

Route 1 Improvements (Fort Belvoir) – Preliminary Section 106 PA/MOA
Consulting Parties Meeting Discussion Points 1/12/2012

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 - d. Equestrian/Caisson trail: Site limits and historic background/significance currently being determined by ARMY and FHWA.
- II. Sites on Fort Belvoir considered but dismissed from additional consideration
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 - i. Golf Course (029-5423 / formerly contributing to FBHD, no longer in existence)
 - b. Davison Army Airfield Historic District (DHR ID 029-0209, 029-5502)(ineligible)
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- III. Adequacy of archaeological survey for project components: entire base has been surveyed at Phase 1 level.

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FORT BELVOIR ARCHITECTURAL RESOURCES

Resource Name: Camp A.A. Humphreys Pump Station and Filter Building (029-0096)

Year Built: 1936

National Register Status: Nominated (1996)

Significance: Houses the Kennedy Shelter for the Homeless; the Post's oldest permanent structure and one of the remnants of Camp A. A. Humphreys.

Primary Concerns: Maintain accessibility and safety for pedestrians; Army does not want to relocate entrance to Pohick Rd., would prefer to maintain access from Rt. 1.

Potential Impacts:

On-Grade widening: Widening is proposed on the north (opposite) side of the road, and therefore accessibility would be preserved. Viewshed would not be adversely affected due to existing development. Some additional noise and vibration is possible. Pedestrian safety could be improved (bus stop, ped x-ing). An existing VDHR historical marker may need to be relocated.

Off-grade flyover ramp: Ramp would severely disrupt accessibility and possibly require demolition of structure. In addition to Sec 106 mitigation, a replacement homeless shelter would need to be built.

a/m/m strategy: The on-grade option avoids and minimizes impacts to the maximum extent possible; the flyover ramp would require a take of the structure. No mitigation strategy has been proposed at this time.

First Reviewers: U.S. Army Garrison Fort Belvoir; VDHR, VDOT

Resource Name: Fort Belvoir Military Railroad (029-5648 multicomponent site)

Year Built: 1935

National Register status: This resource has been identified by Belvoir cultural resource staff but has not been formally evaluated or documented. Many of the components of the Railroad have been evaluated or documented include two features within the APE, Railroad Bed (029-5648) and Railroad bridge #1433 (029-5424)

Significance: SHPO concurred with Ft. Belvoir’s determination of NR eligibility for the bridge (VDHR# 2003-1374)

Primary Concerns: Any impact to the continuity of the FBMRR would be considered an adverse effect and would require mitigation

Mount Vernon (Earl Flannigan) also considers the bridge an historic resource, and would like to preserve it if possible. FHWA believes that preservation and/or relocation of the bridge is not feasible.

Potential Impacts:

Railroad bed (029-5648) (needs FBMR subsite #)	Direct impacts to roadbed approaches to bridge #1433
Railroad bridge #1433 (029-5424)	Direct impacts to the bridge, requiring its removal/relocation.

Proposed A/M/M Strategy: The concrete bridge was cast in place, and would be very difficult to relocate. Evaluate Bridge and Bed impacts now, determine mitigation after impacts defined; possible HABS/HAER documentation of portions of FBMR within APE.

First Reviewers: U.S. Army Garrison Fort Belvoir

Resource Name: Culverts and Bridges (See Section III.a.iii / page. 16)

First Reviewers: U.S. Army Garrison Fort Belvoir; VDHR, VDOT

National Register Status: Unevaluated

Significance: Unknown

Primary Concerns: need to be documented

Potential Impacts: likely to be replaced or removed

Proposed A/M/M Strategy: Document as part of Rt. 1 corridor study

Year Built:

Resource Name: Fort Belvoir Archaeological Sites

Note: FHWA is currently obtaining all files and SHPO concurrences to confirm validity of data presented below

SITE ID	National Register status	Primary Concerns and Impacts
44FX0627	Ineligible 1994; 1993 Phase I Survey of Ft. Belvoir	n/a
44FX1657	Potentially eligible VDHR 2001-007. Phase II recommended.	If impacted by design, ph 2 needed LOD/APE modification or MOA will be required to mitigate adverse effects if NRHP eligible
44FX1679	Potentially eligible VDHR 2001-007. Phase II recommended.	If impacted by design, ph 2 needed LOD/APE modification or MOA will be required to mitigate adverse effects if NRHP eligible
44FX1680	Ineligible 09/17/2002 VDHR 2001-0007	n/a
44FX1708	Ineligible 10/16/2001	n/a
44FX1810	Eligible; 1993 Phase I survey. Phase II required	Phase II survey recommended now LOD/APE modification or MOA will be required to mitigate adverse effects if NRHP eligible
44FX1811 Ph 2 now	Potentially eligible VDHR 2001-007. Phase II recommended.	Phase II survey recommended now LOD/APE modification or MOA will be required to mitigate adverse effects if NRHP eligible
44FX1904	Ineligible 12/07/09 VDHR File #: 2006-0820	n/a
44FX1905	Ineligible 04/01/11 VDHR File #: 2009-1796	n/a
44FX1918 Gray's Hill	Ineligible, based on Phase II for NMUSA.	n/a
44FX1935	Needs phase II survey	If impacted by design, ph 2 needed LOD/APE modification or MOA will

		be required to mitigate adverse effects if NRHP eligible
44FX1936	Potentially eligible, letter from VDHR 2001-0007. Phase II recommended.	If impacted by design, ph 2 needed LOD/APE modification or MOA will be required to mitigate adverse effects if NRHP eligible
44FX1937	Potentially eligible, letter from VDHR 2001-0007. Phase II recommended.	Phase II survey recommended now LOD/APE modification or MOA will be required to mitigate adverse effects if NRHP eligible
44FX2134	Unknown portion of site destroyed; partly beneath Rt. 1; not evaluated	Phase II survey recommended now
44FX2230	needs phase II due to discrepancy in previous surveys	If impacted by design, ph 2 needed LOD/APE modification or MOA will be required to mitigate adverse effects if NRHP eligible
Woodlawn Community House	No evidence of site detected during Ph. 1 survey of area	Historic Records indicate that the site of the former Woodlawn Community House is not within the project limits;

Proposed A/M/M Strategy: Avoidance of potentially eligible sites where possible; Phase II and/or III surveys where necessary.

Resource Name: Woodlawn Historic District (029-5181)

National Register Status: Eligible (2001).

Significance: A: Associated with Broad Patterns of History; C: Distinctive Characteristics of Architecture/Construction. Historic properties within district include: Gristmill, Woodlawn Plantation and stables, Woodlawn Friends Meeting House, Grand View, Woodlawn Baptist Church and cemetery.

Primary Concerns: Auditory and visual impacts that would adversely affect the scenic nature and setting, especially Grand View's wooded setting and views of Mount Vernon. NTHP would prefer Route 1 to maintain as low a profile as possible, especially in sensitive areas, to reduce visual impacts. NTHP is concerned about access to southern parcel, especially the barn, with the southern bypass. If transit is not going to be constructed immediately in the central median, NTHP would prefer that it be maintained as green space until transit is put in. Would like road footprint to be minimized as much as possible.

Potential Impacts:

Contributing Element	Widening w/transit	Southern Alignment
Woodlawn Mansion	(see p.8)	(see p.8)
Grand View House 029-0062	Alignment directly impacts the structure	Avoids the structure
Woodlawn Stables		May go through one, or both, stable buildings. NTHP would have to buy out lease hold (lease expires July 2016). Large barn is from the 70's; need to evaluate barns and stables
Woodlawn Quaker Meetinghouse	see p.12	See p. 12
Woodlawn Baptist Ch.	See p. 11	See p. 11
Gristmill 029-0330, 44FX2262	No effect	No effect

Proposed A/M/M Strategy: The southern alignment would avoid impact to Grand View House. If relocation of stables/horse farm operation is required, the lessee would receive assistance (relocation costs/lump sum settlement/temporary storage, etc.). The barns are pole barns; relatively easy to assemble/disassemble. Plantings in central median could be used to reduce visual impact of new Route 1 until transit is constructed. Interpretive signs along Potomac Heritage trail and in vicinity of Woodlawn. Try to reduce width or roadways/trails as much as possible to minimize footprint. Signal at intersection.

First Reviewers: National Trust for Historic Preservation

Resource Name: Woodlawn Plantation (029-0056)

National Register Status: Nominated (1969, 1971, 2001); Listed (1976, 1998); National Historic Landmark (1998)

Significance: A – Associated with broad patterns of history; C – Distinctive Characteristics of Architecture/Construction; contributing to Woodlawn Historic District. Significant contributing elements included in 1998 nomination for a National Historic Landmark: Woodlawn Mansion, the Smokehouse, the Dairy, the Necessary, the Ice House site, and the Well House. (Garden 44FX3256 considered non-contributing due to loss of integrity.)

Primary Concerns: NTHP would prefer Route 1 to maintain as low a profile as possible, especially in sensitive areas, to reduce visual impacts. NTHP is concerned about access to southern parcel, especially the barn, with the southern bypass. General circulation patterns and land use changes are a concern.

Potential Impacts: Visual and Auditory impacts; less severe with southern bypass; Visual impacts will be studied (FHWA is coordinating with NTHP on this); Circulation patterns need to be analyzed.

Proposed A/M/M Strategy: Access to southern parcel could be maintained/improved from old Route 1 alignment. Signal at intersection. Water and sewer service sufficient to serve the Woodlawn property for regular operations and safety (currently from Ft. Belvoir, problematic); landscaped median; tapered median near Mulligan Rd.; interpretive signage could be provided; provide adequate access to various parts of property

First Reviewers: National Trust for Historic Preservation

Resource Name: Otis T. Mason House

National Register Status: Unevaluated; needs to be documented as an architectural resource and evaluated. Impacts and potential mitigation will be determined if it is found eligible either individually or as a contributing element of Historic District.

Significance: unevaluated

Primary Concerns: not confirmed

Potential Impacts (assuming it is found eligible/contributing):

Widening w/transit	Southern Alignment
Minor visual and auditory impacts	Depending on exact location of the southern alignment, Route 1 would either go directly through the house, or be located very close to it.

Proposed A/M/M Strategy: Moving the structure might be an option that can be considered. Relocating the Otis T. Mason house would be preferable to the impacts to Grandview that would result from the widening alternative. Impacts will not be addressed in MOA if found ineligible

First Reviewers: National Trust for Historic Preservation

Resource Name: Pope-Leighey House (029-0058)

A “no adverse effect” determination is likely to be made by FHWA

National Register Status: Listed (1970); Nominated (1970)

Significance:

Primary Concerns: NTHP would prefer Route 1 to maintain as low a profile as possible, especially in sensitive areas, to reduce visual impacts.

Potential Impacts:

Widening w/transit	Southern Alignment
Minor visual and auditory	Minor visual and auditory

Proposed A/M/M Strategy:

First Reviewers: National Trust for Historic Preservation

Resource Name: Woodlawn Baptist Church and cemetery

National Register Status: The Church is not eligible (2001), but the cemetery is a contributing feature of the Historic District

Significance: Cemetery contributes to Woodlawn Historic District (modern church building is not eligible). The primary resource (the original church building) has been determined to be No Longer Extant.

Primary Concerns: Proximity of Route 1 to the church (based on two concepts shown at 12-27-2011 meeting); The church would like to maintain a certain amount of visibility, and have safe and logical access.

Potential Impacts:

Contributing Element	Widening w/transit	Southern Alignment
Baptist church (029-0070)	Land taking on north side would result in decreased distance from Route 1.	Auditory and visual impacts. Possible minor land take on south side; possible easements on north and west sides; land use changes
Cemetery (44FX1212)	Would require relocation/reconfiguration of graves.	No effect

Proposed A/M/M Strategy:

Widening - Grave survey to determine grave locations. If grave relocation is necessary, coordinate with church to determine sites and methods for relocations, contact living descendants.

Southern Alignment - Design charette to work out design details for driveway access, landscaping, etc. Signage. Southern alignment creates “island” of DOD land, whose use would most likely be granted to the church through easements. Landscaping to replace trees and lessen visual impact. Noise abatement per noise regulation requirements/guidelines. Grave survey would still occur as mitigation for Historic District impacts.

First Reviewers: Woodlawn Baptist Church

Resource Name: Woodlawn Friends Meeting House (029-0172)

National Register Status: Listed

Significance: “Considered locally significant under Criteria A and C for Religion and Architecture...and determined eligible with 37 points.” (2006)

Primary Concerns: Maintain quiet for worship; Maintain viewshed and wooded setting.

Potential Impacts:

Widening w/transit	Southern Alignment
Would bring edge of road closer to the meeting house. Increased auditory and visual impacts.	Avoids impacts to the meeting house by increasing distance to road and intersection. Could result in a determination of “no adverse effect”

Proposed A/M/M Strategy: The southern alignment would increase the distance from the roadway to the meeting house. Investigate noise mitigation strategies and incorporate into project plans where possible/appropriate (e.g. quiet pavement). Mitigation for visual impacts, such as vegetative plantings, could also be used. Traffic signal for safer access will be provided for three property owners (Friends, Baptist Church, Woodlawn).

First Reviewers: Woodlawn Friends Meeting House, Martha Catlin

Resource Name: Otis T. Mason House (44FX2461) archaeological deposits

National Register Status: Listed as unevaluated.

Significance:

Primary Concerns: Subsurface testing of 0.5 acres conducted as part of Phase I survey of Woodlawn Plantation in 1999.

Potential Impacts:

Widening w/transit	Southern Alignment
No impact	Depending on exact location of the southern alignment, Route 1 would either go directly through site.

Proposed A/M/M Strategy: Needs to be evaluated

Resource Name: Historic Route 1

National Register Status: Unevaluated: Analyze APE/Corridor for integrity; document history, alignment, etc.; document all road segment, vestiges, culverts, etc. Assign DSS # to road, and feature sub-numbers to culverts, vestiges, etc. If significant, number individually. If Rt. 1 is eligible, features contribute.

Significance:

Primary Concerns: Document existing alignment and vestiges of previous alignments; document history; What should be done with the original alignment, if an alternative with realignment is selected?

Potential Impacts:

Proposed A/M/M Strategy: A corridor study will be conducted to document the establishment, history, and development of this historic transportation route. Integrity/significance needs to be determined before need for mitigation is known.

First Reviewers: Virginia Department of Transportation, Fairfax County

Resource Name: Pipes, culverts and bridges 50+ years old

Significance: Needs to be evaluated as part of Rt. 1 corridor study (see p. 14)

Primary Concerns: Requires additional survey

Potential Impacts:

YEAR BUILT

Structure-Bridges

OBJECTID	FEDERAL_STRUCTURE_ID	VA_STRUCTURE_NUMBER	VDOT_DISTRICT_CODE	JURISDICTION_CODE	STRUCTURE_ON_OVER_CODE	YEAR BUILT
21946	000000000024521	6469	09	029	1	1995
23186	00000000006219 *	1003	09	029 RR	2	1935
13517	00000000006227	1123	09	029	1	1932
13514	00000000006219 *	1003	09	029 RR	2	1935
30233	00000000006172 *	1002	09	029 FORT BELVOIR	1	1941
23185	00000000006220	1004	09	029	1	1927
16636	000000000024520	6467	09	029	1	1995
23189	00000000006227	1123	09	029	1	1932
13510	00000000006172 *	1002	09	029 FORT BELVOIR	2	1941
13513	00000000006220	1004	09	029	1	1927
2359	00000000006689	6265	09	029	1	1930
23182	00000000006172 *	1002	09	029 FORT BELVOIR	2	1941
16416	00000000006692	6187	09	029	1	1940

Proposed A/M/M Strategy: Identify and document? Restore/repair where possible?

First Reviewers: Virginia Department of Transportation

Resource Name: King's Highway, Route 611, Old Colchester Road (029-0953)

National Register status: Eligible (2002, 1995); evaluation rating of 30.00

Significance: First developed in response to the general road law enacted by the VA Assembly in 1662. The route chosen was a pre-existing Indian trail, which, north of the Potomac Creek, had been known from the time of the earliest land grants as the Potomac Path.

Primary Concerns:

Potential Impacts:

On grade interchange: No impacts foreseen

Off-Grade: Impacts based on design

Proposed A/M/M Strategy: none proposed;

First Reviewers: VDOT

Resource Name: Accotink Village

National Register Status: Recommended not eligible as part of this project (pending DHR concurrence)

Significance:

Primary Concerns:

Potential Impacts:

Proposed A/M/M Strategy:

First Reviewers: VDHR

Resource Name: Pohick Episcopal Church

Note: widening has already occurred in vicinity of church, but an off-grade interchange is under consideration

Site	NR Status:	Significance
Pohick Episcopal Church 029-0046, 000-9800-0013	Listed, 1969	NRE; First permanent church in VA to be established north of the Occoquan River. Church attended by George Washington.
Pohick Church cemetery 44FX2330	Unevaluated	
William Herris Gravemarker 029-0562	Unevaluated	Contributes to Pohick Church cemetery. Relocated to the church cemetery. Carved stone is an excellent example of early folk sculpture and stone masonry. Herris was probably an officer in Col. Herbert Jeffrey's regiment.

Potential Impacts:

Site	On-grade alternative	Off-grade alternative
Pohick Episcopal Church 029-0046, 000-9800-0013	Noise and vibration impacts. Minor visual impacts during construction	Significant visual impacts Noise and vibration impacts
Pohick Church cemetery 44FX2330	none	Visual impacts
William Herris Gravemarker 029-0562	none	none

Proposed A/M/M Strategy: Sound insulation for building possible; vibration monitoring; No other mitigation currently proposed

First Reviewers: Pohick Episcopal Church

Resource Name: Potomac Heritage National Scenic Trail

Significance:

Primary Concerns: Maintain meandering, scenic, natural surface trail to complement other existing and planned Trail segments.

Potential Impacts: The location of the trail has not been determined. Construction of the trail through Woodlawn will likely be concurrent with Route 1 improvement project.

Proposed A/M/M Strategy: Potential to route the trail through Woodlawn property using old Route 1 alignment. Interpretive signs. Landscaping.

First Reviewers: National Park Service

1 **DRAFT 1/11/2012**

2 **NATIONAL HISTORIC PRESERVATION ACT SECTION 106**

3 **MEMORANDUM OF AGREEMENT**

4 **AMONG THE**

5 **FEDERAL HIGHWAY ADMINISTRATION;**

6 **U.S. ARMY GARRISON, FORT BELVOIR;**

7 **FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION;**

8 **VIRGINIA DEPARTMENT OF TRANSPORTATION;**

9 **And**

10 **VIRGINIA STATE HISTORIC PRESERVATION OFFICER**

11 **With Concurrence by**

12 **WOODLAWN BAPTIST CHURCH;**

13 **NATIONAL TRUST FOR HISTORIC PRESERVATION**

14 **Other Concurring Parties**

15 **REGARDING CONSTRUCTION OF**
16 **ROUTE 1 IMPROVEMENTS PROJECT**
17 **IN FAIRFAX COUNTY, VIRGINIA**

18 **DHR File No. XXX**
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RECITALS

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1. **WHEREAS**, the Federal Highway Administration Eastern Federal Lands Highway Division (herein “the FHWA”), serves as the lead Federal agency for the National Environmental Policy Act (herein “NEPA”) and for National Historic Preservation Act (16 U.S.C. § 470; herein “NHPA”) Section 106 compliance for the construction of proposed improvements to the Richmond Highway (U.S. Route 1) corridor between Telegraph Road (Route 611) and Mount Vernon Highway (Route 235) in Fairfax County, Virginia; and
2. **WHEREAS**, the proposed new alignment for Route 1.....describe alignment
3. **WHEREAS**, describe land transfers
4. **WHEREAS**, the FHWA, the U.S. Army Garrison Fort Belvoir (herein “the Garrison”), Fairfax County Department of Transportation (herein “the County”) and the Virginia Department of Transportation (herein “VDOT”), as Signatories to this Memorandum of Agreement (herein “Agreement”), have also executed the separate Project MOA (date) detailing the obligations and responsibilities of each party in relation to the funding, preliminary engineering, land acquisition, construction and maintenance of the Project; and
5. **WHEREAS**, the Virginia State Historic Preservation Officer (herein “SHPO”) has participated in consultation as a consulting party and has been invited by the FHWA to be a signatory in this Agreement; and
6. **WHEREAS**, the Garrison has NEPA and NHPA Section 106 co-lead agency responsibility on behalf of the Department of the Army (herein “DA”) for actions on the Garrison including the land transfer; and the Garrison has designated FHWA as the lead Federal agency to fulfill its Federal responsibilities under NHPA Section 106 for the Project; however, the determination of eligibility for any future discoveries on Army property will be made by the Army; and
7. **WHEREAS**, pursuant to Section 10 and/or Section 404 of the Clean Water Act (33 U.S.C. § 1251 et seq.), a DA permit will likely be required from the Norfolk District of the U.S. Army Corps of Engineers (herein “the Norfolk District”) for this project, and the Norfolk District has designated FHWA as the lead federal agency to fulfill federal responsibilities under Section 106 (letter dated June 21, 2011); and,
8. **WHEREAS**, the Baltimore District of the U.S. Army Corps of Engineers (herein “the Baltimore District”) – real estate
9. **WHEREAS**, the Draft Environmental Assessment, and Draft Route 1 Section 4(f) Evaluations, Fairfax County Transportation Plan, EA completed in 2001,

- 66 BRAC EA, other previously completed studies and supporting technical reports
67 provide background information to this Memorandum of Agreement (MOA); and
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- 69 10. **WHEREAS**, the Area of Potential Effects (herein “APE”) has been established in
70 consultation with the SHPO and other Signatories and consulting parties for the
71 Project, and is defined in **Attachment X**; and
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- 73 11. **WHEREAS**, the FHWA, in consultation with the SHPO, has determined that the
74 project will have an Adverse Effect on **the following historic properties**: LIST
75 PROPERTIES
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- 77 12. **WHEREAS**, the FHWA, in conjunction with the Garrison, VDOT and the
78 County, has consulted with the SHPO and the Advisory Council on Historic
79 Preservation (ACHP) to resolve the effects of the project on historic properties in
80 accordance with Section 106 of the National Historic Preservation Act, 16 U.S.C.
81 § 470, and its implementing regulations, 36 CFR Part 800; and
82
- 83 13. **WHEREAS**, in accordance with 36 CFR Part 800.10(a) and in consultation with
84 the National Trust for Historic Preservation (herein “Trust”), the FHWA has
85 ensured that, to the maximum extent possible, planning and actions to minimize
86 harm to Woodlawn Plantation, a National Historic Landmark (herein “NHL”),
87 have taken place, including an analysis of alternatives considered to avoid,
88 minimize, and/or mitigate adverse effects on the NHL; and
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- 90 14. **WHEREAS**, in accordance with 36 CFR Part 800.10(c), the FHWA has invited
91 the Secretary of the Interior through the National Park Service (NPS) to
92 participate in consultation on ways to minimize harm to Woodlawn Plantation
93 (NHL), and has **received no response** indicating the Secretary’s willingness to
94 participate in consultation; and
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- 96 15. **WHEREAS**, pursuant to 36 CFR Part 800.3(c), and in recognition of the
97 obligation conferred upon the FHWA by the American Indian Religious Freedom
98 Act (42 U.S.C. § 1996; herein “AIRFA”), and Section 3(c) of the Native
99 American Graves Protection and Repatriation Act (25 USC § 3002(c); herein
100 “NAGPRA”), the FHWA has invited the Catawba Indian Nation to participate in
101 consultation **(Response?)**; and
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- 103 16. **WHEREAS**, the following parties, or individuals, have participated in the
104 process as consulting parties and have been invited by FHWA to review and
105 concur with this Agreement:
106
- 107 a) Woodlawn Baptist Church
 - 108 b) Alexandria Friends Meeting at Woodlawn
 - 109 c) Pohick Episcopal Church
 - 110 d) Virginia Council on Indians
 - 111 e) Fairfax County Planning Commission

- 112 f) Fairfax County Historical Society
- 113 g) Gum Springs Historical Society
- 114 h) National Park Service
- 115 i) Ms. Martha Catlin
- 116 j) Ms. Sallie Lyons; and

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118 17. **WHEREAS**, the project may have an effect on additional properties, yet to be
119 identified, that are eligible for inclusion in the National Register, as the result of
120 activities related to implementation of the project, including, but not limited to,
121 construction staging, dredge disposal, wetland mitigation, and other ancillary
122 activities; and

123

124 **NOW, THEREFORE**, the FHWA, the Garrison, the County, VDOT and the SHPO
125 agree that this undertaking shall be implemented in accordance with the following
126 stipulations in order to take into account the effects of the undertaking on historic
127 properties.

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STIPULATIONS

The FHWA will ensure that the following stipulations are implemented:

I. Treatment for Woodlawn Historic District

In consultation with NTHP, the FHWA shall develop and implement an appropriate landscaping plan to ensure that the project does not have adverse visual impacts to Woodlawn Historic District. The FHWA shall submit the plan to NTHP for review and comment prior to implementation. If NTHP does not provide comments on the proposed landscaping plan within 30 calendar days, the FHWA may assume acceptance of the plan.

- The Southern Alignment would avoid impacts to Grand View House
- Signalized intersection for access to property
- Design to minimize road footprint as much as possible
- If relocation of stables/horse farm operation required, lessee would receive assistance (relocation costs/lump sum settlement/temporary storage, etc.)
- Pole barns could be relocated
- Plantings in central median, reserved for transit, to reduce visual impacts
- Interpretive signs (possibly tying in with the Potomac Heritage Trail)

II. Treatment for Woodlawn Plantation

- Water and sewer service sufficient to serve the Woodlawn property for regular operations and safety
- Tapered median near Mulligan Road
- Interpretive signage
- Signal at intersection to improve safety/access

III. Treatment for Woodlawn Baptist Church and Cemetery

In consultation with Woodlawn Baptist Church, the FHWA shall develop

- Driveway access to the church
- Landscaping to mitigate for tree removal
- Signage
- Easement granting church usage of “island” of DOD land created by Southern Alignment
- Noise abatement per noise regulation requirements/guidelines
- Design charette to work out design details for driveway access, landscaping, etc.

IV. Treatment for Otis Tufton Mason House

- Southern Alignment would either result in take of the house, or Route 1 would be brought so close to the house that its original setting would be lost. The house could be relocated to maintain its wooded setting.
- Currently, the house has not been evaluated for National Register eligibility. Further study is needed to determine its eligibility, and whether it is a contributing

175 part of the Woodlawn Historic District. If found potentially eligible, will be
176 recommended for listing in the National Register.

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178 **V. Treatment for Friends Meeting House**

179 - Southern Alignment takes roadway further from meeting house and reduces
180 visual/auditory impacts

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182 **VI. Treatment for Pohick Episcopal Church**

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184 **VII. Late Discoveries of Archaeological Properties**

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186 In the event that a previously unidentified archaeological resource is discovered during
187 ground-disturbing activities, the County, in accordance with **Section 107.14(d) of**
188 **VDOT's Road and Bridge Specifications**, shall require the construction contractor to halt
189 all construction work involving subsurface disturbance in the area of the resource and in
190 surrounding areas where additional subsurface remains can reasonably be expected to
191 occur. Work in all other areas of the project may continue. The County shall notify the
192 FHWA and the SHPO of the resource within five working days of the discovery. The
193 County's cultural resource staff, or an archaeologist meeting the Secretary of the
194 Interior's Professional Qualifications Standards for Archaeologist (48 FR 44739), shall
195 investigate the work site and the resource, and then the FHWA, in conjunction with the
196 County, shall forward to the SHPO an assessment of the National Register eligibility of
197 the resource (36 CFR Part 60.4) and proposed treatment actions to resolve any adverse
198 effects on the resource. The SHPO shall respond within five working days of receipt of
199 the County's assessment of National Register eligibility of the resource and proposed
200 action plan. If no comments are received within five working days, the FHWA and the
201 County may assume concurrence. The FHWA, in conjunction with the County, shall take
202 into account the SHPO's recommendations regarding National Register eligibility of the
203 resource and the proposed action plan, and then carry out appropriate actions. The
204 County shall ensure that construction work within the affected area does not proceed until
205 appropriate actions are implemented.

206

207 If a previously unidentified archaeological property that has been determined in
208 consultation with the SHPO to be eligible for the National Register of Historic Places is
209 located on property owned by the Trust, the FHWA and the County shall consult with the
210 Trust, as well as the SHPO, regarding proposed treatment actions to resolve any adverse
211 effects to the site. The Trust shall respond within five working days of receipt of the
212 proposed action plan. If no comments are received within five working days of receipt,
213 the FHWA and the County may assume concurrence. The FHWA and the County shall
214 take into account the comments of both the Trust and the SHPO on the action plan, and
215 then carry out appropriate actions prior to re-initiated construction within the affected
216 area.

217

218 **VIII. Addressing Potential Effects to Archaeological Sites**

219 Stormwater management ponds

220 Borrow and staging areas

221 Tree removal and planting
222

223 **IX. AMENDMENTS TO AGREEMENT**
224

- 225 A. Any signatory to this Agreement, through consultation, may request an
226 amendment to its terms, and the provisions of any attachment hereto. The
227 signatory wishing to amend the Agreement shall initiate consultation with the
228 FHWA and all Signatories.
229
- 230 B. The FHWA shall consult with the Signatory submitting the suggested amendment
231 and all other Signatories, and if there is agreement between the Signatories,
232 submit the amendment to all Signatories for a concurrent review and signature.
233 The Signatories shall have 30 calendar days from receipt to provide comment to
234 the FHWA. After review and signature by each Signatory, the FHWA shall
235 prepare a final amendment form with a compiled signature page and send it to all
236 Signatories.
237
- 238 C. Upon execution of the amendment, each Signatory shall attach a copy of the fully
239 executed form to their copy of this Agreement, and shall enter the amendment
240 number and date on the upper-right-hand corner of the first page of this
241 Agreement.
242
- 243 D. If a dispute arises concerning an amendment, the procedures in **Stipulation X**
244 shall be followed to resolve the dispute. All Signatories must concur with the
245 amendment, consistent with the standard process for amendments found in the
246 Section 106 regulations.
247
- 248 E. At least six months prior to the date of expiration of this Agreement, the
249 Signatories shall meet and discuss the need to amend or alter the Agreement. The
250 **five-year** sunset provision shall commence a review of the Agreement and its
251 implementation until all stipulations have been completed.
252

253 **X. DISPUTE RESOLUTION**
254

255 Should any signatory to this agreement object in writing to the FHWA or the VDOT
256 regarding any action carried out or proposed with respect to the undertaking or
257 implementation of this agreement, the FHWA, in conjunction with the VDOT, shall
258 consult with the objecting signatory to resolve the objection. If after initiating such
259 consultation the FHWA determines that the objection cannot be resolved through
260 consultation, the agency shall forward all documentation relevant to the objection to the
261 ACHP, including the agency's proposed response to the objection. Within 30 days after
262 receipt of all pertinent documentation, the ACHP shall exercise one of the following
263 options:
264

- 265 1. Advise the FHWA that the ACHP concurs in the agency's proposed response to the
266 objection, whereupon the agency will respond to the objection accordingly; or
267
268 2. Provide the FHWA with recommendations, which the agency shall take into account in
269 reaching a final decision regarding its response to the objection; or
270
271 3. Notify the FHWA that the objection will be referred for comment pursuant to 36 CFR
272 Part 800.7(a)(4), and proceed to refer the objection and comment. The agency shall take
273 the resulting comment into account in accordance with 36 CFR Part 800.7(c)(4).
274

275 Should the ACHP not exercise one of the above options within 30 days after receipt of all
276 pertinent documentation, the FHWA may assume the Council's concurrence in its
277 proposed response to the objection.
278

279 The FHWA shall take into account any ACHP recommendation or comment provided in
280 accordance with this stipulation with reference only to the subject of the objection; the
281 agency's responsibility to carry out all actions under this agreement that are not the
282 subjects of the objection shall remain unchanged.
283

284 **XI. TERMINATION**

- 285
286 A. Only the Signatories may terminate this Agreement. If any Signatory proposes
287 termination of this Agreement, the Signatory party proposing termination shall
288 notify all other Signatories to this Agreement in writing, explaining the reasons
289 for proposing termination, and consult with all other Signatories for at least 30
290 calendar days to seek alternatives to termination. If consultation results in an
291 agreement on an alternative to termination, the Signatories shall proceed in
292 accordance with the terms of that Agreement.
293
294 B. If consultation fails to resolve the issue, the Signatory party proposing termination
295 may terminate this Agreement by promptly notifying all other Signatories to this
296 Agreement in writing. Termination hereunder shall render this Agreement null
297 and void.
298
299 C. If this Agreement is terminated, and if the FHWA determines that the Project
300 shall nonetheless proceed, then the FHWA shall either consult in accordance with
301 36 CFR Part 800.6 to develop a new Agreement, or request the comments of
302 ACHP pursuant to 36 CFR Part 800.7.
303

304 **XII. Duration**

305

306 1. Unless this Agreement is terminated pursuant to **Stipulation XI** or superseded by
307 another Agreement executed for the Project, or the project has been terminated,
308 this Agreement shall remain in effect for a period of **5 years** from the date of
309 signature..

310

2.

311 3. Upon a determination by the FHWA that construction of all aspects of the Project
312 have been completed and that all terms of this Agreement have been fulfilled in a
313 satisfactory manner, the FHWA shall notify the other Signatories of that
314 determination in writing, whereupon this Agreement shall no longer have any
315 effect.

316

4.

317 5. At any time during the six-month period prior to expiration of the Agreement, the
318 signatories (VDOT, the FHWA, the Garrison, Fairfax County, the SHPO) may
319 agree to extend this Agreement with or without amendments. If FHWA or VDOT
320 decides it will not proceed with the Project, it will so notify the signatories and
321 this agreement shall become null and void.

322

323 This Memorandum of agreement is binding upon all successors and assigns, and shall be
324 disclosed to all prospective purchasers of land for sale by any signatory of this MOA
325 within the Woodlawn Historic District, prospective tenants within the areas affected by
326 this MOA, and all others seeking to gain a financial interest in any of the affected historic
327 properties. The party offering the sale, tenancy, or financial interest shall make such
328 disclosure.

329

330

EXECUTION

Execution of this Agreement by the Signatories, and its submission to ACHP in accordance with 36 CFR Part 800.6(b)(1)(iv), shall, pursuant to 36 CFR Part 800.6(c), be considered to be an agreement with ACHP for the purposes of Section 110(1) of the NHPA. Execution and submission of this agreement, and implementation of its terms, evidence that the FHWA has afforded ACHP an opportunity to comment on the proposed Project and its effect on historic properties, and that the FHWA has taken into account the effect of the Project on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: _____
Roberto Fonseca-Martinez, Division Administrator
Virginia Division

VIRGINIA STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: _____
Kathleen S. Kilpatrick, Director
Virginia Department of Historic Resources

VIRGINIA DEPARTMENT OF TRANSPORTATION

By: _____ Date: _____
Earl T. Robb, Environmental Division Administrator

FAIRFAX COUNTY

By: _____ Date: _____
Anthony H. Griffin, Fairfax County Executive

FORT BELVOIR

By: _____ Date: _____
Colonel Thomas W. Williams, Garrison Commander

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CONCURRING PARTY

ATTACHMENTS

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Attachment A:

Attachment B:

Attachment C:

REFERENCES CITED

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2002 Road and Bridge Specifications. Virginia Department of Transportation, Richmond VA.