US Army Corps of Engineers
Baltimore District

FINDING OF NO SIGNIFICANT IMPACT AND ENVIRONMENTAL ASSESSMENT

REHABILITATION AND MODIFICATION OF MOORING PIERS AT THE POTOMAC AND ANACOSTIA RIVERS COLLECTION & REMOVAL OF DRIFT PROGRAM

Washington, D.C.

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FINDING OF NO SIGNIFICANT IMPACT

Rehabilitation and Modification of the Mooring Piers at the Potomac and Anacostia Rivers Collection & Removal of Drift Program

In accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, the U.S. Army Corps of Engineers (USACE), Baltimore District, has assessed the environmental effects of the Rehabilitation/Modification of Mooring Piers at the Potomac and Anacostia Rivers Collection & Removal of Drift ("DC Drift") Program, located at 1125 O Street SE, Washington DC.

The DC Drift Program was authorized by the River and Harbor Act of 1965, Section 301 (Public Law 89-298). The program conducts drift removal operations on a year-round basis and provides benefits to navigation by reducing damages, financial loss and safety hazards to commercial and recreational vessels, their operators and docking facilities. The DC Drift Program protects environmental habitat, improves water quality and aesthetics, and expands public access within the Chesapeake Bay watershed.

The DC Drift Program is planning to perform rehabilitation and modification of the mooring piers in the Anacostia River at the USACE DC Drift field office dock, in order to accommodate a new barge-mounted crane that would be used to aid in the offloading of debris collected by the DC Drift Program vessels. The previously used crane is no longer operational.

The environmental assessment was prepared in compliance with NEPA and supporting regulations promulgated by the Council on Environmental Quality and the USACE. Three alternatives were considered and evaluated for this project: the no-action alternative (Alternative #1), the removal of 20 existing pilings by cutting them off at the mud line and installation of 9 new pilings (Alternative #2- proposed action), and the complete removal of the 20 existing pilings (including those portions of the pilings below the mud line) and installation of 9 new pilings (Alternative #3).

Potential impacts to aquatic resources; terrestrial resources; threatened and endangered species; hazardous, toxic and radioactive substances; cultural resources; and social welfare were assessed.

Short-term, minor, adverse impacts from the proposed project include air emissions, temporary minor impacts to water quality and essential fish habitat, temporary and localized impacts to underwater noise during installation of the new pilings, and temporary partial blockage of the Federal navigation channel during construction.

Known contaminants potentially present along the sediment bottom of the Anacostia River due to historical anthropogenic activities include non-aqueous phase liquids, polychlorinated

biphenyls, polycyclic aromatic hydrocarbons, and pesticides. Best management practices recommended by the District of Columbia's Department of Energy and the Environment would be implemented to reduce potential impacts to water quality from the proposed action. Turbidity curtains would be installed prior to construction activities and maintained throughout the construction process to minimize the migration of suspended sediment. Oil absorbing booms would also be in place, maintained and replaced as needed, throughout the construction process. USACE and its contractors would also monitor, contain, and remove any sheens and/or free product that is encountered during the construction of the project. No impacts to cultural resources or properties listed in or eligible for listing in the National Register of Historic Places are expected.

The accompanying environmental assessment, which was made available for a 15-day public review, supports the conclusion that the project does not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, an environmental impact statement is not necessary to perform the rehabilitation and modification of mooring piers at the DC Drift Program field office dock.

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John T Litz
Colonel, U.S. Army
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1.0 PURPOSE OF AND NEED FOR ACTION

1.1 Project Background and Authority

The Potomac and Anacostia Rivers Collection and Removal of Drift ("DC Drift") Program was authorized by the River and Harbor Act of 1965, Section 301 (Public Law 89-298). The U.S. Army Corps of Engineers (USACE), Baltimore District's Potomac and Anacostia Rivers Drift Collection and Removal Unit operates out of the DC Drift Program facilities located adjacent to the Washington Navy yard (Figure 1) and conducts drift removal operations on a year-round basis. The Potomac River project area extends from the head of the tide (Chain Bridge) to the entrance channel to Mount Vernon, Virginia. The Anacostia River project area extends from the head of tide (Bladensburg Bridge) to its confluence with the Potomac River at Fort McNair. The DC Drift Program project is 27 miles long with an area of approximately 16 square miles. The collection and removal effort is intensified following storms, extreme high tides and high river flows. USACE boat operators conduct routine debris patrols and respond to debris calls received from the U.S. Coast Guard, U.S. Navy, boat and marina operators, and private citizens. Operations are concentrated in open waters of the main Federal channels and in the vicinity of major terminal facilities.

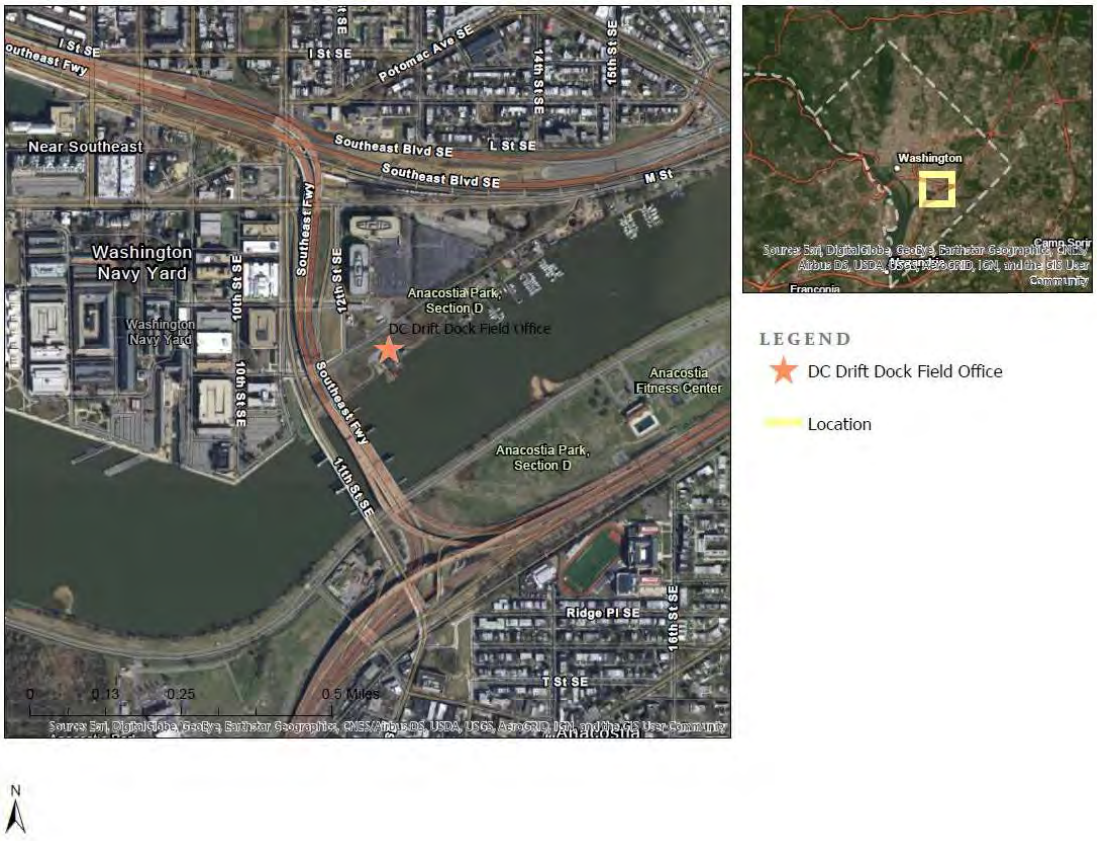

Figure 1. Location map of the DC Drift Program field office located on the Anacostia River, adjacent to the Washington Navy Yard.

The DC Drift Program utilizes two vessels to collect and remove debris from the Anacostia and Potomac Rivers. A barge-mounted crane is then used to aid in the offloading of the debris collected from the vessels; however, the previously used barge-mounted crane is no longer operational. Current procedures to off load collected debris are inefficient, making it difficult for the DC Drift Program to meet its mission and responsibilities.

The DC Drift Program provides benefits to navigation by reducing damages, financial loss and safety hazards to commercial and recreational vessels, their operators and docking facilities. The DC Drift Program protects environmental habitat, improves water quality and aesthetics, and expands public access within the Chesapeake Bay watershed.

1.2 Purpose and Need

The proposed action is needed to replace deteriorating pilings and add new pilings to accommodate a new, slightly larger and wider, barge mounted crane. The crane would be used to aid in the offloading of debris collected by the DC Drift Program vessels. The previously used barge-mounted crane that lifted debris from the debris barge is no longer operational, and current procedures to off load collected debris are inefficient, impeding the ability of the DC Drift Program to meet its mission.

1.3 Scope

This environmental assessment (EA) has been prepared by USACE pursuant to the National Environmental Policy Act (NEPA) and Engineering Regulation (ER) 200-2-2. This EA evaluates the potential environmental and socioeconomic impacts from the proposed action and evaluated alternatives upon the existing resources within the project area. The proposed action fits under a USACE categorical exclusion (CX) established in Engineering Regulation 200-2-2 (CX "section 9.a") – activities at completed USACE projects, which carry out the authorized project purposes. However, an EA was prepared for the proposed action due to historical contaminants in the project area.

The project area is defined as the area directly affected by project construction, located within the vicinity of the proposed turbidity curtain (Appendix A). The project area is located within the Anacostia River, immediately adjacent to the DC Drift Program dock. The riverbed of the Anacostia River within Washington D.C. is owned by the United States and administered by the National Park Service (NPS), National Capital Region (NCR).

Online environmental resource information, Google Earth Pro and Google Maps imagery were used to assess existing conditions. Sediment sampling results from locations around the project area, obtained from Washington Gas as part of the Anacostia River remedial investigation efforts, were used to assess existing conditions.

1.4 Coordination

In compliance with NEPA of 1969, as amended, coordination was conducted with Federal, state, and local resource agencies. All coordination and correspondence with resource agencies can be found in Appendix B.

USACE coordinated with the DC State Historic Preservation Office (DCSHPO) to ensure compliance with Section 106 of the National Historic Preservation Act. USACE provided information about the project to Federally-recognized tribes with potential interest in the area by letter. The Pamunkey Indian Tribe was the only Federally-listed tribe identified as having a potential interest in the area and the letter was mailed on 07 Feb 2020.

Consultation with the District of Columbia's Department of Energy and the Environment (DOEE) was also conducted to ensure compliance with Section 401 of the Clean Water Act (CWA). Appendix B includes a response from DOEE, dated 07 July 2019, regarding coordination under CWA Section 401.

Coordination with the Air Quality Permitting Branch of the DOEE was completed to determine whether any air quality permits would be required for the proposed project.

Coordination with the NOAA National Marine Fisheries Service (NMFS) Greater Atlantic Regional Fisheries Office, Habitat Conservation Division, was completed to ensure compliance with Section 7 of the Endangered Species Act (ESA) and the Essential Fish Habitat (EFH) regulations under the Magnuson-Stevens Act.

Agency coordination was conducted by USACE with the U.S. Fish and Wildlife Service (USFWS) through the Information, Planning, and Consultation (IPaC) online system to ensure compliance with Section 7 of the ESA.

USACE coordinated with NPS NCR, regarding the proposed action and potential need for a NPS special use permit to perform work within the Anacostia River as per 41 Fed. Reg. 34801 (Appendix C).

The EA was made available for a public review period of 15 days. Public comments received and USACE's response to the public comments can be found in Appendix D.

2.0 PROJECT DESCRIPTION

The USACE DC Drift Program plans to perform rehabilitation and modification of the mooring piers in the Anacostia River at the USACE DC Drift Program field office located at 1125 O Street SE, Washington DC. The proposed action consists of removing 20 existing pilings by cutting them

off at the mud line and installing 9 new pilings. The new pilings are to be 16-inch diameter steel, placed to a height of 10 feet above mean low water. The new pilings would be installed using a barge-mounted pile driver. The existing mooring dock works would remain the same otherwise.

2.1 Anticipated Date and Duration of Proposed Action

The proposed action is expected to occur in early 2021, with a duration of approximately two weeks.

3.0 ALTERNATIVES CONSIDERED

3.1 Alternative 1 – No-Action Alternative

Under the no-action alternative, the mooring piers would not be rehabilitated and modified to accommodate a new barge-mounted crane. The DC Drift Program would continue to attempt to meet its mission and responsibilities with use of inefficient alternative debris removal procedures. The existing mooring piers are inadequate to allow for the use of a larger and wider, barge-mounted crane, which would improve the efficiency of debris offloading. The no action alternative would not meet the purpose and need for the action and would continue the current situation of inefficient debris removal, thereby impeding the ability of the DC Drift Program to meet its mission.

3.2 Alternative 2 – Proposed Action.

The proposed action consists of removing 20 existing pilings by cutting them off at the mud line and installing 9 new pilings at the locations specified on the proposed action plans (Appendix A). The new pilings are to be 16-inch diameter steel, extending 10 feet above mean low water. The new pilings would be installed using a barge-mounted pile driver. The existing mooring dock works would remain the same otherwise.

To minimize the migration of suspended sediment during the cutting, removal, and replacement of the pilings, silt barriers/turbidity curtains would be installed surrounding the project area prior to beginning of construction activities and would be maintained throughout the construction process. Oil absorbing booms would also be installed, maintained and replaced as needed throughout the construction process to minimize the migration of sediment borne contaminants. USACE and its contractors would also monitor, contain, and remove sheens and/or free product that is encountered during construction of the project. The work area within the turbidity curtain is expected to be approximately 12,000 sq. ft. The dock occupies an area of approximately 1,800 sq. ft. Actual impacts to the river bottom would be less and include only the footprint and location where the new pilings would be placed. Less than 25 sq. ft. of river bottom would be directly and permanently impacted. A Health and Safety Plan in accordance with Occupational Safety and

Health Administration 29 CFR 1910.120 will be developed for work under the proposed action. All work will be conducted in accordance with the USACE Safety and Health Requirements Manual, EM 385-1-1. Safety work plans will be required to be submitted for review and approval prior to the start of work. Work will be overseen by qualified USACE staff to ensure compliance with the work plan. Plan views of the proposed action, including the proposed environmental controls, can be found in Appendix A.

3.3 Alternative 3 – Complete removal of existing piers.

Alternative #3 would be similar to Alternative #2 but would also consist of the complete removal of the 20 existing pilings by pulling them out completely. Nine new pilings would be installed. The new pilings would be 16-inch diameter steel and extend 10 feet above mean low water. The new pilings would be installed using a barge-mounted pile driver.

The complete removal of the pilings would be completed through the use of vertical pulling or vibratory extraction. The existing pilings are over 30 years old and are very brittle. Complete removal of the pilings could cause breakage along the weakest point and may jeopardize complete removal. Moreover, the complete removal of the pilings from the sediment bed would cause additional disturbance of sediments immediately surrounding the pilings, thereby also disturbing contaminants within the sediment bed. The complete removal of the pilings could also create a pathway for prolonged release of any historical contaminants trapped in the sediment bed.

3.4 Recommended Alternative

Alternative #2, involving the removal of 20 existing pilings by cutting them off at the mud line and installing 9 new pilings, is the recommended alternative. Under this alternative, the cutting of the existing pilings would reduce disturbance to the sediment bed. This, in addition to the proposed environmental controls and best management practices (BMPs), would minimize impacts to water quality within the Anacostia River from the proposed action.

Under the no-action alternative, the DC Drift Program would continue its mission responsibilities using inefficient debris removal techniques. The no-action alternative is not anticipated to impact air quality, noise, threatened and endangered species, or water resources. The no-action alternative may have an indirect, adverse impact within the Anacostia and Potomac Rivers and on the Washington Harbor and Anacostia River Basin Federal navigation channels, by impeding the efficient removal of debris from the waterways, which could impact commercial and recreational vessels, operators, and docking facilities.

Alternative #3, or the complete removal of the existing pilings from the sediment bed, would

cause additional disturbance of the sediment bed and may create a pathway for prolonged release of any contaminants trapped in the sediment bed.

USACE coordinated with NPS NCR regarding the proposed action and potential need for a NPS special use permit to perform work within the Anacostia River as per 41 Fed. Reg. 34801. Because the proposed action is a Federal action supporting a Federal project, a NPS permit for the work is not needed. However, in the interest of comity, the USACE provided NPS with information regarding the proposed action. NPS provided concurrence with the USACE proposed action and issued Special Use permit #NCA-6000-20-006 (Appendix C). USACE and its contractors will follow the NPS Special Use permit conditions.

4.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

The proposed project is located within the Washington D. C. portion of the tidal Anacostia River.

This section describes the affected environment, the existing conditions, and the potential project impacts on the natural and socioeconomic resource categories that are applicable to the area affected by the proposed action and Alternative #3. Each environmental, cultural, and social resource category was reviewed for its applicability. Table 4.1 provides a summary of resource categories removed from further consideration in this EA because they are not applicable, are not present within the project area, or where the project would have only negligible effect.

Table 4.1- Summary of resource categories eliminated from further consideration in this EA.

Resource Category	Applicability/Effect
Aesthetic	Negligible impact. Temporary presence of a barge-mounted piling driver during construction. The modification of the pilings would allow for a new barge-mounted crane. The new barge-mounted crane is the same height as the previously used barge-mounted crane.
Land Use	The proposed action is located within the Anacostia River and would not change land use.
Soils	Not applicable. The riverbed sediments are considered under the topic of geology.
Wild and Scenic Rivers	Not applicable. The Anacostia River is not a designated Wild and Scenic River.
Prime and Unique Farmlands	Not applicable. The proposed action would occur within the Anacostia River and no Prime and Unique Farmlands are present in the areas adjacent to the project site (USDA, 2020).
Floodplain Management	The proposed action would occur within the tidal Anacostia River and would not affect the surrounding floodplain. The proposed action is not expected to result in adverse impacts to the floodplain.

Table 5.1 provides the compliance status of the proposed action with applicable environmental protection statutes and executive orders.

4.1 Geology and Topography

The project area is within the District of Columbia, which is located along the fall line between two geographic provinces: the Piedmont province and the Coastal Plain province. The north-western portion of the District of Columbia is part of the Piedmont province, while the southeastern portion is part of the Coastal plain. The project area lies within the Coastal plain and is characterized as flat lying with sedimentary deposits primarily composed of beds of gravel, sand, and clay that overlap and mantle the ancient bedrock (Department of the Interior, 1950). The elevation adjacent to the project area is 3 feet above sea-level.

The sediment within the project area is characterized as fine to coarse material, primarily composed of silt and clay (DOEEb, 2019). See Section 4.10 for historical contaminants in the sediment bed.

No impacts to the geology or topography are anticipated due to construction of the proposed action because the project would take place within the Anacostia River and the adjacent land area would not be impacted. Similarly, Alternative #3 would have no impacts to geology or topography.

4.2 Air Quality

The District of Columbia is in nonattainment for the 8-hour ozone (2015) National Ambient Air Quality Standards (NAAQS) (40 CFR Part 50) and in maintenance status designation for 8-hour ozone (2008 standard) and carbon monoxide (1971 standard).

Coordination with the Air Quality Permitting Branch of the DOEE was completed to determine whether air quality permits would be required for the proposed project (Appendix B). Preliminary consultation with DOEE indicated that the use of pile drivers for the proposed project would not require air quality permits under the District of Columbia Municipal Regulations (20 DCMR Ch 15) and would likely be below the de minimis levels for General Conformity.

Construction of the proposed action would involve the use of a barge-mounted pile driver and is expected to take two weeks to complete. Construction of Alternative #3 would use the same equipment and would have a similar duration to the proposed action. Therefore, construction of the proposed action is expected to have minor, short-term, localized direct impacts to air quality. Alternative #3 would have minor, short-term, localized direct impacts to air quality.

4.3 Water Quality

The tidal Anacostia River flows from Prince George's County in Maryland, beginning at the confluence of the Northwest Branch and the Northeast Branch. The tidal Anacostia River then flows into Washington D. C., ending at the juncture with the Potomac River. The Anacostia River watershed drains a heavily urbanized area, approximately 176 square miles in size. The Anacostia River is impacted by combined sewer overflows during rain events. In 2018, the Anacostia River Tunnel project was completed to mitigate combined sewer overflows as part of the DC Clean Rivers Project. The Anacostia River Tunnel project diverts raw sewage from being discharged into the Anacostia River, and connects to the Blue Plains Tunnel at Poplar Point, which delivers the sewer overflows to the Blue Plains Advanced Wastewater Treatment plant. Since completion of the Anacostia River Tunnel project, sewer overflows to the Anacostia River have been decreased by 90 percent (DC Water, 2018).

The Anacostia River is impaired for pathogens (*Escherichia coli*), total suspended solids (turbidity), biological oxygen demand (organic enrichment/oxygen depletion), nitrogen and phosphorous, trash, metals (arsenic, copper, and zinc), oil and grease, pesticides (chlordane, DDD, DDE, DDT, dieldrin, and heptachlor epoxide), polychlorinated biphenyls, and toxic organics (polycyclic aromatic hydrocarbons [PAHs]) (Clean Water Act 303d list). Due to these impairments, the Anacostia River is not able to support the following uses: swimming, secondary contact recreation, aquatic life, and fish consumption use. Total Maximum Daily Loads have been established and approved by the Environmental Protection Agency (EPA) for all pollutants and pollutant categories causing impairments within the Anacostia River (DOEE, 2020).

Based on a review of the plans provided by the USACE Baltimore District Operations Division, there are no regulated discharges associated with the proposed action. Email communication from USACE Baltimore District Operations Division, dated 25 November 2019, explains that consistency consultation with the USACE Baltimore District Regulatory Office has been completed, and that the proposed action would not require a Clean Water Act (CWA) Section 10 permit because it is a Federal action supporting a Federal project, nor would a CWA Section 404 permit be required because there are no regulated discharges associated with the proposed action (Appendix B). The new pilings would be installed next to the location of the existing pilings and would not extend further into the navigation channel.

Consultation with the DOEE's Water Resource Protection and Mitigation Branch, Regulatory Review Division was also conducted. DOEE responded in a letter by email, dated 07 July 2019, indicating that because the proposed action does not require a CWA Section 404 permit, a Water Quality Certification (WQC) is not required (Appendix B). The DOEE recommended the use of BMPs such as turbidity curtains, to ensure the proposed activity will not violate the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.01 *et seq.* Turbidity curtains will be used around the work area to prevent water pollution and the USACE and its contractors will follow DOEE recommendations. The proposed action would have minor, localized, temporary effects on

water quality due to minor turbidity from the cutting of existing pilings and the installation of new pilings. Alternative #3 would cause additional sediment disturbance and turbidity due to complete removal of existing pilings. Therefore, effects on water quality from Alternative #3 are expected to be localized, moderate and temporary.

The DOEE maintains a groundwater monitoring network in the Anacostia and Rock Creek Park watersheds. Most of the wells are shallow, several are in the recharge area of the Patuxent Aquifer, and a few deep wells are in the Patuxent Aquifer (DOEE, 2020). Monitoring well data results generally indicate that wells are not impacted by anthropogenic contamination.

Potable water to the District of Columbia is supplied by DC Water, which purchases treated water from the Washington Aqueduct (DC Water, 2017). Groundwater in the substrate of the project area is below the tidal waters of the Anacostia River, and likely interconnected hydrologically with tidal waters. Groundwater below the surface on land adjacent to the project area would likely be tidally controlled. Groundwater recharged from land likely seeps into the river through the substrate, including in the project area. See Section 4.10 for contaminant concerns in project area.

None of the alternatives evaluated are anticipated to impact groundwater resources.

4.4 Aquatic Resources and Wetlands

The Anacostia River is classified by the National Wetlands Inventory as R1UBV (riverine system, tidal subsystem, unconsolidated bottom, and permanently flooded-tidal water). There are no vegetated wetlands in the proposed area of effect (USFWS, 2019).

Water depth at the proposed project area at mean lower low water (MLLW) level is approximately 8.5 feet. The mean high water is 11.44 feet. Spring tide range is approximately 3.17 feet (NOAA, 2020).

In the past five years, no submerged aquatic vegetation (SAV) has been mapped within 100 yards of the project area (Virginia Institute of Marine Science, 2019). SAV are typically found at depths no greater than 2 meters or 6.5 ft., due to decreasing availability of light at greater depths (Chesapeake Bay Program, 1992). Therefore, neither the proposed action, nor Alternative #3 are expected to affect SAV because water is too deep at the proposed project site.

4.5 Fish and Wildlife Resources

A variety of resident fish species including the striped bass, white perch, and northern snakehead may be found along the Anacostia River. Anadromous fish such as the American shad return to

the Anacostia River in the spring to spawn. Coyotes, white-tailed deer, red foxes, groundhogs, raccoons, and North American beavers are mammals typically found in the Anacostia River watershed. A variety of turtles including the eastern box turtle and the common snapping turtle, as well as birds tolerant of urban environments such as herring gulls, Canada geese, and mallards are also present in the Anacostia River (Anacostia Watershed Society, 2019). Migratory birds include American coots, osprey, double-crested cormorant, and ruddy ducks. Wildlife make minimal use of the proposed action area and are subject to frequent human disturbance. Both the proposed action and Alternative #3 would cause additional temporary minor disturbance to wildlife during construction.

The NOAA EFH mapper was used to identify EFH potentially occurring within the project area (NOAA, 2017). EFH was identified to potentially be present for the following species: little skate (adult), Atlantic herring (juvenile adult), red hake (adult, eggs/larvae/juvenile), winter skate (adult), clearnose skate (adult, juvenile), windowpane flounder (juvenile), bluefish (adult, juvenile) and summer flounder (juvenile, adult). Coordination with the NOAA NMFS Greater Atlantic Regional Fisheries Office, Habitat Conservation Division, was completed. The proposed project is expected to have some temporary and minor adverse effects on EFH (Attachment B). Alternative #3 would be anticipated to have similar effects on EFH as the proposed action.

4.6 Threatened and Endangered Species

Atlantic sturgeon and shortnose sturgeon were identified as potentially occurring within the project area using the NOAA Section 7 mapper (NOAA, 2019). Attachment B includes agency coordination with the NOAA Fisheries, Greater Atlantic Regional Fisheries Office. Consultation in accordance with Section 7 of the ESA was determined to be unnecessary because the proposed action is not expected to have any direct or indirect effects on the Atlantic sturgeon or shortnose sturgeon.

An official list of the U.S. Fish and Wildlife Service (USFWS) trust resources was obtained from the Information, Planning and Consultation (IPaC) website for the proposed area of effect (Appendix B). The northern long-eared bat was listed as a threatened species potentially occurring in the project area. However, no critical habitats or refuge lands were identified within the project area.

The northern long-eared bat hibernates in caves and mines during the winter months and swarms in surrounding wooded areas in the autumn. In the spring, this species migrates between their summer and winter homes. The northern long-eared bat emerges at dusk to feed and primarily fly through the understory of forested areas feeding on moths, flies, leafhoppers, caddisflies, and beetles. The northern long-eared bat roosts behind loose pieces of bark, within cavities and crevices of live and dead trees during the warmer months (USFWS, 2015). No hibernacula or maternity roost trees occur within the project area.

No forests, woodlots or trees would be affected by the proposed action. Because of the urban character of the project area and the lack of forested areas in the vicinity of the project area, the proposed action is not expected to affect the northern long-eared bat population. Alternative #3 is not anticipated to have any effects on the northern long-eared bat population.

4.7 Noise

The project area is located within an urban setting. Typical sources of noise in an urban environment include traffic, construction, and industry. Boat traffic and occasional construction activities within the river may be sources of underwater noise.

Construction of the proposed action or Alternative #3 is not expected to generate a significant amount of noise above the ambient noise levels. The completed project would not cause an increase in noise levels.

The effects of underwater noise on aquatic organisms and in particular, marine mammals, may be of concern depending on the frequency, intensity and duration of the underwater sound (NOAA, n.d.). However, marine mammals such as dolphins are not typically present within the Anacostia River and have only been recently sighted within the Potomac River as far north as the Potomac River Bridge, located 50 miles south of Washington, D.C. (Potomac Chesapeake Dolphin Project, 2017). Underwater sound from the proposed project action would consist of the noise generated by the pile driving. Effects on the underwater noise from the proposed action or Alternative #3 are expected to be minor, localized and temporary.

4.8 Recreation

The Anacostia River is used for recreational activities such as paddling, boating, canoeing and kayaking along the Anacostia Water Trail. The Anacostia Water Trail is a nine-mile stretch that begins upstream in Bladensburg, Maryland and ends at the confluence with the Potomac River. The Anacostia River landscape varies from forests, wetlands and wildlife at the upstream portion, to the more urban setting downstream (Anacostia Watershed Society, 2020). The Anacostia Riverwalk Trail offers pedestrian and biking access to the Anacostia River waterfront through 19.5 miles of trail between Bladensburg Marina Park and the National Mall at the Tidal Basin. Additional segments of the Anacostia Riverwalk Trail are planned for construction to extend the trail system to a total of 28 miles (Anacostia Waterfront Initiative, 2019). The RFK segment of the Anacostia Riverwalk Trail runs along Water Street SE located adjacent to the DC Drift Program field office.

Neither the proposed action nor Alternative #3 are expected to impact recreational access to the Anacostia River or the Anacostia Riverwalk Trail. The proposed alternative and Alternative #3 would occur within the project area located immediately around the DC Drift Program dock and

would not block the Anacostia River or the Anacostia Riverwalk Trail. The proposed action and Alternative #3 would support the mission of the DC Drift Program and would positively impact recreation through the removal of debris from the Anacostia and Potomac Rivers.

4.9 Navigation and Transportation

The Anacostia River Basin Federal Navigation Channel runs along the Anacostia River from Bladensburg, MD to the foot of 15th Street, S.E., where it joins the Washington Harbor Federal navigation channel. The Washington Harbor Federal navigation project contains three channels: a channel in the Potomac River from Giesboro Point to Key Bridge, a second channel from Giesboro Point to the end of Washington Channel, and a third channel from the mouth of the Anacostia River to the foot of 15th Street, S.E. (USACE, 2011). The DC Drift dock is located adjacent to the toe of the third channel of the Washington Harbor Federal navigation project. The project area would be located over a portion of the navigation channel (Figure 2). Two existing pilings, one of which would be removed under the proposed action and Alternative #3, are located within and near the toe of the navigation channel. The piling proposed for removal would be replaced with a new piling next to the existing location; however, the new piling would not extend further into the navigation channel (see Appendix A). The proposed action and Alternative #3 would temporarily block a portion of the navigation channel during construction. Safety markings would be implemented during construction to ensure mariner safety.

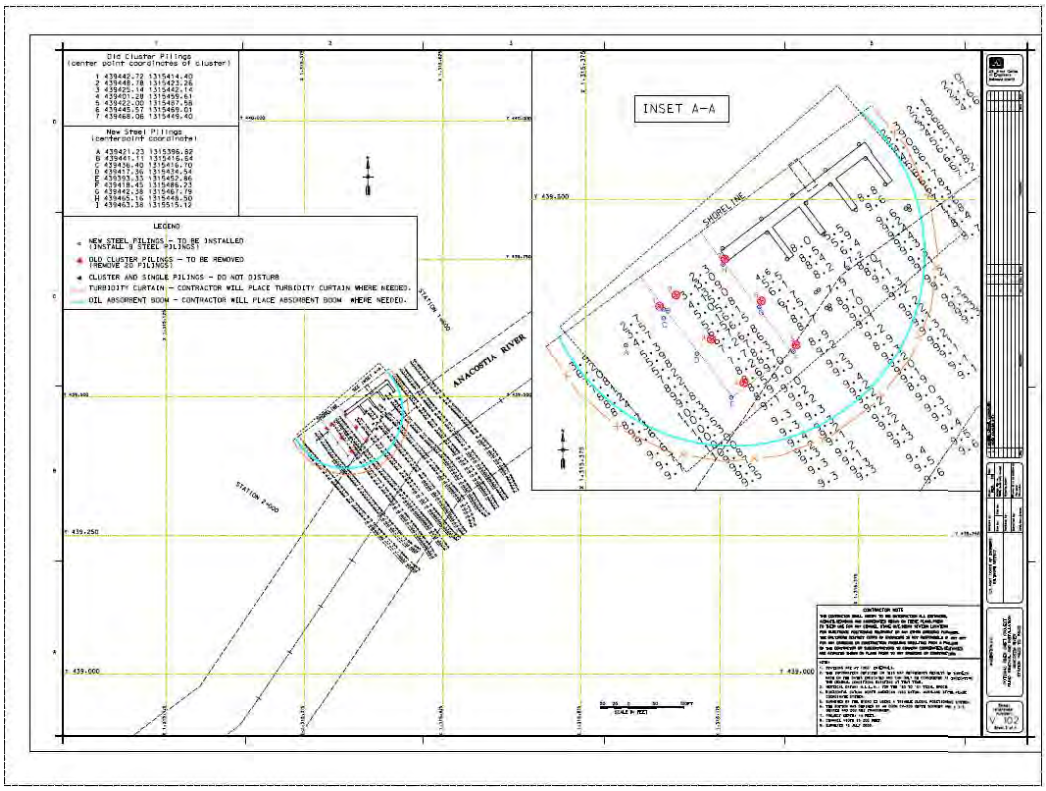

Figure 2. Plan view of the project area and the Federal navigation Channel. The extent of the project area is delineated by the proposed environmental controls (blue and red semi-circles). Dashed grey lines represent the Federal navigation channel. The proposed project area would temporarily block a portion of the Federal navigation channel.

The DC Drift Program field office is located off Water St SE, a two-lane road that intersects 11th Street, S.E. Average annual daily traffic volumes for 11th Street are estimated to be 77,000 based on the latest available data (District Department of Transportation, 2018). Temporary and minor impacts to vehicular traffic are anticipated during the transport of construction equipment to and from the DC Drift Program field office.

4.10 Hazardous, Toxic, and Radioactive Substances (HTRW)

The DC Drift Program field office is located directly south of the Washington Gas East Station Property. The Washington Gas Light Company (Washington Gas) historically produced gas on the Washington Gas East Station Property from 1888 to the mid-1980s. Wastes including metals, oil, tar, and coal from the production of gas were historically placed on the property as fill material and migrated via groundwater under the property (NPS, 2012). In 2012, the NPS, EPA, the District of Columbia and Washington Gas reached a settlement agreement under the Comprehensive Environmental Response, Compensation, and Liability Act. The settlement requires Washington Gas to conduct remedial work including the removal of contaminated surface and subsurface soil along the edge of the Anacostia River (area known as Operable Unit 1) and to determine the

nature and extent of Site contamination in the groundwater that discharges to the Anacostia River and the nature and extent of Site contamination in surface water and sediments in the Anacostia River (Operable Unit 2). Remedial work to address the industrial waste contaminants containing polycyclic aromatic hydrocarbons, volatile organic compounds, cyanide and heavy metals within Operable Unit 1 was completed in summer of 2015 (NPS, 2015). Recent sampling of the river sediments conducted by Washington Gas with oversight by the NPS as part of the Operable Unit 2 remedial investigation work, indicates the presence of non-aqueous phase liquids (NAPL) within the sediment of the Anacostia River.

The Washington Navy Yard, located approximately ¼ mile downstream of the DC Drift field office, contributed substantial contaminants to the Anacostia River during the 19th and 20th centuries. The Navy Yard is a Superfund Site. The US Navy has taken a variety of measures to clean up the Navy Yard and reduce loads of contaminants to the Anacostia River (USEPA, 2014).

The DOEE has investigated the contamination within the Anacostia River as part of the Anacostia River Sediment Project. Elevated concentrations of contaminants, including polychlorinated biphenyls (PCBs), PAHs, and pesticides from industrial, urban and human activities were found to be present in the sediment throughout the Anacostia River (DOEEa, 2019). These contaminants can cause a variety of environmental and human effects such as toxic effects on survival, growth, and reproduction of fish, biodiversity of benthic communities, and bioaccumulation of chemicals in aquatic ecosystems that pose hazards to human health through consumption of impacted fish (DOEEb, 2019). PAHs have been linked to an increased risk of cancer in humans and fish. Studies by the USFWS have linked PAHs to liver and skin tumors in brown bullhead catfish in the Anacostia River (Pinkney et al., 2004); however, recent trends indicate a decrease in the prevalence of tumors (Pinkney et al., 2019).

A screening for other known HTRW issues was conducted using the EPA's EnviroMapper (USEPA, 2019). No other environmental sites of concern were mapped within 1000 feet of the proposed action area of effect.

The District of Columbia's Limitations on Products Containing Polycyclic Aromatic Hydrocarbons Amendment Act of 2018 bans the use of any products with PAH concentrations greater than 0.1% by weight (DOEEc, 2019). Any coatings proposed for use on the new pilings will comply with DOEE requirements.

The removal of existing pilings and the installation of new pilings may cause disturbance of the sediment and contaminants found within the sediment located in the areas that would be directly impacted by the proposed action and Alternative #3. Turbidity curtains would be installed prior to construction activities and maintained throughout the construction process to minimize the migration of suspended sediment. Oil absorbing booms would also be in place, maintained and replaced as needed, throughout the construction process. USACE and its contractors would also

monitor, contain, and remove any sheens and/or free product that is encountered during the construction of the project. The proposed action is expected to have temporary, localized, minor effects on water quality within the Anacostia River. Existing conditions would not be altered by the proposed action; therefore, no long-term impacts are expected.

Alternative #3 would have similar effects as those of the proposed action; however, the complete removal of the existing pilings by pulling them out of the sediment bed, could cause additional release of sediment borne contaminants and prolong release of contaminants by providing a pathway.

4.11 Cultural Resources

USACE is required by Section 106 of the National Historic Preservation Act and Executive Order 11593, to identify all archaeological resources and historic properties within a project's area of potential effect that are listed in or eligible for listing in the National Register of Historic Places, and to assess the project's effect on these properties.

Consultation with DCSHPO has been completed (Appendix B). The DCSHPO has determined that the proposed action will have "no adverse effect" on the adjacent Anacostia Park National Register of Historic Places-eligible Historic District or any other historic properties. Similarly, Alternative #3 is not expected to have an adverse effect on any cultural resources.

USACE provided information about the project by letter to the Pamunkey Indian Tribe, the only Federally-recognized tribe identified as having a potential interest in the area. The letter was mailed on 07 Feb 2020. A response, dated 12 Feb 2020, was received from the Pamunkey Indian Tribe indicating that because the project will not likely affect any historic properties, no further consultation is needed (Appendix B).

4.12 Demographics and Socioeconomics

The project area is located within the District of Columbia. The total population for the District of Columbia was estimated to be 672,387 based on the U.S. Census Bureau, 2017 American Community Survey (ACS) report. The median age was 34.3 years, with 6% of the population under the age of 5, and 12% over 65 years of age. Minorities comprised 64% of the population. The median household income was $82,604 for the District of Columbia compared to $60,293 for the United States (2014 to 2018 Census Quick Facts estimates). The low-income population rate of 31% is slightly lower than the national average of 33%. The average high school graduation rate in the District of Columbia is 90.6%, which is higher than the national average of 87.7%.

None of the alternatives evaluated are expected to affect the demographic profile of the region. The proposed action and Alternative #3, would support the mission of the DC Drift Program and

may therefore provide some economic benefit to the region, by clearing debris from the Potomac and Anacostia Rivers. This would improve access to the rivers and support recreational programs and businesses along the Potomac and Anacostia Rivers.

4.13 Environmental Justice

Executive Order (EO) 12898, Environmental Justice, requires Federal agencies to identify and address, as appropriate, "disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations." In the District of Columbia, minorities comprise 64% of the population, with 13.5% of the total population living below the poverty line (ACS, 2017). The District of Columbia is divided into four sections or quadrants (northwest, northeast, southwest, and southeast), with the Capitol building at the center of the four dividing lines. The southeast quadrant is divided in two by the Anacostia River. The project area is located within the southeast quadrant in the section west of the Anacostia River; a section which has been undergoing development and gentrification in recent years (Golash-Boza, 2020). The population of the southeast quadrant is predominantly African American.

The proposed action is not expected to have a disproportionately high and adverse human health or environmental impact on minority or low-income populations.

The proposed action or Alternative #3 are expected to have a beneficial effect on the human environment because the replacement of the mooring piers would accommodate a new barge-mounted crane, which would allow the continued mission of the DC Drift Program. The clearing of debris from the Anacostia and Potomac Rivers by the DC Drift Program, increases navigation safety, improves the aesthetics of the rivers and allows community access, thereby benefiting all populations in the area.

5 SUMMARY

Table 5.1 summarizes the level of compliance of the proposed action with environmental statutes and other environmental regulation.

Based on the evaluation of environmental effects described in Section 4, there are no significant impacts associated with the proposed action, and a Finding of No Significant Impact (FONSI) has been prepared.

Table 5.1: Compliance of the Proposed Action with Environmental Protection Statutes and Other Environmental Requirements	
Federal Statutes, Executive Orders (EOs), and Memoranda	**Level of Compliance***
Archeological and Historic Preservation Act	N/A
Clean Air Act	Full
Clean Water Act, Section 404	N/A
Coastal Barrier Resources Act	N/A
Coastal Zone Management Act	N/A- The District of Columbia is not currently eligible to be part of the Coastal Zone Management Act
Comprehensive Environmental Response, Compensation and Liability Act	N/A
Endangered Species Act, Section 7	Full- No effect
Federal Water Project Recreation Act	N/A
Fish and Wildlife Coordination Act	Full
Magnuson-Stevens Fishery Conservation and Management Act	Full
National Historic Preservation Act, Section 106	Full
National Environmental Policy Act	Full
Resource Conservation and Recovery Act	N/A
River and Harbors Act	Full
Wild and Scenic Rivers Act	N/A
Floodplain Management (EO 11988)	Full
Protection of Wetlands (EO 11990)	N/A
Prime and Unique Farmlands (Memorandum, Council on Environmental Quality, 11 August 1980)	N/A- No Prime and Unique Farmlands within or in the vicinity of project area
Environmental Justice in Minority and Low-Income Populations (EO 12898)	Full
*Level of Compliance: Full Compliance – (Full) Partial Compliance – (Partial) Not Applicable – (N/A)	

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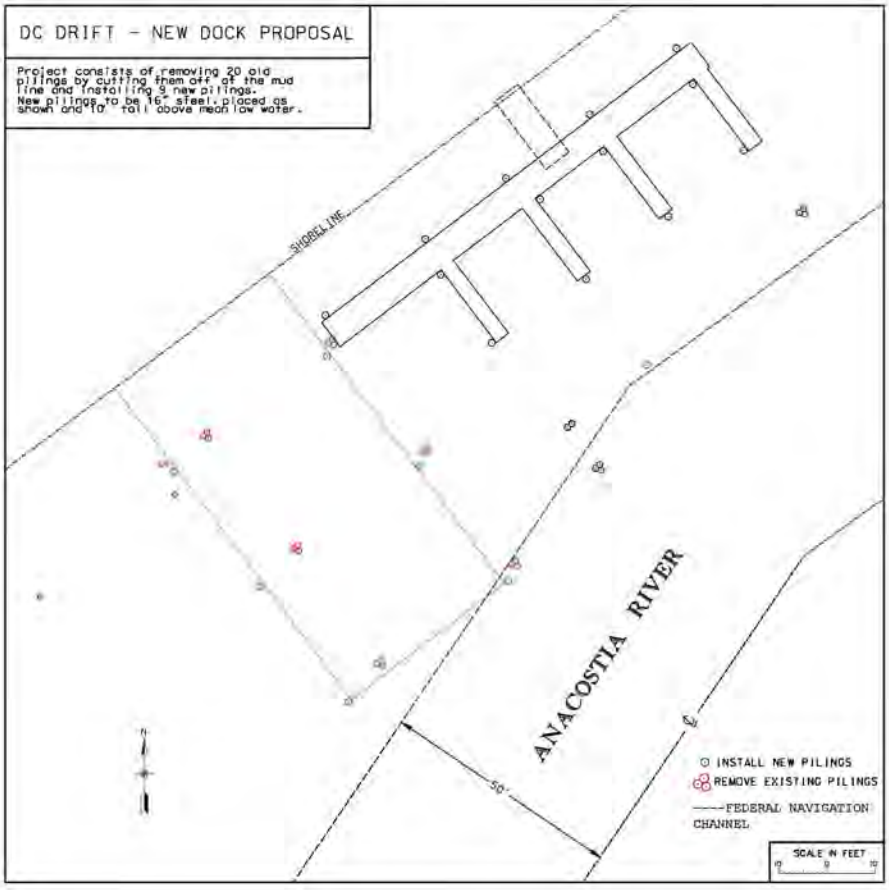
Appendix A

Plans

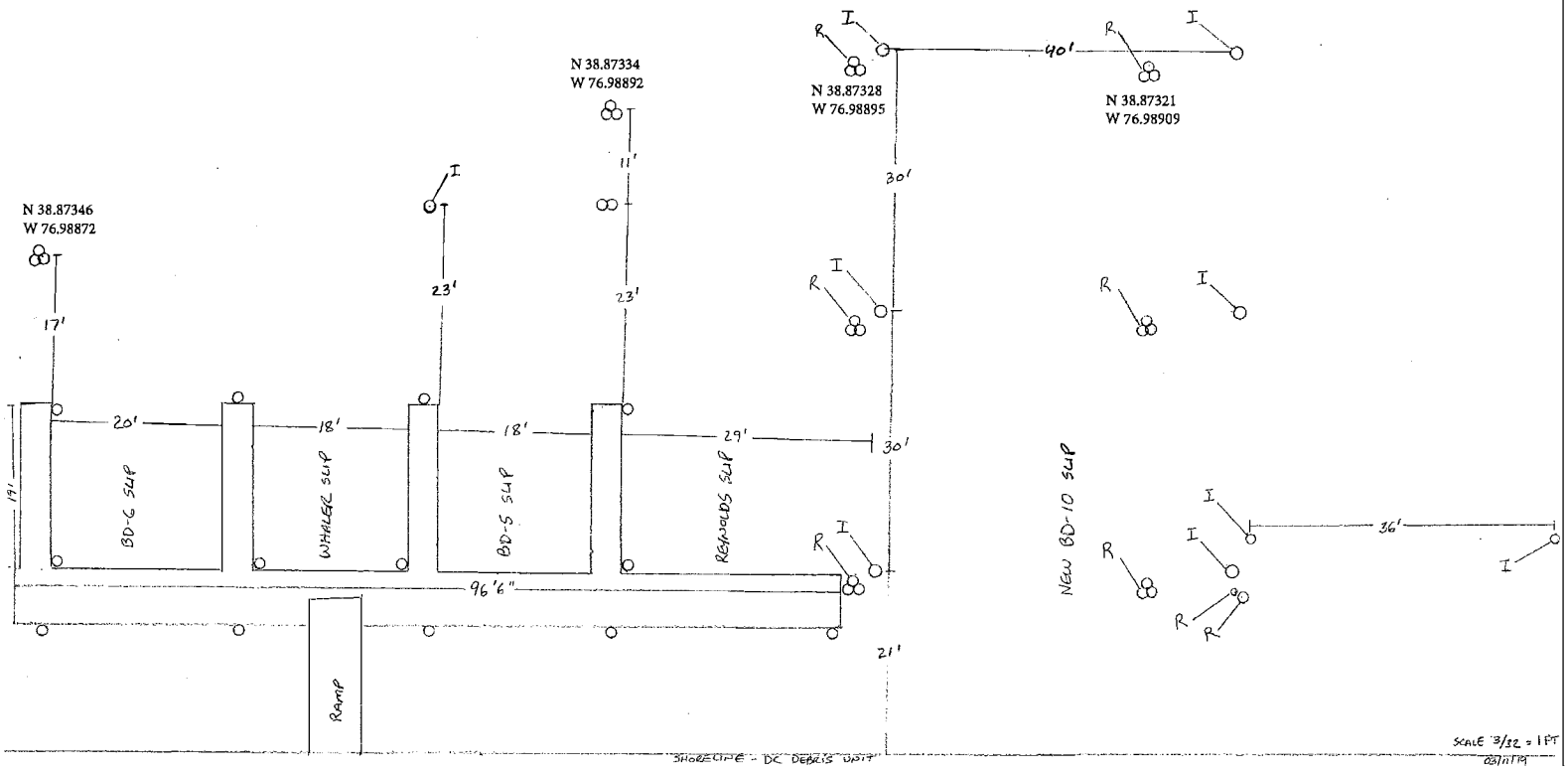

DC Drift
New Dock Proposal
Pt 1
Pt 2
Google earth
N
100 ft


DC DRIFT - NEW DOCK PROPOSAL
Project consists of removing 20 old pilings by cutting them off at the mud line and installing 9 new pilings. New pilings to be 16" steel placed as shown and 10' tall above mean low water.
SHORELINE
ANACOSTIA RIVER
50'
INSTALL NEW PILINGS
REMOVE EXISTING PILINGS
FEDERAL NAVIGATION CHANNEL
SCALE IN FEET

R = REMOVE
I = INSTALL

DC Debris Unit - New Dock Proposal

Project consists of removing 20 old pilings by cutting them at the mud line and installing 9 new pilings.
New pilings to be 16" steel. Placed as shown and 10 ft tall above mean low water.



MARINE PILINGS REMOVAL AND INSTALLATION
POTOMAC RIVER DRIFT PROJECT

WASHINGTON, D.C.

TITLE	FILE & MAP NO.	SHEET NO.
COVER SHEET	FILE: B-32 MAP: 20-001	1
PILING REMOVAL AND INSTALLATION SHEET	FILE: B-32 MAP: 20-002	2
SEDIMENTATION SHEET	FILE: B-32 MAP: 20-003	3
ELECTRICAL UPGRADE SHEET	FILE: B-32 MAP: 20-004	4

Project consists of removing 20 old pilings by cutting them at the mud line and installing 9 new pilings. New pilings to be 16" steel, placed as shown and 10' tall above mean low water.

SUBMITTED:

CHIEF, DEBRIS REMOVAL TEAM

RECOMMENDED:

CHIEF, SURVEY/DEBRIS REMOVAL SECTION

APPROVED:

CHIEF, NAVIGATION BRANCH

V 101

Old Cluster Pilings
(center point coordinates of cluster)

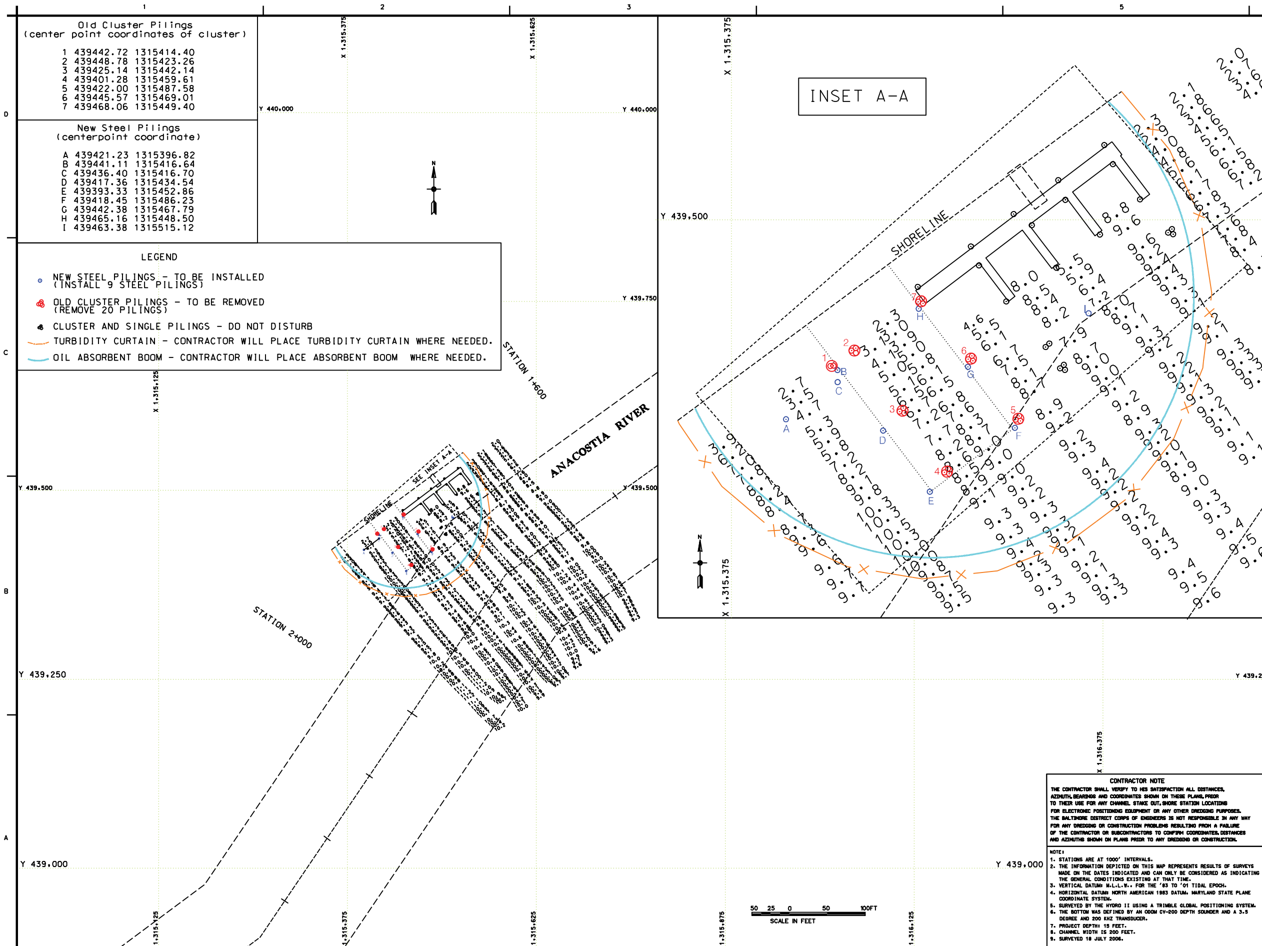
1	439442.72	1315414.40
2	439448.78	1315423.26
3	439425.14	1315442.14
4	439401.28	1315459.61
5	439422.00	1315487.58
6	439445.57	1315469.01
7	439468.06	1315449.40

New Steel Pilings
(centerpoint coordinate)

A	439421.23	1315396.82
B	439441.11	1315416.64
C	439436.40	1315416.70
D	439417.36	1315434.54
E	439393.33	1315452.86
F	439418.45	1315486.23
G	439442.38	1315467.79
H	439465.16	1315448.50
I	439463.38	1315515.12

LEGEND

- NEW STEEL PILINGS - TO BE INSTALLED (INSTALL 9 STEEL PILINGS)
- OLD CLUSTER PILINGS - TO BE REMOVED (REMOVE 20 PILINGS)
- CLUSTER AND SINGLE PILINGS - DO NOT DISTURB
- TURBIDITY CURTAIN - CONTRACTOR WILL PLACE TURBIDITY CURTAIN WHERE NEEDED.
- OIL ABSORBENT BOOM - CONTRACTOR WILL PLACE ABSORBENT BOOM WHERE NEEDED.



CONTRACTOR NOTE

THE CONTRACTOR SHALL VERIFY TO HIS SATISFACTION ALL DISTANCES, AZIMUTH, BEARINGS AND COORDINATES SHOWN ON THESE PLANS, PRIOR TO THEIR USE FOR ANY CHANNEL STAKE OUT. SHORE STATION LOCATIONS FOR ELECTRONIC POSITIONING EQUIPMENT OR ANY OTHER DREDGING PURPOSES. THE BALTIMORE DISTRICT CORPS OF ENGINEERS IS NOT RESPONSIBLE IN ANY WAY FOR ANY DREDGING OR CONSTRUCTION PROBLEMS RESULTING FROM A FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CONFIRM COORDINATES, DISTANCES AND AZIMUTHS SHOWN ON PLANS PRIOR TO ANY DREDGING OR CONSTRUCTION.

NOTE:

1. STATIONS ARE AT 1000' INTERVALS.
2. THE INFORMATION DEPICTED ON THIS MAP REPRESENTS RESULTS OF SURVEYS MADE ON THE DATES INDICATED AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS EXISTING AT THAT TIME.
3. VERTICAL DATUM: M.L.L.W.. FOR THE '83 TO '01 TIDAL EPOCH.
4. HORIZONTAL DATUM: NORTH AMERICAN 1983 DATUM. MARYLAND STATE PLANE COORDINATE SYSTEM.
5. SURVEYED BY THE HYDRO II USING A TRIMBLE GLOBAL POSITIONING SYSTEM.
6. THE BOTTOM WAS DEFINED BY AN ODOM CV-200 DEPTH SOUNDER AND A 3.5 DEGREE AND 200 KHZ TRANSDUCER.
7. PROJECT DEPTH: 15 FEET.
8. CHANNEL WIDTH IS 200 FEET.
9. SURVEYED 18 JULY 2006.

US Army Corps of Engineers
Baltimore District

Mark	Description
1	MODIFIED CHANNEL COORDINATES
2	ADDED SOUNDING DATA

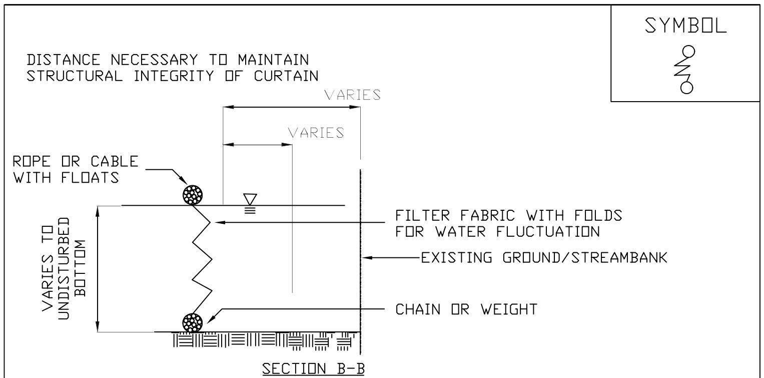
U.S. ARMY CORPS OF ENGINEERS
BALTIMORE DISTRICT

Date: FEB. '20

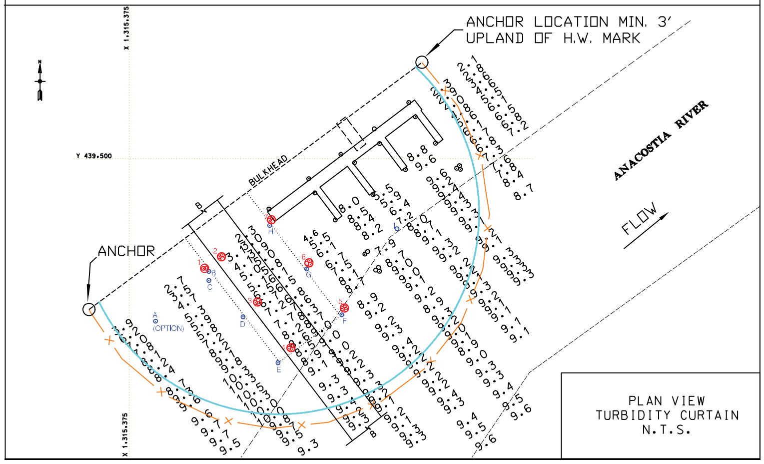
WASHINGTON, D.C.

POTOMAC RIVER DRIFT PROJECT
PILING REMOVAL AND INSTALLATION
ANACOSTIA RIVER
STATION 1+625 TO 1+925

Sheet reference number:
V 102
Sheet 2 of 4



SECTION B-B



PLAN VIEW
TURBIDITY CURTAIN
N.T.S.

NOTE:
1. PROVIDE A TURBIDITY CURTAIN AS SHOWN ON THE PLANS.
2. TURBIDITY CURTAIN SHALL BE ELASTEC SILTMAX TYPE 3 OR EQUIVALENT.

NOTE:
3. PROVIDE A OIL ABSORBENT BOOM AS SHOWN ON THE PLANS.
4. ABSORBENT BOOM SHALL BE A PIG OIL-ONLY ABSORBENT BOOM OR EQUIVALENT UP TO 12 GALLONS PER BOOM.

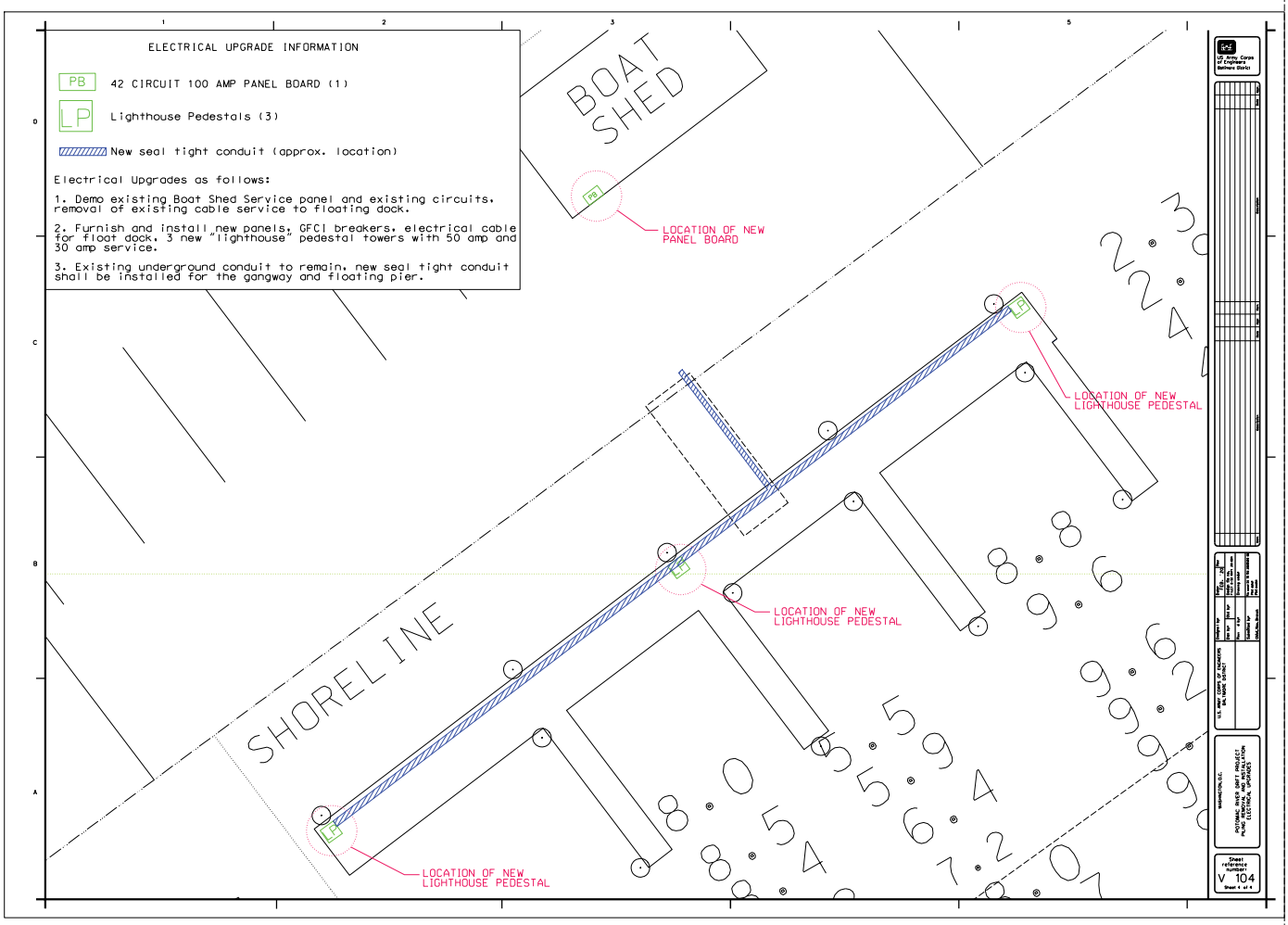
US Army Corps of Engineers
Baltimore District

U.S. ARMY CORPS OF ENGINEERS
BALTIMORE DISTRICT

WASHINGTON, D.C.
MARYLAND

POTOMAC RIVER DRIFT PROJECT
PILING REMOVAL AND INSTALLATION
SEDIMENTATION SHEET

Sheet reference number:
V 103
Sheet 3 of 4


ELECTRICAL UPGRADE INFORMATION
PB 42 CIRCUIT 100 AMP PANEL BOARD (1)
LP Lighthouse Pedestals (3)
New seal tight conduit (approx. location)
Electrical Upgrades as follows:
1. Demo existing Boat Shed Service panel and existing circuits, removal of existing cable service to floating dock.
2. Furnish and install new panels, GFCI breakers, electrical cable for float dock, 3 new "lighthouse" pedestal towers with 50 amp and 30 amp service.
3. Existing underground conduit to remain, new seal tight conduit shall be installed for the gangway and floating pier.
BOAT SHED
PB
LOCATION OF NEW PANEL BOARD
LP
LOCATION OF NEW LIGHTHOUSE PEDESTAL
LP
LOCATION OF NEW LIGHTHOUSE PEDESTAL
LP
LOCATION OF NEW LIGHTHOUSE PEDESTAL
SHORELINE
U.S. Army Corps of Engineers Baltimore District
POTOMAC RIVER BOAT HOUSE ELECTRICAL UPGRADES
Sheet reference number
V 104

Appendix B

Agency Coordination

From: Ciaramellano Campbell, Vanessa M CIV USARMY (USA)
To: Ours, Stephen (DOEE)
Cc: Crawford, Kelly (DOEE); Leasure, Charles W CIV USARMY CENAB (USA)
Subject: RE: DC Drift Field Office - Air Quality Permits Question (UNCLASSIFIED)
Date: Tuesday, February 4, 2020 8:46:00 AM

CLASSIFICATION: UNCLASSIFIED

Mr. Ours,

Thank you for your email. The information you provided is very helpful.

Our office has not performed a conformity analysis or an emissions assessment for this project. My initial assessment involved a review of the project information available and since the construction would only involve a pile driver and would be of short duration, I came to a similar conclusion that you did. However, I wanted to verify with your office and find out if there are any Air Quality Permitting requirements for such a project. Would you require an emissions assessment for this project?

I apologize for the confusion. Please let me know if you need any additional information.

Thank you,

Vanessa

-----Original Message-----
From: Ours, Stephen (DOEE) [mailto:stephen.ours@dc.gov]
Sent: Monday, February 3, 2020 5:36 PM
To: Ciaramellano Campbell, Vanessa M CIV USARMY (USA) <Vanessa.M.Campbell@usace.army.mil>
Cc: Crawford, Kelly (DOEE) <kelly.crawford@dc.gov>
Subject: [Non-DoD Source] FW: DC Drift Field Office - Air Quality Permits Question (UNCLASSIFIED)

Ms. Campbell,

Thank you for this inquiry. As far as air quality permits, from your description, the only air pollutant-emitting equipment of note are the pile drivers. We do not generally require air quality permits for pile drivers in the District.

Regarding General and Transportation Conformity under the NEPA regulations adopted in 20 DCMR Chapter 15 (Blockedhttps://www.dcregs.dc.gov/Common/DCMR/RuleList.aspx?ChapterNum=20-15), it seems very unlikely that Transportation Conformity will be relevant, based on your description of the project. From your description, it also appears likely that the emissions would be below the de minimis levels for General Conformity as well. However, would you please provide us with the preliminary emissions assessment you mentioned in your email so we can make a more definitive assessment?

Best Regards,

Stephen S. Ours, P.E.
Chief, Air Quality Permitting Branch
Department of Energy & Environment
Government of the District of Columbia
1200 First Street NE, 5th Floor
Washington DC 20002
Phone: (202) 535-1747
Web: doee.dc.gov

-----Original Message-----
From: Ciaramellano Campbell, Vanessa M CIV USARMY (USA) [mailto:Vanessa.M.Campbell@usace.army.mil]
Sent: Tuesday, January 21, 2020 9:37 AM
To: Burrell, Collin (DOEE)
Subject: DC Drift Field Office - Air Quality Permits Question (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Good Morning Mr. Burrell,

I am currently working on the NEPA assessment of a USACE project and had a question regarding air quality permit requirements for construction activities within DC in response to nonattainment status for the 2015 8hr ozone standards and maintenance status for 2008 8hr ozone and 1971 carbon monoxide standards.

The project involves the rehabilitation and modification of the mooring piers in the Anacostia River at the USACE DC Drift Field Office dock located at 1125 O Street SE, Washington DC. The project consists of removing 20 old pilings by cutting or breaking them off below the mud line and installing 9 new pilings. The new pilings are to be 16" steel, placed 10' tall above mean low water. The new pilings will be installed using a barge mounted pile driver and the work is expected to take less than 2 weeks. There would be no new stationary emission sources. Based on the proposed project description, my preliminary assessment indicates that any emissions would not exceed de minimus levels and would be exempted by 40 CFR Part 93.153. Would this be correct, or would this action require a permit or a conformity determination?

I appreciate your time and help. Please feel free to call with any questions.

Thank you,

Vanessa Campbell
Biologist
US Army Corps of Engineers
Baltimore District, Planning Division
410-962-6704

CLASSIFICATION: UNCLASSIFIED

CLASSIFICATION: UNCLASSIFIED

July 7, 2019

Mr. Kevin Brennan
Chief, Navigation Branch
Operations Division
441 G Street, NW
Washington, DC 20314

Project: US Army Corps DC Drift Field Office Dock Replacement

Dear Mr. Brennan:

On May 21, 2019 Kevin Brennan of the US Army Corps of Engineers (USACE) Operations Division submitted to District Department of Energy and Environment a request for a Water Quality Certification (WQC) for the rehabilitation of the DC Drift Field Office docks and mooring piers in the Anacostia River, located at 1125 O Street SE, Washington DC. The rehabilitation of the docks and mooring piers will involve the removal of 20 pilings by cutting or breaking them off below the mud line and installing 9 new pilings.

On May 30, 2019 Kevin Brennan notified DOEE Regulatory Review Division (RRD) that the dock rehabilitation activity would not require a Clean Water Act (CWA) Section 404 permit, but out of due diligence requested a WQC. Since this project does not require a CWA Section 404 permit, a WQC is not required. However, the following conditions are recommended to ensure the proposed activity will not violate the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.01 *et seq.*, and will meet the Water Quality Standards of the District of Columbia in Title 21 of the District of Columbia Municipal Regulations (DCMR), Chapter 11, and the Water Quality Monitoring Regulations in Title 21 DCMR, Chapter 19:

1. The Permittee shall incorporate best management practices as an integral part of the performance of the work to ensure the activity will meet the Water Quality Standards of the District of Columbia and have minimal impact to the waters of the District of Columbia.

2. To control turbidity, sediments, and work materials in the water body:
   (a) Weighted turbidity curtains must be used if the Permittee uses anchored equipment such as boats or barges, or if sediments are being disturbed.
   (b) Weighted turbidity curtains must be used in all activity/sampling/pier installation/pier removal work areas and around equipment and coffer dams.
   (c) The turbidity curtains must be properly anchored, must touch the bottom except in a deep, tidally influenced stream channel (under such conditions, placement of the turbidity curtain must be based on manufacturer's specifications), and encompass the entire area of activity - coffer dams, barge, boat, plus any equipment in the water. Where possible, the turbidity curtains must be able to withstand normal

tidal or stream flow fluctuations.

(d) The turbidity curtains must be in place after the equipment is brought into the work area, but before the equipment is anchored (e.g., before setting spuds). This is necessary to prevent sediments, contaminants, and work materials (e.g., concrete, sand, lumber) from escaping the work area and being reintroduced into the water column during the work activity.

(e) To minimize sediments from escaping the work area, adequate space must be provided between the work area and the turbidity curtains. Turbidity curtains must be kept closed during all work activity.

3. To monitor turbidity in the water body, the Permittee shall:

(a) Establish background turbidity and measure turbidity by using U.S. Environmental Protection Agency (EPA) - approved methods in accordance with 40 CFR Part 136 procedures and manufacturer's specifications. Background turbidity must be established before starting any work, before equipment is anchored and before any turbidity curtains or coffer dams are in place. These measurements must be made within 25 feet upstream and 25 feet downstream outside of the curtains. Measurement depths must be conducted at different depths, for example, near the bottom, ¼ from the bottom, ¾ from the bottom, and near the surface.

(b) Once the operations begin, turbidity measurements must be taken continually from the same locations 25 feet upstream and 25 feet downstream of the turbidity curtains. This is to ensure compliance with District of Columbia Water Quality Standards 21 DCMR § 1104.8. Turbidity monitoring must be conducted at different depths, for example, near the bottom, ¼ depth from the bottom, ¾ depth from the bottom, and near the surface. If turbidity measurements exceed a maximum of 20 Nephelometric Turbidity Units (NTU) above background turbidity, stop all activities and implement best management practices until the 20 NTU maximum differential (i.e., background turbidity $\pm$ 20 NTU) is reached.

(c) If a sediment plume is observed coming out of the sediment-disturbing activity location or if the turbidity exceeds the District of Columbia surface water quality standard, the Permittee shall:

i. Immediately stop all activities and notify DOEE Illicit Discharge and NPDES Branch at (202) 535-2226.

ii. Adjust all activities and implement best management practices until there is no more sediment escaping the sediment-disturbing activity location. If and when the measured turbidity is less than or equal to the background turbidity, the Permittee may resume the work.

(d) Prior to opening turbidity curtains, turbidity measurements must be taken inside the turbidity curtains. The turbidity curtains must not be opened until the levels inside the turbidity curtains reach the 20 NTU maximum differential. This is to ensure compliance with District of Columbia Water Quality Standards 21 DCMR § 1104.8.

(e) The turbidity readings must be recorded in a log book and kept on site. In addition to the turbidity readings, records must also be kept of the date and time of the readings, and name(s) of the person(s) taking the sample and making the readings.

4. Any water impacted by the project shall be pumped to an appropriate treatment system in order to comply with Water Quality Standards of the District of Columbia in Title 21 of the District of Columbia Municipal Regulations (DCMR) Chapter 11, and the Water Quality Monitoring Regulations in Title 21 DCMR Chapter 19.

5. Any oil sheen or other visible evidence of hydrocarbons or other pollution generated (e.g., color changes in the water column, turbidity plumes) during any of the activities shall be immediately reported to DOEE Illicit Discharge and NPDES Branch at (202) 535-2226 and contained (e.g., oil boom, sorbent materials) or containerized in a sealed container.

6. All pilings, drillings, wells, or borings shall be drilled and installed in a manner that prevents cross-contamination of surface water and groundwater aquifers.

7. All excavated (e.g., dredged) sediments and sampling sediments (e.g., within cofferdams or excess sediment samples), drill cuttings, drilling mud, and wastes (both solid and liquid) shall be contained, sampled, and analyzed for disposal at appropriate disposal sites. The wastes shall not be used as backfill material in the water body or on land.

8. All debris and waste water must be captured and not enter the river and shall be contained and disposed of properly at an appropriate treatment facility to prevent materials from entering the water body.

9. The Permittee shall obtain all necessary permits and other authorizations from appropriate federal and local offices, including permits for Stormwater Management, and Erosion and Sediment Control from DOEE. All staging and temporary activity areas not covered by any permit shall have adequate soil erosion and sedimentation measures. Please contact Julienne Bautista at (202) 299-3345 for more information.

10. In the District, the anadromous fish migration and spawning season is generally considered to occur between March 1st and June 30th. Any activities proposed to occur in District waters during this period shall first be approved by the U.S. Army Corps of Engineers, accompanied by concurrence from commenting federal agencies, including the U.S. National Park Service, U.S. Fish and Wildlife Service, and U.S. National Oceanic and Atmospheric Administration. All of the aforementioned approvals must be submitted to and subsequently certified by DOEE Fisheries and Wildlife Division. Please contact Bryan King at (202) 997-9607 for more information.

11. The Permittee shall obtain all required permits and authorizations from the U.S. National Park Service. Please contact the Right-of-Way Program Coordinator at (202) 619-7276 for more information.

12. The Permittee shall obtain all required permits and authorizations from the US Coast Guard and Metropolitan Police Department Harbor Patrol.

13. Reporting Requirements:

    a) The Permittee shall submit written notification to DOEE RRD at least five (5) business days before work commences.

    b) If the Permittee observes any water quality standard exceedances at the site, the Permittee must notify DOEE Illicit Discharge and NPDES Branch immediately at (202) 535-2226; stop the work; prepare and submit for review and approval a corrective action plan, and then implement the DOEE-approved corrective action plan.

    c) The Permittee shall submit final reports of the monitoring results. Reports must be submitted to DOEE RRD no later than 45 days after the completion of the work. All data generated during the operation shall be summarized in a final report. The report shall also include any violations, water quality standards exceedances, actions taken or to be taken to remediate those violations, and any other relevant information. The report shall be submitted to:

    Ms. Jennifer Dietzen
    Water Resource Protection and Mitigation Branch
    Regulatory Review Division
    Department of Energy and Environment
    1200 First Street, N.E., 5th Floor
    Washington, DC 20002

Please direct your questions or comments on this letter to Jennifer Dietzen, Water Resource Protection and Mitigation Branch, Regulatory Review Division, at (202) 481-3942.

Sincerely,

Jennifer Dietzen, Environmental Protection Specialist, Water Resource Protection and Mitigation Branch, Regulatory Review Division

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
Phone: (410) 573-4599 Fax: (410) 266-9127
http://www.fws.gov/chesapeakebay/
http://www.fws.gov/chesapeakebay/endsppweb/ProjectReview/Index.html

In Reply Refer To:
Consultation Code: 05E2CB00-2020-SLI-0404
Event Code: 05E2CB00-2021-E-00693
Project Name: DC Drift Dock

December 01, 2020

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. This species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (http://www.fws.gov/windenergy/) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm; http://www.towerkill.com; and http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Chesapeake Bay Ecological Services Field Office
177 Admiral Cochrane Drive
Annapolis, MD 21401-7307
(410) 573-4599

Project Summary

Consultation Code: 05E2CB00-2020-SLI-0404

Event Code: 05E2CB00-2021-E-00693

Project Name: DC Drift Dock

Project Type: ** OTHER **

Project Description: Removal and replacement of mooring piers at the US Army Corps of Engineers DC Drift field office on the Anacostia River, to accommodate a new barge mounted crane.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/place/38.87334906735518N76.98896641549811W

Counties: District of Columbia, DC

Endangered Species Act Species

There is a total of 1 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis*	Threatened

No critical habitat has been designated for this species.

This species only needs to be considered under the following conditions:

- Projects with a federal nexus that have tree clearing = to or > 15 acres: 1. REQUEST A SPECIES LIST 2. NEXT STEP: EVALUATE DETERMINATION KEYS 3. SELECT EVALUATE under the Northern Long-Eared Bat (NLEB) Consultation and 4(d) Rule Consistency key

Species profile: https://ecos.fws.gov/ecp/species/9045

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Wetlands

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R1UBV

From: Brian D Hopper - NOAA Federal
To: Ciaramellano Campbell, Vanessa M CIV USARMY (USA)
Subject: [Non-DoD Source] Re: DC Drift Barge ESA Section 7 Consultation Question (UNCLASSIFIED)
Date: Tuesday, January 14, 2020 12:01:53 PM

Hi Vanessa,

Your email and plans dated January 14, 2020, regarding USACE's proposed rehabilitation and modification of the mooring piers at the USACE DC Drift Field Office dock on the Anacostia River, requested information on the presence of ESA-listed species under our jurisdiction.

Although shortnose sturgeon and Atlantic sturgeon originating from five Distinct Population Segments (DPS) are known to occur in the Chesapeake Bay and its rivers and tributaries, based on the activities associated with the project, the location and timing of the project, and information you provided in your email and plans, we believe that these species will not be exposed to any direct or indirect effects of the action. Therefore, we do not believe a consultation in accordance with section 7 of the Endangered Species Act (ESA) is necessary. As such, no further coordination on this activity with the NMFS Protected Resources Division is necessary at this time. Should there be additional changes to the project plans or new information becomes available that changes the basis for this determination, further coordination should be pursued. Please contact me (410-267-5649 or brian.d.hopper@noaa.gov <mailto:brian.d.hopper@noaa.gov>), should you have any questions regarding these comments.

Regards,
-Brian

On Tue, Jan 14, 2020 at 11:30 AM Ciaramellano Campbell, Vanessa M CIV USARMY (USA) <Vanessa.M.Campbell@usace.army.mil <mailto:Vanessa.M.Campbell@usace.army.mil> > wrote:

> CLASSIFICATION: UNCLASSIFIED
>
> Hi Brian,
>
> I am currently working on the NEPA assessment of a USACE project and wanted to reach out to you to ask about the level of consultation needed.
>
> The project involves the rehabilitation and modification of the mooring piers in the Anacostia River at the USACE DC Drift Field Office dock located at 1125 O Street SE, Washington DC. The project consists of removing 20 old pilings by cutting or breaking them off below the mud line and installing 9 new pilings. The new pilings are to be 16" steel, placed 10' tall above mean low water (see attached for new dock proposal). The new pilings will be installed using a barge mounted pile driver. Turbidity curtains will be used around the work area and the work is expected to take less than 2 weeks.
>
> I used the NOAA Section 7 mapper and the Atlantic sturgeon and Shortnose sturgeon are identified as potentially occurring within the project area. Would a biological assessment be needed for this project?
>
> Please feel free to call if you have any questions.
>
> Thank you,
>
> Vanessa Campbell
> Biologist
> US Army Corps of Engineers
> Baltimore District, Planning Division

410-962-6704

CLASSIFICATION: UNCLASSIFIED

--

Brian D. Hopper
Protected Resources Division
NOAA Fisheries
Greater Atlantic Regional Fisheries Office
200 Harry S Truman Parkway
Suite 460
Annapolis, MD 21401
410 267 5649
Brian.D.Hopper@noaa.gov <mailto:brian.d.hopper@noaa.gov>
Blockedhttp://www.greateratlantic.fisheries.noaa.gov/
<Blockedhttps://lh3.googleusercontent.com/g1N3SaXB9jgdWErNU-AYziYT0hEdk0NuY_4vh1ZPI_jUNFff8THgzxAILrgHdINagzwg2x-lqzK01dZ9XWV5KcgikKauB4xl1yrHuY3erZCS>

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, BALTIMORE DISTRICT
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201-2930

January 27, 2020

Ms. Kristy Beard
Marine Habitat Resource Specialist
Habitat Conservation Division
National Oceanic and Atmospheric Administration Fisheries
200 Harry S. Truman Parkway
Annapolis, MD 21401

Dear Ms. Beard:

The purpose of this letter is to initiate coordination with your office in accordance with the Magnuson-Stevens Act and the Fish and Wildlife Coordination Act (FWCA).

The U.S. Army Corps of Engineers (USACE), Baltimore District, is preparing a Record of Environmental Consideration to ensure compliance with the National Environmental Policy Act (NEPA) for proposed rehabilitation and modification of the mooring piers at the USACE DC Drift Field Office dock located at 1125 O Street SE, Washington DC. The project consists of removing 20 existing pilings by cutting or breaking them off below the mud line and installing 9 new pilings. The new pilings are to be 16" steel, with tops 10' above mean low water (see attached for new dock proposal). The new pilings will be installed using a barge mounted pile driver. Turbidity curtains will be used around the work area and the work is expected to take less than 2 weeks.

The National Oceanic and Atmospheric Administration (NOAA) Fisheries' Essential Fish Habitat (EFH) Mapper was used to identify any EFH that could potentially occur within the project area. EFH is mapped within the project area for the following species and corresponding life stages: Little Skate (adult), Atlantic Herring (juvenile, adult), Red Hake (eggs, larvae, juvenile, adult), Winter Skate (adult), Clearnose Skate (juvenile, adult), Windowpane Flounder (juvenile), Bluefish (juvenile, adult) and Summer Flounder (juvenile, adult).

A preliminary EFH determination was made using the enclosed EFH Assessment Worksheet. The adverse effects on any EFH potentially present were found to be temporary and not substantial. Moreover, after a review of the EFH habitat text descriptions for the species mapped, it is likely that EFH is not present for most or all of the species mapped due to the low salinity levels within the Anacostia River. Therefore, the USACE would like to request an abbreviated EFH consultation and any applicable comments from NMFS under FWCA.

If you have questions or would like to discuss the project in more detail, please contact Ms. Vanessa Campbell, Project Biologist, by email at Vanessa.m.campbell@usace.army.mil or by phone at (410) 962-6704.

Sincerely,

Daniel M. Bierly, P.E.
Chief, Civil Project Development Branch
Planning Division

Enclosures

NOAA Fisheries Greater Atlantic Regional Fisheries Office
Essential Fish Habitat (EFH) Assessment & Fish and Wildlife Coordination Act (FWCA) Worksheet

This worksheet is your essential fish habitat (EFH) assessment. It provides us with the information necessary to assess the effects of your action on EFH under the Magnuson Stevens Fishery Conservation and Management Act and on NOAA trust resources under the Fish and Wildlife Coordination Act (FWCA). Consultation is not required if:

1. there is no adverse effect on EFH or NOAA trust resources (see page 10 for more info).
2. no EFH is designated and no trust resources may be present at the project site.

Instructions

Federal agencies or their non-federal designated lead agency should email the completed worksheet and necessary attachments to nmfs.gar.efh.consultation@noaa.gov. Include the public notice (if applicable) or project application and project plans showing:

- location map of the project site with area of impact.
- existing and proposed conditions.
- all waters of the U.S. on the project site with mean low water (MLW), mean high water (MHW), high tide line (HTL), and water depths clearly marked.
- sensitive habitats mapped, including special aquatic sites (submerged aquatic vegetation, saltmarsh, mudflats, riffles and pools, coral reefs, and sanctuaries and refuges), hard bottom or natural rocky habitat areas, and shellfish beds.
- site photographs, if available.

We will provide our EFH conservation recommendations and recommendations under the FWCA, as appropriate, within 30 days of receipt of a complete EFH assessment (60 days if an expanded consultation is necessary). Please submit complete information to minimize delays in completing the consultation.

This worksheet provides us with the information required[1] in an EFH assessment:

1. A description of the proposed action.
2. An analysis of the potential adverse effects on EFH and the federally managed species.
3. The federal agency's conclusions regarding the effects of the action on EFH.
4. Proposed mitigation, if applicable.

Your analysis **should focus on impacts that reduce the quality and/or quantity of the habitat or result in conversion to a different habitat type** for all life stages of species with designated EFH within the action area.

Use the information on the HCD website and NOAA's EFH Mapper to complete this worksheet. If you have questions, please contact the appropriate HCD staff member to assist you.

[1] The EFH consultation process is guided by the requirements of our EFH regulation at 50 CFR 600.905.

EFH ASSESSMENT WORKSHEET General Project

Information

Date Submitted:

Project/Application Number: -

Project Name: Rehab/Modification of Mooring Piers at the Potomac and Anacostia Rivers Collection & Removal of Drift Program

Project Sponsor/Applicant: U.S. Army Corps of Engineers

Federal Action Agency (if state agency acting as delegated):

Fast-41 or One Federal Decision Project: ☐ Yes ☑ No

Action Agency Contact Name: Vanessa Campbell

Contact Phone: 410-962-6704 Contact Email: vanessa.m.campbell@usace.army.mil

Latitude: 38°52'24.08"N Longitude: 76°59'20.26"W

Address, City/Town, State:

1125 O Street SE, Washington DC

Body of Water: Anacostia River

Project Purpose:

Rehabilitation/modification of mooring piers to accommodate a new barge mounted crane.

Project Description:

The project consists of removing 20 existing pilings by cutting or breaking them off below the mud line and installing 9 new pilings, for a net reduction of approximately 50 sq. ft. of impact to the river bottom. The new pilings are to be 16" steel, with top 10' above mean low water. The new pilings will be installed using a barge mounted pile driver. Turbidity curtains will be used around the work area and the work is expected to take less than 2 weeks. The total work area within the turbidity curtain will be approximately 12,000 sq. ft. Actual impacts to the river bottom will be less and include only the footprint and location where the new pilings will be placed. Less than 25 sq. ft. of river bottom will be directly and permanently impacted. No new deck platforms will be constructed as part of this project.

Anticipated Duration of In-Water Work or Start/End Dates:

Work is estimated to take place in Spring 2020. Anticipated duration: 2 weeks.

Habitat Description

EFH includes the biological, chemical, and physical components of the habitat. This includes the substrate and associated biological resources (e.g., benthic organisms, submerged aquatic vegetation, shellfish beds, salt marsh wetlands), the water column, and prey species.

Is the project in designated EFH[2]? ☑ Yes ☐ No

Is the project in designated HAPC[2]? ☐ Yes ☑ No

Is this coordination under FWCA only? ☐ Yes ☑ No

Total area of impact to EFH (indicate sq ft or acres): <25 sq. ft.

Total area of impact to HAPC (indicate sq ft or acres): 0

Current water depths: 8.5-11.4 ft Salinity: 0.2 PSU Water temperature range: 40-85°F

Sediment characteristics[3]: Mud

What habitat types are in or adjacent to the project area and will they be permanently impacted? Select all that apply. Indicate if impacts will be temporary, if site will be restored, or if permanent conversion of habitat will occur. A project may occur in overlapping habitat types.

	Habitat Type	**Total impact (sq ft/acres)**	**Impacts are temporary**	**Restored to pre-existing conditions**	**Permanent conversion of all or part of habitat**
☐	Marine				
☐	Estuarine				
☑	Riverine (tidal)	<25 sq ft			x
☐	Riverine (non-tidal)				
☐	Intertidal				
☐	Subtidal				
☐	Water column				
☐	Salt marsh/ Wetland (tidal)				
☐	Wetland (non-tidal)				

[2] Use the tables on pages 7-9 to list species with designated EFH or the type of designated HAPC present.
[3] The level of detail is dependent on your project – e.g., a grain size analysis may be necessary for dredging.

	Habitat Type	Total impact (sq ft/acres)	Impacts are temporary	Restored to pre-existing conditions	Permanent conversion of all or part of habitat
☐	Rocky/hard bottom[4]:				
☐	Sand				
☐	Shellfish beds or oyster reefs				
☐	Mudflats				
☐	Submerged aquatic vegetation (SAV)[5], macroalgae, epifauna				
☑	Diadromous fish (migratory or spawning habitat)	<25 sq ft	X		

Indicate type(s) of rocky/hard bottom habitat (pebble, cobble, boulder, bedrock outcrop/ledge) and species of SAV:

Project Effects

Select all that apply	Project Type/Category
☐	Hatchery or Aquaculture
☐	Agriculture
☐	Forestry
☐	Military (e.g., acoustic testing, training exercises)
☐	Mining (e.g., sand, gravel)
☐	Restoration or fish/wildlife enhancement (e.g., fish passage, wetlands, beach renourishment, mitigation bank/ILF creation)

[4] Indicate type(s). The type(s) of rocky habitat will help you determine if the area is cod HAPC.
[5] Indicate species. Provide a copy of the SAV report and survey conducted at the site, if applicable.

Select all that apply	Project Type/Category
☐	Infrastructure/transportation (e.g., culvert construction, bridge repair, highway, port)
☐	Energy development/use
☐	Water quality (e.g., TMDL, wastewater, sediment remediation)
☐	Dredging/excavation and disposal
☑	Piers, ramps, floats, and other structures
☐	Bank/shoreline stabilization (e.g., living shoreline, groin, breakwater, bulkhead)
☐	Survey (e.g., geotechnical, geophysical, habitat, fisheries)
☐	Other

Select all that apply	Potential Stressors Caused by the Activity	Select all that apply and if temporary or permanent		Habitat alterations caused by the activity
		Temp	Perm	
☑	Underwater noise			
☑	Water quality/turbidity/ contaminant release	☐	☐	Water depth change
☐	Vessel traffic/barge grounding	☐	☐	Tidal flow change
☐	Impingement/entrainment[6]	☐	☐	Fill
☐	Prevent fish passage/spawning	☐	☐	Habitat type conversion
☑	Benthic community disturbance			Other:
☐	Impacts to prey species			Other:

[6] Entrainment is the voluntary or involuntary movement of aquatic organisms from a water body into a surface diversion or through, under, or around screens and results in the loss of the organisms from the population. Impingement is the involuntary contact and entrapment of aquatic organisms on the surface of intake screens caused when the approach velocity exceeds the swimming capability of the organism.

Details: project impacts and mitigation

The level of detail that you provide should be commensurate with the magnitude of impacts associated with the proposed project. Attach supplemental information if necessary.

Describe how the project would impact each of the habitat types selected above. Include temporary and permanent impact descriptions and direct and indirect impacts.

The proposed action would have minor, localized, and temporary effects on water quality due to sediment turbidity from the removal of existing pilings and the installation of new pilings.

Underwater sound from the proposed project action would consist of the noise generated by the pile driving. Effects on the underwater noise from the proposed action are expected to be minor, localized and temporary.

What specific measures will be used to avoid impacts, including project design, turbidity controls, acoustic controls, and time of year restrictions? If impacts cannot be avoided, why not?

None

What specific measures will be used to minimize impacts?

Turbidity curtains will be used around the work area at the recommendation of the District of Columbia's Department of Energy & Environment.

Is compensatory mitigation proposed? ☐ Yes ☑ No

If no, why not? If yes, describe plans for mitigation and how this will offset impacts to EFH. Include a conceptual compensatory mitigation and monitoring plan, if applicable.

Impacts associated with the placement of the new pilings will be localized and permanent. Impacts to water quality associated with construction activities are expected to be minor, localized and temporary and will be mitigated through the use of turbidity curtains. The EFHs mapped range from the North Atlantic Coast through the Chesapeake Bay. Due to salinity levels in the Anacostia River, EFH is likely not present for most of the species mapped. EFH for windowpane flounder, Bluefish, and Summer flounder may be present within the mixing salinity zones (0.5-25ppt) of the Chesapeake Bay.

Federal Action Agency's EFH determination (select one)	
☐	There is no adverse effect[7] on EFH or EFH is not designated at the project site. EFH Consultation is not required. This is a FWCA-only request.
☑	The adverse effect[7] on EFH is not substantial. This means that the adverse effects are no more than minimal, temporary, or can be alleviated with minor project modifications or conservation recommendations. This is a request for an abbreviated EFH consultation.
☐	The adverse effect[7] on EFH is substantial. This is a request for an expanded EFH consultation. We will provide more detailed information, including an alternatives analysis and NEPA document, if applicable.

EFH and HAPC designations[8]

Use the EFH mapper to determine if EFH may be present in the project area and enter all species and lifestages that have designated EFH. Optionally, you may review the EFH text descriptions linked to each species in the EFH mapper and use them to determine if the described habitat is present. We recommend this for larger projects to help you determine what your impacts are.

Species	EFH is designated/mapped for:				Habitat present based on text description (optional)
	EFH: eggs	EFH: larvae	EFH: juvenile	EFH: adults/ spawning adults	
Little Skate	☐	☐	☐	☑	☐
Atlantic Herring	☐	☐	☑	☑	☐
Red Hake	☑	☑	☑	☑	☐
Winter Skate	☐	☐	☐	☑	☐

[7] An **adverse effect** is any impact that reduces the quality and/or quantity of EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components. Adverse effects to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

[8] Within the Greater Atlantic Region, EFH has been designated by the New England, Mid-Atlantic, and South Atlantic Fisheries Management Councils and NOAA Fisheries.

Species	EFH is designated/mapped for:				Habitat present based on text description (optional)
	EFH: eggs	EFH: larvae	EFH: juvenile	EFH: adults/ spawning adults	
Clearnose Skate	☐	☐	☑	☑	☐
Windowpane Flounder	☐	☐	☑	☐	☐
Bluefish	☐	☐	☑	☑	☐
Summer Flounder	☐	☐	☑	☑	☐
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐
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	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐

HAPCs

Select all that are in your action area.

☐	Summer flounder: SAV[9]	☐	Alvin & Atlantis Canyons
☐	Sandbar shark	☐	Baltimore Canyon
☐	Sand Tiger Shark (Delaware Bay)	☐	Bear Seamount
☐	Sand Tiger Shark (Plymouth-Duxbury-Kingston Bay)	☐	Heezen Canyon
☐	Inshore 20m Juvenile Cod	☐	Hudson Canyon
☐	Great South Channel Juvenile Cod	☐	Hydrographer Canyon
☐	Northern Edge Juvenile Cod	☐	Jeffreys & Stellwagen
☐	Lydonia Canyon	☐	Lydonia, Gilbert & Oceanographer Canyons
☐	Norfolk Canyon (Mid-Atlantic)	☐	Norfolk Canyon (New England)
☐	Oceanographer Canyon	☐	Retriever Seamount
☐	Veatch Canyon (Mid-Atlantic)	☐	Toms, Middle Toms & Hendrickson Canyons
☐	Veatch Canyon (New England)	☐	Washington Canyon
☐	Cashes Ledge	☐	Wilmington Canyon

[9] Summer flounder HAPC is defined as all native species of macroalgae, seagrasses, and freshwater and tidal macrophytes in any size bed, as well as loose aggregations, within adult and juvenile summer flounder EFH. In locations where native species have been eliminated from an area, then exotic species are included. Use local information to determine the locations of HAPC.

More information

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) mandates that federal agencies conduct an essential fish habitat (EFH) consultation with NOAA Fisheries on any actions they authorize, fund, or undertake that may adversely affect EFH. An **adverse effect** is any impact that reduces the quality and/or quantity of EFH. Adverse effects may include direct or indirect physical, chemical, or biological alterations of the waters or substrate and loss of, or injury to, benthic organisms, prey species and their habitat, and other ecosystem components. Adverse effects to EFH may result from actions occurring within EFH or outside of EFH and may include site-specific or habitat-wide impacts, including individual, cumulative, or synergistic consequences of actions.

We designed this worksheet to help you to prepare EFH assessments. It is important to remember that an adverse effect determination is a trigger to consult with us. It does not mean that a project cannot proceed as proposed, or that project modifications are necessary. It means that the effects of the proposed action on EFH must be evaluated to determine if there are ways to avoid, minimize, or offset adverse effects.

This worksheet should be used as your EFH assessment or as a guide to develop your EFH assessment. At a minimum, you should include all the information required to complete this worksheet in your EFH assessment. The level of detail that you provide should be commensurate with the magnitude of impacts associated with the proposed project. If your answers in the worksheet and supplemental information you attach do not fully evaluate the adverse effects to EFH, we may request additional information to complete the consultation.

You may need to prepare an expanded EFH assessment for more complex projects to fully characterize the effects of the project and the avoidance and minimization of impacts to EFH. While the EFH assessment worksheet may be used for larger projects, the format may not be sufficient to incorporate the extent of detail required, and a separate EFH assessment may be developed. However, regardless of format, you should include an analysis as outlined in this worksheet for an expanded EFH assessment, along with any additional necessary information. This additional information includes:

- the results of on-site inspections to evaluate the habitat and site-specific effects.
- the views of recognized experts on the habitat or the species that may be affected.
- a review of pertinent literature and related information.
- an analysis of alternatives that could avoid or minimize the adverse effects on EFH.

Please contact our Greater Atlantic Regional Fisheries Office, Protected Resources Division regarding potential impacts to marine mammals or threatened and endangered species.

Useful Links

National Wetland Inventory Maps
https://www.fws.gov/wetlands/
EPA's National Estuary Program (NEP)
https://www.epa.gov/nep/local-estuary-programs
Northeast Regional Ocean Council (NROC) Data Portal
https://www.northeastoceandata.org/
Mid-Atlantic Regional Council on the Ocean (MARCO) Data Portal
http://portal.midatlanticocean.org/

Resources by State

Maine
Maine Office of GIS Data Catalog
https://geolibrary-maine.opendata.arcgis.com/datasets#data
Town shellfish information including shellfish conservation area maps
https://www.maine.gov/dmr/shellfish-sanitation-management/programs/municipal/ordinances/towninfo.html
State of Maine Shellfish Sanitation and Management
https://www.maine.gov/dmr/shellfish-sanitation-management/index.html
Eelgrass maps
https://www.maine.gov/dmr/science-research/species/eelgrass/index.html
Casco Bay Estuary Partnership
https://www.cascobayestuary.org/
Maine GIS Stream Habitat Viewer
https://www.arcgis.com/home/item.html?id=5869c2d20f0b4c3a9742bdd8abef42cb

New Hampshire
NH's Statewide GIS Clearinghouse, NH GRANIT
http://www.granit.unh.edu/
NH Coastal Viewer
http://www.granit.unh.edu/nhcoastalviewer/
State of NH Shellfish Program
https://www.des.nh.gov/organization/divisions/water/wmb/shellfish/

Massachusetts
MA Shellfish Sanitation and Management Program
https://www.mass.gov/shellfish-sanitation-and-management
MassGIS Data, Including Eelgrass Maps
http://maps.massgis.state.ma.us/map_ol/oliver.php
MA DMF Recommended TOY Restrictions Document
https://www.mass.gov/files/documents/2016/08/ry/tr-47.pdf
Massachusetts Bays National Estuary Program
https://www.mass.gov/orgs/massachusetts-bays-national-estuary-program
Buzzards Bay National Estuary Program
http://buzzardsbay.org/
Massachusetts Division of Marine Fisheries

https://www.mass.gov/orgs/division-of-marine-fisheries
Massachusetts Office of Coastal Zone Management
https://www.mass.gov/orgs/massachusetts-office-of-coastal-zone-management

Rhode Island
RI Shellfish and Aquaculture
http://www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/shellfish-aquaculture.php
RI Shellfish Management Plan
http://www.shellfishri.com/
Eelgrass Maps
http://edc.maps.arcgis.com/apps/View/index.html?appid=db52bb689c1e44259c06e11fd24895f8
RI GIS Data
http://ridemgis.maps.arcgis.com/apps/webappviewer/index.html?id=87e104c8adb449eb9f905e5f18020de5
Narragansett Bay Estuary Program
http://nbep.org/
Rhode Island Division of Marine Fisheries
http://www.dem.ri.gov/programs/fish-wildlife/marine-fisheries/index.php
Rhode Island Coastal Resources Management Council
http://www.crmc.ri.gov/

Connecticut
CT Bureau of Aquaculture
https://www.ct.gov/doag/cwp/view.asp?a=3768&q=451508&doagNav=
CT GIS Resources
https://www.ct.gov/deep/cwp/view.asp?a=2698&q=323342&deepNav_GID=1707
Natural Shellfish Beds in CT
https://cteco.uconn.edu/viewer/index.html?viewer=aquaculture
Eelgrass Maps
https://www.fws.gov/northeast/ecologicalservices/pdf/wetlands/2012_CT_Eelgrass_Final_Report_11_26_2013.pdf
Long Island Sound Study
http://longislandsoundstudy.net/
CT GIS Resources
http://cteco.maps.arcgis.com/home/index.html
CT DEEP Office of Long Island Sound Programs and Fisheries
https://www.ct.gov/deep/site/default.asp
CT River Watershed Council
https://www.ctriver.org/

New York
Eelgrass Report
http://www.dec.ny.gov/docs/fish_marine_pdf/finalseagrassreport.pdf
Peconic Estuary Program
https://www.peconicestuary.org/
NY/NJ Harbor Estuary
https://www.hudsonriver.org/estuary-program

New York GIS Clearinghouse
https://gis.ny.gov/

New Jersey
Submerged Aquatic Vegetation Mapping
http://www.crssa.rutgers.edu/projects/sav/
Barnegat Bay Partnership
https://www.barnegatbaypartnership.org/
NJ GeoWeb
https://www.nj.gov/dep/gis/geowebsplash.htm
NJ DEP Shellfish Maps
https://www.nj.gov/dep/landuse/shellfish.html

Pennsylvania
Delaware River Management Plan
https://www.fishandboat.com/Fish/Fisheries/DelawareRiver/Documents/delaware_river_plan_exec_draft.pdf
PA DEP Coastal Resources Management Program
https://www.dep.pa.gov/Business/Water/Compacts%20and%20Commissions/Coastal%20Resources%20Management%20Program/Pages/default.aspx
PA DEP GIS Mapping Tools
https://www.dep.pa.gov/DataandTools/Pages/GIS.aspx

Delaware
Partnership for the Delaware Estuary
http://www.delawareestuary.org/
Center for Delaware Inland Bays
http://www.inlandbays.org/
Delaware FirstMap
http://delaware.maps.arcgis.com/home/index.html

Maryland
Submerged Aquatic Vegetation Mapping
http://web.vims.edu/bio/sav/
MERLIN
http://dnrweb.dnr.state.md.us/MERLIN/
Maryland Coastal Bays Program
https://mdcoastalbays.org/

Virginia
Submerged Aquatic Vegetation mapping
http://www.mrc.virginia.gov/regulations/Guidance_for_SAV_beds_and_restoration_final_approved_by_Commission_7-22-17.pdf
VDGIF Time of Year Restrictions (TOYR) and Other Guidance
https://www.dgif.virginia.gov/wp-content/uploads/VDGIF-Time-of-Year-Restrictions-Table.pdf

From: Karen Greene - NOAA Federal
To: Ciaramellano Campbell, Vanessa M CIV USARMY (USA)
Subject: Re: [Non-DoD Source] USACE DC dock drift field office consultation (UNCLASSIFIED)
Date: Monday, February 24, 2020 7:17:06 PM

Hi Vanessa,

The project will have some temporary and minor adverse effects, but we have no EFH crs or Fish and Wildlife Coordination Act recommendations to offer and no objections to the project moving forward as proposed. Please let me know if you need a more formal written response. Thanks.

Karen

Karen Greene
Mid-Atlantic Field Offices Supervisor
NOAA/National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office
Habitat Conservation Division
James J. Howard Marine Sciences Laboratory
74 Magruder Rd.
Highlands, NJ 07732
732 872-3023 (office)

On Fri, Feb 14, 2020 at 4:20 PM Ciaramellano Campbell, Vanessa M CIV USARMY (USA) <Vanessa.M.Campbell@usace.army.mil <mailto:Vanessa.M.Campbell@usace.army.mil> > wrote:

> CLASSIFICATION: UNCLASSIFIED
>
> Hi Karen,
>
> The location map for the DC Drift Dock Field office is attached. Please let me know if you need any additional information.
>
> Thank you,
>
> Vanessa
>
> -----Original Message-----
> From: Karen Greene - NOAA Federal [mailto:karen.greene@noaa.gov <mailto:karen.greene@noaa.gov>]
> Sent: Thursday, February 13, 2020 3:23 PM
> To: Ciaramellano Campbell, Vanessa M CIV USARMY (USA) <Vanessa.M.Campbell@usace.army.mil <mailto:Vanessa.M.Campbell@usace.army.mil> >
> Subject: [Non-DoD Source] USACE DC dock drift field office consultation
>
> Hi Vanessa,
>
> Kristy was not able to complete this before she moved to the aquaculture office, so I am handling it now. Can you please send me a location map. I should be able to get you a response quickly once I have that.
>
> Thanks.

Karen

Karen Greene
Mid-Atlantic Field Offices Supervisor
NOAA/National Marine Fisheries Service
Greater Atlantic Regional Fisheries Office Habitat Conservation Division James J. Howard Marine Sciences Laboratory
74 Magruder Rd.
Highlands, NJ 07732
732 872-3023 (office)

CLASSIFICATION: UNCLASSIFIED

FEB 0 7 2020

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, CORPS OF ENGINEERS
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

Dr. Ruth Trocolli
DC Archaeologist
DC Historic Preservation Office
1100 4th Street, SW, Suite 650 East
Washington, DC 20024

Dear Ms. Trocolli:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 CFR Part 800, regarding the DC Drift project being conducted by the U.S. Army Corps of Engineers, Baltimore District (USACE) along the Anacostia River approximately 350 feet from the 11th Street Bridge in the District of Columbia (Enclosure 1). The purpose of the project is to modify the existing configuration of mooring piers, which would facilitate access for a new barge mounted crane. This would include the removal of 20 existing wood pilings and the installation of 9 new steel pilings (Enclosure 2). The project is being conducted as part of the Potomac and Anacostia Rivers Collection and Removal of Drift program, authorized under Section 301 of the River and Harbors Act of 1965.

The project's area of potential effect (APE) is defined as the area where pilings would be removed and installed within the Anacostia River. The 20 existing wood pilings would be removed by cutting or breaking them off below the mud line. The 9 new steel pilings would be 16 inches in diameter and would be 10 feet tall above the mean low water line. Because the new pilings will be installed adjacent to the existing pilings, it is unlikely that the proposed project would have any effect on historic properties.

Thank you for your assistance with this project. We ask that your office review the enclosed information and assist us in identifying and assessing the project's effect on historic properties, should they exist. If you have any questions about the project, please contact Ethan A. Bean at (410) 962-2173 or ethan.a.bean@usace.army.mil.

Sincerely,

Daniel M. Bierly, P.E.
Chief, Civil Project Development Branch
Planning Division

Enclosures

FEB 0 7 2020

DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, CORPS OF ENGINEERS
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

Chief Robert Gray
Pamunkey Indian Tribe
1054 Pocahontas Trail
King William, VA 23086

Dear Chief Gray:

The purpose of this letter is to initiate consultation with your office in accordance with Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations at 36 CFR Part 800, regarding the DC Drift project being conducted by the U.S. Army Corps of Engineers, Baltimore District (USACE) along the Anacostia River approximately 350 feet from the 11th Street Bridge in the District of Columbia (Enclosure 1). The purpose of the project is to modify the existing configuration of mooring piers, which would facilitate access for a new barge mounted crane. This would include the removal of 20 existing wood pilings and the installation of 9 new steel pilings (Enclosure 2). The project is being conducted as part of the Potomac and Anacostia Rivers Collection and Removal of Drift program, authorized under Section 301 of the River and Harbors Act of 1965.

The project's area of potential effect (APE) is defined as the area where pilings would be removed and installed within the Anacostia River. The 20 existing wood pilings would be removed by cutting or breaking them off below the mud line. The 9 new steel pilings would be 16 inches in diameter and would be 10 feet tall above the mean low water line. Because the new pilings will be installed adjacent to the existing pilings, it is unlikely that the proposed project would have any effect on historic properties.

Please let us know if you are interested in consulting on this project on a Government-to-Government basis, and the extent to which you wish to participate. We will provide a USACE representative at consultation meetings, and we will fully consider any information you wish to provide.

Thank you for your assistance with this project. We ask that your office review the enclosed information and assist us in identifying and assessing the project's effect on historic properties, should they exist. If you have any questions about the project, please contact Ethan A. Bean at (410) 962-2173 or ethan.a.bean@usace.army.mil.

Sincerely,

Daniel M. Bierly, P.E.
Chief, Civil Project Development Branch
Planning Division

Enclosures

PAMUNKEY INDIAN TRIBE

Terry Clouthier
Cultural Resource Director

TRIBAL GOVERNMENT
Tribal Office

1054 Pocahontas Trail
King William, VA 23086

(804) 339-1629
FAX (866) 422-3387

THPO File Number: 2020-01 Date: 02/12/2020

Daniel M. Bierly, P.E.
Chief, Civil Project Development Branch
Planning Division
Department of the Army
Baltimore District, Corps of Engineers
2 Hopkins Plaza
Baltimore Maryland 21201

RE: DC Drift Project

Dear Mr. Bierly,

Thank you for contacting the Pamunkey Indian Tribe regarding the proposed undertaking to remove twenty wooden pilings and install nine steel pilings for a new barge mounted crane along the banks of the Anacostia River.

My office agrees with your assessment that this undertaking will not likely affect any historic properties and does not wish to consult any further for this proposed undertaking.

Should any human remains or cultural properties be inadvertently discovered, please cease all operations and contact our office immediately to reinitiate consultation.

Thank you for considering our cultural heritage in your decision-making process.

If you have any questions feel free to email me at terry.clouthier@pamunkey.org.

Sincerely,

Terry Clouthier

Digitally signed by Terry Clouthier
Date: 2020.02.12 13:33:48 -05'00'

District of Columbia Office of Planning

DC STATE HISTORIC PRESERVATION OFFICE
FEDERAL AGENCY SECTION 106 REVIEW FORM

TO: Ethan Bean, US Army Corps of Engineers

ADDRESS: Via email to: ethan.a.bean@usace.army.mil

PROJECT NAME/DESCRIPTION: Proposed Reconfiguration of Existing Mooring Piers To Facilitate Access for New Barge-Mounted Crane

PROJECT ADDRESS/LOCATION DESCRIPTION: In the Anacostia River, 350' Northeast of the 11th Street Bridges; Near 1125 O Street, SE

DC SHPO PROJECT NUMBER: 20-0274

The DC State Historic Preservation Office (DC SHPO) has reviewed the above-referenced federal undertaking(s) in accordance with Section 106 of the National Historic Preservation Act and has determined:

☐	This project will have **no effect** on historic properties. No further DC SHPO review or comment will be necessary.
☐	There are **no historic properties** that will be affected by this project. No further DC SHPO review or comment will be necessary.
☒	This project will have **no adverse effect** on historic properties. No further DC SHPO review or comment will be necessary.
☐	This project will have **no adverse effect** on historic properties **conditioned upon** fulfillment of the measures stipulated below.
☐	Other Comments / Additional Comments (see below):

We understand that this undertaking involves the issuance of a USACE Section 301 of the Rivers and Harbors Act permit to allow existing mooring piers in the river to be reconfigured to provide access so that a new barge-mounted crane can be substituted for the one that currently exists on the site. The new crane will be the same size as the existing one. We have determined that this undertaking will have "no adverse effect" on the adjacent Anacostia Park National Register of Historic Places-eligible Historic District or any other historic properties. Thank you for providing this opportunity to review and comment.

BY: _____ **DATE**: February 28, 2020

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

Appendix C

National Park Service,

National Capital Region Coordination

NPS Form 10-114 (Rev. 01/2017)
National Park Service

SPECIAL USE PERMIT

National Capitol Area
1100 Ohio Drive, S.W.
Washington, D.C. 20242

Name Craig Homesley			
Company/Organization US Army Corps of Engineers, Baltimore District			
Street Address 2 Hopkins Plaza			
City Baltimore	State MD	Zip Code 21201	Country USA
Telephone Number c/o 410-962-6704	Cell Phone Number		
Fax Number N/A			
Email Address c/o Vanessa.M.Campbell@usace.army.mil			

Park Alpha Code
NCAO

Type of Use
Other

Permit #
NCA-6000-20-006

is hereby authorized to use the following described land or facilities:

The Bed of the Annacostia River approximately 300 feet upstream of the 11th Street Bridge.

The permit begins at 12:00 ☒ am / ☐ pm on . The permit expires at 11:59 ☐ am / ☒ pm on .

SUMMARY OF PERMITTED ACTIVITY: (see attached sheets for additional information and conditions)

The project is to replace 20 pilings with 9 new pilings and to rehabilitate the existing USACE Drift Collection and Removal Docks. The work is shown on NPS Drawing No. 985_173929.

Person on site responsible for adherence to the terms and conditions of the permit (include contact information): TBD

Authorizing legislation or other authority: 41 Fed. Reg. 34801 (1976)

APPLICATION FEE	☐ Received ☒ Not Required	Amount $
PERFORMANCE BOND	☐ Required ☒ Not Required	Amount $
LIABILITY INSURANCE	☒ Required ☐ Not Required	Amount $ See #10
COST RECOVERY	☐ Required ☒ Not Required	Amount $
LOCATION FEE	☐ Required ☒ Not Required	Amount $

ISSUANCE of this permit is subject to the attached conditions. The undersigned hereby accepts this permit subject to the terms, covenants, obligations, and reservations, expressed or implied herein.

HOMESLEY.CRAIG.R.1231317925
Digitally signed by HOMESLEY.CRAIG.R.1231317925
Date: 2021.01.04 19:13:07 -05'00'
PERMITTEE Signature — Title: — Date: January 4, 2021

KIMBERLY HALL
Digitally signed by KIMBERLY HALL
Date: 2021.03.26 16:55:20 -04'00'
Authorizing NPS Official — Title: Area Director — Date: March 26, 2021

CONDITIONS OF THIS PERMIT

Failure to comply with any of the terms and conditions of this permit may result in the immediate suspension or revocation of the permit. [36 CFR 1.6(h)]

1. The permittee is prohibited from giving false information; to do so will be considered a breach of conditions and be grounds for revocation: [36 CFR 2.32(a)(3)].

2. This permit may not be transferred or assigned without the prior written consent of the National Capital Area Director.

3. The permittee shall exercise this privilege subject to the supervision of the National Capital Area Director or designee, and shall comply with all applicable Federal, State, county and municipal laws, ordinances, regulations, codes, and the terms and conditions of this permit. Failure to do so may result in the immediate suspension of the permitted activity or the revocation of the permit. All costs associated with clean up or damage repairs in conjunction with a revoked permit will be the responsibility of the permittee.

4. The permittee is responsible for making all necessary contacts and arrangements with other Federal, State, and local agencies to secure any required inspections, permits, licenses, etc.

5. The area associated with this permit will remain open and available to the public during the permitted activities to the greatest extent practicable. This permit does not guarantee exclusive use of an area. Permit activities will not unduly interfere with other visitors' use and enjoyment of the area.

6. This permit may be revoked at the discretion of the National Capital Area Director upon 24 hours notice.

7. This permit may be revoked without notice if damage to resources or facilities occurs or is threatened, notwithstanding any other term or condition of the permit to the contrary.

8. This permit is made upon the express condition that the NPS, its agents and employees shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury, injuries, or death to any person or persons or property of any kind whatsoever, whether to the person or property of the Permittee, its agents or employees, or third parties, from any cause or causes whatsoever while in or upon said premises or any part thereof during the term of this permit or occasioned by any occupancy or use of said premises or any activity carried on by the Permittee in connection herewith. The Permittee will require its contractors to indemnify, defend, save and hold harmless the United States (including NPS), its agents, and employees from all liabilities, charges, expenses and costs on account of or by reason of any such injuries, deaths, liabilities, claims, suits or losses however occurring or damages growing out of the same.

9. Permittee agrees to require its contractor to carry general liability insurance against claims occasioned by the action or omissions of the permittee, its contractor, agents, and employees in carrying out the activities and operations authorized by this permit. The policy shall be in the amount of $1,000,000 per Occurrence, $3,000,000 Aggregate and underwritten by a United States company naming the United States of America as **additional insured**. The permittee agrees to provide the National Capital Area Director with a Certificate of Insurance with the proper endorsements prior to the effective date of the permit.

10. The person(s) named on the permit as in charge of the permitted activity on-site must have full authority to make any decisions about the activity and must remain available at all times. He/she shall be responsible for all individuals, groups, vendors, etc. involved with the permit

11. Nothing herein contained shall be construed as binding the Service to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purpose of this permit for the fiscal year, or to involve the Service in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations.

12. If any provision of this permit shall be found to be invalid or unenforceable, the remainder of this permit shall not be affected and the other provisions of this permit shall be valid and be enforced to the fullest extent permitted by law.

13. The permittee is aware that the site is potentially contaminated and shall take all actions necessary when disturbing of site sediments.

14. Spills/discharges: In the event of any action or occurrence during the performance of the permitted activities, which causes or threatens a release of Waste Materials into the environment that may present an immediate threat to public health or welfare or the environment, the permittee shall immediately take all appropriate action to prevent, abate, or minimize such release or threat of release, and shall immediately make proper notification in accordance with all applicable legal and regulatory requirements. Notification shall be made to the District of Columbia HAZMAT Unit and U.S. Park Police (USPP Dispatch 202-610-7500), as well as the National Response Center, if warranted. Additionally, the NPS point of contact for this permit shall be notified. Permittee shall be responsible for implementing contingency measures, as described in the following paragraph, whenever a release or threatened release of a hazardous substance presents an immediate threat to public health or welfare or the environment.

15. Contingency measures:
    a. Permittee and its contractors will immediately stop operations;
    b. All crew members will don appropriate personal protective equipment and take appropriate steps to abate and remediate the release; and
    c. Authorized activities will be suspended until conditions are determined to be stable by the NPS point of contact.

16. Nothing in this permit shall be deemed to limit any authority of the United States, (a) to take all appropriate action to protect human health and the environment and to prevent, abate, respond to or minimize an actual or threatened release of Waste Materials on, at, or from the Site, or (b) to direct or order such action, or seek an order from the appropriate Court, to protect human health and the environment or to prevent, abate, respond to or minimize an actual or threatened release of Waste Materials substances on, at, or from the Site.

17. "Waste Materials" shall, for the purposes of this permit, be defined as (a) any "hazardous substance" under CERCLA Section 101(14), 42 U.S.C Section 9601(14); (b) any "pollutant or contaminant" under CERCLA Section 101(33), 42 U.S.C. 9601(33); (c) any "solid waste" under RCRA Section 1004(27); (d) any hazardous waste under RCRA Section 1004(5), 42 U.S.C. 6903(5); (e) any petroleum product or waste, including crude oil or any fraction thereof or waste; and (f) natural gas, methane gas, liquefied natural gas, or synthetic gas, or any mixtures thereof.

18. Sediment/turbidity: The permittee shall control sediment and turbidity from construction activity, in compliance with applicable Federal, state, and local requirements and water quality standards. The permittee will ensure appropriate controls are employed and maintained in effective operating condition during construction.

19. The permittee assumes responsibility for cost, repairs, and/or restoration to areas damaged by any releases and/or discharges of Waste Materials into the environment resulting from project activities, whether with the permitted area or not.

20. Permittee shall develop and implement spill prevention, control, and countermeasure plans erosion and sedimentation control plans in accordance with the applicable regulatory agency requirements, and plans for handling and disposing of contaminated soil, groundwater, and river sediment, both known and unanticipated.

21. Appropriate conservation measures shall be incorporated into the construction to minimize any potential impacts to anadromous fishes. There is a time of year restriction for work of this type from March 1st to June 30th of each year.

22. No less than one day in advance of the commencement of initial construction activities, the permittee shall submit to the NPS Point of Contact, a work schedule detailing work activities scheduled to occur within the Bed of the Anacostia River.

23. The permittee is required to maintain a complete and legible copy of the approved permit at the work site at all times.

24. Any artifacts discovered during the permittee's use and occupancy of the Bed of the Anacostia River are to be turned over to the NPS. Should the permittee uncover what appears to be something of archeological significance, work will cease immediately in the affected area to permit proper investigation of the find. The NPS will determine when work may resume.

25. The Point of Contact for the National Park Service will be:

    Sean McCabe
    National Park Service
    Region 1 - National Capital Area
    1100 Ohio Drive, S.W.
    Washington, DC 20242
    (202) 619-7276
    sean_mccabe@nps.gov

Appendix D

Public Comments and USACE Response

Washington Gas
A WGL Company

6801 Industrial Rd.
Springfield, VA 22151
www.washingtongas.com

February 19, 2021

Vanessa Campbell
Baltimore District, Planning Division
US Army Corps of Engineers
2 Hopkins Plaza
Baltimore, MD 21201

Via email to: Vanessa.m.campbell@usace.army.mil

RE: Comments on Rehabilitation and Modification of Mooring Piers Potomac and Anacostia Rivers Collection & Removal of Drift Program February 2021 draft Finding of No Significant Impact and Environmental Assessment

Washington Gas Light Company ("Washington Gas") is pleased to submit these comments on the U.S. Army Corps of Engineers, Baltimore District (USACE) draft Environmental Assessment (EA) and a Finding of No Significant Impact (FONSI) for the rehabilitation and modification of mooring piers at the Potomac and Anacostia Rivers Collection & Removal of Drift ("DC Drift") Program located in Washington, D. C.

Washington Gas has the following comments on the FONSI/EA text:

1) Section 4.10 of the draft FONSI/EA states that the settlement among the National Parks Service (NPS), the District, and Washington Gas requires, among other things, "investigation of the nature and extent of contamination in groundwater, surface water, and sediments of the Anacostia River (Operable Unit 2)." A more accurate description of the investigation requirements is provided in the Statement of Work that was an integral part of the settlement. The suggested replacement language is as follows: "to determine the nature and extent of Site contamination in the groundwater that discharges to the Anacostia River and the nature and extent of Site contamination in surface water and sediments in the Anacostia River (Operable Unit 2)."
2) Section 4.10 of the draft FONSI/EA also states that "Studies by the USFWS have linked PAHs to liver and skin tumors in brown bullhead catfish in the Anacostia River (Pinkney et al., 2004); however, recent trends indicate a decrease in the prevalence of tumors (Pinkney et al., 2019)." The FONSI/EA should also note that, as found in Pinkney, et al., 2019, although there were no statistically significant decreases in total PAH concentrations in sediment for the River samples between 2000 and 2015, there

were substantial decreases in the occurrence of both liver and skin tumors in River bullheads since 2001. Therefore, there doesn't appear to be a causal relationship between sediment PAH concentrations and bullhead tumors in the Anacostia River.

Washington Gas has the following comments on the work to be conducted:

1) Washington Gas understands that Alternative 2, cutting the existing piles off at the sediment surface, is the alternative selected by the USACE and that the piles will be cut at the mud line by divers. As compared with other means of removing the piles described in the EA, this alternative and approach to cutting the existing piles will beneficially reduce the potential for sediment disturbance during pile removal, thereby reducing the potential for mobilizing impacted sediments and the potential for sheen releases.
2) Washington Gas understands that the new piles will be open ended hollow 16-inch diameter steel piles installed using a barge-mounted pile driver. Furthermore, sediments within the piles will not be removed after installation. The installation of open ended piles that are not cleaned out after installation will reduce the potential for mobilizing impacted sediments and the potential for sheen releases during pile installation.
3) Washington Gas recommends the placement of a 6-inch thick mound of sand in the limited area where each pile will be installed. Driving piles through these sand mounds will reduce the potential for mobilizing impacted sediments and the potential for sheen releases.
4) The July 7, 2019 letter from DOEE to the USACE provided in Appendix B, *Agency Coordination* to the FONSI and EA, states that "[s]ince this project does not require a CWA [Clean Water Act] Section 404 permit, a WQC [Water Quality Certification] is not required. However, the following conditions are recommended to ensure the proposed activity will not violate the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.01 *et seq.*, and will meet the Water Quality Standards of the District of Columbia in Title 21 of the District of Columbia Municipal Regulations (DCMR), Chapter 11, and the Water Quality Monitoring Regulations in Title 21 DCMA, Chapter 19." These conditions include providing adequate space between the work area and the turbidity curtain and turbidity monitoring 25 feet upstream and 25 feet downstream of the work area along with a stop work restriction at an increase of 20 Nephelometric Turbidity Units (NTU) above background (Items 2 and 3 of the DOEE letter). Washington Gas recommends maintaining as large a distance as possible between the work area and the turbidity curtain to reduce the likelihood of a stop work condition caused by an increase in turbidity of 20 NTU above background.
5) The July 7, 2019 DOEE letter also includes an immediate reporting requirement (DOEE Illicit Discharge and NPDES Branch) if any oil sheen or other visible evidence of hydrocarbons or other pollution (e.g., color changes in the water column or turbidity plumes) are observed during any of the work activities (Item 5 of the DOEE letter). Washington Gas' experience is that turbidity curtains may not contain sheen other than floating sheen that is contained at the water surface by the oil boom. Sheen could also migrate at depth below the water surface and reach the surface outside of the turbidity curtain and oil boom. As described in Washington Gas' Comment 4, Washington Gas

recommends maintaining as large a distance as possible between the work area and the turbidity curtain. This will reduce the possibility of sheen escaping and surfacing outside of the containment area.

6) Washington Gas also recommends the USACE have a small boat on standby should a sheen occur outside the turbidity curtain. Washington Gas recommends this boat be supplied with oil booms and absorbent pads to contain and collect sheen and any wood debris that surfaces outside of the turbidity curtain.

Washington Gas will appreciate USACE's attention to these comments. We would be pleased to answer any questions that the USACE may have.

Sincerely

Michael Rooney, P.G., CPG
Director, Environmental Compliance and Affairs Department

cc: File
Catherine Trent, Washington Gas
Jeff Dominski, Washington Gas
Paul H Teague, Esq., Washington Gas
Megan M. Roberts-Satinsky, Esq., Washington Gas

Comments Received from Washington Gas via Letter Dated 19 February 2021

Comments on the FONSI/EA:

Comment #1, page 1.

Section 4.10 of the draft FONSI/EA states that the settlement among the National Parks Service (NPS), the District, and Washington Gas requires, among other things, "investigation of the nature and extent of contamination in groundwater, surface water, and sediments of the Anacostia River (Operable Unit 2)." A more accurate description of the investigation requirements is provided in the Statement of Work that was an integral part of the settlement. The suggested replacement language is as follows: "to determine the nature and extent of Site contamination in the groundwater that discharges to the Anacostia River and the nature and extent of Site contamination in surface water and sediments in the Anacostia River (Operable Unit 2)."

Response:

Text in Section 4.10 of the Environmental Assessment was edited to reflect the Statement of Work for Remedial Design/Remedial Action for Operable Unit 1 and Remedial Investigation/Feasibility Study for Operable Unit 2.

Comment #2, page 1.

Section 4.10 of the draft FONSI/EA also states that "Studies by the USFWS have linked PAHs to liver and skin tumors in brown bullhead catfish in the Anacostia River (Pinkney et al., 2004); however, recent trends indicate a decrease in the prevalence of tumors (Pinkney et al., 2019)." The FONSI/EA should also note that, as found in Pinkney, et al., 2019, although there were no statistically significant decreases in total PAH concentrations in sediment for the River samples between 2000 and 2015, there were substantial decreases in the occurrence of both liver and skin tumors in River bullheads since 2001. Therefore, there doesn't appear to be a causal relationship between sediment PAH concentrations and bullhead tumors in the Anacostia River.

Response:

Although recent trends indicate a decrease in the prevalence of tumors in brown bullhead catfish in the Anacostia River, Pinkney et al., 2019, concludes that "the finding of highly elevated PAC-DNA adduct concentration in the DRZ [diagonal radioactive zone], high concentrations of PAH-like metabolites in bile, and high sediment PAH concentrations provides the strongest evidence to date for the role of PAH exposure in the development of tumors in Anacostia bullheads." No changes were made to the EA.

Comments on work to be performed:

Comment #1, page 2.

Washington Gas understands that Alternative 2, cutting the existing piles off at the sediment surface, is the alternative selected by the USACE and that the piles will be cut at the mud line by divers. As compared with other means of removing the piles described in the EA, this alternative and approach to cutting the existing piles will beneficially reduce the potential for sediment disturbance during pile

removal, thereby reducing the potential for mobilizing impacted sediments and the potential for sheen releases.

Response:

As stated in Comment #1, Alternative 2, or the cutting of the existing pilings off at the mud line, will reduce disturbance to the sediment bed. This, in addition to the proposed environmental controls and best management practices, will minimize impacts to water quality within the Anacostia River form the proposed action.

Comment #2, page 2.

Washington Gas understands that the new piles will be open ended hollow 16-inch diameter steel piles installed using a barge-mounted pile driver. Furthermore, sediments within the piles will not be removed after installation. The installation of open ended piles that are not cleaned out after installation will reduce the potential for mobilizing impacted sediments and the potential for sheen releases during pile installation.

Response:

USACE acknowledges and concurs with Washington Gas' comment. No edits are needed.

Comment #3, page 2.

Washington Gas recommends the placement of a 6-inch thick mound of sand in the limited area where each pile will be installed. Driving piles through these sand mounds will reduce the potential for mobilizing impacted sediments and the potential for sheen releases.

Response:

USACE acknowledges Washington Gas' recommendation. The water depth around the DC Drift Office dock is shallow. USACE is unable to place sand in the area where each pile will be installed because it could impact the minimum depth required for vessel access to the DC Drift Office dock. To minimize impacts to water quality from the proposed action, USACE will be implementing environmental controls and best management practices during construction activities as described in Section 3.2 and Appendix A of the Environmental Assessment.

Comment #4, page 2.

The July 7, 2019 letter from DOEE to the USACE provided in Appendix B, Agency Coordination to the FONSI and EA, states that "[s]ince this project does not require a CWA [Clean Water Act] Section 404 permit, a WQC [Water Quality Certification] is not required. However, the following conditions are recommended to ensure the proposed activity will not violate the Water Pollution Control Act of 1984, D.C. Official Code § 8-103.01 et seq., and will meet the Water Quality Standards of the District of Columbia in Title 21 of the District of Columbia Municipal Regulations (DCMR), Chapter 11, and the Water Quality Monitoring Regulations in Title 21 DCMA, Chapter 19." These conditions include providing adequate space between the work area and the turbidity curtain and turbidity monitoring 25 feet upstream and 25 feet downstream of the work area along with a stop work restriction at an increase of 20 Nephelometric Turbidity Units (NTU) above background (Items 2 and 3 of the DOEE letter). Washington Gas recommends maintaining as large a distance as possible between the work area and

the turbidity curtain to reduce the likelihood of a stop work condition caused by an increase in turbidity of 20 NTU above background.

Response:

The turbidity curtain will be placed and maintained at a distance as indicated by the project plans included in Appendix A of the Environmental Assessment. The USACE will follow DOEE recommendations.

Comment #5, page 2-3.

The July 7, 2019 DOEE letter also includes an immediate reporting requirement (DOEE Illicit Discharge and NPDES Branch) if any oil sheen or other visible evidence of hydrocarbons or other pollution (e.g., color changes in the water column or turbidity plumes) are observed during any of the work activities (Item 5 of the DOEE letter). Washington Gas' experience is that turbidity curtains may not contain sheen other than floating sheen that is contained at the water surface by the oil boom. Sheen could also migrate at depth below the water surface and reach the surface outside of the turbidity curtain and oil boom. As described in Washington Gas' Comment 4, Washington Gas recommends maintaining as large a distance as possible between the work area and the turbidity curtain. This will reduce the possibility of sheen escaping and surfacing outside of the containment area.

Response:

As indicated in section 3.2 of the Environmental Assessment, oil absorbing booms will be installed, maintained, and replaced as needed throughout the construction process to minimize the migration of sediment borne contaminants. USACE and its contractors will monitor, contain, and remove sheens and/or free product that is encountered during construction of the project. USACE will follow DOEE recommendations.

Comment #6, page 3.

Washington Gas also recommends the USACE have a small boat on standby should a sheen occur outside the turbidity curtain. Washington Gas recommends this boat be supplied with oil booms and absorbent pads to contain and collect sheen and any wood debris that surfaces outside of the turbidity curtain.

Response:

The contractor will have a small vessel supplied with oil booms and absorbent pads to contain and collect any sheen that may escape the environmental controls.