

Federal agencies, or where a group of actions by the Corporation and one or more other Federal agencies are directly related to each other because of their functional interdependence or geographical proximity, the Corporation will seek designation as lead agency for those actions that directly relate to implementation of the Plan and those actions that relate solely to the Development Area.

(b) For an action that qualifies as one for which the Corporation will seek designation as lead agency, the Corporation will promptly consult with the appropriate Federal agencies such as the National Capital Planning Commission, the Department of the Interior, and the General Services Administration to establish lead agency and co-operating agency designations.

#### APPENDIX A TO PART 907

(a) Specific Corporation actions categorically excluded from the requirements for environmental assessment and an EIS are:

- (i) Personnel actions;
- (ii) Administrative actions and operations directly related to the operation of the Corporation (e.g., purchase of furnishings, services, and space acquisition for the Corporation offices);
- (iii) Property management actions related to routine maintenance, operation, upkeep, etc., of real property owned by the Corporation;
- (iv) Review of permit applications relating to minor development activities in the Development Area (sign approval, interior renovations, minor exterior changes to facade, etc.);
- (v) Promulgation of development general and square guidelines that implement the Plan as covered by the Final EIS;
- (vi) Contracts, work authorizations, procurement actions directly related to and implementing proposals, programs, and master agreements for which an environmental assessment or an environmental assessment and an EIS have been prepared, or which are related to administrative operation of the agency;
- (vii) Acquisition/disposal by lease, easement, or sale of real and personal property owned by the Corporation subsequent to and implementing a prior decision of the Board of Directors for which an environmental assessment or an assessment and an EIS were prepared;
- (viii) Activities directly related to and implementing the Public Improvements Program of the Corporation approved by the Board of Directors, and which are covered by

a previously prepared environmental assessment or an environmental assessment and an EIS;

(ix) Demolition actions preparatory for development by the Corporation, other public agencies, or private developers subsequent to approval of development proposals made by the Board of Directors;

(x) Development proposal identical to the requirements of the Plan and which was included in an EIS previously prepared.

(b) An action which falls into one of the above categories may still require the preparation of an EIS or environmental assessment if the designated corporation official determines it meets the criteria stated in §907.8(a) or involves extraordinary circumstances that may have a significant environmental effect.

## PART 908—POLICY AND PROCEDURES TO FACILITATE THE RETENTION OF DISPLACED BUSINESSES AND RESIDENTS IN THE PENNSYLVANIA AVENUE DEVELOPMENT AREA

### Subpart A—General

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- 908.30 Request for review.
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- 908.33 Final determination.

AUTHORITY: 40 U.S.C. 874(e); 40 U.S.C. 875(8); 40 U.S.C. 877(d).

SOURCE: 48 FR 55459, Dec. 13, 1983, unless otherwise noted.

**Subpart A—General**

**§ 908.1 Policy.**

One of the goals of The Pennsylvania Avenue Plan—1974, as amended, (*The Plan*) is the reduction of hardships experienced by businesses and residents within the development area of the Pennsylvania Avenue Development Corporation (*the Corporation*) when they are displaced as a result of implementation of The Plan. It is the policy of the Corporation to provide displaced businesses and residents with a preferential opportunity to relocate within the development area so that they may share in the benefits brought to the area by the implementation of The Plan. This rule shall not be construed to affect the eligibility, rights or responsibilities of persons who may be entitled to benefits provided under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as implemented by the Corporation (36 CFR part 904).

**§ 908.2 Purpose.**

The purpose of this rule is to:

- (a) Provide a meaningful opportunity to businesses displaced by the Corporation's program to return to, or remain in, the Development Area;
- (b) Establish procedures and requirements for displaced occupants by which they may establish and later exercise their preferential right to return to the Development Area;
- (c) Establish procedures which the Corporation and private Developers must follow in providing Qualified Persons with the opportunity to obtain their preferential right to return to the Development Area.

**§ 908.3 Definitions.**

The following definitions shall apply to this part:

- (a) *Developer* means a Person or team of Persons that has received preliminary approval for a development proposal or has been designated by the Corporation as Developer pursuant to a development competition.
- (b) *Development Area* means the area described in section 2 (f) of Pub. L. 92-578, October 27, 1972, as amended (40 U.S.C. 871 (f)), and for which the Plan

has been prepared and will be implemented by the Corporation.

(c) *List* means the List of Qualified Persons maintained by the Corporation as provided in §908.11(a) of this rule.

(d) *Newly developed space* means any leaseable part of a new building in the Development Area upon which construction was commenced after October 27, 1972 or an existing building in the Development Area which after October 27, 1972 underwent substantial remodeling, renovation, conversion, rebuilding, enlargement, extension or major structural improvement, but not including ordinary maintenance or remodeling or changes necessary to continue occupancy.

(e) *Person* means a partnership, company, corporation, or association as well as an individual or family, but does not include a department, agency, or instrumentality of any Federal, state, or local government.

(f) *Previous location* means the space from which the Eligible Person was or is being displaced as a result of the Corporation's or Developer's acquisition of real property, or as a result of receiving a written order to vacate from the Corporation.

**Subpart B—Preferential Right To Relocate**

**§ 908.10 Criteria of Qualified Person.**

*Qualified Person* is either

- (a) A Person whose place of business or residence was located in the Development Area and was displaced from its location by:
  - (1) The Corporation in connection with the acquisition of fee title, or a lesser interest, in the real property containing such business or residence; or
  - (2) A Developer in implementing a development project in accordance with the Plan; or
- (b) A Person whose place of business or residence is located in the Development Area and who has received notice of initiation of negotiations by the Corporation for purchase of the real property containing such business or residence.