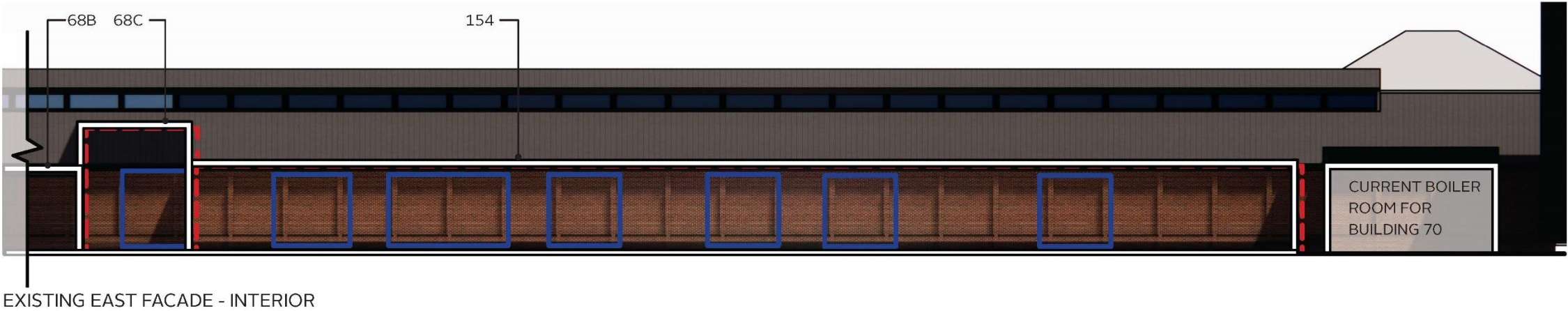
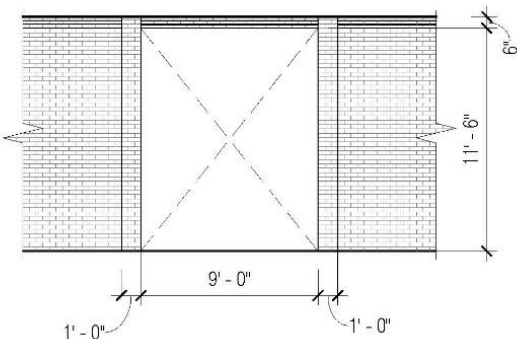


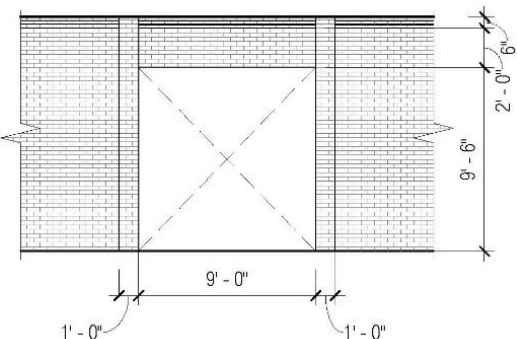
EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

BUILDING 70 INTERIOR OPENINGS

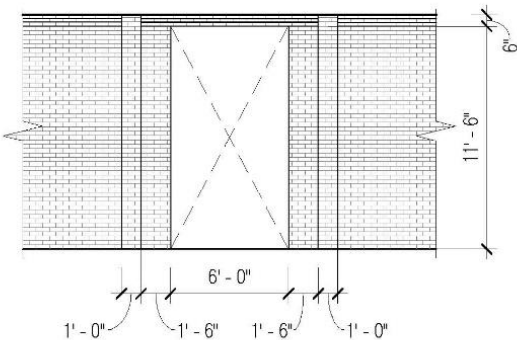
Copy in Color



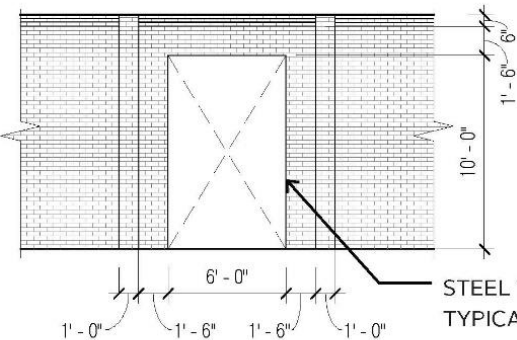
FULL OPENING
to be used in service areas, main
entry points



REDUCED HEIGHT OPENING
to be used in service areas, main
entry points



REDUCED WIDTH OPENING
to be used in main entry points,
circulation spaces, commercial
spaces



PUNCHED OPENING
to be used in main entry points,
circulation spaces, commercial
spaces

STEEL TRIM AT OPENING,
TYPICAL FOR ALL OPTIONS

DETAIL ELEVATIONS OF POTENTIAL OPENINGS



EXISTING IMAGES OF B70 BRICK WALLS



EXISTING OPENING IN B70



PRECEDENT IMAGE OF OPENING IN BRICK WALL

EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

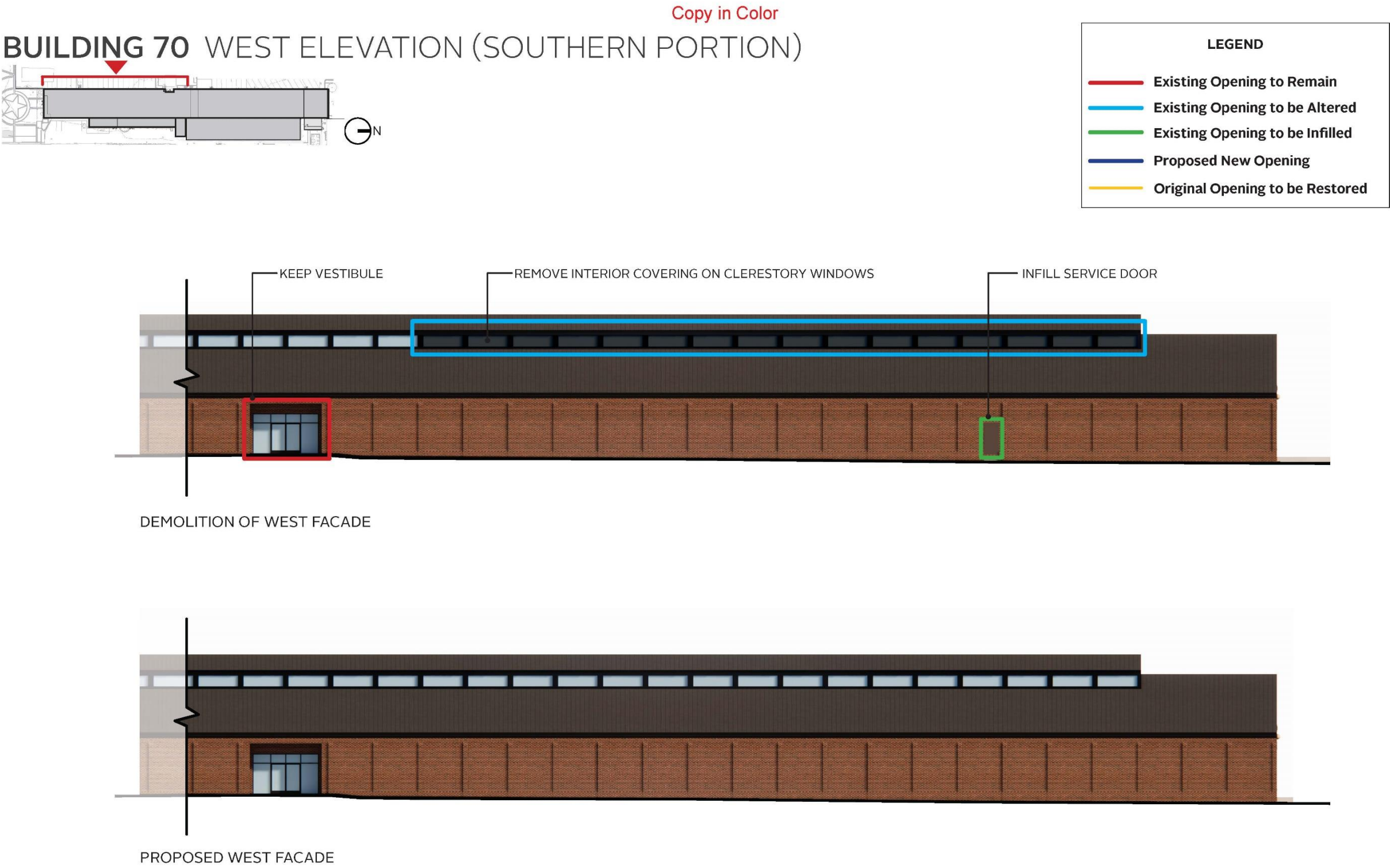


EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

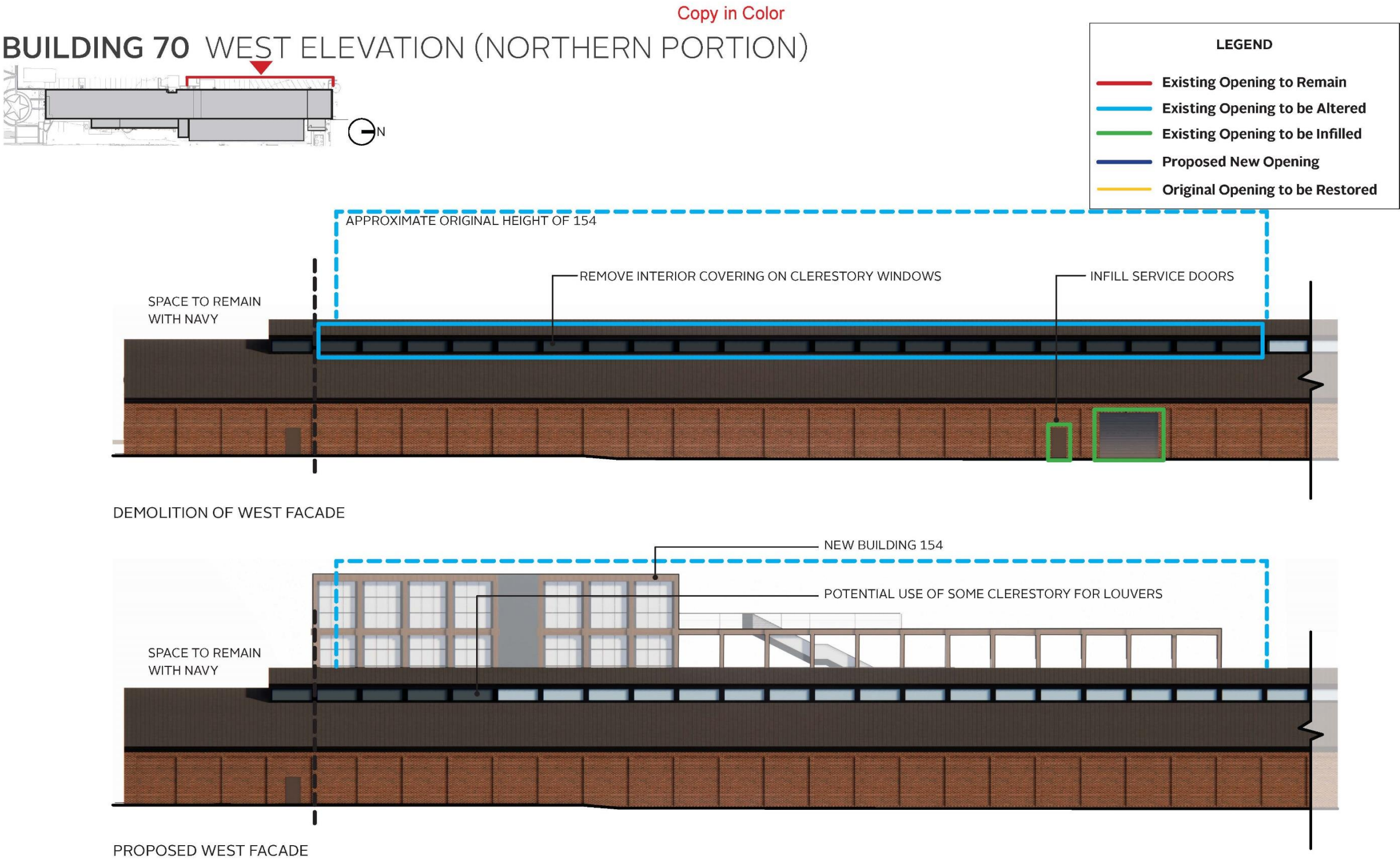
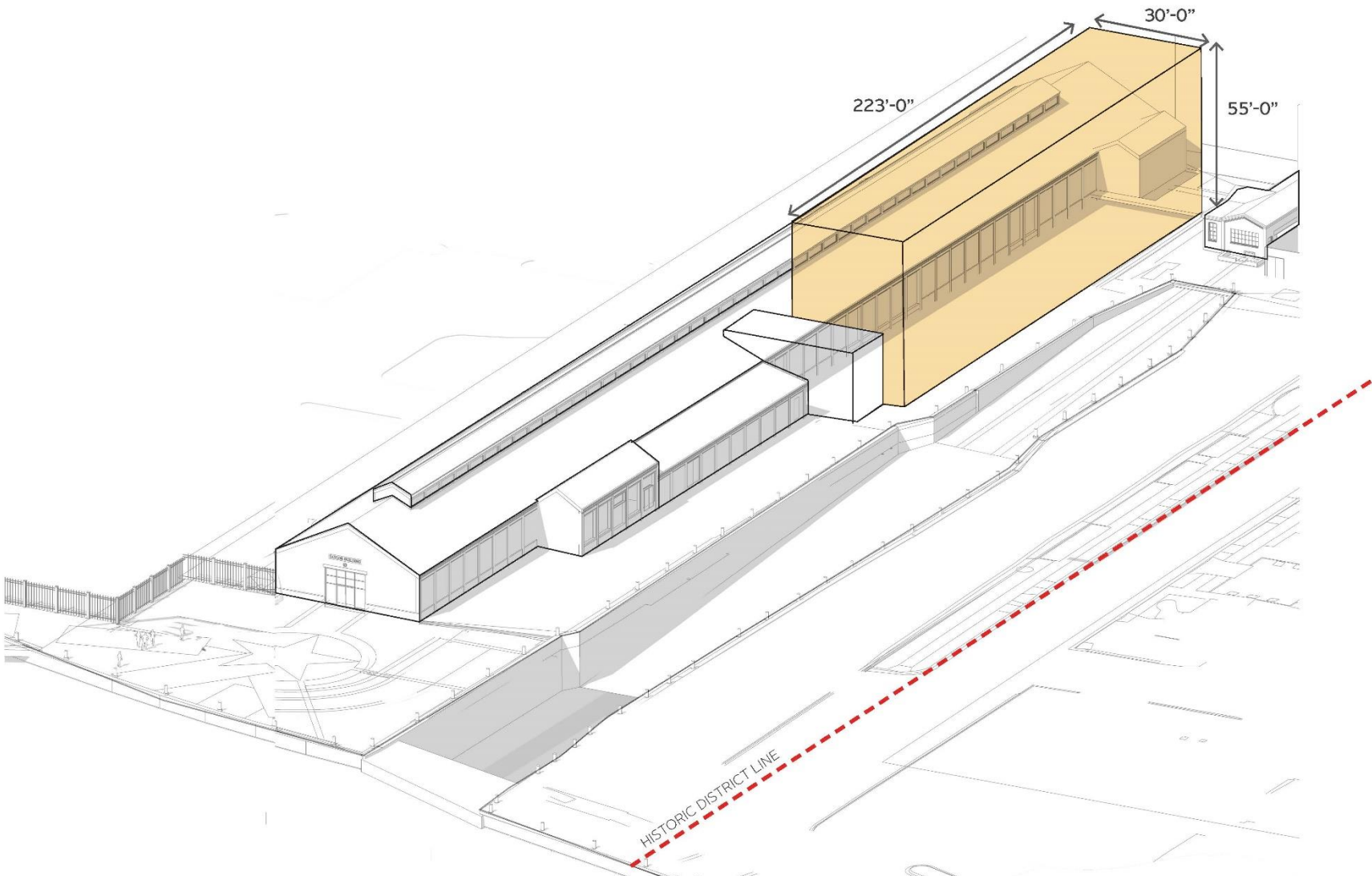


EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

BUILDING 154 ORIGINAL VOLUME

Copy in Color



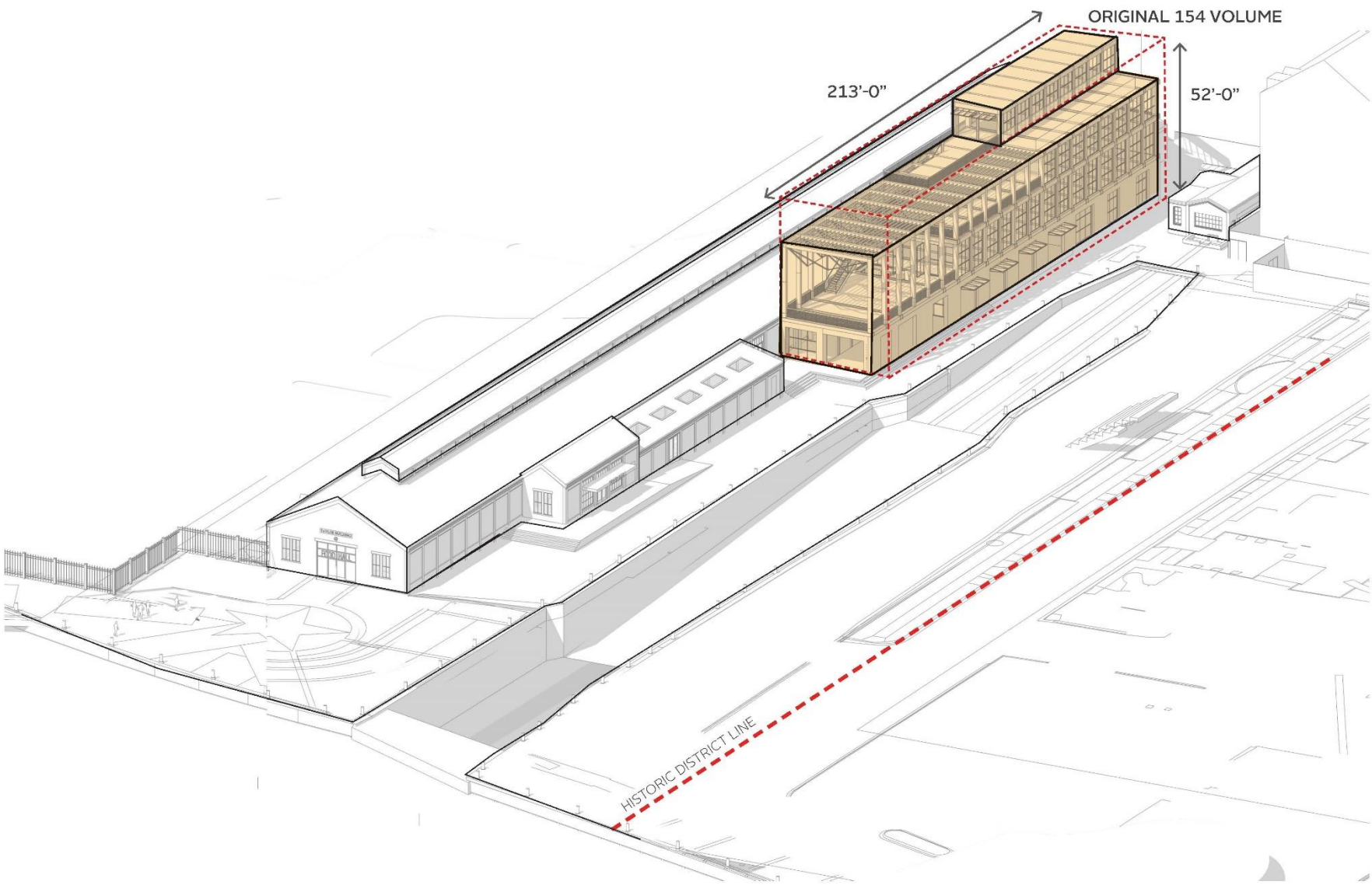
(FOR ILLUSTRATIVE PURPOSES ONLY)

EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA



BUILDING 154 PROPOSED DESIGN

Copy in Color



(FOR ILLUSTRATIVE PURPOSES ONLY)

EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA



BUILDING 154 CONCEPT PERSPECTIVE

Copy in Color

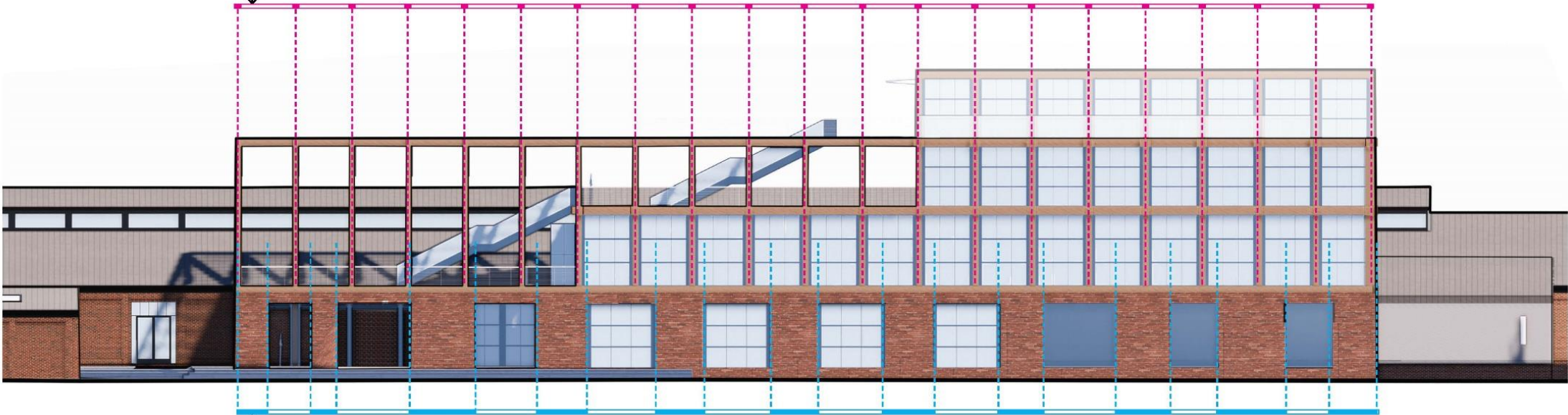


EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

Copy in Color

BUILDING 154 OPENINGS BASED ON EXISTING RHYTHMS

WOODEN FRAME
RHYTHM MATCHES B70,
68A & 68B STRUCTURE



PUNCHED OPENINGS IN
BRICK BASE ARE BASED
ON THE EXISTING B154



EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

Copy in Color

MARINE RAILWAY PUBLIC REALM & RETAIL PAVILIONS

MARINE RAILWAY PRECINCT CONCEPT PERSPECTIVE

Copy in Color



EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

MARINE RAILWAY PRECINCT CONCEPT PERSPECTIVE Copy in Color



EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

PUBLIC REALM CURRENT CONCEPT PLAN

Copy in Color

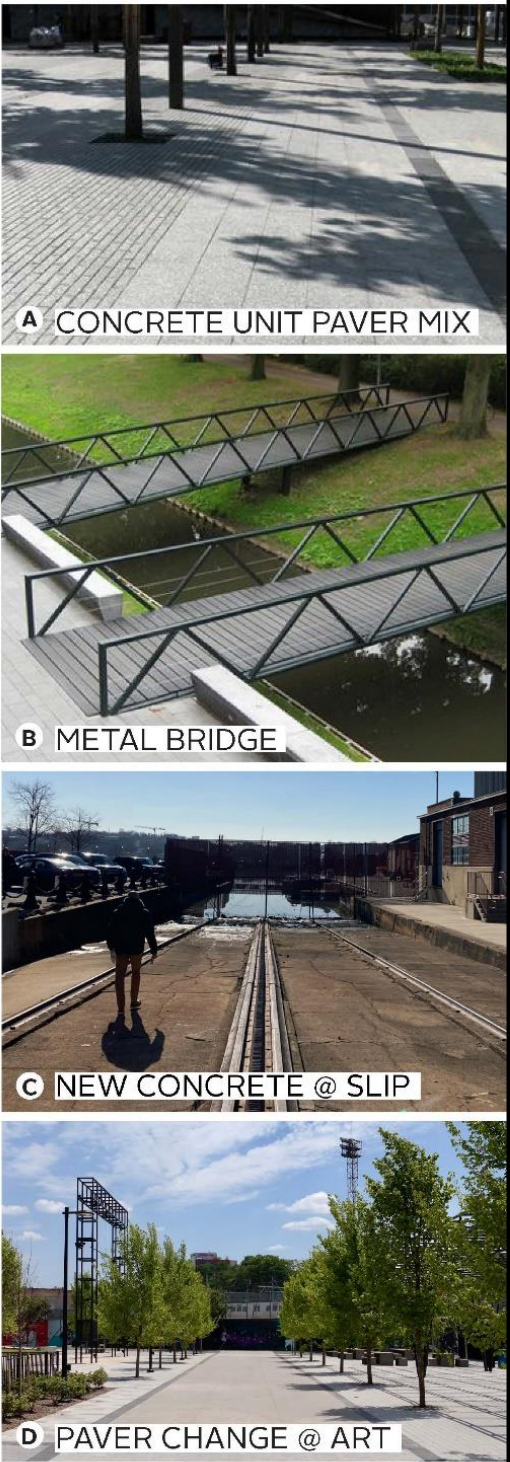
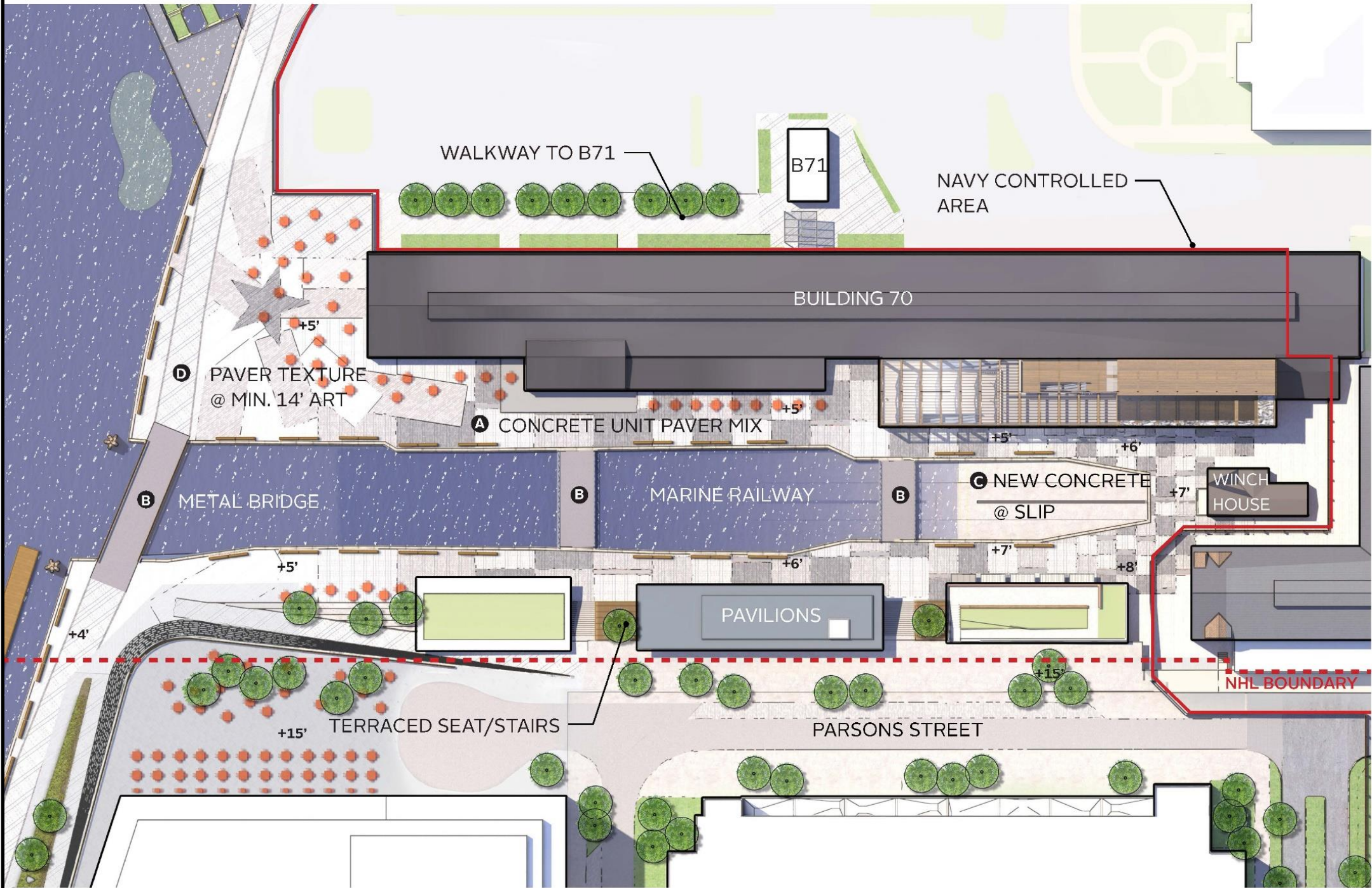


EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

Copy in Color

PUBLIC REALM MATERIAL PALETTE IN NHL

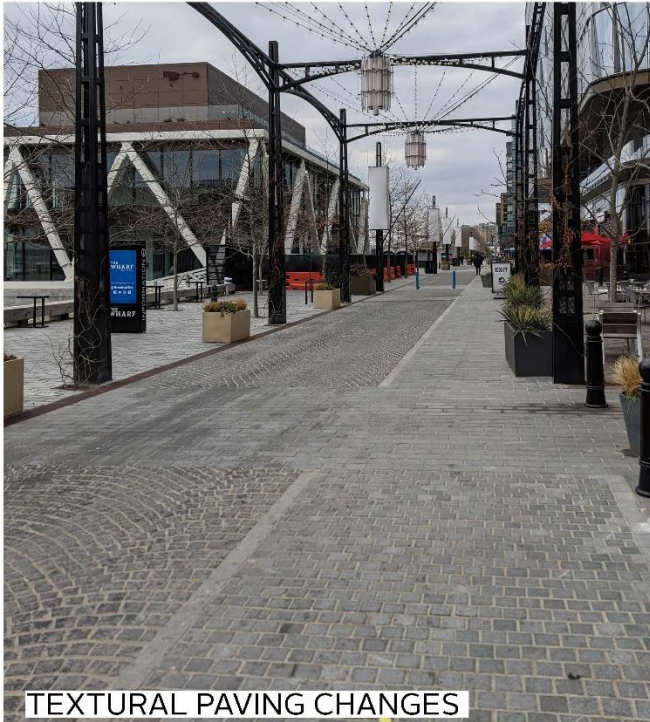


EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

Copy in Color

PUBLIC REALM CIRCULATION DIAGRAM

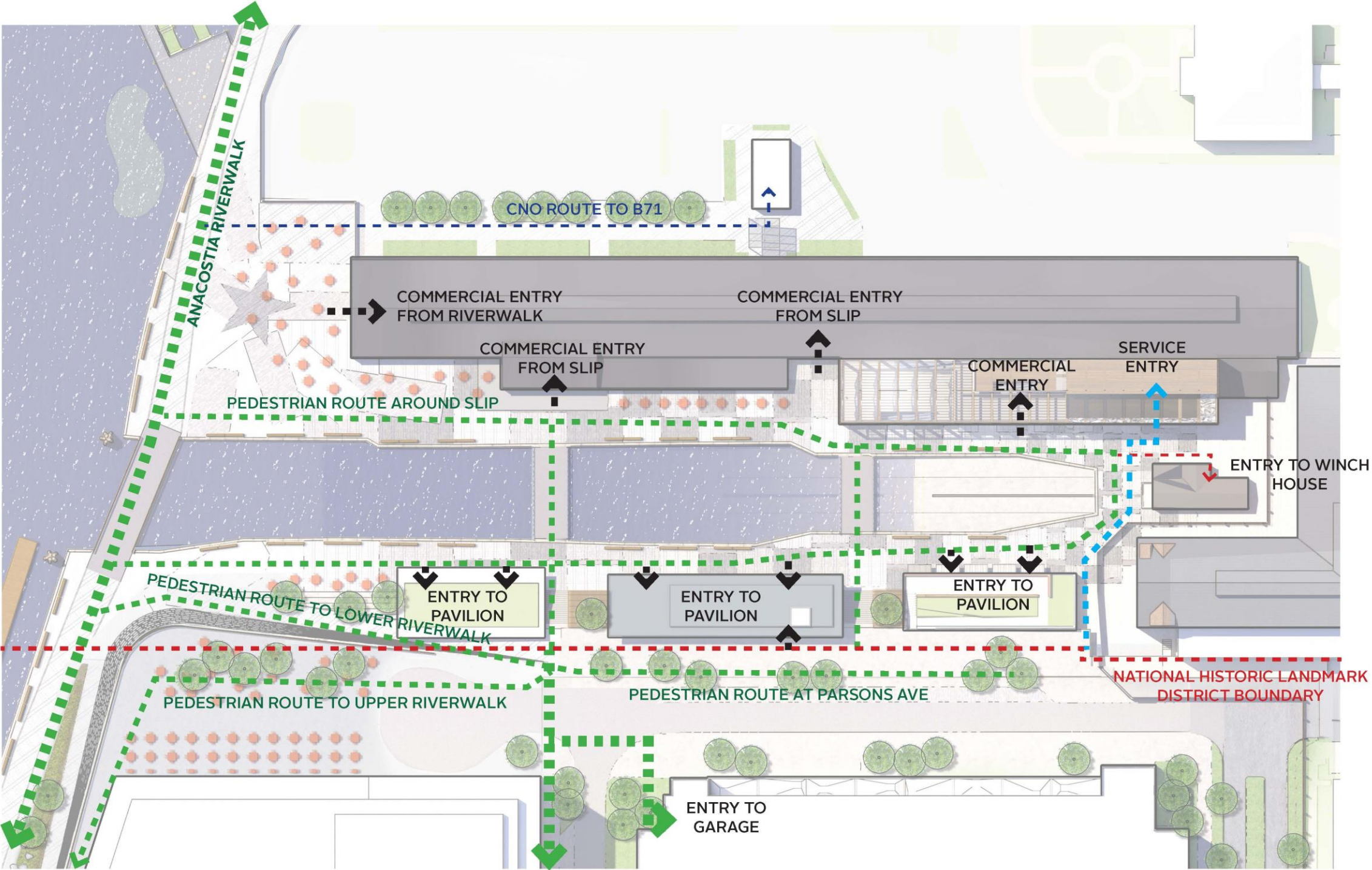
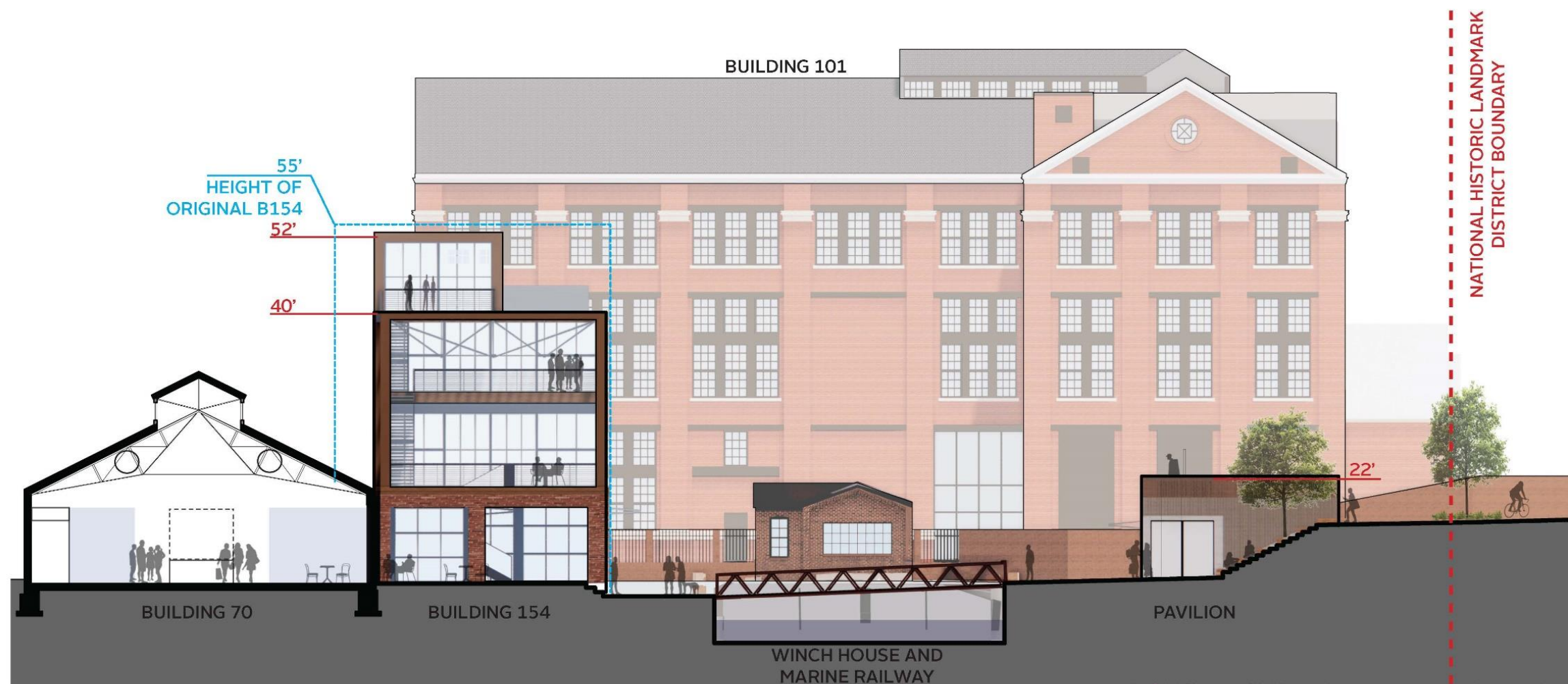


EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

MARINE RAILWAY PRECINCT CONCEPT SECTION

Copy in Color



NOTE: Maximize the preservation of existing original or later historically significant fabric

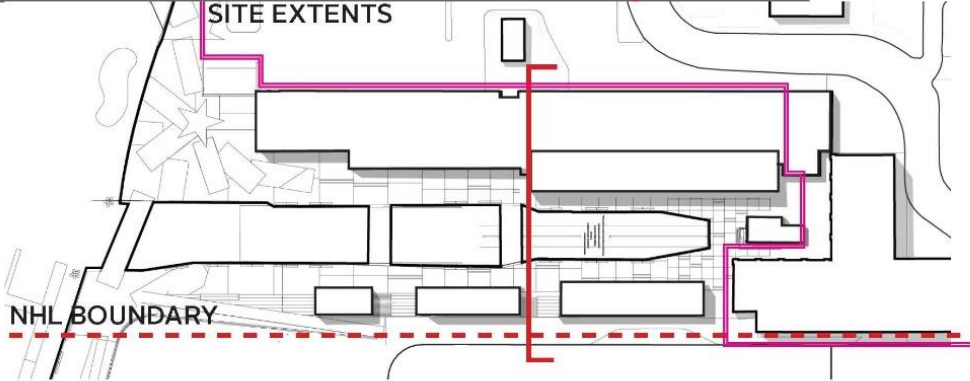
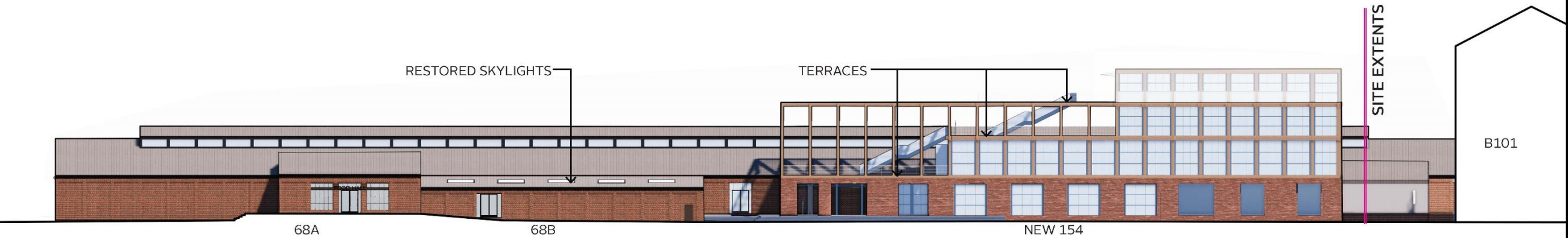


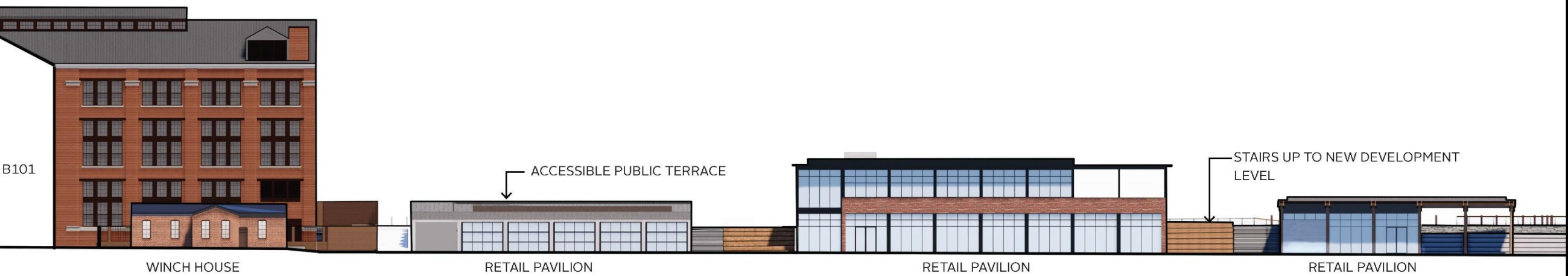
EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

MARINE RAILWAY PRECINCT CONCEPT ELEVATIONS

Copy in Color



1 - ELEVATION FACING WEST



2 - ELEVATION FACING EAST

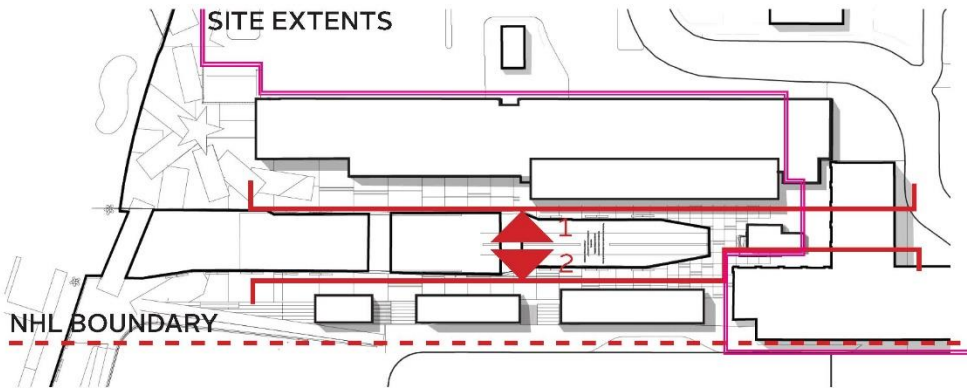


EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

Copy in Color

HISTORIC PIERS & WATERFRONT ACTIVATION

Copy in Color

REINTERPRETED PIERS

PROGRAMMING, ACCESSIBILITY, FLOATING WALKWAYS, NAVY USE

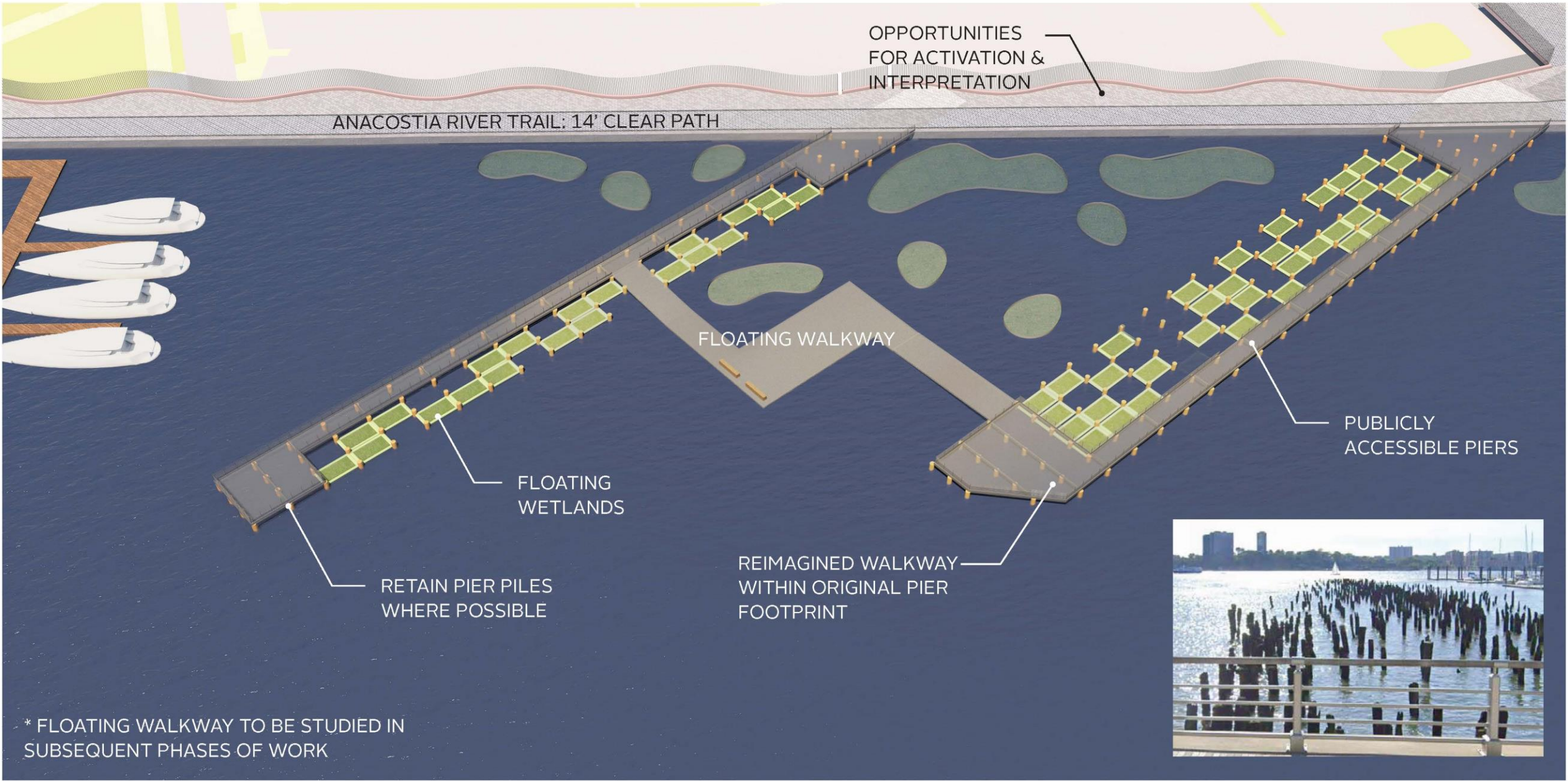
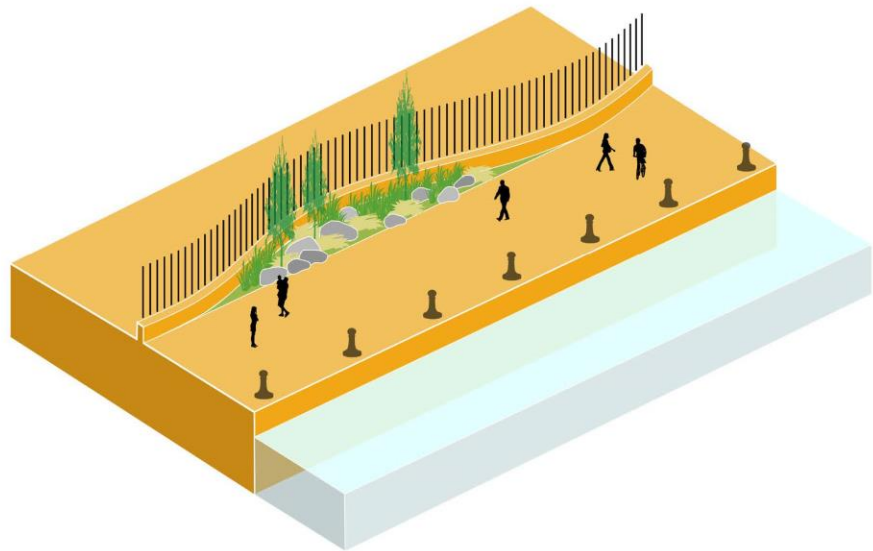


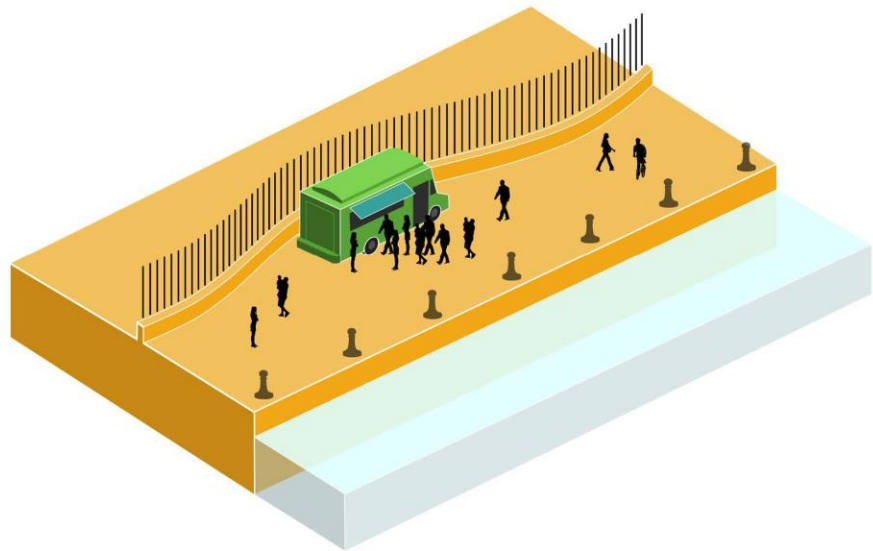
EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA

Copy in Color

WATERFRONT PROGRAMMING
ACTIVATION ALONG BOARDWALK



PLANTING IN FRONT OF NAVY FENCE



POP-UP VENDOR IN FRONT OF NAVY FENCE

EXHIBIT 9: CONCEPT (15%) DESIGN FOR NHL LEASE AREA



NAVY ARTIFACTS IN FRONT OF FENCE



PLANTING AND BOULDERS



OCCUPIABLE SPACES ALONG RIVER TRAIL



FLOATING WETLANDS

Copy in Color

EXHIBIT 10:

VOLUMETRIC AND DIAGRAMMATIC STUDY OF BUILDING 166

As of 6.20.23; consultation to continue at 15% design per the Programmatic Agreement

EXISTING SITE
PLAN

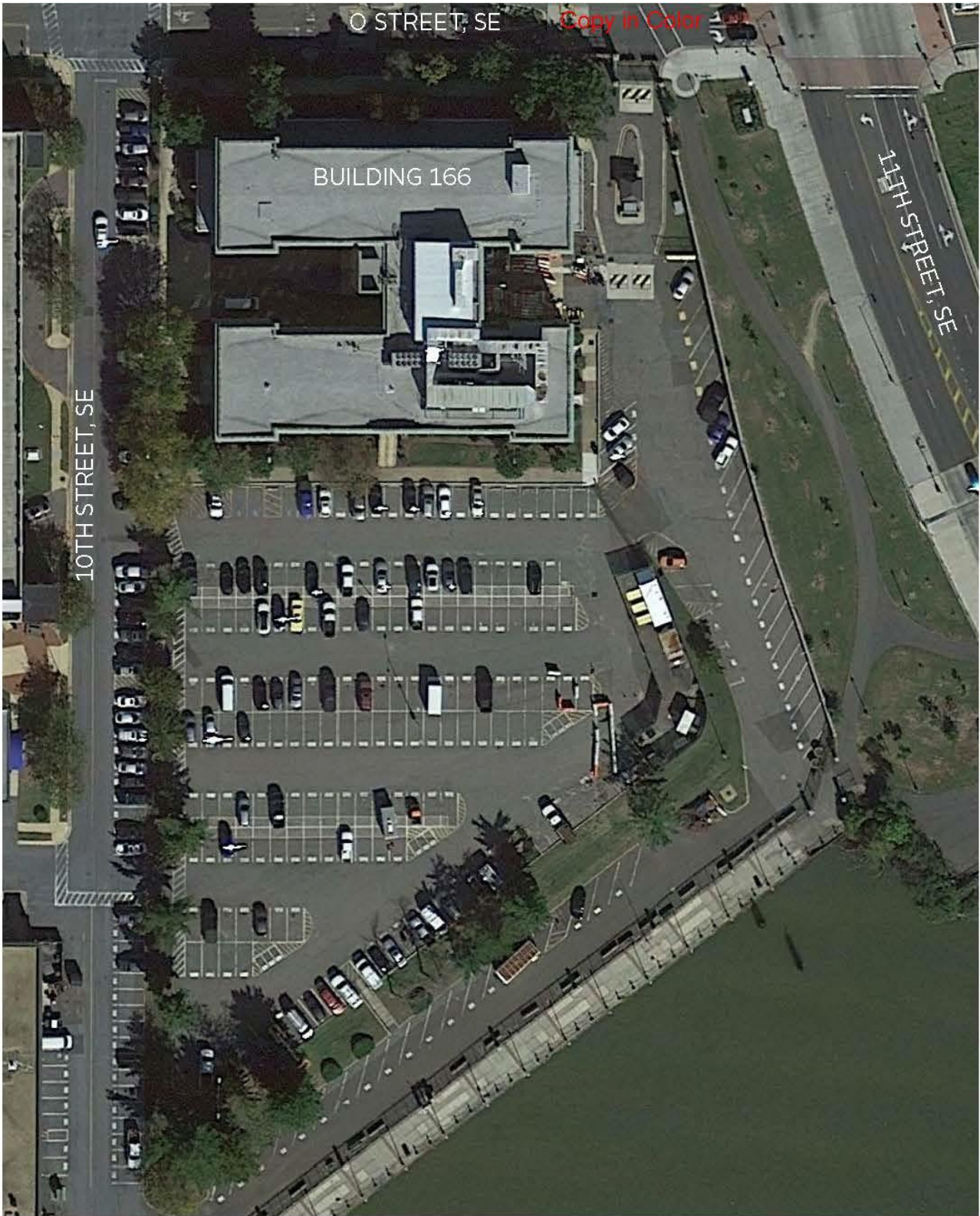


EXHIBIT 10: VOLUMETRIC AND DIAGRAMMATIC STUDY OF BUILDING 166



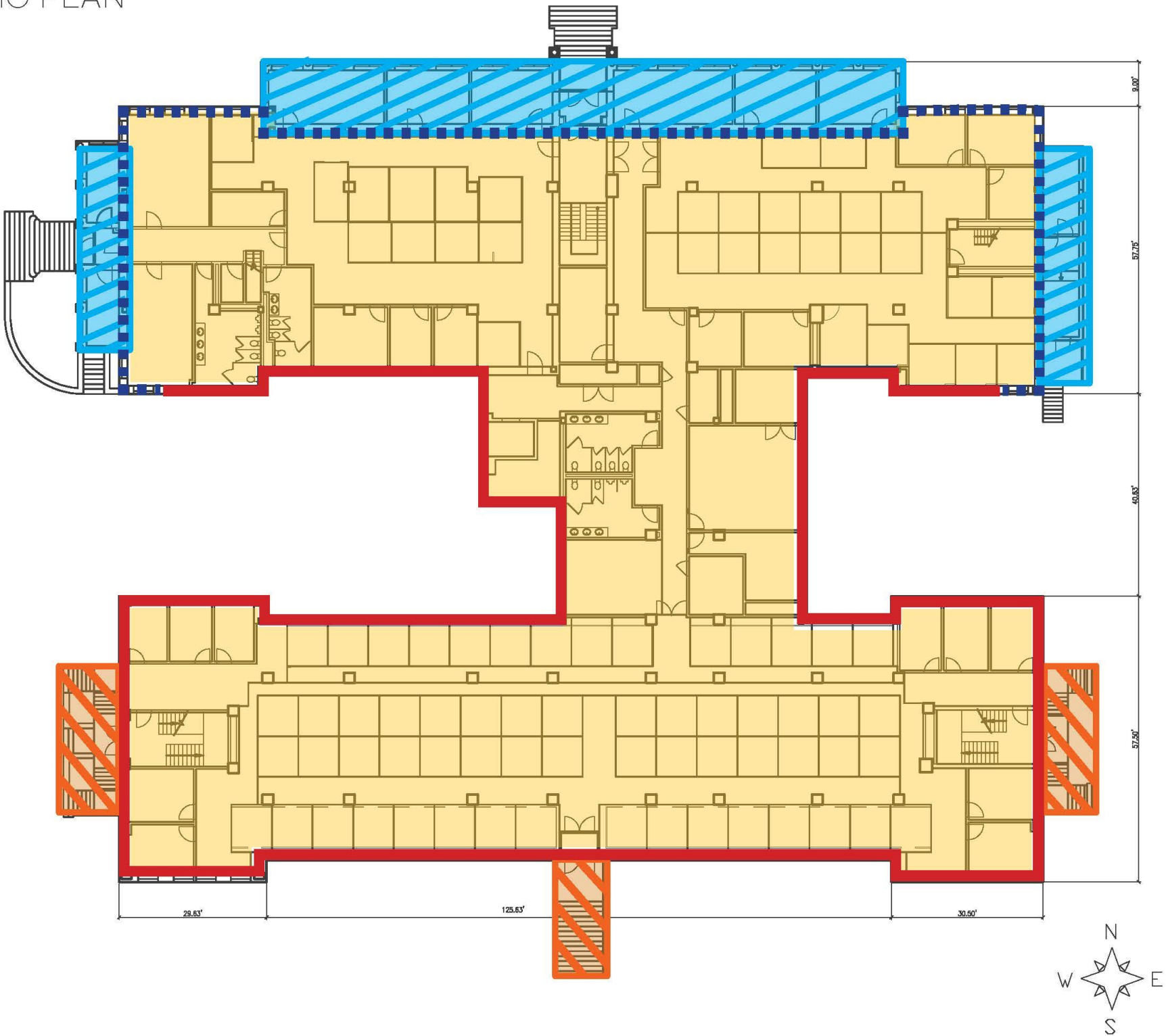
WEST PORCH OF B166



NORTH PORCH OF B166

DEMO PLAN

Copy in Color



- Demolition Approach**
- remove all existing interior walls, structure, and roof
 - retain and restore north, east, west and one bay on each side of the south facade of the northern wing
 - retain and restore porches to original condition
 - remove all of southern wing and connecting hyphen

- ■ ■ ■ EXTERIOR WALLS TO BE RETAINED
- EXTERIOR WALLS TO BE DEMOLISHED
- INTERIOR AREA TO BE DEMOLISHED
- EXTERIOR AREA TO BE DEMOLISHED
- PORCHES TO BE RESTORED

EXHIBIT 10: VOLUMETRIC AND DIAGRAMMATIC STUDY OF BUILDING 166

SITE PLAN

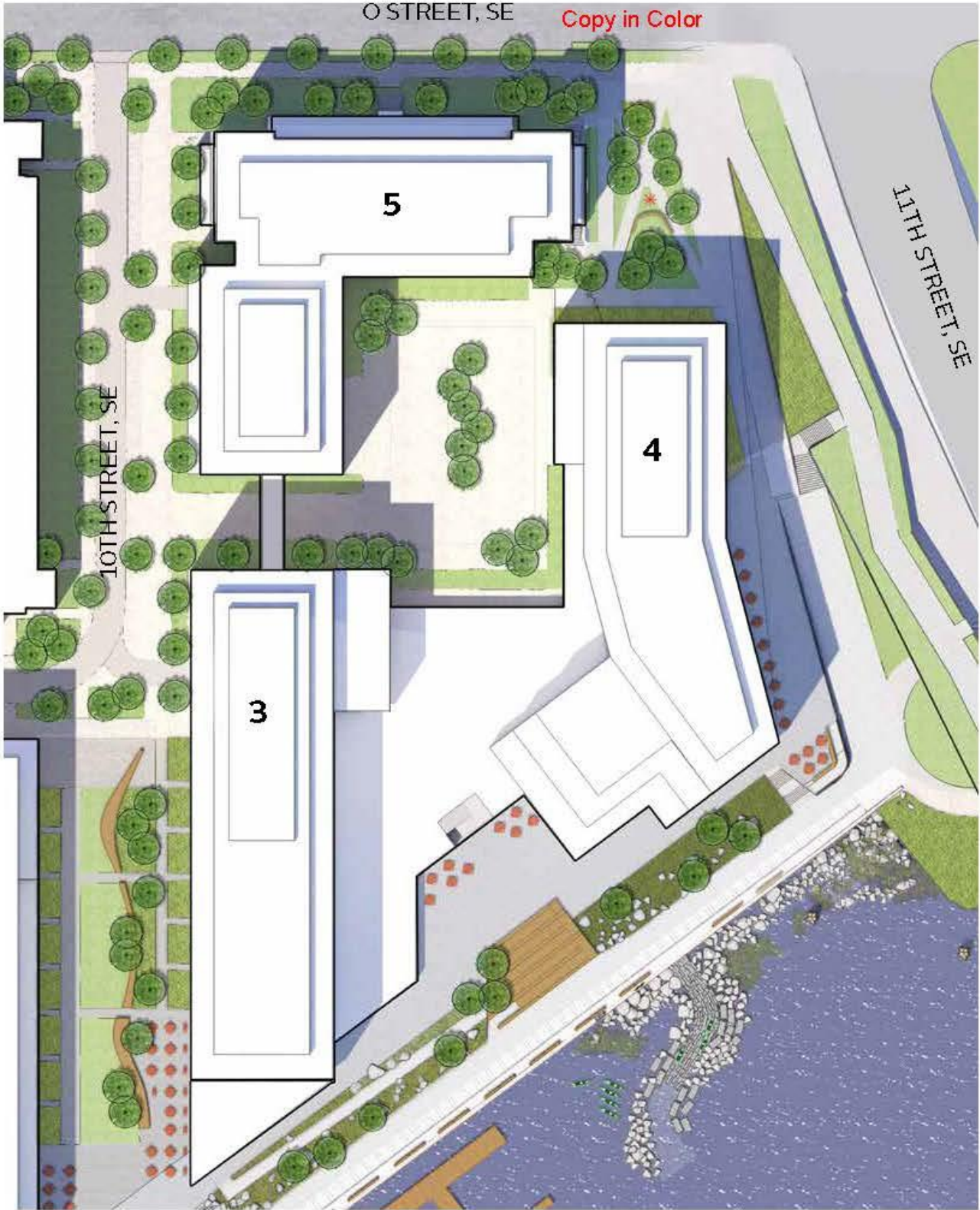


EXHIBIT 10: VOLUMETRIC AND DIAGRAMMATIC STUDY OF BUILDING 166

Copy in Color

NAVY MEMORIAL GARDEN GATEWAY TO NAVY YARDS AT 11TH STREET

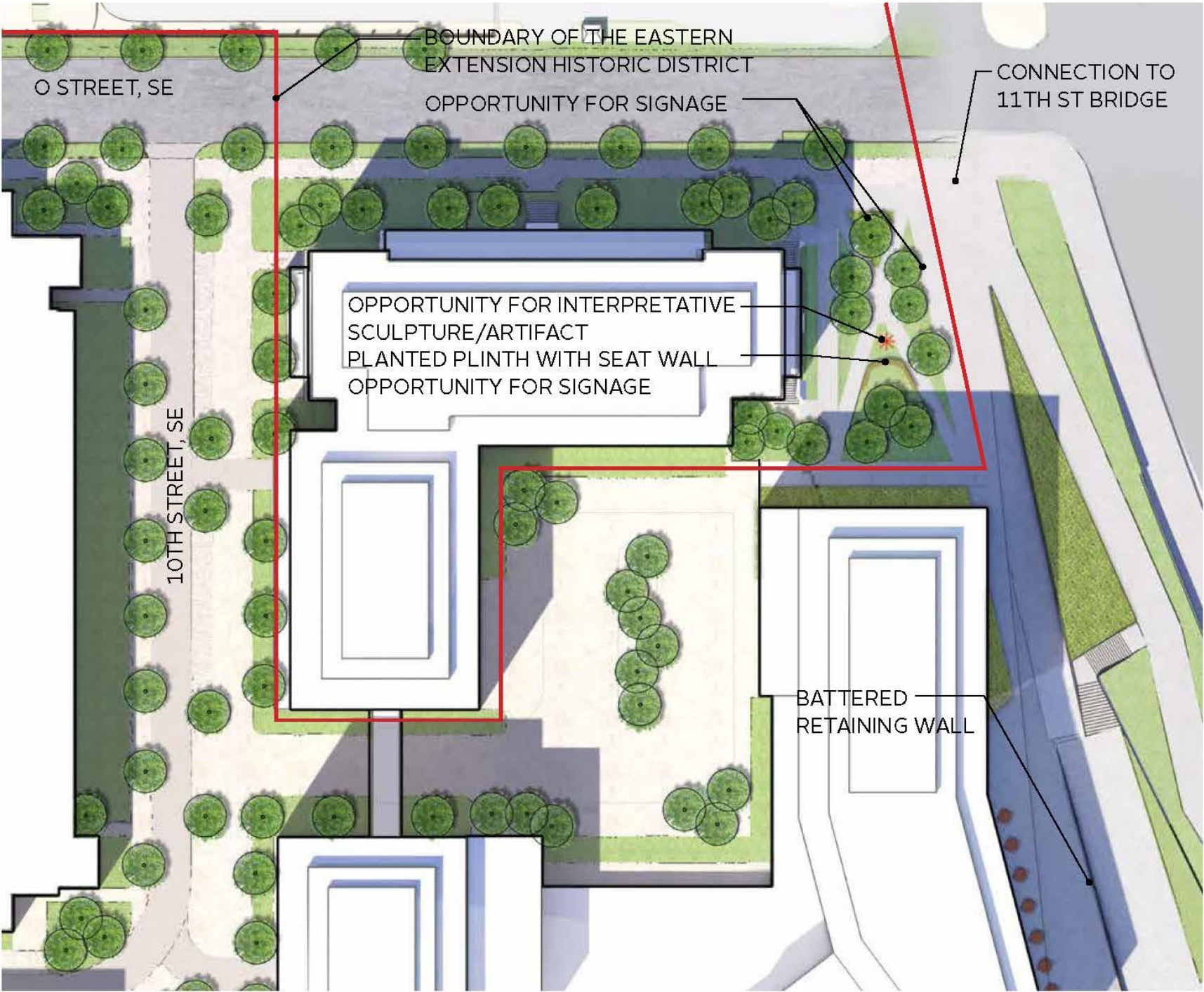


EXHIBIT 10: VOLUMETRIC AND DIAGRAMMATIC STUDY OF BUILDING 166

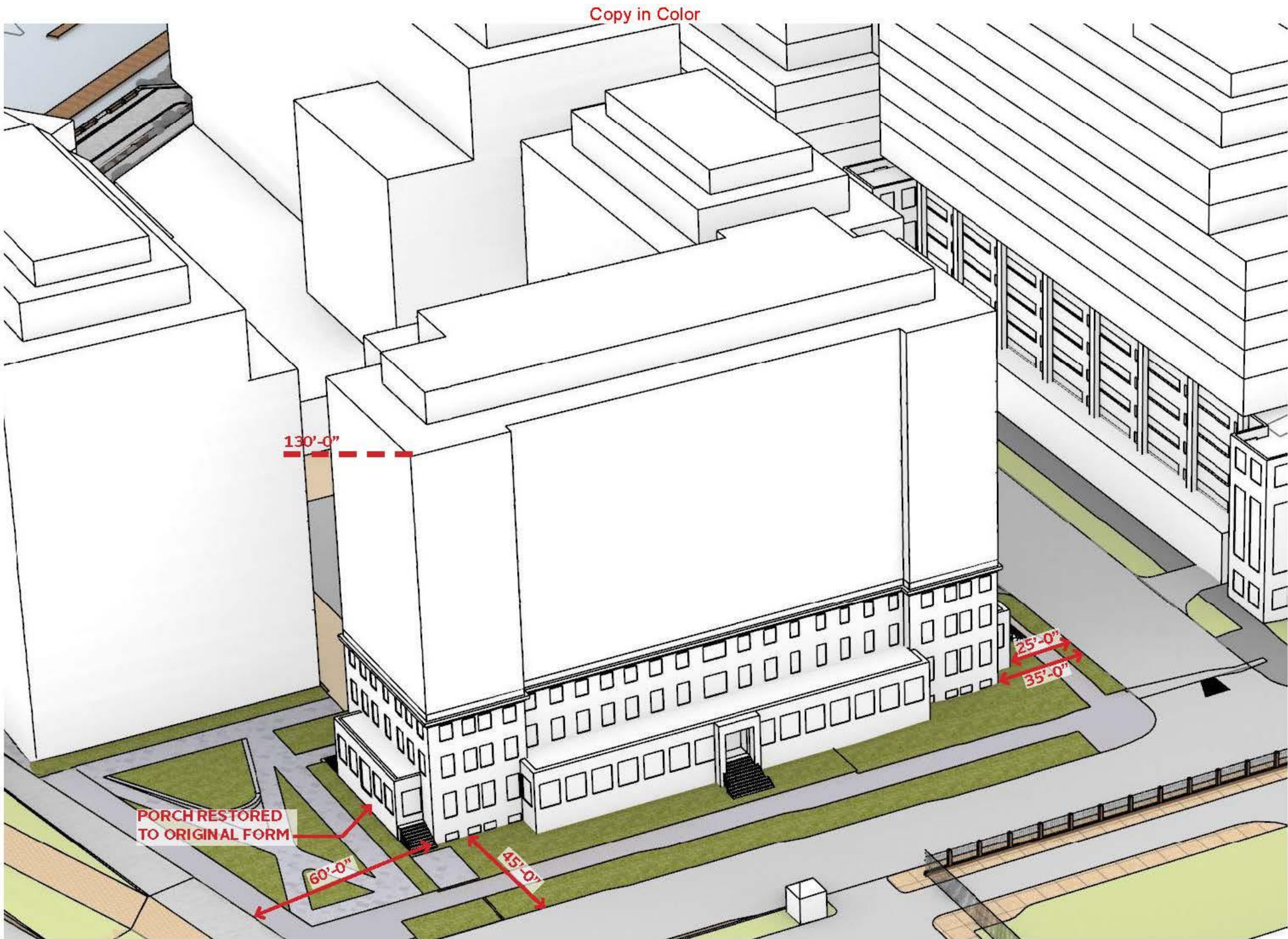


EXHIBIT 10: VOLUMETRIC AND DIAGRAMMATIC STUDY OF BUILDING 166

PERSPECTIVE FROM 11TH STREET

Copy in Color

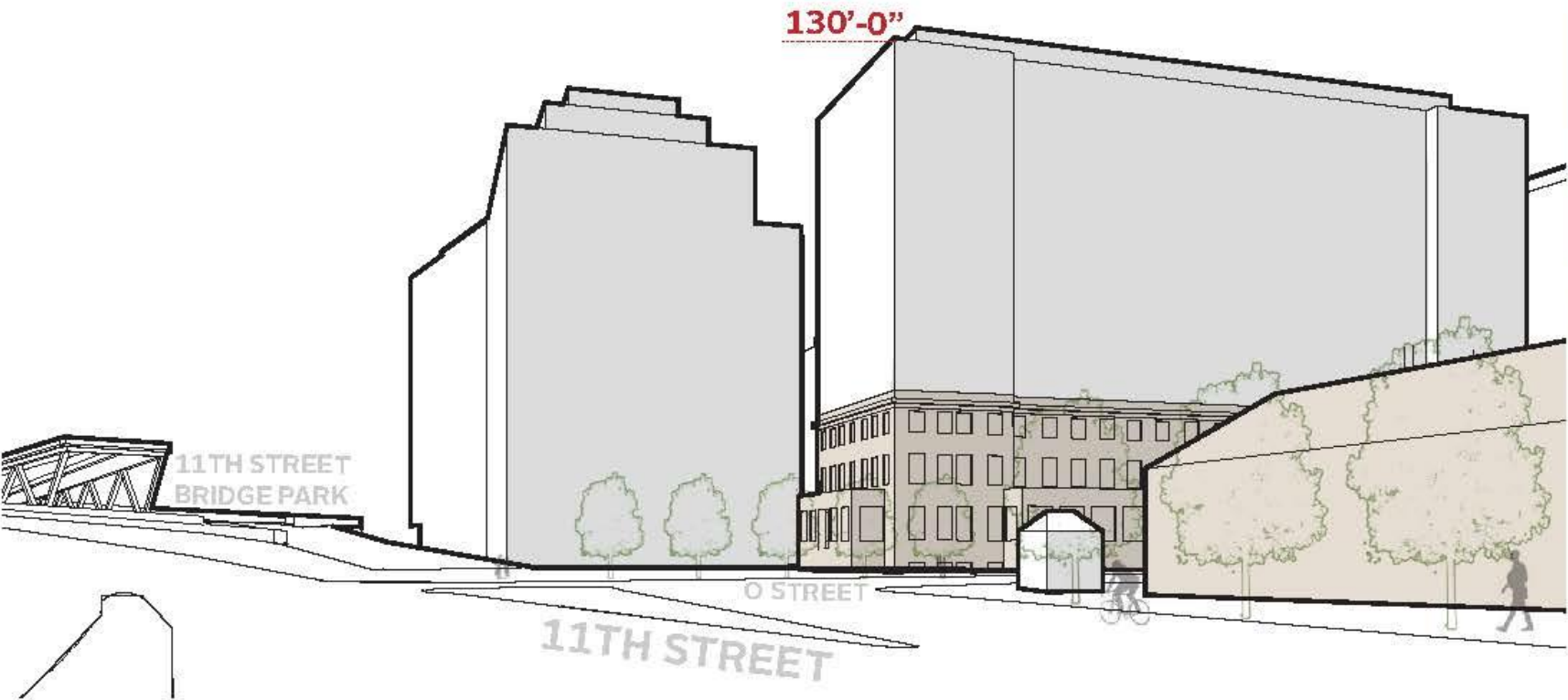


EXHIBIT 10: VOLUMETRIC AND DIAGRAMMATIC STUDY OF BUILDING 166

PERSPECTIVE FROM 11TH STREET

Copy in Color

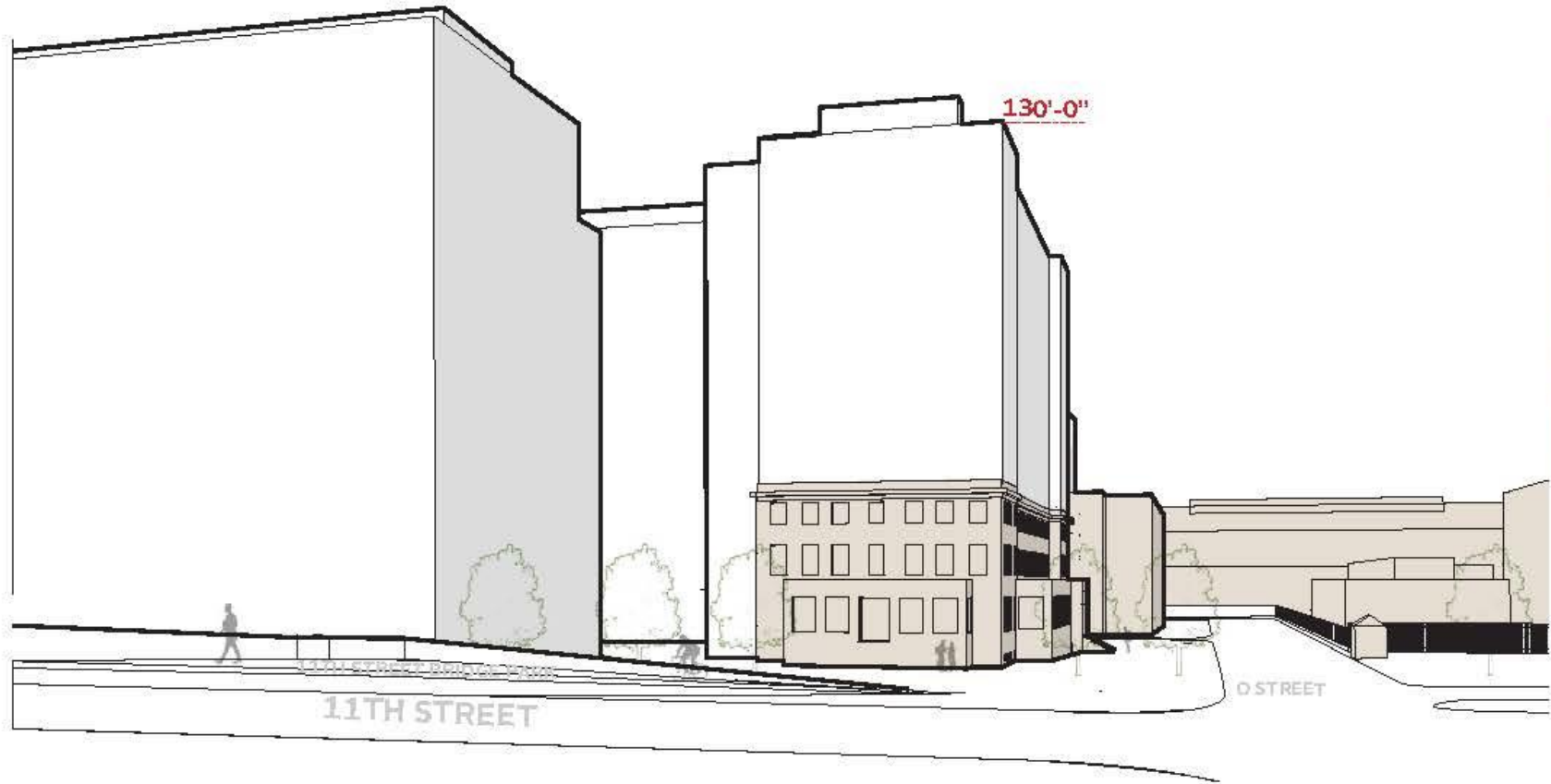


EXHIBIT 10: VOLUMETRIC AND DIAGRAMMATIC STUDY OF BUILDING 166

PERSPECTIVE FROM 11TH STREET

Copy in Color

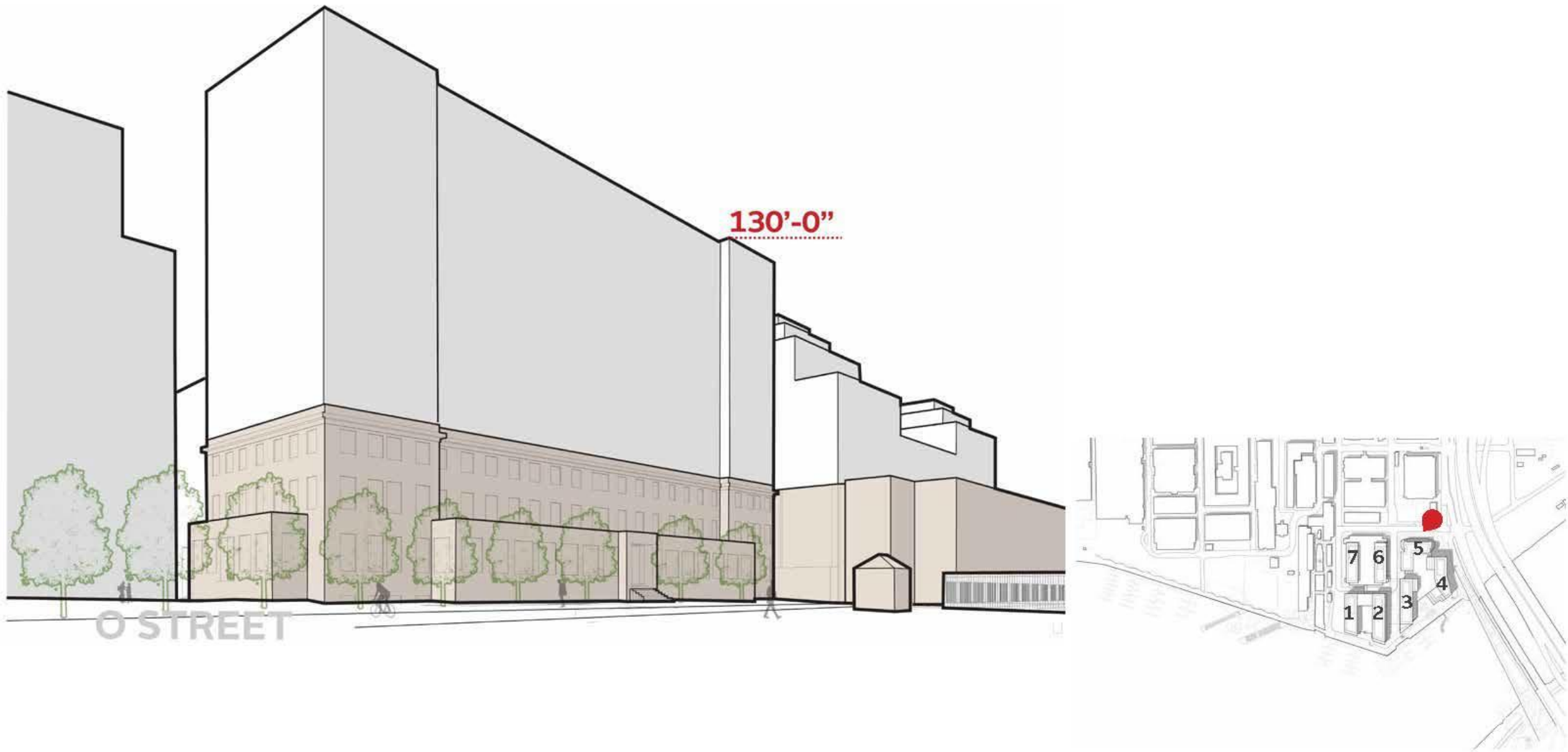
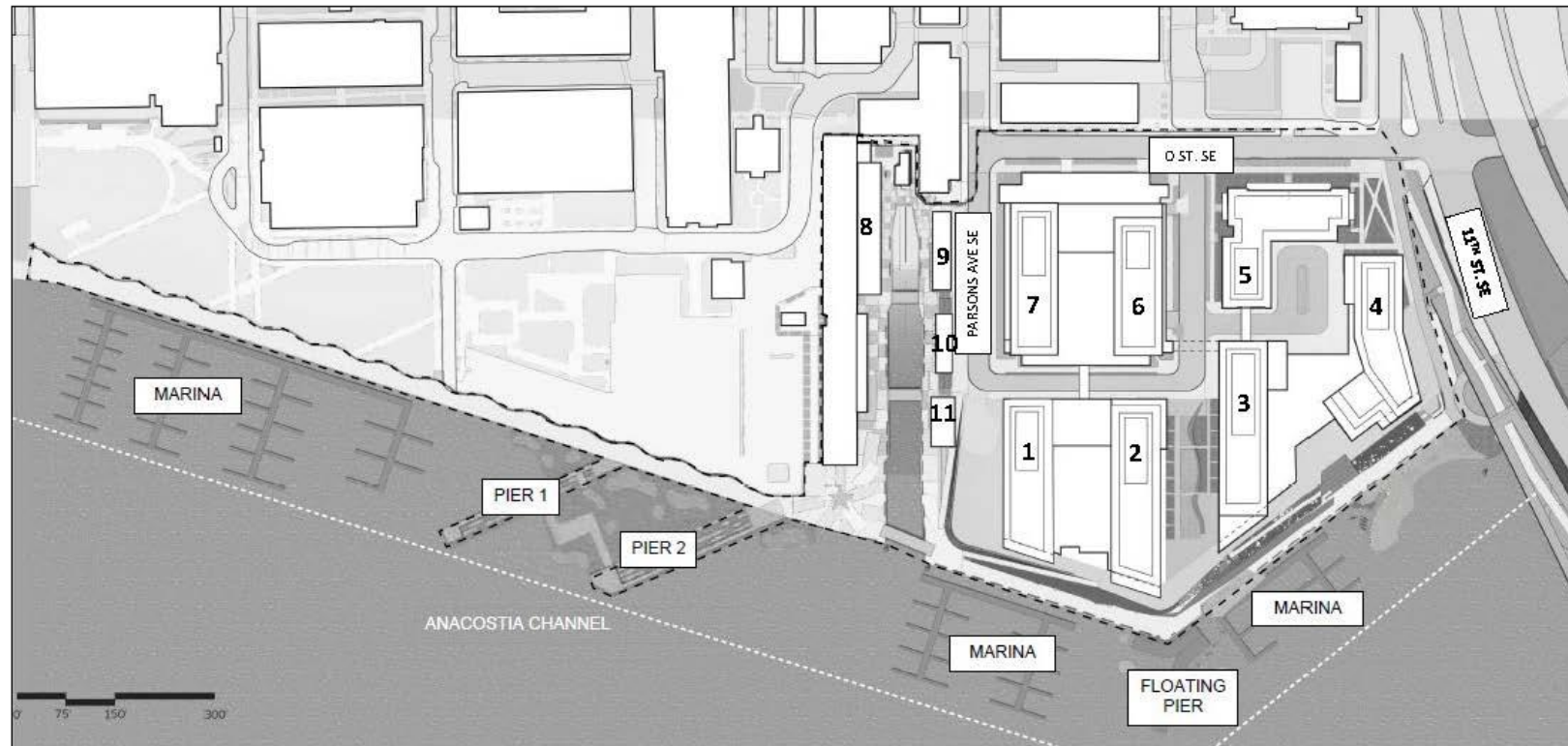


EXHIBIT 10: VOLUMETRIC AND DIAGRAMMATIC STUDY OF BUILDING 166

Exhibit 11: Site Plan

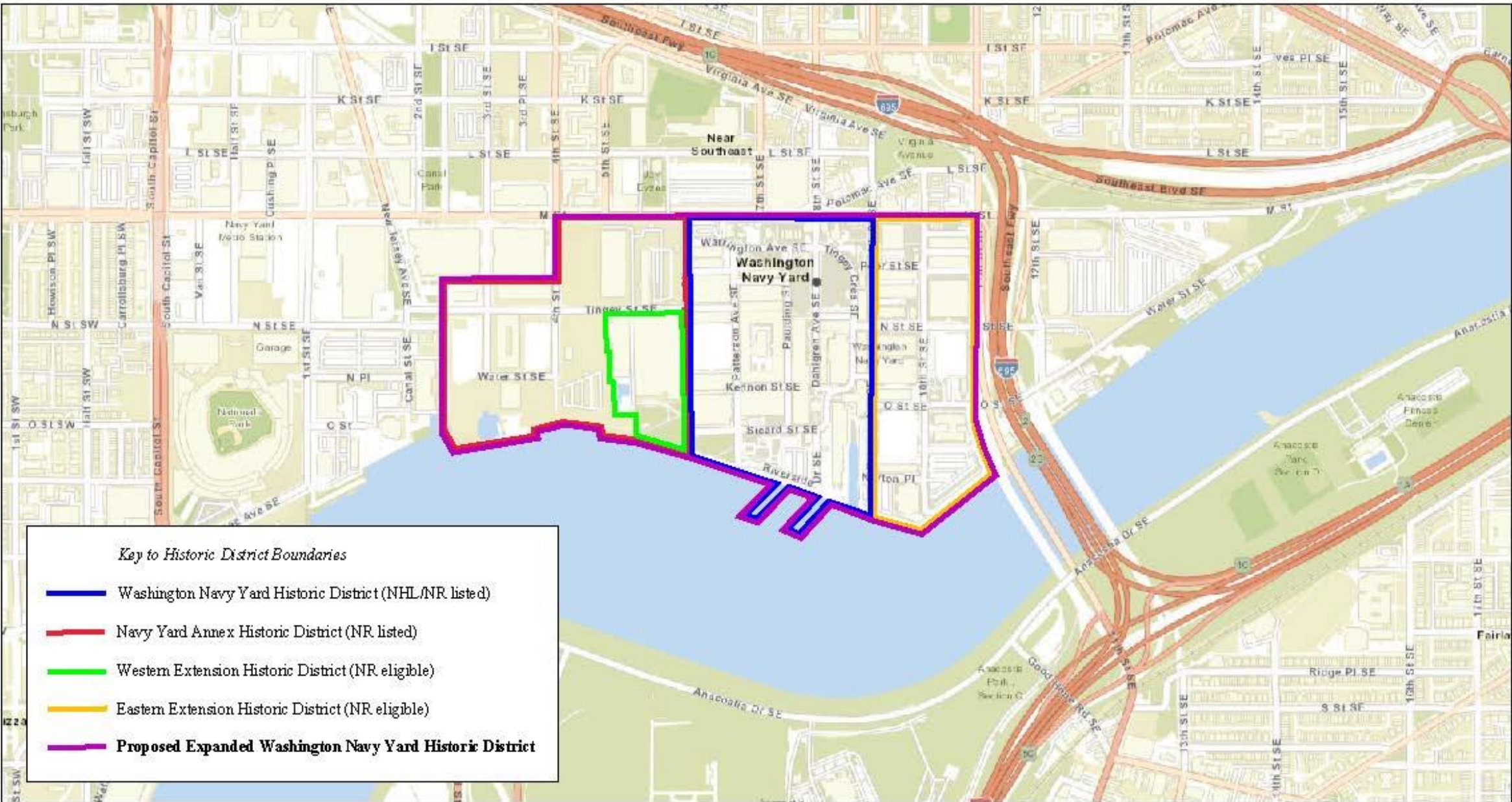


New Buildings	Building Height (FT)
1	110
2	130
3	130
4	130
5	130
6	130
7	110
8	55
9	25
10	35
11	25

KEY
 O PARCELS

Consistent with the Environmental Impact Statement for the Proposed Land Acquisition at Washington Navy Yard, development within the Washington Navy Yard Southeast Corner O Parcels will contain residential, office, and commercial uses and total up to 2.05M gross square feet of development.

Exhibit 12: Current Historic Districts Associated with Washington Navy Yard



6/19/2023, 3:38:19 PM

Agreement No. Ser NDDN68469-20230712-12500
Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, Eand
O Parcel

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P,
NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri
(Taiwan), NGCC, © OpenStreetMap contributors, and the GIS
User Community

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Exhibit 13: Washington Navy Yard E Parcels Caretaker Maintenance Program*Scope of Standard Caretaker Maintenance:*

Structural integrity and weather tightness will be maintained to prevent deterioration of the contributing buildings and structures (Bldg. 202, 74, and boundary wall). Grounds surrounding the contributing buildings and structures will be kept clear of trash. Maintenance staff will provide the required maintenance to the contributing buildings and structures. Adequate security measures against unauthorized persons and vandalism will be provided to protect the contributing buildings and structures.

Routine Cyclical Maintenance:

- Repair leaks in roof and repair broken drains
- Repair window and storm sash as needed to ensure weather tightness
- Replace broken window glass
- Repair damage caused by severe weather
- Remove weeds located adjacent to foundations

Annual Routine Inspection Schedule:

- Foundations
 - Site drainage
 - Cracked, spalled, and displaced masonry
 - Open mortar joints
 - Efflorescence
 - Flaking, scaling, and crumbling concrete
- Exterior walls
 - Cracked, spalled and displaced masonry
 - Open mortar joints
 - Efflorescence
 - Flaking, scaling, and crumbling concrete
 - Paint failure
 - Rotted Wood
- Roofing Systems
 - Clogged gutters and downspouts
 - Open seams
 - Inspect roof membrane and repair as needed
 - Inspect metal roofs and repair as needed
 - Cracked, broken, and missing shingles
 - Loose, bent, and displaced flashings
- Windows and Doors
 - Broken glass
 - Glazing and sealant failure
 - Rotted wood or rusted sheet metal or steel
- Other
 - Sealant at dissimilar materials
 - Plant growth

Agreement No. Ser N00/N68469-20230712-12600

Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

Exhibit 14: Terms for Programmatic Agreement for Preferred Alternative on E Parcels

1. Incorporation of Historic Properties: The Navy shall incorporate rehabilitation of Buildings 74, 202 and the Navy Yard Boundary Wall, and their character-defining elements as listed in Exhibit 15, into the Preferred Alternative and, in the event that the Preferred Alternative is not implemented, a different alternative (e.g. administrative space for the Navy, no development, etc.).
2. Avoidance, Minimization and Mitigation of Adverse Effects: The Navy shall utilize all feasible, prudent and practical measures to first avoid then minimize adverse effects on historic properties. Mitigation measures shall not be considered until after all avoidance and minimization measures have identified and thoroughly evaluated, but the Navy acknowledges that mitigation measures may be required in addition to avoidance and minimization.
3. Compliance with Secretary's Standards: Rehabilitation of Buildings 74, 202 and the Navy Yard Boundary Wall shall comply with the Secretary's Standards for Rehabilitation, provided, however, that if circumstances arise that prevent full compliance with the Secretary's Standards (taking into account financial and physical feasibility, legal mandates, and other circumstances), the Navy shall engage in Consultations with the SHPO, ACHP and Consulting Parties so that the designs are consistent to the extent possible with the Secretary's Standards.
4. Consultation Process: The Navy shall consult with the Parties during the design process as follows:
 - a. The Navy shall submit to the Parties the concept designs (15% or similar milestone to be determined) for each project within of the Preferred Alternative or other alternative. The concept designs shall be sufficient to show the massing and general appearance of buildings and structures within their physical context. The Navy shall include in the submission an assessment of effects on historic properties within the APE, to include a written summary of measures taken to avoid adverse effects, measures taken to minimize adverse effects, alternatives considered and dismissed, and cumulative effects from nearby and related undertakings.
 - b. The Navy shall submit to the Parties the preliminary designs (35% or similar milestone to be determined) for each project within the Preferred Alternative or other alternative. The preliminary designs shall be in sufficient detail to show the exterior design intent and, if the designs include historic buildings or structures, the design intent for the character-defining elements listed in Exhibit 9. The Navy shall include in the submission an assessment of effects on historic properties within the APE, to include a written summary of measures taken to avoid adverse effects, measures taken to minimize adverse effects, alternatives considered and dismissed, and cumulative effects from nearby and related undertakings.
 - c. The Navy shall submit to the Parties the pre-final designs (65% or similar milestone to be determined) for each project within the Preferred Alternative or other alternative. The pre-final designs will provide more detailed information than the concept and preliminary design submissions and highlight any responses to Parties' comments and previously unreviewed changes that are being considered for the project.

- d. The Navy shall offer to host a site visit and/or review meeting with the Parties within seven (7) calendar days of sending each submission.
 - e. The Parties shall review each submission for effects on historic properties and provide the Navy with written comments and/or concurrence within fifteen (15) calendar days of either the receipt of each submission or the site visit/meeting, should there be one. If the Parties do not provide comments within the designated time period, the Navy may assume that they concur with the Navy's assessment.
 - f. The Navy shall provide a comments response matrix to the Parties within fifteen (15) calendar days of receipt of the last comments for each submission. In its response, the Navy shall consider the comments to the fullest reasonable extent. Should the Navy object to any comment, the Navy shall provide a written explanation of its objection and shall consult with the Parties to resolve the objection. If no agreement is reached, the Navy shall request the ACHP to review the dispute in accordance with Stipulation X.
 - g. If avoidance of adverse effects is not possible, the Parties shall consult to resolve adverse effects using the process set forth in 36 CFR § 800.6(b)(1) to develop a Memorandum of Agreement, as appropriate.
 - h. The Parties may agree in writing to delegate further review of specific aspects of the designs to a Navy Cultural Resources Professional or continue consultation on specific aspects of the designs for which a complete assessment of effects is not possible at concept level.
 - i. If, following consultation on the concept designs, the designs are revised in a way that changes the material effects on historic properties, the Navy shall submit the revised designs to the Parties for further consultation using the process described in Stipulation II.
5. Seismic Analyses: The Navy shall conduct seismic analyses of Buildings 74, 202 and the Navy Yard Boundary Wall prior to new construction on the E Parcels and as warranted thereafter and shall take into consideration the results of such seismic analyses, including movement monitoring during construction, in its development of the E Parcels so that the structural integrity of Buildings 74, 202 and the Navy Yard Boundary Wall are not adversely affected by such construction.
6. Protection of Archaeological Resources: At the time of the pre-concept design submission, the Navy shall also initiate consultation with the SHPO per 36 CFR § 800.3 and 800.4 in order to determine and conduct the appropriate level of archaeological survey required to identify and evaluate archaeological resources. Identified areas of concern include the Ordnance Manufacturing and Testing (sheds, packing house, mixing house, finishing house, rocket house, rocket press, acid house, and ordnance machine shop outside of Buildings 74's and 202's footprints) and the Shipyard Community (Seamen Gunners' Quarters).
- a. All archaeological identification and evaluation activities shall conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, Standards for Identification (48 Federal Register § 44716 and 44720-44723), the National Park Service's

Cultural Resource Management Guideline (Release No. 5, 1997), and the Guidelines for Archaeological Investigations in the District of Columbia (April 1998). Artifacts and records generated as a result of these activities shall be curated according to IX this agreement.

- b. Determination of Effects: Should archaeological resources be identified as a result of the above-described archaeological surveys, the Navy shall continue consultation with the DC SHPO, other Parties per 36 CFR § 800.5 and 800.6 to assess and resolve adverse effects. Resolution of adverse effects shall result in a Memorandum of Agreement (MOA).
- 7. Post-Completion Maintenance: Following implementation of the Preferred Alternative or other alternative, the Navy shall maintain (absent destruction of or material damage due to causes beyond the Navy's reasonable control) Buildings 74, 202 and the Navy Yard Boundary Wall in good repair and condition, generally consistent with prevailing standards for the maintenance of other buildings at the Washington Navy Yard.
- 8. Actions after Completion: Following implementation of the Preferred Alternative or other alternative, the Navy shall not conduct any alteration or demolition of Buildings 74, 202 or the Navy Yard Boundary Wall or any ground disturbance without consultation under Section 106. Future undertakings with respect to Buildings 74, 202 and the Navy Yard Boundary Wall shall comply with the Secretary's Standards, provided, however, that if circumstances arise that prevent full compliance by the Navy with the Secretary's Standards (taking into account financial and physical feasibility, legal mandates, and other circumstances), the Navy shall engage in Consultations with the Parties so that the Undertaking is consistent to the extent possible with the Secretary's Standards.
- 9. Annual Reporting: The Navy shall, beginning with respect to the twelve (12) month period following execution of the PA for the Preferred Alternative or other alternative, and following every twelve (12) month period thereafter, through Completion, provide annual progress reports to the Parties. The reports will address the following topics:
 - a. General summary of how the PA has been implemented during the twelve (12) month period;
 - b. General summary of the current status of implementation of the archaeology-related requirements set forth herein; and
 - c. General summary of the status of each project within the Preferred Alternative or other alternative including discussion of any material problems or issues relating to compliance with the PA that have arisen in the course of the twelve (12) month period.

Exhibit 15: Character-Defining Elements: Buildings 74, 202, Navy Yard Boundary WallBuilding 74

- Three-bay wide by twenty-five-bay long rectangular footprint with north-south orientation
- Two-story height
- Gable roof
- Concrete water table
- 5/1 common bond brick walls
- Brick masonry details including pilasters between bays, inset dogtooth over south door opening, stepped pattern on gable rakes
- Slate shingle roof
- Wood vehicular doors on north elevation
- Wood pedestrian doors on east elevation
- Large, industrial, steel-frame windows
- Oculus openings in north and south gables, oculus window in north gable
- Steel frame structure and roof trusses
- Historic hoist and beam in the north seven bays of the building, hoist track in the eleven north bays of the building.
- Window and bay pattern and solid-to-void ratio on elevations

Building 202

- Five-bay wide by twenty-bay long rectangular footprint with north-south orientation
- Five-story height
- Roof shape with gable over wide center bay, flat over two end bays
- 5/1 Flemish bond brick walls
- Inset roundels in north and south gables
- Large entrance bays on north and south elevations
- Large, industrial, steel-frame windows on north and south elevations
- Window and bay pattern, and solid-to-void ration on elevations
- Steel frame structure and roof trusses
- The historic crane on the interior
- The full-height open space in the center bay of the interior

Navy Yard Boundary Wall

- 12-foot height, 1-foot depth
- 5/1 common bond brick walls
- Brick piers dividing sections of brick walls
- Corbelling at top of some sections of wall
- Concrete coping at top of some sections of wall

Agreement No. Ser N00/N68469-20230712-12600

Programmatic Agreement Regarding the Washington Navy Yard Land Exchange, E and O Parcels

C.8 Phase IA Archaeological Assessment Final Public Report Summary

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PUBLIC REPORT SUMMARY

This public summary presents the findings of a Phase IA archaeological assessment SEARCH, Inc., (SEARCH) conducted under contract to Leidos and on behalf of the US Navy for two separate properties located at the Washington Navy Yard (WNY) and the adjacent Southeast Federal Center (SEFC) in southeast Washington, DC. Naval Facilities Engineering Systems Command (NAVFAC) Washington is preparing an Environmental Impact Statement in advance of a potential real estate transfer whereby the Navy would acquire approximately 6 acres (2 hectares) of the SEFC in exchange for approximately 15 acres (6 hectares) in the southeast corner of the WNY (O Parcels) that would be made available for private development. The objective of this transfer is to improve the overall Anti-Terrorism posture of the WNY. To aid the Navy in meeting regulatory obligations under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and the National Environmental Policy Act (NEPA) of 1969, SEARCH conducted an archaeological assessment to evaluate the project's potential to affect archaeological historic properties (archaeological sites listed or eligible for listing in the National Register of Historic Places [NRHP]). SEARCH summarized historic land uses, reviewed changes to the built environment over time, and reviewed prior archaeological and geotechnical investigations, to assess the potential for archaeological historic properties within the Area of Potential Effects (APE). SEARCH also prepared recommendations for additional archaeological work, as necessary. The APE consists of the two properties (SEFC E Parcels and WNY Southeast Corner) under consideration for the land transfer, collectively encompassing approximately 21 acres (8 hectares).

The SEFC E Parcels are in the Navy Yard Annex Historic District (listed in the National Register of Historic Places [NRHP]) and the WNY Southeast Corner straddles the Eastern Extension Historic District (NRHP eligible) and the Central Yard National Historic Landmark/Historic District (NRHP listed).

This assessment included a review of environmental data (e.g., soils, geotechnical borings), previously recorded cultural information (e.g., archaeological site forms, surveys, informal reports), and historical resources (e.g., maps, aerial photographs, historic contexts), as well as a site visit, cut-and-fill analysis, and geoarchaeological review. Collectively, these datasets help characterize the APE's physical development from pre-Navy land uses to the present and serve as the basis for assessing archaeological sensitivity.

Prior to naval acquisition, most of the APE was open water. The SEFC E Parcels were part of what was once known as St. Thomas Bay, a small shallow bay that once curved north from the current Anacostia River shoreline. By the mid-nineteenth century, fill soils began being placed on St. Thomas Bay to create new, dry land in a process called reclamation, and the SEFC E Parcels were entirely reclaimed by 1903. By the 1880s, the WNY had expanded to occupy part of the east half of the SEFC E Parcels, the remainder of which was undeveloped except for a few roadways. Between 1903 and 1909, the entirety of the SEFC E Parcels was used for naval purposes. More than a dozen buildings stood here by 1919, including ordnance support facilities, metalworking shops, a Seamen Gunner's Quarters, and storage buildings, along with an extensive railroad.

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Many of these features were demolished when the extant Buildings 74 and 202 were constructed in 1938 and 1941, respectively. By the 1980s, these were the only two historic buildings left within this part of the APE.

The WNY Southeast Corner may have included a small portion of dry land along what is now O Street SE prior to intensive urbanization. This is how the area is represented on the earliest detailed maps available, though soil cores suggest it is entirely made of fill. The rest of the WNY Southeast Corner was open water until the end of the nineteenth century, when the shoreline in this part of the APE was gradually extended south toward the Anacostia River's main channel. The limited amount of dry land did not forestall historic occupations within this part of the APE, however. By the mid-nineteenth century, some buildings (possibly dwellings) appear on maps at the northeast corner of Square 979 where WNY Building 166 is located today. Throughout the second half of the nineteenth century, this part of the APE was a small nucleus for what appears to be predominantly residential development; as many as seven buildings once stood at the northeast corner of Square 979. To the south and within what is now a WNY parking lot, a mill, pier, and two over-water buildings at the end of the pier stood from at least the 1880s to the early twentieth century. Parts of the Navy Yard and later Anacostia River Bridges were adjacent to the WNY Southeast Corner. After the turn of the twentieth century, the WNY expanded east to fully encompass this portion of the APE, demolishing all of the previous historic buildings and expanding the shoreline even farther south; by 1946, the entirety of the WNY Southeast Corner was dry land and contained four naval buildings, including the extant Buildings 166 and 218. Two other buildings (211 and 214) were later demolished and replaced with the current iteration of Building 211 and a parking area, respectively.

Based on the data gathered for this Phase IA archaeological assessment, areas of archaeological sensitivity were identified throughout the APE and tied to one or more of eight, previously developed thematic contexts used to interpret the WNY's archaeological resources. Potentially significant archaeological resources (those that may be eligible for listing in the NRHP) are anticipated in various portions of the APE and associated with the following themes: Nineteenth Century Neighborhood, Shipbuilding and Repair, Ordnance Manufacturing and Testing, Shipyard Community, and Land-making and Waterfront Technology.

Given that the APE contains areas likely to contain potentially significant archaeological deposits, SEARCH recommends additional work be conducted within these high sensitivity areas prior to any future ground disturbance, federal transfer of ownership, or other action that may trigger the need for NHPA or NEPA compliance. Additional work may include mechanical trenching, remote sensing, and/or archaeological monitoring during construction and demolition to determine the location, nature, extent, and potential significance of archaeological resources, if any, within the high sensitivity areas. Any proposed investigations must be planned in consultation with District of Columbia State Historic Preservation Officer and no work should occur prior to receipt of an approved work plan per the *Guidelines for Archaeological Investigations in the District of Columbia* (District of Columbia State Historic Preservation Office 1998).

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