

## SECTION 106 CORRESPONDENCE

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To comply with Section 106 of National Historic Preservation Act, DDOT conducted consultation with the District of Columbia State Historic Preservation Office (DC SHPO) and the Advisory Council on Historic Preservation (ACHP).

DDOT transmitted letters to both the DC SHPO and ACHP on August 11, 2010 informing them of the proposed project and their intent to initiate the Section 106 consultation process. On September 10, 2010, the DC SHPO responded that they would provide comments on the EA once submitted.

On December 21, 2010, DDOT prepared a letter defining the Area of Potential Effects (APE) for the project to DC SHPO for review and approval.

On April 7, 2011 the DC SHPO formally approved the revised APE, expanded through ongoing consultation between the DC SHPO and DDOT, and indicated those architectural resources in the APE that would require formal identification and evaluation to determine their eligibility for the National Register of Historic Places (NRHP).

On June 9, 2011, DDOT transmitted the EA to DDOT for a 30 day review and comment period.

On July 15, 2011, DC SHPO concurred with the determinations of eligibility for architectural resources in the APE and indicated that the project would have no adverse effect on historic properties provided that DDOT carries out specific conditions.

On August 17, 2012, the FHWA formally provided a determination of “no adverse effect” to the DC SHPO and agreed that FHWA and DDOT would carry out the conditions requested by the DC SHPO in the July 15, 2011 letter.

Letters to and from agencies as part of Section 106 consultation are contained herein.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF TRANSPORTATION



Planning, Policy, & Sustainability Administration

August 11, 2010

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

RE: National Historic Preservation Act Section 106 Consultation for Oregon Avenue, NW

Dear Mr. Maloney:

The District Department of Transportation (DDOT), in cooperation with the Federal Highway Administration (FHWA) is preparing an Environmental Assessment (EA) for the Oregon Avenue Project in accordance with the National Environmental Policy Act (NEPA). The project will also consider effects to historic properties in accordance with the requirements of Section 106 of the National Historic Preservation Act (16 U.S.C. §470) and its implementing regulations, 36 CFR Part 800. The purpose of this letter is to formally initiate Section 106 consultation for the Oregon Avenue Project.

The Oregon Avenue Project is located in Northwest Washington, DC along Rock Creek Park. The project area is between Military Road and Western Avenue. The purpose of the project is reconstruction of Oregon Avenue between Western Avenue and Military Road due to operational deficiencies, safety, aging infrastructure, storm water management needs.

We will contact you shortly to set up meetings to discuss this project. If you have any additional questions or comments, please contact me. Thank you very much, and we look forward to working with you on this project.

Sincerely,

A handwritten signature in black ink that reads "Faisal".

Faisal Hameed,  
Division Chief,  
Project Development, Environment, & Sustainability Division  
202-671-2326

Cc: Mike Hicks, FHWA DC Division; Andrew Lewis, DC SHPO; Nancy Witherell, NCPC; Cindy Cox, NPS;  
Wayne Wilson, DDOT; Carol Legard, ACHP.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF TRANSPORTATION



Planning, Policy, & Sustainability Administration

August 11, 2010

John M. Fowler,  
Executive Director  
Advisory Council on Historic Preservation  
1100 Pennsylvania Avenue NW, Suite 803  
Old Post Office Building  
Washington, DC 20004

RE: National Historic Preservation Act Section 106 Consultation for Oregon Avenue, NW

Dear Mr. Fowler:

The District Department of Transportation (DDOT), in cooperation with the Federal Highway Administration (FHWA) is preparing an Environmental Assessment (EA) for the Oregon Avenue Project in accordance with the National Environmental Policy Act (NEPA). The project will also consider effects to historic properties in accordance with the requirements of Section 106 of the National Historic Preservation Act (16 U.S.C. §470) and its implementing regulations, 36 CFR Part 800. The purpose of this letter is to formally initiate Section 106 consultation for the Oregon Avenue Project.

The Oregon Avenue Project is located in Northwest Washington, DC along Rock Creek Park. The project area is between Military Road and Western Avenue. The purpose of the project is reconstruction of Oregon Avenue between Western Avenue and Military Road due to operational deficiencies, safety, aging infrastructure, storm water management needs.

If you have any additional questions or comments, please contact me. Thank you very much, and we look forward to working with you on this project.

Sincerely,

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Faisal Hameed,  
Division Chief,  
Project Development, Environment, & Sustainability Division  
202-671-2326

Cc: Mike Hicks, FHWA DC Division; Andrew Lewis, DC SHPO; Nancy Witherell, NCPC; Cindy Cox, NPS; Wayne Wilson, DDOT; Carol Legard, ACHP.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
STATE HISTORIC PRESERVATION OFFICER



September 10, 2010

Mr. Faisal Hameed  
Division Chief  
Project Development, Environment, & Sustainability Division  
District Department of Transportation  
2000 14<sup>th</sup> Street, NW  
Washington, DC 20009

RE: Initiation of Section 106 Review; Oregon Avenue Reconstruction Project

Dear Mr. Hameed:

Thank you for contacting the DC State Historic Preservation Office (SHPO) regarding the above-referenced undertaking. We understand that the Federal Highway Administration (FHWA) and the District Department of Transportation (DDOT) are planning to reconstruct the section of Oregon Avenue that extends from Military Road to Western Avenue.

We look forward to reviewing the Environmental Assessment that is being prepared for the project and to assisting you in fulfilling the requirements of Section 106 of the National Historic Preservation Act for the project.

If you should have any questions or comments regarding this matter, please contact me at [andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov) or 202-442-8841. Otherwise, we look forward to receiving more information about the project as soon as it becomes available.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. Lewis', is written over a light blue circular stamp.

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

10-390

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DISTRICT DEPARTMENT OF TRANSPORTATION**



Planning, Policy & Sustainability Administration

December 21, 2010

Mr. Andrew Lewis  
Senior Historic Preservation Specialist  
District of Columbia Historic Preservation Office  
1100 4th Street, SW  
Suite E650  
Washington, DC 20024

RE: National Historic Preservation Act Section 106 Consultation and the Definition of the Area of Potential Effects for the Oregon Avenue Project, NW

Dear Mr. Lewis:

As indicated in our Section 106 initiation letter dated August 11, 2010, the District Department of Transportation (DDOT) and the Federal Highway Administration (FHWA) are preparing an Environmental Assessment (EA) for the reconstruction of Oregon Avenue between Western Avenue and Military Road. The project will also consider effects to historic properties in accordance with the requirements of Section 106 of the National Historic Preservation Act (16 U.S.C. §470) and its implementing regulations, 36 CFR Part 800.

In consultation with your office (in a meeting on December 8, 2010) the area of potential effects (APE) boundaries are defined as the existing right-of-way line on the west side of Oregon Avenue with the exception of the Pinehurst Creek area and 50 feet east of the existing right-of-way line on the east side of the road (see the attached maps). The additional 50-foot wide corridor along the length of the project area, east of the existing right-of-way line, is National Park Service land in Rock Creek Park. The APE has also been extended west on Nebraska Avenue to include the recently reconfigured traffic island and extended an additional 50 feet west of the existing right-of-way at Pinehurst Creek. This proposed APE is considered sufficient to include all proposed repairs or modifications to the six existing outfalls (depicted on the maps as yellow stars), to incorporate any possible construction staging areas on the east side of the road, and to accommodate any modifications and/or replacement of the box culvert carrying Oregon Avenue over Pinehurst Creek.

We formally request your final review and concurrence with the proposed APE for this project. If you have any additional questions or comments, please contact me. Thank you very much, and we look forward to continue working with you through the Section 106 process.

Sincerely,

A handwritten signature in black ink, appearing to read "Faisal", is written over a horizontal line.

Faisal Hameed  
Division Chief  
Project Development, Environment & Sustainability Division  
202-671-2326

cc: Mike Hicks, FHWA DC Division  
Nancy Witherell, NCPC  
Cindy Cox, NPS  
Wayne Wilson, DDOT



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
STATE HISTORIC PRESERVATION OFFICER



April 7, 2011

Mr. Faisal Hameed, Division Chief  
Project Development, Environment, & Sustainability Division  
District Department of Transportation  
2000 14<sup>th</sup> Street, NW  
Washington, DC 20009

RE: Revised Area of Potential Effect; Oregon Avenue Reconstruction Project

Dear Mr. Hameed:

The DC State Historic Preservation Office (SHPO) appreciates that the District Department of Transportation (DDOT) recently arranged a conference call to discuss the proposed Area of Potential Effect (APE) for the above-referenced undertaking and that the APE was broadened to take into account the potential direct and indirect effects of the project. Based upon our review of the revised APE included with the March 9, 2011 DDOT submission, we concur that the expanded APE is appropriate for the undertaking. We note, however, that one additional revision has since been made to the APE based upon ongoing consultation with DDOT staff. This slight further expansion of the APE boundaries is shown in the photograph below.



Mr. Faisal Hameed  
Revised Area of Potential Effect; Oregon Avenue Reconstruction Project  
April 7, 2011  
Page 2

With regard to the identification of historic properties, DC SHPO staff has conducted an informal site visit to the project area and examined aerial photography of the APE. Based upon these efforts, we are of the opinion that there is little potential for any of the properties along Oregon Avenue to be eligible for listing in the National Register of Historic Places. Therefore, the only properties for which Determination of Eligibility (DOE) Forms should be completed are “Knollwood” at 6200 Oregon Avenue and the bridge that crosses Pinehurst Creek. If there is any information available about the portion of park land on the west side of the bridge, it should also be provided in a DOE Form. The identification and evaluation of archaeological resources will require further consultation as the scope of the project is further developed.

We look forward assisting you in fulfilling the requirements of Section 106 of the National Historic Preservation Act for this project. If you should have any questions or comments regarding this matter, please contact me at [andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov) or 202-442-8841. Otherwise, thank you for providing this additional opportunity to review and comment.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Lewis", is positioned above the typed name.

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

10-390

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DISTRICT DEPARTMENT OF TRANSPORTATION**



June 9, 2011

Mr. Andrew Lewis, Senior Historic Preservation Specialist  
DC Office of State Historic Preservation  
1100 4th Street, SW, Suite E650  
Washington, DC 20024

**Reference: Environmental Assessment - Oregon Avenue Rehabilitation**

Dear Mr. Lewis:

The District Department of Transportation (DDOT) and the Federal Highway Administration (FHWA) have prepared an Environmental Assessment (EA) for the rehabilitation of Oregon Avenue, between Military Road and Western Avenue, along the northwestern border of Rock Creek Park. The EA evaluates the proposed improvements to the 1.7-mile section of roadway and documents the alternatives considered, their potential impacts, costs and mitigations.

The EA is being released for 30 days for Public comments, please submit your comments to us by July 11, 2011. A copy of the EA is enclosed for your review and comments. Comments should be submitted to our consultant at the following addresses:

Parsons Transportation Group  
100 M Street, SE, Suite 1200  
Washington, DC 22003  
Attention: Stephen Walter  
OR  
E-mail: [OregonEA@parsons.com](mailto:OregonEA@parsons.com)

Sincerely,

Wayne Wilson  
Project Manager



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
STATE HISTORIC PRESERVATION OFFICER



July 15, 2011

Mr. Faisal Hameed, Division Chief  
Project Development, Environment, & Sustainability Division  
District Department of Transportation  
2000 14<sup>th</sup> Street, NW  
Washington, DC 20009

RE: Section 106 Review of the Oregon Avenue Reconstruction Project

Dear Mr. Hameed:

Thank you for providing the DC State Historic Preservation Office (SHPO) with the Determination of Eligibility (DOE) Forms and Environmental Assessment (EA) that were completed for the above-referenced undertaking. We have reviewed these documents and are writing to provide further comments regarding effects on historic properties in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

Historic Built Environment:

Based upon our review of the DOE Forms, the SHPO concurs that the “Knoll House” (aka “Blythe Knoll” and “Knollwood”), located at 6200 Oregon Avenue, NW, is eligible for listing in the National Register of Historic Places (National Register). We also agree that the Culvert carrying Oregon Avenue over Pinehurst Branch is not eligible for listing in the National Register. Therefore, the Knoll House and Rock Creek Park Historic District appear to be the only above-ground historic properties located within the undertaking’s previously approved Area of Potential Effect (APE). Copies of the fully executed DOE Forms are attached for your records.

The proposed scope of work outlined of the EA includes roadway improvements, replacement of the culvert over Pinehurst Branch, alterations to enhance stormwater management and the introduction of bicyclist and pedestrian facilities. Some new retaining walls are also proposed.

With two minor exceptions, all of the work will occur within existing DDOT right-of-way (ROW) and the net result of these alterations appears unlikely to diminish the integrity of location, design, setting, materials, workmanship, feeling or association for the Knoll House or the Rock Creek Park Historic District, provided that the conditions outlined below are carried out.

We note that the project may require the transfer of approximately 100 feet of National Park Service (NPS) land. If such a transfer is necessary and it involves land from the Rock Creek Park Historic District, we would not consider the transfer of such a minor amount of land to constitute an “adverse effect” on historic properties, especially since this section of land is already part of the roadway.

### Archaeology:

The summary of impacts to cultural resources, Section 4.2.8 for archaeology is not in accord with the description of potential impacts for Build Alternatives 2, 3, and 4, where each is assessed to have potential “moderate impacts to archeological resources if present.” The Section 4.2.8 summary finds the Pinehurst Run terraces as the only locus of potential adverse impacts. The assumption appears to be that there is no archaeological potential in any of the DDOT ROW. Experience shows that it is not appropriate to assume such areas are disturbed and, by extension, intact resources are not present – it must be established or demonstrated for each project.

For Oregon Avenue, it is safe to assume that road construction has compromised the resources in the paved roadway and where curbs, drains, or sidewalks are present. But it is quite possible that potentially intact resources are present along the roadway, especially in areas where fill was used to create a more level roadbed. Some areas would have been graded to reduce the topography, so archaeological potential in those locations would be compromised. Essentially the Limits of Disturbance (LOD) should be assessed for archaeological potential along the length of the project. To that end, a Phase IA archaeological survey, including geoarchaeological consultation, should be conducted.

A Phase IA study consists of archival research, land use history, and GIS map analysis of the APE. The research is intended to determine where ground disturbing activities have changed the original topography, including terracing, grading, and filling. Locations that have potential for the presence of buried cultural horizons can then be subjected to geoarchaeological or geomorphological study to determine whether additional archaeological investigations are warranted. The intent would not be to conduct archaeology in all of the project area, but to identify locations where intact remains might be present and focus any efforts there. If no resources are identified then no additional work is needed. If locations having potential are identified and those areas cannot be avoided by the project, Phase IB archaeological testing would be needed. The need for additional investigations would be determined in consultation with the SHPO.

### Determination of Effect:

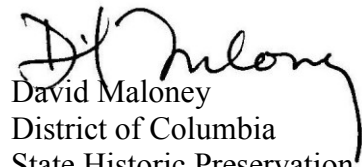
In light of the comments above, the SHPO has determined that the Oregon Avenue Reconstruction Project will have “no adverse effect” on historic properties provided that DDOT agrees to carry out the following conditions:

1. SHPO will be provided an opportunity to review and comment on the design of the replacement culvert over Pinehurst Branch in order to ensure it is compatible with its setting adjacent to the Rock Creek Park Historic District. The “Arch Culvert” or “Bridge” options appear to be more appropriate for this setting than the “Box Culvert”;

2. SHPO will also be provided an opportunity to review and comment on any alterations proposed for the stone and concrete outfall south of Bingham Drive if it is determined to be a contributing element of the Rock Creek Park Historic District;
3. DDOT shall ensure that the stone boundary monuments that mark the border of Rock Creek Park will not be altered or damaged in any way; and
4. In consultation with the SHPO, DDOT shall conduct a Phase IA archaeological survey including geoarchaeological consultation of the LOD to determine if any locations warrant testing for the presence of potentially significant archaeological resources.

If you do not agree with these conditions or have any questions or comments regarding these matters, please contact Andrew Lewis at [andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov) or 202-442-8841 (for Historic Built Environment) or Ruth Troccoli at [ruth.troccoli@dc.gov](mailto:ruth.troccoli@dc.gov) or 202-442-8836 (for Archaeology). Otherwise, we look forward assisting DDOT to fulfill the requirements of Section 106 of the National Historic Preservation Act for this project. Thank you for providing this opportunity to review and comment.

Sincerely,



David Maloney  
District of Columbia  
State Historic Preservation Officer

10-390

cc: Mike Hicks, FHWA  
Simone Monteleone, NPS



U.S. Department  
of Transportation  
Federal Highway  
Administration

District of Columbia Division  
(202) 219-3570 FAX 219-3545

1990 K Street, NW  
Suite 510  
Washington, DC 20006-1103

AUG 17 2012

In Reply Refer To: HDA-DC

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

Dear Mr. Maloney:

The District Department of Transportation (DDOT) in conjunction with the Federal Highway Administration (FHWA) is proposing the reconstruction of Oregon Ave, NW. Federal funds are participating in this project; therefore, FHWA is responsible for complying with the requirements of Section 106 of the National Historic Preservation Act (36 CFR §800). Consultations on the effects of this project have taken place with your staff to assist in a determination of its effects on historic resources located in the vicinity of the project.

The project is located in Northwest Washington, DC and borders Rock Creek Park. The project area is between Military Road and Western Avenue. The purpose of the project is the reconstruction of Oregon Avenue as a result of: operational deficiencies; safety; aging infrastructure; and storm water management needs. The proposed work includes roadway improvements, replacement of the culvert over Pinehurst Branch, alterations to enhance storm water management, potential introduction of pedestrian and bicyclist facilities, and new retaining walls. With two minor exceptions, all of the work will occur within existing DDOT right-of-way (ROW).

It is anticipated that the proposed changes will not diminish the integrity of location, design, setting, materials, workmanship, feeling or association for historic resources in the project vicinity; specifically the Knoll House or the Rock Creek Park Historic District. The project may require the transfer of a small portion of National Park Service (NPS) land which is within the existing roadway footprint. Therefore, subsequent to consultation with your office and concurrence provided through earlier correspondence regarding the "adverse effects" of this project, FHWA has determined that the proposed build alternatives for the reconstruction of Oregon Avenue will have "no adverse effect", as defined in 36 CFR 800, on the referenced historic resources.

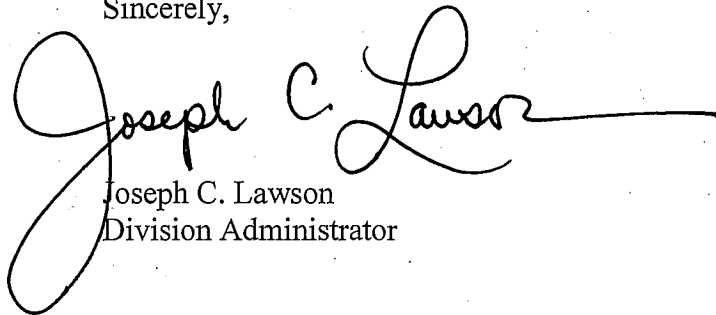


In addition and consistent with the request of your letter, dated July 15, 2011 (enclosed), DDOT in conjunction with FHWA agree to the following:

1. The SHPO will be provided an opportunity to review and comment on the design of the replacement culvert over Pinehurst Branch in order to ensure it is compatible with its setting adjacent to the Rock Creek Park Historic District. The "Arch Culvert" or "Bridge" options appear to be more appropriate for this setting than the "Box Culvert";
2. The SHPO will also be provided an opportunity to review and comment on any alterations proposed for the stone and concrete outfall south of Bingham Drive if it is determined to be a contributing element of the Rock Creek Park Historic District;
3. DDOT shall ensure that the stone boundary monuments that mark the border of Rock Creek Park will not be altered or damaged in any way; and
4. In consultation with the SHPO, DDOT shall conduct a Phase IA archaeological survey including geoarchaeological consultation of the limit of disturbance to determine if any locations warrant testing for the presence of potentially significant archaeological resources.

If you have further questions, please contact Michael Hicks of my staff at (202) 219-3513 or [michael.hicks@dot.gov](mailto:michael.hicks@dot.gov) or you may contact Faisal Hameed (DDOT) at (202)-671-2326 or [faisal.hameed@dc.gov](mailto:faisal.hameed@dc.gov) by email. Thank you for your input and cooperation on this project.

Sincerely,



Joseph C. Lawson  
Division Administrator

Enclosure

Cc: Faisal Hameed DDOT;  
Andrew Lewis, DC SHPO;  
Wayne Wilson, DDOT  
Carol Legard, ACHP.



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
STATE HISTORIC PRESERVATION OFFICER



July 15, 2011

Mr. Faisal Hameed, Division Chief  
Project Development, Environment, & Sustainability Division  
District Department of Transportation  
2000 14<sup>th</sup> Street, NW  
Washington, DC 20009

RE: Section 106 Review of the Oregon Avenue Reconstruction Project

Dear Mr. Hameed:

Thank you for providing the DC State Historic Preservation Office (SHPO) with the Determination of Eligibility (DOE) Forms and Environmental Assessment (EA) that were completed for the above-referenced undertaking. We have reviewed these documents and are writing to provide further comments regarding effects on historic properties in accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800.

Historic Built Environment:

Based upon our review of the DOE Forms, the SHPO concurs that the "Knoll House" (aka "Blythe Knoll" and "Knollwood"), located at 6200 Oregon Avenue, NW, is eligible for listing in the National Register of Historic Places (National Register). We also agree that the Culvert carrying Oregon Avenue over Pinehurst Branch is not eligible for listing in the National Register. Therefore, the Knoll House and Rock Creek Park Historic District appear to be the only above-ground historic properties located within the undertaking's previously approved Area of Potential Effect (APE). Copies of the fully executed DOE Forms are attached for your records.

The proposed scope of work outlined of the EA includes roadway improvements, replacement of the culvert over Pinehurst Branch, alterations to enhance stormwater management and the introduction of bicyclist and pedestrian facilities. Some new retaining walls are also proposed.

With two minor exceptions, all of the work will occur within existing DDOT right-of-way (ROW) and the net result of these alterations appears unlikely to diminish the integrity of location, design, setting, materials, workmanship, feeling or association for the Knoll House or the Rock Creek Park Historic District, provided that the conditions outlined below are carried out.

We note that the project may require the transfer of approximately 100 feet of National Park Service (NPS) land. If such a transfer is necessary and it involves land from the Rock Creek Park Historic District, we would not consider the transfer of such a minor amount of land to constitute an "adverse effect" on historic properties, especially since this section of land is already part of the roadway.

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Determination of Effect:

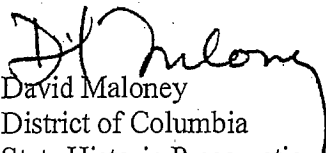
In light of the comments above, the SHPO has determined that the Oregon Avenue Reconstruction Project will have “no adverse effect” on historic properties provided that DDOT agrees to carry out the following conditions:

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3. DDOT shall ensure that the stone boundary monuments that mark the border of Rock Creek Park will not be altered or damaged in any way; and
4. In consultation with the SHPO, DDOT shall conduct a Phase IA archaeological survey including geoarchaeological consultation of the LOD to determine if any locations warrant testing for the presence of potentially significant archaeological resources.

If you do not agree with these conditions or have any questions or comments regarding these matters, please contact Andrew Lewis at [andrew.lewis@dc.gov](mailto:andrew.lewis@dc.gov) or 202-442-8841 (for Historic Built Environment) or Ruth Troccoli at [ruth.troccoli@dc.gov](mailto:ruth.troccoli@dc.gov) or 202-442-8836 (for Archaeology). Otherwise, we look forward assisting DDOT to fulfill the requirements of Section 106 of the National Historic Preservation Act for this project. Thank you for providing this opportunity to review and comment.

Sincerely,

  
David Maloney  
District of Columbia  
State Historic Preservation Officer

10-390

cc: Mike Hicks, FHWA  
Simone Monteleone, NPS