

CHAPTER 5: CONSULTATION AND COORDINATION

Coordination with state and federal agencies was conducted during the NEPA process to identify issues and/or concerns related to natural and cultural resources within the C&O Canal NHP.

All consultations with the SHPO, as mandated in Section 106 of the NHPA of 1966, are occurring as part of the development of this EA. The C&O Canal is listed on the NRHP as a historic district. In addition to the NRHP nomination form, which contains extensive photographic and narrative description of the canal, there is also important documentation of the C&O Canal in the HABS/HAER files for many of the locks, bridges, culverts, tunnels, aqueducts, and associated industrial structures. The NPS began consultation with the MHT, Maryland's SHPO, on October 15, 2010.(see Appendix C). This EA includes an Assessment of Effect under Section 106 of the NHPA in the "Environmental Consequences" section under "Cultural Resources," and a copy of this EA will be sent to the SHPO to complete Section 106 compliance. After review of the EA, NPS will respond to the SHPO review and proceed with additional Section 106 consultation and compliance as appropriate.

In accordance with Section 7 of the ESA of 1973, on October 18, 2010, a letter was sent by NPS to solicit comments from the USFWS regarding the existence of threatened or endangered species within the project area. On November 9, 2010, USFWS responded, confirming that there are no federally proposed or listed endangered or threatened species known to exist within the C&O Canal NHP and, more specifically, within the project area (see Appendix C).

On October 18, 2010, NPS sent a letter to the MDNR, Wildlife and Heritage Service, to solicit comments on the proposed actions within the project area. The MDNR responded on December 8, 2010, stating that there are no state or federal records for rare, threatened, or endangered species within the boundaries of the project area (see Appendix C). However, the MDNR also noted that the Potomac River is known to support species of rare, threatened, and endangered freshwater mussels and that appropriate-sized screening over the intake lines should be used to avoid entrainment of fish or mussel larvae. In addition, the MDNR indicated that best management practices for sediment and erosion control should be strictly followed.

This EA will be made available to the public and distributed to affected/interested agencies for a 30-day review and comment period. Notice of its availability will be posted on the NPS PEPC website at www.parkplanning.gov.

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CHAPTER 6: LIST OF PREPARERS

U.S. DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE

NATIONAL CAPITAL REGION

1100 Ohio Drive, SW
Washington, D.C. 20242

Joel Gorder, Regional Environmental Coordinator and Lands Liaison

Dan Sealy, Acting Chief of Natural Resources (Retired)

Perry Wheelock, Chief of Cultural Resources

CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK

1850 Dual Highway, Suite 100
Hagerstown, MD 21742

Kevin Brandt, Superintendent

Michelle Carter, Biologist/Project Manager

Christopher Stubbs, Chief of Resources

Sam Tamburro, Cultural Resource Program Manager

Lynne Wigfield, Compliance Officer

THE LOUIS BERGER GROUP, INC.

1250 23rd Street, NW
Washington, D.C. 20037

Heather Beers, Technical Editor

Julia Eitner, Environmental Planner

Charles LeeDecker, Principal Archeologist

David Plakorus, Environmental Planner

Joshua Schnabel, Environmental Planner

Nancy Van Dyke, Senior Consultant/Quality Assurance and Quality Control

Julia Yuan, Senior Environmental Scientist/Project Manager

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CHAPTER 7: GLOSSARY AND ACRONYMS

GLOSSARY OF TERMS

Advisory Council on Historic Preservation (ACHP) - is an independent federal agency that promotes the preservation, enhancement, and productive use of our nation's historic resources, and advises the President and Congress on national historic preservation policy.

Affected environment — The existing environment to be affected by a proposed action and alternatives.

Archeological resource — Any material remnants or physical evidence of past human life or activities which are of archeological interest, including the record of the effects of human activities on the environment. They are capable of revealing scientific or humanistic information through archeological research. Any material remnants of human life or activities which are at least 100 years of age, and which are of archeological interest (32 CFR 229.3[a]).

Archeological survey — Archeological survey is the process of using explicitly specified methods to prospect for archeological sites; appropriate survey methods vary widely for different environments and archeological resource types.

Best management practices — Methods that have been determined to be the most effective, practical means of preventing or reducing pollution or other adverse environmental impacts.

Consultation — The act of seeking and considering the opinions and recommendations of appropriate parties about undertakings that might affect NRHP properties. Appropriate parties ordinarily include SHPO and ACHP. Consultation is very formal and procedurally oriented. Correct procedures are promulgated in 36 CFR 800.

Council on Environmental Quality (CEQ) — Established by Congress within the executive office of the president with passage of the National Environmental Policy Act (NEPA) of 1969. CEQ coordinates federal environmental efforts and works closely with agencies and other White House offices in the development of environmental policies and initiatives.

Cultural resources — Historic districts, sites, buildings, objects, or any other physical evidence of human activity considered important to a culture, subculture, or community for scientific, traditional, religious, or any other reason.

Deciduous — Describing tree species that have leaves that fall off every season.

Directional Drilling — Commonly called directional boring or horizontal direct drilling (HDD), directional drilling is a trenchless method of installing underground pipes, cables, and/or conduits in a shallow arc along a prescribed bore path. A surface-launched drill rig is used for minimal impact on the surrounding environment.

Enabling legislation — National Park Service (NPS) legislation setting forth the legal parameters by which each park may operate.

Endangered species — "...any species (including subspecies or qualifying distinct population segment) that is in danger of extinction throughout all or a significant portion of its range (ESA Section 3[6])." The lead federal agency, U.S. Fish and Wildlife Service, for the listing of a species as endangered is responsible for reviewing the status of the species on a five-year basis.

Endangered Species Act (ESA) (16 USC 1531 et seq.) — An act to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved and to provide a program for the conservation of such endangered species and threatened species.

Environmental assessment (EA) — An environmental analysis prepared pursuant to the NEPA to determine whether a federal action would significantly affect the environment and thus require a more detailed environmental impact statement (EIS).

Ethnographic resource — A site, structure, object, landscape, or natural resource feature assigned traditional legendary, religious, subsistence, or other significance in the cultural system of a group traditionally associated with it.

Executive Order — Official proclamation issued by the president that may set forth policy or direction or establish specific duties in connection with the execution of federal laws and programs.

Floodplain — The flat or nearly flat land along a river or stream or in a tidal area that is covered by water during a flood.

HABS/HAER — The commonly used abbreviation for two closely allied units of NPS that produce a thorough archival record of buildings, engineering structures, and cultural landscapes significant in American history and the growth and development of the built environment: Historic American Buildings Survey (HABS) and Historic American Engineering Record (HAER). Both units provide information and assistance to federal agencies concerning standards, techniques, and procedures for recording and otherwise documenting non-archeological cultural resources.

Historic district — A geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, landscapes, structures, or objects, united by past events or aesthetically by plan or physical developments. A district may also be composed of individual elements separated geographically but linked by association or history.

Historic landscape — A cultural landscape associated with events, persons, design styles, or ways of life that are significant in American history, landscape architecture, archeology, engineering, and culture; a landscape listed in or eligible for the National Register of Historic Places (NRHP).

Historic property — A district, site, structure, or landscape significant in American history, architecture, engineering, archeology, or culture that meets National Register significance criteria.

Historical significance — The meaning or value ascribed to a structure, landscape, object, or site based on the National Register criteria for evaluation. It normally stems from a combination of association and integrity.

Horizontal Direct Drilling (HDD) — see Directional Drilling.

Integrity — The authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during its historic or prehistoric period; the extent to which a property retains its historic appearance.

List of Classified Structures (LCS) — A database maintained by the NPS that lists and describes all NHRP-eligible structures in the national park system.

Museum collection — Assemblage of archeological collections, objects, works of art, historic documents, and/or natural history specimens collected according to a rational scheme and maintained so they can be preserved, studied, and interpreted for public benefit. Museum collections normally are kept in park museums, although they may also be maintained in archeological and historic preservation centers.

National Environmental Policy Act (NEPA) of 1969 (USC 432 1-4347) — The act, as amended, articulates the federal law that mandates protecting the quality of the human environment. It requires federal agencies to systematically assess the environmental impacts of their proposed activities, programs, and projects including the “no action” alternative of not pursuing the proposed action. NEPA requires agencies to consider alternative ways of accomplishing their missions in ways which are less damaging to the environment.

National Historic Preservation Act (NHPA) of 1966 (16 USC 470 et seq.) — An act to establish a program for the preservation of historic properties throughout the nation, and for other purposes, approved October 15, 1966 [Public Law 89-665; 80 STAT.915; 16 USC 470 as amended by Public Law 91-243, Public Law 93-54, Public Law 94-422, Public Law 94-458, Public Law 96-199, Public Law 96-244, Public Law 96-515, Public Law 98-483, Public Law 99-514, Public Law 100-127, and Public Law 102-575].

National Register of Historic Places (National Register) — A register of districts, sites, buildings, structures, and objects important in American history, architecture, archeology, and culture, maintained by the secretary of the interior under authority of Section 2(b) of the *Historic Sites Act of 1935* and Section 101(a)(1) of the *National Historic Preservation Act of 1966*, as amended. The National Register provides for three levels of significance: national, state, and local.

National Historic Landmark (NHL) — A property designated by the secretary of the interior under authority of the Historic Sites Act of 1935 as having exceptional significance in the nation's history. NHLs are automatically listed on the NRHP and are subject to all preservation requirements.

Open trenching — A method of installing underground pipes, cables, and/or conduits using an open trench. This method requires more ground disturbance, but is often less expensive than directional drilling.

Organic Act — Enacted in 1916, this act commits the NPS to making informed decisions that perpetuate the conservation and protection of park resources unimpaired for the benefit and enjoyment of future generations.

Period of significance — The span of time in which a property attained the significance for which it meets the National Register criteria.

Planning, Environment and Public Comment (PEPC) — The NPS's website for public involvement. This site provides access to current plans, environmental impact analyses, and related documents on public review. Users of the site can submit comments for documents available for public review.

Prism — The trapezoidal cross-sectional shape of a canal's channel. The canal prism for the Chesapeake and Ohio Canal was typically 60 feet wide at the top, 40 feet wide at the bottom, and 6 feet deep.

Rehabilitation — The act or process of making possible an efficient compatible use for a historic structure or landscape through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, and architectural values.

Scoping — Scoping, as part of NEPA, requires examining a proposed action and its possible impacts; establishing the depth of environmental analysis needed; and determining analysis procedures, data needed, and task assignments. The public is encouraged to participate and submit comments on proposed projects during the scoping period.

Section 106, or "106" — Refers to Section 106 of the NHPS of 1966, which requires federal agencies to take into account the effects of their proposed undertakings on properties included or eligible for inclusion in the National Register and give the ACHP a reasonable opportunity to comment on the proposed undertakings.

Significance — Significance of cultural resources is evaluated in terms of NRHP criteria published in 36 CFR 60.

Stabilization — Action to render an unsafe, damaged, or deteriorated property stable while retaining its present form. Interventive treatment action taken to increase the stability or durability of an object when preventive conservation measures fail to decrease its rate of deterioration to an acceptable level or when it has deteriorated so far that its existence is jeopardized.

State Historic Preservation Officer (SHPO) — Official appointed by the governor of each state and U.S. Territory, responsible for certain responsibilities relating to federal undertakings within the state.

Topography — The physical features of a surface area including relative elevations and the position of natural and man-made (anthropogenic) features.

Wetlands — The U.S. Army Corps of Engineers (Federal Register, 1982) and the Environmental Protection Agency (Federal Register, 1980) jointly define wetlands as: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

1 **ACRONYMS**

ACHP	Advisory Council on Historic Preservation
APE	Area of Potential Effects
ARPA	Archaeological Resources Protection Act
C&O	Chesapeake and Ohio
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
DBH	Diameter at breast height
DM	Departmental Manual
DO	Director's Order
EA	Environmental Assessment
ESA	Endangered Species Act
FIDS	Forest Interior Dwelling Species
HABS	Historic American Buildings Survey
HAER	Historic American Engineering Record
HDD	Horizontal Direct Drilling
IBA	Important Birding Area
LCS	List of Classified Structures
MDE	Maryland Department of the Environment
MDNR	Maryland Department of Natural Resources
NEPA	National Environmental Policy Act
NHP	National Historical Park
NHPA	National Historic Preservation Act
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
PEPC	Planning, Environment, and Public Comment
SHPO	State Historic Preservation Officer

T&E

Threatened and Endangered

USC

Unites States Code

USFWS

United States Fish and Wildlife Service

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