

**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

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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
Superintendent
George Washington Memorial Parkway

Date: 12/28/2023

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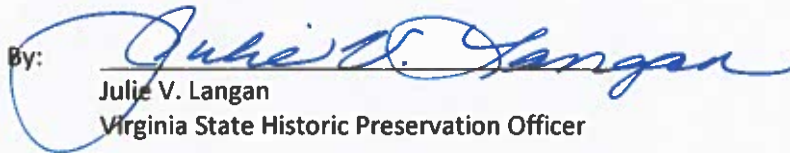
Signatory
NATIONAL CAPITAL PLANNING COMMISSION

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, roger.kirchen@dhr.virginia.gov,
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.

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

Travis A. Voyles
Acting Secretary of Natural and
Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan
Director
Tel: (804) 482-6446
Fax: (804) 367-2391
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.

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.

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
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

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

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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 9th, 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 4th Street, SW, Suite E650, Washington, DC 20024
202-442-8841
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 4th Street, SW, Suite E650, Washington, DC 20024
202-442-8841
andrew.lewis@dc.gov
<http://planning.dc.gov/historicpreservation>

From: Morales, Brendaliz <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>; Lewis, Andrew (OP) <andrew.lewis@dc.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: 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





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. 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> 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> **On Behalf Of** GWMP Superintendent, NPS

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

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

Cc: Joseph, Maureen <Maureen_Joseph@nps.gov>; Bailey, Megan M <megan_bailey@nps.gov>; Gorder, Joel S <Joel_Gorder@nps.gov>; Theuer, Jason <Jason_Theuer@nps.gov>; Schrader, Brett <brett.schrader@stantec.com>; Bouchard, Suzanne N <suzanne_bouchard@nps.gov>; Mocko, Robert <Robert_Mocko@nps.gov>; Katie Hummelt <khummelt@bbbarch.com>; Lucy Moore <lmoore@bbbarch.com>; Stidham, Tammy <Tammy_Stidham@nps.gov>; Tamburro, Sam <Sam_Tamburro@nps.gov>; McGilvray, Julie D <Julie_McGilvray@nps.gov>; Smith, Christine M <Christine_Smith@nps.gov>; Bruins, Christine A <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 and cc Cultural Resources Program Manager Megan Bailey (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

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.

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



Erin Paden

TRIBAL HISTORIC PRESERVATION
SPECIALIST

Office: (918) 542-2441, x140

Email: epaden@shawnee-tribe.com

29 S Hwy 69A

Miami, OK 74354

shawnee-tribe.com

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Attention: Ce courriel provient de l'extérieur de Stantec. Veuillez prendre des précautions supplémentaires.

Atención: Este correo electrónico proviene de fuera de Stantec. Por favor, tome precauciones adicionales.

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
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

Travis A. Voyles
Secretary of Natural
and Historic Resources

2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan
Director
Tel: (804) 482-6446
Fax: (804) 367-2391
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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962 Kime Lane
Salem, VA 24153
Tel: (540) 387-5443
Fax: (540) 387-5446

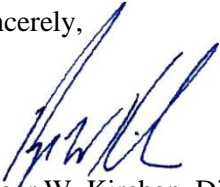
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2801 Kensington Avenue
Richmond, VA 23221
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Regarding architectural resources and cultural landscapes, the NPS has made a preliminary determination of no adverse effect; however, because the project 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. Please reference DHR's project number (2022-5184) in your response.

Sincerely,



Roger W. Kirchen, Director
Review and Compliance Division

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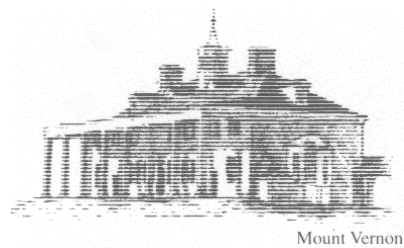
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Dan Storck

*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

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@dhv.virginia.gov; roger.kirchen@dhv.virginia.gov; [Connolly, Jonathan \(DHR\)](#); [Troccoli, Ruth \(OP\)](#); diane.sullivan@ncpc.gov; matthew.flis@ncpc.gov; 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](#)

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 4th Street, SW, Suite E650, Washington, DC 20024
202-442-8841
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@dhv.virginia.gov; roger.kirchen@dhv.virginia.gov; [Connolly, Jonathan \(DHR\)](#) <jonathan.connolly@dhv.virginia.gov>; [Maloney, David \(OP\)](#) <david.maloney@dc.gov>; [Lewis, Andrew \(OP\)](#) <andrew.lewis@dc.gov>; [Troccoli, Ruth \(OP\)](#) <Ruth.Troccoli@dc.gov>; diane.sullivan@ncpc.gov; matthew.flis@ncpc.gov; tluebke@cfa.gov; stephen.brich@vdot.virginia.gov; [Kershbaum, Sharon \(DDOT\)](#) <sharon.kershbaum@dc.gov>; DOTInfo@fairfaxcounty.gov; parkmail@fairfaxcounty.gov; karl.moritz@alexandriava.gov; yon.lambert@alexandriava.gov; des@arlingtonva.us; dpr@arlingtonva.us; mt.vernondistrictbos@fairfaxcounty.gov; boardsecretary@mountvernon.org; info@fodm.org;

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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).

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).

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

Best,
Megan Bailey

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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
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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>]