

APPENDIX B:

Agency Consultation

Section 7 Consultation Correspondence



United States Department of the Interior



NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000

November 23, 2022

Kimberly Damon-Randall
Protected Resources Division and Habitat Conservation Division
NOAA Fisheries
Greater Atlantic Region Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930

Re: NPS Section 7 Determination for Listed Sturgeon and Designated Critical Habitat in the Potomac River for Construction to Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Ms. Damon-Randall:

The National Park Service (NPS) is rehabilitating portions of the Tidal Basin seawall and the entire West Potomac Park seawall which includes approximately 6,800 linear feet of seawall that is administered by the NPS through National Mall and Memorial Parks (Park) and located in the District of Columbia (Attachments A & B).

NPS is initiating informal Section 7 Endangered Species Act (ESA), 1973, as amended, consultation for the proposed seawall rehabilitation project along the Potomac River where two species of sturgeon may be present: federally endangered shortnose sturgeon (*Acipenser brevirostrum*) and the endangered Chesapeake Bay, New York Bight, Carolina, and South Atlantic distinct population segment, and threatened Gulf of Maine distinct population segment of the Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and designated critical habitat within the action area (Attachment C). This letter is to request Endangered Species Act (ESA) concurrence from your office with the NPS determination. We determined that the proposed activity may affect, but is not likely to adversely affect the listed species. Additional detail is provided below.

Proposed Action

In the years since their construction, the seawalls have significantly settled and in some areas, collapsed into the Potomac River, leading to overtopping of the seawalls in some sections twice daily during normal tidal conditions which erodes the shoreline and introduces sediments into the river. This leads to localized degradation of water quality and can modify existing benthic conditions. This has also led to reduced public access, damage to historic cultural landscapes and Park infrastructure, resulting in negative impacts to visitor use and experience. When the water does recede, the overtopped areas are littered with large wood debris and other trash from the river that often collides with and damages the seawalls, causing further failure. The failing seawalls, standing water, and debris are concerns for visitor safety. The Tidal Basin and West Potomac Park experience large numbers of visitors every day of the

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

year with peak visitation during the spring with the blooming of the cherry blossoms in March or April. The current condition of the seawalls affect visitor use and experience since the pedestrian walkways in many areas have degraded creating trip and fall hazards, are inaccessible due to standing water and mud, and debris left behind from daily flooding. Significant cost is expended by the NPS staff to remove the debris load after overtopping events.

The purpose of the proposed action is to restore the historic functional height of the seawalls, improve the historic cultural landscape and visitor experience along the shorelines, minimize soil erosion and safety hazards, and provide some flood protection. The proposed action is primarily needed because the existing structural deficiencies of the seawalls negatively impacts the experience and safety of park visitors and drowns out vegetation, which affect the landscapes.

The NPS proposes to rebuild and elevate the seawalls to re-establish the historic functional height of the walls in such a way as to provide for a sustainable solution that expands the lifecycle of the seawalls and allow future extensions of the wall to respond to changing climate patterns, including storms of greater intensity and frequency. The proposed action would help keep these areas from flooding during normal tidal events, minor flood stage events, and would help prevent continued loss of wall material. The existing masonry seawall would be removed and a new wall would be constructed along the historic alignment. The stone from the historic wall would be salvaged and reused in construction of the new walls. Finally, the existing landscaping adjacent to each of the seawall systems would be rehabilitated. Repairs to the surrounding infrastructure may include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

The action area is defined under ESA as, “all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action (50 CFR 402.02).” The action area for the Rehabilitate Tidal Basin and West Potomac Park Seawalls project includes the project footprint along the shoreline of the Potomac River and all underwater areas where ESA-listed species under the jurisdiction of National Marine Fisheries Service (NMFS) may be exposed to the effects of the action, such as increased noise and turbidity. To rehabilitate the seawall and replace the existing sidewalk, some work is required from the Potomac River. A temporary cofferdam would be installed in the river, approximately 25 feet from the seawall. Following installation, the area inside the cofferdam would be dewatered so that work on the seawall can occur in reduced water conditions. This also allows for the existing seawall and foundation to be removed in a controlled environmental setting without introducing additional sediment to the river. Water removed from inside the cofferdam would be treated in tanks, cofferdam cells or passed through a filter bag to reduce sediment before discharging the water back to the river.

The structure of the cofferdam consists of steel sheet piles vibrated into the river bottom using a vibratory crane rig. Turbidity curtains would be used during the cofferdam installation/removal to contain disturbed river bottom sediments within the construction area. River conditions would be monitored to assess the effectiveness of the turbidity controls. During the construction process, construction barges and support vessels would operate in an area approximately 200 feet riverward of the cofferdam to facilitate installation and removal of the cofferdam and turbidity curtains. The construction barges would be anchored or spudded down for the duration of waterside work in an area of the river that already receives other vessel traffic but would not impede current traffic patterns. All other work involving the construction of the seawall and associated sidewalks would be done from land to the extent practicable and would remain in the existing footprint of the current seawall system. The construction schedule for the project allows for up to 3 years of construction, with the areas within the Potomac River anticipated to require 2 years of construction.

Anticipated NMFS Limited Species and Critical Habitats in the Action Area

The federally listed endangered shortnose sturgeon and all five of the Distinct Population Segments (DPS) of the Atlantic sturgeon have been identified as potentially occurring in the Potomac River within the action area. Atlantic sturgeon originating from the New York Bight, Chesapeake Bay, South Atlantic, and Carolina DPSs are listed as endangered; the Gulf of Maine DPS is listed as threatened. Shortnose sturgeon are listed as endangered throughout their range.

In a final rule published in the Federal Register on August 17, 2017, NMFS designated this portion of the Potomac River as critical habitat for the Chesapeake Bay DPS of the Atlantic sturgeon under the ESA of 1973, as amended. Atlantic sturgeon critical habitat consists of four physical or biological features:

1. Hard bottom substrate (e.g., rock, cobble, gravel, limestone, boulder, etc.) in low salinity waters (i.e., 0.0-0.5 ppt range) for settlement of fertilized eggs, refuge, growth, and development of early life stages;
2. Aquatic habitat with a gradual downstream salinity gradient of 0.5 up to as high as 30 ppt and soft substrate (e.g., sand, mud) between the river mouth and spawning sites for juvenile foraging and physiological development;
3. Water of appropriate depth and absent physical barriers to passage (e.g., locks, dams, thermal plumes, turbidity, sound, reservoirs, gear, etc.) between the river mouth and spawning sites necessary to support: Unimpeded movements of adults to and from spawning sites; seasonal and physiologically dependent movement of juvenile Atlantic sturgeon to appropriate salinity zones within the river estuary, and; staging, resting, or holding of subadults or spawning condition adults. Water depths in main river channels must also be deep enough (e.g., at least 14 Pease Development Authority Functional Replacement Project Biological Assessment 1.2 m) to ensure continuous flow in the main channel at all times when any sturgeon life stage would be in the river, and;
4. Water, between the river mouth and spawning sites, especially in the bottom meter of the water column, with the temperature, salinity, and oxygen values that, combined, support: Spawning; annual and interannual adult, subadult, larval, and juvenile survival; and larval, juvenile, and subadult growth, development, and recruitment (e.g., 13 °C to 26 °C for spawning habitat and no more than 30 °C for juvenile rearing habitat, and 6 mg/L or greater DO for juvenile rearing habitat).

The first feature is not present in the action area because hard bottom substrates are not present. The second feature is present in the action area because soft substrates are present and could provide suitable foraging habitat. The third and fourth features are present within the action area, with suitable salinities, depths, passage, temperatures, and oxygen values to support the survival and unimpeded passage of subadult and adult Atlantic sturgeon. Atlantic sturgeon spawning may occur in the Potomac River, and as such, adult, sub-adult, and juvenile Atlantic sturgeon in the action area may be migrating or foraging. Early life stages such as eggs and are expected in this stretch of the river in a transient fashion. However, spawning is thought to occur further upstream. The distribution of Atlantic sturgeon is strongly associated with prey availability in areas where suitable forage (e.g., benthic invertebrates) and habitat conditions (e.g., submerged aquatic vegetation beds) are present. Per Department of Energy and Environment's (DOEE) 2022 submerged aquatic vegetation (SAV) survey, no SAV has been present in last 5 years in the action area. While Atlantic sturgeon and shortnose sturgeon are bottom feeders, they do use both deep water and shallow water habitats at various points throughout their life cycle, including tidally influenced

mud and sandflats, as well as mixed cobble substrates which are present within the action area (NOAA 2022).

Effects of the Action

Water Quality Effects to Critical Habitat

1. Cofferdam Installation/Removal

The proposed action includes excavation and grading landward of the seawall. Utilizing cofferdams and dewatering a small portion of the river adjacent to the seawall would minimize the potential for a large sediment release into the river should a section of wall fail during construction activities. However, the installation and removal of the cofferdam may affect juvenile sturgeon that may be present year-round due to reduced habitat area and potential water quality effects. The cofferdam would be installed in sections, rather than along the entire length of the seawall, which would limit the occupation of critical habitat at any given time. Installing and removing the cofferdam may increase turbidity, which can decrease dissolved oxygen levels and increase water temperatures; however, these effects would be temporary and contained within turbidity curtains. Turbidity curtains would be monitored and maintained to ensure proper function. The temporary and localized increase in suspended sediments is most likely to affect sturgeon if a plume causes a barrier to normal behaviors; however, juvenile sturgeon are highly mobile and individuals would be able to navigate around any sediment plume they encounter and continue their normal movements. The cofferdam and turbidity curtains will affect 25 feet of Potomac River adjacent to seawall out of the entire 1,990 feet of the river width, or 1.3% of the river width (Attachment B). Due to the minor, temporary increase in turbidity and access to the width of the Potomac River not disturbed, any effects to normal behaviors would be too small to be detected, and therefore insignificant.

2. Post-Rehabilitation Benefits

Soil and sediment behind the seawalls erode into the Potomac River every time the seawall is overtopped, which is twice daily in some sections. Upon completion of the proposed action, the seawalls would be overtopped significantly less frequently, thereby reducing the frequency and volume of sediment discharges from behind the seawalls. Long-term effects following seawall rehabilitation would be beneficial to water quality and sturgeon habitat.

In-Water Construction Effects on Foraging and Migration

1. Cofferdam Installation/Removal

Cofferdam installation and removal may disturb bottom sediments that sturgeon use to forage. Installed cofferdam and turbidity curtains would block passage within 25 feet of the seawall temporarily during construction. Water depths in the work area range from 0 feet to approximately 5 feet depending on location. Construction barge presence and movement may also deter sturgeon from accessing foraging areas and may temporarily create impediments to migration, although they typically prefer deeper water. The presence of the cofferdam, turbidity curtains, and construction barges may affect availability of foraging habitat and migration patterns within roughly a 25-foot-wide section of the Potomac River (from the seawall) out of the entire 1,990 feet of the river width, or 1.3% of the river width (Attachment B). Existing adjacent unconsolidated soft bottom habitat in the Potomac River and the unrestricted passage for a majority of the Potomac River width, including the deeper more preferred channels mid-river, would provide available foraging and migration during construction. The action area is minimal compared to

total available habitat in the Potomac River near the action area; therefore, the effects to sturgeon foraging and migration would be insignificant.

2. Construction Vessel Traffic

Construction barges along the shoreline pose a strike risk to both transient and resident sturgeon populations. However, the construction barges would follow existing vessel traffic patterns, travel at slow speeds (approximately 2-3 mph), and would be stationary for a majority of the construction period allowing sturgeon the ability to avoid strikes by swimming around them. There is currently frequent existing vessel traffic in this portion of the Potomac River from water taxis, ferries, police vessels and personal watercraft. Effects due to the presence of the temporary construction barges are anticipated to be negligible and therefore insignificant.

Effect of Noise from Cofferdam Installation

As part of cofferdam installation, steel sheet piles would be driven into the river bottom using a vibratory hammer versus an impact hammer that is more disruptive to sturgeon. Vibratory installation of 24-inch steel sheet piles could result in in-water noise levels of up to 182 dB peak, 165 dBrms, and 165 dB SEL at 10 meters from the source (Caltrans 2009; 2012; 2015).

The NMFS Greater Atlantic Regional Fisheries Office (GARFO) Acoustics Tool was used to determine the potential effects to sturgeon from pile driving activities associated with the proposed seawall rehabilitation project. Pile driving produces underwater noise that can result in physiological (injury) or behavioral effects to sturgeon, depending on the loudness and duration of the noise, and the distance from the noise. The GARFO thresholds for physiological (injury) harm and behavioral changes in sturgeon are presented in Table 1.

The Simplified Attenuation Formula (SAF) was used to determine the potential injurious and behavioral thresholds assuming a 24-inch pile size, AZ Steel Sheet pile type, and a vibratory hammer type. According to the GARFO Acoustics Tool, the 206 dB Peak injury thresholds would not be exceeded, but the sound exposure level (SEL) physiological threshold would be exceeded within up to 40 meters. The GARFO Acoustics Tool also suggests behavioral effects, such as avoidance or disruption of foraging activities, may occur in sturgeon exposed to noise above 150 dBrms. Using the parameters inputted as described above, the SAF indicates a distance to behavioral disturbance of 40 meters surrounding a pile driving activity that sturgeon would generally be expected to avoid where exposure to noise above the threshold would occur. Table 1 summarizes the thresholds values and distances related to sturgeon from the GARFO Acoustic Tool. Sturgeon, when given the opportunity to adjust to noise present in the environment, can either swim away or expel air from their swim bladders to decrease damage to body tissue (NMFS 2022).

Table 1. GARFO Acoustic Tool Thresholds Compared to Distances

	Onset of Physical Injury			Behavioral Threshold
	Peak dB	Cumulative SEL dB*		dBrms
		Fish >2g	Fish <2g	
Threshold Value	206 dB Peak	187 dB cSEL	183 dB cSEL	150 dBrms
24-inch Sheet Pile Threshold Distance	0 meters	40 meters		40 meters
*When the distance to 187 dB cSEL cannot be calculated, the SAF model calculates the distance to the single strike 150 dB SEL.				

Note: The GARFO Acoustic Tool spreadsheet references Caltrans (2009; 2012; 2015)

Best Management Practices

To avoid or minimize potential issues from cofferdam installation and related noise, NPS would implement the following best management practices during the construction of the cofferdam:

- Deploy and maintain turbidity curtains outside of the cofferdam.
- Monitor the effectiveness of turbidity controls.
- Dewatering process would include the use of a filter bag before water is discharged back to the river.
- Use of vibratory hammer in lieu of an impact hammer to install sheet piles.
- Soft start – During a soft start lower vibratory hammer energy levels would be used to start the pile driving process, and then the force of pile driving is gradually increased. This process allows all endangered sturgeon in the area to be alerted that work is beginning and gives them an opportunity to clear the area.

Request for in-water work to proceed through TOY Restriction

NPS requests that the time-of-year (TOY) restriction be waived and in-water construction associated with the proposed project be allowed to proceed within the February 15 to July 1 window.

Given the sizeable scope of the seawall rehabilitation, this project would be constructed over multiple years. The ability to work throughout the year provides many benefits to the public and the natural resources of the area. By waiving the TOY restrictions, it would preclude the need for seasonal mobilizations and demobilizations which would add additional years to an already anticipated multi-year project. TOY restrictions would impact visitors and extend the amount of time and disturbance of in-water work. By working year-round, this would maximize construction efficiencies and reduce the overall duration of work in the river, further reducing impacts from construction activities on the sturgeon. Without TOY restrictions, it is anticipated that seawall rehabilitation construction would be implemented year-round and completed in smaller sections to minimize the occupied area within the river and ensure dewatering efforts are effective. Additional justification for the waiver request is summarized below:

- NPS would implement the best management practices described above;
- The 200ft width designated for construction barges follows existing vessel traffic patterns;
- The 40-meter distance where exposure to noise from pile driving is above the behavioral threshold is contained within the 200ft buffer outside of the cofferdam and overlaps with existing vessel traffic patterns.
- At a peak of 182 dB, vibratory installation of sheet piles is below the threshold for harm for sturgeon;

- Three out of four physical or biological features of Atlantic sturgeon critical habitat are available in the action area. However, roughly only a 25-foot-wide section of the Potomac River (from the seawall) out of the entire 1,990 feet of the river width, or 1.3% of the river width, would be dewatered for construction. Existing adjacent unconsolidated soft bottom habitat in the Potomac River and the unrestricted passage for a majority of the Potomac River width, including deeper water channels mid-river, would provide available foraging and migration during construction;
- It is expected that the various life stages of the sturgeon would be in the deeper part of the river. Therefore, there is less chance of interaction with the seawall rehabilitation construction activities.

For these reasons, applying a TOY Restriction to the proposed action would not provide significant benefit to the sturgeon.

Effects Determination

In conclusion, NPS is proposing to rehabilitate portions of the Tidal Basin seawall and the entire West Potomac Park seawall. The proposed project activities would require disturbance to the Potomac River during construction that may have the potential to affect shortnose sturgeon and Atlantic sturgeon and designated Atlantic sturgeon critical habitat. Only 1.3% of the river's width would be occupied by cofferdams and turbidity curtains leaving the remainder of the Potomac River width, including deeper channels mid-river, not blocked and allow the passage and migration of sturgeon. All appropriate best management practices for sediment and erosion control and noise control (as described above related to cofferdams) would be used during construction, to minimize effects to water quality and aquatic habitat.

NPS requests concurrence with the determination that the Tidal Basin and West Potomac Park Seawalls project may affect, but is not likely to adversely affect the federally endangered shortnose sturgeon and all five of the Distinct Population Segments of the Atlantic sturgeon. Further, all effects of the proposed action to the Atlantic sturgeon critical habitat would be insignificant and/or discountable.

If you have any questions about this correspondence, please contact Catherine Dewey, Chief of Resource Management at 202-510-1117 or Catherine_Dewey@nps.gov.

Sincerely,

Jeffrey P. Reinhold
Superintendent
National Mall and Memorial Parks

Copy: Brian D. Hopper, NOAA Fisheries Protected Resources Division (via e-mail:
brian.d.hopper@noaa.gov)

References

Caltrans 2009; 2012; 2015. Technical Guidance for Assessment and Mitigation of the Hydroacoustic Effects of Pile Driving on Fish. Report No. CTHWANP-RT-15-306.01.01. California Department of Transportation. Division of Environmental Analysis.

Caltrans 2020. Technical Guidance for the Assessment of Hydroacoustic Effects of Pile Driving on Fish. Report No. CTHWANP-RT-20-365.01.04. California Department of Transportation. Division of Environmental Analysis.

Moffatt & Nichol July 2022. National Oceanic and Atmospheric Administration – Office of Marine and Aviation Operations, Southeast Marine Operations HUB Project, Potential Noise Impacts to Protected Species Technical Report. Antha Environmental, Inc.

National Marine Fisheries Service, Greater Atlantic Regional Fisheries Office 2022. Section 7: Consultation Technical Guidance in the Greater Atlantic Region. Acoustic Tool. <https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-consultation-technical-guidance-greater-atlantic>. Assessed: August 29, 2022.

NOAA Fisheries 2022. *Atlantic Sturgeon (Acipenser oxyrinchus oxyrinchus)*. Online: <https://www.fisheries.noaa.gov/species/atlantic-sturgeon>. Assessed: August 29, 2022.

NOAA Fisheries 2022. *Shortnose Sturgeon (Acipenser brevirostrum)*. Online: <https://www.fisheries.noaa.gov/species/shortnose-sturgeon>. Assessed: August 29, 2022.

Attachments:

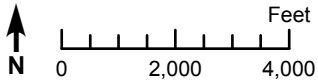
- Attachment A Project Vicinity Map
- Attachment B Action Area Map
- Attachment C NOAA ESA Section 7 Mapper Results



**Tidal Basin and
West Potomac Park
Overview Map**

Rehabilitate Tidal Basin and
West Potomac Park Seawalls

Washington, D.C.



August, 2022



Tidal Basin and West Potomac Park

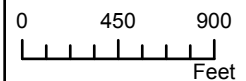
Action Area Map

Rehabilitate Tidal Basin and West Potomac Park Seawalls

Washington, D.C.

ACTION AREA

- 25 feet riverward of existing seawall
- 200 feet riverward of proposed cofferdam



September, 2022



ATTACHMENT C - Drawn Action Area & Overlapping S7 Consultation Areas

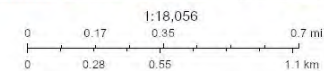
Area of Interest (AOI) Information

Area : 110.15 acres

Sep 1 2022 12:48:29 Eastern Daylight Time



- ▨ Atlantic Sturgeon
- ▨ Shortnose Sturgeon
- ▨ In or Near Critical Habitat



Esri Community Maps Contributors, DCGIS, M-NCPPC, VGIH, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NSA, USGS, EPA, NPS, US Census Bureau, USDA, Maxar

Approximate Action Area with 100ft buffer for Rehabilitate Tidal Basin and West Potomac Park Seawalls Project.

Summary

Name	Count	Area(acres)	Length(mi)
Atlantic Sturgeon	7	507.84	N/A
Shortnose Sturgeon	4	290.19	N/A
Atlantic Salmon	0	0	N/A
Sea Turtles	0	0	N/A
Atlantic Large Whales	0	0	N/A
In or Near Critical Habitat	1	72.55	N/A

Atlantic Sturgeon

#	Feature ID	Species	Lifestage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres)
1	ANS_POT_JUV_MAF	Atlantic sturgeon	Juvenile	Migrating & Foraging	Potomac River	01/01	12/31	N/A	N/A	72.55
2	ANS_POT_PYL_MAF	Atlantic sturgeon	Post Yolk-sac Larvae	Migrating & Foraging	Potomac River	03/15	07/15	8/1	1/31	72.55
3	ANS_POT_SUB_MAF	Atlantic sturgeon	Subadult	Migrating & Foraging	Potomac River	03/15	11/30	N/A	N/A	72.55
4	ANS_POT_YOY_MAF	Atlantic sturgeon	Young of year	Migrating & Foraging	Potomac River	01/01	12/31	N/A	N/A	72.55
5	ANS_POT_ADU_MAF	Atlantic sturgeon	Adult	Migrating & Foraging	Potomac River	03/15	11/30	N/A	N/A	72.55
6	ANS_POT_ADU_SPN	Atlantic sturgeon	Adult	Spawning	Potomac River	03/15	05/15	8/1	11/30	72.55
7	ANS_POT_EYL_NON	Atlantic sturgeon	Eggs and Yolk-sac Larvae	N/A	Potomac River	03/15	06/15	8/1	12/31	72.55

Shortnose Sturgeon

#	Feature ID	Species	Life Stage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres)
1	SNS_POT_YOY_MAF	Shortnose sturgeon	Young of year	Migrating & Foraging	Potomac River	01/01	12/31	N/A	N/A	72.55
2	SNS_POT_JUV_MAF	Shortnose sturgeon	Juvenile	Migrating & Foraging	Potomac River	01/01	12/31	N/A	N/A	72.55
3	SNS_POT_PYL_MAF	Shortnose sturgeon	Post Yolk-sac Larvae	Migrating & Foraging	Potomac River	03/15	6/30	N/A	N/A	72.55
4	SNS_POT_ADU_MAF	Shortnose sturgeon	Adult	Migrating & Foraging	Potomac River	01/01	12/31	N/A	N/A	72.55

In or Near Critical Habitat

#	Species	In or Near Critical Habitat	Area(acres)
1	Atlantic Sturgeon	Chesapeake Bay Unit 2: Potomac River	72.55



United States Department of the Interior

NATIONAL PARK SERVICE
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000



December 5, 2022

Kristy Beard
NOAA Fisheries
Habitat Conservation Division
Annapolis Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401

RE: Consult under the Fish & Wildlife Coordination Act for the Rehabilitation of the Tidal Basin and West Potomac Park Seawalls Project, Washington, D.C.

Dear Ms. Beard:

The National Park Service is initiating consultation under the Fish and Wildlife Coordination Act, 16 U.S.C. 661-667e, as amended, to give equal consideration to migratory anadromous fish and habitat during the planning of the rehabilitation of the Tidal Basin and West Potomac Park Seawalls Project in Washington, D.C. along the Potomac River (Attachments A & B). Endangered Species Act Section 7 consultation with NMFS on endangered sturgeon is separate from this correspondence. As the project design progresses, we will apply for a US Army Corps 404 permit.

The project is located on federal land administered by the National Mall and Memorial Parks, a unit of the National Park Service (NPS). The National Park Service exercises the Secretary of the Interior's narrow authority to permit certain uses of the bed of the Potomac River within the original boundaries of the District of Columbia. The project location within the Potomac River is 116 miles upstream of areas designated as Essential Fish Habitat (EFH) in the Chesapeake Bay. The primary purpose of this land management project is to rehabilitate the seawall to restore the historic functional height, improve the historic cultural landscape and visitor experience along the shorelines, minimize soil erosion and safety hazards, and provide some flood protection. The proposed action is needed because the existing structural deficiencies of the seawalls negatively impacts the experience and safety of park visitors which affect the cultural landscapes.

The NPS proposes to rebuild and elevate the seawalls to re-establish the historic functional height of the walls to provide a sustainable solution that expands the lifecycle of the seawalls and allow future extensions of the wall to respond to changing climate patterns, including storms of greater intensity and frequency. The proposed action would help keep these areas from flooding during normal tidal events, minor flood stage events, and would help prevent continued loss of wall material. The existing masonry

seawall would be removed, and a new wall would be constructed along the historic alignment. Whenever possible, the stone from the historic wall would be salvaged and reused in construction of the new walls. Finally, the existing upland landscaping adjacent to each of the seawall systems would be rehabilitated. Repairs to the surrounding infrastructure may include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the terrestrial landscaped turf and trees.

In the years since their construction, the seawalls have significantly settled and in some areas, collapsed into the Potomac River, leading to overtopping of the seawalls in some sections twice daily during normal tidal conditions which erodes the shoreline and introduces sediments into the river. This leads to localized degradation of water quality and can modify existing benthic conditions. This has also led to reduced public access, damage to historic cultural landscapes and Park infrastructure, resulting in negative impacts to visitor use and experience. When the water does recede, the overtopped areas are littered with large wood debris and other trash from the river that often collides with and damages the seawalls, causing further failure. The failing seawalls, standing water, and debris are concerns for visitor safety. The Tidal Basin and West Potomac Park experience large numbers of visitors every day of the year with peak visitation during the spring with the blooming of the cherry blossoms in March or April. The current condition of the seawalls affect visitor use and experience since the pedestrian walkways in many areas have degraded creating trip and fall hazards, are inaccessible due to standing water and mud, and debris left behind from daily flooding. Significant cost is expended by the NPS staff to remove the debris load after overtopping events.

A temporary cofferdam would be installed in the river, approximately 25 feet from the seawall. Following installation, the area inside the cofferdam would be dewatered so that work on the seawall can occur in reduced water conditions. This also allows for the existing seawall and foundation to be removed in a controlled environmental setting that would greatly reduce the introduction of additional sediment to the river. Water removed from inside the cofferdam would be treated in tanks, cofferdam cells or passed through a filter bag to reduce sediment before discharging the water back to the river.

The structure of the cofferdam consists of steel sheet piles vibrated into the river bottom using a vibratory crane rig. Turbidity curtains would be used during the cofferdam installation/removal to contain disturbed river bottom sediments within the construction area. River conditions would be monitored to assess the effectiveness of the turbidity controls. During the construction process, construction barges and support vessels would operate in an area approximately 200 feet riverward of the cofferdam to facilitate installation and removal of the cofferdam and turbidity curtains. The construction barges would be anchored or spudded down for the duration of waterside work in an area of the river that already receives other vessel traffic but would not impede current traffic patterns. All other work involving the construction of the seawall and associated sidewalks would be done from land to the extent practicable and would remain in the existing footprint of the current seawall system. The construction schedule for the project allows for up to 3 years of construction, with the areas within the Potomac River anticipated to require 2 years of construction.

This project may have an indirect effect on EFH. While 116 miles upstream of EFH, the project area includes several species of anadromous fish such as alewife (*Alosa pseudoharengus*) and blueback herring (*Alosa aestivalis*) and less frequent American shad (*Alosa sapidissima*), that use the Potomac River as migratory, spawning, and juvenile rearing habitat (see attached figure). These species have been documented to be important prey (a component of EFH) to a variety of federally-managed species.

A review of the Department of Energy and Environment (DOEE) Aquatic Resource Map indicated areas of submerged aquatic vegetation (SAV), directly off the shoreline within the project area, were present in 2017 but absent from 2018 to 2021 (Attachment D). Per DOEE regulatory purposes, SAV beds are defined as areas of SAV identified and annually mapped during at least one of the previous five years. The NPS intends to request the present/absence of SAV be based on the 2018-2022 5-year timeframe since the proposed construction would occur beyond 2022. At the time of construction, the NPS will assess and document SAV present at the time of construction. Impacts to the SAV would be mitigated, if possible, but may be unavoidable. The loss of SAV, if present, is expected to be temporary and discountable due to the size of the project area compared to the Potomac River. SAV will likely recolonize once the project ends if not, the NPS commits to mitigation in the form of revegetation of the SAV.

Best Management Practices

To avoid, reduce, or offset potential impacts of cofferdam installation and related noise, the NPS will implement the following best management practices during the construction of the cofferdam:

- Deploy and maintain turbidity curtains outside of the cofferdam.
- Monitor the effectiveness of turbidity controls.
- Dewatering process would include the use of a filter bag before water is discharged back to the river.
- Use of vibratory hammer in lieu of an impact hammer to install sheet piles.
- Soft start – During a soft start lower vibratory hammer energy levels would be used to start the pile driving process, and then the force of pile driving is gradually increased. This process allows all endangered sturgeon in the area to be alerted that work is beginning and gives them an opportunity to clear the area.

The NPS requests a waiver for the time-of-year (TOY) restriction for anadromous fish such as river herring species from 15 February to 15 June each year for the proposed project. Given the sizeable scope of the seawall rehabilitation, this project would be constructed over multiple years.

Working year-round would maximize construction efficiencies and reduce the overall duration of work in the river, further reducing impacts from construction activities on anadromous river herring species. Without TOY restrictions, it is anticipated that seawall rehabilitation construction would be implemented year-round and completed in smaller sections to minimize the occupied area within the river and ensure dewatering efforts are effective. Additional justification for the waiver request is summarized below:

- The NPS would implement the best management practices described above;
- The 200ft width designated for construction barges follows existing vessel traffic patterns;
- The 40-meter distance where exposure to noise from pile driving is above the behavioral threshold is contained within the 200ft buffer outside of the cofferdam and overlaps with existing vessel traffic patterns.
- At a peak of 182 dB, vibratory installation of sheet piles is below the threshold for harm for fish like endangered sturgeon;
- Roughly only a 25-foot-wide section of the Potomac River (from the seawall) out of the entire 1,990 feet of the river width, or 1.3% of the river width, would be dewatered for construction. Existing adjacent unconsolidated soft bottom habitat in the Potomac River and the unrestricted passage for a majority of the Potomac River width, including deeper water channels mid-river, would provide available foraging and migration during construction.

The ability to work throughout the year provides many benefits to the public and the natural resources of the area. By waiving the TOY restrictions, it would preclude the need for seasonal mobilizations and demobilizations which would add additional years to an already anticipated multi-year project. TOY restrictions would impact visitors and extend the amount of time and disturbance of in-water work.

The National Park Service concludes that while the project is 116 miles upstream of EFH, the project area includes several species of anadromous fish that are prey for protected species and a component of the EFH that may be affected while working in the river during the time-of-year restriction. The work will follow conservation measures, so the NPS has determined that the activities associated with this project are not likely to adversely affect migratory anadromous river herring species or their habitat.

If you have any questions about this correspondence, please contact Catherine Dewey, Chief of Resource Management at 202-510-1117 or Catherine_Dewey@nps.gov.

Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127



In Reply Refer To:

January 09, 2023

Project Code: 2022-0058491

Project Name: Rehabilitate Tidal Basin and West Potomac Park Seawalls

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office

177 Admiral Cochrane Drive

Annapolis, MD 21401-7307

(410) 573-4599

Project Summary

Project Code: 2022-0058491

Project Name: Rehabilitate Tidal Basin and West Potomac Park Seawalls

Project Type: Bulkhead - Maintenance/Modification

Project Description: The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.883667,-77.04697576749649,14z>



Counties: District of Columbia County, District of Columbia



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127



In Reply Refer To:

June 28, 2022

Project code: 2022-0058491

Project Name: Rehabilitate Tidal Basin and West Potomac Park Seawalls

Subject: Verification letter for the 'Rehabilitate Tidal Basin and West Potomac Park Seawalls' project under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-eared Bat and Activities Excepted from Take Prohibitions.

Dear Tanaira Cullens:

The U.S. Fish and Wildlife Service (Service) received on June 28, 2022 your effects determination for the 'Rehabilitate Tidal Basin and West Potomac Park Seawalls' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. This IPaC key assists users in determining whether a Federal action is consistent with the activities analyzed in the Service's January 5, 2016, Programmatic Biological Opinion (PBO). The PBO addresses activities excepted from "take"^{[\[1\]](#)} prohibitions applicable to the northern long-eared bat under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, the Action is consistent with activities analyzed in the PBO. The Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the PBO satisfies and concludes your responsibilities for this Action under ESA Section 7(a)(2) with respect to the northern long-eared bat.

Please report to our office any changes to the information about the Action that you submitted in IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation. If the Action is not completed within one year of the date of this letter, you must update and resubmit the information required in the IPaC key.

This IPaC-assisted determination allows you to rely on the PBO for compliance with ESA Section 7(a)(2) only for the northern long-eared bat. It **does not** apply to the following ESA-protected species that also may occur in the Action area:

- Monarch Butterfly *Danaus plexippus* Candidate

If the Action may affect other federally listed species besides the northern long-eared bat, a proposed species, and/or designated critical habitat, additional consultation between you and this Service office is required. If the Action may disturb bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act is recommended.

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Rehabilitate Tidal Basin and West Potomac Park Seawalls

2. Description

The following description was provided for the project 'Rehabilitate Tidal Basin and West Potomac Park Seawalls':

The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.883667,-77.04697576749649,14z>

**Determination Key Result**

This Federal Action may affect the northern long-eared bat in a manner consistent with the description of activities addressed by the Service's PBO dated January 5, 2016. Any taking that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR

§17.40(o). Therefore, the PBO satisfies your responsibilities for this Action under ESA Section 7(a)(2) relative to the northern long-eared bat.

Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on May 15, 2017. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for Federal actions is to assist determinations as to whether proposed actions are consistent with those analyzed in the Service's PBO dated January 5, 2016.

Federal actions that may cause prohibited take of northern long-eared bats, affect ESA-listed species other than the northern long-eared bat, or affect any designated critical habitat, require ESA Section 7(a)(2) consultation in addition to the use of this key. Federal actions that may affect species proposed for listing or critical habitat proposed for designation may require a conference under ESA Section 7(a)(4).

Determination Key Result

This project may affect the threatened Northern long-eared bat; therefore, consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.) is required. However, based on the information you provided, this project may rely on the Service's January 5, 2016, *Programmatic Biological Opinion on Final 4(d) Rule for the Northern Long-Eared Bat and Activities Excepted from Take Prohibitions* to fulfill its Section 7(a)(2) consultation obligation.

Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?
Yes
2. Have you determined that the proposed action will have "no effect" on the northern long-eared bat? (If you are unsure select "No")
No
3. Will your activity purposefully **Take** northern long-eared bats?
No
4. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?
Automatically answered
No
5. Have you contacted the appropriate agency to determine if your project is near a known hibernaculum or maternity roost tree?

Location information for northern long-eared bat hibernacula is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees and hibernacula is available at www.fws.gov/media/nleb-roost-tree-and-hibernacula-state-specific-data-links-0.

Yes

6. Will the action affect a cave or mine where northern long-eared bats are known to hibernate (i.e., hibernaculum) or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum?
No
 7. Will the action involve Tree Removal?
Yes
-

8. Will the action only remove hazardous trees for the protection of human life or property?

No

9. Will the action remove trees within 0.25 miles of a known northern long-eared bat hibernaculum at any time of year?

No

10. Will the action remove a known occupied northern long-eared bat maternity roost tree or any trees within 150 feet of a known occupied maternity roost tree from June 1 through July 31?

No

Project Questionnaire

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

0

2. If known, estimated acres of forest conversion from April 1 to October 31

0

3. If known, estimated acres of forest conversion from June 1 to July 31

0

If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

9. If known, estimated acres of prescribed fire from June 1 to July 31

0

If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

0

IPaC User Contact Information

Agency: Biohabitats Inc.

Name: Tanaira Cullens

Address: 2081 Clipper Park Rd

City: Baltimore

State: MD

Zip: 21211

Email: tcullens@biohabitats.com

Phone: 4436350381

Lead Agency Contact Information

Lead Agency: Department of Interior



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930-2276

December 20, 2022

Jeffrey P. Reinbold, Superintendent
National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000

RE: Consultation under the Fish & Wildlife Coordination Act for the rehabilitation of the Tidal Basin and West Potomac Park Seawalls Project, Washington, D.C.

Dear Mr. Reinbold:

We have reviewed your December 5, 2022, letter and supporting materials provided for the proposed rehabilitation and improvements to the Tidal Basin and West Potomac Park seawalls in the District of Columbia. The National Park Service (NPS) is proposing to construct a seawall along approximately 6,840 linear feet (1.3 miles) of existing shoreline to address degradation of the existing shoreline erosion control structures. The existing structures are currently deteriorated and certain portions are frequently affected by tidal flooding and elevated river discharge, which is negatively impacting park infrastructure and public accessibility. Several measures have been proposed to mitigate adverse effects on aquatic habitats in the project area. This includes installing a sheet pile cofferdam approximately 25 feet from the existing seawall using vibratory hammers, dewatering the enclosed area using filter substrates, and working in the dry for approximately two (2) years. During this time, the existing seawall structure will be removed and subsequently replaced in-kind. The new structure will be elevated to account for existing subsidence and recent relative sea level rise (RSLR). While details were not provided, the new structure is also proposed to be constructed in a manner that allows for further enhancements to account for anticipated RLSR. We appreciate that you intend to employ several best management practices (BMPs) to mitigate adverse impacts to aquatic habitats and we offer the following guidance to further avoid and minimize impacts to our trust resources.

Fish and Wildlife Coordination Act (FWCA)

The Fish and Wildlife Coordination Act (FWCA) requires that all federal agencies, such as NPS, consult with us when proposed actions might result in modifications to a natural stream or body of water. It also requires that they consider the effects that these projects would have on fish and wildlife and must also provide for the improvement of these resources. Under this authority, we work to protect, conserve and enhance species and habitats for a wide range of aquatic resources such as shellfish, diadromous species, and other commercially and recreationally important species that are not managed by the federal fishery management councils and do not have designated essential fish habitat (EFH). The Potomac River serves as productive habitat for many aquatic species and their forage that we seek to conserve and enhance under the FWCA



including American shad (*Alosa sapidissima*), alewife (*A. pseudoharengus*), blueback herring (*A. aestivalis*), striped bass (*Morone saxatilis*), American eel (*Anguilla rostrata*), and other assorted baitfishes and invertebrates. Submerged aquatic vegetation (SAV) has also been documented in the project area in the last five (5) years. SAV provides important habitat for these species, especially juvenile life stages, in the Potomac River where vegetative cover and unarmored shorelines are rare. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, we provide the following comments and recommendations pursuant to the authority of the FWCA.

Aquatic Resources and Associated Impacts

Migratory Fish Spawning Habitat

The Potomac River in D.C. provides productive habitat for a variety of migratory fish, including American shad and river herring (alewife, and blueback herring, collectively) which use the river including areas in and around the proposed project site as migratory, spawning, nursery, resting, and foraging habitat. Lippson et al. (1979) and, more recently, Swann (2021) both describe the project area and areas upstream as providing spawning habitat for these species. American shad and river herring spend most of their lives at sea and migrate great distances to generally return to their natal freshwater rivers to spawn, though some straying does occur (Pess et al. 2014). They have also been documented to exhibit some degree of iteroparity (i.e., adults return to spawn multiple times throughout their life) in urbanized tributaries to the Chesapeake Bay (M. Ogburn, Smithsonian Environmental Research Center, pers. comm.).

Alosines, such as these, are important forage for several species managed by the New England Fishery Management Council and the Mid-Atlantic Fishery Management Council as they provide trophic linkages between freshwater/estuarine and marine food webs. Buckel and Conover (1997) in Fahay et al. (1999) report that diet items of juvenile bluefish (*Pomatomus saltatrix*) include *Alosa* species. Additionally, juvenile *Alosa* species have all been identified as prey species for summer flounder (*Paralichthys dentatus*) and windowpane flounder (*Scophthalmus aquosus*) in Steimle et al. (2000). As a result, actions that reduce the availability of prey species, either through direct harm or capture, or through adverse impacts to their spawning habitat may adversely impact federally managed fisheries and their EFH.

American shad, blueback herring, and alewife formerly supported the largest and most important commercial and recreational fisheries throughout their range, with fishing activities spanning across rivers (both fresh and saltwater), tributaries, estuaries, and the ocean. Commercial landings for these species have declined dramatically from historic highs. The most recent American shad stock assessment report identified that American shad stocks are, in all likelihood, currently at all-time lows following a period of recent (i.e., within the past decade) coast-wide decline (ASMFC 2020). In the Potomac River the recent estimate of adult mortality was described as “unsustainable” indicating that, on average, there is a net loss of adults returning to the system to spawn each year.

The Atlantic States Marine Fisheries Commission's 2007 stock assessment determined that American shad stocks did not appear to be recovering and that new protection and restoration actions needed to be identified and applied. The subsequent Amendment 3 to the Interstate

Fishery Management Plan for Shad and River Herring (American Shad Management) identified significant threats to American shad, including spawning and nursery habitat degradation or blocked access to habitat, resulting from dam construction, increased erosion and sedimentation, and losses of wetland buffers. Protecting, restoring and enhancing American shad habitat, including spawning, nursery, rearing, production, and migration areas, are necessary for preventing further declines in American shad abundance, and restoring healthy, self-sustaining, robust, and productive American shad stocks to levels that will support the desired ecological, social, and economic functions and values of a restored Atlantic coast American shad population (ASMFC 2010).

In the Mid-Atlantic, landings of alewife and blueback herring, collectively known as river herring, have declined since the mid-1960's and have remained very low in recent years (ASMFC 2017). The 2012 river herring benchmark stock assessment found that of the 52 stocks of alewife and blueback herring assessed, 23 were depleted relative to historic levels, one was increasing, and the status of 28 stocks could not be determined due to a lack of long-term data (ASMFC 2012). The 2017 stock assessment update indicates that river herring remain depleted at near historic lows coast-wide. The "depleted" determination was used in 2012 and 2017 instead of "overfished" to indicate factors besides fishing have contributed to the decline of these species, including habitat loss, habitat degradation and modification, and climate change (ASMFC 2017). Because landing statistics and the number of fish observed on annual spawning runs indicate a drastic decline in alewife and blueback herring populations throughout much of their range since the mid-1960s, they have been designated as a Species of Concern by NOAA. Species of Concern are those about which we have concerns regarding their status and threats, but for which insufficient information is available to indicate a need to list the species under the Endangered Species Act (ESA). We wish to draw proactive attention and conservation actions to these species.

We appreciate that NPS demonstrated an awareness of typical avoidance and minimization approaches for spawning migratory fish in your December 5, 2022, letter. The measures described included deploying/monitoring turbidity curtains, installing/dewatering cofferdams around the project area, and using a vibratory hammer and soft start during cofferdam installation/removal. While these measures do largely address our concerns and reflect the BMPs described by Johnson et al. (2008), we recommend that the installation and removal of cofferdam structures be restricted during the anadromous fish spawning period (March 1 - June 15) to avoid disturbing spawning behavior, which has been documented in the project area. Incorporating this measure in addition to the other protective measures described in your letter should sufficiently minimize adverse impacts to spawning anadromous fishes.

Tidal Wetlands

Intertidal marshes provide a suite of ecological functions including fish and wildlife habitat, primary productivity via plant/microalgae/fungal growth, nutrient transformation, sediment retention, and carbon sequestration. Fringing freshwater tidal wetlands serve as spawning, nursery, foraging, and resting habitats for a variety of species in the project area, including migratory alosines (Greene et al. 2009). Furthermore, a recent study completed by Young et al. (2021) indicates that increasing diversity in primary productivity, such as that provided by emergent tidal wetlands, increases aquatic community resilience to disturbances and fluctuations

in the availability of other food sources (e.g., SAV). Therefore, projects that enhance the overall diversity of primary producers should support a more diverse and resilient aquatic food web.

The entirety of the uplands to be protected by the project were created through the historical filling of tidal wetlands during the development of the District of Columbia, which commenced during the late nineteenth century (NPS 1985). This activity resulted in significant losses to fringing tidal wetlands in the freshwater tidal portions of the Potomac River. Furthermore, the low bearing capacity of the sediments in the project area has posed challenges for long-term stability of hardened shoreline structures (NPS 1985). RSLR is also anticipated to pose a significant challenge to the project location, based on 2022 projections described by Sweet et al. (2022; also see: <https://coast.noaa.gov/slr/#>). Natural and nature-based features (NNBF) can be an effective method to stabilize shorelines through the incorporation of both structural (e.g., sills, breakwaters) and non-structural (e.g., vegetated tidal wetlands) elements (Bridges et al. 2015). Due to the overall minor coverage of remaining wetland vegetation within the greater freshwater tidal reaches of the Potomac and Anacostia rivers, we support efforts to re-establish fringing tidal wetlands within their historical footprint. Such an approach would better align with recent guidance from the White House Council on Environmental Quality and others (2022). While we recognize that it may not be possible throughout the entirety of this project area, the potential to incorporate such habitat features along suitable reaches of shoreline should be evaluated during further project development.

Submerged Aquatic Vegetation (SAV)

As indicated in your letter, delineations completed by the District Department of Energy and Environment (DDOE) and the Virginia Institute of Marine Sciences (VIMS) indicate the presence of SAV beds within the Location of Disturbance (LOD) in 2017. VIMS characterize the density of these beds as “dense (70% - 100%)” in that year. While the Potomac River in the project area has not supported large areas of SAV in the recent past, wastewater management efforts are anticipated to improve water quality in the river (Miller et al., 2013) which may increase habitat suitability for SAV in the future. The U.S. Environmental Protection Agency (EPA) has designated SAV as a special aquatic site under Section 404(b)(1) of the federal Clean Water Act because of its important role in the marine ecosystem for nesting, spawning, nursery cover, and forage areas for fish and wildlife. It is a priority habitat for us for the same reasons.

SAV and their associated epiphytes are highly productive, produce a structural matrix on which many other species depend, improve water quality, and stabilize sediments (Fonseca et al. 1998). Seagrasses are among the most productive ecosystems in the world and perform a number of irreplaceable ecological functions, which range from chemical cycling and physical modification of the water column and sediments to providing food and shelter for commercial, recreation as well as economically important organisms (Stephan and Bigford 1997). Ross et al. (1997) found that the only habitat with which juvenile American shad abundance was significantly correlated was SAV cover, indicating that this habitat provides crucial cover and foraging habitat for juvenile Alosines during their early life history stages. Furthermore, Odom (1997) indicated that juvenile American shad favored riffle/run habitat colonized by SAV because it provided flow-boundary feeding positions where juveniles could both feed on drifting macroinvertebrates and reduce energy costs. Ultimately, while preferred riverine habitat for pre-migration juvenile river herring has not been thoroughly evaluated (Greene et al., 2009), existing studies of other Alosine

species with similar life histories suggest that SAV is important habitat for juveniles prior to their outmigration.

In your December 5, 2022, letter, you suggested that due to the anticipated work schedule beginning beyond 2022, that the previous five (5) year period considered to describe SAV colonization would be from 2018 through 2022, thus eliminating the need for compensatory mitigation needs for SAV. We disagree with this approach. In order to demonstrate absence, we recommend that a SAV survey be conducted during the 2023 growing season to determine whether this resource will be impacted. Existing survey programs (e.g., those administered by DOEE) may have capacity to assist with such a survey and we encourage you to coordinate with them to determine how this might be best accomplished. Should SAV be documented in the project footprint, we recommend that you work with DOEE staff to develop a compensatory mitigation plan.

Fish and Wildlife Coordination Act Recommendations

As proposed, the project may prevent or reduce upstream passage of diadromous fish to important spawning habitat and will result in permanent elimination and degradation of riverine habitat, including mapped areas of SAV. To avoid and minimize these impacts, we recommend the following, pursuant to the Fish and Wildlife Coordination Act (FWCA):

- Evaluate alternatives to shoreline erosion control that incorporate NNBF to the maximum extent practicable.
- Restrict the installation and removal of cofferdam structures during the period in which anadromous fishes are documented to spawn in the project area (March 1 - June 15).
- Perform a survey for SAV during the 2023 growing season (July 15 - September 15) and, if SAV is observed, work with DOEE to develop a monitoring and compensatory mitigation plan to offset permanent and temporary losses.

Conclusion

We look forward to continued coordination with you on this project as it moves forward. If you have any questions or need additional information, please do not hesitate to contact Jonathan Watson in our Annapolis, MD field office at jonathan.watson@noaa.gov or (410) 295-3152.

Sincerely,

Karen Greene
Chief, Mid-Atlantic Branch
Habitat and Ecosystem Services Division

cc:

NPS – T. Stidham, C. Dewey, J. Gorder, D. Pavsek

NMFS – B. Hopper; K. Greene

USACE – M. Fullam

DOEE – J. Anderson

EPA – M. Fitzgerald

FWS – S. Deeley

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Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ The monarch is a candidate species and not yet listed or proposed for listing. There are generally no section 7 requirements for candidate species (FAQ found here: https://www.fws.gov/savethemonarch/FAQ-Section7.html). Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

LAKE

- [L1UBH](#)

RIVERINE

- [R1UBV](#)
-

IPaC User Contact Information

Agency: Biohabitats Inc.

Name: Tanaira Cullens

Address: 2081 Clipper Park Rd

City: Baltimore

State: MD

Zip: 21211

Email: tcullens@biohabitats.com

Phone: 4436350381

Lead Agency Contact Information

Lead Agency: Department of Interior

From: Cullen, Kathleen M <kathleen_cullen@fws.gov>
Sent: Friday, February 3, 2023 3:48 PM
To: Tanaira Cullens <tcullens@biohabitats.com>; Keller, Cherry <cherry_keller@fws.gov>
Subject: Re: [EXTERNAL] NLEB Distance from Hibernacula and Maternity Roost Trees

Hi Tanaira-

Thank you for sending this project for review. Recent survey work in this area has been negative for NLEB, and we would consider this to not be habitat for the species. Based on the scope of work and the project location, this project is expected to have "no effect" on the NLEB. No further Section 7 consultation is needed at this time unless project plans change. Please let me know if you have any questions.

Thank you,
Kathleen

Kathleen Cullen
U.S. Fish & Wildlife Service - Chesapeake Bay Field Office
177 Admiral Cochrane Dr., Annapolis MD, 21401
410-573-4579 - kathleen_cullen@fws.gov

From: Tanaira Cullens <tcullens@biohabitats.com>
Sent: Friday, February 3, 2023 8:21 AM
To: Keller, Cherry <cherry_keller@fws.gov>
Cc: Cullen, Kathleen M <kathleen_cullen@fws.gov>
Subject: [EXTERNAL] NLEB Distance from Hibernacula and Maternity Roost Trees

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good Morning Cherry,

Thanks so much for chatting with me about the NLEB hibernacula and maternity roost trees. Please see below for a map of the project area (also attached) and a project description.

The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may include grading, stormwater control, pedestrian/ multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.



Tanaira S. Cullens
Environmental Scientist

410.554.0156
667.401.8441 (direct)
www.biohabitats.com
[leaf litter newsletter](#)

 **Biohabitats**
Restore the Earth & Inspire Ecological Stewardship

2081 Clipper Park Road
Baltimore, MD 21211

Section 106 Agency Consultation Correspondence



United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Mr. David Maloney
State Historic Preservation Officer
Historic Preservation Office
District of Columbia Office of Planning
1100 4th Street SW Suite E650
Washington, DC 20024

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Mr. Maloney:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS is writing to formally initiate consultation with the District of Columbia State Historic Preservation Office (DC SHPO) in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may

include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

To prepare for the Section 106 consultation process, the NPS has developed a graphic illustration of the draft Area of Potential Effects (APE) provided as Attachment A. The draft APE is intended as a basis for discussion and is subject to modification through the consultation process. The draft APE includes potential visual and physical effects, from the Virginia shoreline and from construction staging areas and the area within the Limits of Disturbance for construction of the project.

A preliminary list of historic resources within the draft APE includes National Mall Historic District, Washington Monument and Grounds Historic District, East and West Potomac Parks Historic District, Mount Vernon Memorial Highway Historic District, George Washington Memorial Parkway Historic District, and the Arlington National Cemetery Historic District, all of which are listed in the National Register of Historic Places (NRHP). Additional individually NRHP-listed resources include Arlington Memorial Bridge and Related Features, Martin Luther King, Jr., Memorial, Franklin Delano Roosevelt Memorial, and Thomas Jefferson Memorial.

The NPS will work with the DC SHPO and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

Section 106 and NEPA Coordination

In accordance with the National Environmental Policy Act (NEPA), NPS will prepare an EA to analyze potential impacts of the proposed rehabilitation and reconstruction of the seawalls. NPS plans to coordinate the Section 106 and NEPA processes per the implementing regulations (36 CFR § 800.8) of the NHPA. The NPS will also develop an Assessment of Effect Report for this project as a separate, but parallel, process to the EA.

We look forward to beginning the Section 106 consultation process for this project. If you have any questions or have preliminary feedback related to the project, draft APE, historic properties, and potential consulting parties, please contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov or 202-510-1117.

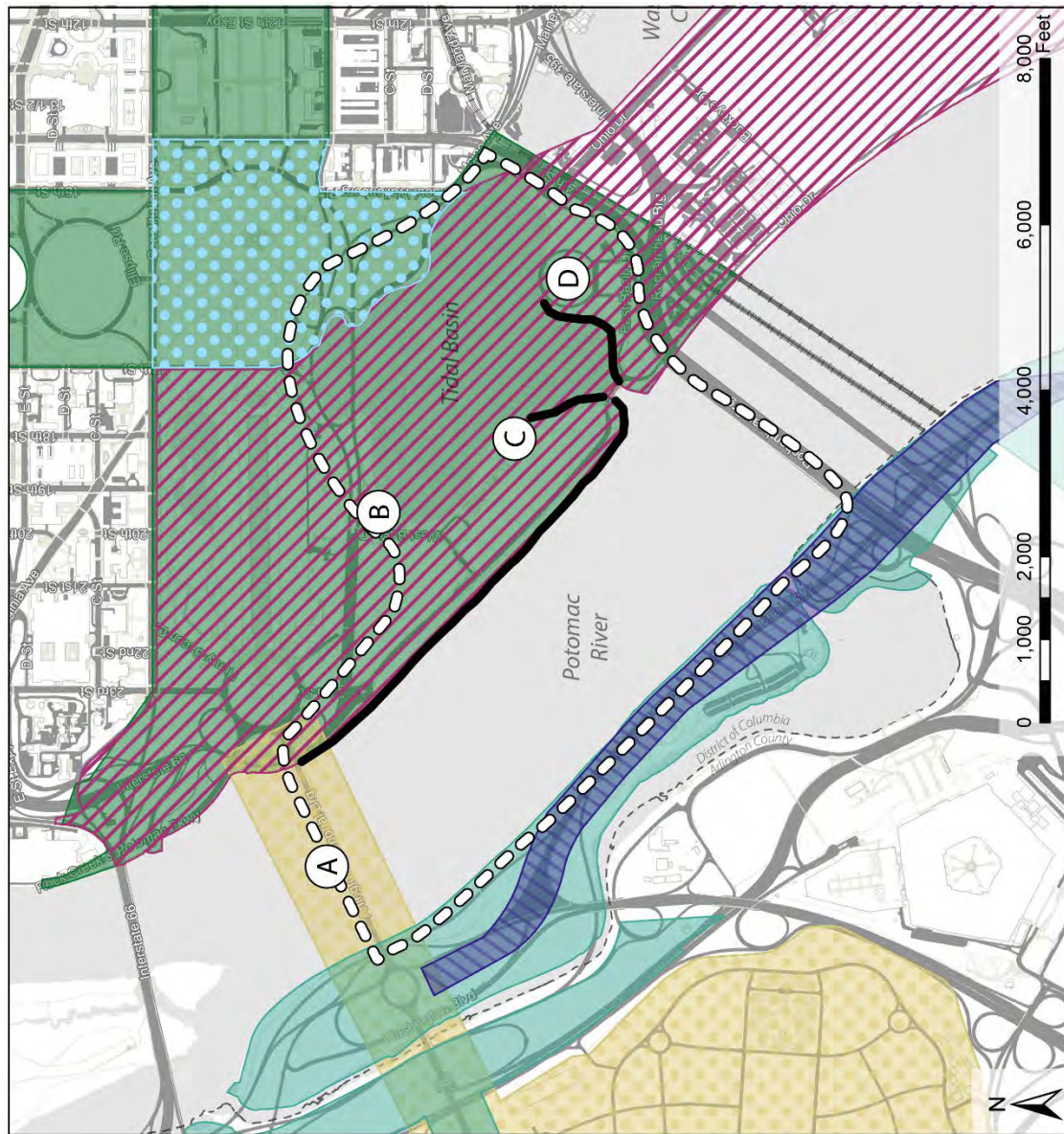
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Andrew Lewis, DC SHPO
Dr. Ruth Troccoli, DC SHPO
Tammy Stidham, NPS
Catherine Dewey, NPS

Attachment A: Draft Area of Potential Effects Map



- Key**
- Area of Potential Effects
 - Washington Monument and Grounds Historic District
 - East and West Potomac Parks Historic District
 - National Mall Historic District
 - Arlington National Cemetery Historic District
 - George Washington Memorial Parkway
 - Mount Vernon Memorial Highway Historic District
- Individually Listed Resources**
- A. Arlington Memorial Bridge
 - B. Martin Luther King Jr., Memorial
 - C. Franklin Delano Roosevelt Memorial
 - D. Thomas Jefferson Memorial
- Poposed extent of seawall project

Attachment B: Potential Consulting Parties

	NAMA 318722			
	POTENTIAL CONSULTING PARTIES			
	NAME	TITLE	AGENCY	EMAIL
Tribes	Deborah Dotson	President	Delaware Nation	ec@delawarenation-nsn.gov
	Erin Thompson	Historic Preservation Director	Delaware Nation	ethompson@delawarenation-nsn.gov
	Chuck Hoskin, Jr.	Principal Chief	Cherokee Nation	chuck-hoskin@cherokee.org
	Robert Gray	Chief	Pamunkey Indian Tribe	pamunkeytribe@pamunkey.org
	Frank Adams	Chief	Upper Mattaponi Indian Tribe	wfrankadams@verizon.net
	Reggie Tupponce	Tribal Administrator	Upper Mattaponi Indian Tribe	admin@umitribe.org
	Anne Richardson	Chief	Rappahannock Tribe	chiefannerich@aol.com
	Earl Bass	Chief	Nansemond Indian Nation	earlbass@gmail.com and Chief@nansemond.org
	Megan Bass		Nansemond Indian Nation	administrator@nansemond.org
	Stephen Adkins	Chief	Chickahominy Indian Tribe	stephenradkins@aol.com and chiefstephenadkins@gmail.com
	Dana Adkins	Tribal Environmental Director	Chickahominy Indian Tribe	dana.adkins@chickahominytribe.org
	Gerald Stewart	Chief	Chickahominy Tribe Eastern Division	wasandson@cox.net
	Kenneth Branham	Chief	Monacan Indian Nation	TribalOffice@MonacanNation.com
	Rufus Elliot	Tribal Administrator	Monacan Indian Nation	tribaladmin@monacannation.com
	William "Bill" Harris	Chief	Catawba Indian Nation	bill.harris@catawbaindian.net
	Wenonah George Haire	THPO	Catawba Indian Nation	wenonah.haire@catawba.com
	John Johnson	Governor	Absentee Shawnee Tribe of Indians of Oklahoma	jjohnson@astribe.com
	Tonya Tipton	THPO	Shawnee Tribe	tonya@shawnee-tribe.com
	Benjamin Barnes	Chief	Shawnee Tribe	chief@shawnee-tribe.com



United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Mr. Marcel Acosta
Executive Director
National Capital Planning Commission
400 9th Street, NW
Suite 500
Washington, DC 20003

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Mr. Acosta:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS is writing to formally initiate consultation with the National Capital Planning Commission (NCPC) who has review authority over federal projects located within the District of Columbia will be a cooperating agency the National Capital Planning Act (40 U.S.C. § 8722(b)(1) and (d)) and Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and

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

addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

To prepare for the Section 106 consultation process, the NPS has developed a graphic illustration of the draft Area of Potential Effects (APE) provided as Attachment A. The draft APE is intended as a basis for discussion and is subject to modification through the consultation process. The draft APE includes potential visual and physical effects, from the Virginia shoreline and from construction staging areas and the area within the Limits of Disturbance for construction of the project.

A preliminary list of historic resources within the draft APE includes National Mall Historic District, Washington Monument and Grounds Historic District, East and West Potomac Parks Historic District, Mount Vernon Memorial Highway Historic District, George Washington Memorial Parkway Historic District, and the Arlington National Cemetery Historic District, all of which are listed in the National Register of Historic Places (NRHP). Additional individually NRHP-listed resources include Arlington Memorial Bridge and Related Features, Martin Luther King, Jr., Memorial, Franklin Delano Roosevelt Memorial, and Thomas Jefferson Memorial.

The NPS will work with the NCPC and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

Section 106 and NEPA Coordination

In accordance with the National Environmental Policy Act (NEPA), NPS will prepare an EA to analyze potential impacts of the proposed rehabilitation and reconstruction of the seawalls. NPS plans to coordinate the Section 106 and NEPA processes per the implementing regulations (36 CFR § 800.8) of the NHPA. The NPS will also develop an Assessment of Effect Report for this project as a separate, but parallel, process to the EA.

We look forward to beginning the Section 106 consultation process for this project. If you have any questions or have preliminary feedback related to the project, draft APE, historic properties, and potential consulting parties, please contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov or 202-510-1117.

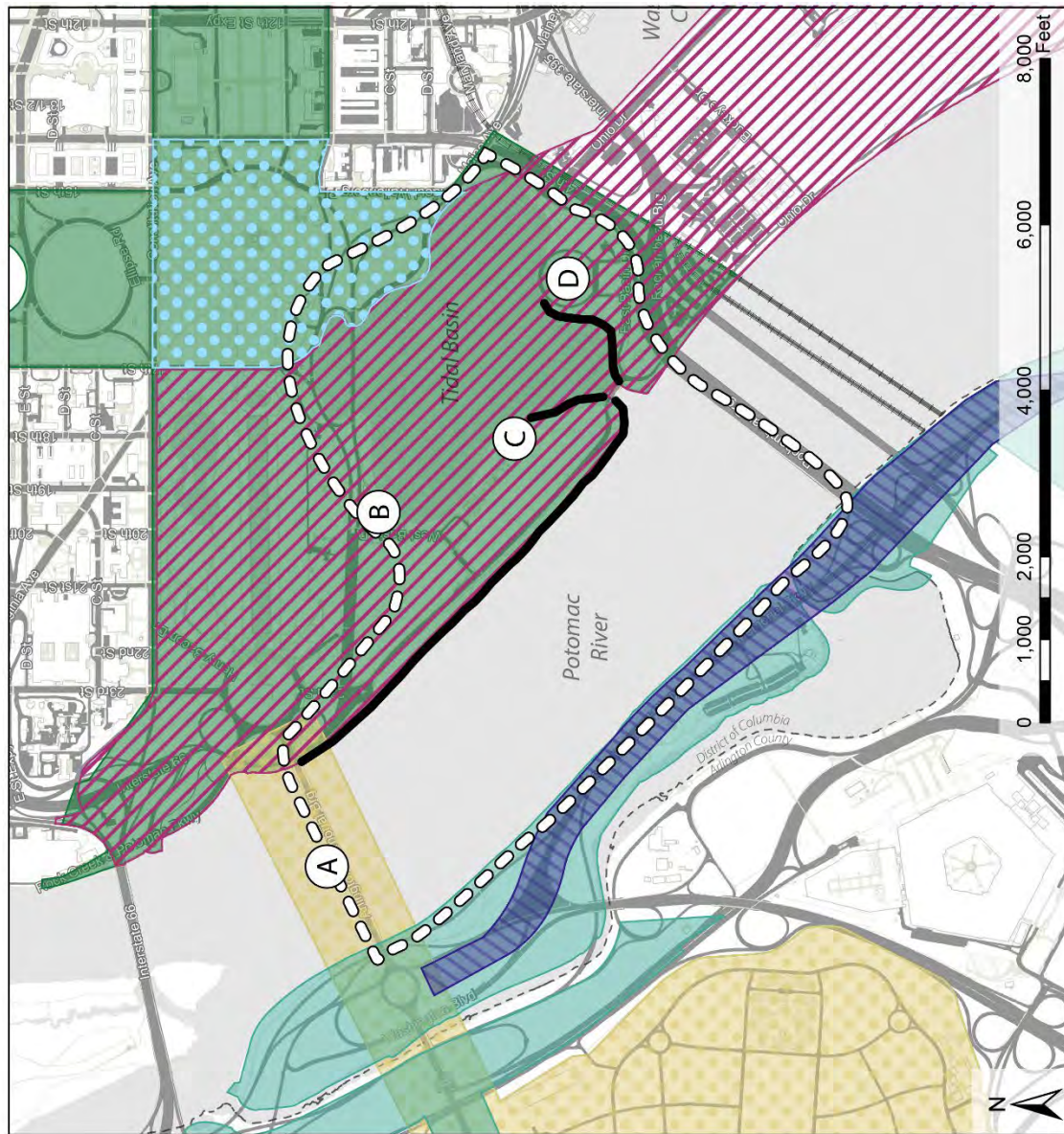
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Diane Sullivan, NCPC
Lee Webb, NCPC
Tammy Stidham, NPS
Catherine Dewey, NPS

Attachment A: Draft Area of Potential Effects Map



- Key**
- Area of Potential Effects
 - Washington Monument and Grounds Historic District
 - East and West Potomac Parks Historic District
 - National Mall Historic District
 - Arlington National Cemetery Historic District
 - George Washington Memorial Parkway
 - Mount Vernon Memorial Highway Historic District
- Individually Listed Resources**
- A. Arlington Memorial Bridge
 - B. Martin Luther King Jr. Memorial
 - C. Franklin Delano Roosevelt Memorial
 - D. Thomas Jefferson Memorial
- Proposed extent of seawall project

Attachment B: Potential Consulting Parties

	NAMA 318722			
	POTENTIAL CONSULTING PARTIES			
	NAME	TITLE	AGENCY	EMAIL
Tribes	Deborah Dotson	President	Delaware Nation	ec@delawarenation-nsn.gov
	Erin Thompson	Historic Preservation Director	Delaware Nation	ethompson@delawarenation-nsn.gov
	Chuck Hoskin, Jr.	Principal Chief	Cherokee Nation	chuck-hoskin@cherokee.org
	Robert Gray	Chief	Pamunkey Indian Tribe	pamunkeytribe@pamunkey.org
	Frank Adams	Chief	Upper Mattaponi Indian Tribe	wfrankadams@verizon.net
	Reggie Tupponce	Tribal Administrator	Upper Mattaponi Indian Tribe	admin@umitribe.org
	Anne Richardson	Chief	Rappahannock Tribe	chiefannerich@aol.com
	Earl Bass	Chief	Nansemond Indian Nation	earlbass@gmail.com and Chief@nansemond.org
	Megan Bass		Nansemond Indian Nation	administrator@nansemond.org
	Stephen Adkins	Chief	Chickahominy Indian Tribe	stephenradkins@aol.com and chiefstephenadkins@gmail.com
	Dana Adkins	Tribal Environmental Director	Chickahominy Indian Tribe	dana.adkins@chickahominytribe.org
	Gerald Stewart	Chief	Chickahominy Tribe Eastern Division	wasandson@cox.net
	Kenneth Branham	Chief	Monacan Indian Nation	TribalOffice@MonacanNation.com
	Rufus Elliot	Tribal Administrator	Monacan Indian Nation	tribaladmin@monacannation.com
	William "Bill" Harris	Chief	Catawba Indian Nation	bill.harris@catawbaindian.net
	Wenonah George Haire	THPO	Catawba Indian Nation	wenonah.haire@catawba.com
	John Johnson	Governor	Absentee Shawnee Tribe of Indians of Oklahoma	jjohnson@astribe.com
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June 15, 2022

Mr. Jeffrey P. Reinhold, Superintendent
National Park Service
National Mall and Memorial Parks
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

RE: Initiation of Section 106 Consultation for Rehabilitation of the Historic Seawalls in the Tidal Basin and West Potomac Park

Dear Mr. Reinhold:

Thank you for formally initiating consultation with the District of Columbia State Historic Preservation Officer (SHPO) regarding the above-referenced undertaking. As you are aware, we participated in a site visit with staff from the NPS and other agencies on April 26, 2022 to inspect the walls and discuss the proposed rehabilitation project. We are writing to provide our initial comments in accordance with Section 106 of the National Historic Preservation Act based upon the results of that site visit and our review of the submitted information.

We understand that the National Park Service proposes to rehabilitate the historic seawalls around certain portions of the Tidal Basin and along the Potomac River's eastern shoreline from the Inlet Bridge north to the Arlington Memorial Bridge. The areas to be rehabilitated are indicated on the attached map which also depicts the project's proposed Area of Potential Effect (APE). Although not included in the current undertaking, we note that the rehabilitation of other seawalls in West Potomac Park and those in East Potomac Park is envisioned as part of a future project.

The specific rehabilitation methods for the current project are still being developed, but we also understand that complete reconstruction, using as much original material as possible, is likely to be required. The extreme flooding conditions we witnessed during the site visit attest to the urgency and need for this project.

We agree that the proposed APE should be sufficient to take into account the direct and indirect effects of the project but would appreciate clarification regarding the location of any project staging areas. The APE may need to be revised if any staging areas will be located beyond the proposed boundaries.

The list of consulting parties seems appropriate but we recommend that the organizations housed in buildings adjacent to the Tidal Basin (e.g. Bureau of Engraving & Printing, the Holocaust Museum, etc.) also be notified of the undertaking and invited to participate in the consultation. Similarly, we recommend the National Mall Coalition, the District Department of Energy and Environment and any other entities with potential interest in the project and its effects on historic properties be notified and invited to participate.

Mr. Jeffrey P. Reinhold

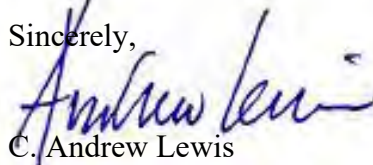
Initiation of Section 106 Consultation for Rehabilitation of the Historic Seawalls in the Tidal Basin and West Potomac Park

June 15, 2022

Page 2

If you should have any questions or comments regarding any of these matters, please contact me at andrew.lewis@dc.gov or 202-442-8841. Otherwise, we look forward to consulting further with the NPS and all other parties to complete the Section 106 review of this important project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew Lewis", is written over a faint, circular official stamp.

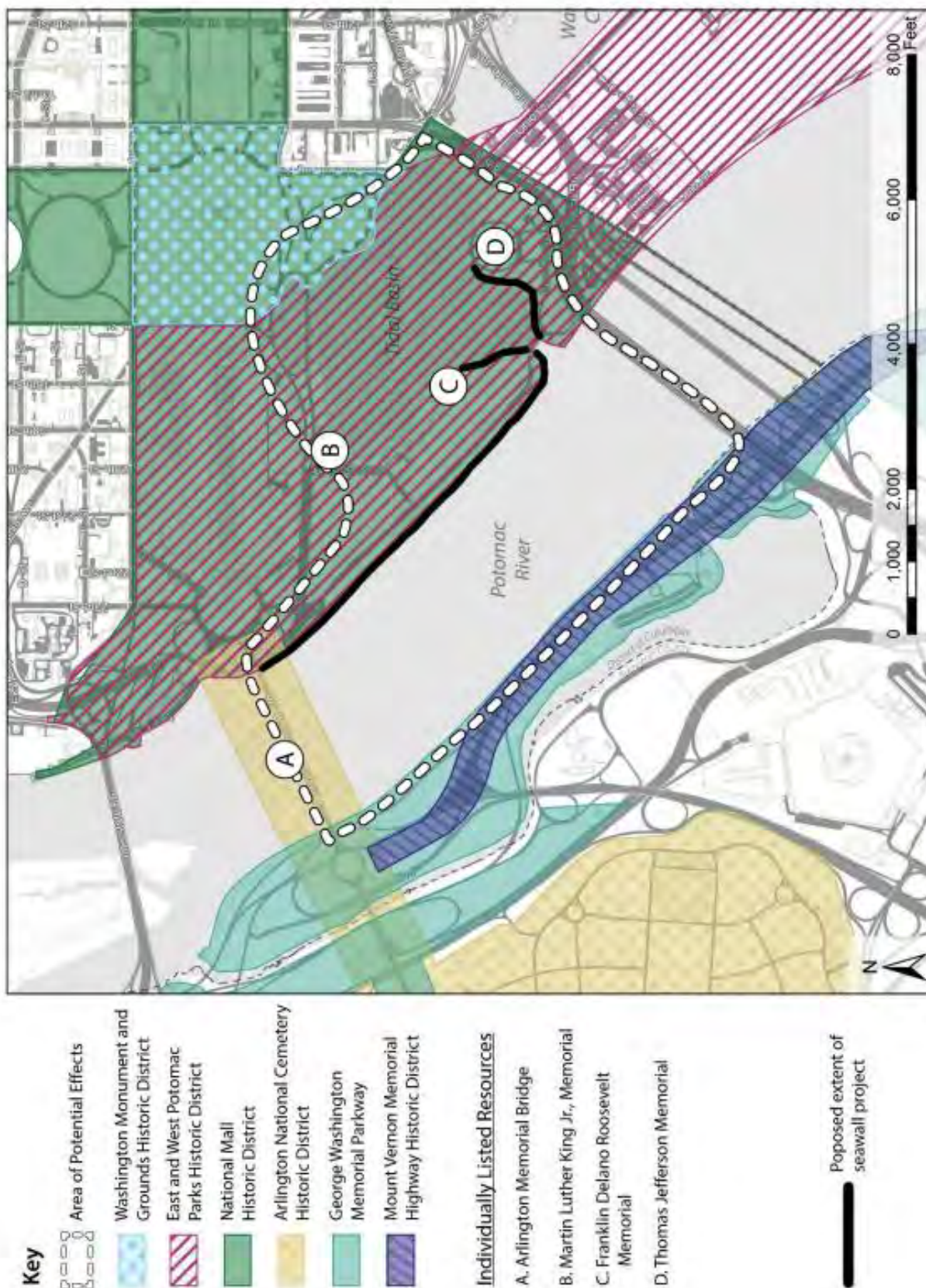
C. Andrew Lewis

Senior Historic Preservation Officer

DC State Historic Preservation Office

Enclosure

22-0619



Section 106 Tribal Consultation Correspondence



United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

John Johnson
Governor
Absentee Shawnee Tribe of Indians of Oklahoma Nation
2025 South Gordon Cooper Drive
Shawnee, OK 74801

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Governor Johnson:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands the Absentee Shawnee Tribe of Indians of Oklahoma Nation to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may

include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

To prepare for the Section 106 consultation process, the NPS has developed a graphic illustration of the draft Area of Potential Effects (APE) provided as Attachment A. The draft APE is intended as a basis for discussion and is subject to modification through the consultation process. The draft APE includes potential visual and physical effects, from the Virginia shoreline and from construction staging areas and the area within the Limits of Disturbance for construction of the project.

A preliminary list of historic resources within the draft APE includes National Mall Historic District, Washington Monument and Grounds Historic District, East and West Potomac Parks Historic District, Mount Vernon Memorial Highway Historic District, George Washington Memorial Parkway Historic District, and the Arlington National Cemetery Historic District, all of which are listed in the National Register of Historic Places (NRHP). Additional individually NRHP-listed resources include Arlington Memorial Bridge and Related Features, Martin Luther King, Jr., Memorial. Franklin Delano Roosevelt Memorial, and Thomas Jefferson Memorial.

The NPS will work with you and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

Section 106 and NEPA Coordination

In accordance with the National Environmental Policy Act (NEPA), NPS will prepare an EA to analyze potential impacts of the proposed rehabilitation and reconstruction of the seawalls. NPS plans to coordinate the Section 106 and NEPA processes per the implementing regulations (36 CFR § 800.8) of the NHPA. The NPS will also develop an Assessment of Effect Report for this project as a separate, but parallel, process to the EA.

We look forward to beginning the Section 106 consultation process for this project. If you have any questions or have preliminary feedback related to the project, draft APE, historic properties, and potential consulting parties, please contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov or 202-510-1117.

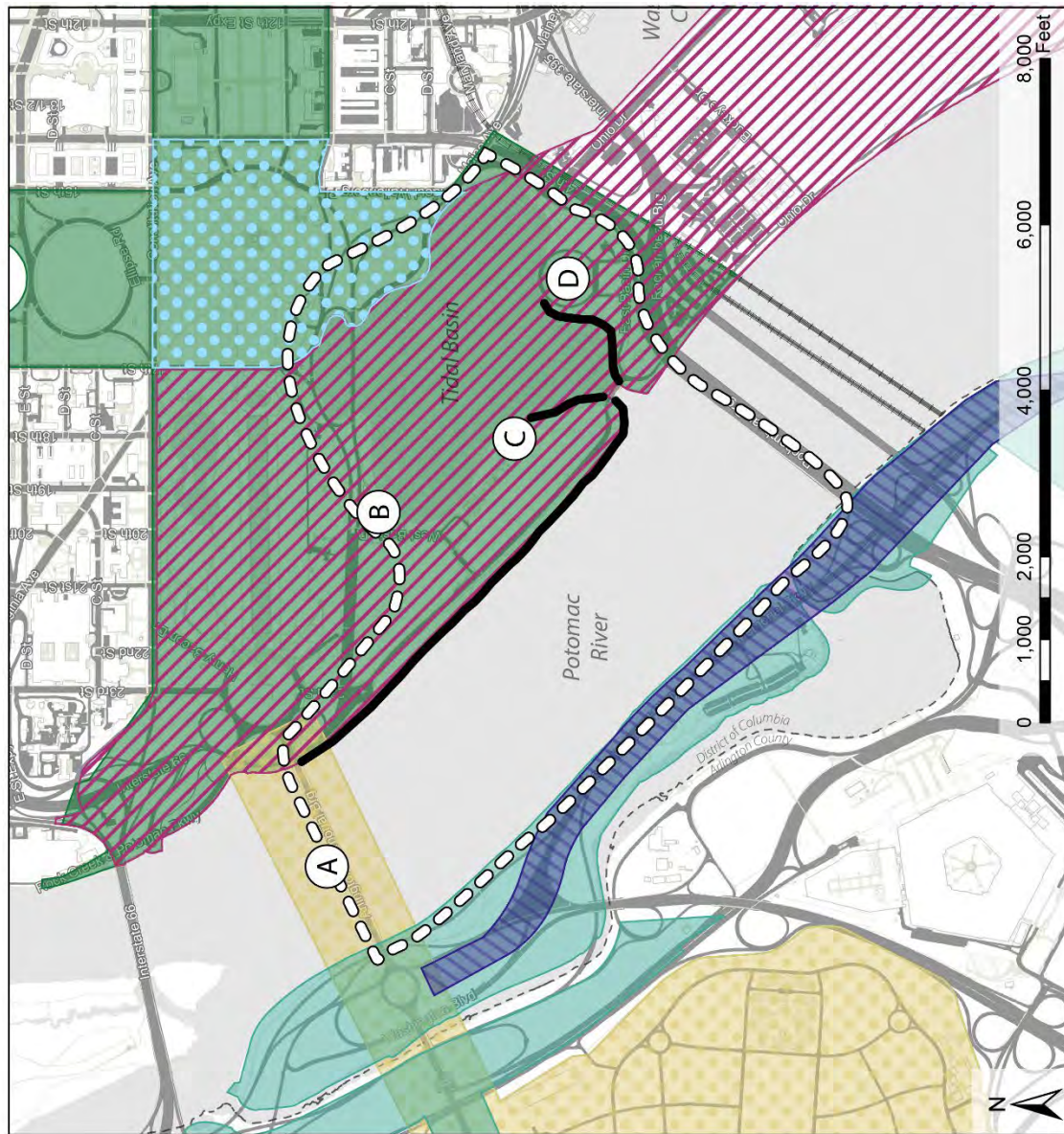
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Tammy Stidham, NPS
Catherine Dewey, NPS

Attachment A: Draft Area of Potential Effects Map



- Key**
- Area of Potential Effects
 - Washington Monument and Grounds Historic District
 - East and West Potomac Parks Historic District
 - National Mall Historic District
 - Arlington National Cemetery Historic District
 - George Washington Memorial Parkway
 - Mount Vernon Memorial Highway Historic District
- Individually Listed Resources**
- A. Arlington Memorial Bridge
 - B. Martin Luther King Jr. Memorial
 - C. Franklin Delano Roosevelt Memorial
 - D. Thomas Jefferson Memorial
- Proposed extent of seawall project

Attachment B: Potential Consulting Parties

	NAMA 318722			
	POTENTIAL CONSULTING PARTIES			
	NAME	TITLE	AGENCY	EMAIL
Tribes	Deborah Dotson	President	Delaware Nation	ec@delawarenation-nsn.gov
	Erin Thompson	Historic Preservation Director	Delaware Nation	ethompson@delawarenation-nsn.gov
	Chuck Hoskin, Jr.	Principal Chief	Cherokee Nation	chuck-hoskin@cherokee.org
	Robert Gray	Chief	Pamunkey Indian Tribe	pamunkeytribe@pamunkey.org
	Frank Adams	Chief	Upper Mattaponi Indian Tribe	wfrankadams@verizon.net
	Reggie Tupponce	Tribal Administrator	Upper Mattaponi Indian Tribe	admin@umitribe.org
	Anne Richardson	Chief	Rappahannock Tribe	chiefannerich@aol.com
	Earl Bass	Chief	Nansemond Indian Nation	earlbass@gmail.com and Chief@nansemond.org
	Megan Bass		Nansemond Indian Nation	administrator@nansemond.org
	Stephen Adkins	Chief	Chickahominy Indian Tribe	stephenradkins@aol.com and chiefstephenadkins@gmail.com
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United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

William Harris
Chief
Catawba Indian Nation
966 Avenue of the Nations
Rock Hill, SC 29730

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Chief Harris:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands the Catawba Indian Nation to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may

include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

To prepare for the Section 106 consultation process, the NPS has developed a graphic illustration of the draft Area of Potential Effects (APE) provided as Attachment A. The draft APE is intended as a basis for discussion and is subject to modification through the consultation process. The draft APE includes potential visual and physical effects, from the Virginia shoreline and from construction staging areas and the area within the Limits of Disturbance for construction of the project.

A preliminary list of historic resources within the draft APE includes National Mall Historic District, Washington Monument and Grounds Historic District, East and West Potomac Parks Historic District, Mount Vernon Memorial Highway Historic District, George Washington Memorial Parkway Historic District, and the Arlington National Cemetery Historic District, all of which are listed in the National Register of Historic Places (NRHP). Additional individually NRHP-listed resources include Arlington Memorial Bridge and Related Features, Martin Luther King, Jr., Memorial, Franklin Delano Roosevelt Memorial, and Thomas Jefferson Memorial.

The NPS will work with you and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

Section 106 and NEPA Coordination

In accordance with the National Environmental Policy Act (NEPA), NPS will prepare an EA to analyze potential impacts of the proposed rehabilitation and reconstruction of the seawalls. NPS plans to coordinate the Section 106 and NEPA processes per the implementing regulations (36 CFR § 800.8) of the NHPA. The NPS will also develop an Assessment of Effect Report for this project as a separate, but parallel, process to the EA.

We look forward to beginning the Section 106 consultation process for this project. If you have any questions or have preliminary feedback related to the project, draft APE, historic properties, and potential consulting parties, please contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov or 202-510-1117.

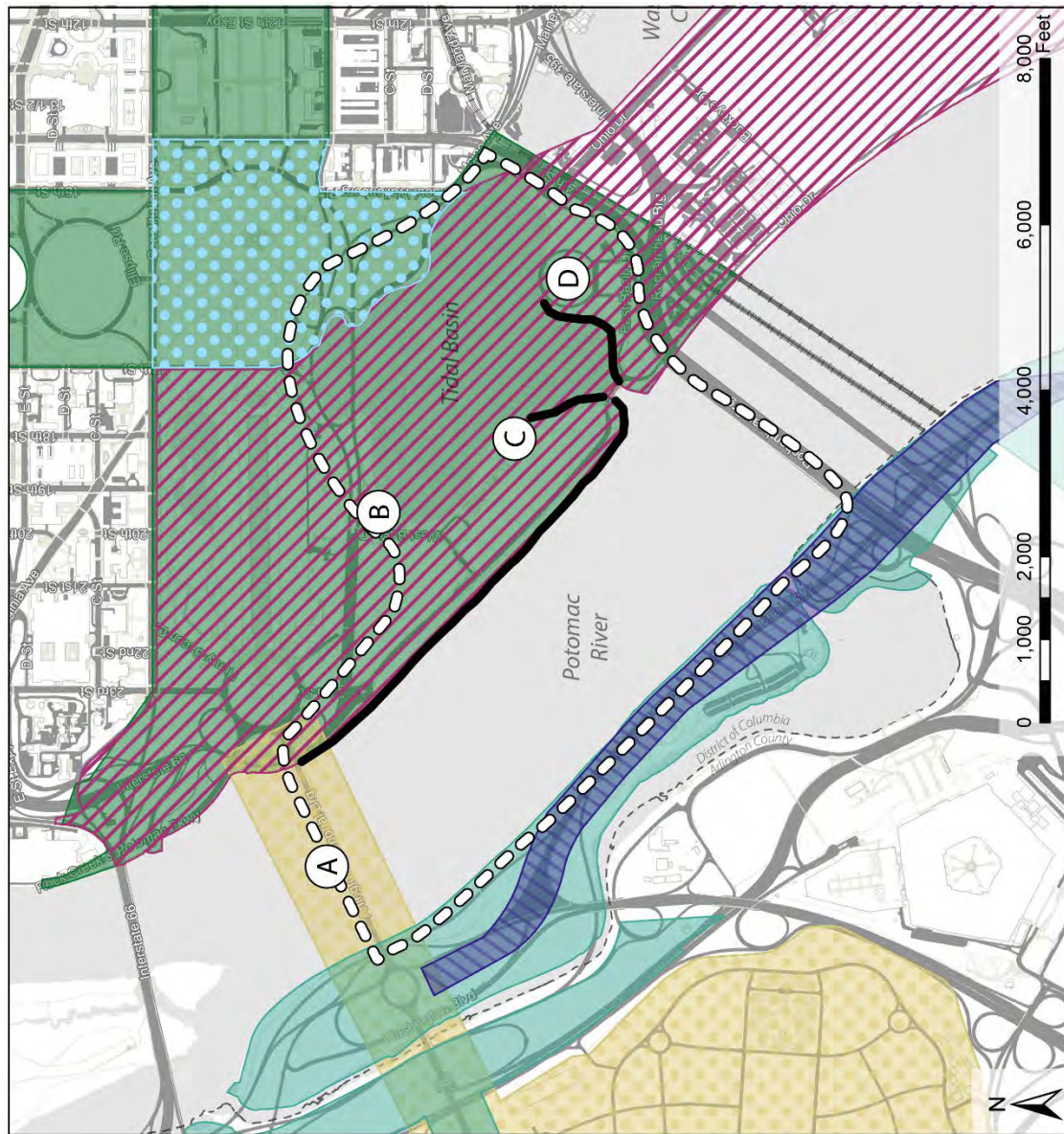
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

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cc: Wenonah George Haire, Catawba Indian Nation
 Tammy Stidham, NPS
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Attachment A: Draft Area of Potential Effects Map



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United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Chuck Hoskin, Jr.
Principal Chief
Cherokee Nation
P.O. Box 984
Tehlequah, OK 74465

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Chief Hoskin:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands Cherokee Nation to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

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The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may

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

include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

To prepare for the Section 106 consultation process, the NPS has developed a graphic illustration of the draft Area of Potential Effects (APE) provided as Attachment A. The draft APE is intended as a basis for discussion and is subject to modification through the consultation process. The draft APE includes potential visual and physical effects, from the Virginia shoreline and from construction staging areas and the area within the Limits of Disturbance for construction of the project.

A preliminary list of historic resources within the draft APE includes National Mall Historic District, Washington Monument and Grounds Historic District, East and West Potomac Parks Historic District, Mount Vernon Memorial Highway Historic District, George Washington Memorial Parkway Historic District, and the Arlington National Cemetery Historic District, all of which are listed in the National Register of Historic Places (NRHP). Additional individually NRHP-listed resources include Arlington Memorial Bridge and Related Features, Martin Luther King, Jr., Memorial. Franklin Delano Roosevelt Memorial, and Thomas Jefferson Memorial.

The NPS will work with you and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

Section 106 and NEPA Coordination

In accordance with the National Environmental Policy Act (NEPA), NPS will prepare an EA to analyze potential impacts of the proposed rehabilitation and reconstruction of the seawalls. NPS plans to coordinate the Section 106 and NEPA processes per the implementing regulations (36 CFR § 800.8) of the NHPA. The NPS will also develop an Assessment of Effect Report for this project as a separate, but parallel, process to the EA.

We look forward to beginning the Section 106 consultation process for this project. If you have any questions or have preliminary feedback related to the project, draft APE, historic properties, and potential consulting parties, please contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov or 202-510-1117.

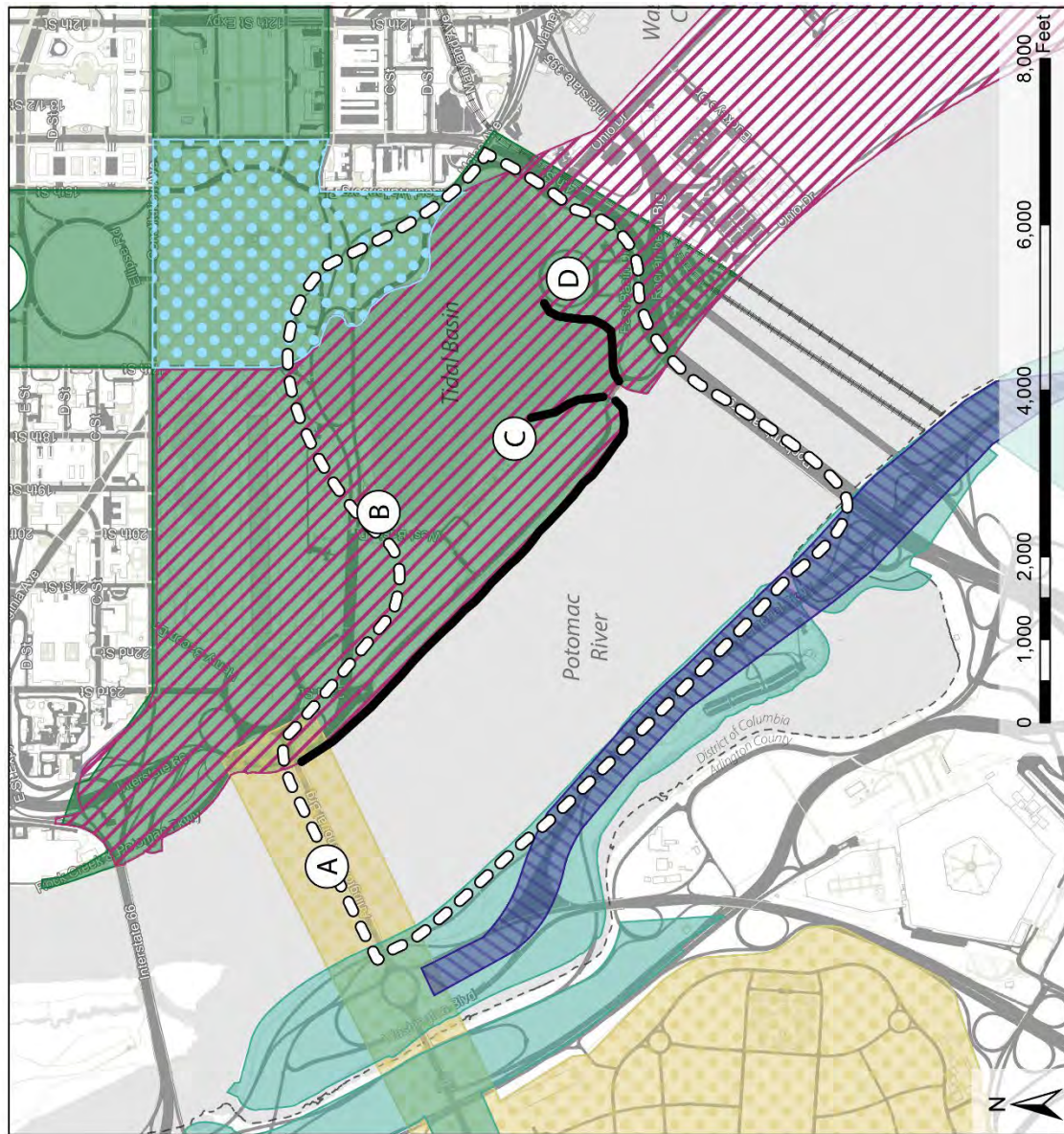
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Tammy Stidham, NPS
Catherine Dewey, NPS

Attachment A: Draft Area of Potential Effects Map



- Key**
- Area of Potential Effects
 - Washington Monument and Grounds Historic District
 - East and West Potomac Parks Historic District
 - National Mall Historic District
 - Arlington National Cemetery Historic District
 - George Washington Memorial Parkway
 - Mount Vernon Memorial Highway Historic District
- Individually Listed Resources**
- A. Arlington Memorial Bridge
 - B. Martin Luther King Jr., Memorial
 - C. Franklin Delano Roosevelt Memorial
 - D. Thomas Jefferson Memorial
- Proposed extent of seawall project

Attachment B: Potential Consulting Parties

	NAMA 318722			
	POTENTIAL CONSULTING PARTIES			
	NAME	TITLE	AGENCY	EMAIL
Tribes	Deborah Dotson	President	Delaware Nation	ec@delawarenation-nsn.gov
	Erin Thompson	Historic Preservation Director	Delaware Nation	ethompson@delawarenation-nsn.gov
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	Frank Adams	Chief	Upper Mattaponi Indian Tribe	wfrankadams@verizon.net
	Reggie Tupponce	Tribal Administrator	Upper Mattaponi Indian Tribe	admin@umitribe.org
	Anne Richardson	Chief	Rappahannock Tribe	chiefannerich@aol.com
	Earl Bass	Chief	Nansemond Indian Nation	earlbass@gmail.com and Chief@nansemond.org
	Megan Bass		Nansemond Indian Nation	administrator@nansemond.org
	Stephen Adkins	Chief	Chickahominy Indian Tribe	stephenradkins@aol.com and chiefstephenadkins@gmail.com
	Dana Adkins	Tribal Environmental Director	Chickahominy Indian Tribe	dana.adkins@chickahominytribe.org
	Gerald Stewart	Chief	Chickahominy Tribe Eastern Division	wasandson@cox.net
	Kenneth Branham	Chief	Monacan Indian Nation	TribalOffice@MonacanNation.com
	Rufus Elliot	Tribal Administrator	Monacan Indian Nation	tribaladmin@monacannation.com
	William "Bill" Harris	Chief	Catawba Indian Nation	bill.harris@catawbaindian.net
	Wenonah George Haire	THPO	Catawba Indian Nation	wenonah.haire@catawba.com
	John Johnson	Governor	Absentee Shawnee Tribe of Indians of Oklahoma	jjohnson@astribe.com
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	Kirby Vining	Chair	Committee of 100 on the Federal City	info@committeeof100.net



United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Gerald Stewart
Chief
Chickahominy Tribe Eastern Division
1191 Indian Hill Lane
Providence Forge, VA 23140

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Chief Stewart:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands the Chickahominy Tribe Eastern Division to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may

include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

To prepare for the Section 106 consultation process, the NPS has developed a graphic illustration of the draft Area of Potential Effects (APE) provided as Attachment A. The draft APE is intended as a basis for discussion and is subject to modification through the consultation process. The draft APE includes potential visual and physical effects, from the Virginia shoreline and from construction staging areas and the area within the Limits of Disturbance for construction of the project.

A preliminary list of historic resources within the draft APE includes National Mall Historic District, Washington Monument and Grounds Historic District, East and West Potomac Parks Historic District, Mount Vernon Memorial Highway Historic District, George Washington Memorial Parkway Historic District, and the Arlington National Cemetery Historic District, all of which are listed in the National Register of Historic Places (NRHP). Additional individually NRHP-listed resources include Arlington Memorial Bridge and Related Features, Martin Luther King, Jr., Memorial. Franklin Delano Roosevelt Memorial, and Thomas Jefferson Memorial.

The NPS will work with you and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

Section 106 and NEPA Coordination

In accordance with the National Environmental Policy Act (NEPA), NPS will prepare an EA to analyze potential impacts of the proposed rehabilitation and reconstruction of the seawalls. NPS plans to coordinate the Section 106 and NEPA processes per the implementing regulations (36 CFR § 800.8) of the NHPA. The NPS will also develop an Assessment of Effect Report for this project as a separate, but parallel, process to the EA.

We look forward to beginning the Section 106 consultation process for this project. If you have any questions or have preliminary feedback related to the project, draft APE, historic properties, and potential consulting parties, please contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov or 202-510-1117.

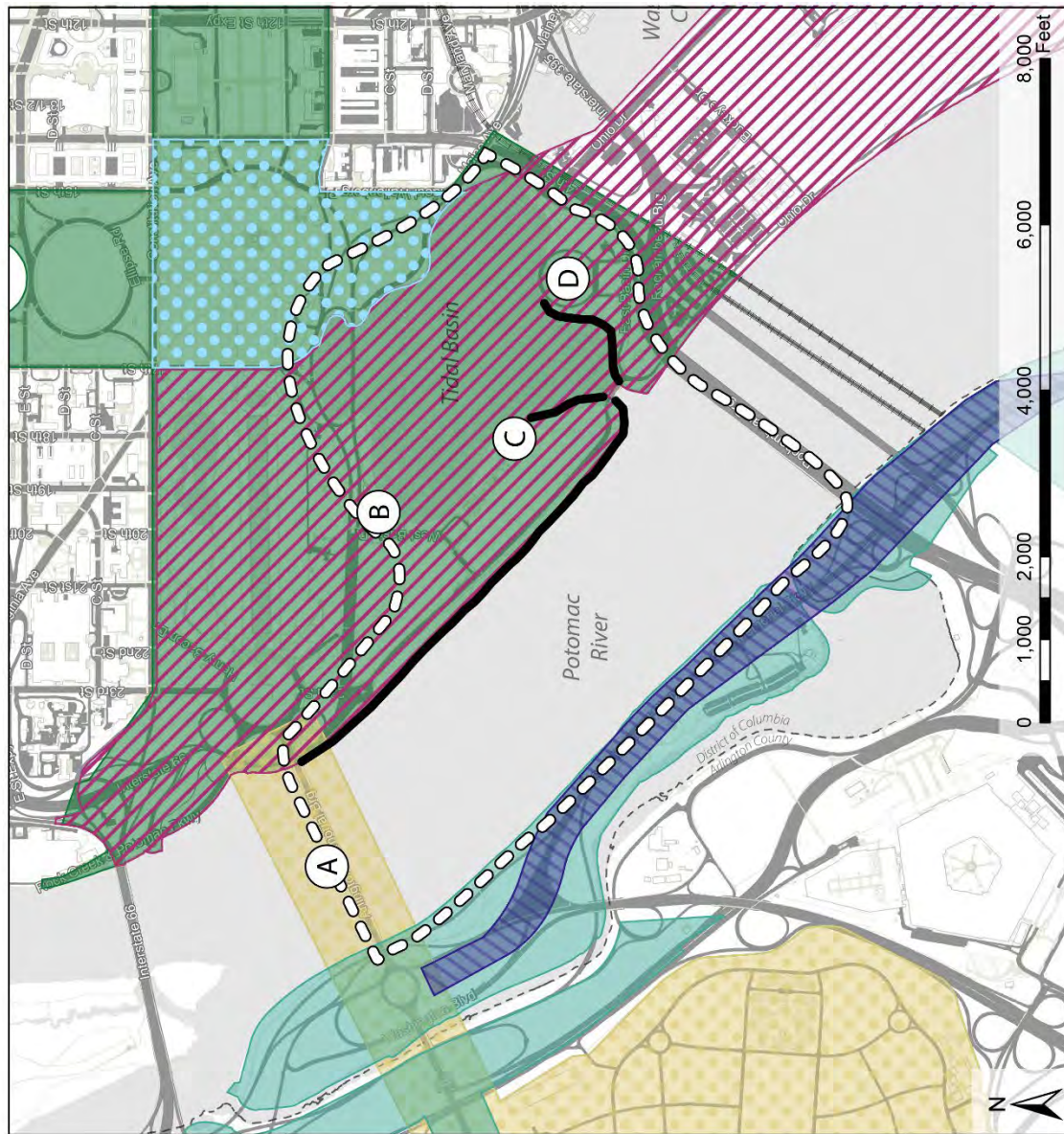
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Tammy Stidham, NPS
Catherine Dewey, NPS

Attachment A: Draft Area of Potential Effects Map



- Key**
- Area of Potential Effects
 - Washington Monument and Grounds Historic District
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- Individually Listed Resources**
- A. Arlington Memorial Bridge
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- Proposed extent of seawall project

Attachment B: Potential Consulting Parties

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	Earl Bass	Chief	Nansemond Indian Nation	earlbass@gmail.com and Chief@nansemond.org
	Megan Bass		Nansemond Indian Nation	administrator@nansemond.org
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United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Stephen Adkins
Chief
Chickahominy Indian Tribe
8200 Lott Cary Road
Providence Forge, VA 23140

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Chief Adkins:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands the Chickahominy Indian Tribe to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

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include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

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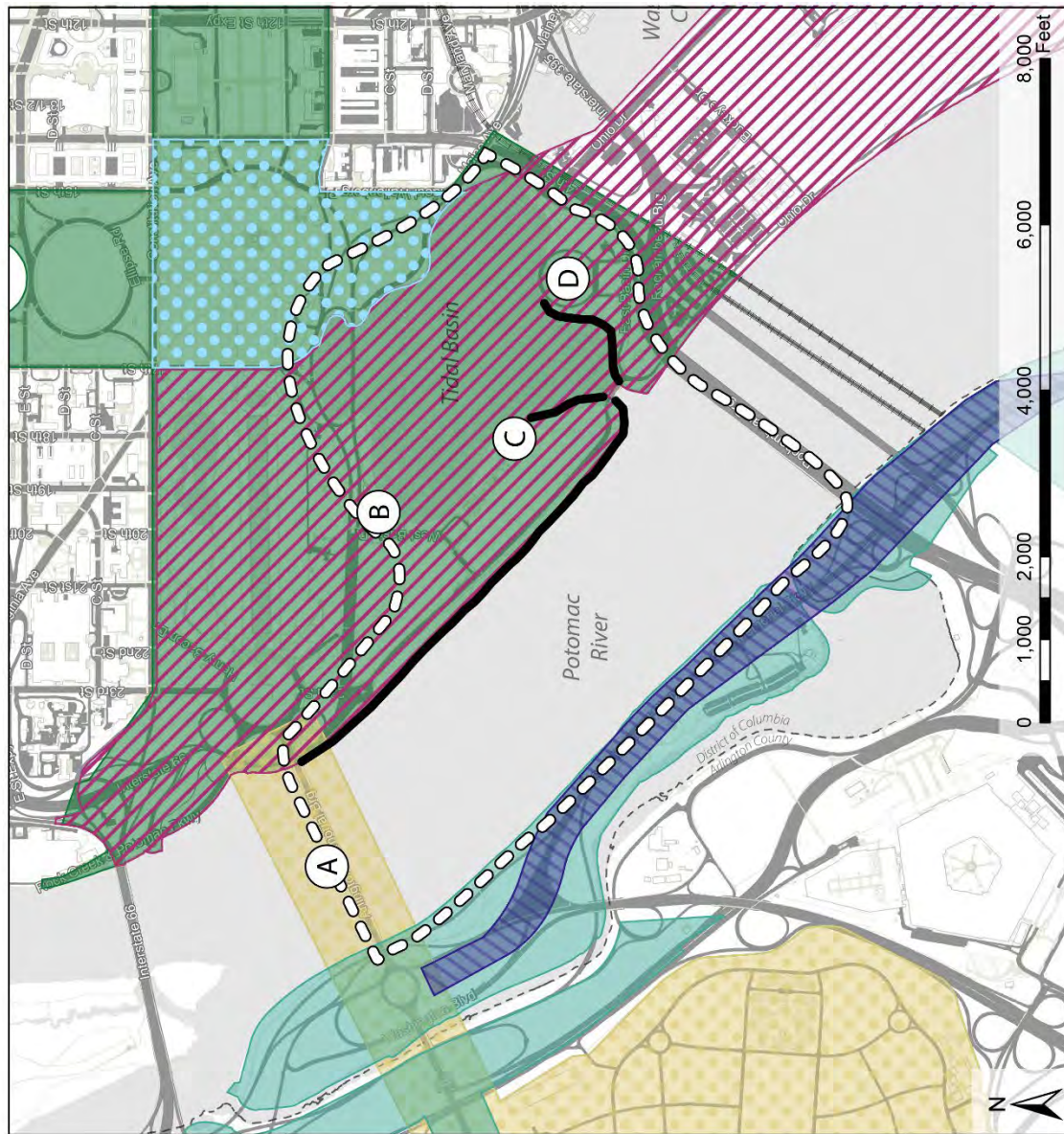
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Dana Adkins, Chickahominy Indian Tribe
Tammy Stidham, NPS
Catherine Dewey, NPS

Attachment A: Draft Area of Potential Effects Map



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United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Ms. Deborah Dotson
President
Delaware Nation
P.O. Box 825
Anadarko, OK 73005

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Ms. Dotson:

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Project Undertaking

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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

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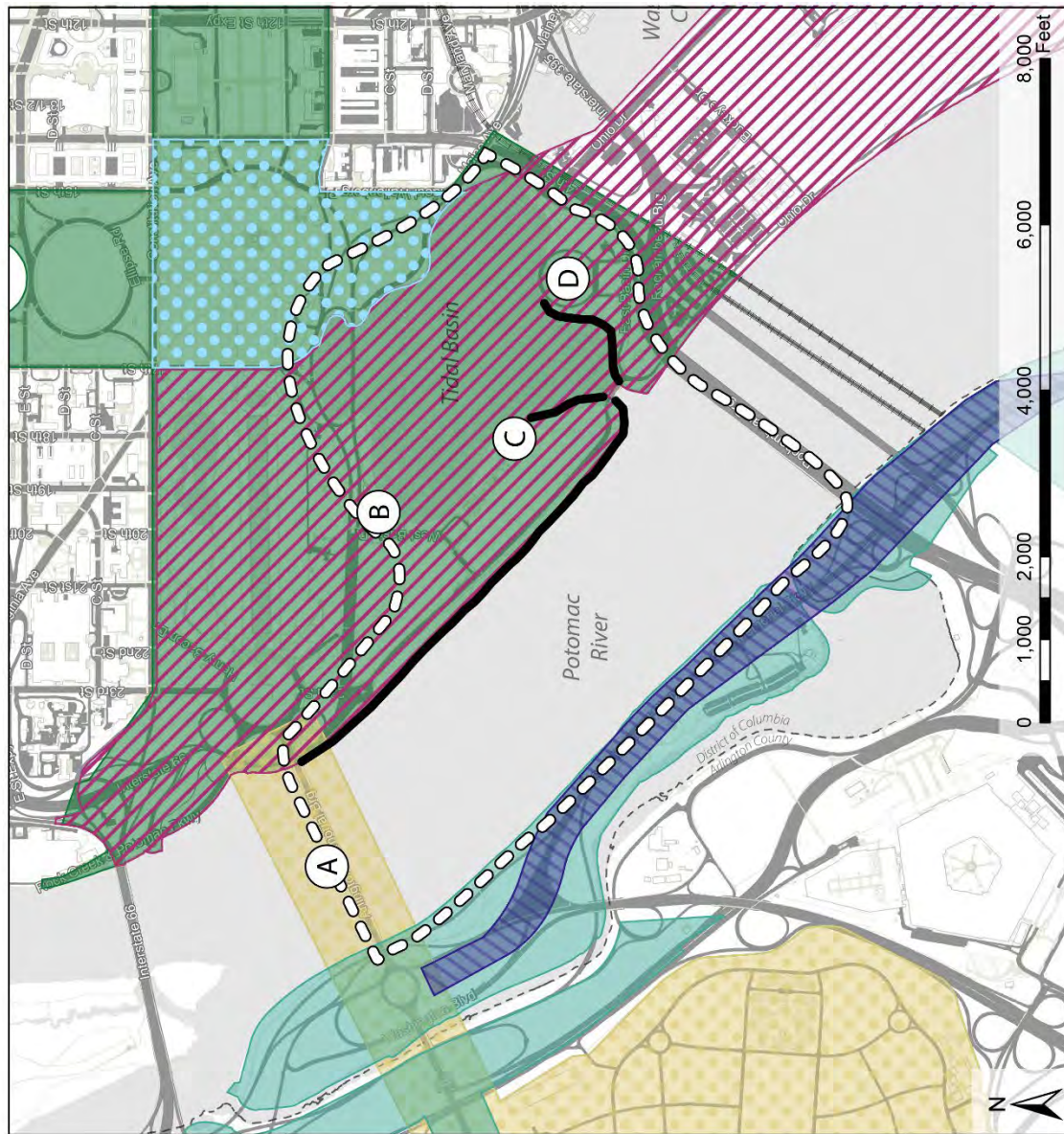
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Erin Thompson, Delaware Nation
Tammy Stidham, NPS
Catherine Dewey, NPS

Attachment A: Draft Area of Potential Effects Map



- Key**
- Area of Potential Effects
 - Washington Monument and Grounds Historic District
 - East and West Potomac Parks Historic District
 - National Mall Historic District
 - Arlington National Cemetery Historic District
 - George Washington Memorial Parkway
 - Mount Vernon Memorial Highway Historic District
- Individually Listed Resources**
- A. Arlington Memorial Bridge
 - B. Martin Luther King Jr., Memorial
 - C. Franklin Delano Roosevelt Memorial
 - D. Thomas Jefferson Memorial
- Poposed extent of seawall project

Attachment B: Potential Consulting Parties

	NAMA 318722			
	POTENTIAL CONSULTING PARTIES			
	NAME	TITLE	AGENCY	EMAIL
Tribes	Deborah Dotson	President	Delaware Nation	ec@delawarenation-nsn.gov
	Erin Thompson	Historic Preservation Director	Delaware Nation	ethompson@delawarenation-nsn.gov
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	Anne Richardson	Chief	Rappahannock Tribe	chiefannerich@aol.com
	Earl Bass	Chief	Nansemond Indian Nation	earlbass@gmail.com and Chief@nansemond.org
	Megan Bass		Nansemond Indian Nation	administrator@nansemond.org
	Stephen Adkins	Chief	Chickahominy Indian Tribe	stephenradkins@aol.com and chiefstephenadkins@gmail.com
	Dana Adkins	Tribal Environmental Director	Chickahominy Indian Tribe	dana.adkins@chickahominytribe.org
	Gerald Stewart	Chief	Chickahominy Tribe Eastern Division	wasandson@cox.net
	Kenneth Branham	Chief	Monacan Indian Nation	TribalOffice@MonacanNation.com
	Rufus Elliot	Tribal Administrator	Monacan Indian Nation	tribaladmin@monacannation.com
	William "Bill" Harris	Chief	Catawba Indian Nation	bill.harris@catawbaindian.net
	Wenonah George Haire	THPO	Catawba Indian Nation	wenonah.haire@catawba.com
	John Johnson	Governor	Absentee Shawnee Tribe of Indians of Oklahoma	jjohnson@astribe.com
	Tonya Tipton	THPO	Shawnee Tribe	tonya@shawnee-tribe.com
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United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Ms. Deborah Dotson
President
Delaware Nation
P.O. Box 825
Anadarko, OK 73005

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Ms. Dotson:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands Delaware Nation to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may

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VIRGINIA, WEST VIRGINIA

include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

To prepare for the Section 106 consultation process, the NPS has developed a graphic illustration of the draft Area of Potential Effects (APE) provided as Attachment A. The draft APE is intended as a basis for discussion and is subject to modification through the consultation process. The draft APE includes potential visual and physical effects, from the Virginia shoreline and from construction staging areas and the area within the Limits of Disturbance for construction of the project.

A preliminary list of historic resources within the draft APE includes National Mall Historic District, Washington Monument and Grounds Historic District, East and West Potomac Parks Historic District, Mount Vernon Memorial Highway Historic District, George Washington Memorial Parkway Historic District, and the Arlington National Cemetery Historic District, all of which are listed in the National Register of Historic Places (NRHP). Additional individually NRHP-listed resources include Arlington Memorial Bridge and Related Features, Martin Luther King, Jr., Memorial. Franklin Delano Roosevelt Memorial, and Thomas Jefferson Memorial.

The NPS will work with you and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

Section 106 and NEPA Coordination

In accordance with the National Environmental Policy Act (NEPA), NPS will prepare an EA to analyze potential impacts of the proposed rehabilitation and reconstruction of the seawalls. NPS plans to coordinate the Section 106 and NEPA processes per the implementing regulations (36 CFR § 800.8) of the NHPA. The NPS will also develop an Assessment of Effect Report for this project as a separate, but parallel, process to the EA.

We look forward to beginning the Section 106 consultation process for this project. If you have any questions or have preliminary feedback related to the project, draft APE, historic properties, and potential consulting parties, please contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov or 202-510-1117.

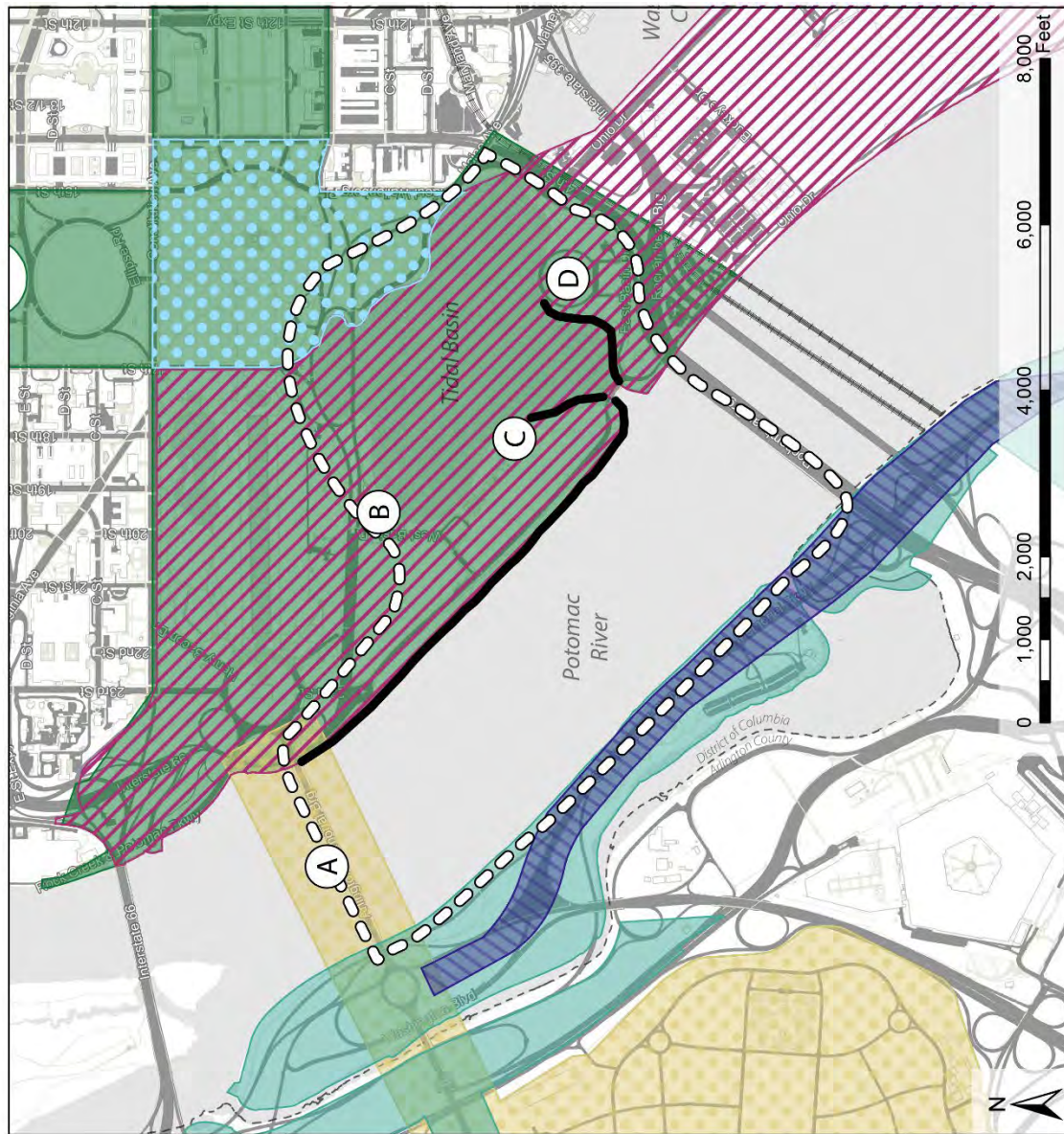
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
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Catherine Dewey, NPS

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Attachment B: Potential Consulting Parties

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United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Kenneth Branham
Chief
Monacan Indian Nation
111 High View Drive
Madison Heights, VA 24572

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Chief Branham:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands the Monacan Indian Nation to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

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include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

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The NPS will work with you and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

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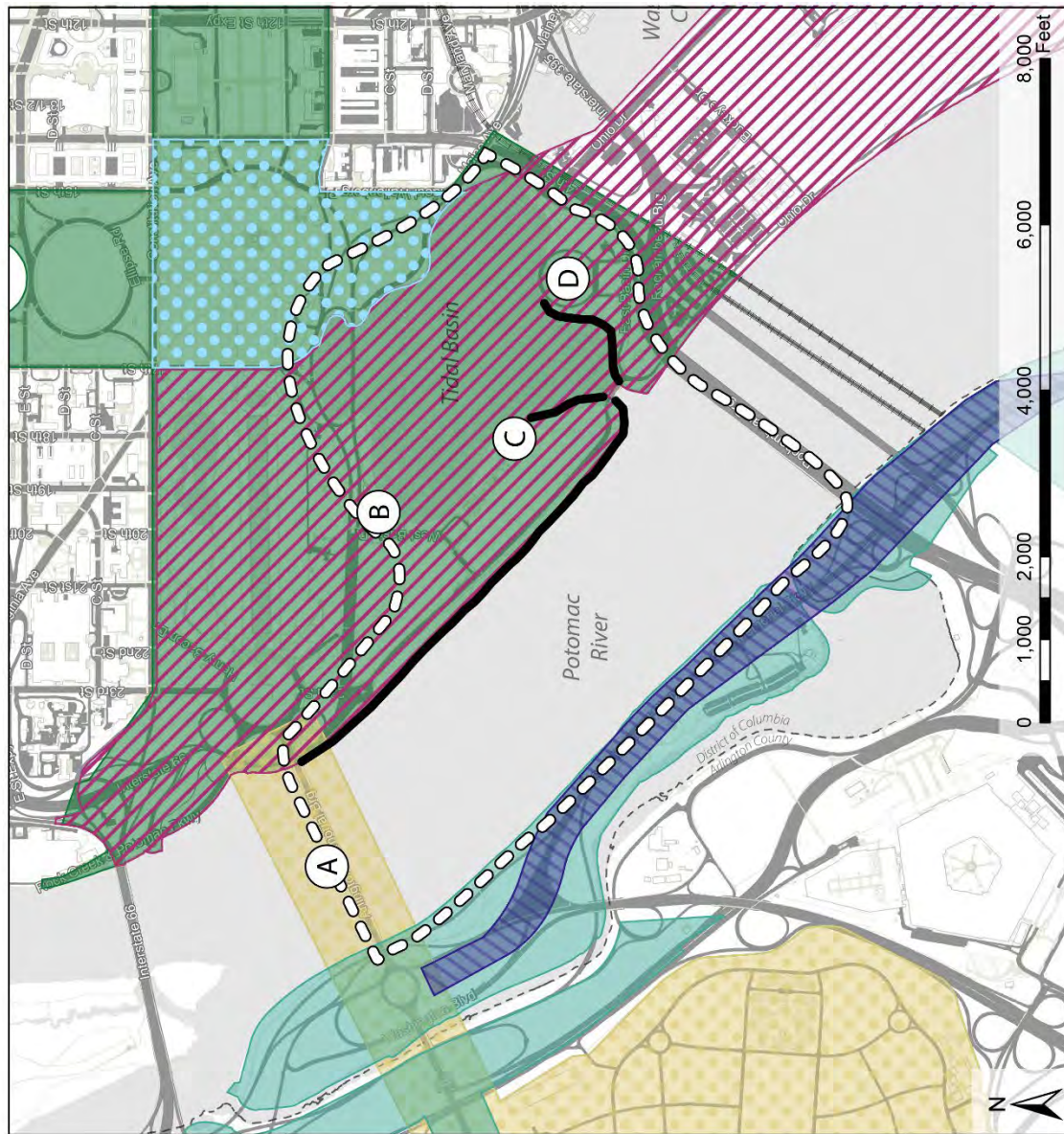
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Rufus Elliot, Monacan Indian Nation
Tammy Stidham, NPS
Catherine Dewey, NPS

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National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Earl Bass
Chief
Nansemond Indian Nation
1001 Pembroke Lane
Suffolk, VA 23434

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Chief Bass:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands the Nansemond Indian Nation to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

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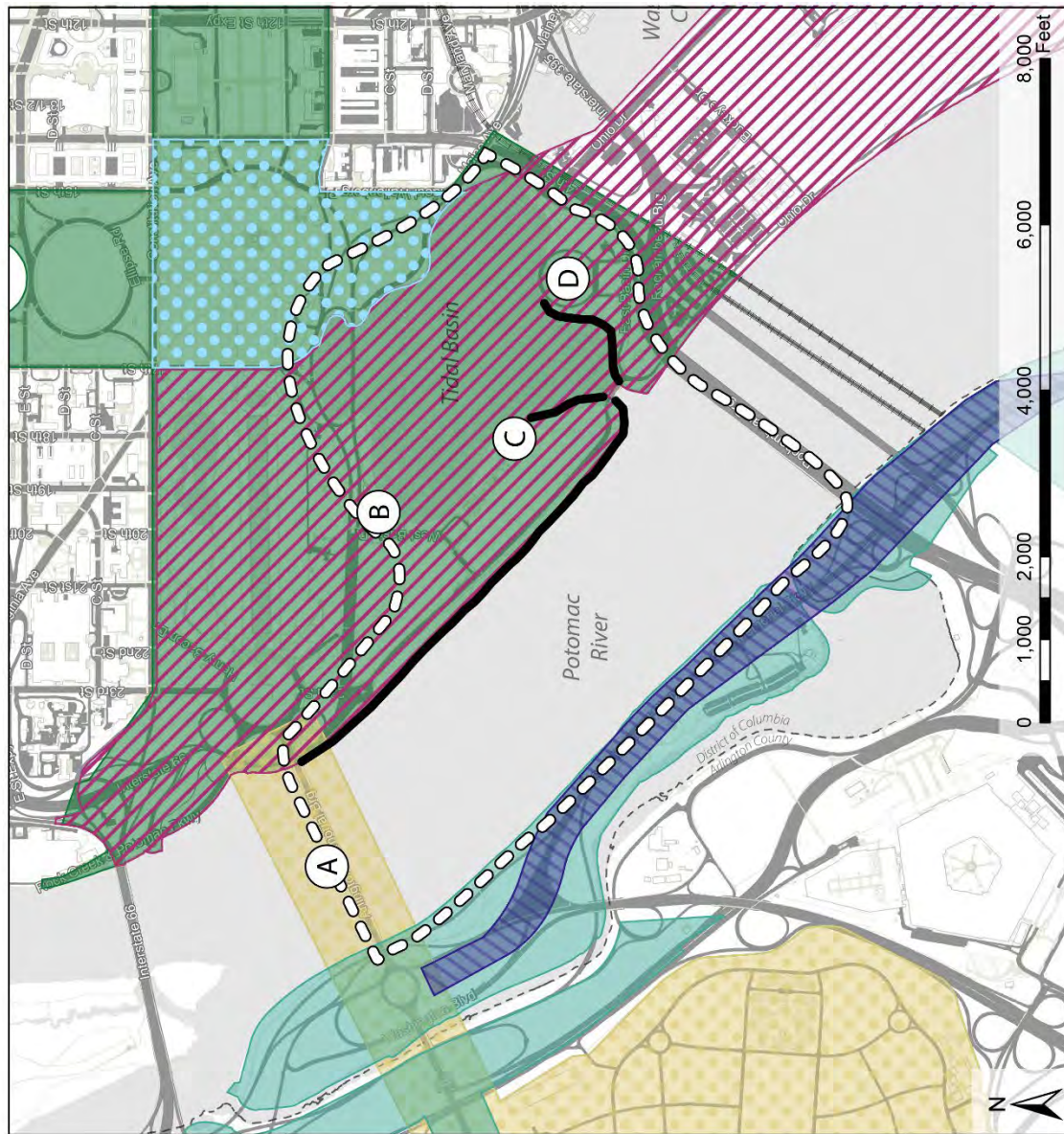
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 - C. Franklin Delano Roosevelt Memorial
 - D. Thomas Jefferson Memorial
- Proposed extent of seawall project

Attachment B: Potential Consulting Parties

	NAMA 318722			
	POTENTIAL CONSULTING PARTIES			
	NAME	TITLE	AGENCY	EMAIL
Tribes	Deborah Dotson	President	Delaware Nation	ec@delawarenation-nsn.gov
	Erin Thompson	Historic Preservation Director	Delaware Nation	ethompson@delawarenation-nsn.gov
	Chuck Hoskin, Jr.	Principal Chief	Cherokee Nation	chuck-hoskin@cherokee.org
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	Anne Richardson	Chief	Rappahannock Tribe	chiefannerich@aol.com
	Earl Bass	Chief	Nansemond Indian Nation	earlbass@gmail.com and Chief@nansemond.org
	Megan Bass		Nansemond Indian Nation	administrator@nansemond.org
	Stephen Adkins	Chief	Chickahominy Indian Tribe	stephenradkins@aol.com and chiefstephenadkins@gmail.com
	Dana Adkins	Tribal Environmental Director	Chickahominy Indian Tribe	dana.adkins@chickahominytribe.org
	Gerald Stewart	Chief	Chickahominy Tribe Eastern Division	wasandson@cox.net
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	William "Bill" Harris	Chief	Catawba Indian Nation	bill.harris@catawbaindian.net
	Wenonah George Haire	THPO	Catawba Indian Nation	wenonah.haire@catawba.com
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	Tonya Tipton	THPO	Shawnee Tribe	tonya@shawnee-tribe.com
	Benjamin Barnes	Chief	Shawnee Tribe	chief@shawnee-tribe.com

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	Dan Fox	Historic Preservationist	US Commission of Fine Arts	dfox@cfa.gov
	Sarah Batcheler	Architect	US Commission of Fine Arts	flindstrom@cfa.gov
	Marcel Acosta	Executive Director	National Capital Planning Commission	marcel.acosta@ncpc.gov
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	Lee Webb	Historic Preservation Specialist	National Capital Planning Commission	lee.webb@ncpc.gov
	David Maloney	State Historic Preservation Officer	DC Historic Preservation Office	david.maloney@dc.gov
	Andrew Lewis	Senior Historic Preservation Specialist	DC Historic Preservation Office	andrew.lewis@dc.gov
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	Genevieve LaRouche	Project Leader, Chesapeake Bay Field Office	US Fish and Wildlife Service	genevieve_larouche@fws.gov
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ANCs	Joel Causey	Chair	ANC2A	2A@anc.dc.gov
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	Teresa Durkin	Executive Vice President	Trust for the National Mall	tdurkin@nationalmall.org
	Laura Brower Hagood	Executive Director	Historical Society of Washington DC	lhagood@dchistory.com
	Betsy Merritt	Deputy General Council	National Trust for Historic Preservation	bmerritt@savingplaces.org
	Kirby Vining	Chair	Committee of 100 on the Federal City	info@committeeof100.net



United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Robert Gray
Chief
Pamunkey Indian Tribe
1054 Pocahontas Trail
King William, VA 23086

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Chief Gray:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands the Pamunkey Indian Tribe to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may

include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

To prepare for the Section 106 consultation process, the NPS has developed a graphic illustration of the draft Area of Potential Effects (APE) provided as Attachment A. The draft APE is intended as a basis for discussion and is subject to modification through the consultation process. The draft APE includes potential visual and physical effects, from the Virginia shoreline and from construction staging areas and the area within the Limits of Disturbance for construction of the project.

A preliminary list of historic resources within the draft APE includes National Mall Historic District, Washington Monument and Grounds Historic District, East and West Potomac Parks Historic District, Mount Vernon Memorial Highway Historic District, George Washington Memorial Parkway Historic District, and the Arlington National Cemetery Historic District, all of which are listed in the National Register of Historic Places (NRHP). Additional individually NRHP-listed resources include Arlington Memorial Bridge and Related Features, Martin Luther King, Jr., Memorial. Franklin Delano Roosevelt Memorial, and Thomas Jefferson Memorial.

The NPS will work with you and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

Section 106 and NEPA Coordination

In accordance with the National Environmental Policy Act (NEPA), NPS will prepare an EA to analyze potential impacts of the proposed rehabilitation and reconstruction of the seawalls. NPS plans to coordinate the Section 106 and NEPA processes per the implementing regulations (36 CFR § 800.8) of the NHPA. The NPS will also develop an Assessment of Effect Report for this project as a separate, but parallel, process to the EA.

We look forward to beginning the Section 106 consultation process for this project. If you have any questions or have preliminary feedback related to the project, draft APE, historic properties, and potential consulting parties, please contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov or 202-510-1117.

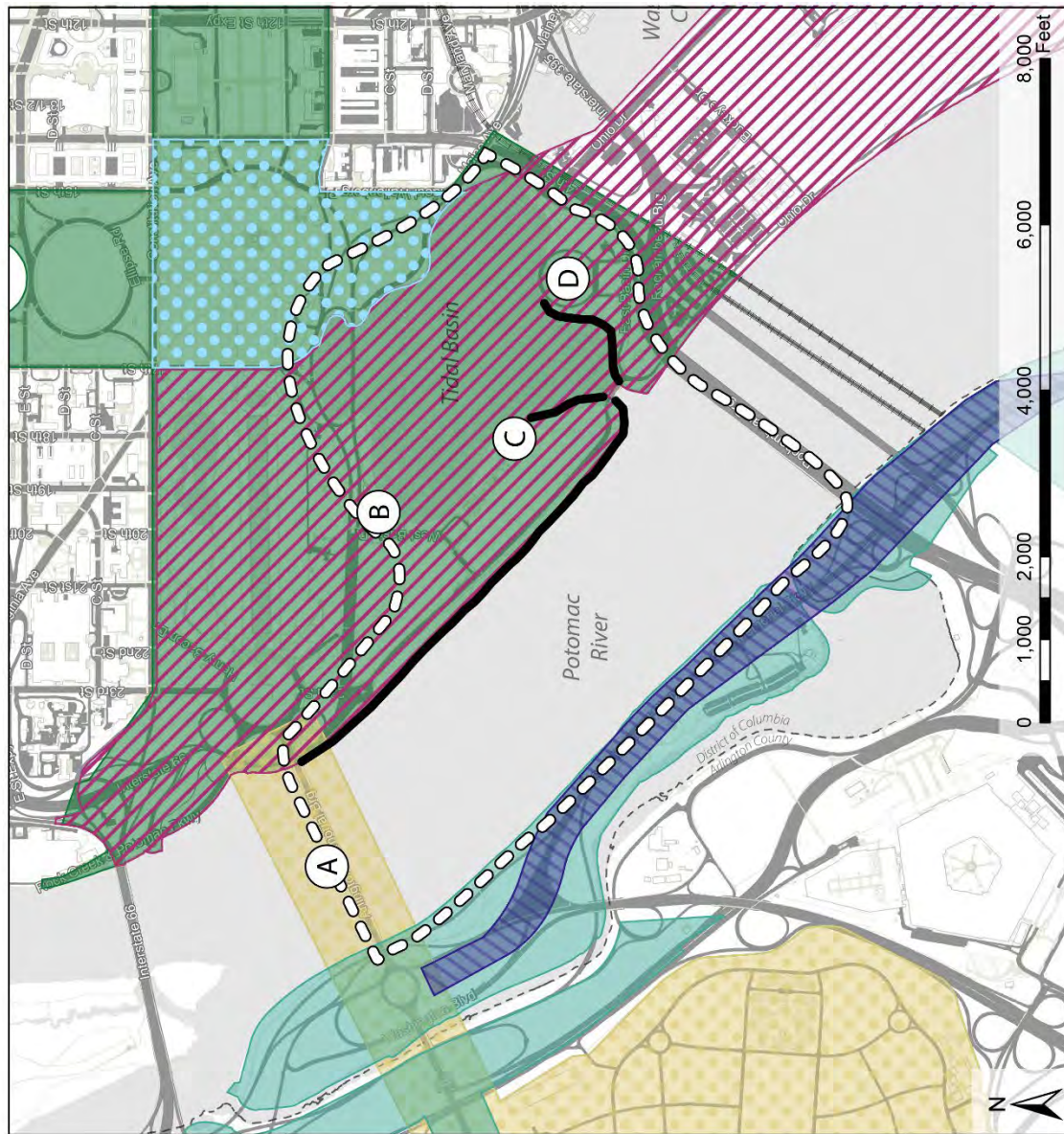
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Tammy Stidham, NPS
Catherine Dewey, NPS

Attachment A: Draft Area of Potential Effects Map



- Key**
- Area of Potential Effects
 - Washington Monument and Grounds Historic District
 - East and West Potomac Parks Historic District
 - National Mall Historic District
 - Arlington National Cemetery Historic District
 - George Washington Memorial Parkway
 - Mount Vernon Memorial Highway Historic District
- Individually Listed Resources**
- A. Arlington Memorial Bridge
 - B. Martin Luther King Jr., Memorial
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 - D. Thomas Jefferson Memorial
- Proposed extent of seawall project

Attachment B: Potential Consulting Parties

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	Megan Bass		Nansemond Indian Nation	administrator@nansemond.org
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	Wenonah George Haire	THPO	Catawba Indian Nation	wenonah.haire@catawba.com
	John Johnson	Governor	Absentee Shawnee Tribe of Indians of Oklahoma	jjohnson@astribe.com
	Tonya Tipton	THPO	Shawnee Tribe	tonya@shawnee-tribe.com
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United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Anne Richardson
Chief
Rappahannock Tribe
5036 Indian Neck Road
Indian Neck, VA 23148

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Chief Richardson:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands the Rappahannock Tribe to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may

include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

To prepare for the Section 106 consultation process, the NPS has developed a graphic illustration of the draft Area of Potential Effects (APE) provided as Attachment A. The draft APE is intended as a basis for discussion and is subject to modification through the consultation process. The draft APE includes potential visual and physical effects, from the Virginia shoreline and from construction staging areas and the area within the Limits of Disturbance for construction of the project.

A preliminary list of historic resources within the draft APE includes National Mall Historic District, Washington Monument and Grounds Historic District, East and West Potomac Parks Historic District, Mount Vernon Memorial Highway Historic District, George Washington Memorial Parkway Historic District, and the Arlington National Cemetery Historic District, all of which are listed in the National Register of Historic Places (NRHP). Additional individually NRHP-listed resources include Arlington Memorial Bridge and Related Features, Martin Luther King, Jr., Memorial. Franklin Delano Roosevelt Memorial, and Thomas Jefferson Memorial.

The NPS will work with you and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

Section 106 and NEPA Coordination

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We look forward to beginning the Section 106 consultation process for this project. If you have any questions or have preliminary feedback related to the project, draft APE, historic properties, and potential consulting parties, please contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov or 202-510-1117.

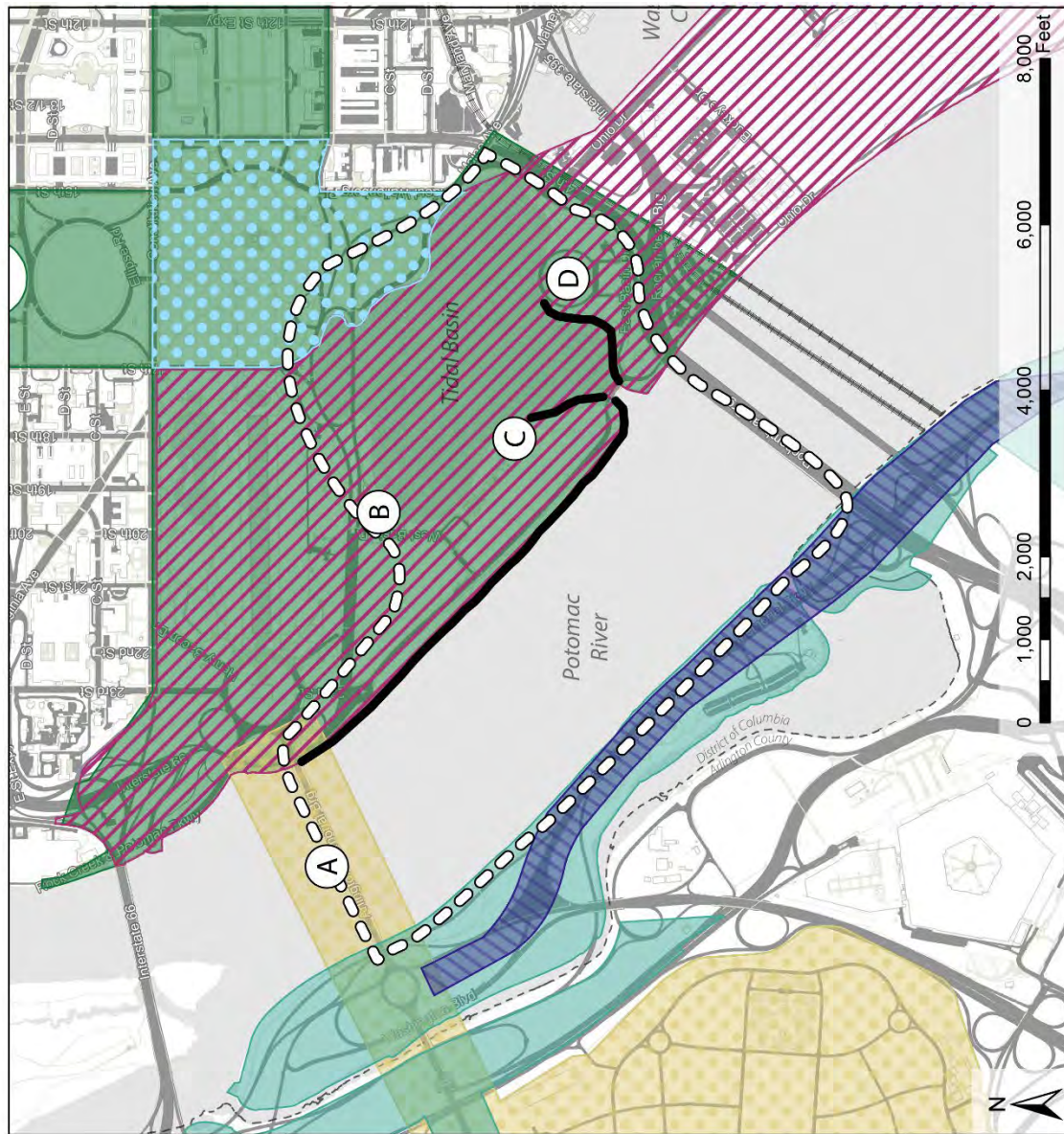
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Tammy Stidham, NPS
Catherine Dewey, NPS

Attachment A: Draft Area of Potential Effects Map



- Key**
- Area of Potential Effects
 - Washington Monument and Grounds Historic District
 - East and West Potomac Parks Historic District
 - National Mall Historic District
 - Arlington National Cemetery Historic District
 - George Washington Memorial Parkway
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- Individually Listed Resources**
- A. Arlington Memorial Bridge
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 - D. Thomas Jefferson Memorial
- Poposed extent of seawall project

Attachment B: Potential Consulting Parties

	NAMA 318722			
	POTENTIAL CONSULTING PARTIES			
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United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Benjamin Barnes
Chief
Shawnee Tribe
29 South Highway 69A
Miami, OK 74354

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Chief Barnes:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands the Shawnee Tribe to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

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include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

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The NPS will work with you and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

Section 106 and NEPA Coordination

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We look forward to beginning the Section 106 consultation process for this project. If you have any questions or have preliminary feedback related to the project, draft APE, historic properties, and potential consulting parties, please contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov or 202-510-1117.

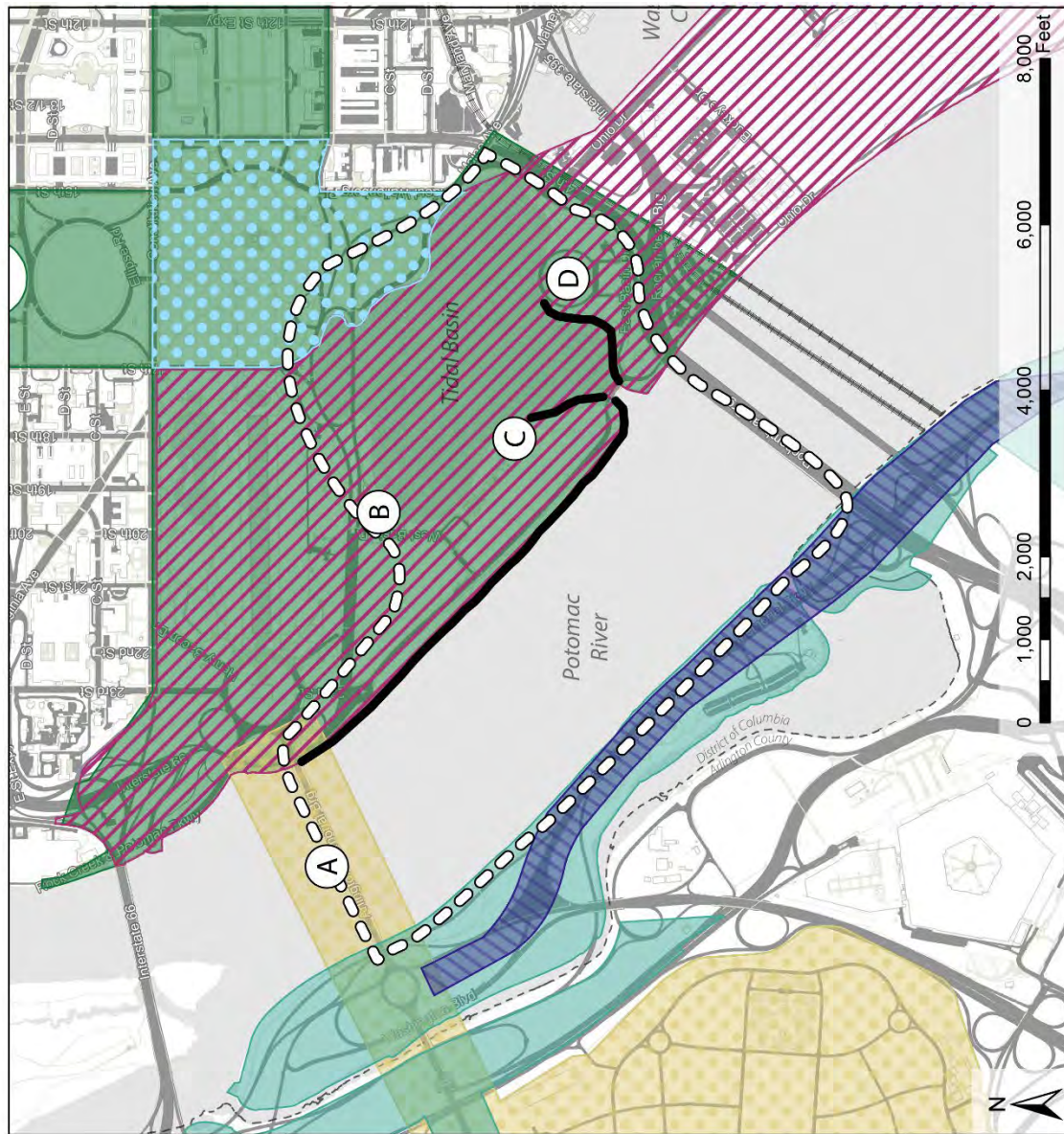
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Tonya Tipton, Shawnee Tribe
Tammy Stidham, NPS
Catherine Dewey, NPS

Attachment A: Draft Area of Potential Effects Map



- Key**
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	Benjamin Barnes	Chief	Shawnee Tribe	chief@shawnee-tribe.com

	NAME	TITLE	AGENCY	EMAIL
Agencies	Kirsten Kulis	NPS Liaison	Advisory Council on Historic Preservation	kkulis@achp.gov
	Thomas Luebke	Secretary	US Commission of Fine Arts	tluebke@cfa.gov
	Dan Fox	Historic Preservationist	US Commission of Fine Arts	dfox@cfa.gov
	Sarah Batcheler	Architect	US Commission of Fine Arts	flindstrom@cfa.gov
	Marcel Acosta	Executive Director	National Capital Planning Commission	marcel.acosta@ncpc.gov
	Diane Sullivan	Director, Urban Design and Plan Review	National Capital Planning Commission	diane.sullivan@ncpc.gov
	Lee Webb	Historic Preservation Specialist	National Capital Planning Commission	lee.webb@ncpc.gov
	David Maloney	State Historic Preservation Officer	DC Historic Preservation Office	david.maloney@dc.gov
	Andrew Lewis	Senior Historic Preservation Specialist	DC Historic Preservation Office	andrew.lewis@dc.gov
	Julie Langan	State Historic Preservation Officer	Virginia Department of Historic Resources	julie.langan@dhr.virginia.gov
	Tim Roberts	National Park Service Reviewer	Virginia Department of Historic Resources	tim.roberts@dhr.virginia.gov
	Genevieve LaRouche	Project Leader, Chesapeake Bay Field Office	US Fish and Wildlife Service	genevieve_larouche@fws.gov
	Jonathan Greene	Community Planner	Ward 2	jonathan.greene@dc.gov
ANCs	Joel Causey	Chair	ANC2A	2A@anc.dc.gov
Preservation Advocacy Groups	Rebecca Miller	Executive Director	DC Preservation League	rebecca@dcpreservation.org
	Catherine Townsend	President and CEO	Trust for the National Mall	ctownsend@nationalmall.org
	Teresa Durkin	Executive Vice President	Trust for the National Mall	tdurkin@nationalmall.org
	Laura Brower Hagood	Executive Director	Historical Society of Washington DC	lhagood@dchistory.com
	Betsy Merritt	Deputy General Council	National Trust for Historic Preservation	bmerritt@savingplaces.org
	Kirby Vining	Chair	Committee of 100 on the Federal City	info@committeeof100.net



United States Department of the Interior

National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, NW
Washington, DC 20024

IN REPLY REFER TO:

May 19, 2022

Frank Adams
Chief
Upper Mattaponi Indian Tribe
13476 King William Road
King William, VA 23086

Re: Initiation of Section 106 Consultation, Rehabilitate Tidal Basin and West Potomac Park Seawalls

Dear Chief Adams:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to rehabilitate and reconstruct approximately 6,800 feet of the seawall in the Tidal Basin and West Potomac Park that are administered by National Mall and Memorial Parks (Park). The NPS understands the Upper Mattaponi Indian Tribe to have interest in the preservation of Native American cultural resources of significance in this region and is writing to formally initiate consultation in compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108) and its implementing regulations (36 CFR § 800).

Project Undertaking

To mitigate flooding and siltation issues in this area of the Potomac River, the US Army Corps of Engineers initiated a land reclamation project in the late nineteenth-century resulting in new parkland. Stone seawalls were constructed to line and contain the new parkland and prevent erosion. Portions of the original seawalls date to the 1870s, other sections have been repaired or moved over time, including a significant portion for the construction of the Jefferson Memorial in the late 1930s and the northern end of West Potomac Park. The seawalls are in a deteriorated condition and land settlement combined with sea level rise create continuous flooding in the Park areas.

The project is broken down into four locations: approximately 4,670 feet in West Potomac Park along the Potomac River, separated by wall type in the north and south, along with approximately 800 feet west of the Inlet Bridge on the Tidal Basin, and approximately 1,200 feet east of the Inlet Bridge on the Tidal Basin. The proposal is to rehabilitate and reconstruct the seawalls and adjacent infrastructure. The actual seawalls will be reconstructed to their historic functional height to protect West Potomac Park and the Tidal Basin between the Jefferson Memorial and FDR Memorial, while meeting the requirements of park visitation and addressing the estimated changes in future water levels. Repairs to the surrounding infrastructure may

include grading, stormwater control, pedestrian/multi-use paths, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Section 106 and Historic Properties

To prepare for the Section 106 consultation process, the NPS has developed a graphic illustration of the draft Area of Potential Effects (APE) provided as Attachment A. The draft APE is intended as a basis for discussion and is subject to modification through the consultation process. The draft APE includes potential visual and physical effects, from the Virginia shoreline and from construction staging areas and the area within the Limits of Disturbance for construction of the project.

A preliminary list of historic resources within the draft APE includes National Mall Historic District, Washington Monument and Grounds Historic District, East and West Potomac Parks Historic District, Mount Vernon Memorial Highway Historic District, George Washington Memorial Parkway Historic District, and the Arlington National Cemetery Historic District, all of which are listed in the National Register of Historic Places (NRHP). Additional individually NRHP-listed resources include Arlington Memorial Bridge and Related Features, Martin Luther King, Jr., Memorial. Franklin Delano Roosevelt Memorial, and Thomas Jefferson Memorial.

The NPS will work with you and other consulting parties to finalize a formal determination of effect through the Section 106 consultation process. A list of potential consulting parties can be found in Attachment B. We look forward to working with you as we further develop concepts to rehabilitate, and reconstruct failing seawalls located in the Park.

Section 106 and NEPA Coordination

In accordance with the National Environmental Policy Act (NEPA), NPS will prepare an EA to analyze potential impacts of the proposed rehabilitation and reconstruction of the seawalls. NPS plans to coordinate the Section 106 and NEPA processes per the implementing regulations (36 CFR § 800.8) of the NHPA. The NPS will also develop an Assessment of Effect Report for this project as a separate, but parallel, process to the EA.

We look forward to beginning the Section 106 consultation process for this project. If you have any questions or have preliminary feedback related to the project, draft APE, historic properties, and potential consulting parties, please contact Catherine Dewey, Chief of Resource Management, at catherine_dewey@nps.gov or 202-510-1117.

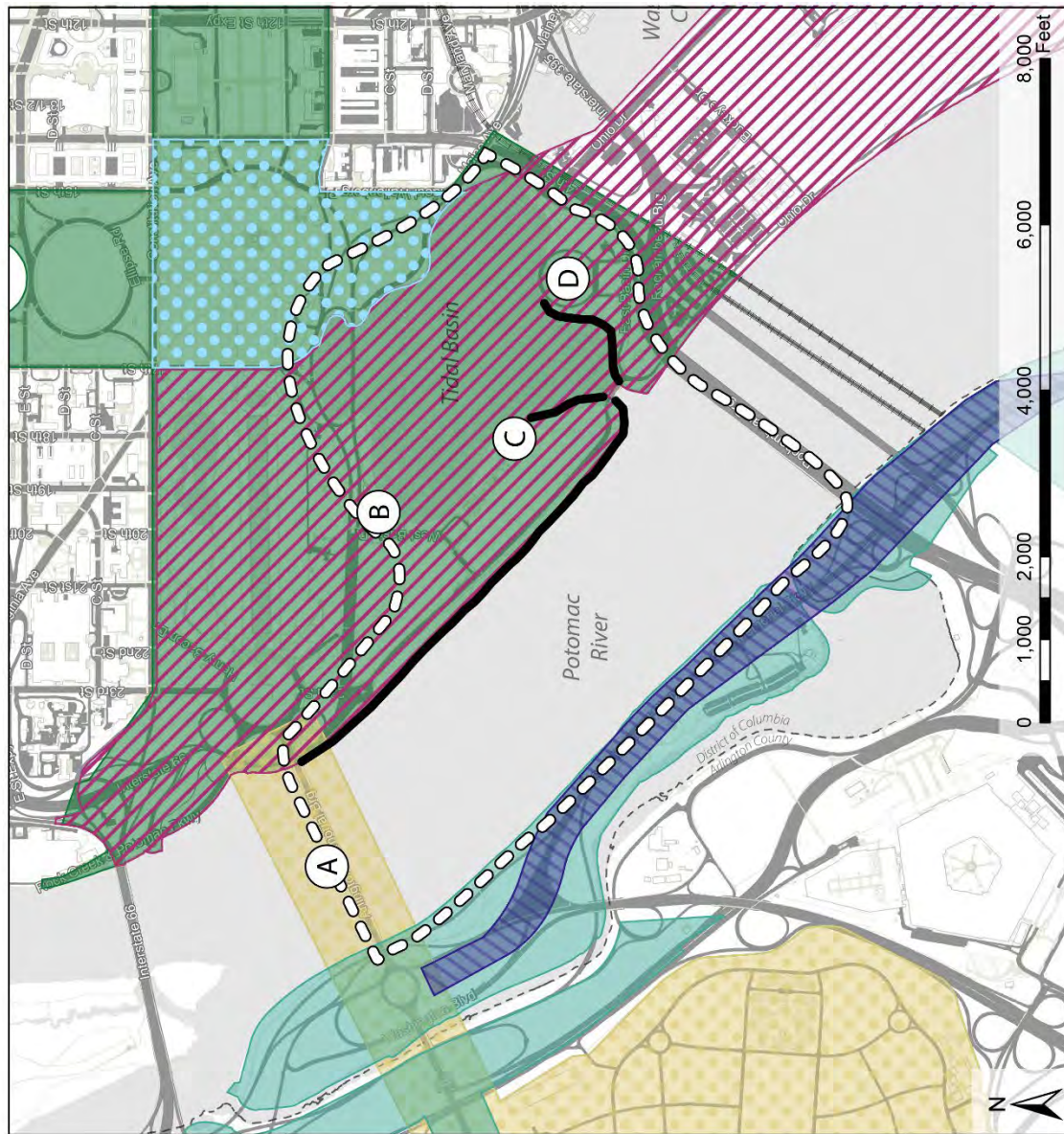
Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Attachments: A: Draft Area of Potential Effects Map
B: List of Potential Consulting Parties

cc: Reggie Tupponce, Upper Mattaponi Indian Tribe
Tammy Stidham, NPS
Catherine Dewey, NPS

Attachment A: Draft Area of Potential Effects Map



- Key**
- Area of Potential Effects
 - Washington Monument and Grounds Historic District
 - East and West Potomac Parks Historic District
 - National Mall Historic District
 - Arlington National Cemetery Historic District
 - George Washington Memorial Parkway
 - Mount Vernon Memorial Highway Historic District
- Individually Listed Resources**
- A. Arlington Memorial Bridge
 - B. Martin Luther King Jr. Memorial
 - C. Franklin Delano Roosevelt Memorial
 - D. Thomas Jefferson Memorial
- Poposed extent of seawall project

Attachment B: Potential Consulting Parties

	NAMA 318722			
	POTENTIAL CONSULTING PARTIES			
	NAME	TITLE	AGENCY	EMAIL
Tribes	Deborah Dotson	President	Delaware Nation	ec@delawarenation-nsn.gov
	Erin Thompson	Historic Preservation Director	Delaware Nation	ethompson@delawarenation-nsn.gov
	Chuck Hoskin, Jr.	Principal Chief	Cherokee Nation	chuck-hoskin@cherokee.org
	Robert Gray	Chief	Pamunkey Indian Tribe	pamunkeytribe@pamunkey.org
	Frank Adams	Chief	Upper Mattaponi Indian Tribe	wfrankadams@verizon.net
	Reggie Tupponce	Tribal Administrator	Upper Mattaponi Indian Tribe	admin@umitribe.org
	Anne Richardson	Chief	Rappahannock Tribe	chiefannerich@aol.com
	Earl Bass	Chief	Nansemond Indian Nation	earlbass@gmail.com and Chief@nansemond.org
	Megan Bass		Nansemond Indian Nation	administrator@nansemond.org
	Stephen Adkins	Chief	Chickahominy Indian Tribe	stephenradkins@aol.com and chiefstephenadkins@gmail.com
	Dana Adkins	Tribal Environmental Director	Chickahominy Indian Tribe	dana.adkins@chickahominytribe.org
	Gerald Stewart	Chief	Chickahominy Tribe Eastern Division	wasandson@cox.net
	Kenneth Branham	Chief	Monacan Indian Nation	TribalOffice@MonacanNation.com
	Rufus Elliot	Tribal Administrator	Monacan Indian Nation	tribaladmin@monacannation.com
	William "Bill" Harris	Chief	Catawba Indian Nation	bill.harris@catawbaindian.net
	Wenonah George Haire	THPO	Catawba Indian Nation	wenonah.haire@catawba.com
	John Johnson	Governor	Absentee Shawnee Tribe of Indians of Oklahoma	jjohnson@astribe.com
	Tonya Tipton	THPO	Shawnee Tribe	tonya@shawnee-tribe.com
	Benjamin Barnes	Chief	Shawnee Tribe	chief@shawnee-tribe.com

	NAME	TITLE	AGENCY	EMAIL
Agencies	Kirsten Kulis	NPS Liaison	Advisory Council on Historic Preservation	kkulis@achp.gov
	Thomas Luebke	Secretary	US Commission of Fine Arts	tluebke@cfa.gov
	Dan Fox	Historic Preservationist	US Commission of Fine Arts	dfox@cfa.gov
	Sarah Batcheler	Architect	US Commission of Fine Arts	flindstrom@cfa.gov
	Marcel Acosta	Executive Director	National Capital Planning Commission	marcel.acosta@ncpc.gov
	Diane Sullivan	Director, Urban Design and Plan Review	National Capital Planning Commission	diane.sullivan@ncpc.gov
	Lee Webb	Historic Preservation Specialist	National Capital Planning Commission	lee.webb@ncpc.gov
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	Andrew Lewis	Senior Historic Preservation Specialist	DC Historic Preservation Office	andrew.lewis@dc.gov
	Julie Langan	State Historic Preservation Officer	Virginia Department of Historic Resources	julie.langan@dhr.virginia.gov
	Tim Roberts	National Park Service Reviewer	Virginia Department of Historic Resources	tim.roberts@dhr.virginia.gov
	Genevieve LaRouche	Project Leader, Chesapeake Bay Field Office	US Fish and Wildlife Service	genevieve_larouche@fws.gov
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	Catherine Townsend	President and CEO	Trust for the National Mall	ctownsend@nationalmall.org
	Teresa Durkin	Executive Vice President	Trust for the National Mall	tdurkin@nationalmall.org
	Laura Brower Hagood	Executive Director	Historical Society of Washington DC	lhagood@dchistory.com
	Betsy Merritt	Deputy General Council	National Trust for Historic Preservation	bmerritt@savingplaces.org
	Kirby Vining	Chair	Committee of 100 on the Federal City	info@committeeof100.net

From: Dewey, Catherine <Catherine_Dewey@nps.gov>

Sent: Wednesday, June 1, 2022 1:40 PM

To: Stidham, Tammy <Tammy_Stidham@nps.gov>; Nagen, Brent L <brent_nagen@nps.gov>;
Jackson, Kaetlyn <Kaetlyn_Jackson@nps.gov>

Subject: FW: [EXTERNAL] RE: Section 106 Initiation for Seawall Project

FYI

Catherine Dewey
Chief, Resource Management
National Mall and Memorial Parks
900 Ohio Drive, SW
Washington, DC 20024

Cell: 202-510-1117

From: Section106 <section106@shawnee-tribe.com>

Sent: Wednesday, June 1, 2022 1:35 PM

To: Dewey, Catherine <Catherine_Dewey@nps.gov>

Subject: [EXTERNAL] RE: Section 106 Initiation for Seawall Project



This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

This letter is in response to the above referenced project.

The Shawnee Tribe's Tribal Historic Preservation Department concurs that no known historic properties will be negatively impacted by this project. However, there is still potential for the discovery of unknown resources.

We have no issues or concerns at this time. Please continue with the project as planned, but in the event that archaeological materials are encountered during construction, use, or maintenance of this location, please re-notify us at that time as we would like to resume immediate consultation under such a circumstance.

If you have any questions, you may contact me via email at epaden@shawnee-tribe.com

Thank you for giving us the opportunity to comment on this project.

Sincerely,



Erin Paden
TRIBAL HISTORIC PRESERVATION
SPECIALIST

Office: (918) 542-2441, x140
Email: epaden@shawnee-tribe.com

29 S Hwy 69A
Miami, OK 74354

shawnee-tribe.com

From: Dewey, Catherine <Catherine_Dewey@nps.gov>

Sent: Monday, May 23, 2022 12:55 PM

To: Tonya Tipton <tonya@shawnee-tribe.com>; Ben Barnes <Chief@shawnee-tribe.com>

Cc: Stidham, Tammy <Tammy_Stidham@nps.gov>

Subject: Section 106 Initiation for Seawall Project

CAUTION: External email. Do not click links or open attachments unless you are confident the content is safe.

Good afternoon Ms. Tipton and Mr. Barnes,

National Mall and Memorial Parks is embarking on a project to rehabilitate the West Potomac and Tidal Basin Seawalls. They will largely look the same, maybe just slightly raised for some resiliency. Design is in its infancy. If you have any initial questions, please do not hesitate to reach out.

Thank you,
Catherine

Catherine Dewey
Chief, Resource Management
National Mall and Memorial Parks
900 Ohio Drive, SW
Washington, DC 20024

Cell: 202-510-1117

From: Laserfiche Notification <donotreply@laserfiche.com>

Sent: Tuesday, January 24, 2023 1:13 PM

To: Stidham, Tammy <Tammy_Stidham@nps.gov>

Subject: [EXTERNAL] Section 106 Consultation - Rehabilitation of the Tidal Basin and West Potomac Park Seawalls - Section 106 consulting parties meeting

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

This email is in response to Rehabilitation of the Tidal Basin and West Potomac Park Seawalls - Section 106 consulting parties meeting. The project is out of the Shawnee Tribe's area of interest. If you have any questions, you may contact me via email at Section106@shawnee-tribe.com.

Thank you for giving us the opportunity to comment on this project.

Sincerely,



Erin Paden

TRIBAL HISTORIC PRESERVATION
SPECIALIST

Office: (918) 542-2441, x140

Email: epaden@shawnee-tribe.com

29 S Hwy 69A

Miami, OK 74354

shawnee-tribe.com

From: Dewey, Catherine <Catherine_Dewey@nps.gov>

Sent: Thursday, January 26, 2023 10:37:55 AM

To: de la Vega, Caridad <caridad_de_la_vega@nps.gov>; Stidham, Tammy
<Tammy_Stidham@nps.gov>

Subject: FW: [EXTERNAL] Rehabilitation of the Tidal Basin and West Potomac Park Seawalls

FYI

From: Caitlin Rogers <Caitlin.Rogers@catawba.com>

Sent: Thursday, January 26, 2023 10:33 AM

To: Dewey, Catherine <Catherine_Dewey@nps.gov>

Subject: [EXTERNAL] Rehabilitation of the Tidal Basin and West Potomac Park Seawalls

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Ms. Dewey,

The Catawba THPO have no concerns with the Draft assessment and MOA for the rehabilitation of the Tidal Basin and West Potomac Park Seawalls. If you need anything else please let me know.

Hawuh (Thank you),

Caitlin Rogers
Catawba Indian Nation
Tribal Historic Preservation Office
1536 Tom Steven Road
Rock Hill, SC 29730

803-328-2427 ext. 226

*** Please note that my email has changed to Caitlin.Rogers@catawba.com ***

Please Note: We CANNOT accept Section 106 forms via e-mail, unless requested. Please send us hard copies. Thank you for your understanding

Disclaimer

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Cooperating Agency Correspondence



United States Department of the Interior



NATIONAL PARK SERVICE

National Mall and Memorial Parks
900 Ohio Drive, S.W.
Washington, D.C. 20024-2000

July 8, 2022

Mr. Marcel Acosta
Executive Director
National Capital Planning Commission
401 9th Street, NW Suite 308
Washington, DC 20004

Re: Rehabilitate Tidal Basin and West Potomac Park Seawalls Environmental Assessment

Dear Mr. Acosta:

The National Park Service (NPS) is preparing an Environmental Assessment (EA) for the proposed rehabilitation of portions of the Tidal Basin seawall and the entire West Potomac Park seawall in accordance with the National Environmental Policy Act (NEPA) of 1969 as amended. The EA evaluates 6,800 linear feet of seawall that is administered by the NPS through the National Mall and Memorial Parks (Park) and located in the District of Columbia (see enclosed project location map).

In the years since their construction, the seawalls have significantly settled and been compromised, leading to overtopping of the seawalls in some sections twice a day during normal tidal conditions and the water does not dissipate in a timely manner due to poor drainage. This has led to reduced public access, damage to the cultural landscape and park infrastructure, resulting in negative impacts to visitor use and experience. When the water does recede, the overtopped areas are littered with large wood debris and other trash from the river that often collides with and damages the seawalls, causing further failure and creating an unsightly appearance. The Tidal Basin and West Potomac Park experience large numbers of visitors every day of the year with peak visitation during the spring with the blooming of the Cherry Blossoms. The current condition of the seawalls affects visitor use, experience and safety since the pedestrian trails in many areas have degraded creating trip and fall hazards and are inaccessible due to standing water, mud and debris left behind from daily flooding. Significant cost is expended by the NPS staff to remove the debris load after each overtopping event.

The purpose of the proposed action is to restore the historic functional height of the seawalls, restore the cultural landscape, improve visitor experience along the shorelines, minimize soil erosion and safety hazards, and provide some flood protection. The proposed action is primarily needed because the existing structural deficiencies of the seawalls negatively impact the experience and safety of park visitors and allow brackish water to drown out vegetation affecting the landscape.

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

The NPS proposes to rebuild and elevate the seawalls to re-establish the historic functional height of the walls in such a way as to provide for a sustainable solution that expands the lifecycle of the seawalls and future extensions of the wall to respond to changing climate patterns, including storms of greater intensity and frequency. The proposed action would help keep these areas from flooding during normal tidal events, minor flood stage events, and would help prevent continued loss of material. The existing masonry seawall would be stabilized and raised along the historic alignment. The stone from the historic wall would be salvaged and reused in construction of the higher walls. The existing sidewalk on top of the seawall along the Tidal Basin will be replaced. Finally, the existing landscaping adjacent to each of the seawall systems would be rehabilitated. Repairs to the surrounding infrastructure may include grading, stormwater control, pedestrian/multi-use path improvements, curbing, and replacement in-kind of any construction damage to the landscape and trees.

Your agency has been identified as one that may have jurisdiction by law and an interest in this project; accordingly, the NPS invites your agency to become a cooperating agency in the development of the EA for the subject project in accordance with 40 CFR 1501.6 and 1508.5 of the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA. As a cooperating agency, your role in the NEPA process would include the following activities as they relate to your legal jurisdiction and / or area of expertise:

- 1) Identify issues related to your agency's jurisdiction by law and special expertise.
- 2) Assist the NPS and partners with identifying any issues or concerns regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project.
- 3) Attendance at and input during agency coordination meetings and internal project team meetings and teleconferences.
- 4) Timely review and comment on the EA to reflect views and concerns of your agency on the adequacy of the document, significant issues to be evaluated, environmental impacts, study and assessment methodologies, range of alternatives, and proposed mitigation, if applicable.
- 5) Provide information for the EA that your agency requires to discharge your NEPA responsibilities and any other requirements regarding jurisdictional approvals, permits, licenses, and / or clearances.
- 6) Adoption of the EA, when needed to fulfill your independent NEPA obligations related to your federal action and to reduce duplication with other Federal, State, Tribal, and local procedures.

You have the right to expect that the EA will enable you to discharge your jurisdictional responsibilities. Likewise, you have the obligation to tell us if, at any point in the process, your needs are not being met. We expect that at the end of the process, the EA and our public involvement process will satisfy your NEPA requirements.

Please provide a written response indicating NCPC's acceptance or denial of this invitation no later than 30 days from the receipt of this letter. If you accept, please identify the appropriate contact person within your organization for future coordination. If your agency declines, the response should state the reason(s) for declining the invitation.

If you have any questions or would like to discuss our respective roles and responsibilities during the NEPA process in more detail, please contact Catherine Dewey, Chief of Resource Management at catherine_dewey@nps.gov or (202) 510-1117. Thank you for your cooperation and interest in this project.

Sincerely,

Jeffrey P. Reinbold
Superintendent
National Mall and Memorial Parks

Enclosure: Project Area Map

cc: Diane Sullivan, NCPC
Lee Webb, NCPC
Tammy Stidham, NPS
Catherine Dewey, NPS



PROJECT AREA MAP

From: Webb, Lee <lee.webb@ncpc.gov>
Sent: Tuesday, August 2, 2022 11:08 AM
To: Dewey, Catherine <Catherine_Dewey@nps.gov>; Sullivan, Diane <diane.sullivan@ncpc.gov>
Cc: Stidham, Tammy <Tammy_Stidham@nps.gov>; Gorder, Joel S <Joel_Gorder@nps.gov>
Subject: [EXTERNAL] RE: Cooperating Agency Invitation - Seawall EA

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Catherine and Tammy—

Thank you for sending the letter inviting coordination for NEPA purposes for the Seawall Rehabilitation Environmental Assessment. NCPC will be a coordinating agency for NEPA, as well as Section 106 consultation. I will be the primary point of contact for the project and serve as the project manager for its review through our Commission.

Many thanks and we look forward to participating, beginning with this morning's Section 106 consultation meeting.

--Lee

Lee A. Webb

Federal Preservation Officer | Urban Design and Plan Review Division

401 9th Street, NW | Suite 500 | Washington, DC 20004
202 482 7240 | www.ncpc.gov | lee.webb@ncpc.gov



From: Dewey, Catherine <Catherine_Dewey@nps.gov>
Sent: Monday, July 11, 2022 8:10 AM
To: Webb, Lee <lee.webb@ncpc.gov>; Sullivan, Diane <diane.sullivan@ncpc.gov>
Cc: Stidham, Tammy <tammy_stidham@nps.gov>; Gorder, Joel S <Joel_Gorder@nps.gov>
Subject: Cooperating Agency Invitation - Seawall EA

Good morning,

Please see attached letter inviting coordination for the Seawall Rehabilitation Environmental Assessment.

Thank you,
Catherine

Catherine Dewey
Chief, Resource Management
National Mall and Memorial Parks
900 Ohio Drive, SW
Washington, DC 20024

Cell: 202-510-1117