



## **FINDING OF NO SIGNIFICANT IMPACT**

### **GEORGE WASHINGTON MEMORIAL PARKWAY SOUTH SECTION AND MOUNT VERNON TRAIL IMPROVEMENTS PLAN**

#### **GEORGE WASHINGTON MEMORIAL PARKWAY**

#### **Washington, D.C., and Virginia**

The National Park Service (NPS), in cooperation with the National Capital Planning Commission (NCPC), prepared an Environmental Assessment (EA) to evaluate the impacts that would result from implementing the George Washington Memorial Parkway (Parkway) South Section and Mount Vernon Trail (MVT) Improvements Plan (Plan). The Plan will guide future actions to improve the roadway and trail while maintaining the scenic and historic character of the Parkway.

The NPS has not comprehensively rehabilitated the Parkway South Section since its original construction in 1932. The NPS completed a corridor-wide pavement restoration in 1986 that involved repairing concrete slabs and replacing those that were beyond repair. The existing pavement has received only minor spot repairs since then, and recent inspections have rated the concrete pavement as being in overall “fair” condition with several segments that are in poor condition. Accelerating deterioration of the pavement and joints, and undermining caused by poor drainage conditions, are requiring frequent maintenance, such as interim asphalt patching. As such, the Plan involves comprehensive rehabilitation of the Parkway South Section, including complete replacement of the deteriorated road surface (concrete slabs), repairs or replacement of drainage structures, establishment of clear zones, and bridge rehabilitation. The Plan also includes various safety improvements, such as implementing a permanent road diet, intersection modifications, and establishing bicycle / pedestrian crosswalks that comply with the latest Architectural Barriers Act Accessibility Standard (ABAAS) at the time of design / construction, while seeking to find an appropriate balance between improving visitor safety and resource preservation / protection.

The Plan also includes rehabilitation and safety improvements to the MVT across all NPS-administered sections. Constructed in the 1970s and 1980s before there were accepted trail standards, the MVT is relatively narrow and is characterized by meandering curves (some with steep down grades and poor sight distance), deteriorating pavement and timber bridges, and in some areas dense overhanging vegetation that result in the potential for user conflicts and crashes to occur. Growing usage of the MVT, particularly during commuting periods, contributes to trail crowding, user conflicts, and crashes. The asphalt trail surface has also deteriorated, and tree roots uplifting the trail are causing safety concerns. As such, the Plan involves rehabilitation of the MVT; geometric changes, such as trail realignments and widening; trail bridge replacement or rehabilitation; trail intersection treatments; drainage improvements; vegetation management; and trail amenity upgrades to improve safety and the visitor experience and to extend the service life of the MVT and minimize future maintenance requirements.

The EA was prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 as implemented by Council for Environmental Quality regulations (40 CFR 1500-1508); NPS Director’s Order #12: *Conservation Planning, Environmental Impact Analysis, and Decision-Making*; and the NPS NEPA Handbook. Compliance with Section 106 of the National Historic Preservation Act (NHPA) of

1966, as amended, and Section 7 of the Endangered Species Act, was conducted concurrently with the NEPA process. The statements and conclusions reached in this Finding of No Significant Impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file. To the extent necessary, relevant sections of the EA are incorporated by reference.

## PUBLIC AND AGENCY INVOLVEMENT

**Public Scoping** – As part of the NEPA process and to comply with the requirements of Section 106 of the National Historic Preservation Act, the NPS involved the public in project scoping by holding a public comment period from December 6, 2022, to January 18, 2023. The NPS held a stakeholder meeting on December 2, 2022, at the start of the scoping period, as well as a virtual public meeting on December 6, 2022, using the GoToWebinar platform. The public scoping comment period and virtual meeting were announced by sending an electronic notice through the GovDelivery web-based email subscription management system used by the National Capital Region. The NPS sent the notice to 735 email addresses that included elected officials, agency and tribal representatives, stakeholders, and other potentially interested individuals. The notice included a link to a public scoping letter from the Superintendent that was also posted at the NPS Planning, Environment and Public Comment (PEPC) project webpage, along with relevant planning documents. The NPS also distributed a press release that was posted in the “News Releases” section of the official Parkway website. The presentation used during the virtual public meeting, a recording of the meeting, and the scoping letter remain available at the PEPC project webpage: [https://parkplanning.nps.gov/GWMP\\_South](https://parkplanning.nps.gov/GWMP_South). The NPS received 700 separate correspondences during the comment period.

**EA Public Review** – The EA was made available for public review from September 25 to October 24, 2023, at the PEPC project webpage: [https://parkplanning.nps.gov/GWMP\\_South\\_EA](https://parkplanning.nps.gov/GWMP_South_EA). The EA public review period was announced on the PEPC project webpage and by news release and email blast. A total of 469 separate correspondences were received during the EA public review period. Responses to substantive public comments are provided in **Attachment C**.

**National Historic Preservation Act, Section 106 Consultation** – Pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations (36 CFR Part 800) “Protection of Historic Properties,” the NPS initiated consultation with the Virginia Department of Historic Resources (VDHR) and the District of Columbia Historic Preservation Office (DCHPO) in letters dated November 4, 2022. The letters described the proposed Plan improvements, defined a draft Area of Potential Effect (APE), and identified known historic properties within the APE. VDHR acknowledged receipt of the initiation letter on December 7, 2022, and had several questions regarding the draft APE. The NPS provided responses to VDHR’s comments in a letter dated January 13, 2023. The DCHPO acknowledged receipt of the initiation letter on December 9, 2022. The consultation letters and responses are provided in Attachment E.

The NPS held a Section 106 consulting parties’ meeting on August 9, 2023, to review an Assessment of Effects (AOE) Report that was prepared to assess whether the proposed undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify it for inclusion in the National Register of Historic Places (National Register) in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association. The AOE Report was sent to VDHR, DCHPO, and other consulting parties in advance of the meeting and was made available for public comment at the PEPC project webpage until September 1, 2023. The report remains available for review at: [ParkPlanning - GWMP South Section & MV Trail Improvement Assessment of Effect \(nps.gov\)](https://parkplanning.nps.gov/GWMP_South_Section_and_MV_Trail_Improvement_Assessment_of_Effect).

The NPS determined that the Plan would potentially have adverse effects to historic properties due to the planned ground disturbing activities, which may affect archeological resources that are eligible for listing in the National Register. The Plan calls for the rehabilitation of Parkway and MVT elements that have yet to be designed and should designs not be in adherence to the Secretary of the Interior’s *Standards for the Treatment of Historic Properties* (SOI Treatment Standards), the Plan could diminish the design and aesthetic character of the Mount Vernon Memorial Highway and Parkway historic properties. As such, the NPS, NCPC, and VDHR entered into a programmatic agreement to establish a consultation process

for the implementation of the Plan to conduct phased identification and evaluation, per 36 CFR 800.4(b)(2), and to avoid, minimize, or mitigate potential adverse effects pursuant to 36 CFR 800.14(b)(3), which will satisfy NPS's and NCP's obligation to comply with Section 106. The DCSHPO declined to participate in the programmatic agreement in an email dated September 18, 2023. The final, fully executed programmatic agreement and associated correspondence are included in **Attachment D**.

**Tribal Consultation** – Tribal consultation initiation letters were sent to the Pamunkey Indian Tribe, Upper Mattaponi Indian Tribe, Rappahannock Tribe, Nansemond Indian Nation, Chickahominy Indian Tribe, Chickahominy Tribe Eastern Division, Monacan Indian Nation, Catawba Indian Nation, Delaware Nation, Absentee Shawnee Tribe of Indians of Oklahoma, and Shawnee Tribe. The NPS received a response from the Delaware Nation on November 21, 2022, accepting the invitation for consultation on the project. The Monacan Indian Nation responded in an email dated August 7, 2023, that they did not wish to participate in consultation because impacts are anticipated to be minimal. In an email sent on August 30, 2023, the Shawnee Tribe declined to participate in consultation because the project falls outside of their area of interest. The consultation letters and responses are provided in **Attachment E**.

**Endangered Species Act, Section 7 Consultation** – In accordance with Section 7 of the Endangered Species Act, an official species list was obtained through the US Fish and Wildlife Service's (USFWS) Information, Planning, and Consultation (IPaC) System on June 7, 2023, that identified the federally listed endangered northern long-eared bat (*Myotis septentrionalis*) and the federally proposed endangered tricolored bat (*Perimyotis subflavus*) as potentially occurring within the Plan implementation area. The NPS ran through the northern long-eared bat determination key in IPaC, which resulted in a *May Affect* determination. However, because several conservation measures will be implemented, including a time of year restriction on tree removal, the NPS requested concurrence of a *May Affect, Not Likely to Adversely Affect* determination for the northern long-eared bat in a consultation package sent to USFWS on August 29, 2023. The conservation measures proposed by NPS will also be effective to minimize effects to the tricolored bat. The USFWS Virginia Field Office concurred with the NPS' determinations in an email dated September 1, 2023, and the USFWS Chesapeake Bay Field Office concurred with the determinations in an email dated October 11, 2023. As directed by the Virginia Field Office, the NPS submitted a self-certification letter to satisfy their Section 7 consultation responsibilities. The consultation package and self-certification letter submitted to USFWS are provided in **Attachment E**.

## ALTERNATIVES CONSIDERED AND SELECTED

The NPS analyzed the No Action Alternative and the proposed Parkway South Section and MVT Improvements Plan (the Proposed Action) in the EA. A detailed description of the alternatives can be found on pages 19-31 of the EA. The No Action Alternative was carried forward to provide a comparative baseline against which to analyze the effects of the Proposed Action (40 CFR Part 1502.14). Based on the analysis presented in the EA, the NPS selected the Proposed Action for implementation.

**George Washington Memorial Parkway South Section Improvements** – The Selected Alternative will replace the deteriorated concrete road surface, gutters, and mountable curbs where they are present. The Selected Alternative will resolve drainage issues by repairing or replacing drainage structures (e.g., culverts, ditches, drainpipes, and stormwater inlets), and will incorporate stormwater management best management practices (BMPs) to address water quantity management and water quality treatment, as needed. The Little Hunting Creek Bridge, Fort Hunt Overpass Bridge, Alexandria Avenue Overpass Bridge, and Hunting Creek Bridge will be rehabilitated based on Federal Highway Administration recommendations. Other roadway infrastructure improvements that will be implemented under the Selected Alternative are described on pages 19 and 20 of the EA.

The Selected Alternative will implement a road diet between Mount Vernon and Belle View Boulevard in the southbound direction, and between Mount Vernon and Tulane Drive in the northbound direction, using pavement striping and signage to reduce the number of travel lanes to one lane northbound and one lane southbound. The additional pavement area will be reallocated to establish two right-hand shoulders or dedicated right-turn lanes at southbound intersections, as well as a striped median or center turn lane. In conjunction with the proposed road diet, the Selected Alternative will modify several intersections to

improve safety at Stratford Lane, Vernon View Drive, Waynewood Boulevard, Collingwood Road, Wellington Road, Outlet Road / East Boulevard Drive, the access to West Boulevard Drive, Morningside Lane, Tulane Drive, Belle View Boulevard, the Belle Haven Marina driveway, and Belle Haven Road. Figures depicting concept-level redesigns for each intersection are provided in Appendix B of the EA. In addition, the Selected Alternative will establish crosswalks at the Stratford Lane, Vernon View Drive, Collingwood Road, Wellington Road, Outlet Road / East Boulevard Drive, Tulane Drive, Belle View Boulevard, the Belle View Marina Driveway, and Belle Haven Road intersections that comply with the latest ABA Accessibility Standards at the time of design / construction, while seeking to find an appropriate balance between improving visitor safety and resource preservation / protection. Other roadway and intersection safety improvements that will be implemented under the Selected Alternative are described on pages 22-24 of the EA.

**MVT Improvements** – The Selected Alternative includes rehabilitation and minor realignments of the asphalt pavement surface of the MVT, trail spurs, and exit / entry paths. The NPS will incorporate stormwater management BMPs, potentially replace existing inlets and culverts, construct new ditches where appropriate, clear or regrade existing ditches, and conduct other miscellaneous work to improve drainage and alleviate ponding issues along the MVT under the Selected Alternative. The Selected Alternative will also widen the MVT from the typical 8–9-foot width to a maximum width of 10 feet in Zone 1, and to a maximum width of 12 feet in NPS-administered portions of Zones 2 and 3, depending on physical and environmental constraints, to meet American Association of State Highway and Transportation Officials (AASHTO) recommendations for multi-use trails. An updated AASHTO Guide is expected to be published in the near future, so the NPS acknowledges there is potential for standards to change between the development of the EA and design / construction. The NPS and FHWA will determine the best approach for balancing current and / or updated AASHTO guidance with context sensitive design for the MVT improvements.

The Selected Alternative will replace four trail bridges that are in poor condition with new structures that are 14 feet in width from rail-to-rail to meet current AASHTO standards for multi-use trails. The NPS will review the updated AASHTO Guide when it is published to evaluate if design standards should be modified for the MVT improvements. The Selected Alternative will also repair 29 trail bridges that do not require full replacement. The trail section on the Humpback Bridge and the Rosslyn trail bridge north of the Theodore Roosevelt Island parking lot will also be rehabilitated. The locations of the trail bridges to be replaced or repaired are provided on the project mapping located in Appendix C of the EA. Some additional details on proposed bridge rehabilitation activities can be found on pages 26 and 27 of the EA.

The Selected Alternative includes possible trail realignments, trail roundabouts, measures to address pinch points at site-specific locations, and treatments to reduce shared-use conflicts along the MVT as identified on pages 27 and 28 of the EA. Additionally, signing and striping will be improved along the entire trail length, and trail crossings will be improved to comply with the latest ABAAS at the time of design / construction, and to incorporate additional traffic calming and safety measures. The Selected Alternative will replace / upgrade trail amenities, support several new Capital Bikeshare Stations, permanently remove the existing vault toilet facility at Riverside Park, and conduct minor curb and striping improvements in the Theodore Roosevelt Island parking lot to meet the latest ABA Accessibility Standards and improve safety. The Selected Alternative will also clear dense vegetation that is encroaching on the trail. Improvements will also be made at Gravelly Point, including installing a separated pedestrian sidewalk along the east side of the parking lot connecting the MVT to a new permanent restroom facility that will be constructed. See Appendix B of the EA for a concept-level design of the proposed improvements at Gravelly Point.

## **RATIONALE FOR DECISION**

The NPS identified the Parkway South Section and MVT Improvements Plan as the Selected Alternative because it meets the project purpose and need by addressing deferred maintenance and safety issues while maintaining the scenic and historic character of the Parkway and resulting in minimal environmental impacts. The No Action Alternative does not satisfy the need for the project because the Parkway South



Section and MVT would continue to deteriorate, requiring frequent maintenance, and current safety issues would not be addressed.

## ALTERNATIVES DISMISSED FROM FURTHER CONSIDERATION

As discussed on pages 31-33 of the EA, the NPS considered a wide range of alternative elements and management strategies for the proposed Parkway South Section and MVT improvements that were ultimately dismissed from further consideration. The *George Washington Memorial Parkway: Traffic and Safety Context Sensitive Solutions Assessment* completed by FHWA in 2021 identified 89 potential solutions to address traffic and safety along the Parkway South Section, including access management strategies such as roundabouts, traffic signals, and other access management strategies were dismissed from further consideration because they were not within the context of maintaining the Parkway's scenic and nationally significant historic character, or because there would be unacceptable environmental or right-of-way impacts. Furthermore, the NPS considered widening the MVT to as much as 14 feet, however, this alternative was dismissed because of unacceptable impacts to sensitive natural resources, more extensive stormwater management BMPs that would be required, the increased likelihood of archeological resource impacts, and unnecessary alterations to the cultural landscape of the Parkway.

## MITIGATION MEASURES

The NPS places a strong emphasis on avoiding, minimizing, and mitigating potentially adverse impacts to affected resources, whether under the jurisdiction of the NPS or as a result of an NPS decision. To help ensure the protection of cultural and natural resources and the quality of the visitor experience, the NPS will implement mitigation measures to avoid and / or minimize impacts. Mitigation measures of the Selected Alternative are provided below in Attachment A. These mitigation measures will allow the NPS to meet its conservation mandates as required by the NPS Organic Act (16 USC 1 *et seq.*) and minimize disruption for park visitors. Exact mitigation measures to be implemented will depend upon the final design and plan review / approval by the NPS and NCPC.

## WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT IMPACT

As documented in the EA, the Selected Alternative has the potential for adverse and beneficial impacts on visitor use, experience, and safety (see EA pages 35-44); vegetation (see EA pages 44-49); wildlife and habitat (see EA pages 49-54); historic districts (see EA pages 54-59); archeological resources (see EA pages 59-61); and cultural landscapes (see EA pages 61-70). Anticipated impacts that will occur are summarized below by resource.

After considering the environmental consequences described in the EA, the NPS has determined that the Selected Alternative and its associated actions will not have a significant effect on the quality of the human environment considering the potentially affected environment and degree of effects of the action (40 CFR 1501.3(b)(7)). Thus, an Environmental Impact Statement (EIS) will not be prepared.

**Visitor Use, Experience, and Safety** – Under the Selected Alternative, construction activities will disrupt the visitor experience of the scenic roadway and its views, as well as temporarily restrict access to recreational, natural, and cultural areas. Detours and closures on both the Parkway South Section and MVT will result in noticeable disruptions to traffic; however, these adverse impacts would be limited to the duration of construction. Once completed, the proposed improvements will enhance operation of the Parkway South Section and MVT and result in long-term benefits to visitor use, experience, and safety from the implementation of safety measures, including the road diet, intersection improvements, bridge replacement / rehabilitation, increased trail width, and improved trail conditions and amenities.

**Vegetation** – The Selected Alternative requires approximately 3.5 acres of tree removal to widen the trail, realign the trail at site-specific locations, establish clear zones along the parkway and trail, and from drainage improvements and installation of stormwater management BMPs. The NPS will replace impacted trees and shrubs on a one-to-one diameter at breast height (dbh) ratio, or following the procedures detailed in NCPC's Tree Preservation and Replacement Resource Guide, resulting in adverse impacts that will be minor. The NPS will avoid impacting trees that are 18-inches diameter and greater as much as possible, avoid impacts to legacy trees, minimize impacts to the critical root zones of trees

planned for protection, prevent the establishment of invasive species, stabilize disturbed areas with native vegetation or with non-native, non-invasive plants that are sensitive to the historic context of the cultural landscape, avoid construction-related impacts to wetlands, and conduct rare plant surveys, where necessary, to minimize additional short- and long-term adverse impacts to vegetation.

**Wildlife and Habitat** – Under the Selected Alternative, vegetation clearing, and the associated loss of habitat, will result in adverse impacts to wildlife that will be minimal because impacted trees and shrubs will be replaced on a one-to-one dbh ratio or following the procedures detailed in NCPC’s Tree Preservation and Replacement Resource Guide. The project is within the range of the federally listed endangered northern long-eared bat (*Myotis septentrionalis*). However, the Selected Alternative is not likely to adversely affect the northern long-eared bat given that the NPS will implement conservation measures, including presence / probable absence surveys and a time of year restriction on tree removal and bridge rehabilitation work from April 1 to November 14. In an email dated September 15, 2023, the US Fish and Wildlife Service (USFWS) concurred with the NPS’ determination of *May Affect, Not Likely to Adversely Affect* for the northern long-eared bat. Section 7 consultation correspondence is included in Attachment E. It is anticipated that implementing the April 1 to November 14 time of year restriction on tree removal would also minimize potential effects to the proposed endangered tricolored bat (*Perimyotis subflavus*) and migratory birds. Also, if any active bald eagle nests are identified in the vicinity of the Selected Alternative, construction will be restricted within the primary and / or secondary buffers of any nest during the breeding season from December 15 to July 15 in accordance with USFWS requirements to ensure that the proposed improvements will not disturb bald eagles or their nests.

**Historic Districts and Cultural Landscapes** – The Area of Potential Effect for the Selected Alternative includes multiple historic districts listed in the National Register and NPS-designated cultural landscapes. The Selected Alternative consists of many changes, including physical alterations, within the historic districts and cultural landscapes, such as roadway, trail, and trail bridge infrastructure improvements; roadway and intersection safety improvements and a road diet; roadway and trail drainage improvements and stormwater management; trail safety, accessibility, and wayfinding improvements; and trail amenity upgrades. These changes will be minor and will be designed in accordance with the SOI Treatment Standards. Also, trail widening will require tree removal that will result in small-scale changes to existing vegetation. While these alterations will have minor localized visual effects, they will not result in effects to significant views or viewsheds. As such, the Selected Alternative will have no adverse effects to historic districts and will not diminish the significance and integrity of cultural landscapes. The NPS, NCPC, and VDHR have developed and executed a programmatic agreement that defines the continued Section 106 consultation process and includes stipulations for design review by consulting parties to ensure adherence to the SOI Treatment Standards and that adverse effects will not occur from those portions of the project that are subject to additional design and refinement, including bridge rehabilitation, drainage improvements, and culvert replacement or repairs. The final, fully executed programmatic agreement is included with the FONSI as Attachment D.

**Archeological Resources** – Ground disturbance during construction of the proposed improvements has the potential to impact two archeological sites potentially eligible for listing in the National Register and an additional 12 sites identified in a Phase IA archeological overview that have not been evaluated. The NPS intends to develop designs that will avoid impacts to significant archeological sites by relocating improvements outside of archeologically sensitive areas, shifting the trail alignment away from known sites, and reducing the extent of trail widening. If a site cannot be avoided, subsurface investigations will be completed to delineate the site boundaries more accurately and / or evaluate the sites National Register eligibility. An archeological monitoring and discoveries plan may also be used, either in conjunction with pre-construction investigations, or as an alternative, to aid in reducing and avoiding impacts to archeological resources during construction. Since the extent of archeological resource impacts is unknown at this time, the NPS, NCPC, and VDHR have developed and executed a programmatic agreement that defines the continued Section 106 consultation process and includes strategies to avoid, minimize, and mitigate the adverse effects that may result to archeological resources after additional survey and subsurface investigations are conducted during the design phase. The final, fully executed programmatic agreement is included with the FONSI as Attachment D.

## CONCLUSION

As described above, the Selected Alternative does not constitute an action meeting the criteria that normally requires preparation of an EIS. The Selected Alternative will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA.

Based on the foregoing, it has been determined that an EIS is not required for this project and, thus, will not be prepared.

**Recommended:**

**Charles  
Cuvelier**

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Charles Cuvelier  
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1/9/2024

Charles Cuvelier  
Superintendent  
George Washington Memorial Parkway  
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Date

**Approved:**

**KIMBERLY  
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Attachment A: Mitigation Measures

Attachment B: Non-Impairment Determination

Attachment C: Concern Statements and Responses

Attachment D: Section 106 Programmatic Agreement

Attachment E: Agency Consultation Correspondence

## **ATTACHMENT A: MITIGATION MEASURES**

### **Visitor Use, Experience, and Safety**

- Pedestrian and bicycle access will be maintained during construction via the use of temporary detours or alternative routes around closed trail sections. Advanced notice of closures will be provided on the park website and detours will be clearly marked.
- Maintenance of traffic plans will be coordinated with the Virginia Department of Transportation to minimize delays and cause the least disruption possible.

### **Vegetation**

- Tree surveys will be conducted during detailed design to identify opportunities to avoid or minimize tree removal. Design objectives will include avoiding impacts to legacy trees, memorial trees, and trees that have a diameter of 18 inches or more.
- Protective measures, such as fencing, will be installed around the critical root zone of trees planned for protection during construction.
- If root impacts are unavoidable, root pruning techniques along with other strategies will be used to best maintain tree health and longevity.
- Trees and shrubs impacted by construction will be replaced on a one-to-one dbh ratio or following the procedures detailed in NCPC's Tree Preservation and Replacement Resource Guide. Replanting will reflect the native plant communities of the Parkway, or non-native, non-invasive plants may be used that are sensitive to the historic context of the cultural landscape.
- Construction contractors will be required to clean vehicles and equipment offsite, and to use weed-free construction materials, to prevent the inadvertent introduction of invasive plant seeds, propagules, and other weed seeds into the Parkway.
- Disturbed soils will be stabilized using native vegetation or non-native, non-invasive plants that are sensitive to the historic context of the cultural landscape.
- A clear zone beyond the edge of curb will be established by removing trees and other vegetation encroaching on the Parkway.
- Limited construction access in wetlands will be established via routes that avoid tree impacts. Contractors will be required to place temporary matting over herbaceous wetland vegetation.

### **Wildlife and Habitat**

- The NPS intends to minimize removal of trees to the extent possible. Opportunities to avoid and minimize tree removal will be evaluated as part of detailed design.
- Trees and shrubs impacted by construction will be replaced on a one-to-one dbh ratio, or following the procedures detailed in NCPC's Tree Preservation and Replacement Resource Guide, to further minimize habitat loss.
- Tree removal and proposed bridge repairs / rehabilitation (when applicable) will be restricted from April 1 to November 14, or as determined through consultation with USFWS, to minimize potential effects to bats and / or migratory bird species.
- The NPS will conduct presence / probable absence surveys using protocols detailed in the USFWS's Range-Wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines, dated March 2023, or following the latest guidance published at the time the surveys are conducted.



- The NPS will consult with the USFWS as needed to determine what conservation measures should be implemented to minimize potential effects.
- At the request of Parkway staff, trees removed by construction efforts would be left on site as appropriate.
- Construction will be restricted within the primary and / or secondary buffers of active eagle nests from December 15 to July 15, or as determined based on consultation with USFWS.

### **Historic Districts**

- The proposed improvements will strictly adhere to the SOI Treatment Standards.
- New amenities and small-scale features will be sensitively designed and placed so as not to diminish the significance and integrity of historic districts, including views and vistas.
- The NPS, NCPC, and VDHR have developed and executed a programmatic agreement that defines the continued Section 106 consultation process and include stipulations for design review by consulting parties to ensure adherence to the SOI Treatment Standards and that adverse effects will not occur from those portions of the project that are subject to additional design and refinement, including bridge rehabilitation, drainage improvements, and culvert replacement or repairs. The final, fully executed programmatic agreement is included with the FONSI as Attachment D.

### **Archeological Resources**

- Designs will be developed to avoid impacts to significant archeological sites by relocating improvements outside of archeologically sensitive areas, shifting the trail alignment away from sites, and reducing trail widening.
- If an archeological site cannot be avoided, the NPS will consult with VDHR and / or the DCHPO to develop a plan to investigate the site and delineate the site boundaries more accurately and / or to evaluate the site's potential eligibility for the National Register.
- Subsurface archeological investigations will be conducted where ground disturbance is unavoidable within areas of archeological potential that have not been previously surveyed.
- Construction may be monitored in areas of low or no archaeological potential to ensure archaeological deposits are not disturbed.
- Archaeological monitoring and discovery plans will occur in conjunction with or as an alternative to pre-construction investigations.
- The NPS, NCPC, and VDHR have developed and executed a programmatic agreement that defines the continued Section 106 consultation process and include strategies to avoid, minimize, and mitigate the adverse effects that may result to archeological resources after additional survey and subsurface investigations are conducted during the design phase. The final, fully executed programmatic agreement is included with the FONSI as Attachment D.

### **Cultural Landscapes**

- Tree surveys will be conducted during detailed design to identify opportunities to avoid or minimize tree removal. Design objectives will include avoiding impacts to legacy trees, memorial trees, and trees that have a dbh of 18 inches or more.
- Impacted trees and shrubs will be replaced on a one-to-one dbh ratio or following the procedures detailed in NCPC's Tree Preservation and Replacement Resource Guide. Replanting will reflect the cultural landscape character of the Parkway and will not occur where it will obstruct significant scenic vistas.

- If an archeological site cannot be avoided, the NPS will consult with VDHR and / or DC HPO to develop a plan to investigate the site and delineate the site boundaries more accurately and / or to evaluate the site's potential eligibility for the National Register.
- The NPS, NCPC, and VDHR have developed and executed a programmatic agreement that defines the continued Section 106 consultation process and will include stipulations for design review by consulting parties and strategies to avoid, minimize, and mitigate the adverse effects that may result to archeological resources after additional survey and subsurface investigations are conducted during the design phase. The final, fully executed programmatic agreement is included with the FONSI as Attachment D.

## ATTACHMENT B: NON-IMPAIRMENT DETERMINATION

By enacting the NPS Organic Act of 1916, Congress directed the US Department of Interior and the NPS to manage units “to conserve the scenery and the natural and historic objects and wildlife therein and to provide for the enjoyment of the same in such a manner and by such a means as will leave them unimpaired for the enjoyment of future generations” (54 USC 100101). Congress reiterated this mandate in the Redwood National Park Expansion Act of 1978 by stating that NPS must conduct its actions in a manner that will ensure no “derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress” (54 USC 100101).

The NPS has discretion to allow impacts on Park resources and values when necessary and appropriate to fulfill the purposes of a Park (NPS 2006 sec. 1.4.3). However, the NPS cannot allow an adverse impact that would constitute impairment of the affected resources and values (NPS 2006 sec 1.4.3). An action constitutes an impairment when its impacts “harm the integrity of Park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values” (NPS 2006 sec 1.4.5). To determine impairment, the NPS must evaluate “the particular resources and values that would be affected; the severity, duration, and timing of the impact...and other impacts” (NPS 2006 sec 1.4.5). To determine impairment, the NPS must evaluate “the particular resources and values that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts” (NPS 2006, Section 1.4.5). This ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

This determination on impairment has been prepared for the Selected Alternative described in the FONSI. An impairment determination is made for vegetation, wildlife and habitat, historic districts, archeological resources, and cultural landscapes. An impairment determination has not been made for visitor use, experience, and safety because impairment findings relate back to park resources and values, and these impact areas are not generally considered to be park resources or values according to the NPS Organic Act of 1916 and cannot be impaired in the same way that an action can impair park resources and values.

**Vegetation** – Construction activities will require tree removal along the parkway and trail to implement the proposed improvements. However, the NPS will replace trees and shrubs removed by construction on a one-to-one dbh ratio, or following the procedures detailed in NCPC’s Tree Preservation and Replacement Resource Guide and will employ other measures to minimize vegetation impacts. Overall, the amount of vegetation loss is anticipated to be minimal. The Selected Alternative will not result in impacts to vegetation that constitute impairment to park resources or values.

**Wildlife and Habitat** – Habitat loss and wildlife impacts from vegetation clearing will be temporary because impacted trees and shrubs will be replaced on a one-to-one dbh ratio or following the procedures detailed in NCPC’s Tree Preservation and Replacement Resource Guide. Using conservation measures, the NPS determined the Selected Alternative may affect, but is not likely to adversely affect the federally listed endangered northern long-eared bat. A time of year restriction on tree removal implemented as a conservation measure for the northern long-eared bat will also minimize potential effects to the proposed endangered tricolored bat and migratory birds. Construction will be restricted within the primary and / or secondary buffers of any bald eagle nests during the breeding season from December 15 to July 15, in accordance with USFWS requirements, to ensure that eagles or their nests will not be disturbed. The Selected Alternative will not result in impacts to wildlife and habitat that constitute impairment to park resources or values.

**Historic Districts and Cultural Landscapes** – Many changes, including physical alterations, will occur within historic districts and cultural landscapes under the Selected Alternative. These changes will be minor and will be designed in accordance with the SOI Treatment Standards. Also, trail widening will require tree removal that will result in small-scale changes to existing vegetation. While these alterations will have minor localized visual effects, they will not result in effects to significant views or viewsheds.

As such, the Selected Alternative will have no adverse effects to historic districts will not diminish the significance and integrity of cultural landscapes. The NPS, NCPC, and VDHR have developed and executed a programmatic agreement that defines the continued Section 106 consultation process and includes stipulations for design review by consulting parties to ensure adherence to the SOI Treatment Standards and that adverse effects will not occur from those portions of the project that are subject to additional design and refinement, including bridge rehabilitation, drainage improvements, and culvert replacement or repairs. The agreement also includes strategies to avoid, minimize, and mitigate the adverse effects that may result to archeological resources identified within cultural landscapes. The final, fully executed programmatic agreement is included with the FONSI as Attachment D. The Selected Alternative will not result in impacts to historic districts that constitute impairment to park resources or values.

**Archeological Resources** – Construction-related ground disturbance has the potential to impact potentially significant archeological resources. Since the extent of archeological resource impacts is unknown at this time, the NPS, NCPC, and VDHR have developed and executed a programmatic agreement that defines the continued Section 106 consultation process and includes strategies to avoid, minimize, and mitigate the adverse effects that may result to archeological resources after additional survey and subsurface investigations are conducted during the design phase. The final, fully executed programmatic agreement is included with the FONSI as Attachment D. The Selected Alternative will not result in impacts to archeological resources that constitute impairment to park resources or values.

## **CONCLUSION**

The NPS has determined that the implementation of the Selected Alternative will not constitute an impairment of the resources or values of the Parkway. As described above, implementing the Selected Alternative is not anticipated to impair resources or values that are essential to the purposes identified in the establishing legislation of the park, key to the natural or cultural integrity of the park, or identified as significant in the park's relevant planning documents. This conclusion is based on consideration of the park's purpose and significance, a thorough analysis of the environmental impacts described in the EA, the comments provided by the public and others, and the professional judgment of the decision-maker guided by the direction of the NPS Management Policies 2006.

## ATTACHMENT C: CONCERN STATEMENTS AND RESPONSES

This report groups substantive comments into concern statements and provides NPS's responses. Substantive comments are those that: question, with reasonable basis, the accuracy of the information in the NEPA document; question, with reasonable basis, the adequacy of the environmental analysis; present reasonable alternatives other than those presented in the NEPA document; or cause changes or revisions in the proposal. Comments that merely support or oppose a proposal or that merely agree or disagree with NPS policy are not considered substantive.

The George Washington Memorial Parkway South Section and Mount Vernon Trail Improvements Plan and Environmental Assessment (EA) was made available for public review from September 25 to October 24, 2023, at the NPS Planning, Environment and Public Comment (PEPC) project webpage:

[https://parkplanning.nps.gov/ParkwaySouth\\_EA](https://parkplanning.nps.gov/ParkwaySouth_EA). The EA public review period was announced on the PEPC project webpage and by news release and email blast. A total of 469 separate correspondences were received during the EA public review period within which 1,118 comments were reviewed and analyzed. A total of 625 comments considered substantive were grouped into concern statements and NPS provides responses to those concerns in Table 1 on the following page.

A complete list of those substantive comments received, and how they were broken down into concern statements can be found in the same folder as this FONSI in the document titled; Comments did not receive responses if they were considered not substantive.

The following reports generated by PEPC provide the comments and associated concern statements organized by substantive codes used to group comments/concerns into related topic areas. The comments under each substantive code are included in the Substantive Issues Report. The concern statements listed in the Concern Response Report are the same as those which NPS provides responses in **Attachment C**.



**TABLE 1 - RESPONSE TO CONCERN STATEMENTS**

CONCERN	RESPONSE
<p><b>Commenters suggested separating the MVT for bicyclists and pedestrians, including at Gravelly Point.</b></p>	<p>As described on page 28 of the Environmental Assessment (EA), and presented on Figure 18 in Appendix B, the National Park Service (NPS) proposes to install a separate sidewalk for pedestrians at Gravelly Point. The sidewalk would follow along the south and east sides of the parking lot, providing a connection to a new permanent restroom facility. The sidewalk would merge with the Mount Vernon Trail (MVT) east of the current porta-john location. Providing this separation for pedestrians and bicyclists will require minimal environmental impact. However, providing separate paths for pedestrians and bicyclists on the entire MVT would substantially increase the overall footprint of the trail on the landscape, require substantial additional drainage and stormwater management improvements due to the drastic increase in impervious surface, and have a greater magnitude of impacts to trees and other vegetation. Widening the MVT from the typical 8 - 9 feet to a maximum of 10 feet in Zone 1, and to a maximum of 12 feet in NPS-administered portions of Zones 2 and 3 would conform with American Association of State Highway and Transportation Officials (AASHTO) recommendations for modern two-directional multi-use paths / trails, providing additional space for multiple uses while minimizing environmental impacts.</p>
	<p>As described on page 23 of the EA, the NPS currently does not have the legal authority to issue civil citations for traffic</p>
<p><b>Commenters suggested the Parkway South Section should be returned to its pre-diet lane configuration. Other comments suggested widening the roadway, while others requested that only resurfacing or road repairs be done in lieu of the road diet.</b></p>	<p>The NPS conducted several detailed studies and assessments to support this project. For the Parkway South Section improvements the NPS, with support from FHWA, completed the <i>George Washington Memorial Parkway: Traffic and Safety Context Sensitive Solutions Assessment</i> that is summarized on page 7 of the EA and is available for review at <a href="https://parkplanning.nps.gov/GWMP_South">https://parkplanning.nps.gov/GWMP_South</a>. <a href="#">Page 31 of the EA describes that this assessment identified and evaluated 89 potential solutions to address traffic and safety along the Parkway. Many of those solutions were dismissed from further consideration as part of the assessment. Furthermore, solutions considered but dismissed as part of Plan development are described on pages 32 and 33 of the EA.</a></p>
	<p>The proposed trail width would conform with guidelines and recommendations from the AASHTO Guide for the Development context, minimizing impacts to the natural and cultural resources present.</p>

CONCERN	RESPONSE
<b>Commenters requested that additional signs be added to the Parkway South Section and MVT improvements. Other commenters requested that signage be made more visible or have larger text.</b>	During detailed design, the NPS, in coordination with FHWA, will evaluate opportunities to improve signage along the Parkway South Section and MVT. Improved signage and striping would be used to implement a permanent road diet, reconfigure major roadway intersections, and improve trail-to-trail and trail-to-road intersections. As stated on page 28 of the EA, the NPS would implement a uniform sign pallet that utilizes the NPS identifier. Signage may include co-branding for Congressionally designated trails that use the same route. Signs would include directional, wayfinding, and safety. All signs would conform to FHWA's Manual on Uniform Traffic Control Devices, NPS Uniguide standards, and park sign guidance, as appropriate.
<b>Commenters suggested installing barriers, such as jersey walls, to separate the Parkway South Section and MVT.</b>	As described on page 20 of the EA, the NPS proposes to install guardrails where the width between the Parkway South Section and MVT is narrow. In these instances, a handrail that meets AASHTO trail design guidelines would be affixed behind the guardrail. The NPS would coordinate with FHWA on the specific locations where guardrails and handrails are most appropriate for safety.
<b>Commenters suggested the NPS consider roundabouts at intersections along the Parkway South Section.</b>	The NPS conducted several detailed studies and assessments to support this project. For the Parkway South Section improvements the NPS, with support from FHWA, completed the <i>George Washington Memorial Parkway: Traffic and Safety Context Sensitive Solutions Assessment</i> that is summarized on page 7 of the EA and is available for review at <a href="https://parkplanning.nps.gov/GWMP_South">https://parkplanning.nps.gov/GWMP_South</a> . <a href="#">Page 31 of the EA describes that this assessment identified and evaluated 89 potential solutions to address traffic and safety along the Parkway. Many of those solutions were dismissed from further consideration as part of the assessment. Furthermore, solutions considered but dismissed as part of Plan development are described on pages 32 and 33 of the EA.</a>
<b>Commenters proposed different configurations for several intersections on the Parkway.</b>	The intersection redesigns provided in Appendix B of the EA are conceptual and do not represent final plans. As design progresses, the NPS and FHWA will continue to evaluate opportunities to refine intersection reconfigurations for all the intersections along the Parkway South Section to maximize safety for pedestrians, bicyclists, and motorists, while avoiding added traffic delays.
<b>Commenters suggested the NPS consider reversible lanes on the Parkway South Section.</b>	The design of reversible lanes is complex and operationally intensive. Design and implementation of reversible lanes has been dismissed as it is not feasible.
<b>Commenters recommended measures to improve safety at Parkway South Section intersections, including reflective tape, high visibility road lines, markings on the pavement, pedestrian actuated rectangular rapid flashing beacons (RRFB), raised intersections, speed bumps, and hardened medians. Other safety recommendations included lowering the speed limit.</b>	<p>During the design phase, the NPS will coordinate with FHWA to determine appropriate measures to improve safety at the intersections in conjunction with the proposed striping and pedestrian crosswalk improvements described on page 22 and 23 of the EA while maintaining the historic design of the Parkway South Section. Certain recommended safety measures, such as raised intersections and hardened medians, do not provide a context sensitive solution, and would result in adverse effects to the National Register-listed Parkway. Additionally, speed bumps are not a suitable option to reduce vehicle speeds because they are typically only installed on residential streets with speed limits 30 miles per hour or less.</p> <p>Public concern identified speed on the Parkway South Section as a significant issue. Based on the <i>George Washington Memorial Parkway – Southern Section Road Diet Traffic Operations Impact Analysis</i> completed in September 2023, implementation of a permanent road diet is expected to reduce the observed driving speed to be more in line with current posted speed limits by reducing the vehicle speed differential, which is limited to the speed of the lead vehicle in the through lane. Therefore, further reductions in the posted speed are not warranted.</p>

CONCERN	RESPONSE
<b>Commenters suggested that commercial vehicles should be prohibited along the Park South Section.</b>	Commercial vehicles are prohibited on the Parkway South Section unless a commercial vehicle special use permit is obtained. Permits are generally denied if a destination can be reached by another route. (36 CFR 7.96)
<b>Commenters suggested the NPS install traffic signals at Parkway South Section intersections.</b>	The NPS conducted several detailed studies and assessments to support this project. For the Parkway South Section improvements the NPS, with support from FHWA, completed the <i>George Washington Memorial Parkway: Traffic and Safety Context Sensitive Solutions Assessment</i> that is summarized on page 7 of the EA and is available for review at <a href="https://parkplanning.nps.gov/GWMP_South">https://parkplanning.nps.gov/GWMP_South</a> . <u>Page 31 of the EA describes that this assessment identified and evaluated 89 potential solutions to address traffic and safety along the Parkway. Many of those solutions were dismissed from further consideration as part of the assessment. Furthermore, solutions considered but dismissed as part of Plan development are described on pages 32 and 33 of the EA.</u>
<b>Commenters provided suggestions on how to best implement the improvements to the Parkway South Section and MVT, such as incorporating NACTO standards, employing specific on-site personnel, and following the examples set by other similar projects. Other commenters suggested ways in which the construction activities should be scheduled.</b>	<p>The Parkway South Section improvements would be designed in accordance with applicable NPS Park Road and FHWA Federal Lands Highway Design Standards, with exceptions due to the historic significance of the Parkway. Formal pedestrian crosswalks proposed at several intersections would be designed in accordance with the Public Rights-of-Way Accessibility Guidelines (PROWAG) to comply with the Architectural Barriers Act Accessibility Standards (ABAAS). Additionally, MVT improvements would follow the AASHTO multi-use trail standards where feasible.</p> <p>To the extent it is safe to do so, the roadway will remain open to traffic during construction through a maintenance of traffic plan. There will be temporary delays and detours during construction for both the Parkway South Section and MVT.</p> <p>The NPS routinely deploys resource managers and subject matter experts to monitor construction activities.</p>
<b>Commenters requested more water fountains be installed as part of the project.</b>	Although new water fountains would replace the fountains that are already provided, additional water fountains are not a part of the scope of the improvements due to the infrastructure costs, lifecycle replacement and maintenance, and resource impacts that would be required to extend water lines to new locations within the Parkway. One exception to this is that NPS proposes to construct a new permanent restroom facility at Gravelly Point that would include a water fountain. Minimal resource impacts are anticipated due to the openness of the area. The NPS would plan to conduct archeological investigations along proposed water and sewer line installations and would investigate opportunities to divert utilities to avoid any such resources if determined to be present.
<b>Commenters recommended different materials or surface types for the MVT and trail bridges, both to calm bicyclists for safety and to address drainage issues.</b>	As described on page 26 of the EA, the NPS will seek out opportunities during design to incorporate high friction tread surfaces or treatments that are slip resistant to improve bicycle contact with trail bridge deck surfaces while taking trail accessibility requirements into consideration. The NPS, in coordination with FHWA, will evaluate opportunities to incorporate signage and pavement markings, and calming measures to help promote lower speeds. Signs may warn bicyclists to slow or YIELD for pedestrians. Additionally, the NPS will identify areas along the MVT with drainage issues during the design phase, evaluate possible improvements, as well as stormwater management practices, to improve these conditions.

CONCERN	RESPONSE
<p><b>Some commenters opposed adding Capital Bikeshare Stations because bikes are left scattered and bikeshare riders are reckless. However, some commenters requested additional stations or recommended alternative locations for proposed stations. Other commenters opposed the use of e-bikes on the MVT.</b></p>	<p>Capital Bikeshare operates within the Park through an agreement. The Park could alter or modify the agreement conditions as necessary if the practice of abandoning bikes is observed.</p> <p>As described on page 28 of the EA, the NPS would support new Capital Bikeshare Stations at Columbia Island Marina, Daingerfield Island, Belle Haven Park, Fort Hunt Park, Riverside Park, and Mount Vernon. The NPS will coordinate with Capital Bikeshare to determine the best site-specific locations to add new stations while avoiding resource impacts, including indirect visual adverse effects to historic properties listed in the National Register.</p> <p>The usage of E-bikes would remain allowable on the MVT and would be governed by public use limits, conditions, or restrictions expressed in the park compendium.</p>
<p><b>Commenters requested additional restroom facilities or different locations for proposed / existing facilities. Some comments requested the existing restroom at Riverside Park not be removed.</b></p>	<p>Additional restroom facilities are not a part of the scope of the improvements because facility design and construction are costly and result in new operating and maintenance expenses incurred by NPS. Also, disturbance and associated resource impacts would be required to extend water and sewer lines to new locations within the Parkway. One exception to this is that NPS proposes to construct a new permanent restroom facility at Gravelly Point that would replace the porta-johns currently provided. Minimal resource impacts are anticipated to construct this restroom facility due to the openness of the area. The NPS would plan to conduct archeological investigations along proposed water and sewer line installations and would investigate opportunities to divert utilities to avoid any such resources if determined to be present. If necessary, the proposed restroom facility may be constructed at a different location at Gravelly Point if resource impacts cannot be avoided at the current proposed location.</p> <p>There is no water or wastewater connection to support a restroom facility at Riverside Park, which presents significant upkeep, maintenance, cleaning, and sanitation issues. As such, the Riverside Park restroom is planned for removal.</p> <p>Parkway has 18 comfort stations. One is new and all the others need refurbishment. The NPS is undergoing a multi-year effort to address several of the comfort stations beginning with one at Great Falls and another one Theodore Roosevelt Island.</p>
<p><b>Commenters suggested additional trail paths or connections, including a Gravelly Point bypass.</b></p>	<p>Under the proposed action, the NPS would perform improvements on the mainline MVT, as well as the many existing trail spurs and connections. The NPS does not propose new trail connections, except south of Memorial Circle where a new trail spur would be constructed to connection to a relocated crosswalk that is part of the separate Memorial Circle Transportation Plan and EA. Additionally, the NPS has partnered with local agencies, organizations, and developers to establish MVT connections to the proposed Long Bridge Trail and the CC2DCA Intermodal Connector.</p> <p>As described on page 28 of the EA, and presented on Figure 18 in Appendix B, the NPS proposes to install a new sidewalk at Gravelly Point to separate pedestrians and through traffic on the MVT. The sidewalk would follow along the south and east sides of the parking lot, providing a connection to a new permanent restroom facility. The sidewalk would merge with the MVT east of the current porta-john location.</p> <p>The EA contemplates separating through trail users and pedestrians. Providing this separation for pedestrians and through trail users will improve safety by reducing visitor conflicts at this often-congested area within the Parkway. As the improvements presented on Figure 18 are conceptual in nature, the NPS will further refine proposed sidewalk and trail alignments during subsequent design phases.</p>

CONCERN	RESPONSE
<p><b>Commenters requested that a separate bicycle lane be established on the Parkway South Section, while others suggested not restriping the Parkway South Section to preclude the use of bicycles in the future.</b></p>	<p>According to PUBLIC LAW 112-141-JULY 6, 2012, 126 STAT. 489, Section 203(d) BICYCLE SAFETY.—The Secretary of the appropriate Federal land management agency shall prohibit the use of bicycles on each federally owned road that has a speed limit of 30 miles per hour or greater and an adjacent paved path for use by bicycles within 100 yards of the road unless the Secretary determines that the bicycle level of service on that roadway is rated B or higher. The park has not conducted any studies to assess and determine the bicycle level of service for the Parkway South Section.</p>
<p><b>A commenter stated that the EA did not analyze enough alternatives, or suggested alternatives already considered.</b></p>	<p>The NPS conducted several detailed studies and assessments to support this project. For the Parkway South Section improvements the NPS, with support from FHWA, completed the <i>George Washington Memorial Parkway: Traffic and Safety Context Sensitive Solutions Assessment</i> that is summarized on page 7 of the EA and is available for review at <a href="https://parkplanning.nps.gov/GWMP_South">https://parkplanning.nps.gov/GWMP_South</a>. <u>Page 31 of the EA describes that this assessment identified and evaluated 89 potential solutions to address traffic and safety along the Parkway. Many of those solutions were dismissed from further consideration as part of the assessment. Furthermore, solutions considered but dismissed as part of Plan development are described on pages 32 and 33 of the EA.</u></p> <p>For the MVT improvements, the NPS and FHWA completed <i>The Mount Vernon Trail Corridor Study</i>, which is summarized on page 7 of the EA and is also available for review at the link above.</p>
<p><b>A commenter recommended an over height vehicle warning system prior to the Alexandria Avenue Overpass Bridge.</b></p>	<p>NPS has worked in partnership with FHWA to update Low Clearance signs in the vicinity of the Alexandria Ave Overpass Bridge to reduce the likelihood of over-height vehicle related crashes.</p>
<p><b>Commenters suggested the NPS consider making left turn movements onto the Parkway illegal, such as at Belle Haven Road, Belle View Boulevard, and Morningside Lane, while some suggested creating legal U-turn lanes for access to the northbound Parkway.</b></p>	<p>The NPS conducted several detailed studies and assessments to support this project. For the Parkway South Section improvements the NPS, with support from FHWA, completed the <i>George Washington Memorial Parkway: Traffic and Safety Context Sensitive Solutions Assessment</i> that is summarized on page 7 of the EA and is available for review at <a href="https://parkplanning.nps.gov/GWMP_South">https://parkplanning.nps.gov/GWMP_South</a>. <u>Page 31 of the EA describes that this assessment identified and evaluated 89 potential solutions to address traffic and safety along the Parkway. Many of those solutions were dismissed from further consideration as part of the assessment. Furthermore, solutions considered but dismissed as part of Plan development are described on pages 32 and 33 of the EA.</u></p>
<p><b>Commenters recommended braiding the trail to avoid tree impacts or other obstacles.</b></p>	<p>While braiding the trail may help to avoid a specific feature on the landscape, it ultimately results in a much larger developed footprint and more impervious surface and causes confusion for users that would require substantial signage and markings. Trail braiding is not a standard practice for multi-use trails and will not be considered further.</p>



CONCERN	RESPONSE
<b>Commenters requested that dangerous curves and difficult site lines be addressed along the MVT, specifically mentioning the Daingerfield Island S-curve and Trail Bridge 28.</b>	As stated on page 27 of the EA and depicted on Figure 15 in Appendix B, the NPS proposes to straighten the S-curve at Daingerfield Island. The NPS will evaluate other opportunities for minor alignment changes to straighten curves along the MVT to improve safety, site lines, etc., during design, including for the replacement of trail bridges. Any alignment changes will need to consider potential resource impacts, constructability, cost, and other factors. As stated in the EA, the NPS will also address pinch points at Memorial Bridge and under the Fort Hunt Overpass Bridge and would conduct vegetation management along the trail to improve site lines.
<b>Commenters requested that parking areas along the Parkway and MVT be renovated as part of the project.</b>	Existing pull offs and parking areas along the Parkway South Section would be rehabilitated under the proposed Plan. Parking areas at locations such as Mount Vernon Estate, Riverside Park, Belle Haven Park, Daingerfield Island, Gravelly Point, and the Theodore Roosevelt Island parking lot would be evaluated and restored, if deemed necessary, under this Plan or a separate NPS planning decision.
<b>Commenters suggested that pedestrians should have the right-of-way when crossing the Parkway, not vehicles, and that the NPS educate the public on right-of-way protocols at intersections.</b>	The expectation will be that the establishment of formal crosswalks along the Parkway South Section would give pedestrians the right-of-way as required by law. The proposed road diet and other traffic calming and safety measures, which may include pedestrian median refuge areas, intersection lighting where appropriate, rectangular rapid flashing beacons (RRFBs), and speed limit feedback signage, will improve pedestrian and bicyclist safety by reducing speeds of vehicular traffic and increasing visibility and predictability of nonmotorized movements.
<b>Commenters suggested reducing the Parkway to only one lane in each direction to retain extra space for the median.</b>	The NPS conducted several detailed studies and assessments to support this project. For the Parkway South Section improvements the NPS, with support from FHWA, completed the <i>George Washington Memorial Parkway: Traffic and Safety Context Sensitive Solutions Assessment</i> that is summarized on page 7 of the EA and is available for review at <a href="https://parkplanning.nps.gov/GWMP_South">https://parkplanning.nps.gov/GWMP_South</a> . <u>Page 31 of the EA describes that this assessment identified and evaluated 89 potential solutions to address traffic and safety along the Parkway. Many of those solutions were dismissed from further consideration as part of the assessment. Furthermore, solutions considered but dismissed as part of Plan development are described on pages 32 and 33 of the EA.</u>
<b>A commenter recommended installing a traffic lane divider at the Mount Vernon Circle terminus.</b>	As stated on pages 22 and 23 of the EA, the NPS is committed to exploring traffic calming and safety measures around the Mount Vernon traffic circle during the design phase, including but not limited to, pavement markings, signage, configuration of the drop-off zone, and crosswalks.
<b>A commenter recommended establishing a dedicated bus lane on the Parkway.</b>	The road diet, in conjunction with the bus pull-offs at many of the intersections, are anticipated to remain sufficient to accommodate transit operations along the Parkway South Section. The EA and associated improvements do not contemplate the creation of a dedicated bus lane.

CONCERN	RESPONSE
<p><b>A commenter recommended two through travel lanes at Belle Haven Road, Belle View Boulevard, and Morningside Lane.</b></p>	<p>Based on the <i>George Washington Memorial Parkway – Southern Section Road Diet Traffic Operations Impact Analysis</i> completed in September 2023, two through lanes are warranted in the southbound direction at Belle Haven Road, but one through lane is adequate for through traffic at Belle View Boulevard and Morningside Lane because of the dedicated turn lanes that would be established to separate these movements.</p>
<p><b>CULTURAL RESOURCES</b></p>	
<p><b>Commenters requested information regarding how particular tribes were selected for consultation.</b></p>	<p>The National Capital Area of the NPS maintains a list of federally recognized Native American tribes with potential interest in the region. This list is compiled with assistance from the Office of Native American Affairs (ONAA) based in Washington, DC, led by the NPS Native American Affairs Liaison, the Regional Tribal Liaison, and Section 106 Coordinator.</p> <p>As stated on page 72 of the EA, the NPS consulted with the following federally recognized Native American tribes during project planning:</p> <ul style="list-style-type: none"> <li>Pamunkey Indian Tribe</li> <li>Upper Mattaponi Indian Tribe</li> <li>Rappahannock Tribe</li> <li>Nansemond Indian Nation</li> <li>Chickahominy Indian Tribe</li> <li>Chickahominy Tribe Eastern Division</li> <li>Monacan Indian Nation</li> <li>Catawba Indian Nation</li> <li>Delaware Nation</li> <li>Absentee Shawnee Tribe of Indians of Oklahoma</li> <li>Shawnee Tribe</li> </ul>
<p><b>Commenters were concerned that the planned improvements would negatively affect the character of the Parkway.</b></p>	<p>As described in the EA, proposed improvements would be implemented following the Secretary of the Interior's <i>Standards for the Treatment of Historic Properties</i>, and new features would be placed and designed so as not to diminish the integrity of location, setting, design, feeling, and association of the Parkway or any other historic properties. The Programmatic Agreement between NPS, VDHR, and NCPC defines the continued Section 106 consultation process for the identification and evaluation of resources, and the resolution of any adverse effects on National Register-eligible historic properties associated with the Parkway South Section and MVT improvements. The agreement also includes stipulations for design review by consulting parties to ensure adherence to the Secretary's Standards and that adverse effects would not occur from those portions of the project that are subject to additional design and refinement, including bridge rehabilitation, drainage improvements, and culvert replacement or repairs. As such, the NPS concluded the proposed project would result in no adverse effects to the Parkway.</p>

CONCERN	RESPONSE
<p><b>Commenters noted that there may be archaeological resources in the vicinity of MVT bridges 2 and 7.</b></p>	<p>A Phase IA archeological desktop assessment was completed for the project that identified several known archeological sites in the vicinity of MVT bridges 2 and 7. This general area has also been determined to have high archeological potential. The NPS plans to conduct additional archeological surveys and subsurface investigations during the design phase and would incorporate precautions to avoid physical disturbance to archeological resources. The NPS would work with the DC HPO, VDHR, and the consulting parties, to identify strategies to mitigate any adverse effects that may result from unavoidable impacts to archeological resources.</p>
<p><b>NATURAL RESOURCES</b></p>	
<p><b>Commenters expressed concern that the project would have negative impacts to wetlands, waterways, and the RPA.</b></p>	<p>As described on pages 10-12 of the EA, the NPS anticipates that proper implementation of an approved Erosion and Sediment Control Plan and Stormwater Pollution Prevention Plan to comply with Virginia and District laws, regulations, and associated manuals, will reduce soil erosion and decrease inputs of chemical nutrients and sediments into waterways, resulting in minimal water quality impacts. For work in Resource Protection Areas (RPA) or Resource Management Areas (RMA), the NPS would adhere to general performance criteria with respect to minimizing land disturbance, retaining vegetation, and minimizing impervious cover. Erosion and Sediment Control Plans will be submitted for approval by the Virginia Department of Environmental Quality (VDEQ) to comply with the <i>Chesapeake Bay Preservation Area Designation and Act and Management Regulations</i>. Implementation of erosion and sediment controls would also ensure that sediment and other byproducts of construction are not transported into adjacent wetlands during storms.</p> <p>As described on pages 12 and 13 of the EA, the NPS intends to avoid wetland disturbance as much as possible. On-site wetland delineations will be conducted during the design phase to determine the presence, extent, and classification of wetlands within the limits of disturbance for each project implemented as part of this Plan. The MVT may not be widened, or the trail alignment may be shifted, at site-specific locations where wetland impacts would occur. Additionally, materials and equipment would not be staged in wetlands, and protective measures would be used including, but not limited to, temporary matting placed on top of the wetland during construction, to avoid permanent disturbance for access to trail bridges in wetlands that require rehabilitation or replacement. Ultimately, compensatory mitigation, if necessary, will ensure no net loss of wetlands and functional replacement.</p> <p>The NPS would obtain authorization from the US Army Corps of Engineers (USACE) and the Commonwealth Virginia for any unavoidable temporary and permanent impacts to wetlands in accordance with Sections 404 and 401 of the Clean Water Act, Virginia Code §62.1-44.15:20, and VAC25-210-10. The NPS would submit a Joint Permit Application (JPA) to the Virginia Marine Resources Commission (VMRC) for processing and review in accordance with Virginia Code §28.2-1200 et. seq., which authorizes VMRC to administer permits for submerged lands, tidal wetlands, and beach and dunes. VMRC also acts as the clearinghouse and would distribute the application to state and federal regulatory agencies such as USACE and VDEQ.</p> <p>Permits may be required from both VMRC and VDEQ if impacts to both tidal and non-tidal wetlands are necessary. The NPS would comply with all applicable permit conditions as set forth by the USACE, VMRC, and/or VDEQ.</p>

CONCERN	RESPONSE
<p><b>Some commenters stated vegetative overgrowth is creating safety issues and that vegetation should be actively maintained. Others were concerned with the prevalence of invasive species and suggested the Plan include invasive species management. Some commenters recommended that tree root pruning be conducted on a regular basis.</b></p>	<p>As stated on page 20 of the EA, the NPS plans to establish a clear zone beyond the edge of curb by removing trees and other vegetation encroaching on the Parkway South Section. Similarly, as stated on page 26 and 28, a similar clear zone will be established along the MVT by pruning and/or removing encroaching and overhanging vegetation that is causing safety concerns. Also, as stated on page 28 of the EA, the NPS will continue to conduct vegetation maintenance after the project is completed by root pruning, vegetation trimming, and removal along the Trail on an as-needed basis.</p> <p>The Park has an ongoing effort with Virginia Tech University to create a Forest Management Plan that will provide guidance for future activities for managing forest health within the Parkway.</p> <p>The proposed improvements do not include eradication of invasive plants that have already established along the Parkway South Section and MVT. However, the NPS will require construction contractors to clean vehicles and equipment offsite, and to use weed-free construction materials, to prevent the inadvertent introduction of invasive plant seeds, propagules, and other weed seeds into the Parkway.</p> <p>The NPS staff and volunteers target over a dozen invasive species within the Parkway, including non-native honeysuckle, kudzu, bamboo, wisteria, and English ivy to name a few. We have staff and volunteer efforts at Great Falls, the Potomac Heritage Trail, Spout Run, Theodore Roosevelt Island, Arlington House &amp; Arlington Woods, Columbia Island, Roaches Run, Four Mile Run, Dyke Marsh, Fort Hunt, and areas all along the MVT.</p>
<p><b>Commenters had concerns with the potential for the project to impact trees and vegetation. Commenters suggested replacing impacted vegetation with native species.</b></p>	<p>As stated in the EA, the NPS intends to minimize removing trees that have a diameter of 18 inches or more as part of detailed design. To mitigate for tree removal that cannot be avoided, the NPS is committed to replacing trees at a 1:1 diameter at breast height (DBH) ratio. This means that, for example, 24 one-inch diameter trees would be planted to replace one 24-inch diameter tree that is removed, if there is sufficient space to plant these trees.</p> <p>Tree planting areas will be identified on landscape plans prepared during design. The NPS plans to also use this opportunity to potentially plant other landscaping. Replanting will reflect the native plant communities of the Parkway, or non-native, non-invasive plants may be used that are sensitive to the historic context of the cultural landscape.</p> <p>Alternatively, the NPS may follow the procedures detailed in NCPC's Tree Preservation and Replacement Resource Guide, if necessary, to preserve and protect existing trees or to transplant or replace existing trees impacted by the proposed improvements. The Guide can be found at <a href="https://www.ncpc.gov/sites/default/files/Tree_Preservation_and_Replacement_Resource_Guide_2020.pdf">Tree_Preservation_and_Replacement_Resource_Guide_2020.pdf (ncpc.gov)</a>.</p>

CONCERN	RESPONSE
<p><b>Commenters were concerned about potential impacts to wildlife, including bats, and provided suggestions to better protect wildlife in the study area, such as not removing dead trees that could otherwise provide habitat, beginning the time of year restriction on tree clearing earlier, and creating wildlife crossings.</b></p>	<p>As described on page 53 of the EA, potential impacts to wildlife will primarily be caused by vegetation removal and the associated loss of habitat. However, as stated in the EA, the NPS intends to minimize removing trees that have a diameter of 18 inches or more as part of detailed design. To mitigate for tree removal that cannot be avoided, the NPS is committed to replacing trees at a 1:1 DBH ratio. As such, the acreage of habitat loss would be small compared to the amount of habitat within the Parkway.</p> <p>As described in the EA, conservation measures would be implemented to ensure that impacts to bats are minimized. These measures include restricting removal of trees 3-inches DBH or greater during the active season, conducting presence / probable absence surveys, and minimizing tree removal. The NPS would coordinate with the USFWS to determine time of year restrictions to prevent unintentional take of endangered bats.</p> <p>The NPS would develop a conservation plan for implementation during design and construction that outlines conservation measures and incorporates best practices for avoidance, minimization, or mitigation of impacts to any federal- or state-listed rare, threatened, and endangered plant or animal species.</p> <p>Constructing wildlife passages would require deep excavations that would not be in line with maintaining the scenic and historic character of the Parkway and would require unacceptable visual, natural, and cultural resource impacts.</p>
<p><b>Commenters were concerned that the proposed improvements do not adequately take into consideration climate change.</b></p>	<p>As discussed on page 14 of the EA, making modifications to the Parkway and MVT to reduce flood risk associated with climate change is not within the scope of this Plan.</p>
<p><b>A commenter stated that the project seems to prioritize bicyclists, joggers, etc., but does not consider visitors to the MVT for nature enjoyment.</b></p>	<p>The NPS anticipates that nature seekers will benefit from the proposed improvements. A wider trail will provide added space for visitors to appreciate nature along the MVT while not having to be as concerned with faster trail users. The limited vegetation removal along the MVT would improve safety for all trail users and would not result in habitat loss substantial enough to noticeably reduce wildlife populations viewed by visitors.</p>



CONCERN	RESPONSE
<p><b>A commenter felt that the terms used in the EA should be defined, such as “minor” as it relates to tree impacts, and “appropriate level of monitoring” uses ill-defined terminology to discuss impacts and mitigation, such as “minor” and “appropriate level of monitoring” as it relates to the implementation of mitigation measures.</b></p>	<p>The NPS estimates that approximately 3.5 total acres of forest removal would be required to implement the proposed Parkway South Section and MVT improvements. To put this into context, the Parkway contains nearly 2,100 acres of a variety of forest and woodland areas. The term “minor” is used to describe the impact, which is a small amount compared to the overall forest and woodland areas within Parkway. Additionally, the intensity of the impact would be reduced over the long-term since tree replacement would occur at a 1:1 DBH ratio or based on NCPG’s requirements in their Tree Preservation and Replacement Resource Guide.</p> <p>The “appropriate level of monitoring” would be based on applicable permit conditions, stipulations of agency agreements, and other conservation measures and/or commitments that will continue to be identified and documented before, during, and after construction.</p>
<p><b>A commenter requested that the EA address impacts to Ecological Cores.</b></p>	<p>There are two Ecological Cores that are potentially affected by the proposed MVT improvements. Ecological Cores are unfragmented natural habitats, large patches of natural land cover (mainly upland forests and forested wetlands statewide, but also marshes, beaches, and dunes in the coastal plain) with at least 100 acres of interior conditions.</p> <p>Ecological Cores have been identified by Virginia Department of Conservation and Recreation (VDCR) within Dyke Marsh Wildlife Preserve and within the forested area northeast of Mount Vernon. Impacts would occur on the outer boundaries of the Ecological Cores from trail widening and bridge rehabilitation and/or replacement. The proposed MVT improvements would not result in any new habitat fragmentation and would not noticeably affect habitat or other ecosystem services and associated economic benefits provided by the Ecological Cores.</p>
<p><b>A commenter stated that the impact analysis does not consider data on bird species, including bald eagles, provided by FODM, and recommended impacts to habitat be analyzed by species.</b></p>	<p>After reviewing probability of presence data obtained from the US Fish and Wildlife Service for many of the migratory birds listed in the EA as potentially occurring in the vicinity of the proposed improvements, the NPS concluded that the analysis of impacts to these species could be consolidated into a singular discussion since time of year restrictions on tree clearing would be implemented that would reduce the likelihood of incidental take. The resultant habitat loss caused by vegetation clearing, which is a small amount when compared to the total area of the various vegetation communities within the Parkway, would not have a noticeable effect on these species.</p> <p>As stated in the EA, the NPS would restrict construction within the primary and / or secondary buffers of any active bald eagle nest during the breeding season from December 15 to July 15 in accordance with USFWS requirements.</p> <p>The NPS appreciates the data provided. The park has a general agreement with both the Friends of Mount Vernon Trail and the Friends of Dyke Marsh that provides the basis for considering the concerns of the Friends group and engaging them regarding projects.</p>
<p><b>PARK MANAGEMENT AND OPERATIONS</b></p>	

CONCERN	RESPONSE
<p><b>Commenters believe that many of the safety issues experienced could be addressed through routine maintenance or enforcement of policies, such speed limits and traffic signs by Park Police.</b></p>	<p>The NPS agrees that once the proposed improvements are made, ongoing maintenance will be necessary to ensure the useable lifespan of the facilities is maximized.</p> <p>The US Park Police (USPP) provides law enforcement services for NPS units. The USPP are sworn officers that have the authority to enforce traffic laws and the Federal Code of Regulations within Virginia, Maryland, and the District, including the authority to issue speeding tickets.</p>
<p><b>A few commenters stated that the NPS does not have the authority to issue speeding tickets or install speed cameras.</b></p>	<p>As described on page 23 of the EA, the NPS currently does not have the legal authority to issue civil citations for traffic infractions through camera enforcement along the Parkway. As such, implementing speed camera technology along the Parkway is not currently feasible. However, if policies are put in place that would authorize the establishment of an automated speed enforcement program, the NPS would explore opportunities to obtain funding to purchase, deploy, and maintain a limited number of mobile or fixed stations along the Parkway.</p> <p>The USPP provides law enforcement services for NPS units. The USPP are sworn officers that have the authority to enforce traffic laws and the Federal Code of Regulations within Virginia, Maryland, and the District, including the authority to issue speeding tickets.</p>
<p><b>VISITOR USE, EXPERIENCE, AND SAFETY</b></p>	
<p><b>Commenters believe the road diet would lead to additional safety issues or make it more difficult for first responders to access incidents.</b></p>	<p>The FHWA has deemed road diets a "Proven Safety Countermeasure" and promoted it as a safety-focused alternative cross section to a four-lane undivided roadway. Road diets reduce vehicle-to-vehicle conflicts that contribute to rear-end, left-turn, and sideswipe crashes by reducing the vehicle speed differential, which is limited to the speed of the lead vehicle in the through lane, and by separating through and turning traffic. According to FHWA's Road Diet Informational Guide, studies indicate a 19 to 47 percent reduction in overall crashes when a road diet is installed on a previously four-lane undivided facility. Additionally, a road diet can improve side-street traffic since there are fewer lanes to cross to enter the through lane and by simplifying road scanning and gap selection for motorists (especially older and younger drivers) making left turns from or onto the mainline. Similarly, a road diet can make pedestrian crossings safer because there are fewer travel lanes to cross, effectively reducing their exposure to moving traffic, and improving visibility. The lane reduction creates space for pedestrian refuge islands, which have been found to provide important safety benefits. There is strong research support for road diets improving safety on roads with appropriate traffic volumes.</p> <p>Additionally, road diets can improve emergency response times by allowing first responders to bypass traffic on the road shoulder or within a central turn lane, depending on the road diet configuration, allowing drivers in the through lanes to remain in place.</p> <p>The FHWA Road Diet Informational Guide, which is referenced on page 41 of the EA, is available at <a href="https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/rdig.pdf">https://highways.dot.gov/sites/fhwa.dot.gov/files/2022-06/rdig.pdf</a> and describes a variety of safety evaluations.</p>

CONCERN	RESPONSE
<p><b>Commenters are concerned the road diet would reduce road capacity, leading to congestion and causing traffic to divert into residential neighborhoods.</b></p>	<p>A <i>George Washington Memorial Parkway – Southern Section Road Diet Traffic Operations Impact Analysis</i> was completed in September 2023 to evaluate how implementing a road diet might affect road capacity, traffic operations, and safety from reducing the number of travel lanes. Two concepts were analyzed:</p> <p><u>Concept 1</u>: Proposes a 4-lane cross-section with 2 northbound and 2 southbound lanes. At a typical intersection, the inner-most parkway lane on the northbound approach becomes a left turn-only lane and the outer-most lane continues as a through lane. On the departures from the intersection, the 4-lane cross-section with 2 northbound and 2 southbound lanes continues.</p> <p><u>Concept 3</u>: Proposes a 2-lane cross section with a left-turn pocket in the northbound direction and a right-turn pocket in the southbound direction. Additionally, each intersection includes a median between the northbound and southbound travel lanes to allow side-street vehicles making a left-turn to make a two-stage maneuver (i.e., vehicles can cross one direction of traffic and then stop and wait in the median to have space to complete their turn).</p> <p>The traffic operations analysis indicated that a combination of Concept 1 and Concept 3 would provide the optimal balance of maximizing the safety improvements and minimizing the operational impacts. Concept 1 would be implemented between Belle Haven Road and Morningside Lane in the northbound direction, and between Belle Haven Road and Tulane Drive in the southbound direction, while Concept 3 would be applied between Tulane Drive and Stratford Lane in the southbound direction. The analysis found that Concept 1 would help improve the side-street traffic operations and have minimal impact on the operations along the Parkway compared to the existing condition. Concept 3 could cause delay for side-street operations, but this delay could be mitigated by providing an acceleration lane for vehicles turning left from the side-street.</p> <p>Implementation of the road diet, as recommended in the <i>George Washington Memorial Parkway – Southern Section Road Diet Traffic Operations Impact Analysis</i> would maintain the Parkway's effective capacity while resulting in minimal traffic operation impacts and improved safety. As such, NPS does not anticipate a desire for traffic to divert into residential neighborhoods.</p>
<p><b>Commenters feel the proposed crosswalks present a safety issue.</b></p>	<p>Implementing a road diet, in conjunction with establishing formal pedestrian crossings, will improve safety along the Parkway. A road diet can make pedestrian crossings safer because there are fewer travel lanes to cross, effectively reducing their exposure to moving traffic, and improving visibility. Additionally, the NPS would coordinate implementation of crosswalks, in conjunction with the road diet, with other traffic calming and safety measures that may include pedestrian median refuge areas, intersection lighting where appropriate, rectangular rapid flashing beacons (RRFBs), and speed limit feedback signage. These are inter-related actions intended to improve pedestrian and bicyclist safety by reducing speeds of vehicular traffic and increasing visibility and predictability of nonmotorized movements.</p>
<p><b>Commenters were concerned about potential conflicts between user types along the MVT.</b></p>	<p>Widening the MVT from the typical 8 - 9 feet to a maximum of 10 feet in Zone 1, and to a maximum of 12 feet in NPS-administered portions of Zones 2 and 3 would conform with AASHTO recommendations for modern two-directional multi-use paths / trails, providing additional space for multiple uses while minimizing environmental impacts.</p>

CONCERN	RESPONSE
<b>A few commenters were concerned that widening the MVT would increase safety concerns, such as allowing for increased speeding.</b>	Generally, widening a multi-use trail provides more space to accommodate multiple user groups. Unfortunately, not all trail users are considerate towards others. The NPS, in coordination with FHWA, will evaluate opportunities to incorporate signage and pavement markings, and calming measures to help promote lower speeds. Signs may warn bicyclists to slow or YIELD for pedestrians.
<b>Commenters said that the trail surface and material lead to safety issues.</b>	As described on page 26 of the EA, the NPS will seek out opportunities during design to incorporate high friction tread surfaces or treatments that are slip resistant to improve bicycle contact with trail bridge deck surfaces while taking trail accessibility requirements into consideration. Additionally, rehabilitation of the asphalt trail surface and associated infrastructure improvements will eliminate cracks, root heave, and drainage issues.
<b>Several commenters stated that the Parkway South Section surface is in poor condition, that prior repairs have been inadequate, and that the lack of maintenance has leads to safety issues.</b>	The NPS agrees, which is why complete replacement of the deteriorated concrete road surface, gutters, and mountable curbs (where present) is proposed, as well as drainage improvements, and other actions to improve the condition of the Parkway South Section.
<b>A commenter stated that the road diet can lead to unsafe turns to access side roads.</b>	Implementing a road diet will allow the NPS to use the space gained from eliminating a combined through-turn lane at an intersection to establish a dedicated turn lane, making access onto side streets safer by separating the turning movement from the through traffic.
<b>Commenters felt that most of the safety issues on the Parkway South Section are caused by speeding.</b>	Public concern identified speed on the Parkway South Section as a significant issue. Based on the <i>George Washington Memorial Parkway – Southern Section Road Diet Traffic Operations Impact Analysis</i> completed in September 2023, implementation of a permanent road diet is expected to reduce the observed driving speed to be more in line with current posted speed limits by reducing the vehicle speed differential, which is limited to the speed of the lead vehicle in the through lane. Therefore, further reductions in the posted speed are not warranted.
<b>Commenters expressed concern that some of the proposed features would lead to visual impacts during construction. Others stressed that the proposed improvements must be aesthetically pleasing.</b>	Although there will be visual impacts during construction caused by vehicles and equipment, temporary safety barriers, etc., these impacts will not be permanent. As described in the EA, proposed improvements would be implemented following the Secretary of the Interior's <i>Standards for the Treatment of Historic Properties</i> , and new features would be placed and designed so as not to diminish the integrity of location, setting, design, feeling, and association of the Parkway or any other historic properties. The Programmatic Agreement between NPS, VDHR, and NCPC defines the continued Section 106 consultation process for the identification and evaluation of resources, and the resolution of any adverse effects on National Register-eligible historic properties associated with the Parkway South Section and MVT improvements. The agreement also includes stipulations for design review by consulting parties to ensure adherence to the Secretary's Standards and that adverse effects would not occur from those portions of the project that are subject to additional design and refinement, including bridge rehabilitation, drainage improvements, and culvert replacement or repairs. As such, the NPS concluded the proposed project would result in no adverse effects to the Parkway.

CONCERN	RESPONSE
<b>Commenters stated that a lack of pavement markings and signs along the Parkway and MVT lead to confusion and safety issues.</b>	During detailed design, the NPS, in coordination with FHWA, will evaluate opportunities to improve signage along the Parkway South Section and MVT. Improved signage and striping would be used to implement a permanent road diet, reconfigure major roadway intersections, and improve trail-to-trail and trail-to-road intersections. As stated on page 28 of the EA, the NPS would implement a uniform sign pallet that utilizes the NPS identifier. Signage may include co-branding for Congressionally designated trails that use the same route. Signs would include directional, wayfinding, and safety. All signs would conform to FHWA's Manual on Uniform Traffic Control Devices, NPS Uniguide standards, and park sign guidance, as appropriate.
<b>A commenter questioned whether the proposed improvements would require the taking of private land via eminent domain.</b>	All the improvements outlined in the proposed Plan would occur on NPS lands and would not require land acquisition or right-of-way takes.
<b>Commenters expressed that more should be done about drainage issues.</b>	The NPS will identify areas along the MVT with drainage issues during the design phase, evaluate possible improvements, as well as stormwater management practices, to improve these conditions. As described on page 25 of the EA, the NPS will evaluate existing inlets and culverts for potential replacement, construct new ditches where appropriate, clear or regrade existing ditches, and conduct other miscellaneous work to improve drainage and alleviate ponding issues along the MVT.
<b>A commenter said that too many crosswalks would interrupt the "seamless journey" along the Parkway, while another commenter said the road diet would diminish the contemplative experience for drivers.</b>	<p>The NPS does not expect pedestrian crossings to occur so frequently that it will require motorists to stop at each formal crosswalk. Additionally, implementing a road diet would separate through and turning movements, which NPS expects will improve free-flow conditions on the Parkway mainline.</p> <p>While maintaining the visitor experience is a high priority at Parkway, improving safety for vehicles, pedestrians, and bicyclists is a primary objective of the proposed Plan.</p>
<b>A commenter recommended that the pedestrian crossing at one of the National Airport ramps should be closed because it is unsafe.</b>	Improvements to the roadway network of Ronald Regan International Airport, which includes the trail-to-road intersection of concern, are described in a draft EA developed by the Metropolitan Washington Airports Authority that can be found at <a href="https://www.mwaa.com/public-notice-dca-roadway-network-improvements-associated-development-draft-ea">https://www.mwaa.com/public-notice-dca-roadway-network-improvements-associated-development-draft-ea</a> .



CONCERN	RESPONSE
<p><b>A commenter stated that delays caused by the road diet deemed feasible may not be acceptable to all users.</b></p>	<p>The <i>George Washington Memorial Parkway – Southern Section Road Diet Traffic Operations Impact Analysis</i> indicated that a combination of evaluated road diet concepts would provide the optimal balance of maximizing safety improvements and minimizing operational impacts. The road diet concept that would be implemented between Belle Haven Road and Morningside Lane in the northbound direction, and between Belle Haven Road and Tulane Drive in the southbound direction, would improve side-street traffic operations and have minimal impact on operations along the Parkway compared to the existing condition. The road diet concept that would be applied between Tulane Drive and Stratford Lane in the southbound direction could cause delay for side-street operations, but this delay could be mitigated by providing an acceleration lane for vehicles turning left from the side-street. As such, implementation of the road diet, as recommended in the <i>George Washington Memorial Parkway – Southern Section Road Diet Traffic Operations Impact Analysis</i>, would maintain the Parkway’s effective capacity while resulting in minimal traffic operation impacts and improved safety.</p>
<p><b>MITIGATION SUGGESTIONS</b></p>	
<p><b>Commenters suggested treatment of invasive species as mitigation.</b></p>	<p>The proposed improvements do not include eradication of invasive plants that have already established along the Parkway South Section and MVT. However, the NPS will require construction contractors to clean vehicles and equipment offsite, and to use weed-free construction materials, to prevent the inadvertent introduction of invasive plant seeds, propagules, and other weed seeds into the Parkway.</p> <p>The NPS staff and volunteers target over a dozen invasive species within the Parkway, including non-native honeysuckle, kudzu, bamboo, wisteria, and English ivy to name a few. We have staff and volunteer efforts at Great Falls, the Potomac Heritage Trail, Spout Run, Theodore Roosevelt Island, Arlington House &amp; Arlington Woods, Columbia Island, Roaches Run, Four Mile Run, Dyke Marsh, Fort Hunt, and areas all along the MVT.</p>
<p><b>STUDIES AND DATA NEEDS</b></p>	
<p><b>A commenter suggested utilizing additional resources to evaluate impacts to Environmental Justice populations, such as the VDEQ Environmental Data Mapper.</b></p>	<p>As described on pages 15-17 of the EA, the NPS used the following screening tools to determine the presence of potential Environmental Justice communities within a half-mile of the Parkway and Trail: USEPA’s Environmental Justice Screening and Mapping Tool (EJ Screen), CEQ’s Climate and Economic Justice Screening Tool (CEJST), and the Centers for Disease Control and Prevention / Agency for Toxic Substances and Disease Registry’s (CDC / ATSDR) Social Vulnerability Index. The NPS Bureau Investment Review Board (BIRB) uses the CEJST during project reviews. The BIRB reviews major construction and rehabilitation projects for functional suitability and cost-effectiveness. The BIRB is an executive level review committee that makes decisions on the proper composition of the NPS asset portfolio to achieve strategic goals and objectives within budget limits. As the project progresses, the NPS will coordinate with VDEQ and other state and local agencies to ensure that potential environmental hazards are identified, and risks are mitigated.</p>

## **ATTACHMENT D: SECTION 106 PROGRAMMATIC AGREEMENT**

**PROGRAMMATIC AGREEMENT  
AMONG  
THE NATIONAL PARK SERVICE,  
THE NATIONAL CAPITAL PLANNING COMMISSION,  
THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER, AND  
THE VIRGINIA DEPARTMENT OF HISTORIC RESOURCES,  
REGARDING  
THE GEORGE WASHINGTON MEMORIAL PARKWAY SOUTH SECTION AND  
MOUNT VERNON TRAIL IMPROVEMENTS PLAN**

**WHEREAS,** George Washington Memorial Parkway (hereafter GWMP), a unit of the NPS located in Fairfax and Arlington counties in Virginia, and the District of Columbia (hereinafter Washington, DC), operates, manages, administers, maintains, preserves, and interprets, unimpaired, the historic properties of GWMP for the enjoyment of future generations; and

**WHEREAS,** GWMP was established pursuant to what is known as the Capper-Cramton Act, Public Law 71-284, 46 Stat. 482, (May 29, 1930) for purposes “to include the shores of the Potomac, and adjacent lands, from Mount Vernon to a point above the Great Falls on the Virginia side, including the protection and preservation of the natural scenery of the Gorge and the Great Falls of the Potomac,” and became a unit of the NPS system pursuant to Executive Order 6166 on June 10, 1933 (taking effect August 10, 1933), and GWMP is administered by the NPS; and

**WHEREAS,** the NPS is charged in its administration of the units of the National Park System to meet the directives of other laws, regulations, and policies including the NPS Organic Act as codified in Title 54 United States Code (USC) 100101(a) to “conserve the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations;” and

**WHEREAS,** the NCPC, a Signatory to this PA pursuant to 36 CFR § 800.3(f)(1), has approval authority over projects located on federal land within the District of Columbia pursuant to the National Capital Planning Act (40 U.S.C. § 8722(b)(1) and (d)); and

**WHEREAS,** the NPS and NCPC have agreed that NPS will be the federal *Lead Federal Agency* pursuant to 36 CFR 800.2(a)(2) for the Undertaking to fulfill their collective Section 106 responsibilities; and NCPC has elected to fulfill its Section 106 responsibilities by participating in this consultation and shall be a Signatory to this PA pursuant to 36 CFR 800.6(c)(1); and

**WHEREAS,** the NPS, in cooperation with NCPC, is developing a George Washington Memorial Parkway (hereinafter Parkway) South Section and Mount Vernon Trail (hereinafter Trail) Improvements Plan (hereinafter Plan) to guide future actions to improve the 8.3-mile south section of Parkway from Alexandria, Virginia, to Mount Vernon, and the majority of the 18-mile Trail, excluding Trail sections in Alexandria, while maintaining the scenic and historic character of historic properties; and

**WHEREAS,** implementing the Plan would improve safety and address maintenance needs. Proposed Parkway and Trail improvements would enhance the visitor experience for drivers, pedestrians, and cyclists. Improvements include, but are not limited to, reconstruction of the concrete road surface, implementation of a new road diet (reducing lanes through pavement striping to improve safety) in

PROGRAMMATIC AGREEMENT  
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some areas, bridge rehabilitation, crosswalks designed in accordance with the Public Rights-of-Way Accessibility Guidelines and the Architectural Barriers Act Accessibility Standards, intersection safety improvements, drainage improvements, and stormwater management. Safety enhancements for the Trail include, but are not limited to, trail widening, trail-road intersection safety improvements, bridge repair or replacement, drainage improvements, and amenity upgrades; and

**WHEREAS**, pursuant to 36 CFR 800.3(a) the Plan meets the definition of an “Undertaking” (36 CFR 800.16(y)), that has the potential to cause effects on historic properties (as defined in 36 CFR 800.16(l)(1)), and the Undertaking is subject to review under applicable sections of the National Historic Preservation Act (hereinafter NHPA) as amended (54 USC 300101 et seq.), including sections 106, 110(f), 111(a), and 112, and the regulations of the Advisory Council on Historic Preservation (hereinafter ACHP) (36 CFR 800); and

**WHEREAS**, the NPS is coordinating review with the National Environmental Policy Act (hereinafter NEPA) (42 U.S.C. § 4321 *et seq.*), and NPS is the lead Federal agency preparing an Environmental Assessment (hereinafter EA). NPS has coordinated Section 106 compliance with the NEPA process pursuant to 36 C.F.R. § 800.8; and

**WHEREAS**, pursuant to 36 CFR 800.3(c)(3), NPS initiated consultation for the Plan with the Virginia Department of Historic Resources, which is the Virginia State Historic Preservation Office (hereinafter VA SHPO) and the District of Columbia State Historic Preservation Officer (hereinafter DC SHPO), in a letter dated November 4, 2022 (attached hereto as Appendix A); and

**WHEREAS**, pursuant to 36 C.F.R. § 800(2)(a)(4), the NPS has invited individuals and organizations with a demonstrated interest in the Plan to participate as Consulting Parties in the Section 106 process in a letter dated November 4, 2022 (Appendix A), with the full list of invited Consulting Parties compiled in Appendix B; and

**WHEREAS**, the NPS invited federally recognized Native American Indian Tribes: Pamunkey Indian Tribe, Upper Mattaponi Indian Tribe, Rappahannock Tribe, Nansemond Indian Nation, Chickahominy Indian Tribe, Chickahominy Tribe Eastern Division, Monacan Indian Nation, Catawba Indian Nation, Delaware Nation, Absentee Shawnee Tribe of Indians of Oklahoma, and the Shawnee Tribe (herein collectively referred to as Tribes) to participate in government-to-government consultation in the Section 106 process in letters dated November 4, 2022, pursuant to 36 CFR 800(3)(f)(2); and

**WHEREAS**, the Delaware Nation accepted the NPS invitation to participate as a consulting party in a letter dated November 21, 2022; and

**WHEREAS**, the Monacan Indian Nation and Shawnee Tribe declined to participate as consulting parties; and

**WHEREAS**, the Pamunkey Indian Tribe, Upper Mattaponi Indian Tribe, Rappahannock Tribe, Nansemond Indian Nation, Chickahominy Indian Tribe, Chickahominy Tribe Eastern Division, Catawba Indian Nation, and the Absentee Shawnee Tribe of Indians of Oklahoma have not responded to this invitation; and

**WHEREAS**, the NPS determined the Undertaking’s Area of Potential Effect (APE), pursuant to 36 CFR 800.4(a)(1) in the letter dated November 4, 2022, and subsequently adjusted the APE boundaries following comments received from consulting parties (refer to Appendix C); and

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**WHEREAS**, the NPS reviewed existing information on historic properties within the APE pursuant to 36 CFR 800.4(a)(2) and found that the portion of GWMP from Arlington Memorial Bridge south to Mount Vernon was listed in the National Register of Historic Places (NRHP) in 1981 as the “Mount Vernon Memorial Highway” (MVMH); the northern section of GWMP, from Arlington Memorial Bridge north to I-495, was listed in the NRHP in 1995 under the name “George Washington Memorial Parkway” (hereafter GW Parkway historic property); the Mount Vernon Trail had been determined to be a contributing resource to the listed Mount Vernon Memorial Highway historic property via consensus determinations in the 2022 Cultural Landscape Inventory (CLI); and several other historic properties are within or immediately adjacent to the Undertaking’s APE as identified in the Assessment of Effects report attached hereto as Appendix C; and

**WHEREAS**, the NPS completed a Phase IA archeological summary that established the potential for archeological resources within the APE and the need to conduct phased identification and evaluation of archeological resources, per 36 CFR 800.4(b)(2), as specifically provided for in a programmatic agreement pursuant to 36 CFR 800.14(b); and

**WHEREAS**, the NPS determined that the Plan would potentially have adverse effects to historic properties due to the planned ground disturbing activities, which may affect archeological resources that are eligible for listing on the National Register of Historic Places; and

**WHEREAS**, the Plan calls for the rehabilitation of Parkway and Trail elements that have yet to be designed, and should designs not be in adherence to the Secretary of the Interior’s *Standards for the Treatment of Historic Properties* (SOI Treatment Standards), the Plan could diminish the design and aesthetic character of the MVMH and GW Parkway historic properties; and

**WHEREAS**, NPS determined that it is appropriate to enter into this Agreement to establish a consultation process for the implementation of the Plan to conduct phased identification and evaluation, per 36 CFR 800.4(b)(2), and to avoid, minimize, or mitigate potential adverse effects pursuant to 36 CFR 800.14(b)(3), which will satisfy NPS’s and NCPC’s obligation to comply with Section 106; and

**WHEREAS**, the VA SHPO concurred with the determination of effect and plans to enter into this Agreement in a letter dated September 1, 2023, and the DC SHPO concurred in correspondence dated August 9, 2023 and September 18, 2023 (Appendix A); and

**WHEREAS**, the NPS made the draft Agreement available to the Tribes, Consulting Parties, and the public for review and comment, pursuant to 36 CFR 800.6 by appending it to the EA prepared in accordance with NEPA that was made available for public review for a period of 30-days from September 25, 2023 to October 24, 2023; and

**WHEREAS**, members of the public were afforded opportunities to participate in project planning and to comment on the Undertaking during a public scoping period from December 6, 2022 to January 18, 2023, which included a virtual public meeting held on December 6, 2022, and a stakeholder meeting held in advance of scoping on December 2, 2022; during public review of the EA from September 25, 2023, to October 24, 2023; and at a Section 106 Consulting Parties meeting held virtually on August 9, 2023; and

**WHEREAS**, on October 17, 2023, the NPS notified the Advisory Council on Historic Preservation (hereinafter ACHP) of the intention to develop an Agreement pursuant to 36 CFR 800.14(b)(1)(ii) and invited the ACHP to participate in consultation, and the ACHP has declined to participate.

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**WHEREAS**, the DC SHPO declined to become a signatory of this PA in correspondence dated September 18, 2023 (Appendix A); and

**NOW, THEREFORE**, the NPS, NCPC, and VA SHPO, (hereinafter collectively referred to as Signatories, and singularly as Signatory) agree that the Plan shall be implemented in accordance with the following stipulations to take into account the potential effects on historic properties listed, or eligible for listing, in the NRHP.

### STIPULATIONS

The NPS shall ensure the following measures are carried out:

#### I. GENERAL REQUIREMENTS

**Applicable Codes and Standards.** The Undertaking shall be planned, developed, and executed by the NPS in consideration of the recommended approaches contained in the SOI Treatment Standards (i.e., preservation, rehabilitation, restoration, and reconstruction) and Guidelines for the Treatment of Cultural Landscapes, and other prevailing applicable codes. All archeological investigations and studies conducted pursuant to this Agreement shall be consistent with the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation* (48 Federal Register 44716-44742, September 1983), the ACHP's *Section 106 Archeology Guidance* (June 2007), *Guidelines for Conducting Historic Resources Survey in Virginia* (September 2017), and / or the DC SHPO's *Guidelines for Archaeological Investigations in the District of Columbia* (DC Historic Preservation Review Board 2018).

**Qualifications.** The NPS shall ensure that all historic preservation and / or archeological work performed on its behalf pursuant to this Agreement shall be accomplished by, or under the direct supervision of a person or persons who meet(s) or exceed(s) the pertinent qualifications in the Secretary of the Interior's *Professional Qualifications Standards* (48 Federal Register 44716, 44738 (Sept. 29, 1983) or subsequent adopted modifications of the *Standards* at the time of the action.

#### II. CONSULTATION

The NPS shall consult with the Signatories to this Agreement in carrying out its terms. Such consultation may include, but not be limited to, written correspondence, virtual meetings or conference calls, face-to-face visits and / or field visits.

#### III. DESIGN REVIEW

- A. Given that the Plan is likely to be a design-build effort, the NPS anticipates that Plan implementation will be phased. The NPS will provide the Signatories and other Consulting Parties with advance notification when funding for design is allocated and design review is to be initiated.
- B. The NPS will provide an opportunity for design review of Parkway and Trail improvement plans to the Signatories and other Consulting Parties for review and comment at major design milestones (e.g. 30, 70, and 90% stages of design). Design documents will be finalized only after design review has taken place. The design drawings and associated documents will include sufficient plans, cross-sections, material and finish specifications, and renderings to convey the visual effects of the infrastructure improvements on historic properties. The rehabilitation designs for the Plan are to adhere to the SOI Treatment Standards to the greatest extent possible and, as needed, will replace the existing elements in kind to maintain the historic design and aesthetic.



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- C. The Signatories and other Consulting Parties agree to provide their comments to the NPS within 30 days from the date of receipt of a design submission. The NPS will take all comments received in a timely manner into account before completing final design documents. The NPS shall provide responses to Signatory and Consulting Party comments and shall document changes made to the design in response to the comments. The goals of the design review consultation shall be to maximize consistency with the SOI Treatment Standards and to develop and evaluate modifications that avoid adverse effects per 36 CFR 800.6(a). If no comments are received within the 30-day period, the NPS may assume that the non-responding party has no comments, and they may implement the designs as proposed.
- D. If NPS and the Signatories cannot come to an agreement on design aspects of the Parkway and Trail improvements, especially the design of rehabilitated or reconstructed elements, the Dispute Resolution process outlined in Stipulation VIII.A of this Agreement shall be followed.
- E. Consistent with 36 CFR 800.13 Post-review discoveries, if unanticipated effects on historic properties are found during design, NPS shall consult with all Signatories to seek ways to avoid, minimize, or mitigate adverse effects.
  - 1. NPS shall review designs and identify changes that could avoid the new adverse effect. If revisions to designs are made, the NPS shall submit the revised designs to the Signatories. Signatories shall have 30 calendar days to comment on revised designs. Review of designs shall proceed as outlined in Stipulation III.C of this Agreement.
  - 2. If new adverse effects cannot be avoided, the NPS will consult with the Signatories and Consulting Parties to identify agreed upon measures to minimize or mitigate the newly identified adverse effects. These measures shall be incorporated into a subsequent design submittal or developed as a standalone submission.
  - 3. The measures agreed upon to resolve adverse effects shall be documented in an appendix and amended to this PA, following Stipulation VIII.E.

**IV. ARCHEOLOGICAL RESOURCES IDENTIFICATION AND EVALUATION**

- A. The NPS, in consultation with the Signatories and other Consulting Parties, will continue identification and evaluation of archeological historic properties in accordance with 36 CFR 800.4 and 800.5.
- B. Prior to final design development at each phase of the Plan, the NPS will complete a Phase IB archeological investigation (Phase IB). The NPS shall consult with the VA SHPO and / or DC SHPO (depending on jurisdiction) and other appropriate Consulting Parties on the development of Phase IB archeological work plans. No archeological investigations shall be conducted without VA SHPO and / or DC SHPO-review of archeological work plans. Phase IB investigations will build upon the findings and recommendations of the *Phase IA Archaeological Overview for the Proposed Rehabilitation of the George Washington Memorial Parkway (South Section) and Mount Vernon Trail* (New South Associates, Inc., 2023), and any other subsequent archeological assessments conducted within the APE. The NPS will prepare and submit a technical document containing the results of the Phase IB investigations to the Signatories and other Consulting Parties for review.
- C. If archeological sites are identified during the Phase IB investigations, the NPS shall evaluate opportunities to revise designs to avoid these sites. However, if all reasonable opportunities are

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evaluated and avoidance is not feasible, the NPS will complete one or more Phase II survey(s), as appropriate, prior to ground disturbing activities to evaluate the NRHP-eligibility of any intact archeological resources that may be affected by Plan implementation. The NPS shall consult with the VA SHPO and / or DC SHPO and other Consulting Parties on the development of Phase II archeological work plans. The NPS will prepare and submit technical document(s) containing the results of each Phase II survey, together with determinations of NRHP eligibility and an assessment of effects on archeological historic properties to the Signatories and other Consulting Parties to review.

- D. The NPS shall provide the technical result documents to the Signatories and other Consulting Parties in electronic or print format, as requested, for a 30-day review and comment period starting upon receipt. The NPS shall address all comments received within the 30-day review period and provide final reports in an agreement upon format. If no comments are received within the 30-day review period, the NPS shall assume that the non-responding party has no comments and concurs with the findings and recommendations of the report / document. If the VA SHPO and / or DC SHPO concur with the recommendations, the NPS shall proceed with implementation of the recommendations. If the VA SHPO and / or DC SHPO do not concur, the parties shall consult further to resolve the issues following the provisions for dispute resolution in Section VIII.A of this Agreement.
- E. If adverse effects to NRHP-eligible archeological historic properties are identified, the NPS, in consultation with the Signatories and other Consulting Parties, will do one of the following:
- F. Propose a minimization and data recovery plan (Phase III investigations) or commensurate strategy agreed upon by the NPS, VA SHPO, and / or DC SHPO; or
- G. Depending upon the extent of the resource(s) identified and affected, propose a resource-specific amendment to this Agreement to resolve adverse effects to archeological historic properties. The amendment may address multiple archeological historic properties.
- H. The NPS shall consult with the VA SHPO and / or the DC SHPO and other Consulting Parties to develop any Phase III archeological data recovery work plan(s). No Phase III (data recovery) investigations shall be conducted without a VA SHPO and / or DC SHPO-reviewed archaeological data recovery plan.
- I. Timing of all phases of archeological investigation will be determined in consultation with the VA and / or DC SHPO and, when agreed upon, may include investigations concurrent with construction activities.

**V. POST REVIEW DISCOVERIES**

- A. The NPS shall ensure that all construction documents include the following provisions:
  - 1. If previously unidentified historic properties or unanticipated effects to historic properties are discovered in the park during construction, the construction contractor shall immediately halt all activity within a 100-foot radius of the discovery, notify the NPS within 24 hours of the discovery, and implement interim measures to protect the discovery from looting and vandalism.
  - 2. Immediately following upon NPS' receipt of the notification the NPS shall

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- a) inspect the construction site to determine the extent of the discovery and ensure that construction activities have halted;
  - b) clearly mark the area of the discovery;
  - c) implement additional measures, as appropriate, to protect the discovery from looting and vandalism;
  - d) have an archeologist meeting *Secretary of the Interior's Professional Qualifications Standards for Archeologists* inspect the construction site to determine the extent of the discovery and provide recommendations regarding its NRHP eligibility and treatment; and
  - e) notify the VA SHPO and / or DC SHPO and other Consulting Parties of the discovery describing the measures that have been implemented to comply with Stipulation V.A. Information will be shared with the VA SHPO and / or DC SHPO (depending on location of discovery) and other Consulting Parties, as appropriate and in conformance with the Archeological Resources Protection Act (hereinafter ARPA) and NHPA Section 304.
3. Within 48 hours of NPS' receipt of the notification described in Stipulation V.A.1 of this Agreement, the NPS shall provide the VA SHPO and / or DC SHPO and other Consulting Parties with its assessment of the NRHP eligibility of the discovery and the measures the NPS proposes to take to resolve adverse effects. In making its official evaluation, the NPS, in consultation with the VA SHPO and / or DC SHPO and other Consulting Parties may assume the discovery to be NRHP-eligible for the purposes of Section 106 pursuant to 36 CFR 800.13(c). The VA SHPO and / or DC SHPO and other Consulting Parties shall respond within 48 hours after their receipt of NPS' submission of its official evaluation.
  4. The NPS, which shall take into account the consulting parties' recommendations on eligibility and treatment of the discovery, shall ensure that appropriate actions are carried out and provide the VA SHPO and / or DC SHPO and the other Consulting Parties with a report on these actions when they have been implemented.
  5. Construction activities may proceed in the area of the discovery when the NPS has determined that implementation of the actions undertaken to address the discovery pursuant to Stipulation V.A are complete.

## **VI. EMERGENCIES**

Should an emergency situation occur, which represents an imminent threat to public health or safety or creates a hazardous condition, after the NPS learns of it and notifies appropriate law enforcement and emergency personnel as necessary, the NPS shall immediately notify the VASHPO, NCPC, and the ACHP of the condition which has initiated the situation and the measures taken to respond to the emergency or hazardous condition. Should the VA SHPO, NCPC, or the ACHP desire to provide technical assistance to the NPS, they shall submit comments to NPS within seven (7) calendar days from notification, if the nature of the emergency or hazardous condition allows for such coordination.

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**VII. HUMAN REMAINS**

- A. The NPS shall make all reasonable efforts to avoid disturbing gravesites and associated funerary artifacts. The NPS shall treat all human remains in a manner consistent with the ACHP's 2023 *Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects* or ACHP policy in effect at the time remains and funerary artifacts are handled. NPS should also reference the ACHP *Burial Policy Explanation and Discussion Guidance Document*. Information will be shared with the VA SHPO and / or DC SHPO and other Consulting Parties, as appropriate and in conformance with ARPA and NHPA Section 304.
1. The NPS shall halt work immediately and contact law enforcement and emergency personnel as appropriate if human remains are discovered.
  2. If the remains found on federal lands are determined to be of Native American origin, the NPS shall comply with the provisions of the Native American Graves Protection and Repatriation Act (25 USC 3001 et seq.) and the accompanying regulations at 43 CFR 10.
  3. If the remains found on federal lands and are determined not to be of Native American origin, the NPS shall comply with the appropriate regulations and agency policy.
  4. If the remains are found on non-federal lands, the NPS shall comply with the appropriate regulations established by the Commonwealth of Virginia or Washington, DC.
  5. The NPS shall use reasonable efforts to ensure that the general public is excluded from viewing any burial site or associated funerary artifacts. Subject to applicable law, the VA SHPO and / or DC SHPO and other Consulting Parties to this Agreement shall release no photographs or images of any burial site or associated funerary artifacts to anyone including the press and general public. If they do release such photographs or images, accidentally, voluntarily, or pursuant to applicable law, they will notify the NPS and the other parties as soon as possible. The NPS shall notify the appropriate federally recognized tribes when burials, human skeletal remains, or funerary artifacts are encountered on the project.

**VIII. ADMINISTRATION**

- A. **Dispute Resolution.** Should any Signatory object in writing to NPS regarding any actions proposed, or the manner in which the terms of this Agreement are implemented, the NPS, NCPC, and VA SHPO shall consult to resolve the objection. If NPS determines that such objection(s) cannot be resolved through this consultation, the NPS will:
1. Forward all documentation relevant to the dispute to the ACHP and the Signatories in accordance with 36 CFR 800.2(b)(2). Upon receipt of adequate documentation, the ACHP shall review and advise the NPS on the resolution of the objection. Any comments provided by the ACHP will be taken into account by NPS in reaching a final decision regarding the dispute.
  2. If the ACHP does not provide comments regarding the dispute within 30 days after receipt of adequate documentation, the NPS may render a decision regarding the dispute. In reaching its decision, the NPS will consider all comments regarding the dispute from the Signatories.
  3. The responsibility of NPS to carry out all other actions subject to the terms of this Agreement that are not the subject of the dispute remain unchanged. The NPS will notify all parties of its

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decision in writing before implementing that portion of the project subject to dispute under this stipulation. The NPS will then proceed according to their final decision.

4. At any time during implementation of the measures stipulated in this Agreement, should an objection pertaining to this Agreement or the effect of implementing that portion of the project on historic properties be raised by a member of the public, the NPS shall notify the Signatories and Consulting Parties and attempt to resolve the objection. If NPS determines that the objection cannot be resolved, the NPS shall comply with Stipulation VIII.A.1-3 of this Agreement.
- B. **Monitoring and Reporting.** Once yearly, beginning one (1) year from the date of execution of this PA until it expires or is terminated, the NPS will provide all Signatories and Consulting Parties to this PA a summary report detailing work undertaken pursuant to its terms. The report will include any progress on implementation, proposed scheduling changes, any problems encountered, and any disputes or objections received as a result of NPS's efforts to carry out the terms of this PA.
  - C. **Anti-Deficiency Act.** The NPS obligations under this Agreement are subject to the availability of appropriated funds, and the stipulations of this Agreement are subject to the provisions of the Anti-Deficiency Act. The NPS shall make reasonable and good faith efforts to secure the necessary funds to implement this Agreement in its entirety. If compliance with the Anti-Deficiency Act alters or impairs the ability of the NPS to implement the stipulations of this Agreement, the NPS shall consult in accordance with the amendment and termination procedures found later in this Agreement.
  - D. **Termination.** If any Signatory to this Agreement determines that its terms will not or cannot be carried out, that party shall immediately consult with the other Signatories to attempt to develop an amendment per Stipulation VIII.E within 30 calendar days (or another period agreed to by all Signatories). If an amendment cannot be reached, any Signatory may terminate the Agreement upon written notification to the other Signatories. Should the Agreement be terminated, the NPS shall either consult in accordance with 36 CFR 800.14(b) to develop a new Agreement or comply with 36 CFR 800 for individual undertakings.
  - E. **Amendments.** This Agreement may be amended when such an amendment is agreed to in writing by the NPS, NCPC, and the VA SHPO. The amendment will be effective on the date of the last signature.
  - F. **Duration.** This Agreement will terminate fifteen (15) years from the date of execution. Twelve (12) months prior to such time, the NPS may consult with the Signatories to reconsider the terms of the Agreement and revise or amend or extend the document as necessary.
  - G. **Entire Agreement.** This Agreement is the complete and exclusive agreement between the Signatories regarding the subject matter hereof and supersedes any other prior oral or written communications or understandings between the NPS, NCPC, and the VA SHPO related to the subject matter hereof.
  - H. **Electronic Copies.** Within one week of the last signature on this Agreement, NPS shall provide each Signatory with one high quality, legible, full color, electronic copy of this fully-executed Agreement and all of its attachments fully integrated into one, single document. Internet links shall not be used as a means to provide copies of attachments since links to web-based information often change. If the electronic copy is too large to send by email, NPS shall provide each Signatory with a copy of this Agreement as described above on a compact disc or other suitable electronic means.

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**EXECUTION** of this Agreement by the NPS, NCPC, and the VA SHPO, and implementation of its terms, is evidence that the NPS and NCPC have taken into account the effects of this Undertaking on historic properties and afforded the ACHP a reasonable opportunity to comment, and thereby satisfied their Section 106 responsibilities.

By signing below, the Signatories acknowledge their mutual consent to be bound by the terms of this Agreement. This Agreement shall be effective as of the date corresponding to the last signature obtained to this Agreement and such date shall be known as the “date of execution” of this Agreement.

[Signatures follow on separate pages]

Appendices:

Appendix A – Section 106 Consultation Correspondence

Appendix B – List of Consulting Parties

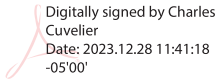
Appendix C – Assessment of Effects Report, including APE graphics.



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Signatory  
NATIONAL PARK SERVICE

By: Charles Cuvelier  
Charles Cuvelier  
Superintendent  
George Washington Memorial Parkway



Digitally signed by Charles Cuvelier  
Date: 2023.12.28 11:41:18  
+05'00'

Date: 12/28/2023

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Signatory  
NATIONAL CAPITAL PLANNING COMMISSION

By:   
Marcel Acosta  
Executive Director

Date: 12/13/2023

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Signatory  
VIRGINIA DEPARTMENT OF HISTORIC RESOURCES

By:   
Julie V. Langan  
Virginia State Historic Preservation Officer

Date: 12/19/2023

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**APPENDIX A – SECTION 106 CONSULTATION CORRESPONDENCE**



# United States Department of the Interior

George Washington Memorial Parkway  
NATIONAL PARK SERVICE  
National Capital Region  
700 George Washington Memorial Parkway  
McLean, VA 22101

IN REPLY REFER TO:

November 4, 2022

Julie Langan  
State Historic Preservation Officer  
Attn: Roger Kirchen and Jonathan Connolly  
Virginia Department of Historic Resources  
2801 Kensington Avenue  
Richmond, Virginia 23221  
*Sent by email to [julie.langan@dhr.virginia.gov](mailto:julie.langan@dhr.virginia.gov), [roger.kirchen@dhr.virginia.gov](mailto:roger.kirchen@dhr.virginia.gov),  
[Jonathan.connolly@dhr.virginia.gov](mailto:Jonathan.connolly@dhr.virginia.gov)*

Re: Initiation of Section 106 Consultation, George Washington Memorial Parkway South Section and Mount Vernon Trail Improvement Plan / Environmental Assessment

Dear Ms. Langan:

The National Park Service (NPS) is preparing a plan and corresponding Environmental Assessment (EA) to address deferred maintenance needs and safety along the southern portion of the George Washington Memorial Parkway (GW Parkway) and the entirety of the Mount Vernon Trail (MVT). The NPS wishes to formally initiate consultation with the Virginia Department of Historic Resources (DHR), serving as the Virginia State Historic Preservation Office (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).

## Description of the Undertaking

The plan would address deferred maintenance and improve safety on the south section of the GW Parkway—between the City of Alexandria and Mount Vernon in Virginia—and the majority of the MVT, extending from Theodore Roosevelt Island and the intersection with the Custis Trail in Arlington, Virginia, to Mount Vernon (the portion of the MVT and GW Parkway under the jurisdiction of the City of Alexandria would not be part of this planning exercise). The project would develop context sensitive solutions that improve these resources while maintaining the GW Parkway's scenic and historic character. Safety enhancements may include potential geometric changes to both the road and trail, such as trail and trail bridge widening; trail intersection treatments; permanent implementation of a road diet on the GW Parkway; and the installation of signals, crosswalks, and other roadway intersection treatments.

The GW Parkway was established by Congress on May 29, 1930. It is a scenic roadway that runs along the Potomac River through Virginia, the District of Columbia, and Maryland, protecting the landscape and natural and cultural resources along the shoreline of the river while offering magnificent scenic vistas from Mount Vernon to Great Falls. It is part of the comprehensive system of parks, parkways, and

recreational areas surrounding the nation's capital and honors the nation's first president. The GWMP was listed in the National Register of Historic Places (NRHP) in 1995.

The southern portion of the GW Parkway, originally known as Mount Vernon Memorial Highway (MVMH), was under construction from 1929 to 1932, becoming part of the GW Parkway with its authorization in 1930. The MVMH extends 15.2 miles along the Potomac River from Arlington Memorial Bridge in Washington, DC to George Washington's historic home at Mount Vernon in Virginia. The MVMH was listed in the NRHP in 1981. For the purposes of this undertaking, the southern portion refers to the 8.5-mile stretch extending south from the north bank of Hunting Creek to the terminus at Mount Vernon.

The plan is needed to help preserve the historic parkway for future generations, improve the visitor experience, reduce annual park operations and maintenance costs, and improve visitor safety. The 2020 Safety Assessment prepared for the southern portion of the GW Parkway analyzed data from 389 crashes documented since 2005 (2005-2015; 2018-2019). Additionally, the pavement at the southern portion consists of reinforced concrete, which has been rated as being in overall "fair" condition. However, there are segments that are in poor condition, featuring deteriorated joints and undermined areas where holes of one foot or deeper are present.

There is also a need to address conditions along the MVT – an 18-mile paved multi-use trail that is one of the most heavily used multi-use trails in the country. It is a popular recreation resource and critical regional transportation link that hosts over one million pedestrians and bicyclists annually. The trail is relatively narrow by modern standards, and is characterized by meandering curves, timber bridges, and dense vegetation in some areas that lead to safety concerns. Such concerns, coupled with growing usage of the trail contributes to crowding, user conflicts, and crashes. Aside from providing site specific safety improvements, the plan seeks to address the deterioration and inadequacy of the pavement surfaces, shoulders, bridges, trail tread (condition and width), trail alignment, drainage, signage, and trailhead features (i.e., benches, drinking fountains, bike racks, etc.). The NPS originally constructed the MVT in the 1970s and 1980s, and although it is not listed as a historic resource, it is located within the GW Parkway Historic District boundaries and was identified as a contributing circulation feature due to its association with no longer extant foot trails and bridle paths in the MVMH North Cultural Landscapes Inventory (CLI). The VA SHPO concurred with the findings of the CLI, which serves as a consensus determination of eligibility on September 20, 2022. Therefore, the MVT is being considered NRHP-eligible for purposes of this undertaking.

The plan for safety improvements and addressing deferred maintenance would be informed by the recently completed GW Parkway Traffic and Safety Context Sensitive Solutions Assessment, the MVT Corridor Study, the project scoping assessment (PSA) for the MVT, as well as the Cultural Landscape Reports (CLR) and the Cultural Landscape Inventories (CLI) as baseline documents in evaluating alternatives.

Considerations of climate change, coastal hazards, and stormwater management will also influence the proposed alternatives. Two tributary streams (Hunting Creek, Little Hunting Creek) and a sizable marsh area are located at the southern portion of the Parkway. The Parkway and MVT bisect various segments of the marsh, and the streams flow under the Parkway and trail to the main river channel. A Coastal Hazards & Climate Change Asset Vulnerability Assessment was completed for the GW Parkway lands in 2017. In these areas, the Parkway, trail, and trail bridges are recognized as vulnerable resources due to floods, storm surge, and sea-level rise along the Potomac River. Stormwater management strategies and planning for resilient infrastructure are essential design considerations.



### Section 106 Consultation and NEPA Coordination

In accordance with the Section 106 implementing regulations issued by the Advisory Council on Historic Preservation (36 CFR part 800), NPS will coordinate Section 106 consultation and ensure the meaningful involvement of all consulting parties while working to identify an Area of Potential Effect (APE) and historic properties within the APE. Later, continued consultation will work to seek agreement on the determination of effect to historic properties and whether any potential adverse effects to historic properties might be avoided, minimized, or mitigated.

The NPS will prepare an EA to document the analysis of potential impacts of the proposed plan in accordance with the National Environmental Policy Act (NEPA). The 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 for this project as a separate, but parallel, process to the EA.

### Area of Potential Effect and Historic Properties

NPS has developed a graphic illustration of the draft APE that is subject to modification through the consultation process (see Attachment A). The draft APE for direct and indirect effects includes areas immediately adjacent to the MVT and the southern portion of the GW parkway as well as areas that may be used for construction staging or may experience a visual change from the undertaking. The draft APE consists of the area within the southernmost boundary of the GW Parkway (from Mount Vernon to the City of Alexandria) and a narrower portion of GW Parkway boundary, north of the City of Alexandria. The draft APE includes the western portion of Theodore Roosevelt Island to consider any potential visual effects that may occur to that section of the MVT.

The boundaries of the draft APE overlap with several boundaries of historic properties, including the north section of the GW Parkway (listed as the George Washington Memorial Parkway) and the south section of the GW Parkway (listed as the MVMH). Other historic properties within the draft APE are the Theodore Roosevelt Island National Memorial, Arlington Memorial Bridge, Washington National Airport Terminal, Fort Hunt, and Mount Vernon. The draft APE also includes areas that have the potential to uncover archaeological resources.

### Consulting Party Outreach

In accordance with 36 CFR Part 800.2(c), NPS identified parties that may be interested in the proposed plan for the southern portion of the GW Parkway and the MVT and its effect on historic properties. The following organizations will be invited to participate as Section 106 consulting parties:

- Virginia Department of Historic Resources (Virginia State Historic Preservation Office)
- DC State Historic Preservation Office
- National Capital Planning Commission
- Commission of Fine Arts
- Virginia Department of Transportation
- Fairfax County Department of Transportation
- Fairfax County Park Authority
- City of Alexandria Department of Planning and Zoning
- City of Alexandria Transportation and Environmental Services
- Arlington County Department of Environmental Services
- Arlington County Parks and Recreation
- Office of Dan Storck, Mount Vernon Supervisor
- George Washington's Mount Vernon (Mount Vernon Ladies Association)
- Friends of Dyke Marsh
- Friends of the Mount Vernon Trail
- Pamunkey Indian Tribe
- Upper Mattaponi Indian Tribe

- Rappahannock Tribe
- Nansemond Indian Nation
- Chickahominy Indian Tribe
- Chickahominy Indian Tribe Eastern Division
- Monacan Indian Nation
- Catawba Indian Nation
- Delaware Nation
- Absentee Shawnee Tribe of Indians of Oklahoma
- Shawnee Tribe

We look forward to beginning the Section 106 consultation process for this project. If you have any questions or preliminary feedback related to the project, the draft APE, and invited consulting parties please contact Matt Virta, Cultural Resources Program Manager for the GW Parkway, at [matthew\\_virta@nps.gov](mailto:matthew_virta@nps.gov).

Sincerely,

Charles Cuvelier Date:  
2022.11.15  
12:54:05 -05'00'

Charles Cuvelier  
Superintendent

Attachments: Attachment A – Draft Area of Potential Effect



# COMMONWEALTH of VIRGINIA

## Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan  
Director  
Tel: (804) 482-6446  
Fax: (804) 367-2391  
[www.dhr.virginia.gov](http://www.dhr.virginia.gov)

December 7, 2022

Charles Cuvelier, Superintendent  
National Park Service - George Washington Memorial Parkway  
700 George Washington Memorial Parkway  
Turkey Run Park  
McLean, VA 22101

RE: *George Washington Memorial Parkway South Section and Mount Vernon Trail  
Improvement Plan / EA*  
City of Alexandria, Arlington and Fairfax County, Virginia  
DHR File No. 2022-5184

Dear Superintendent Cuvelier:

The Virginia Department of Historic Resources (DHR) has received your letter dated November 4, 2022, received on November 15, 2022, initiating the Section 106 consultation process for the above referenced project. This project entails addressing deferred maintenance needs and safety along the southern portion of the George Washington Memorial Parkway (GW Parkway) and the entirety of the Mount Vernon Trail (MVT).

DHR understands that the project consists of addressing deferred maintenance and improving safety on the south section of the GW Parkway—between the City of Alexandria and Mount Vernon in Virginia—and the majority of the MVT, extending from Theodore Roosevelt Island and the intersection with the Custis Trail in Arlington, Virginia, to Mount Vernon (the portion of the MVT and GW Parkway under the jurisdiction of the City of Alexandria would not be part of this planning exercise). The project would develop context sensitive solutions that improve these resources while maintaining the GW Parkway's scenic and historic character. Safety enhancements may include potential geometric changes to both the road and trail, such as trail and trail bridge widening; trail intersection treatments; permanent implementation of a road diet on the GW Parkway; and the installation of signals, crosswalks, and other roadway intersection treatments.

DHR has reviewed the maps provided with the consultation letter and has the following questions and comments:

- What method was used to create the draft area of potential effects (APE)?

Western Region Office  
962 Kime Lane  
Salem, VA 24153  
Tel: (540) 387-5443  
Fax: (540) 387-5446

Northern Region Office  
5357 Main Street  
PO Box 519  
Stephens City, VA 22655  
Tel: (540) 868-7029  
Fax: (540) 868-7033

Eastern Region Office  
2801 Kensington Avenue  
Richmond, VA 23221  
Tel: (804) 367-2323  
Fax: (804) 367-2391

- Was a linear buffer created, or was a view shed analysis conducted? It appears that some sections of the APE account for potential visual effects while other areas may not.
- Please provide VCRIS map(s) of the project area with the APE delineated.

If you have any questions regarding these questions and comments, please contact me at 804-482-8089 or via email, [jonathan.connolly@dhr.virginia.gov](mailto:jonathan.connolly@dhr.virginia.gov).

Sincerely,



Jonathan D. Connolly, Project Review Archaeologist  
Review and Compliance Division

Western Region Office  
962 Kime Lane  
Salem, VA 24153  
Tel: (540) 387-5443  
Fax: (540) 387-5446

Northern Region Office  
5357 Main Street  
PO Box 519  
Stephens City, VA 22655  
Tel: (540) 868-7029  
Fax: (540) 868-7033

Eastern Region Office  
2801 Kensington Avenue  
Richmond, VA 23221  
Tel: (804) 367-2323  
Fax: (804) 367-2391



# United States Department of the Interior

George Washington Memorial Parkway  
NATIONAL PARK SERVICE  
700 George Washington Memorial  
Parkway  
McLean, VA 22101

IN REPLY REFER TO:

January 13, 2023

Jonathan D. Connolly  
Project Review Archaeologist  
Review Compliance Division  
Department of Historic Resources  
2801 Kensington Avenue  
Richmond, VA 23221  
jonathan.connolly@dhr.virginia.gov

RE: George Washington Memorial Parkway South Section and Mount Vernon Trail  
Improvement Plan / EA - DHR File No. 2022-5184

Dear Mr. Connolly:

Thank you for your December 7, 2022, letter regarding comments on the Southern George Washington Memorial Parkway and Mount Vernon Trail Improvement Plan/Environmental Assessment (EA) which included requests for additional information about the project. The requested information is provided below and attached:

- 1. What method was used to create the draft area of potential effects (APE)? Was a linear buffer created, or was a view shed analysis conducted? It appears that some sections of the APE account for potential visual effects while other areas may not.**

An official viewshed analysis was not completed. However, the APE was based on site visits and consideration of potential visual effects. North of Alexandria, a minimum buffer of approximately 90 ft (with the Mount Vernon Trail at the center) was employed. In areas north of National Airport, where the trail cuts in further from the Potomac River, the river is used as the eastern boundary (except at Gravelly Point where the relatively flat topography conceals the visibility of the trail, and it was determined visual effects would be limited to the immediate area surrounding the trail). At Theodore Roosevelt Island, the APE was expanded to encompass the western portion of the island.

South of Alexandria, the APE is restricted over Hunting Creek by the bridge. Otherwise, the APE extends a minimum of approximately 80 feet east of the trail, and the APE's western edge is generally the extent of the Mount Vernon Memorial Highway (MVMH) boundary. The APE largely considers that all road alterations would occur within the

footprint of the road itself and would not result in any visual effects outside the MVMH boundary. Where the APE varies from the MVMH boundary, this was a due to consideration of construction staging areas at Fort Hunt. For much of the southern portion of the trail, the natural topography (sloping towards the river) provides a visual buffer between development to the west and the MVMH and between the MVMH and the Mount Vernon Trail. In some areas south of Alexandria, the Mount Vernon Trail is outside the official MVMH boundary and so the APE is extended in those areas.

**2. Please provide VCRIS map(s) of the project area with the APE delineated.**

Please see attached.

We appreciate your attention to this project and look forward to your response. If you have any questions or preliminary feedback related to the project, the draft APE, and invited consulting parties please contact Megan Bailey, Acting Cultural Resources Program Manager for George Washington Memorial Parkway, at [Megan\\_Bailey@nps.gov](mailto:Megan_Bailey@nps.gov).

Sincerely,

Charles Cuvelier

Date:  
2023.01.11  
13:20:28 -05'00'

Charles Cuvelier  
Superintendent



## Schrader, Brett

---

**From:** Bailey, Megan M <megan\_bailey@nps.gov>  
**Sent:** Friday, August 18, 2023 5:05 PM  
**To:** Schrader, Brett  
**Subject:** Fw: [EXTERNAL] RE: Compliance - Section 106 Initiation Letters - South Section and MVT Improvements EA

See below

--

Megan Bailey, PhD

George Washington Memorial Parkway  
700 George Washington Memorial Parkway  
Turkey Run Park  
McLean, VA 22101  
703.289.2509 (office)  
202.438.6641 (cell)  
[megan\\_bailey@nps.gov](mailto:megan_bailey@nps.gov)

---

**From:** Lewis, Andrew (OP) <andrew.lewis@dc.gov>  
**Sent:** Wednesday, August 9, 2023 2:34 PM  
**To:** GWMP Superintendent, NPS <GWMP\_Superintendent@nps.gov>; Trocolli, Ruth (OP) <Ruth.Trocolli@dc.gov>  
**Cc:** Mocko, Robert <Robert\_Mocko@nps.gov>; Joseph, Maureen <Maureen\_Joseph@nps.gov>; Virta, Matthew <Matthew\_Virta@nps.gov>; Bailey, Megan M <megan\_bailey@nps.gov>  
**Subject:** [EXTERNAL] RE: Compliance - Section 106 Initiation Letters - South Section and MVT Improvements EA

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

All:

Thank you for providing an Assessment of Effects (AOE) Report for the above-referenced undertaking and for hosting today's consulting parties' meeting. As I indicated in the meeting, the AOE states that no comments were received from our office when Section 106 was initiated but, as evidenced by the email chain below, we did respond on December 9<sup>th</sup>, 2022 to indicate that we would provide more detailed comments once we learned more about the proposed scope of work.

Now that we have reviewed the AOE and participated in the meeting, we understand the general scope of work well enough to concur with the proposed determination of "no adverse effect" *as it relates to historic built environment resources*, but our determination is conditioned upon a review of specific plans for work to be carried out within the District of Columbia, especially that which is proposed near/under the Arlington Memorial Bridge and any other structure (e.g. culverts, bridges, etc.) that may be historically significant.

Please note that we will not necessarily need to review large volumes of highly technical drawings. The information we need is limited to that which will identify where the trail will be widened and by how much; where roadway alterations will be made and in what manner; how alterations to the Arlington Memorial Bridge and any other historically significant structures will be avoided and the like.

We understand that the proposed work is likely to be a design-build project and that FHWA's Eastern Federal Lands Division may be overseeing the development of the plans along with the NPS.

With regard to archaeology, we understand that the NPS has determined the project has potential for adverse effects on below grade resources and is proposing a Programmatic Agreement (PA) to address how Section 106 consultation will be carried out to address those potential effects. Ruth Trocolli, our City Archaeologist, is copied on this email and will provide a more detailed response as soon as possible but, as I also indicated in the meeting, a review of specific plans may suffice for our archaeological review as well. If so, we will not be a party to the PA.

If you should have any questions or comments regarding the historic built environment, please contact me. Questions or comments about archeology should be directed to Ruth. Otherwise, thank you for consulting with the DC State Historic Preservation Office regarding this matter. We look forward to consulting further as outlined in this message to complete the Section 106 review of this undertaking.

For future reference, our tracking number for this project is 23-0207.

Best regards,



C. Andrew Lewis, Senior Historic Preservation Specialist  
DC State Historic Preservation Office, DC Office of Planning  
1100 4<sup>th</sup> Street, SW, Suite E650, Washington, DC 20024  
202-442-8841  
[andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov)  
<http://planning.dc.gov/historicpreservation>

---

**From:** Lewis, Andrew (OP)

**Sent:** Friday, December 9, 2022 12:41 PM

**To:** GWMP Superintendent, NPS <GWMP\_Superintendent@nps.gov>; Trocolli, Ruth (OP) <Ruth.Trocolli@dc.gov>

**Cc:** Mocko, Robert <Robert\_Mocko@nps.gov>; Joseph, Maureen <Maureen\_Joseph@nps.gov>; Virta, Matthew <Matthew\_Virta@nps.gov>; Bailey, Megan M <megan\_bailey@nps.gov>

**Subject:** RE: Compliance - Section 106 Initiation Letters - South Section and MVT Improvements EA

Thank you for initiating Section 106 consultation with the DC State Historic Preservation Officer regarding the above-referenced undertaking. We look forward to learning more about the project and consulting with the NPS and consulting parties to evaluate the effects of the project on historic properties within the District of Columbia. We will provide detailed comments about the draft Area of Potential Effect and related topics once more specific information is provided for our review. In the meantime, we have assigned the following tracking number to the project: 23-0207.

Regards,



C. Andrew Lewis, Senior Historic Preservation Specialist  
DC State Historic Preservation Office, DC Office of Planning  
1100 4<sup>th</sup> Street, SW, Suite E650, Washington, DC 20024  
202-442-8841  
[andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov)  
<http://planning.dc.gov/historicpreservation>

---

**From:** Morales, Brendaliz <[brendaliz\\_morales@nps.gov](mailto:brendaliz_morales@nps.gov)> **On Behalf Of** GWMP Superintendent, NPS  
**Sent:** Tuesday, November 15, 2022 3:16 PM  
**To:** Maloney, David (OP) <[david.maloney@dc.gov](mailto:david.maloney@dc.gov)>; Lewis, Andrew (OP) <[andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov)>; Trocolli, Ruth (OP) <[Ruth.Trocolli@dc.gov](mailto:Ruth.Trocolli@dc.gov)>  
**Cc:** Mocko, Robert <[Robert\\_Mocko@nps.gov](mailto:Robert_Mocko@nps.gov)>; Joseph, Maureen <[Maureen\\_Joseph@nps.gov](mailto:Maureen_Joseph@nps.gov)>; Virta, Matthew <[Matthew\\_Virta@nps.gov](mailto:Matthew_Virta@nps.gov)>; Bailey, Megan M <[megan\\_bailey@nps.gov](mailto:megan_bailey@nps.gov)>  
**Subject:** Compliance - Section 106 Initiation Letters - South Section and MVT Improvements EA

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Good afternoon,

Please see attached.

Superintendent  
George Washington Memorial Parkway

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## Delaware Nation

### Tribal Historic Preservation Department

31064 State Highway 281

Anadarko, OK 73005

Phone (405)247-2448

November 21, 2022

To Whom It May Concern:

The Delaware Nation Historic Preservation Department received correspondence regarding the following referenced project(s):

**Project:**

NPS George Washington Memorial Parkway South Section and Mount Vernon Trail Improvement Plan / Environmental Assessment VA

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f), and implementing regulation 36 CFR 800, "Protection of Historic Properties," **Delaware Nation accepts your invitation for consultation on this project.**

Our office is committed to protecting tribal heritage, culture, and religion with particular concern for archaeological sites potentially containing burials and associated funerary objects. In order to meet the federal Section 106 requirements for us to thoroughly review and respond to your project within 30 days, our office must receive the following:

- Name of project
- Geographic coordinates of project
- County and State of project
- Description of ground disturbing work (especially depth of ground disturbance, and any notes on prior disturbance within the APE)
- Listing of any Historic Properties, primarily any known archaeological sites, within half a mile of the project
- Any supporting shapefiles, Google Earth files, or maps of the project APE (especially any noting proximity to existing archaeological sites)
- Responses from SHPO or other consulting federally recognized tribes (when received)
- Any existing Cultural/Archaeological Resource Survey Reports within APE and half mile of APE, and/or indicate if there are any plans for forthcoming surveys
  - *(please note: we are not necessarily requesting a survey at this stage, we just want to know if there are already existing past survey reports and/or plans for new forthcoming surveys which can inform our review.)*
- Principal Investigator Name for surveys (if applicable)

At the end of this letter, I have added our Section 106 Consultation Procedures and Cultural Resource Survey Report Standards for your convenience.

Please note that Delaware Nation, the Delaware Tribe of Indians, and the Stockbridge Munsee Community are the only Federally Recognized Delaware/Lenape entities in the United States and consultation for Lenape homelands must be made with only the designated staff of these three nations (and/or other federally recognized tribal nations who may have overlapping areas of interest). We appreciate your cooperation in contacting the Delaware Nation Historic Preservation Office to conduct proper Section 106 consultation. Should you have any questions, feel free to contact our offices at 405-247-2448 ext. 1403.

*Katelyn Lucas*

Katelyn Lucas  
Historic Preservation Assistant  
Delaware Nation  
405-544-8115



*Delaware Nation*

**Tribal Historic Preservation Department**

31064 State Highway 281

Anadarko, OK 73005

Phone (405)247-2448

[klucas@delawarenation-nsn.gov](mailto:klucas@delawarenation-nsn.gov)





## *Delaware Nation*

### **Tribal Historic Preservation Department**

31064 State Highway 281

Anadarko, OK 73005

Phone (405)247-2448

### **Section 106 Consultation Procedures**

The Delaware Nation Historic Preservation Office has developed the following consultation procedures for all Section 106 projects identified as federal undertakings.

Please submit:

1. A 1-page cover letter with the following information:
  - a. Project Number (include on all correspondence)
  - b. Project Name, City, County, and State
  - c. Project Type
    - i. Explanation of ground disturbance
  - d. Geographic Coordinates in WGS84 Latitude and Longitude
  - e. Contact information including individual's name, address, phone, fax, and email
  - f. Principal Investigator for survey report including address, phone, fax, and email
2. Professional cultural/archaeological survey report including curriculum vitae for all archaeologists who conduct the field surveys and produce the cultural survey reports.
3. Aerial and/or color USGS topographic maps locating project area within a) state, b) county, and c) local area
4. Aerial, color USGS topographic, planimetric maps specifically locating
  - a. 0.5 or 1.0 mile APE study area
  - b. Location of archaeological and historic sites in the APE and in close proximity to the APE
5. Project site plan maps depicting labeled shovel test locations.



## *Delaware Nation*

### **Tribal Historic Preservation Department**

31064 State Highway 281

Anadarko, OK 73005

Phone (405)247-2448

## **Cultural Resource Survey Report Standards**

Below are the requirements for a cultural resource survey report that will enable the Delaware Office of Historic Preservation to efficiently and effectively assess the proposed project. Please include in all reports:

1. Abstract
  - a. Brief summary of the project, survey results, and recommendations
2. Introduction
  - a. Introduce project and project design
3. Environmental Setting
  - a. Specific location, legal description, composition of project site
  - b. General location, geomorphology, landform, soils, vegetation, hydrology
4. Cultural History
  - a. Brief overview of cultural occupation represented in locale
5. File Search and Previous Research
  - a. Results of file search in state database for previously recorded archaeological sites and review of previous archaeological investigations
  - b. The file search should be for both below ground archaeological sites and above ground historic sites as some states have two repositories for this information (i.e. Tennessee)
6. Field Methods and Analytical Techniques
  - a. How field survey and analysis were conducted
7. Results of Archaeological Field Investigations
  - a. Review of finding and identification of National Register of Historic Places
8. Recommendations
  - a. Summarization of archaeological sites identified, NRHP determinations, and project recommendations
9. References Cited



**Fw: [EXTERNAL] Re: FW: GWMP South Section & Mount Vernon Trail Improvement Plan Section 106 Consultation**

Morales, Brendaliz <brendaliz\_morales@nps.gov>

Mon 8/7/2023 1:27 PM

To: Joseph, Maureen <Maureen\_Joseph@nps.gov>; Bailey, Megan M <megan\_bailey@nps.gov>

Please see below.

---

**From:** Kaleigh Pollak <kaleigh.monacan@gmail.com>

**Sent:** Monday, August 7, 2023 9:03 AM

**To:** Morales, Brendaliz <brendaliz\_morales@nps.gov>

**Subject:** [EXTERNAL] Re: FW: GWMP South Section & Mount Vernon Trail Improvement Plan Section 106 Consultation

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Good Morning,

Thank you for contacting us about the proposed project. The Monacan Indian Nation is a federally recognized sovereign tribe, headquartered on Bear Mountain in Amherst County. Citizens of the Nation are descended from Virginia and North Carolina Eastern Siouan cultural and linguistic groups, and our ancestral territory includes Virginia west of the fall line of the rivers, sections of southeastern West Virginia, and portions of northern North Carolina. At this time, the active Monacan consultation areas include:

**Virginia:** Albemarle, Alleghany, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Buchanan, Buckingham, Campbell, Carroll, Charlotte, Clarke, Craig, Culpepper, Cumberland, Dickenson, Floyd, Fluvanna, Franklin, Frederick, Giles, Goochland, Grayson, Greene, Halifax, Henry, Highland, Lee, Loudoun, Louisa, Madison, Mecklenburg, Montgomery, Nelson, Orange, Page, Patrick, Pittsylvania, Powhatan, Prince Edward, Pulaski, Rappahannock, Roanoke, Rockbridge, Rockingham, Russell, Scott, Shenandoah, Smyth, Tazewell, Warren, Washington, Wise, and Wythe Counties, and all contiguous cities.

**West Virginia:** Greenbrier, Mercer, Monroe, Pendleton, Pocahontas, and Summers Counties.

**North Carolina:** Alamance, Caswell, Granville, Orange, Person, Rockingham, Vance, and Warren Counties.

At this time, the Nation does not wish to actively participate in this consultation project, because:

<p>This project is outside our ancestral territory</p>
--

X	The project's impacts are anticipated to be minimal
	The project is more closely related to _____, which should be contacted to participate in consultation
	The tribal office does not currently have the capacity to participate in this project
	Other:

However, the Nation requests to be contacted if:

- Sites associated with native history may be impacted by this project;
- Adverse effects associated with this project are identified;
- Human remains are encountered during this project;
- Unanticipated native cultural remains are encountered during this project;
- Other tribes consulting on this project cease consultation; or
- The project size or scope becomes larger or more potentially destructive than currently described.

Please do not make any assumptions about future consultation interests based on this decision, as priorities and information may change. We request that you send any future consultation communications in electronic form to [Consultation@MonacanNation.com](mailto:Consultation@MonacanNation.com). We appreciate your outreach to the Monacan Indian Nation and look forward to working with you in the future.

Kaleigh Pollak

On Wed, Jul 26, 2023 at 11:30 AM Tribal Office <[TribalOffice@monacannation.com](mailto:TribalOffice@monacannation.com)> wrote:

Thank you,

*Amie Parra*

**Administrative Assistant**

Monacan Indian Nation

O: (434) 363-4864

D: (434) 300-5054

111 Highview Drive

Madison Heights, VA 24572



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**From:** Morales, Brendaliz <[brendaliz\\_morales@nps.gov](mailto:brendaliz_morales@nps.gov)> **On Behalf Of** GWMP Superintendent, NPS

**Sent:** Wednesday, July 26, 2023 10:29 AM

**To:** [julie.langan@dhv.virginia.gov](mailto:julie.langan@dhv.virginia.gov); [roger.kirchen@dhv.virginia.gov](mailto:roger.kirchen@dhv.virginia.gov); Connolly, Jonathan (DHR) <[jonathan.connolly@dhv.virginia.gov](mailto:jonathan.connolly@dhv.virginia.gov)>; [david.maloney@dc.gov](mailto:david.maloney@dc.gov); Lewis, Andrew (OP) <[andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov)>; Troccoli, Ruth (OP) <[ruth.troccoli@dc.gov](mailto:ruth.troccoli@dc.gov)>; [diane.sullivan@ncpc.gov](mailto:diane.sullivan@ncpc.gov); [matthew.flis@ncpc.gov](mailto:matthew.flis@ncpc.gov); [tluebke@cfa.gov](mailto:tluebke@cfa.gov); [stephen.brich@vdot.virginia.gov](mailto:stephen.brich@vdot.virginia.gov); [sharon.kershbaum@dc.gov](mailto:sharon.kershbaum@dc.gov); [DOTInfo@fairfaxcounty.gov](mailto:DOTInfo@fairfaxcounty.gov); [parkmail@fairfaxcounty.gov](mailto:parkmail@fairfaxcounty.gov); [karl.moritz@alexandriava.gov](mailto:karl.moritz@alexandriava.gov); [yon.lambert@alexandriava.gov](mailto:yon.lambert@alexandriava.gov); [des@arlingtonva.us](mailto:des@arlingtonva.us); [dpr@arlingtonva.us](mailto:dpr@arlingtonva.us); [mt.vernondistrictbos@fairfaxcounty.gov](mailto:mt.vernondistrictbos@fairfaxcounty.gov); [boardsecretary@mountvernon.org](mailto:boardsecretary@mountvernon.org); [info@fodm.org](mailto:info@fodm.org); [mtvernontrail@gmail.com](mailto:mtvernontrail@gmail.com); [vira.sisolak01@gmail.com](mailto:vira.sisolak01@gmail.com); Dressel, Denice <[denice.dressel@fairfaxcounty.gov](mailto:denice.dressel@fairfaxcounty.gov)>; Mvcca <[co.chair1@mvcca.org](mailto:co.chair1@mvcca.org)>; Simon, Noah <[noah.simon@mail.house.gov](mailto:noah.simon@mail.house.gov)>; [splein@eqinoxinvestmentsllc.com](mailto:splein@eqinoxinvestmentsllc.com); Robert Gray <[robert.gray@pamunkey.org](mailto:robert.gray@pamunkey.org)>; Pamunkey Tribe <[pamunkeytribe@pamunkey.org](mailto:pamunkeytribe@pamunkey.org)>; [info@umitribe.org](mailto:info@umitribe.org); [wfrankadams@verizon.net](mailto:wfrankadams@verizon.net); Upper Mattaponi <[admin@umitribe.org](mailto:admin@umitribe.org)>; [chiefannerich@aol.com](mailto:chiefannerich@aol.com); [rappahannocktrib@aol.com](mailto:rappahannocktrib@aol.com); Chief Nansemond <[Chief@nansemond.org](mailto:Chief@nansemond.org)>; [ellen@culturalheritagepartners.com](mailto:ellen@culturalheritagepartners.com); [chiefstephenadkins@gmail.com](mailto:chiefstephenadkins@gmail.com); [Stephenradkins@aol.com](mailto:Stephenradkins@aol.com); [dana.adkins@chickahominytribe.org](mailto:dana.adkins@chickahominytribe.org); [wasandson@cox.net](mailto:wasandson@cox.net); Tribal Office <[TribalOffice@monacannation.com](mailto:TribalOffice@monacannation.com)>; Monacan Nation <[Mnation538@aol.com](mailto:Mnation538@aol.com)>; Adrian Compton <[TribalAdmin@monacannation.com](mailto:TribalAdmin@monacannation.com)>; Bill Harris <[bill.harris@catawbaindian.net](mailto:bill.harris@catawbaindian.net)>; Wenonah Haire <[wenonah.haire@catawba.com](mailto:wenonah.haire@catawba.com)>; klucas <[klucas@delawarenation-nsn.gov](mailto:klucas@delawarenation-nsn.gov)>; ddotson <[ddotson@delawarenation-nsn.gov](mailto:ddotson@delawarenation-nsn.gov)>; [106NAGPRA@astribe.com](mailto:106NAGPRA@astribe.com); [jjohnson@astribe.com](mailto:jjohnson@astribe.com); [tonya@shawnee-tribe.com](mailto:tonya@shawnee-tribe.com); Benjamin Barnes <[chief@shawnee-tribe.com](mailto:chief@shawnee-tribe.com)>

**Cc:** Joseph, Maureen <[Maureen\\_Joseph@nps.gov](mailto:Maureen_Joseph@nps.gov)>; Bailey, Megan M <[megan\\_bailey@nps.gov](mailto:megan_bailey@nps.gov)>; Gorder, Joel S <[Joel\\_Gorder@nps.gov](mailto:Joel_Gorder@nps.gov)>; Theuer, Jason <[Jason\\_Theuer@nps.gov](mailto:Jason_Theuer@nps.gov)>; Schrader, Brett <[brett.schrader@stantec.com](mailto:brett.schrader@stantec.com)>; Bouchard, Suzanne N <[suzanne\\_bouchard@nps.gov](mailto:suzanne_bouchard@nps.gov)>; Mocko, Robert <[Robert\\_Mocko@nps.gov](mailto:Robert_Mocko@nps.gov)>; Katie Hummelt <[khummelt@bbbarch.com](mailto:khummelt@bbbarch.com)>; Lucy Moore <[lmoore@bbbarch.com](mailto:lmoore@bbbarch.com)>; Stidham, Tammy <[Tammy\\_Stidham@nps.gov](mailto:Tammy_Stidham@nps.gov)>; Tamburro, Sam <[Sam\\_Tamburro@nps.gov](mailto:Sam_Tamburro@nps.gov)>; McGilvray, Julie D <[Julie\\_McGilvray@nps.gov](mailto:Julie_McGilvray@nps.gov)>; Smith, Christine M <[Christine\\_Smith@nps.gov](mailto:Christine_Smith@nps.gov)>; Bruins, Christine A <[Christine\\_Bruins@nps.gov](mailto:Christine_Bruins@nps.gov)>

**Subject:** GWMP South Section & Mount Vernon Trail Improvement Plan Section 106 Consultation

Dear Consulting Parties,

As you are aware, the National Park Service (NPS) is developing a George Washington Memorial Parkway South Section and Mount Vernon Trail Improvements Plan to guide future actions to improve the roadway and trail while maintaining the scenic and historic character of the George Washington Memorial Parkway. In November 2022, NPS initiated the consultation process pursuant to Section 106 of the National Historic Preservation Act. Consulting parties received a description of the undertaking, a draft Area of Potential Effects (APE), and a list of historic properties within the APE.

Since initiating consultation, NPS has further defined the undertaking and assessed potential effects to cultural resources, which are discussed in an Assessment of Effects (AOE) Report. The purpose of this correspondence is to notify consulting parties that the AOE Report is complete and available to view and download [here](#). Please review the report and submit comments within 30 days of receipt of this letter.

A consulting parties meeting has been scheduled during the 30-day review period to discuss the Improvement Plan and the AOE report. You should have received an invitation to attend this virtual meeting, which will take place on Wednesday, August 9, 1:00-2:30pm. Please contact NPS if you have not received an invitation.

If you have any questions or comments regarding this project, please contact me at [gwmp\\_superintendent@nps.gov](mailto:gwmp_superintendent@nps.gov) and cc Cultural Resources Program Manager Megan Bailey ([megan\\_bailey@nps.gov](mailto:megan_bailey@nps.gov)). We appreciate your continued involvement in the GWMP South Section & Mount Vernon Trail Improvement Plan.

Sincerely,

Superintendent  
George Washington Memorial Parkway

**Schrader, Brett**

---

**From:** Joseph, Maureen <Maureen\_Joseph@nps.gov>  
**Sent:** Thursday, August 31, 2023 8:05 AM  
**To:** Bailey, Megan M; Gordier, Joel S; Theuer, Jason  
**Cc:** Schrader, Brett; Katie Hummelt  
**Subject:** Fw: [EXTERNAL] Section 106 Consultation - GWMP South Section & Mount Vernon Trail Improvement Plan

See note from Shawnee Tribe.

Maureen Joseph, ASLA (she/her)  
Resource Management Division Manager  
National Park Service - George Washington Memorial Parkway [Link](#)  
700 George Washington Memorial Parkway  
Turkey Run Park  
McLean, VA 22101

703.289.2512 (office)  
**202.734.0932 (cell)**  
[maureen\\_joseph@nps.gov](mailto:maureen_joseph@nps.gov)

I'm a *proud* graduate of the GOAL Leadership Academy. Ask me about the program!

---

**From:** Morales, Brendaliz <brendaliz\_morales@nps.gov>  
**Sent:** Thursday, August 31, 2023 7:42 AM  
**To:** Joseph, Maureen <Maureen\_Joseph@nps.gov>  
**Subject:** Fw: [EXTERNAL] Section 106 Consultation - GWMP South Section & Mount Vernon Trail Improvement Plan

Please see below.

---

**From:** Laserfiche Notification <donotreply@laserfiche.com>  
**Sent:** Wednesday, August 30, 2023 4:10 PM  
**To:** Morales, Brendaliz <brendaliz\_morales@nps.gov>  
**Subject:** [EXTERNAL] Section 106 Consultation - GWMP South Section & Mount Vernon Trail Improvement Plan

**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 GWMP South Section & Mount Vernon Trail Improvement Plan. 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](mailto: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](mailto:epaden@shawnee-tribe.com)

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Miami, OK 74354

[shawnee-tribe.com](http://shawnee-tribe.com)

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**From:** [Cuvelier, Charles J](#) on behalf of [GWMP Superintendent, NPS](#)  
**To:** [Mocko, Robert](#); [Bailey, Megan M](#); [Joseph, Maureen](#); [Schrader, Brett](#); [Katie Hummelt](#)  
**Subject:** Fw: [EXTERNAL] Assessment of Effects Report, south GWMP and trail  
**Date:** Monday, August 21, 2023 2:34:10 PM

---

Team,

Forwarding this Consulting Parties response. Please advise how you would like these handled in the future and to whom they should be sent.

Superintendent  
George Washington Memorial Parkway

---

**From:** gbooth123@aol.com <gbooth123@aol.com>  
**Sent:** Monday, August 21, 2023 2:15 PM  
**To:** GWMP Superintendent, NPS <GWMP\_Superintendent@nps.gov>  
**Subject:** [EXTERNAL] Assessment of Effects Report, south GWMP and trail

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

TO: The GW Memorial Parkway Superintendent  
FROM: Glenda Booth, President, Friends of Dyke Marsh;  
[info@fodm.org](mailto:info@fodm.org)  
SUBJ: Assessment of Effects Report George Washington Memorial Parkway South Section and the Mount Vernon Trail.  
DATE: August 21, 2023

Thank you for the opportunity to provide comments on the July 2023 Assessment of Effects Report, George Washington Memorial Parkway South Section and the Mount Vernon Trail.

We realize that this phase of the plan focuses on impacts on historic and cultural resources. We hope you have reached out to historic preservation officials in Virginia, Fairfax County, Arlington and Alexandria as well as private groups like the Mount Vernon Ladies Association, the American Horticultural Society (River Farm), Mount Vernon Regional Historical Society and the Friends of Fairfax Archaeology and Cultural Resources.

We are pleased that the parkway will not be wider than its current



footprint and urge you to maintain its historic character.

We agree with your goal to “not diminish the significance or integrity of the historic property” (page 29). We hope you will consult with FODM on your plans, especially if designs will have adverse environmental impacts.

We filed extensive comments on January 16, 2023, and direct you to those in making your final plans. Our views have not changed.

We oppose increasing impervious surfaces, harming and destroying mature native trees and native plants; staging construction in the preserve without restoring habitat; and other adverse impacts to an already fragile and diminishing wetland complex.

Our recommendations:

- (1) We recommend that you acknowledge (e.g., page 2, page 8, page 19) that the trail is used by many people to observe and study nature; conduct plant, bird and other surveys; host walks; conduct outdoor programs; conduct academic research and other non-recreational purposes. Those uses should be given equal weight in your plans. In describing trail users on page 19, these uses are ignored or omitted.

To base widening the trail on recommendations by American Association of State Highway and Transportation Officials (AASHTO) appears to focus solely on transportation, not the multi-, non-transportation uses we describe above, which are equally and perhaps more important in light of the rarity of the wetlands in the NPS system and challenges in Dyke Marsh, including the decline in biodiversity, native plants, birds, insects and other natural resource degradation.

Naturalists, students, academics, historians and others use the trail, especially bridge 23, for their studies and surveys. It is a prime area for viewing marsh habitat, tidal activity and wildlife.

- (2) We question the need to widen the multi-use trail to 10 feet from the current 8 to 9 feet south of Alexandria (page 27) and continue

to request a bicycling safety study as we previously recommended. We assume that “safety improvements,” one of the bases of this plan, are supported by documented unsafe conditions. We again ask that you analyze and make publicly available the current state of safe use of the trail by all users, especially bicyclists.

More impervious surface (which your plan acknowledges) can harm and kill trees and other vegetation, introduce more disturbances and invasive plants, increase stormwater runoff, increase human-wildlife conflict, wildlife deaths and further degrade Dyke Marsh.

(3) As expressed on pages 7 and 16, NPS plans to rehabilitate the bridge over Hunting Creek. We believe NPS should consider designs that allow for marsh migration landward, in light of the rising river levels.

(4) We would appreciate more detail on the page 15 statement that NPS will "conduct tree pruning and clear vegetation" at places along the trail. At a minimum, NPS should conduct a thorough tree survey as mentioned on page 27, document what trees are present and avoid further harm to trees and prepare a biological inventory of plants and animals present. The plan should include planting more trees, beyond those impacted by these plans. The parkway is losing many valuable trees. Dyke Marsh alone is losing over 1,000 pumpkin ash trees.

(5) The changes to the Belle Haven marina road appear largely to address crosswalks and the left turn from the parkway into the driveway (pages 9-10). Improving crosswalks and turns off the parkway could make Dyke Marsh visitors' access more accessible and safer.

(6) On page 15, NPS plans to build a new "comfort station" at Gravelly Point and make amenity improvements along the trail (benches, drinking water, racks for bikes). We continue to urge upgrading the restrooms at Belle Haven Park and make them available in all seasons.

(7) We urge that any drainage and stormwater management changes

(pages 28-29) not send more polluted stormwater into Dyke Marsh or the Potomac River. We urge NPS to retain more stormwater onsite and to convince Fairfax County and other jurisdictions to implement measures that retain more stormwater onsite, to prevent it from flowing into the marsh and river. NPS should mitigate any adverse impacts of expanding impervious surfaces.

Since the trail is located in a wetland and floodplain at many points, ponding (page 29) and flooding are inevitable. NPS and trail users should live with it.

August 30, 2023

From: CAPT Joan E. Darrah, USN (RET)  
New Alexandria Citizens Association (NACA), President  
To: GWMP\_Superintendent@nps.gov  
Copy To: MVCCA Transportation Committee  
Supervisor Dan Storck

SUBJ: George Washington Memorial Parkway (GWMP) South Section and Mount Vernon Trail Improvement Plan – Assessment of Effects – July 2023

I fully understand that the main purpose of the July 2023 *GWMP South Section and Mount Vernon Trail Improvement Plan - Assessment of Effects* was to comply with Section 106 of the National Historic Preservation Act of 1966 which ensures that federal agencies take preservation values into consideration when they propose a project that may affect historic properties.

What I don't understand is why this document contained significant new safety proposals that have not been presented to the general public. Many of these changes will clearly improve safety, such as, dedicated bus pull off areas, crosswalks with pedestrian median refuge areas and rapid flashing beacons, and speed limit feedback signage.

However, there is one proposal of great concern included in the report. That is the implementation of a road diet which is outlined on Page 8 that states that based on US Department of Transportation Volpe Center assessment, "*the NPS proposes to implement a road diet...between Mount Vernon Estate and Belle View Boulevard in the southbound direction, and between Mount Vernon Estate and Tulane Drive in the northbound direction.*" This proposal means that southbound through traffic on the parkway would go to one lane (road diet) at Belle View Blvd. The likely result is that when cars heading south on the parkway are passing Belle Haven Rd, they will be speeding to get in front of slow cars prior to merging into one lane at Belle View Blvd. Northbound parkway traffic, according to the above statement, goes back to two lanes at Tulane. This likely means that cars traveling northbound passing Belle View Blvd and Belle Haven Rd will be accelerating to higher speeds after spending many miles in single lane traffic.

The New Alexandria community and others have been working diligently with NPS and Rep Beyer's office to improve safety at the Belle Haven and Belle View intersections. These proposed recommendations are contrary to what we have been discussing and will make both of these intersections more dangerous.

Of note, I am encouraged, by Appendix B Figure 14 which seems to contradict the words on page 8 and shows a single lane of northbound through traffic and a dedicated merge lane for traffic coming from Belle Haven Rd and heading north on the parkway. This configuration is exactly what we have been working towards with NPS. Unfortunately, figure 12 does not show a

single lane of northbound through traffic and a dedicated merge lane for traffic coming from Belle View Blvd and heading north on the parkway.

The citizens of New Alexandria are not knowledgeable about the preservation and protection of historic properties. However, we are able to state emphatically that the Belle Haven intersection is extremely dangerous. The changes that we have been working on with Rep Beyer's office and the National Park Service, i.e., a single lane of northbound through traffic and a dedicated merge lane for cars coming from Belle Haven Rd and heading north on the Parkway, need to be implemented.

We hope that NPS will provide our communities with an opportunity to fully discuss the proposed changes for the Belle Haven and Belle View intersections before any changes are implemented.

Thank you for your consideration.

CAPT Joan E. Darrah, USN (RET)  
New Alexandria Citizens Association (NACA), President



# COMMONWEALTH of VIRGINIA

## Department of Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan  
Director  
Tel: (804) 482-6446  
Fax: (804) 367-2391  
[www.dhr.virginia.gov](http://www.dhr.virginia.gov)

September 1, 2023

Charles Cuvelier, Superintendent  
National Park Service - George Washington Memorial Parkway  
700 George Washington Memorial Parkway  
Turkey Run Park  
McLean, VA 22101

RE: George Washington Memorial Parkway South Section and Mount Vernon Trail Improvement Plan  
City of Alexandria, Arlington and Fairfax Counties, Virginia  
DHR File No. 2022-5184

Dear Superintendent Cuvelier:

The Virginia Department of Historic Resources (DHR) has received the *Assessment of Effects* (AoE) for the project referenced above. This project entails addressing deferred maintenance needs and improving safety along the southern portion of the George Washington Memorial Parkway (GW Parkway) and the entirety of the Mount Vernon Trail (MVT). The project will address maintenance and safety needs on the south section of the GW Parkway—between the City of Alexandria and Mount Vernon in Virginia—and the majority of the MVT, extending from Theodore Roosevelt Island and the intersection with the Custis Trail in Arlington, Virginia, to Mount Vernon (the portion of the MVT and GW Parkway under the jurisdiction of the City of Alexandria would not be part of this undertaking). The project would develop context sensitive solutions that improve these resources while maintaining the GW Parkway's scenic and historic character. Safety enhancements may include potential geometric changes to both the road and trail, such as trail and trail bridge widening; trail intersection treatments; permanent implementation of a road diet on the GW Parkway; and the installation of signals, crosswalks, and other roadway intersection treatments.

According to the AoE, two archaeological sites (44FX0618 and 44FX2551) that are considered potentially eligible for listing in the National Register of Historic Places (NRHP) are located within the project's area of potential effects (APE) along the GW Parkway. Twelve (12) additional unevaluated sites are located within or adjacent to the APE, and there are approximately 9.5 miles of MVT or GW Parkway South Section that have the potential for the presence of archeological resources. In its AoE, the National Park Service (NPS) determined that due to the potential for adverse effects to archeological resources that are eligible, or that may be eligible for listing in the NRHP, the NPS finds the proposed action to have a potential adverse effect to historic properties. DHR concurs with this determination.

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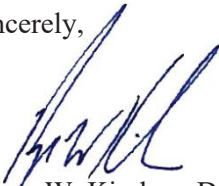
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Regarding architectural resources and cultural landscapes, the NPS has made a preliminary determination of no adverse effect; however, because the project is in a conceptual phase of design, the NPS has indicated that the full extent of effects is not currently known. To resolve potential adverse effects associated with the project and to ensure currently unidentified adverse effects do not occur as designs are developed in accordance with the Secretary's *Standards*, the NPS intends to pursue the negotiation and execution of an agreement document in accordance with 36 CFR 800.6(c). An agreement document drafted in accordance with 36 CFR 800.6(c) would be a memorandum of agreement; however, due to the size and scope of this project, coupled with the fact that the full extent of adverse effects is currently unidentified, DHR recommends executing a Programmatic Agreement pursuant to 36 CFR 800.6(a)(1)(i)(C) and 36 CFR 800.14(b)(1)(ii).

If you have any questions regarding these questions and comments, please contact Jonathan Connolly at 804-482-8089 or via email, [jonathan.connolly@dhr.virginia.gov](mailto:jonathan.connolly@dhr.virginia.gov). Please reference DHR's project number (2022-5184) in your response.

Sincerely,



Roger W. Kirchen, Director  
Review and Compliance Division

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## **Dan Storck**

*Mount Vernon District Supervisor  
Fairfax County Board of Supervisors  
2511 Parkers Lane  
Mount Vernon, VA 22306*



*Telephone: (703) 780-7518    E-mail: [mtvernon@fairfaxcounty.gov](mailto:mtvernon@fairfaxcounty.gov)*

---

### **George Washington Memorial Parkway South Section and Mount Vernon (MV) Trail Improvements Plan Assessment of Effects Public Comments**

September 1, 2023

I am writing to convey my comments on the Assessment of Effect for the George Washington Memorial Parkway South Section and Mount Vernon (MV) Trail Improvements Plan. This proposed Improvement Plan presents us with a rare opportunity to further integrate our community with the valuable historical and cultural resources in the Park while giving residents further opportunities to enjoy the natural beauty in which those resources rest.

While I cannot comment on every item at this time, based upon my understanding of the Park and how its historical legacy fits into and compliments our community, I would like to draw attention to a few key proposals:

#### **Mount Vernon Trail Enhancements**

As you know, The Mount Vernon Trail is one of the most heavily used multi-use trails in the country, and is the backbone of our cycling and pedestrian network in the Mount Vernon District. However, due to its heavy use and often narrow dimensions, the traffic mix can become concerning for slower moving pedestrians, and simultaneously frustrating for quicker moving cyclists. For this reason, I strongly support the proposed widening of the Mount Vernon Trail. A wider trail not only accommodates the growing number of users, but also aligns the principles of safety and inclusivity by allowing and encouraging a more diverse range of users. This enhancement will undoubtedly contribute to a more comfortable and enjoyable experience for pedestrians, cyclists, and wheelchair users while ensuring that the trail can adequately connect an ever-diverse community to our historical resources, such as the Mount Vernon Estate.

#### **Safer Community Crossing of the George Washington Memorial Parkway**

Many neighborhoods adjacent to the GW Parkway currently face a challenge of separation due to the road's presence and its fast-moving traffic. This creates a physical barrier which in turn limits neighborhood and community access to the recreational and historical resources of the Park. The proposed crosswalks, designed to provide safe and accessible points of connection, offer a tangible solution to this challenge. Residents will be able to access the trail and the Park with less concerns about vehicular traffic, resulting in a safer and more pleasant experience. I also support the proposed study and future implementation of RRFBs at select and high demand pedestrian locations where traffic speed and lane dimensions would support such additions.

#### **George Washington Memorial Parkway Road Upgrades**

Anyone who drives regularly on the Parkway as I do is well aware of the number of potholes and poor condition of the roadway. The current condition of these slabs, dating back to the 1980s, is extremely poor, and not befitting of the scenic or historical character and significance of the GW Parkway. The cracks, uneven surfaces, and general wear and tear compromise the integrity of the road, contributing to accidents while reducing overall safety. I strongly support the replacement and upgrading of these concrete slabs to bring them up to standards suitable for a scenic Park.

While it is too early to comment on specific roadway *design* modifications, I can comment that any well considered roadway enhancement would focus on improving safety for people both

outside and inside their vehicle, while contributing to connecting communities to the Mount Vernon Trail and the Park's existing historical assets.

### **Stormwater upgrades**

As we all know, flooding and stormwater management is a serious issue for this portion of the Mount Vernon District and Fairfax County. I strongly support NPS's proposed upgrades to drainage and stormwater infrastructure to address water quantity management and water quality treatment issues as outlined in the proposed Improvements Plan. While we work to tackle climate change on all fronts, we must also recognize that adapting our existing infrastructure to better handle increasingly inclement weather is critical to the protection of our historical and cultural heritage.

### **Maintenance**

Lastly, we must keep in mind that as important as adding new facilities, is the maintenance of our existing ones. We rightly hold public comment to consider the historical and cultural impacts of proposed new facilities within the Park. However, we do not hold public comment on how the lack of maintenance of existing facilities can undermine the historical character of the Park or its assets. Therefore, it is critical that when considering any of the proposed items for construction, NPS ensure that adequate maintenance funds exist or can be reasonably made to exist for the maintenance of any new facilities after they are constructed.

Thank you for this opportunity of public comment. As with any multi-scope project, each of the various components and proposals have their own respective merits and potential drawbacks. As we proceed, I am eager to engage with community members to hear their insights, concerns, and hopes for these improvements. It is only through this collective effort that we can arrive at a solution that benefits us all. I eagerly await both the results of this comment period, as well as future comment periods to come.

Respectfully yours in public service,

A handwritten signature in black ink, appearing to read "Dan Storck", written in a cursive style.

Dan Storck

Mount Vernon District Supervisor

**From:** [Lewis, Andrew \(OP\)](#)  
**To:** [Bailey, Megan M](#); [julie.langan@dhr.virginia.gov](mailto:julie.langan@dhr.virginia.gov); [roger.kirchen@dhr.virginia.gov](mailto:roger.kirchen@dhr.virginia.gov); [Connolly, Jonathan \(DHR\)](#); [Troccoli, Ruth \(OP\)](#); [diane.sullivan@ncpc.gov](mailto:diane.sullivan@ncpc.gov); [matthew.flis@ncpc.gov](mailto:matthew.flis@ncpc.gov); [stephen.brich@vdot.virginia.gov](mailto:stephen.brich@vdot.virginia.gov)  
**Cc:** [Joseph, Maureen](#); [Theuer, Jason](#); [Katie Hummelt](#); [Schrader, Brett](#); [GWMP Superintendent, NPS](#); [Gorder, Joel S](#)  
**Subject:** RE: Draft Programmatic Agreement - GWMP South Section and Mount Vernon Trail Improvements Plan  
**Date:** Monday, September 18, 2023 9:59:25 AM  
**Attachments:** [image001.png](#)

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Hello Megan:

We appreciate being provided a copy of the draft Programmatic Agreement (PA) for the above-referenced undertaking but, as noted in the comments provided on August 9, 2023, the DC SHPO does not need to participate in or be a signatory to the PA for purposes of the historic built environment since we have determined that the undertaking will have “no adverse effect” on historic built environment resources in the District of Columbia conditioned upon a review of project plans as they become available.

Please note that we will not need to review large volumes of highly technical drawings. The information we will need to review is limited to that which will provide general information concerning where the trail will be widened and by how much; where roadway alterations will be made and in what manner; how alterations to the Arlington Memorial Bridge and any other historically significant structures such as culverts, bridges and the like will be carried out and/or avoided.

Based upon conversations with our City Archaeologist, Ruth Troccoli (who is copied on this email), it is my understanding that a review of future project plans is also likely to suffice for our review of archaeological resources but I will defer to her regarding our need to participate/sign the PA for archaeological purposes.

Best regards,



C. Andrew Lewis, Senior Historic Preservation Specialist  
DC State Historic Preservation Office, DC Office of Planning  
1100 4<sup>th</sup> Street, SW, Suite E650, Washington, DC 20024  
202-442-8841  
[andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov)  
<http://planning.dc.gov/historicpreservation>

---

**From:** Bailey, Megan M <megan\_bailey@nps.gov>  
**Sent:** Wednesday, September 6, 2023 5:07 PM  
**To:** [julie.langan@dhr.virginia.gov](mailto:julie.langan@dhr.virginia.gov); [roger.kirchen@dhr.virginia.gov](mailto:roger.kirchen@dhr.virginia.gov); [Connolly, Jonathan \(DHR\)](#) <[jonathan.connolly@dhr.virginia.gov](mailto:jonathan.connolly@dhr.virginia.gov)>; [Maloney, David \(OP\)](#) <[david.maloney@dc.gov](mailto:david.maloney@dc.gov)>; [Lewis, Andrew \(OP\)](#) <[andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov)>; [Troccoli, Ruth \(OP\)](#) <[Ruth.Troccoli@dc.gov](mailto:Ruth.Troccoli@dc.gov)>; [diane.sullivan@ncpc.gov](mailto:diane.sullivan@ncpc.gov); [matthew.flis@ncpc.gov](mailto:matthew.flis@ncpc.gov); [tluebke@cfa.gov](mailto:tluebke@cfa.gov); [stephen.brich@vdot.virginia.gov](mailto:stephen.brich@vdot.virginia.gov); [Kershbaum, Sharon \(DDOT\)](#) <[sharon.kershbaum@dc.gov](mailto:sharon.kershbaum@dc.gov)>; [DOTInfo@fairfaxcounty.gov](mailto:DOTInfo@fairfaxcounty.gov); [parkmail@fairfaxcounty.gov](mailto:parkmail@fairfaxcounty.gov); [karl.moritz@alexandriava.gov](mailto:karl.moritz@alexandriava.gov); [yon.lambert@alexandriava.gov](mailto:yon.lambert@alexandriava.gov); [des@arlingtonva.us](mailto:des@arlingtonva.us); [dpr@arlingtonva.us](mailto:dpr@arlingtonva.us); [mt.vernondistrictbos@fairfaxcounty.gov](mailto:mt.vernondistrictbos@fairfaxcounty.gov); [boardsecretary@mountvernon.org](mailto:boardsecretary@mountvernon.org); [info@fodm.org](mailto:info@fodm.org);

mtvernontrail@gmail.com; vira.sisolak01@gmail.com; Dressel, Denice <denice.dressel@fairfaxcounty.gov>; co.chair1@mvcca.org; Simon, Noah <Noah.Simon@mail.house.gov>; Robert Gray <robert.gray@pamunkey.org>; Pamunkey Tribe <pamunkeytribe@pamunkey.org>; wfrankadams@verizon.net; info@umitribe.org; Upper Mattaponi <admin@umitribe.org>; chiefannerich@aol.com; Chief@Nansemond.gov; ellen@culturalheritagepartners.com; rappahannocktrib@aol.com; chiefstephenadkins@gmail.com; stephenradkins@aol.com; Dana Adkins <dana.adkins@chickahominytribe.org>; Jerry Stewart <wasandson@cox.net>; Bill Harris <bill.harris@catawbaindian.net>; wenonah.haire@catawba.com; klucas <klucas@delawarenation-nsn.gov>; ddotson <ddotson@delawarenation-nsn.gov>; 106NAGPRA@astribe.com; jjohnson@astribe.com

**Cc:** Joseph, Maureen <Maureen\_Joseph@nps.gov>; Theuer, Jason <Jason\_Theuer@nps.gov>; Katie Hummelt <khummelt@bbbarch.com>; Schrader, Brett <brett.schrader@stantec.com>; GWMP Superintendent, NPS <GWMP\_Superintendent@nps.gov>; Gorder, Joel S <Joel\_Gorder@nps.gov>

**Subject:** Draft Programmatic Agreement - GWMP South Section and Mount Vernon Trail Improvements Plan

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Dear Consulting Parties,

Attached for your review is a draft of the Programmatic Agreement (PA) for the George Washington Memorial Parkway South Section and Mount Vernon Trail Improvements Plan. This draft PA text will also be included in the Environmental Assessment (EA), which will be released at the end of September. We are sending the draft PA text in advance of the EA to provide all consulting parties with the opportunity to review and comment within a 30-day review period, in adherence with Section 106 regulations (36 CFR Part 800.3). NPS will consider all comments received on the draft PA as it works to finalize the document with the signatories. Please provide your comments on the draft PA by **Friday, October 6, 2023** to Megan Bailey ([megan\\_bailey@nps.gov](mailto:megan_bailey@nps.gov)).

Per 36 CFR § 800.6(c)(1), PA *signatories* include the federal agency and the State Historic Preservation Officer(s) or Tribal Historic Preservation Officer(s). The Advisory Council on Historic Preservation (ACHP) may also be a signatory as may invited signatories, typically other agencies or entities with Section 106 responsibilities or other responsibilities assigned to them under the PA. Currently, the signatories for this PA are the National Park Service, the National Capital Planning Commission, the District of Columbia State Historic Preservation Officer, and the Virginia Department of Historic Resources State Historic Preservation Officer. Signatories have the authority to execute, amend, or terminate the PA. Once all signatories have signed the PA, it is executed and goes into effect.

Per 36 CFR § 800.6(c)(3), consulting parties are invited to sign the PA as *concurring parties*. A

concurring party is a consulting party invited to concur in the agreement document but who does not have the authority to amend or terminate the agreement. A concurring party signature is not required to execute the agreement. Thus, a concurring signature is essentially an endorsement of the agreement, and the refusal to sign by any party asked to concur in the agreement does not prevent the agreement from being executed. If your party is interested in being a concurring party please contact Megan Bailey ([megan\\_bailey@nps.gov](mailto:megan_bailey@nps.gov)).

We sincerely appreciate your participation in the Section 106 process and look forward to receiving your comments.

Best,  
Megan Bailey

--

Megan Bailey, PhD  
Cultural Resources Program Manager  
George Washington Memorial Parkway  
700 George Washington Memorial Parkway  
Turkey Run Park  
McLean, VA 22101  
703.289.2509 (office)  
202.438.6641 (cell)  
[megan\\_bailey@nps.gov](mailto:megan_bailey@nps.gov)

PROGRAMMATIC AGREEMENT  
GEORGE WASHINGTON MEMORIAL PARKWAY SOUTH SECTION AND  
MOUNT VERNON TRAIL IMPROVEMENTS PLAN

**APPENDIX B – LIST OF CONSULTING PARTIES**

Virginia Department of Historic Resources	Arlington County Department of Environmental Services
DC Historic Preservation Office	Arlington County Parks and Recreation
National Capital Planning Commission	Office of Dan Storck, Mount Vernon Supervisor (Fairfax County)
Commission of Fine Arts	George Washington's Mount Vernon Ladies Association
Virginia Department of Transportation	Friends of Dyke Marsh
DC Department of Transportation	Friends of the Mount Vernon Trail
Fairfax County Department of Transportation	Fairfax County Heritage Resources
Fairfax County Park Authority	Wellington Civic Association / MVCCA
City of Alexandria Department of Planning and Zoning	Congressman Don Beyer
City of Alexandria Transportation and Environmental Services	American Horticultural Society
New Alexandria Citizens Association	Capitol Hill Village

PROGRAMMATIC AGREEMENT  
GEORGE WASHINGTON MEMORIAL PARKWAY SOUTH SECTION AND  
MOUNT VERNON TRAIL IMPROVEMENTS PLAN

**APPENDIX C – ASSESSMENT OF EFFECTS REPORT, INCLUDING APE GRAPHICS**

[Please see website:

<https://parkplanning.nps.gov/document.cfm?parkID=186&projectID=112569&documentID=130730>]



## **ATTACHMENT E: AGENCY CONSULTATION CORRESPONDENCE**



## United States Department of the Interior

George Washington Memorial Parkway  
NATIONAL PARK SERVICE  
700 George Washington Memorial Parkway  
McLean, VA 22101

August 22, 2023

### US Fish and Wildlife Service

Virginia Ecological Services Field Office  
6669 Short Lane  
Gloucester, VA 23061-4410  
[virginiafieldoffice@fws.gov](mailto:virginiafieldoffice@fws.gov)

Chesapeake Bay Ecological Field Office  
177 Admiral Cochrane Drive  
Annapolis, MD 21401-7307  
[cbfoprojectreview@fws.gov](mailto:cbfoprojectreview@fws.gov)

**Re:** Project Code: 2023-0090585  
Informal Section 7 Consultation for the Northern Long-Eared Bat (*Myotis septentrionalis*)  
George Washington Memorial Parkway South Section and Mount Vernon Trail Improvement Plan, Washington, DC, and Virginia

To whom it may concern –

The National Park Service (NPS) is developing a George Washington Memorial Parkway (the Parkway, park) South Section and Mount Vernon (MV) Trail Improvements Plan (Plan) to guide future actions that, when implemented, will improve the roadway and trail while maintaining the scenic and historic character of the Parkway. The figures attached to this letter present the general limits of the proposed improvements that include areas of the Parkway in Virginia, and portions of the MV Trail in Virginia and Washington, DC.

The Parkway has initiated informal Section 7 consultation in accordance with the Endangered Species Act (ESA) of 1973, as amended in 1982, for the federally endangered northern long-eared bat (*Myotis septentrionalis*, NLEB). The Parkway is also considering project impacts to the proposed endangered tricolored bat (*Perimyotis subflavus*) because it will be listed before Plan implementation is complete. The Parkway will reinitiate consultation after listing.

The NLEB are found throughout the Parkway in forest and other park areas in the vicinity of the project location (identified in Information for Planning and Consultation (IPaC) system as the “project action area”). A preliminary limit of disturbance for Plan implementation was used to generate the official species list in the IPaC system. To date, the US Fish and Wildlife Service (USFWS) has not designated critical habitat for these species in the Parkway.

We have made the determination that the proposed activity *may affect, but is not likely to adversely affect*, species listed as endangered under the ESA of 1973, as amended 1982. Our supporting analysis is provided below.

### PROJECT DESCRIPTION AND ACTION AREA

The proposed Plan implementation would rehabilitate and make safety improvements to the South Section of the GW Parkway from the Hunting Creek Bridge just south of the City of Alexandria, Virginia, to Mount Vernon Estate in Fairfax County, Virginia (see attached figures). The GW Parkway South Section is approximately 8.5 miles and is one of the most heavily used roadways in the NPS. This Plan involves comprehensive rehabilitation to restore the historic 1932 roadway

and drainage system for the first time, including complete replacement of the deteriorated road surface (concrete slabs), repairs or replacement of drainage structures, and rehabilitation of four bridges. In addition, the Plan includes implementation of a permanent road diet, accessible bicycle/pedestrian crosswalks, and other roadway and intersection improvements. A road diet is a roadway modification that can reduce speeds without changing the number of vehicles on the roadway, making it a safety improvement that is sensitive to the historic character of the GW Parkway.

The Plan also includes rehabilitation and safety improvements to the MV Trail across all NPS administered sections from Mount Vernon Estate in Fairfax County, Virginia, through Columbia Island, Washington DC, to the Theodore Roosevelt Island Parking Lot in Arlington County (see attached figures). The MV Trail is one of the most heavily used multi-use trails in the country. It is a very popular recreation resource and critical regional transportation link that hosts over one million pedestrians and bicyclists annually. The Plan involves rehabilitation of the trail; geometric changes, such as trail widening and minor realignments; trail bridge replacement or rehabilitation; trail intersection treatments; drainage improvements; vegetation management; and other trail amenities to improve safety and the visitor experience, and to extend the service life of the trail and minimize future maintenance requirements.

## **LISTED SPECIES IN THE PROJECT ACTION AREA**

The NPS obtained an official species list from the IPaC system on 7 June 2023. According to IPaC, the federally listed endangered NLEB and proposed endangered tricolored bat are potentially in the project action area. The list also identified a candidate insect species, the monarch butterfly (*Danaus plexippus*), as potentially within the project action area.

We are using the Interim Guidelines and Range-wide Determination Key to consider impacts to the NLEB. The conservation measures proposed for the NLEB are anticipated to also protect the tricolored bat. However, the Parkway will reinitiate consultation after the tricolored bat listing is effective.

### **Endangered Northern Long-Eared Bat**

NLEBs are nocturnal foragers and catch insects in flight or glean them from surfaces in conjunction with passive acoustic cues (IPaC definitions). The Parkway's forests contain potential roosts – live trees and / or snags  $\geq 3$  inches diameter at breast height (dbh) that have exfoliating bark, cracks, crevices, and / or cavities. Researchers have determined that NLEB is primarily an interior forest species (Lausen 2009). It roosts and forages within the forest understory during the summer season (USFWS 2015). Surveys from 2016 to 2018 for NLEB indicated that the species is found in the Parkway (Deeley et al. 2021). Further bat surveys are planned for 2025-2027 (D. Pavak personal communication 2023).

The South Parkway lies completely within the Coastal Plain of Virginia. We know that NLEB use the park throughout the active period from 1 April through 14 November for the Piedmont and year-round for the Coastal Plain. The maternity season is from 15 May to 31 July in the Piedmont and from 15 April to 31 July for the Coastal Plain in Virginia. There are no known hibernacula in the park.

### **Anticipated Threats and Stressors to NLEB – Existing Environmental Baseline**

The Parkway entered project data into the IPaC system's NLEB determination key on 7 June 2023, a requirement given that (1) USFWS identified the species as present in the project action area, and (2) surveys have determined the presence of northern long-eared bat.

In answering the key's questions, NPS considered all effects of the proposed project in the project action area. This included all consequences to listed species (there is no critical habitat) that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. As defined by the Code of Federal Regulations, Title 50, Chapter IV, Subchapter A, Part 402, Subpart A, § 402.17, a consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur.

Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. As documented in the resulting Consistency Letter, issued on 28 June 2023 by the USFWS, the

determination of *May Affect* for the northern long-eared bat was reached. Therefore, consultation is required pursuant to Section 7(a)(2) of the ESA of 1973 (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

## DEVELOPMENT OF CONSERVATION MEASURES TO PROTECT THE NLEB

The Parkway has developed conservation measures for this project that correspond to concerns identified in the determination key primarily through observing all time-of-year restrictions on tree removals. The NPS would implement the following conservation measures:

- The NPS would implement a time of year restriction on the removal of trees 3-inches dbh and greater, as well as repairs to bridges suitable for roosting, from **1 April to 14 November**.
- The NPS intends to minimize removal of trees to the extent possible. Opportunities to avoid and minimize tree removal would be evaluated as part of the detailed design process.
- The NPS would conduct summer surveys using protocols detailed in the USFWS's Range-Wide Indiana Bat and Northern Long-Eared Bat Survey Guidelines (March 2023).
- The NPS will check species status every 90 days in IPaC and will reinitiate consultation as needed to determine what conservation measures should be implemented to minimize potential effects.

In addition, the NPS is providing funding for Dr. Ford, Unit Leader, US Geological Survey (USGS) Cooperative Ecosystems Studies Unit, Virginia Polytechnic Institute and State University to survey all National Capital Region parks for bats, including the Parkway, from 2025 through 2027. As part of these planned studies, the researchers will:

1. Operate acoustics to fully characterize bat (all species) seasonal ecology, and begin to provide park-level, long-term trends in relative abundance, changes in community composition, and habitat associations;
2. Conduct targeted mist-net survey effort to capture and radio-tag NLEB to document day-roost type, forest stand composition and characteristics;
3. Collect tissue for genetic and stable-isotope to refine population structure assessments and connectedness to the presumed mid-Atlantic coastal population; and
4. Continue to incorporate the Parkway data points in USFWS and USGS Survey ESA monitoring protocol development and recommendations and North American Bat Monitoring (NABat) Program monitoring.

These proposed studies will help better understand the phenology of NLEB and other bat species present in the park, not just in relation to the impacts from this project, but from other natural and anthropogenic events as well. Acoustic devices provide park-specific habitat use association data. Also, mist-net capture and radio-tracking sessions in early to mid-spring arrival, mid-May through 31 July maternity season, and fall migration will provide high resolution day-roost data and insights on movement/migration patterns. In addition, tissue collection for genetics and stable-isotope analysis will provide a better understanding of the landscape role of the park to mid-Atlantic NLEB populations.

## EFFECTS DETERMINATION

The determination key for the NLEB resulted in a *May Affect* determination likely due to the projects proximity to known occurrences. Implementation of this proposed project would involve both negative and positive impacts to roosting and foraging forested habitat for NLEB. The impacts could cause short-term reductions in habitat quality, result in behavior changes, and possible harm to NLEB.

By implementing and completing the longer-term, in-depth research in 2025-2027, the NPS will better understand the potential threats and stressors to NLEB created by the proposed project. This will help develop future conservation measures to address, reduce, and / or remove these potential threats and stressors and to other potential projects and activities within this and nearby areas of the park.

The conservation measures will reduce impacts from this project to an insignificant or discountable level, resulting in a *May Affect, but Not Likely to Adversely Affect* determination.

## Cumulative Effects

There are no state or private actions occurring or planned for the action area.

## CONCLUSIONS

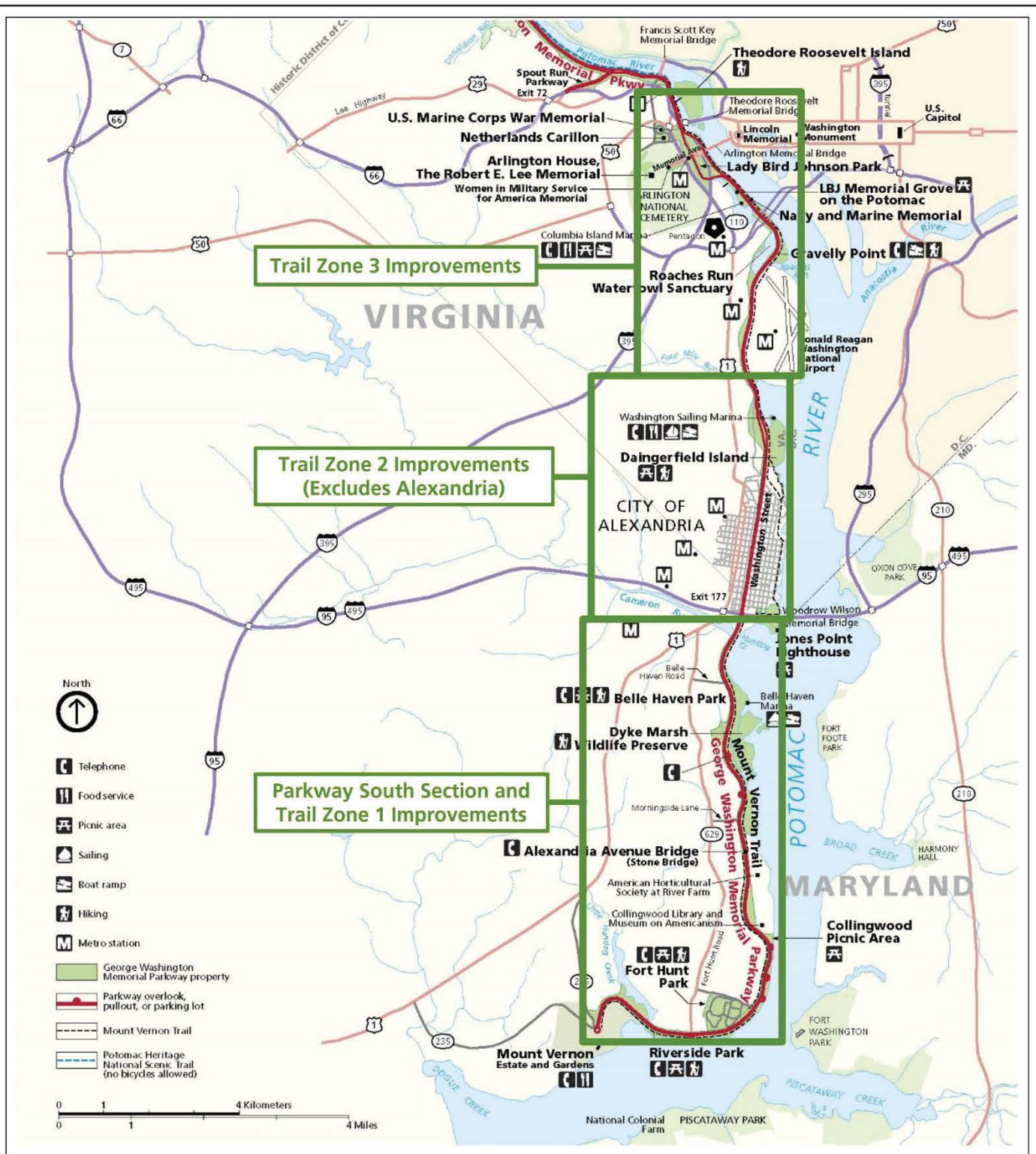
Based on the impact analysis and implementing the proposed conservation measures, including tree removal time-of year-restrictions, to minimize impacts, and monitoring and science studies, the NPS has determined that the proposed action *may affect, but is not likely to adversely affect*, the NLEB. We certify that we have used the best data available to complete this analysis. We request your concurrence with this determination.

We look forward to your concurrence with this determination, or any comments or questions you have regarding the project. Please send any correspondence to [GWMP\\_Superintendent@nps.gov](mailto:GWMP_Superintendent@nps.gov).

Sincerely,

Charles Cuvelier  
Superintendent



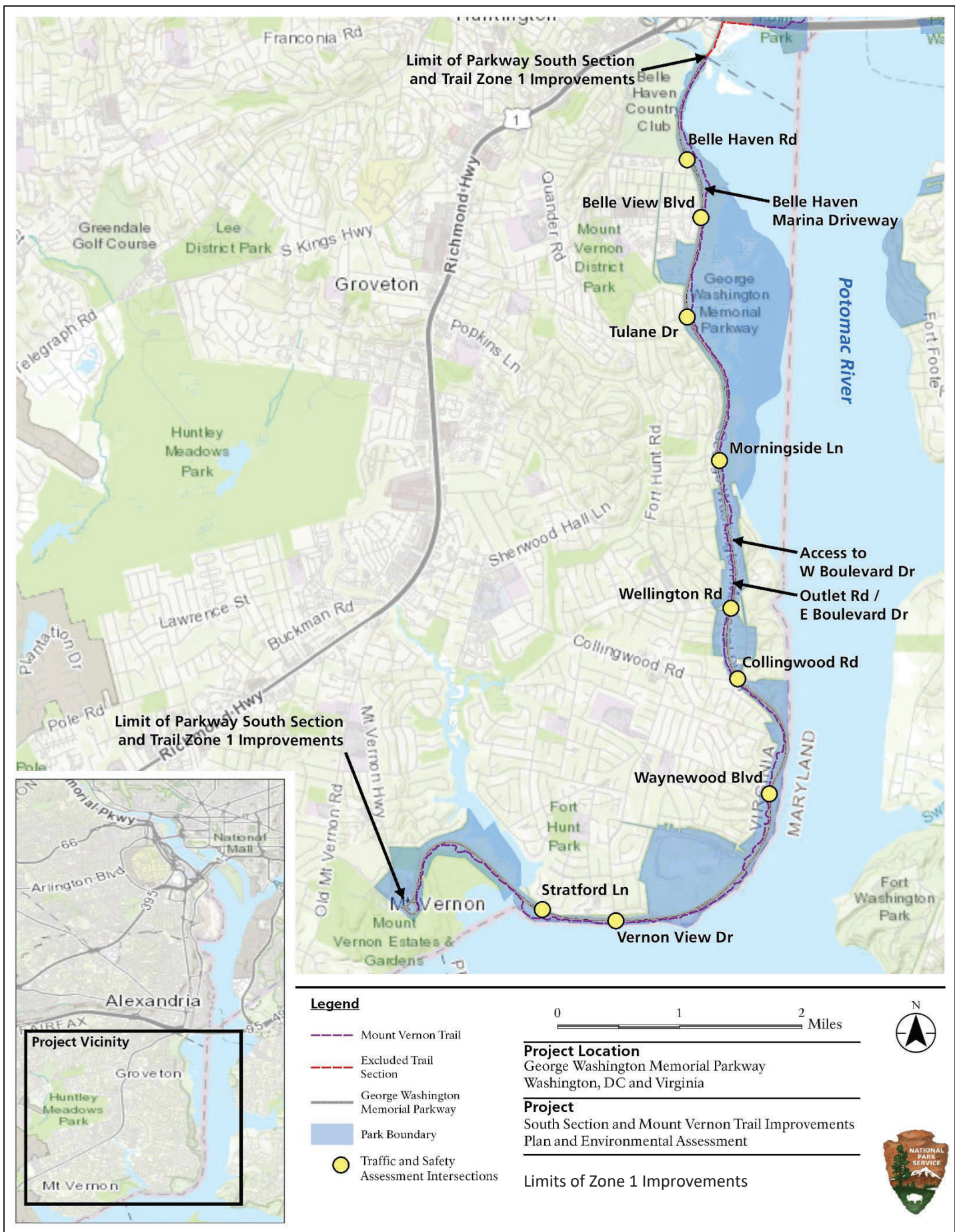


# **GEORGE WASHINGTON MEMORIAL PARKWAY SOUTH SECTION AND MOUNT VERNON TRAIL IMPROVEMENT PLAN / ENVIRONMENTAL ASSESSMENT**

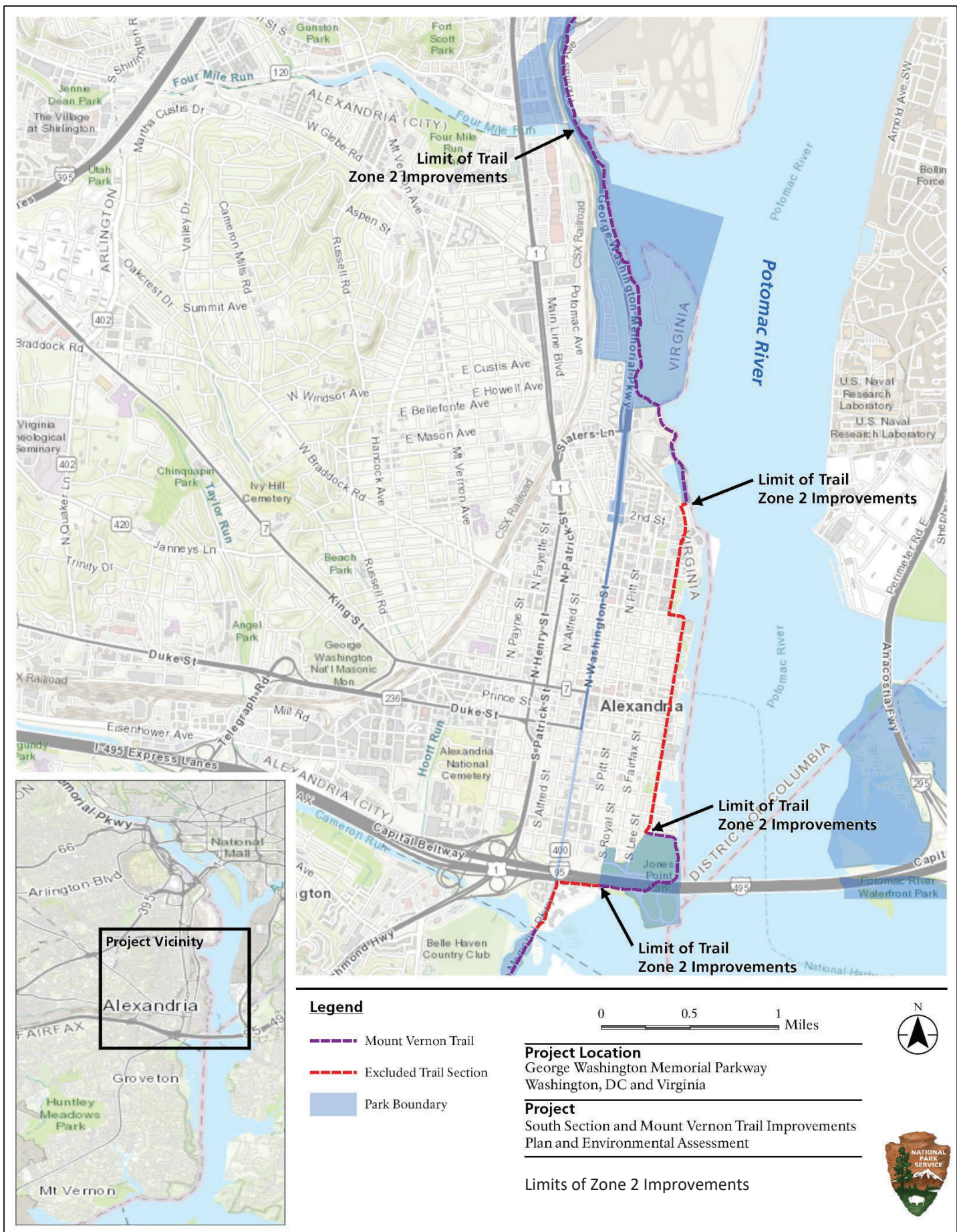


## **PROJECT LOCATION MAP**

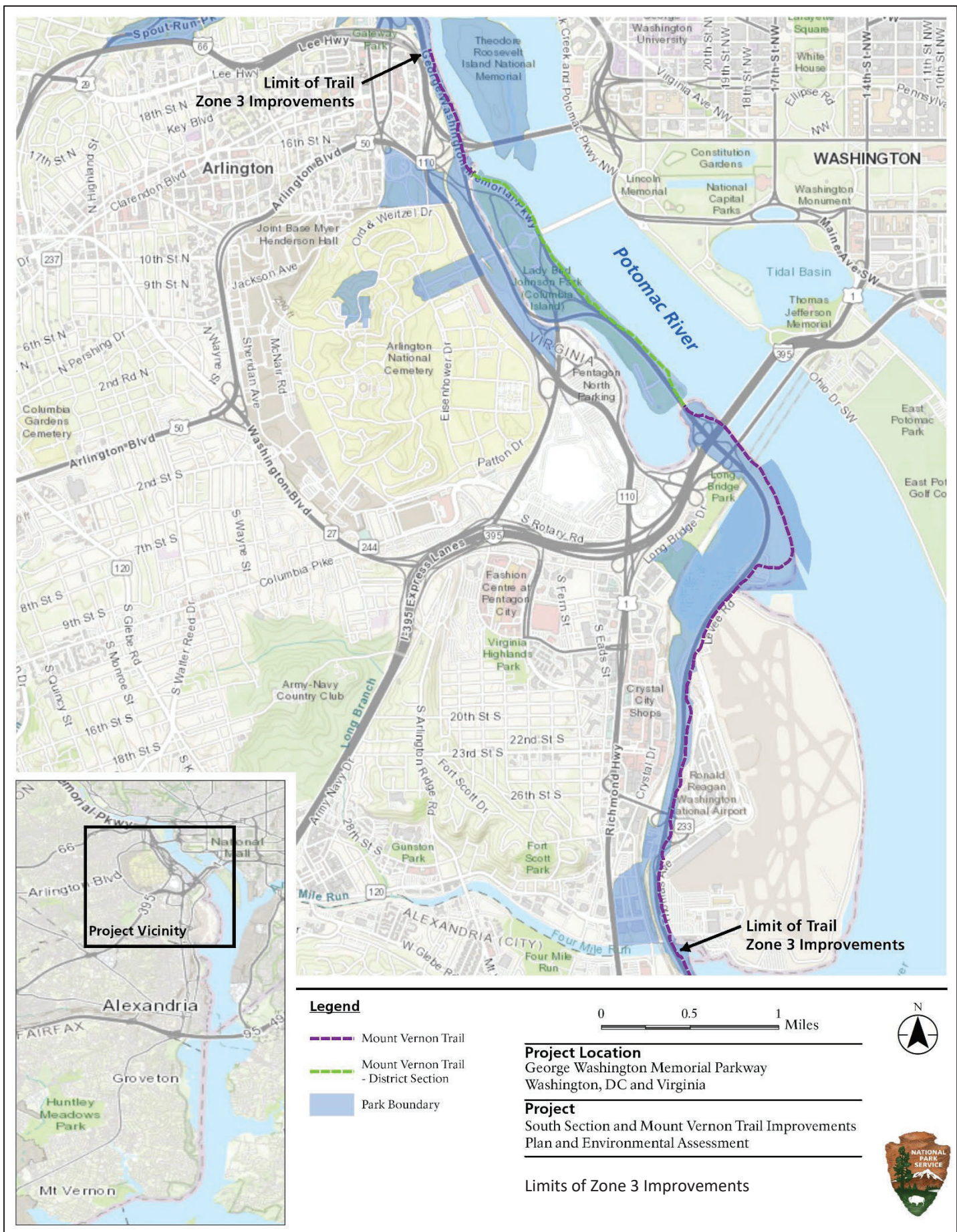












**From:** [Schrader, Brett](#)  
**To:** [Gorder, Joel S](#); [Joseph, Maureen](#); [Bouchard, Suzanne N](#); [Steury, Brent](#); [Mocko, Robert](#); [Pavek, Diane](#); [Campbell, Patrick](#)  
**Subject:** FW: [EXTERNAL] IPaC Project Code: 2023-0090585; Informal Section 7 Consultation; George Washington Memorial Parkway South Section and Mount Vernon Trail Improvements Plan, Washington, DC, and Virginia  
**Date:** Monday, October 16, 2023 8:54:22 AM

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Good morning –  
We received a response from the Chesapeake Bay Field Office for the Parkway South Section and MVT Improvements. See below.  
Brett

**Brett Schrader, PWS**  
[brett.schrader@stantec.com](mailto:brett.schrader@stantec.com)  
Stantec



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**From:** Wetzell, Raquel M <[raquel\\_wetzell@fws.gov](mailto:raquel_wetzell@fws.gov)> **On Behalf Of** CBFO Project Review, FW5  
**Sent:** Wednesday, October 11, 2023 9:52 AM  
**To:** Schrader, Brett <[brett.schrader@stantec.com](mailto:brett.schrader@stantec.com)>; Case, Rachel L <[rachel\\_case@fws.gov](mailto:rachel_case@fws.gov)>; Virginia Field Office, FW5 <[virginiafieldoffice@fws.gov](mailto:virginiafieldoffice@fws.gov)>  
**Subject:** Re: [EXTERNAL] IPaC Project Code: 2023-0090585; Informal Section 7 Consultation; George Washington Memorial Parkway South Section and Mount Vernon Trail Improvements Plan, Washington, DC, and Virginia

Hello Brett,

Thank you for submitting this project for review. For the areas within DC, it seems the project is not located within a NLEB roost buffer. While located within a general conservation buffer, the minimal tree clearing and implementation of time-of-year restrictions and summer surveys determine project actions are **not likely to adversely affect** Northern Long-eared Bat. No further Section 7 consultation is required for this project unless project plans change or this project takes place after April 1, 2024.

Please let me know if you have questions.

Raquel Wetzell  
US Fish and Wildlife Service  
Chesapeake Bay Field Office  
177 Admiral Cochrane Dr.  
Annapolis, MD 21401  
cell 571-882-0997



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**From:** Schrader, Brett <[brett.schrader@stantec.com](mailto:brett.schrader@stantec.com)>

**Sent:** Tuesday, August 29, 2023 12:17 PM

**To:** Case, Rachel L <[rachel\\_case@fws.gov](mailto:rachel_case@fws.gov)>; Virginia Field Office, FW5 <[virginiafieldoffice@fws.gov](mailto:virginiafieldoffice@fws.gov)>; CBFO Project Review, FW5 <[cbfoprojectreview@fws.gov](mailto:cbfoprojectreview@fws.gov)>

**Cc:** Cullen, Kathleen M <[kathleen\\_cullen@fws.gov](mailto:kathleen_cullen@fws.gov)>; Mastro, Lauren L <[lauren\\_mastro@fws.gov](mailto:lauren_mastro@fws.gov)>; Pavek, Diane <[Diane\\_Pavek@nps.gov](mailto:Diane_Pavek@nps.gov)>; Gorder, Joel S <[Joel\\_Gorder@nps.gov](mailto:Joel_Gorder@nps.gov)>; Joseph, Maureen <[Maureen\\_Joseph@nps.gov](mailto:Maureen_Joseph@nps.gov)>; Campbell, Patrick <[J\\_Patrick\\_Campbell@nps.gov](mailto:J_Patrick_Campbell@nps.gov)>; Steury, Brent <[Brent\\_Steury@nps.gov](mailto:Brent_Steury@nps.gov)>; GWMP Superintendent, NPS <[GWMP\\_Superintendent@nps.gov](mailto:GWMP_Superintendent@nps.gov)>

**Subject:** RE: [EXTERNAL] IPaC Project Code: 2023-0090585; Informal Section 7 Consultation; George Washington Memorial Parkway South Section and Mount Vernon Trail Improvements Plan, Washington, DC, and Virginia

Hello –

Regarding IPaC Project Code 2023-0090585, please find attached a consultation package for USFWS review.

Thank you,

Brett Schrader

**Brett Schrader, PWS**

[brett.schrader@stantec.com](mailto:brett.schrader@stantec.com)

Stantec



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**From:** Case, Rachel L <[rachel\\_case@fws.gov](mailto:rachel_case@fws.gov)>

**Sent:** Friday, August 25, 2023 8:43 AM

**To:** Schrader, Brett <[brett.schrader@stantec.com](mailto:brett.schrader@stantec.com)>; Virginia Field Office, FW5 <[virginiafieldoffice@fws.gov](mailto:virginiafieldoffice@fws.gov)>; CBFO Project Review, FW5 <[cbfoprojectreview@fws.gov](mailto:cbfoprojectreview@fws.gov)>

**Cc:** Cullen, Kathleen M <[kathleen\\_cullen@fws.gov](mailto:kathleen_cullen@fws.gov)>; Mastro, Lauren L <[lauren\\_mastro@fws.gov](mailto:lauren_mastro@fws.gov)>; Pavek, Diane <[Diane\\_Pavek@nps.gov](mailto:Diane_Pavek@nps.gov)>; Gorder, Joel S <[Joel\\_Gorder@nps.gov](mailto:Joel_Gorder@nps.gov)>; Joseph, Maureen <[Maureen\\_Joseph@nps.gov](mailto:Maureen_Joseph@nps.gov)>; Campbell, Patrick <[J\\_Patrick\\_Campbell@nps.gov](mailto:J_Patrick_Campbell@nps.gov)>; Steury, Brent <[Brent\\_Steury@nps.gov](mailto:Brent_Steury@nps.gov)>; GWMP Superintendent, NPS <[GWMP\\_Superintendent@nps.gov](mailto:GWMP_Superintendent@nps.gov)>

**Subject:** Re: [EXTERNAL] IPaC Project Code: 2023-0090585; Informal Section 7 Consultation; George Washington Memorial Parkway South Section and Mount Vernon Trail Improvements Plan, Washington, DC, and Virginia

Hi Brett,

Our office utilize and online project review process to facilitate ESA Section 7 compliance and help project proponents reach accurate ESA determinations. An overview of this process and the associated steps can be found on our [website](#). Please let me know if you have any questions as you work through the process.

Thanks,  
Rachel

-----

Rachel Case (she/her)  
Fish and Wildlife Biologist  
U.S. Fish and Wildlife Service  
Virginia Field Office  
6669 Short Lane  
Gloucester, VA 23061  
804-824-2416  
<https://www.fws.gov/office/virginia-ecological-services>

---

**From:** Schrader, Brett <[brett.schrader@stantec.com](mailto:brett.schrader@stantec.com)>

**Sent:** Thursday, August 24, 2023 4:48 PM

**To:** Virginia Field Office, FW5 <[virginiafieldoffice@fws.gov](mailto:virginiafieldoffice@fws.gov)>; CBFO Project Review, FW5 <[cbfoprojectreview@fws.gov](mailto:cbfoprojectreview@fws.gov)>

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**Subject:** [EXTERNAL] IPaC Project Code: 2023-0090585; Informal Section 7 Consultation; George Washington Memorial Parkway South Section and Mount Vernon Trail Improvements Plan, Washington, DC, and Virginia

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Hello –

On behalf of the National Park Service, please find the attached informal Section 7 consultation letter and request for concurrence of a *May Effect, Not Likely to Adversely Affect* determination for the northern long-eared bat (*Myotis septentrionalis*) for the proposed George Washington Memorial Parkway South Section and Mount Vernon Trail Improvements Plan.

This letter is being submitted to both the Virginia and Chesapeake Bay Field Office's of the US Fish and

Wildlife Service since most of the project would occur in Fairfax and Arlington counties, Virginia, but a relatively small portion is within the District of Columbia.

We look forward to your concurrence with this determination, or any comments or questions you have regarding the project.

Thank you,

**Brett Schrader, PWS**

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