



# SECTION 4(f) CONCURRENCE LETTER

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*The Environmental Assessment (EA) for the Rehabilitation of Broad Branch Road, NW includes a Section 4(f) Evaluation, prepared compliance with Section 4(f) of the US Department of Transportation (USDOT) Act of 1966, which is codified at 49 U.S.C. § 303 and 23 U.S.C. § 138, with implementing regulations at 23 CFR §774. After review of the Revised Draft EA and Section 4(f) Evaluation, in a letter dated October 22, 2020, the Department of the Interior concurred that there are no other feasible or prudent avoidance alternatives and that the Preferred Alternative would cause the least overall harm. A copy of the letter is provided herein.*



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
Custom House, Room 244  
200 Chestnut Street  
Philadelphia, Pennsylvania 19106-2904

IN REPLY REFER TO:

October 22, 2020

9043.1  
ER20/0306

Michael Hicks  
Environmental Manager/Engineer  
Federal Highway Administration  
District of Columbia Division  
1200 New Jersey Avenue, SE  
East Building, Rm. E61-206  
Washington, DC 20590  
michael.hicks@dot.gov

**RE: Final Section 4(f) Evaluation from Chapter 4 of the Revised Draft Environmental Assessment of the Rehabilitation of Broad Branch Road, NW, Washington, DC**

Dear Mr. Hicks,

The Department of the Interior (Department) has reviewed the Rehabilitation of Broad Branch Road, NW Revised Draft Section 4(f) Evaluation and submits the following comments prepared in compliance with Section 4(f) of the US Department of Transportation (USDOT) Act of 1966, which is codified at 49 U.S.C. § 303 and 23 U.S.C. § 138, with implementing regulations at 23 CFR §774.

The Department understands that the Federal Highway Administration (FHWA) in conjunction with the District of Columbia Department of Transportation (DDOT) has released a Revised Draft Section 4(f) for the proposed rehabilitation of Broad Branch Road, NW. The project area is located in Northwest Washington D.C. along a 1.5-mile segment of Broad Branch Road NW between Linnean Avenue NW and Beach Drive NW, a portion of which abuts the southwestern border of Rock Creek Park. Public release of the Revised Draft Environmental Assessment (EA) and this Final Section 4(f) evaluation is expected to occur on or about October 14, 2020.

The Department understands that all four build alternatives presented in this documentation require the demolition and replacement of the Soapstone Creek Culvert in order to address the stormwater management deficiencies identified in the purpose and need for the project. Any alternative that did not include the demolition and replacement of Soapstone Creek Culvert would compromise the project to the degree that it is unreasonable to proceed. Therefore, the

Department agrees that the project purpose and need cannot be met while avoiding Section 4(f) properties, and that there are no prudent and feasible avoidance alternatives.

To that end, the Department also agrees with the statement in the Revised Draft Section 4(f) that the proposed action would have adverse effects on contributing elements of the Rock Creek Park Historic District (RCPHD) (i.e., fourteen of fifteen segments of a historic stone retaining wall, ten historic stone headwalls for stormwater outfalls, and stone and metal boundary markers under the jurisdiction of the NPS); and the Soapstone Creek Culvert, also a contributing element of the RCPHD but individually eligible and under the jurisdiction of both DDOT and the NPS; and portions of the stone retaining walls associated with the Gatehouse at La Villa Firenze. The Department also agrees that the proposed action would result in Section 4(f) use of contributing elements of RCPHD (retaining walls and stormwater outfall headwalls), the Soapstone Creek Culvert, portions of the stone retaining walls associated with the Gatehouse at La Villa Firenze, and Rock Creek Park.

The NPS has closely coordinated with DDOT over the course of this extended planning effort and is believes that all possible planning to minimize harm to the Section 4(f) resources through the use of context sensitive design and materials; reuse of existing materials as appropriate; and restoration of native tree species and vegetation in Rock Creek Park have been considered. There has been considerable coordination with other local agencies including the District of Columbia State Historic Preservation Office, the Advisory Council on Historic Preservation, and the consulting parties (the Government of Italy) in the National Historic Preservation Act Section 106 process (Section 106), which focused on minimizing impacts to contributing elements of the RCPHD (retaining walls and stormwater outfall headwalls) and the Soapstone Creek Culvert, and the stone retaining walls associated with the Gatehouse at La Villa Firenze. As a result of this coordination and guided by the requirements of the Section 106 process, a Memorandum of Agreement (MOA) was prepared and executed on July 13, 2020 that formalized agency roles and responsibilities and defined those mitigative actions aimed at best addressing the adverse effects associated with these actions.

Lastly, the Department concurs with the Final Section 4(f) determination that the Preferred Alternative (3 Modified) is the alternative that causes the least overall harm. This determination was based on the measures to minimize harm including the replacement of Soapstone Creek Culvert, reconstruction of existing historic retaining walls, outfalls, and re-setting of original stone and metal boundary markers located within the RCPHD. The Preferred Alternative also includes reconstruction of portions of the stone retaining walls associated with the Gatehouse at La Villa Firenze and addresses the concerns by the Government of Italy of potential land acquisition of sovereign soil for DDOT right-of-way. The Department's concurrence on this selected alternative is based on the evaluation of the current Draft Environmental Assessment. For continued consultation and coordination with the NPS, please contact please contact Tammy Stidham, Deputy Associate Area Director - Lands and Planning, at [Tammy\\_Stidham@nps.gov](mailto:Tammy_Stidham@nps.gov) or 202-438-0028. The Department of Interior appreciates the opportunity to provide these comments.

Sincerely,

John Nelson  
Regional Environmental Officer

cc: Tammy Stidham, NPS