

**Application for Federal Assistance SF-424**

Version 02

* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify) <input type="text"/>
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* 3. Date Received: <input type="text" value="10/25/2013"/>	4. Applicant Identifier: <input type="text"/>
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5a. Federal Entity Identifier: <input type="text"/>	* 5b. Federal Award Identifier: <input type="text"/>
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**State Use Only:**

6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>
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**8. APPLICANT INFORMATION:**

\* a. Legal Name:

* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="53-6001131"/>	* c. Organizational DUNS: <input type="text" value="785693417"/>
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**d. Address:**

* Street1:	<input type="text" value="1350 Pennsylvania Avenue NW, Suite 317"/>
Street2:	<input type="text"/>
* City:	<input type="text" value="Washington"/>
County:	<input type="text"/>
* State:	<input type="text" value="DC: District of Columbia"/>
Province:	<input type="text"/>
* Country:	<input type="text" value="USA: UNITED STATES"/>
* Zip / Postal Code:	<input type="text" value="20004"/>

**e. Organizational Unit:**

Department Name: <input type="text" value="Office of the Deputy Mayor"/>	Division Name: <input type="text" value="Planning&amp;Economic Development"/>
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**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix: <input type="text" value="Mr."/>	* First Name: <input type="text" value="Rodney"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text" value="George"/>	
Suffix: <input type="text"/>	

Title:

Organizational Affiliation:

* Telephone Number: <input type="text" value="(202) 531-5448"/>	Fax Number: <input type="text" value="(202) 724-9006"/>
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\* Email:

**Application for Federal Assistance SF-424**

Version 02

**9. Type of Applicant 1: Select Applicant Type:**

A: State Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

Fish and Wildlife Service

**11. Catalog of Federal Domestic Assistance Number:**

15.622

CFDA Title:

Sportfishing and Boating Safety Act

**\* 12. Funding Opportunity Number:**

F13AS00254

\* Title:

Boating Infrastructure Grant Program - Tier 2

**13. Competition Identification Number:**

F13AS00254

Title:

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

Washington, DC

**\* 15. Descriptive Title of Applicant's Project:**

Construction of new boating facility on the Anacostia River in Washington, DC

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424**

Version 02

**16. Congressional Districts Of:**

\* a. Applicant

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**

\* a. Start Date:

\* b. End Date:

**18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="1,167,586.00"/>
* b. Applicant	<input type="text" value="0.00"/>
* c. State	<input type="text" value="0.00"/>
* d. Local	<input type="text" value="0.00"/>
* e. Other	<input type="text" value="1,167,586.00"/>
* f. Program Income	<input type="text" value="0.00"/>
* g. TOTAL	<input type="text" value="2,335,172.00"/>

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

- Yes  No

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

\*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:  \* First Name:

Middle Name:

\* Last Name:

Suffix:

\* Title:

\* Telephone Number:  Fax Number:

\* Email:

\* Signature of Authorized Representative:  \* Date Signed:

## ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009  
Expiration Date: 06/30/2014

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant:, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

<b>SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</b> Rodney George	<b>TITLE</b> Deputy Mayor, Planning & Economic Development
<b>APPLICANT ORGANIZATION</b> District of Columbia	<b>DATE SUBMITTED</b> 10/25/2013

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### BUDGET INFORMATION - Construction Programs

*NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.*

COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>
2. Land, structures, rights-of-way, appraisals, etc.	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>
3. Relocation expenses and payments	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>
4. Architectural and engineering fees	\$ <input type="text" value="808,572.00"/>	\$ <input type="text" value="515,745.00"/>	\$ <input type="text" value="292,827.00"/>
5. Other architectural and engineering fees	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>
6. Project inspection fees	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>
7. Site work	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>
8. Demolition and removal	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>
9. Construction	\$ <input type="text" value="5,498,400.00"/>	\$ <input type="text" value="3,456,055.00"/>	\$ <input type="text" value="2,042,345.00"/>
10. Equipment	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>
11. Miscellaneous	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>
12. SUBTOTAL (sum of lines 1-11)	\$ <input type="text" value="6,306,972.00"/>	\$ <input type="text" value="3,971,800.00"/>	\$ <input type="text" value="2,335,172.00"/>
13. Contingencies	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>
14. SUBTOTAL	\$ <input type="text" value="6,306,972.00"/>	\$ <input type="text" value="3,971,800.00"/>	\$ <input type="text" value="2,335,172.00"/>
15. Project (program) income	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>	\$ <input type="text" value="0.00"/>
16. TOTAL PROJECT COSTS (subtract #15 from #14)	\$ <input type="text" value="6,306,972.00"/>	\$ <input type="text" value="3,971,800.00"/>	\$ <input type="text" value="2,335,172.00"/>
<b>FEDERAL FUNDING</b>			
17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter eligible costs from line 16c Multiply X <input type="text" value="50"/> % Enter the resulting Federal share.			\$ <input type="text" value="1,167,586.00"/>



*early rendering of The Yards by Forest City*

### Background

The Yards development integrates the unique industrial and nautical history of its site with the initiatives set by the District of Columbia (District) in its Anacostia Waterfront Framework Plan and Anacostia Waterfront Initiative. Starting in 2000 when they launched the Anacostia Waterfront Initiative, bringing together more than 20 different Federal and District agencies that hold land or jurisdiction along the Anacostia River, sustainable redevelopment of the Anacostia riverfront has been a priority of the District. Over the next three years, the District engaged residents to outline a shared vision for revitalizing the river and its waterfront. This comprehensive vision outlined in the Anacostia Waterfront Framework Plan was approved by the District Council in 2003 and was administered by the Anacostia Waterfront Corporation, now overseen by the District Office of Deputy Mayor for Planning & Economic Development.

Since the early 19<sup>th</sup> century, The Yards site has been a center of activity for Southeast DC with ships delivering timber and raw building materials to its wharf and light industrial operations landside including a pottery factory, a sugar refinery, and a brewery. In the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, the US Navy acquired The Yards property (termed the Navy Yard Annex); many of the buildings being repurposed in The Yards development were built during this time. Following World War II, the Washington Naval Yard transitioned from a production center to a primarily administrative and ceremonial center and in the 1960s, the US General Services Administration (GSA) obtained control of the Annex.

A nationwide request for proposals to redevelop the Navy Yard Annex was launched in 2003. The US Department of Transportation acquired a northern portion of the site to develop its new headquarters. The redevelopment of the remaining 42-acres, now termed “The Yards”, was awarded to Forest City Washington in 2004. Construction and redevelopment began in 2007, including completion of Yards Park – a dedicated green space along the Anacostia in the heart of the dense urban setting of southeast DC. The Yards development extends the connection of southeast DC, known as the “Capitol Riverfront”, to the water.

Project Need

Washington, DC is an urban waterfront community. Recreational boating on the Potomac and Anacostia Rivers is prevalent year round for residents and visitors alike. The District attracts transient boaters seeking to enjoy the sites and activities of the Nation’s Capital in addition to nationally renowned bass fishing tournaments, but there are limited docking opportunities available to transient boaters in the District. **The Yards location on the Anacostia River in southeast DC is a prime destination for a docking facility for recreational transient boaters, considering its proximity to the many venues in the District.**

Project Objectives

A principal theme in The Yards development is integration of the property’s unique history within a publicly accessible and vibrant community. Since its earliest days, this waterfront has been a key factor in the site’s use and success; the inclusion of both a park and marina at the waterfront front door of this revitalization effort maintains this component. The Yards Marina reflects this theme through the following objectives:

- **Construct a multi-use docking facility with accommodation for 26 transient boats** and 25 long-term stay boats for a total of 51 recreational slips, in addition to dockage for water taxis and other small passenger vessels, along with self-powered and personal watercraft
- Revitalize the historical waterfront
- Extend public access to the water

Expected Results and Benefits

Transient boaters docking at The Yards Marina will experience the following benefits:

- **Dedicated transient slips**
- **ADA compliant docking facility**
- **Secure docking facility**
- **Access way-point to attractions in the District, including the adjacent waterfront park, Nationals Park, and the US Naval Museum**

In addition to the benefits for the transient boater, the surrounding community will realize benefits directly related to The Yards Marina including:

- **Increased patrons to local stores and restaurants and other venues without additional vehicular traffic**
- **Unique on-water event venue within an urban redevelopment**

The development team noted that while DC is a waterfront community there was limited opportunity for transient boaters to visit our Nation’s Capital, particularly on the Anacostia. The inclusion of transient docking at The Yards would fulfill not only this need for the District but also reinvigorate the historical water connection of this property. The Transient Slips at The Yards Marina will provide transient boaters – whether area residents or cruising tourists – direct access to the many cultural, recreational, natural, and commercial venues the region has to offer.

Project Approach

The project is a result of many years of planning and multi-jurisdictional development, beginning with the Anacostia Waterfront Corporation and the Anacostia Waterfront Initiative that created the vision and environmental guidelines for development in the area and under directive by Congress to redevelop the underutilized Naval Yard Annex.

Since the project's beginning, inclusion of a publicly accessible marina has been at the forefront of the development team's vision. In concert with the multitude of uses for the landside components of the project – housing, retail, restaurants, office space, parks – **the marina encompasses a wide array of boaters**. The marina caters predominantly to visiting day boaters comprising passengers on water taxis, dinner cruise vessels and small ferries; canoes, kayaks and personal watercraft; and **transient recreational vessels**, in addition to a portion of the marina available to long-term recreational boaters.

Through The Yards Marina, transient recreational boaters acquire a new destination along DC's historical waterfront. **Half of the recreational slips at The Yards Marina will be dedicated for transient recreational boaters (vessels greater than 26 feet in length) year round**. The development team's goal is to provide a dedicated docking space for recreational boaters visiting DC for the day or weekend to catch a ball game or show, picnic at the park, visit nearby shops and eateries, or tour the District's sites and also for recreational boaters looking for longer accommodation – up to 10 consecutive days – while visiting DC.

Project Description

Slips for transient recreational vessels, 26 in total for vessels up to 50 feet in length, will be provided at the Recreational Docks at The Yards Marina. A combination of double and single loaded slips and end ties allows for flexibility in both length and width of the visiting vessels. The fairways are sized to accommodate sufficient maneuvering room in, out and between slips. Fees for the transient slips will follow prevailing rates for the region. Figure 1 (Attachment 2) presents an overview of The Yards Marina and Figure 2 (Attachment 2) presents plan view details of the dedicated Transient Slips.

Floating docks, anchored with a combination of guide piles and catenary anchors (to accommodate the underlying metro tunnels and adjacent federal channel), will comprise the docking structures at The Yards Marina. Dock widths measure 4 to 6 feet for finger piers and 8 feet for main walks. Access will be via an ADA compliant gangway designed to accommodate the full range of typical water elevations with a maximum slope of 8%. A small fixed pier platform will serve as the landside gangway landing platform at Yards Park. Vessel utility service (power and potable water) will be provided at the Transient Slips to accommodate overnight dockage. A centralized sanitary sewer pump-out station will also be located within the marina and available to visiting boaters. The docks will be outfitted with life safety services and equipment including fire protection, ladders and life rings, and solar-powered navigation lighting. Additionally, refuse and recycling receptacles will be stationed on the docks and a marina trash skimmer will be employed in the marina. Figure 3 (Attachment 2) shows typical cross-sections of the floating docks with each of the proposed anchoring systems.

Project Schedule

The planning, permitting and design effort for The Yards project has been underway since 2004. The master plan has been approved by the District Zoning Commission and application for a Planned Unit Development (PUD) and zoning is complete. For The Yards development, the Final Environmental Impact Statement was completed in May 2004 and the State Historical Preservation Office (SHPO) Section 106 was completed in July 2007. The development team first met with the US Army Corps of Engineers (USACE) in October 2008 to discuss The Yards Marina project; consequently, the initial environmental permit application for The Yards Marina was submitted to the USACE in March 2012 with a copy sent to the District Department of the Environment (DDOE). The USACE public notice was published September 2012. Following multiple meetings with USACE and the US Navy (from December 2012 to February 2013), revised marina plans were submitted March 2013. The USACE permit was received July 11, 2013 and the DDOE Water Quality Certification Permit June 28, 2013 (see permits in Attachment 4). The project has received support from the US Navy, District Department of Community and Housing Development, National Capital Planning Commission, District Fire and Medical Emergency Services Department, and Anacostia Watershed Society (see support letters in Attachment 4). The design phase of The Yards Marina project is underway with final design documents expected by the end of 2013. Construction of the marina is slated to begin mid 2014, with a five-month construction duration.

Key Personnel

The Yards project as a whole involves many public and private partners. The key organizations currently involved in the development of The Yards Marina are as follows:

<b>Key Organizations</b>	<b>Contact</b>	<b>Role</b>
US General Services Administration National Capital Region WPC 301 7th Street SW Washington, DC 20407	Brett Banks (202) 205-3394 <a href="mailto:Brett.Banks@gsa.gov">Brett.Banks@gsa.gov</a>	Prior Property Owner Representative <i>providing assistance &amp; approval during permitting &amp; design of development</i>
Department of the Navy Naval Support Activity Washington 1411 Parsons Avenue SE, Suite 340 Washington, DC 20374	Janell Herring, AICP (202) 433-0453 <a href="mailto:janell.herring@navy.mil">janell.herring@navy.mil</a>	Navy Community Planning Liaison <i>coordinating the marina operations with the operations &amp; security of the Navy Yard</i>
Office of the Deputy Mayor for Planning and Economic Development 1350 Pennsylvania Ave NW, Suite 317 Washington, DC 20004	Matthew Troy (202) 727-6365 <a href="mailto:Matthew.Troy@dc.gov">Matthew.Troy@dc.gov</a>	District Representative <i>current property owner of marina, providing assistance for development and construction of public spaces</i>
Forest City SEFC, LLC 1615 L Street NW, Suite 400 Washington, DC 20036	Ramsey Meiser (202) 496-6632 <a href="mailto:ramseymeiser@forestcity.net">ramseymeiser@forestcity.net</a>	Master Developer <i>responsible for development, construction, and management of the marina</i>
Moffatt & Nichol 2700 Lighthouse Point East, Suite 501 Baltimore, MD 21224	Phil Lee (410) 563-7300 <a href="mailto:PLee@moffattnichol.com">PLee@moffattnichol.com</a>	Engineering Consultant <i>responsible for permitting, design, and construction support services of the marina</i>

Project Location

The Yards Marina (Latitude 38° 52' 21.23" N, Longitude 77° 0' 2.39" W) will be located on the Anacostia River bordered by the D.C. Water & Sewer Authority facility to the west and the Navy Yard to the east with landside connection at Yards Park in southeast DC. Figure 4 (Attachment 2) shows the project location on GoogleEarth imagery.

### Costs

The budget estimate includes engineering and architectural fees as well as construction costs for The Yards Marina. A summary of the proposed docks at The Yards Marina is as follows (see Figure 1, Attachment 2 for overall plan of marina):

- **Recreational Docks** (transient and non-transient) – 51 slips or 2,565 linear feet of dockage for recreational boats up to 125 feet in length, including **26 slips or 1,110 linear feet of dockage for transient recreational boats**
- Water Taxi Dock – 180 linear feet of dockage for passenger/cruise vessels
- Paddler Dock – 160 linear feet of dockage for small self-powered watercraft
- Education Dock – 160 linear feet of dockage primarily for pedestrian access and educational / event uses

**Transient vessel docking accounts for 50% of the recreational slips and 36% of the total linear footage of dockage available at the marina.**

All four vessel type docks are publicly accessible via ADA-compliant gangways and, with the exception of a portion of the Recreational Docks, are intended for visiting vessels. Amenities available on all docks include a fire protection system, life safety equipment, and navigation lights. Vessel utility service (power and potable water) is only proposed for the Recreational Docks. A public pump-out station is planned for the marina (to be located on the Recreational Docks) but not included in the allowable costs as the applicant plans to pursue a Clean Vessel Act Grant. Additionally, no design or construction costs associated with any dredging, bulkhead repairs, landside amenities or connection to landside utility service are included in the budget. The construction costs are separated by dock type as each has different amenities and configurations and include the material and installation costs for the floating docks, anchorage system, gangways and landings, security gates, and the amenities described above.

#### *Allowable Costs*

The Transient Slips (part of the Recreational Docks) at The Yards Marina are publicly accessible and intended for day use by recreational, nontrailerable (greater than 26 feet in length) boats. While day and weekend overnight stays are the expected primary use, longer stays – up to 10 days – will be permitted at the Transient Slips. Vessels requiring more than 10 days dockage, including permanent slip holders, will utilize the remaining slips at the Recreational Docks. Allowable costs for this application are determined as follows:

- **The construction cost (Budget Item No. 9) for the marina is broken into dock type. As the Transient Slips are included in the Recreational Docks costs, only this line item was considered in determining the allowable cost (the other docks and the pump-out are 0% allowable). The percentage of transient versus total recreational slips (50%) is used to determine the amount allowable of the Recreational Docks construction cost.**
- **The remaining budget items (No. 1-8, 10, and 11) are not separated by dock type; therefore, the percentage of transient versus total linear footage of available dockage (36%) was used to determine the allowable costs.**

The federal request (#17) is 50% of the allowable costs not to exceed \$1.5 million. A detailed breakdown of the budget sheet follows.

The Yards Marina Boating Infrastructure Grant Budget Breakdown

Description: Floating docks for recreational boats, water taxis, canoes/kayaks, & pedestrians

Slip Type	# Slips	% Slips	LF	% of total LF
Recreational Leased	25	50%	1,455	47%
<b>Recreational Transient</b>	<b>26</b>	<b>50%</b>	<b>1,110</b>	<b>36%</b>
Recreational Total	51	100%	2,565	84%
Water Taxi	n/a		180	6%
Paddler Dock	n/a		160	5%
Education Dock	n/a		160	5%
<b>TOTAL</b>	<b>51</b>		<b>3,065</b>	<b>100%</b>

*Use % Slips to determine  
Total Allowable Costs for  
No. 9 Recreational Docks  
only & % of total LF for  
remainder*

No.	Cost Classification	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (36%)
1	Administrative & legal expenses	\$0	\$0	\$0
2	Land, structures, right-of-ways, appraisals, etc.	\$0	\$0	\$0
3	Relocation expenses & payments	\$0	\$0	\$0
4	Architectural & engineering fees			
	<i>Master Planning &amp; Preliminary Design</i>	\$220,764	\$140,814	\$79,950
	<i>Environmental Permitting &amp; Grant Support</i>	\$126,146	\$80,462	\$45,684
	<i>Final Design &amp; Construction Documents</i>	\$348,510	\$222,296	\$126,214
	<i>Bid Phase Support</i>	\$15,244	\$9,723	\$5,521
	<i>Construction Phase Support</i>	\$97,908	\$62,450	\$35,458
	Total	\$808,572	\$515,745	\$292,827
5	Other architectural & engineering fees	\$0	\$0	\$0
6	Project Inspection Fees	\$0	\$0	\$0
7	Site Work	\$0	\$0	\$0
8	Demolition & Removal	\$0	\$0	\$0
9	Construction			
	<i>Recreational Docks (50% allowable)</i>	\$4,084,690	\$2,042,345	\$2,042,345
	<i>Public Pump-out Station (CVA request)</i>	\$70,000	\$70,000	\$0
	<i>Water Taxi Dock</i>	\$423,830	\$423,830	\$0
	<i>Paddler Dock</i>	\$174,230	\$174,230	\$0
	<i>Education Dock</i>	\$745,650	\$745,650	\$0
	Total	\$5,498,400	\$3,456,055	\$2,042,345
10	Equipment	\$0	\$0	\$0
11	Miscellaneous	\$0	\$0	\$0
12	SUBTOTAL	\$6,306,972	\$3,971,800	\$2,335,172
13	Contingencies	\$0	\$0	\$0
14	SUBTOTAL	\$6,306,972	\$3,971,800	\$2,335,172
15	Project (program) income	\$0	\$0	\$0
16	<b>TOTAL ALLOWABLE PROJECT COSTS</b>	<b>\$6,306,972</b>	<b>\$3,971,800</b>	<b>\$2,335,172</b>
17	<b>Federal Assistance Requested</b>	<b>50%</b>	<b>of allowable costs</b>	<b>\$1,167,586</b>
			<i>FWS Cost per BIG Slip</i>	<b>\$44,907</b>

**Financing**

There are two major financial partners in the construction of The Yards Marina – the District of Columbia and Forest City Washington. The project partners are committed to constructing the Transient Slips at The Yards Marina with the assistance of BIG funding.

The agreement between the District of Columbia and Forest City SEFC LLC (the development entity for The Yards within Forest City Washington) stipulates that Forest City and its investors shall develop the waterfront facilities at The Yards. **Forest City is committed to providing the financing for the Transient Slips at The Yards Marina project not covered by public funding** as demonstrated in the following table and in Forest City’s Letter of Commitment (Attachment 3).

Project Funding Sources	Eligible Costs
BIG Funding	\$1,167,586
District of Columbia	\$0
Forest City	\$1,167,586
<b>TOTAL</b>	<b>\$2,335,172</b>

This section provides a discussion of the Boating Infrastructure Grant Program (BIG) Ranking Criteria for The Yards Marina project.

***Ranking Criterion 1: Provide for public/private and public/public partnership efforts to develop, renovate, and maintain BIG facilities.***

The Yards project is being developed by Forest City SEFC, LLC in partnership with the District of Columbia. The District is using Payment In Lieu of Taxes (PILOT) funds to finance the public infrastructure at The Yards site. The Yards Marina is not included in the PILOT funding program, therefore will be wholly financed by Forest City and any grant monies awarded. **Forest City is committed to develop The Yards Marina, including the Transient Slips as described in the Project Statement.** A letter of commitment from Forest City is included as Attachment 3 of this application.

***Ranking Criterion 2: Use innovative techniques to increase the availability of BIG facilities for transient nontrailerable recreational vessels.***

- **Opening the Waterfront to the Boating Public**

A unique element of this project is that its construction opens the waterway to the general public. This section of the waterfront has been closed to the public for generations – since the early 19<sup>th</sup> century – first as a working waterfront then as an extension of the still-in-use adjacent Washington Navy Yard. Now owned by the District, The Yards development opens a new section of the Anacostia Riverfront to the public including a dedicated place for visiting recreational boaters.

- **Connecting Public Water and Green Open Spaces**

There is limited to no transient dockage available in the District (on the Anacostia River, Potomac River, and Washington Channel). Construction of The Yards Marina provides new docking opportunities for transient boaters to DC with direct access to a new waterfront park. While DC is home to many green spaces and docking opportunities (albeit limited to transients), none currently combine the two, especially with the added benefit of a multi-use landside development in close proximity in the heart of our nation's Capital.

- **Use of Sustainable and Environmental Friendly Materials & Measures**

The Yards Marina will be designed and constructed utilizing materials and products suitable for a marine environment – a highly corrosive environment – to maintain a minimum serviceable life of 20+ years for all elements. For this project the following environmentally sustainable measures will be used: (1) marine-grade concrete mix and additional concrete cover to protect reinforcement from water intrusion; (2) aluminum, galvanized or stainless steel exposed metals; (3) UV and fungal resistant plastic, composite, and rubber materials; (4) utility service conduits and enclosures rated for marine applications; and (5) preservative treated timber or hardwoods suitable for marine applications. The employment of marine-rated materials for the marina elements will ensure a transient boating facility that will remain in good, serviceable condition for many years to come. In addition to using the aforementioned environmentally friendly materials, the marina will employ a marina trash skimmer to collect debris and a publicly

accessible vessel pump-out system. These efforts will not only ensure a clean marina but also assist the District in their efforts to clean up the Anacostia and achieve the federally mandated trash impairment designation, Total Maximum Daily Load (TMDL), for this urban river.

- **Fostering Educational and Environmental Community Partnerships**

Forest City, the master developer for The Yards, is an active participant in its community serving as a steward of environmental sustainability and educational opportunities within the District. This objective extends to The Yards through partnerships with community organizations such as the National Building Museum, Living Classrooms Foundation, Anacostia Watershed Restoration Partnership, and Anacostia Riverkeeper.

The National Building Museum offers the CityVision program to students in DC's public school system, teaching students the principles of urban planning and design and skills such as working as team, problem-solving and public speaking. This coming spring semester, students will study, plan and design three parcels of The Yards and present their plans to a panel of professionals (see brochure in Attachment 4). Students will have an opportunity to meet with the planners and designers of the Yards and experience the planning process first hand including the value of utilizing the water assets of this urban riverfront property.

The Living Classrooms Foundation, a non-profit organization focusing on a "learning by doing" approach for children and young adults on the maritime heritage and resources of the region, will have a new home along the river (land donated by the development team). The Yards – the marina in particular – will provide this maritime education organization a unique on-water venue for their "living classroom" programs and special events.

The Yards is closely tied to the Anacostia River not only due to its location along its shores, but in its desire to promote a healthy and vibrant waterfront for generations to come. As the developer of The Yards, Forest City is member of the steering committee for the Anacostia Watershed Restoration Partnership (AWRP) – a group focused on the ecological restoration and protection of the Anacostia watershed. Additionally, the Anacostia Riverkeeper – an environmental organization focused on cleaning up the Anacostia to be a swimmable and fishable river – has new office space at The Yards. By working with the AWRP and the Anacostia Riverkeeper, The Yards is committed to making the Anacostia a desirable destination for future recreational boaters.

***Ranking Criterion 3: Include private, local, or State funds above the required non-Federal match.***

The estimated total cost of the The Yards Marina project is approximately \$6 million. This cost includes construction of the Recreational Docks (50% eligible) and associated design, planning, and permitting costs (36% eligible), resulting in a total BIG eligible cost of \$2,335,172. **The project partners (see #1 above) have committed to provide 50% of the eligible costs from non-Federal sources in the amount of \$1,167,586.**

***Ranking Criterion 4: Be cost efficient.***

The proposed project is part of a revitalization of an existing urban waterfront not formerly available to the public. **The marina will tie into existing landside and utility infrastructure at the development, including the bulkhead and railing, parking and roads, the waterfront promenade and walkways, electrical and potable water service, and sanitary sewerage system; no costs associated with these elements are included in the stated project costs.** Additionally, other landside amenities included in the development, such as parks and open spaces, restaurants, public restrooms, and retail, hotel, and residential spaces will be available to transient boaters docked at The Yards Marina at no cost to the project.

Construction costs included in this application comprise the waterside costs only, extending from the bulkhead interface waterward. These costs include the structures (landings, gangways, and dock system) and marina amenities (utility services, life and safety equipment, etc.). **No dredging is proposed** for this project as the waterway has sufficient water depths to sustain the proposed boating traffic. In addition, the marina structures will be designed for a minimum serviceable life of 20 years.

The slips dedicated for transient boaters account for approximately half of the recreational slips and approximately one third of the available dockage linear footage (including the water taxi, paddler and education docks). This equates to a **Federal cost share of \$44,907 per transient slip.**

***Ranking Criterion 5: Create or reestablish a significant link to prominent destination way points such as those near metropolitan population centers, cultural or natural areas, or that provide safe harbors.***

The Yards Marina will be located on the Anacostia River, adjacent to a federal channel, as part of The Yards development in the Capitol Riverfront. The Transient Slips will provide dedicated docking for transient recreational boaters visiting DC in an area not previously open to the public. The Yards Marina will provide public access to the water and nature viewing venues in a highly urbanized area along the Anacostia.

**Navigation routes to the marina comprise both the upstream and downstream directions of the Anacostia River, with the primary route expected to be from the Potomac, approximately 1 mile downstream of the marina.** Recreational boater traffic moves along the Potomac from Georgetown in DC (approximately 6 miles from the Anacostia) to Chesapeake Bay (approximately 94 miles from the Anacostia) passing a multitude of marinas and private docks along the way including Alexandria (6 miles) and National Harbor (7 miles). Upstream of the marina, water depths restrict vessel traffic past Benning Road Bridge, approximately 3 miles upriver. Several marinas, with limited to no transient dockage available, are located upstream of The Yards Marina site.

***Ranking Criterion 6: Create or reestablish access to recreational, historic, cultural, natural, or scenic opportunities of national, regional, or local significant.***

The Transient Docks at The Yards will be located on the Anacostia River in the Capitol Riverfront of Southeast DC, **walking distance from Nationals Park (½ mile)** and adjacent to

the newly developed Yards Park and landside development underway at The Yards. The Yards site was formerly part of the adjacent Navy Yard, thereby not open to the public; now The Yards promenade connects to the Navy Yard’s promenade, open to the public normally during daylight hours dependent on the day’s security measures. When the promenade is open to the public, DC visitors and residents may tour **the USS Barry, docked along the Anacostia, (1/4 mile)** and, with an escort, the **Naval Museum, a short walk from the promenade**, or continue via foot or bike along the **Anacostia Riverwalk Trail**.

This waterfront redevelopment creates new direct waterfront public access to the District via established pedestrian, bicycle (**Capital Bike Share stations are located on site**), vehicular, and metro (**green line metro station less than 1/2 mile**) routes. Additionally, water taxi service will be available to destinations from **Georgetown (5 miles via the Potomac)** to **Mount Vernon (15 miles via the Potomac)** and including Alexandria and National Harbor. The Yards site is listed in the National Park Service “Public Access Plan” and provides access to the Captain John Smith Chesapeake National Historic Trial, the Star Spangled Banner National Historic Trial, and Potomac Heritage National Scenic Trail via the **Anacostia Riverwalk Trail (0 miles)**. The **National Mall – home of the Washington Monument, Capitol, Smithsonian Museums, Lincoln Memorial – is within walking or biking distance (2 miles)** or easily accessible via the metro (4 stops). Also easily accessible via metro is the **Jefferson Memorial (1 stop)** and the **White House (3 1/2 miles, 4 stops)**. The following table highlights some of the region’s attractions accessible to The Yards Marina visitors (distances are via roads); Figure 5 (Attachment 2) depicts the listed attractions geographical proximity to The Yards.

Attraction Table		
National	Regional	Local
Naval Yard & Museum, 1/4 mile <i>Foot</i>	Nationals Park, 1/2 mile <i>foot, bicycle, boat</i>	The Yards, 0 miles <i>Foot</i>
National Mall, 2 miles <i>foot, bicycle, bus, metro, taxi</i>	Fish Market, 2 miles <i>foot, bicycle, bus, taxi, boat</i>	Anacostia Riverwalk Trail, 0 miles <i>foot, bicycle</i>
Smithsonian, 2 miles <i>foot, bicycle, bus, metro, taxi</i>	Verizon Center, 3 miles <i>bicycle, bus, metro, taxi</i>	Eastern Market, 1 mile <i>foot, bicycle, bus, metro, taxi</i>
Capitol, 2 miles <i>foot, bicycle, bus, metro, taxi</i>	Performing Arts Center, 4 1/2 miles <i>bicycle, bus, metro, taxi</i>	East Potomac Park, 1 1/2 miles <i>bicycle, bus, taxi, boat</i>
Arlington Cemetery, 3 1/2 miles <i>bus, metro, taxi</i>	National Zoo, 6 miles <i>bicycle, bus, metro, taxi</i>	Union Market, 3 miles <i>bicycle, bus, metro, taxi</i>
White House, 3 1/2 miles <i>bicycle, bus, metro, taxi</i>	National Harbor, MD, 5 miles <i>bus, metro, taxi, boat</i>	Chinatown, 3 1/2 miles <i>bicycle, bus, metro, taxi</i>
National Arboretum, 4 miles <i>bicycle, bus, metro, taxi</i>	Alexandria, VA, 7 miles <i>bus, metro, taxi, boat</i>	Georgetown, 5 miles <i>bicycle, bus, taxi, boat</i>

**Ranking Criterion 7: Create or reestablish positive economic impacts to a community.**

**There is a direct economic benefit associated with the addition of transient slips to a community.** Transient boaters visit a destination for a multitude of reasons, but one of the most common is to eat, especially for day boaters. Considering the proximity of The Yards Marina, other drivers for day boaters to visit the marina include attending a Nationals game and touring the museums and national monuments at the National Mall. In order to quantify the economic

returns to the community and District due to these transient boaters at The Yards Marina the following assumptions were made:

- Number of transient slips = 26
- Weekend/Summer occupancy rate = 75% (230 days, includes Nationals games)
- Winter occupancy rate = 25% (130 days)
- Holiday/special event occupancy rate = 100% (5 days)
- Average number of people per boat = 4

- **Dining**

Assuming the average cost of a meal is \$15 per person, this equates to approximately **\$327,600 spent by transient boaters per year on dining in nearby restaurants**. At a 10% tax rate (for restaurants in DC), this translates to an annual rate of return of \$32,760 to the District.

- **Nationals Game**

The baseball season at Nationals Park runs from April to September and includes on average 81 home games. Ticket prices range from \$10 to \$300. Assuming a ticket price of \$25 (covers the galleries and terraces) and the same spent per person on food and beverages in the game, this equates to **\$315,900 annually each on baseball tickets and dining at the game**. At a 6% tax rate on the tickets (state sales tax for DC) and 10% sales tax on dining, this translates to an annual rate of return of \$25,272 to the District.

- **National Mall**

While entrance fees to tour the monuments and Smithsonian Museums at the National Mall are free, there are minimal costs required for transportation from the marina to the Mall, i.e. metro. The cost of the short metro ride from The Yards to the National Mall is \$2.70 per person each way. Assuming half of the summer/weekend/holiday boaters at The Yards Marina visit the Mall (**8,970 metro riders**), this equates to **\$48,438 annually in metro fares to the Washington Metropolitan Area Transit Authority**. Additionally, souvenirs (postcards, posters, books, t-shirts, toys) are often bought when visiting one of these venues. Assuming one souvenir is purchased per boat at an average cost of \$10 each, this equates to **\$22,425 spent on souvenirs by transient boaters annually** and at a 6% tax rate \$1,345.50 to the District each year.

***Ranking Criterion 8: Include multi-State efforts that result in coordinating location of tie-up and other facilities.***

No formal documentation is available for multi-State efforts regarding coordinating the location of other facilities; however, **visitors and residents traveling in the DC region also travel to/from Maryland and Virginia via personal (car, boat, bicycle, foot) and public (ferry, taxi, bus, metro) transportation among these three states**. Similar transport mechanisms would be utilized by transient boaters at The Yards. Regular ferry/water taxi service is expected among National Harbor (Maryland), Alexandria (Virginia), Mount Vernon (Virginia) and the District's Southwest (Washington Channel) and Anacostia (including The Yards) Waterfronts.

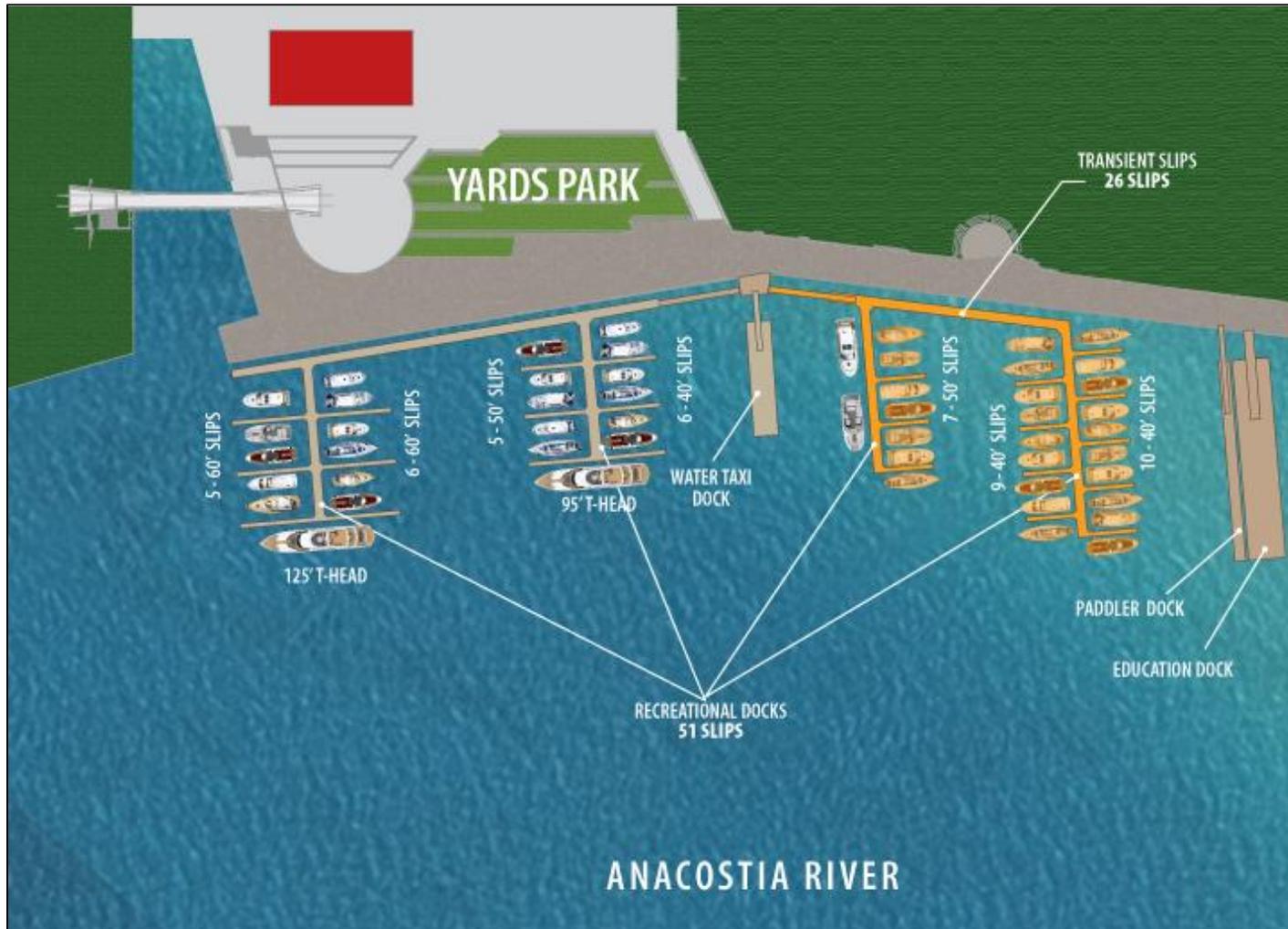


Figure 1: The Yards Marina Overall Plan

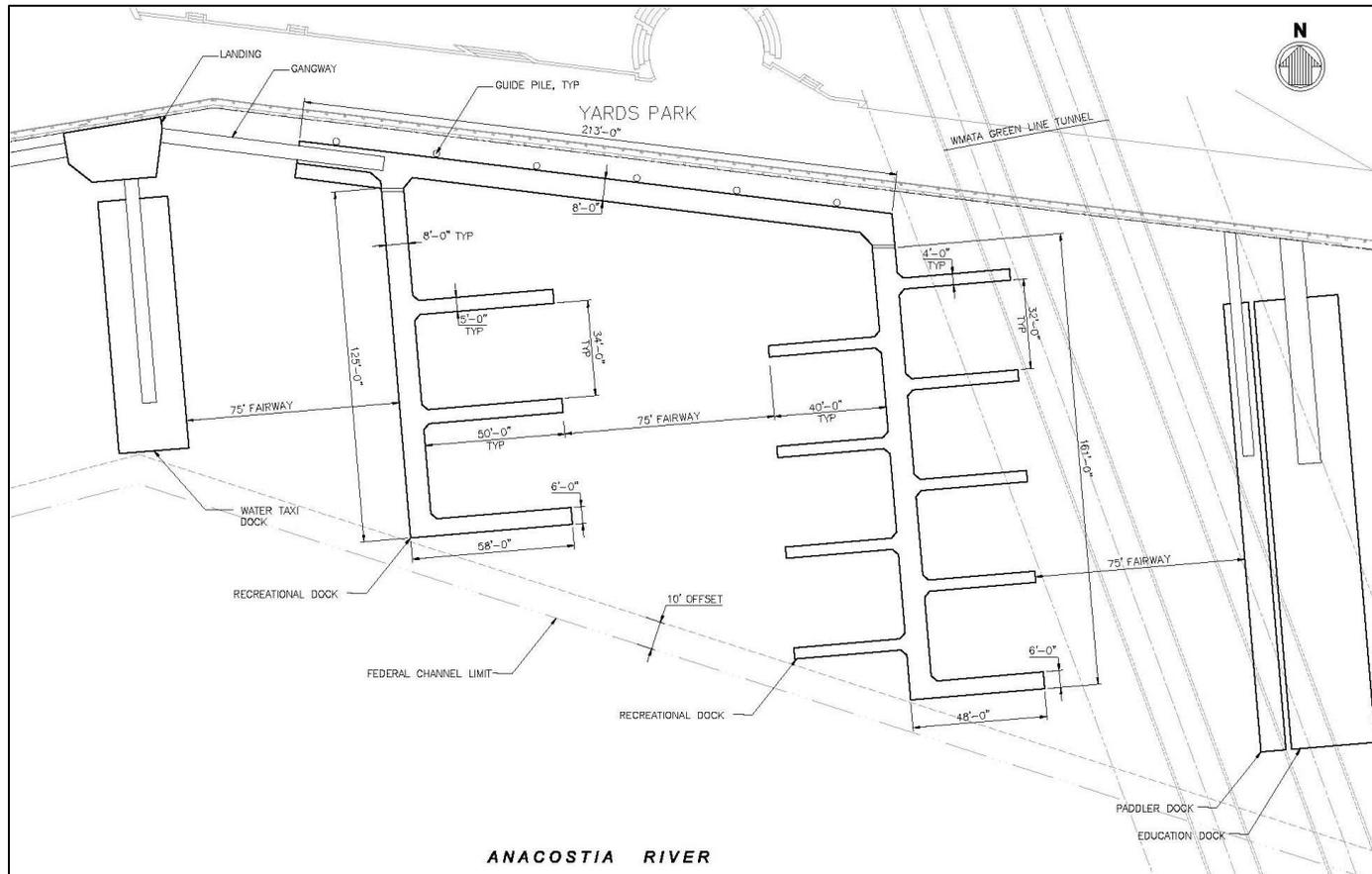
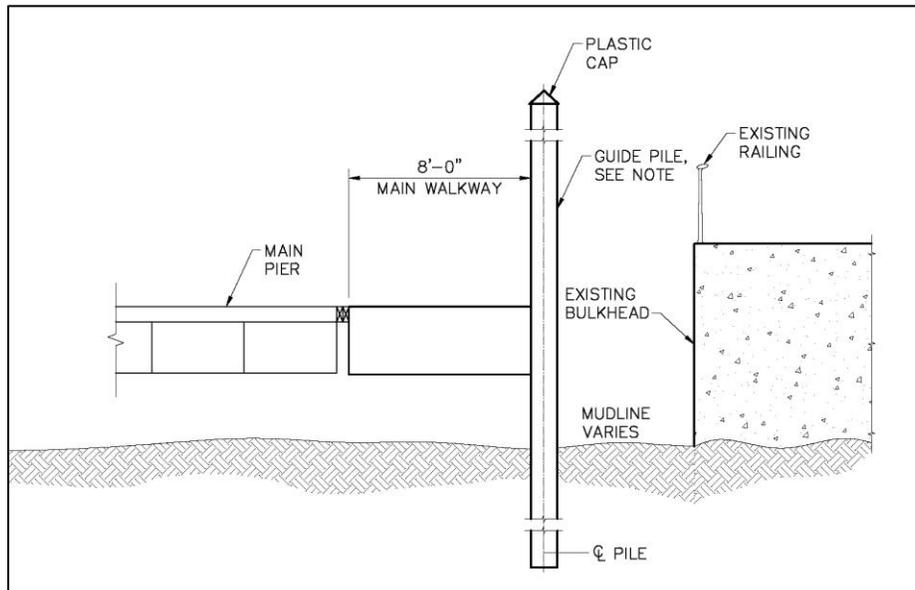
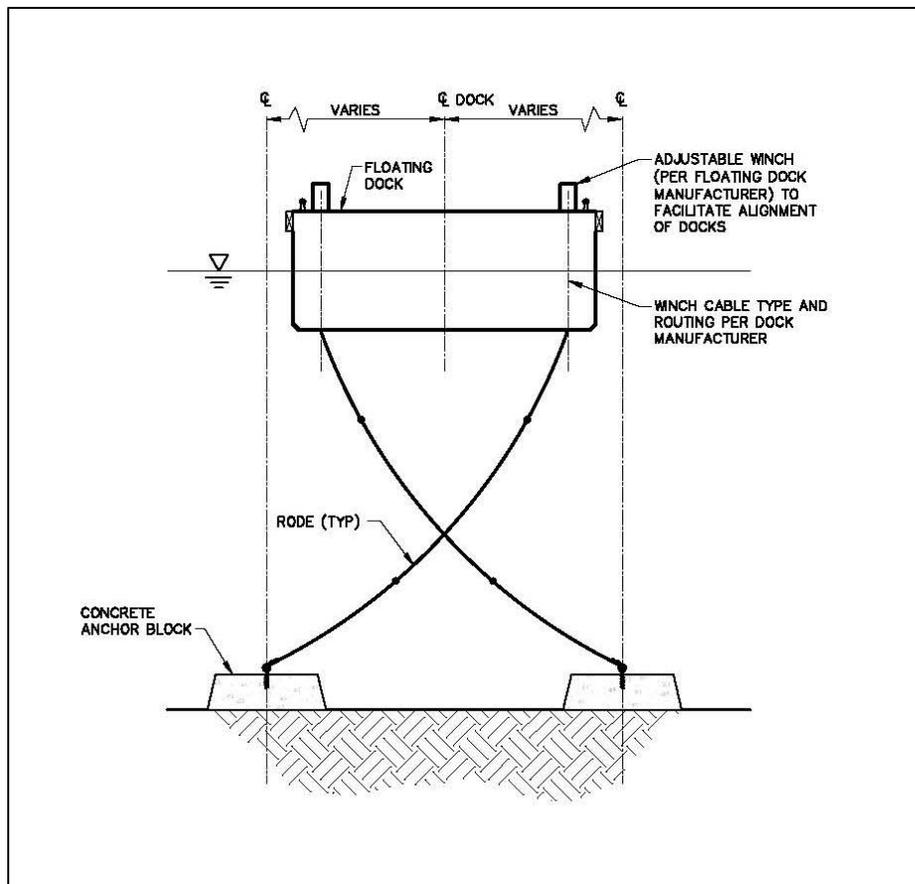


Figure 2: Transient Slips Plan



Section - Main walkway with guide pile



Section - Typical floating dock with mooring anchors

Figure 3: Typical Dock Sections

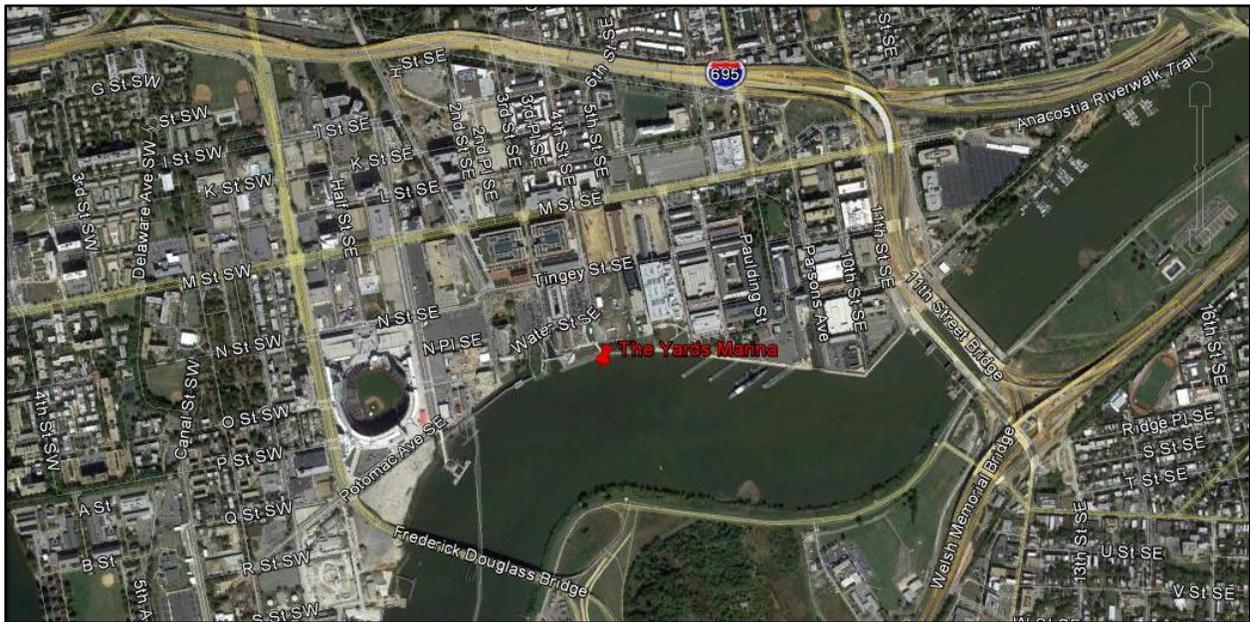


Figure 4: Project Vicinity Maps  
*images courtesy of GoogleEarth*

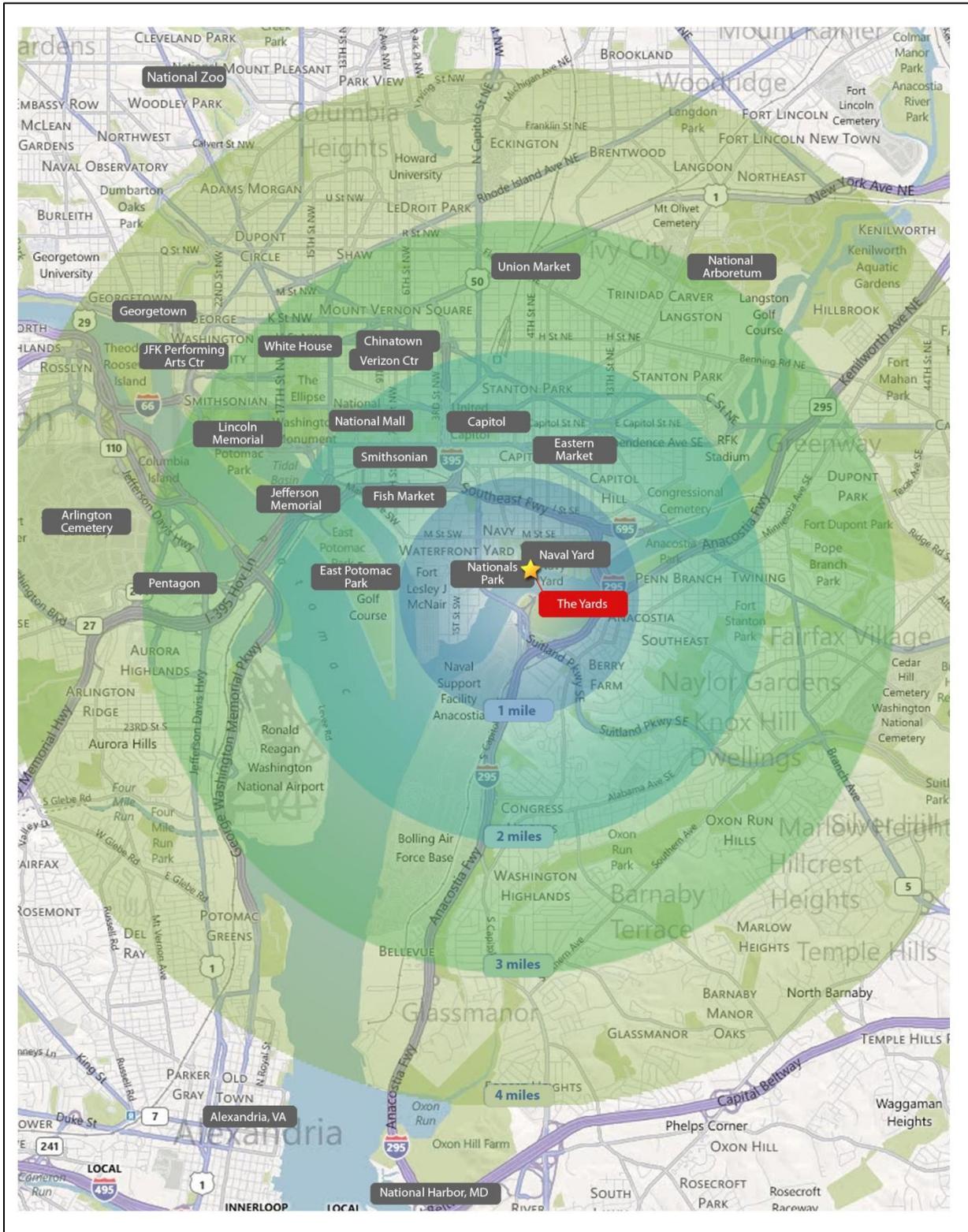


Figure 5: District Attractions  
Ranking criterion #6

The following lists Letters of Commitment for The Yards Marina Boating Infrastructure Grant Program Application.

- Forest City Washington Letter of Commitment dated October 2, 2013

# FORESTCITY

— WASHINGTON —

October 2, 2013

Mr. Rodney George  
Office of the Deputy Mayor for Planning & Economic Development  
1350 Pennsylvania Ave, NW  
Suite 317  
Washington DC 20004

Re: The Yards Marina – Boating Infrastructure Grant (BIG) Program Application

Dear Mr. George:

In reference to our BIG Program Application, Forest City is committed to constructing the Yards Marina and to providing the financing for the project that will not be covered by public finance. This financial commitment includes the costs associated with providing the waterside infrastructure for recreational transient vessels at an amount of \$1,167,586 (50% of the eligible project costs).

We will uphold our commitment to complete the requirements as specified and per the deadlines described within.

Thank you for your assistance in this matter. If you have any questions or need any additional information please do not hesitate to contact me.

Sincerely,



Ramsey D. Meiser  
Senior Vice President, Development

Enclosures

The following lists supporting documents for The Yards Marina Boating Infrastructure Grant Program Application.

- USACE Permit No. 2012-00869 dated July 11, 2013
- District Department of the Environment Permit No. DC-13-013 dated June 28, 2013
- MN Letter dated April 3, 2013 listing meetings with US Navy and USACE
- Department of the Navy support letter dated February 27, 2013
- District Department of Community and Housing Development support letter dated June 7, 2010
- National Capital Planning Commission support letter dated June 24, 2010
- District Fire and Medical Emergency Services Department support letter dated June 17, 2010
- Anacostia Watershed Society support letter dated February 27, 2013
- CityVision informational brochure
- Anacostia Watershed Restoration Partnership - Steering Committee Roster



This notice of authorization must be conspicuously displayed at the site of work.

United States Army Corps of Engineers  
Baltimore District

JUL 11 2013

A permit to construct a private marina and public access piers, and to install a trash skimmer.

at in the Anacostia River at 10 Water Street SE, Washington, DC

has been issued to Forest City SEFC LLC on JUL 11 2013

Address of Permittee 1615 L Street NW, Suite 400, Washington, DC 20036

Permit Number 2012-00869

CENAB-OP-RMS (FOREST CITY SEFC  
LLC/THE YARDS)

*Kathy B. Anderson*

KATHY B. ANDERSON  
Chief, MD Section Southern

for the **District Commander**



DEPARTMENT OF THE ARMY  
BALTIMORE DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 1715  
BALTIMORE MD 21203-1715

JUL 11 2013

Operations Division

Forest City SEFC LLC  
ATTN: Mr. Ramsey Meiser  
1615 L Street NW, Suite 400  
Washington, DC 20036

Dear Mr. Meiser:

This is in reference to the status of your Department of the Army (DA) permit, CENAB-OP-RMS(FOREST CITY SEFC LLC/THE YARDS) 2012-00869. This office is in receipt of your required fee and the signed copy of the permit indicating your acceptance of its terms and conditions and approved jurisdictional determination associated with the permit.

Enclosed is your permit that has been date stamped and validated with the appropriate District signatures. Also, enclosed is a yellow card, ENG FORM 4336, which must be conspicuously displayed at the site of work prior to commencement of construction.

You may proceed with the construction indicated therein, provided you have obtained all other required state and/or local authorizations.

If you have any questions concerning this matter, please call Ms. Laura Shively of this office at (410)962-6011.

Sincerely,

  
Kathy B. Anderson  
Chief, Maryland Section Southern

Enclosure

cc: DOE  
NOAA-Silver Spring  
USCG  
NPS  
NCP

RECEIVED JUL 18 2013



REPLY TO  
ATTENTION OF

Operations Division

**DEPARTMENT OF THE ARMY**  
**BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS**  
**P.O. BOX 1715**  
**BALTIMORE, MD 21203-1715**

Forest City SEFC LLC  
ATTN: Mr. Ramsey Meiser  
1615 L Street NW, Suite 400  
Washington, DC 20036

Dear Mr. Meiser:

This is in reference to your application for a Department of the Army (DA) permit CENAB-OP-RMS (Forest City SEFC LLC/The Yards) 2012-00869 dated March 27, 2012. Enclosed is an initial proffered permit and an approved jurisdictional determination.

Please be aware that your project location is within the vicinity of an authorized federal navigation project that may be subject to periodic maintenance dredging. In accordance with 33 CFR 320.4, the United States will in no case be held liable for any damage or injury to the structures or work authorized under Section 10 of the Rivers and Harbors Act of 1899, or Section 404 of the Clean Water Act which may be caused by, or result from, future operations undertaken by the Government for the conservation or improvement of navigation or for other purposes, and no claims or right to compensation will accrue from any such damage. Also, if future operations by the United States require the removal, relocation, or other alteration of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, the authorized structures or work shall cause unreasonable obstruction to free navigation of navigable waters, you may be required to remove, relocate, or alter the structural work or obstructions, without expense to the United States, and no claims or right to compensation will accrue from any such request.

You are requested to indicate your acceptance of the terms and conditions set forth in the enclosed permit by placing your signature and the date on the permit where indicated. Please note that on March 28, 2000, the final rule was established for an administrative appeal process for the Regulatory Program of the Corps of Engineers for approved jurisdictional determinations (JD), permit denials, and declined individual permits. Enclosed you will find a Notification of Administrative Appeal Options and Process (NAO/NAP) fact sheet and Request for Appeal (RFA) form. You may accept or object to this initial proffered permit.

To accept this initial proffered permit and the approved jurisdictional determination associated with this permit, you may sign the permit document and return the signed and dated permit to this office with the required fee noted below for final authorization. A self-addressed, franked envelope is enclosed for this purpose. You are also requested to submit a check or money order in the amount of \$100.00 made payable to the Finance and Accounting Officer, U.S. Army Engineer District, Baltimore (FAO, USAED, Baltimore). Please write your application number, as shown in the first paragraph of this letter, and name on your remittance and mailing envelope. Your signature on this permit or undertaking any activity in reliance on a

Corps permit authorization means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and the approved JD associated with this permit.

Upon receipt of the signed permit and fee, the permit will be validated with the appropriate District signature and returned to you. Failure to submit a copy of the signed permit and fee, if required, and initiating the work before receiving the validated permit from the District, could result in Federal enforcement proceedings. You are also advised that you are responsible for obtaining all other required state and/or local authorizations before starting construction on any of the work approved by this DA permit.

To object to the permit because of certain terms and conditions therein, a letter outlining your objections to this initial proffered permit, including any additional information to clarify your objections, must be received by our District Engineer at the address below by JUL 15 2013 or you will forfeit your right to appeal the permit in the future. The letter must be mailed to the following address:

Commander, Baltimore District  
U.S. Army Corps of Engineers  
Attn: CENAB-OP-R  
P.O. Box 1715  
Baltimore, Maryland 21203-1715

Please note that if you decline this initial proffered individual permit, you do not have a valid permit to conduct regulated activities in waters of the United States, and must not begin construction of the work requiring a Corps permit unless and until you receive and accept a valid Corps permit.

If we do not receive the signed permit with the fee, if required, or a letter indicating your objections to the DA permit by JUL 15 2013 we will assume you are no longer interested in the project and we will withdraw your application. The original application and plans will be returned to you and, if at a later date, you want to pursue the project again, you may resubmit your application.

This letter also contains an approved jurisdictional determination. Those areas indicated as waters of the United States, including jurisdictional wetlands shown within the area of review on the enclosed plans dated **March 27, 2013**, are regulated by this office pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. Enclosed is an Approved Jurisdictional Determination form that outlines the basis of our determination of jurisdiction over the review area noted above. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. If you request to

appeal this determination, you must submit a completed RFA form to the North Atlantic Division Office at the following address:

Regulatory Appeals Review Officer  
North Atlantic Division  
U.S. Army Corps of Engineers  
Fort Hamilton Military Community  
General Lee Avenue, Building 301  
Brooklyn, NY 11252-6700

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address ~~JUL 15 2013~~ it is not necessary to submit an RFA form to the Division office if you do not object to the determination in this letter.

This approved jurisdictional determination associated with this permit is valid for five years from the date of this letter or until the Corps permit expiration date, whichever is less, unless new information warrants a revision before the expiration date, or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

Enclosed is a compliance self-certification form. Upon completion of the authorized work and any required mitigation, you are required to complete the enclosed compliance certification form and return it to the address indicated thereon.

A copy of this letter is being furnished to District Department of the Environment Water Quality Division for informational purposes. If you have any questions concerning this matter, please contact Ms. Laura Shively of this office at 410-962-6011 or [laura.shively@usace.army.mil](mailto:laura.shively@usace.army.mil).

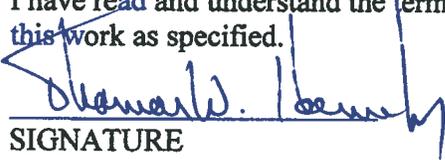
Sincerely,



Kathy B. Anderson  
Chief, Maryland Section Southern

Enclosures

I have read and understand the terms and conditions in this letter and permit. I agree to perform this work as specified.

  
SIGNATURE

  
DATE

---

To identify how we can better serve you, we need your help. Please take the time to fill out our new customer service survey at: <http://www.nab.usace.army.mil/Missions/Regulatory.aspx>



DEPARTMENT OF THE ARMY  
BALTIMORE DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
P.O. BOX 1715  
BALTIMORE, MD 21203-1715

DEPARTMENT OF THE ARMY PERMIT

Application Name and Permit Number: **(FOREST CITY SEFC LLC/THE YARDS) 2012-00869**

Issuing Office:

U.S. Army Engineer District, Baltimore  
Corps of Engineers  
P.O. Box 1715  
Baltimore, MD 21203

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

To install three new floating public piers and five new floating private piers; to construct two new fixed private piers and one fixed public pier; to construct sewage pump-out facilities; and to install lighting, potable water, power, fire protection, and winterization; as described in detail below.

**Plan "A" Piers:** To construct an irregularly-shaped 12-foot wide by 22-foot long fixed pier attached to the existing steel sheet pile bulkhead, connected by a 5-foot wide by 110-foot long aluminum gangway to an irregularly-shaped 17-foot wide by 18-foot long fixed pier attached to the steel sheet pile bulkhead, connected by a 5-foot wide by 50-foot long aluminum gangway to a catenary floating pier system, including an 8-foot wide by 142-foot long pier with a 12-foot long by 14-foot wide "L-head" on the landward end of the pier and four 4-foot wide by 40-foot long finger piers with 32 foot wide gaps between them on the west side of the pier alternating with five 4-foot wide by 40-foot long finger piers with 32-foot wide gaps between them on the east side of the pier. All floating piers would be held in place by catenary chains and anchors or elastomeric dock mooring system, all to extend no more than 179 feet channelward of the existing steel sheet pile bulkhead and all to extend no less than 10 feet landward of the limit of the existing Federal channel.

**Plan "B" Piers:** To install a catenary floating pier system, including an 8-foot wide by 292-foot long floating pier running parallel to the existing steel sheet pile bulkhead, connected to three parallel floating piers, as described within the descriptions of Dock 2, Dock 3, and Dock 4, perpendicular to the existing steel sheet pile bulkhead, including Dock 2 - to install a floating 8-foot wide by 125-foot long pier with four 4-foot wide by 60-foot long finger piers with 37-foot gaps between them on the

west side of the pier directly opposite of three 4-foot wide by 60-foot long finger piers with 37-foot gaps between them on the east side of the pier; Dock 3, located approximately 105 feet to the east of Dock 2, – to install a floating 8-foot wide by 112-foot long pier with three 4-foot wide by 50-foot long finger piers with 34-foot gaps between them on the

west side of the pier; and Dock 4, located approximately 30 feet to the east of Dock 3, – to install a floating 20-foot wide by 107-foot long pier, connected to the proposed work in Plan “C” section by a 5-foot wide by 70-foot long aluminum gangway; and to install a floating 4-foot wide by 6-foot long mobile marina trash skimmer. All floating piers would be held in place by catenary chains and anchors or elastomeric dock mooring system except the parallel floating pier and the landward-most finger pier on the west side of Dock 2 as denoted on the plans, all to extend 141 feet channelward of the existing steel sheet pile bulkhead and all to extend no less than 10 feet landward of the limit of the existing Federal channel.

**Plan “C” Piers:** To construct an irregularly-shaped 16-foot wide by 23-foot long fixed concrete pier attached to the existing steel sheet pile bulkhead, connected to Plan “B” piers by an aluminum gangway and to the Plan “C” piers by a 5-foot wide by 70-foot long aluminum gangway to an 8-foot wide by 192-foot long floating pier running parallel to the existing steel sheet pile bulkhead, connected to a catenary floating pier system, including two parallel floating piers, as described within the descriptions of Dock 5 and Dock 6, perpendicular to the steel sheet pile bulkhead, separated by approximately 70 feet, including Dock 5 - to install a floating 8-foot wide by 137-foot long pier with three 4-foot wide by 50-foot long finger piers with 34-foot gaps between them on the west side of the pier alternating with four 4-foot wide by 40-foot long finger piers with 32-foot gaps between them on the east side of the pier; and Dock 6 – to install a floating 8-foot wide by 168-foot long pier with four 4-foot wide by 40-foot long finger piers with 32-foot gaps between them on the west side of the pier alternating with five 4-foot wide by 40-foot long finger piers with 32-foot gaps between them on the east side of the pier, All floating piers would be held in place by catenary chains and anchors or elastomeric dock mooring system, except the parallel floating pier as denoted on the plans, all to extend no more than 10 feet channelward of the existing pier headline and 179 feet channelward of the existing steel sheet pile bulkhead and all to extend no less than 10 feet landward of the limit of the existing Federal channel.

**Plan “D” Piers:** To install two parallel floating piers, as described in the descriptions of Dock 7 and Dock 8, perpendicular to the steel sheet pile bulkhead and separated by approximately three feet, including Dock 7 - To install a 9-foot wide by 160-foot long floating pier with a 4-foot wide by 70-foot long aluminum gangway; and Dock 8, located approximately 3 feet to the east of Dock 7, – to install a 30-foot wide by 160-foot long floating pier with a 8-foot wide by 70-foot long aluminum gangway, all to extend no more than approximately 186 feet channelward of the existing steel sheet pile bulkhead and no less than approximately 35 feet landward of the limit of the Federal channel. All floating piers would be held in place by catenary chains and anchors or elastomeric dock mooring system to extend a maximum of 200 feet channelward of the existing steel sheet pile bulkhead and no less than 10 feet landward of the limit of the Federal Channel

### **Project Location:**

In the Anacostia River, south of the intersection of Water Street and 3<sup>rd</sup> Street, at 10 Water Street, SE, Washington, District of Columbia.

**Permit Conditions:****General Conditions:**

1. The time limit for completing the work authorized ends on December 31, 2023. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.
7. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

The U.S. Code of Federal Regulations, Title 33, Subpart 64 states that all structures erected in navigable waters require obstruction lights unless the applicant is advised to the contrary by the Coast Guard District Commander. If the structures authorized by this permit are to be built in

navigable waters, then you must contact the Commander (oan), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia, 23704, to ascertain the need for obstruction lights.

**Special Conditions:**

1. This authorization is not valid without the required Federal and local approvals, as applicable, including the U.S. Department of the Interior National Park Service (NPS) and the Water Quality Certification (WQC) from the District Department of the Environment (DDOE).

- a. The NPS is the appropriate agency to review projects proposed in the Potomac and Anacostia Rivers, including the Washington Channel, within the boundaries of the District of Columbia. The NPS can be contacted at the following:

Ms. Georgeann Smale  
Right of Way Permits  
National Park Service - National Capital Region  
1100 Ohio Drive, SW  
Washington DC 20242

- b. The DDOE is the appropriate agency to review projects proposed within the boundaries of the District of Columbia. The DDOE can be contacted at the following:

Water Quality Division  
DC Department of the Environment  
1200 First, NE, 6th Floor  
Washington, DC 20002

2. Prior to commencement of the work authorized herein, the permittee must provide the Corps with a copy of the WQC and the NPS permit, as may be applicable, as confirmatory evidence that the permittee has acquired the necessary approvals for the in-water work as authorized.
3. Prior to commencement of the authorized work, the permittee must contact the USCG, address below, to ascertain the need for obstruction lights as may be required pursuant to U.S. Code of Federal Regulations, Title 33, Subpart 64, which stipulates that all structures erected in navigable waters, require obstruction lights, unless the applicant is advised to the contrary by the USCG District Commander.

Commander (dpw)  
Fifth Coast Guard District  
431 Crawford Street  
Portsmouth, Virginia, 23704  
Email address: Albert.L.Grimes@uscg.mil  
Fax Number: (757) 398-6303

- a. Within 30 days of receipt and prior to commencement of the work, the permittee must provide the Corps with a copy of the determination issued by the USCG.
4. Prior to commencement of the authorized work, the permittee must prepare and provide for United States Coast Guard (USCG) approval (address below), a Private Aids to Navigation Application (CG-2554), a copy of which is enclosed, if any of the proposed structures would be marked. The form can also be found at this link:  
[http://www.uscg.mil/forms/cg/CG\\_2554.pdf](http://www.uscg.mil/forms/cg/CG_2554.pdf).

Commander (dpw)  
Fifth Coast Guard District  
431 Crawford Street, Room 100  
Portsmouth, VA. 23704-5504  
Attn.: Mr. Albert Grimes  
Email Address: [Albert.L.Grimes@uscg.mil](mailto:Albert.L.Grimes@uscg.mil)  
Fax Number: (757) 398-6303

- a. Within 10 days of receipt of the aids to navigation approval issued by the USCG and prior to commencement of the authorized work, the permittee must provide the Corps with a copy of the USCG approval.
5. At least three weeks in advance of the project start date, the permittee must provide coordinates (latitude and longitude) for all perimeter corners of the work area, including location of work; description of activities; the type of construction equipment to be used; and the expected duration of the work in the waterway to the USCG, and request that a Local Notice to Mariners (LNM) be issued, as appropriate, regarding the authorized work. This written request can be done either by e-mail, letter or fax to:

Commander (dpw)  
Fifth Coast Guard District  
431 Crawford Street, Room 100  
Portsmouth, VA. 23704-5504  
Attn.: LNM  
Email address: [William.R.Jones@uscg.mil](mailto:William.R.Jones@uscg.mil)  
Fax Number: (757) 398-6303

- a. No authorized work may commence until this required USCG LNM has been issued by the USCG, identifying the location and schedule for commencement of each phase of the approved work.
  - b. No authorized work may commence until the permittee informs the Corps in writing, with the date that the USCG publishes the LNM for each phase of the approved work.
6. At least three weeks in advance of the proposed project start date, the permittee must provide coordinates (latitude and longitude) for all perimeter corners of the approved structures and other pertinent facility information to the National Ocean Service (NOS). Your notification must include your approved permit drawings showing the location and configuration of the

activity and/or other information as may be required by NOS. This written notification can be done either by letter or fax to:

NOAA, National Ocean Survey  
Marine Chart Division

Nautical Data Branch (N/CS26)  
Station 7350  
1315 East West Highway  
Silver Spring, Maryland 20910-3282  
Attn: Chief, Nautical Data Branch  
Telephone Number: (301) 713-2737 ext. 123  
Fax Number: (301) 713-4516

7. The permittee must immediately remove any and all debris introduced into the waterway as a result of any demolition, construction and maintenance activities and must ensure that all debris is properly disposed.
8. All contractors using floating equipment to perform the authorized construction, demolition and/or maintenance must be equipped with bridge to bridge radio telephone equipment so they may communicate with passing vessels. The radio telephone equipment must operate on a single channel very high frequency (VHF), FM, on a frequency of 156.65 MHZ per second, with low power output having a communication range of approximately ten miles.
9. The permittee acknowledges the possibility that the structures permitted herein may be subject to damage by wave wash from passing vessels and/or ice flows within the waterway. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structures permitted herein from damage by wave wash and/or ice flows, and the permittee shall not hold the United States liable for any such damage.
10. Within 30 days of the date of completion of the authorized project, the permittee must submit as-built plans, including latitude/longitude coordinates, of the channelward most points of each structure, to the Corps and NOS and must notify the Corps to coordinate a compliance site visit.
11. Upon receiving notification from the Corps, the permittee must immediately remove any and all authorized floating pier structures, mooring buoys and/or gear within the setbacks of the Anacostia River portion of the Washington Harbor Federal Navigation Project, defined as within 75-foot measured horizontally from the established design edges of the Federal Channel, when necessary to conduct maintenance or any other times as identified by the Corps.
  - a. You must remain informed of the Anacostia River portion of the Washington Harbor Federal Navigation Project maintenance activities. When maintenance is proposed, a public notice announcing the work will be issued. Navigation Public Notices can be found at this link:  
<http://www.nab.usace.army.mil/Missions/CivilWorks/NavigationPublicNotices.aspx>.  
Navigation Branch can be contacted at the following:

Navigation Branch  
U.S. Army Corps of Engineers, Baltimore District  
P.O. Box 1715  
Baltimore, Maryland 21203-1715

(410) 962-6016

(410) 962-4646

12. Pier structures must be constructed in such a way that the vessels moored to the structures would not encroach into the Anacostia River portion of the Washington Harbor Federal Navigation Project.
13. The permittee acknowledges by acceptance of the permit terms and conditions that due to the close proximity of permitted work to a Federal navigation channel, the United States will in no case be held liable for any damage or injury to the structures, or work authorized under Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act which may be caused by, or result from, future operations undertaken by the Government for the conservation or improvement of navigation or for other purposes, and that no claims or right to compensation will accrue from any such damage.
14. The permittee must maintain the work authorized herein, including aids to navigation, in good condition and in conformance with the terms and conditions of this permit.
15. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work must cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
16. Projects authorized under this permit shall not cause interference with navigation, and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to projects authorized hereto. Nothing shall in any way restrict the District Engineer, U.S. Army Engineer District, Baltimore, from exercising his legal authority to protect the public interest in navigation or from exercising his authority under the Navigation Servitude of the United States.
17. The Washington Metropolitan Area Transit Authority (WMATA) is the appropriate agency to manage the existing WMATA Green Line subway tunnel under the Anacostia River portion of the Washington Harbor Federal Navigation Project. Therefore, the permittee must coordinate potential impacts to this tunnel that may result from project construction and maintenance of the Plan C and D piers within the vicinity of the tunnel. The WMATA Office of Joint Development and Adjacent Construction can be contacted at the following:

WMATA Carmen Turner Facility

Attn: Mr. Joe Bundy, Adjacent Construction Engineer  
 3500 Pennsy Drive  
 Bldg C, Room C104  
 Landover, Maryland 20785

Email Address: [JBundy@wmata.com](mailto:JBundy@wmata.com)  
 Telephone Number: (301) 618-1005  
 Fax Number: (301) 583-3006

18. Within 30 days of the execution of the Memorandum of Agreement between Forest City SEFC LLC and the Navy that provides for pier and anchor easements and organizational coordination, the permittee must provide the Baltimore District with a copy of the document. Any subsequent versions of the document must be provided to the Baltimore District within 30 days of the execution date.

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

- (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
- (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
- ( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

**2. Limits of this authorization.**

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law or to comply with the appropriate local critical area regulations.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

Thomas W. Bernberg      6/8/13  
(PERMITTEE)                      (DATE)



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
District Department of the Environment

Natural Resources Administration  
Water Quality Division



JUN 28 2013

Ms. Kathy B. Anderson  
Chief, Maryland Section Southern  
U.S. Army Corps of Engineers  
Baltimore District  
Operations Division, Regulatory Branch  
P.O. Box 1715  
Baltimore, MD 21203-1715

Mr. Ramsey Meiser  
Forest City SEFC LLC  
1615 L Street NW, Suite 400  
Washington, DC 20036

Project: **Water Quality Certification # DC-13-013**  
**CENAB-OP-RMS (Forest City FESC LLC/The Yards) 2012-00869.**  
Construction of piers in the Anacostia River at 10 Water Street, SE, Washington, District of Columbia (The Yards)

Dear Ms. Anderson and Mr. Meiser:

The District Department of the Environment (DDOE), Water Quality Division (WQD), has evaluated the Department of the Army permit issued on May 13, 2013 by the U.S. Army Corps of Engineers Baltimore District to the Forest City FESC LLC City (the permittee). The permit authorizes the permittee to: install three new floating public piers and five new floating private piers; construct two new fixed private piers and one fixed public pier; construct sewage pump-out facilities; and to install lighting, potable water, power, fire protection, and winterization, as described in detail below.

*Plan "A" Piers:* To construct an irregularly-shaped 12-foot wide by 22-foot long fixed pier attached to the existing steel sheet pile bulkhead, connected by a 5-foot wide by 110-foot long aluminum gangway to an irregularly-shaped 17-foot wide by 18-foot long fixed pier attached to the steel sheet pile bulkhead, connected by a 5-foot wide by 50-foot long aluminum gangway to a catenary floating pier system, including an 8-foot wide by 142-foot long pier with a 12-foot long by 14-foot wide "L-head" on the landward end of the pier and four 4-foot wide by 35-foot long finger piers with 30 foot wide gaps between them on the west side of the pier alternating with five 4-foot wide by 40-foot long finger piers with 32 foot wide gaps between them on the east side of the pier. All floating piers would be held in place by catenary chains and anchors or elastomeric dock mooring system, all to extend no more than 179 feet channelward of the existing steel sheet pile bulkhead and all to extend no less than 10 feet landward of the limit of the existing federal channel.

*Plan "B" Piers:* To install a catenary floating pier system, including an 8-foot wide by 292-foot long floating pier running parallel to the existing steel sheet pile bulkhead, connected to three parallel floating piers, as described within the descriptions of Dock 2, Dock 3, and Dock 4, perpendicular to the existing

steel sheet pile bulkhead, including Dock 2 - to install a floating 8-foot wide by 125-foot long pier with four 4-foot wide by 60-foot long finger piers with 37-foot gaps between them on the west side of the pier directly opposite of three 4-foot wide by 60-foot long finger piers with 37-foot gaps between them on the east side of the pier; Dock 3, located approximately 105 feet to the east of Dock 2, - to install a floating 8-foot wide by 112-foot long pier with three 4-foot wide by 50-foot long finger piers with 34-foot gaps between them on the west side of the pier; and Dock 4, located approximately 30 feet to the east of Dock 3, - to install a floating 20-foot wide by 107-foot long pier, connected to the proposed work in Plan "C" section by a 5-foot wide by 70-foot long aluminum gangway; and to install a floating 4-foot wide by 6-foot long mobile marina trash skimmer. All floating piers would be held in place by catenary chains and anchors or elastomeric dock mooring system except the parallel floating pier and the landward-most finger pier on the west side of Dock 2 as denoted on the plans, all to extend 141 feet channelward of the existing steel sheet pile bulkhead and all to extend no less than 10 feet landward of the limit of the existing federal channel.

*Plan "C" Piers:* To construct an irregularly-shaped 16-foot wide by 23-foot long fixed concrete pier attached to the existing steel sheet pile bulkhead, connected to Plan "B" piers by an aluminum gangway and to the Plan "C" piers by a 5-foot wide by 70-foot long aluminum gangway to an 8-foot wide by 192-foot long floating pier running parallel to the existing steel sheet pile bulkhead, connected to a catenary floating pier system, including two parallel floating piers, as described within the descriptions of Dock 5 and Dock 6, perpendicular to the steel sheet pile bulkhead, separated by approximately 70 feet, including Dock 5 - to install a floating 8-foot wide by 137-foot long pier with three 4-foot wide by 50-foot long finger piers with 34-foot gaps between them on the west side of the pier alternating with four 4-foot wide by 40-foot long finger piers with 32-foot gaps between them on the east side of the pier; and Dock 6 - to install a floating 8-foot wide by 168-foot long pier with four 4-foot wide by 40-foot long finger piers with 32-foot gaps between them on the west side of the pier alternating with five 4-foot wide by 40-foot long finger piers with 32-foot gaps between them on the east side of the pier, all floating piers would be held in place by catenary chains and anchors or elastomeric dock mooring system, except the parallel floating pier as denoted on the plans, all to extend no more than 10 feet channelward of the existing pier headline and 179 feet channelward of the existing steel sheet pile bulkhead and all to extend no less than 15 feet landward of the limit of the existing federal channel.

*Plan "D" Piers:* To install two parallel floating piers, as described in the descriptions of Dock 7 and Dock 8, perpendicular to the steel sheet pile bulkhead and separated by approximately three feet, including Dock 7 - to install a 9-foot wide by 160-foot long floating pier with a 4-foot wide by 70-foot long aluminum gangway; and Dock 8, located approximately 3 feet to the east of Dock 7, - to install a 30-foot wide by 160-foot long floating pier with a 8-foot wide by 70-foot long aluminum gangway, all to extend no more than approximately 186 feet channelward of the existing steel sheet pile bulkhead and no less than approximately 35 feet landward of the limit of the Federal channel. All floating piers would be held in place by catenary chains and anchors or elastomeric dock mooring system to extend a maximum of 200 feet channelward of the existing steel sheet pile bulkhead and no less than 10 feet landward of the limit of the federal Channel

**Project Location:**

The project is located in the Anacostia River, south of the intersection of Water Street and 3rd Street, at 10 Water Street, SE, Washington, District of Columbia.

DDOE WQD hereby certifies that the permit 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 DCMR, Chapter 19, provided the conditions listed below are followed. Therefore, **Water Quality Certification # DC-13-013** is issued to the permittee for the activities described in the project **CENAB-OP-RMS (Forest City FESC LLC/The Yards) 2012-00869** and all the plans submitted to DDOE WQD, subject to the following:

1. All work must be performed in accordance with the plans and documents provided to DDOE WQD.
2. The permittee shall incorporate best management practices as an integral part of the performance of the work to ensure minimal impact to the waters of the District of Columbia.
3. 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 DCMR Chapter 11, and the Water Quality Monitoring Regulations in DCMR Chapter 19.
4. Any oil sheen or other visible evidence of hydrocarbons or other pollution generated during any of the activities shall be immediately contained or containerized and reported to DDOE WQD at (202) 671-3033.
5. Any process water (such as equipment cooling and wash water) from drinking water sources must be dechlorinated before being discharged to storm drains or directly into the river.
6. Control of turbidity, sediments, waste and work materials in the river:
  - (a) Weighted turbidity curtains must be used if the permittee uses anchored barges or boats, or any anchored equipment.
  - (b) Weighted turbidity curtains must be used in all activity/sampling/pile installation/pile removal/soil boring work areas and around equipment or coffer dams.
  - (c) The turbidity curtains must be properly anchored, touch the river bottom and encompass the entire area of activity (including coffer dams, barge, boat, plus any equipment in the water). Where possible, the turbidity curtain 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 it is anchored (i.e. spuds, etc). This is necessary to prevent any sediments, contaminants, and waste materials from escaping the work area and 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.
7. Turbidity monitoring in the river; the permittee shall:
  - (a) Continuously observe and measure turbidity 50 feet upstream and 50 feet downstream of the work area to ensure that there is no generation of sediment plumes and no sediment

plumes escape the work area. 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.

- (b) Establish background turbidity and measure turbidity using U.S. Environmental Protection Agency approved methods in accordance with 40 CFR Part 136 procedures and manufacturer's specifications. Background turbidity must be established before starting any work in the water.
  - (c) If a sediment plume is observed coming out of the sediment-disturbing activity/work/sampling location or if the turbidity exceeds the District of Columbia surface water quality standard, the permittee shall:
    - i. Immediately stop all activities/operations and notify DDOE WQD at (202) 671-3033;
    - ii. Adjust all activities and implement best management practices until there is no more sediment escaping the sediment-disturbing activity/sampling/soil boring location; and
    - iii. If and when the measured turbidity is less than or equal to the background turbidity, the permittee may resume the work.
8. All pilings, drillings, wells, or borings shall be drilled and installed in a manner that prevents cross-contamination of surface water and groundwater aquifers.
9. All drill cuttings, drilling mud, excavated and sampling sediments (within cofferdams or excess sediment samples), 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 river or on land.
10. The permittee shall obtain all necessary permits and other authorizations from appropriate federal and local offices, including, but not limited to permits for stormwater management, and erosion and sediment control from the DDOE. All staging and temporary activity areas not covered by any permit shall have adequate soil erosion and sedimentation measures. Please contact Abdi Musse at (202) 535-2978 for more information.
11. In the District of Columbia, the anadromous fish migration and spawning season is generally considered to occur between March 1<sup>st</sup> and June 30<sup>th</sup>. Any proposed activities in the District waters occurring during this period must have the approval of the District Department of the Environment Fisheries and Wildlife Division. Please contact Bryan King at (202) 535-2266 for more information.
12. The permittee must obtain necessary permits and authorizations from the National Park Service. Please contact Georgeann Smale at [Georgeann.Smale@nps.gov](mailto:Georgeann.Smale@nps.gov) or (202) 692-6033.
13. Reporting Requirements:

- (a) The permittee shall submit written notification to DDOE WQD at least five business days before work commences.
- (b) If the permittee observes any water quality standard exceedances at the site, you must notify DDOE WQD immediately at (202) 671-3033, stop the work, prepare and submit for review and approval, and then implement a corrective action plan.
- (c) The permittee shall submit final reports of sample analysis and monitoring results. Reports must be submitted to DDOE WQD 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:

Mr. Collin R. Burrell  
Associate Director  
Water Quality Division  
District Department of the Environment  
1200 First Street, N.E., 5<sup>th</sup> Floor  
Washington, DC 20002

This certification expires when the permit issued by the U.S. Army Corps of Engineers expires. Failure to comply with these conditions shall constitute reasons for cancellation of this certification. Legal proceedings may be instituted against the permittee in accordance with District of Columbia and/or federal laws and regulations to control water pollution in the District. DDOE WQD reserves the right to conduct inspections at any time during the construction process to determine if an activity complies with the terms and conditions authorized in this permit.

Please direct your questions or comments on this water quality certification to Adion Chinkuyu at (202) 535-2193.

Sincerely,



Collin R. Burrell  
Associate Director



2700 Lighthouse Point East, Suite 501  
Baltimore, MD 21224

(410) 563-7300 Fax (410) 563-4330  
www.moffattnichol.com

April 3, 2013

National Park Service Chesapeake Bay Office  
410 Severn Avenue, suite 314  
Annapolis, MD 21403

Re: The Yards In-Water Development

Gentleman:

As related to the U.S. Army Corps of Engineers permit application to construct a marina on the Anacostia River, in Washington, D.C., we have met with the following agencies:

1. U.S. Army Corps of Engineers
  - October 15, 2008
  - December 21, 2012
  - January 18, 2013
  
2. Washington Navy Yard
  - December 14, 2012
  - February 13, 2013

Sincerely,

MOFFATT & NICHOL

A handwritten signature in blue ink, appearing to read "Phillip Lee", with a stylized flourish extending to the right.

Phillip Lee, P.E.



DEPARTMENT OF THE NAVY  
NAVAL SUPPORT ACTIVITY WASHINGTON  
1411 PARSONS AVENUE SE, SUITE 340  
WASHINGTON NAVY YARD 20374-5003

11000  
Ser N4/087  
February 27, 2013

District Engineer  
Army Corps of Engineers, Baltimore District  
P.O. Box 1715  
Baltimore, MD 21203-1715

Subject: APPLICATION NUMBER CENAB-OP-RMS (FOREST CITY SEFC LLC/  
THE YARDS) 2012-00869

Naval Support Activity Washington (NSAW) met with Forest City SEFC LLC (Forest City), the developer of the proposed Forest City/The Yards marina project, on 14 DEC 12 and 14 FEB 13 to discuss the concerns NSAW raised regarding the proposed marina design. The original concerns were outlined in our 10 OCT 12 response letter to the Army Corps of Engineers (ACOE) public notice for the project.

At the 14 DEC 12 meeting and reaffirmed at the 14 FEB 13 meeting, Forest City presented NSAW with a pier redesign which addressed the Navy's concerns. This new plan, revised 03 DEC 12, shifts plan "D" Pier to the west, removing the potential encroachment onto Navy property. Forest City has also indicated they will provide fencing and a floating boom to address the Navy's concerns regarding unauthorized access onto Navy property.

NSAW will enter into a memorandum of agreement, to include the applicable real estate document for formal coordination, with Forest City. The above discussed revisions incorporated, NSAW hereby withdraws its significant reservation contained in the 10 OCT 12 letter, and positively endorses Forest City's 'The Yards Marina' project as contained in the architectural firm Moffatt & Nichol's 18 JAN 13 letter.

11000  
Ser N4/ 087  
February 27, 2013

If you have any questions, please contact Ms. Janell Herring, phone number (202) 433-0453 or by email at janell.herring@navy.mil.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. A. Varner', with a horizontal line extending to the right.

D. A. VARNER  
Commander, U. S. Navy  
Commanding Officer

References:

1. U.S. Navy response letter to ACOE, dated 10 OCT 12, Ser #N4/293
2. The Yards In-Water Development plan, prepared by Moffatt & Nichol, revised 03 DEC 12 and 16 JAN 13
3. Moffatt & Nichol letter to ACOE, dated 18 JAN 13
4. U.S. Navy letter to Forest City SEFC LLC dated 04 FEB 13, Ser #N4/052

Copy to:

Forest City SEFC LLC  
ATTN: Mr. Ramsey Meiser  
1615 L Street NW, Suite 400  
Washington, DC 20036

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
 Department of Housing and Community Development



Office of the Director

JUN 7 2010

Ms. Pat Daniels  
 Senior Project Manager - PBS  
 U.S. General Services Administration  
 301 7<sup>th</sup> Street SW  
 Washington, DC 20407

**RE: Comments on Draft Environmental Assessment for In-water Development of  
 Three Acres in Anacostia River**

Dear Ms. Daniels:

This responds to the letter of May 24, 2010 from the Regional Commissioner, Public Building Service, regarding the submission of comments on the above draft Environmental Assessment (EA) prepared by the U.S. General Services Administration in coordination with Forest City Washington, Inc. Mr. Bart Bush requested that comments be submitted to your attention as the GSA project manager on this project.

The Department of Housing and Community Development (DHCD) understands that the purpose of the project requiring the EA is to provide clear and open access to the Anacostia River waterfront and support recreational water-dependent activities. DHCD further understands that the EA is a supplement to the 2004 Development of Southeast Federal Center (SEFC) Environmental Impact Statement (EIS) that analyzed the environmental effects associated with upland development of the Southeast Federal Center.

DHCD supports the development of the three acre in-water development of two fixed piers and bracketing 49 recreational boat slips located in the marina between the two fixed piers. DHCD understands that the 10 foot setback development action option being proposed will maintain and not obstruct the Anacostia River Federal Navigation Channel. DHCD understands and agrees that three major benefits stated in the EA will result from the construction of the pier marina in-water facility. Those benefits are:

1. The in-water facility will provide a needed recreational marina and pier facility not presently available in the SEFC portion of the Anacostia River waterfront;
2. The in-water facility piers and marina will contribute to the water-based community public safety services of the new SEFC residential neighborhood;  
 and

3. The in-water facility will include facilities to accommodate water-based mass transportation and water taxi operations on the Anacostia River to make SEFC more accessible by water to other parts of the District and northern Virginia.

DHCD looks forward to the Final EA being completed and a Finding of No Significant Impact being issued which will permit development of this needed pier and marina facility to proceed on the Anacostia River.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leila Edmonds', with a long horizontal line extending to the right.

Leila Finucane Edmonds  
Director



**National  
Capital  
Planning  
Commission**

401 9th Street, NW North Lobby, Suite 500 Washington, DC 20004 Tel 202.482.7200 Fax 202.482.7272 www.ncpc.gov

**IN REPLY REFER TO:  
NCPC File No. 7122**

**June 24, 2010**

**Ms. Patricia Daniels  
Project Executive  
US General Services Administration  
National Capital Region WPC  
301 7<sup>th</sup> Street, SW, Room 2002  
Washington, DC 20407**

**Re: Review of the Draft Environmental Assessment for The Yards In-Water Development,  
Washington, DC**

**Dear Ms. Daniels:**

The NCPC staff has completed its review of the draft Environmental Assessment (EA) for the proposed in-water development at The Yards, formerly known as the Southeast Federal Center (SEFC) and the Washington Navy Yard Annex. NCPC is providing comments on the draft EA in anticipation of the report's being used as the basis for the Commission's future review of a project submission. The draft EA considers the environmental effects of implementing a No-Action Alternative and an Action Alternative of In-Water Development, with a 10-foot setback from the Anacostia River Federal Navigation Channel.

This draft EA serves as a supplement and is tiered to the 2004 *Development of the Southeast Federal Center Final Environmental Impact Statement* (SEFC EIS), which analyzed the environmental effects of the transfer of the 42-acre waterfront SEFC site by sale and/or ground lease to a private developer for a mixed-use development with residences, offices, shops, a waterfront park, and cultural amenities. The SEFC EIS stated that the proposed development "may include In-Water Development, such as marinas, boathouses, or water taxi facilities. However, this type of development is outside the scope of this EIS . . . the effects of any In-Water Development will be addressed in supplemental NEPA documentation."

The Commission reviewed a revised Master Plan in 2007 for the development by Forest City SEFC LLC of The Yards. Since then, the Commission has reviewed and commented on the site and landscape plans as well as development plans for some of the parcels within The Yards. In particular, in 2008 and 2009 the Commission reviewed and approved plans for the public waterfront park and related commercial development adjacent to the Anacostia River with the understanding that the in-water elements would be developed and submitted for review at a later date, following environmental analysis and any necessary historic preservation review. The in-water development complements the design and program of the waterfront park, now under construction and shortly to be completed.

Both the ecological preservation and the appropriate activation of the Anacostia Riverfront are long-term goals envisioned in the Legacy Plan. The Action Alternative responds to policies of the Parks and Open Space Element of the Federal Elements of the *Comprehensive Plan for the National Capital*, including policies to “protect, restore, and enhance” the Anacostia River “as a great open space resource and recreational amenity” and to manage lands along the Anacostia River “in a manner that encourages the enjoyment and recreational use of water resources while protecting the scenic and ecological values of the waterways.”

The Action Alternative would take place entirely within the Anacostia River and would result in the construction of one commercial fixed pier measuring approximately 185 feet by 30 feet, one public fixed pier measuring approximately 135 feet by 30 feet, and 49 boat slips. The Zoning Commission’s action for The Yards (named the Southeast Federal Center at the time), Order 03-06, established zoning for the site, including the W-O zone, which is a low density zone for waterfront-related uses by right, with additional uses such as a marina by special exception.

We note that the EA states that the proposed features would be designed and constructed in such a manner that would be consistent with the requirements in the SEFC Historic Covenant and would not obstruct any views to or from the Historic Zone. The fixed piers and boat slips would be at or lower than the height of the seawall and would not visually obstruct The Yard’s site from the water or nearby parkland at Poplar Point. The draft EA states that the marina and boats would be consistent with other views from Anacostia Park further north of the project area. We agree with GSA’s analysis that the Action Alternative would have a long-term minor adverse impact to views to and from The Yards because of the introduction of new piers and boat slips to the viewshed, and also that new features would not change the visual character of the Anacostia Riverfront.

Staff commends GSA and Forest City for their intention to manage the recreational water activities associated with The Yards. We note that bringing water taxis and larger recreational boats to this portion of the Anacostia River shoreline will involve coordination with users of smaller boats such as canoes and kayaks. The draft EA notes that the number of boats the marina would serve is low within the context of boat usage on the Anacostia River, thus minimizing the potential for conflicts between motorized and non-motorized watercraft.

The Monumental Core Framework Plan (MCFP) proposes greater recreational, commercial, and cultural activity along the nearby Washington Channel, including new residential development and improvements to open space and transportation infrastructure. The MCFP envisions the southern portion of the Washington Channel being quieter and less commercial, suitable for personal watercraft and passive recreation. The northern portion of the Washington Channel is intended for commercial activities, including marinas and piers, and for a water taxi pier or terminal. The Action Alternative for The Yards’ in-water development mirrors and complements this range of activities and infrastructure and the draft EA analyzes the alternatives in that context.

We agree with GSA’s assessment that the proposed new marina and piers would be a benefit, serving current and future residents and employees, as well as visitors and regional users of recreational infrastructure, and adding to the inventory of available boat slips on the river. The

Page 3 – Ms. Daniels

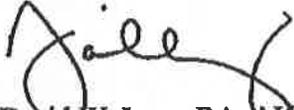
benefits extend to transportation impacts, as well, as the District Department of Transportation is currently studying a potential water taxi service along the Anacostia River as another mode of transportation within the District of Columbia.

We endorse the comments of the District of Columbia State Historic Preservation Office regarding the Section 106 consultation between that office and the Navy regarding the disposition of two historic piers at the Washington Navy Yard. We encourage all possible exploration of ways in which the management of the two adjacent properties can complement each other and the expansion of useful and beneficial waterfront activities.

Thank you for the opportunity to review and comment on GSA's analysis of impacts resulting from in-water development at The Yards. We conclude that the draft EA is a useful document for the National Capital Planning Commission to reference in its future project review.

If you have any questions regarding these comments, please contact Nancy Witherell at (202) 482-7239 or [nancy.witherell@ncpc.gov](mailto:nancy.witherell@ncpc.gov).

Sincerely,



David W. Levy, RA, AICP  
Director, Urban Design and Plan Review

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT  
WASHINGTON, D.C. 20001



June 17, 2010

Ms. Pat Daniels  
Senior Project Manager - PBS  
General Services Administration  
301 7th Street, S.W., Room 2021  
Washington, DC 20407

Re: DC Fire & EMS Review of Environmental Assessment (EA) Southeast Federal Center  
In-Water Development at the Yards in the Anacostia River.

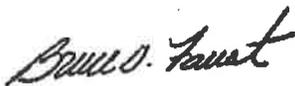
Thank you for your letter and GSA submission of Environmental Assessment (EA) to evaluate potential effects of in-water development at The Yards. The project development is in coordination with the U.S. General Services Administration (GSA), and the Forest City SEFC LLC (Forest City), the developer selected for the project. The DC Fire and Emergency Medical Services, Office of the Fire Marshal has reviewed the impact to public safety that could result from the proposed action alternatives. The proposed construction would take place in-water near the sea wall. No roads would be closed and there would be no impact to DCFEMS' inland emergency response times for the mixed-use development project. The construction of a marina and public pier at The Yards would provide an additional access point for emergency services at the Anacostia River.

The DCFEMS provides fire and rescue services for the District of Columbia and Anacostia River waterways. The closest DCFEMS station to the SEFC site is Engine Company 7, located at 1101 Half Street, S.W. The DCFEMS Fireboat station is located at 550 Water Street, S.W., and responds to waterfront fires, as well as water and ice rescues.

The DCFEMS concurs with the EA Public Safety: 4.B.3.b, Action Alternative, stating "as the demand for emergency services may result in a negligible to minor long-term adverse effect to public safety as a result of minor increases for emergency services as more residents and visitors utilize the public piers and marina." However, the DCFEMS supports the EA's accompanying public safety plans, policy objectives and regulatory requirements of an active Anacostia River waterfront neighborhood community. The proposed marina and pier would represent an improvement in DCFEMS public access to waterway emergencies.

If you have any question concerning this review, please contact Captain Chris Roggeron at 727-1600.

Sincerely,

A handwritten signature in cursive script that reads "Bruce D. Faust".

Bruce D. Faust  
Deputy Fire Chief  
D.C. Fire Marshal



# ANACOSTIA WATERSHED SOCIETY

February 27, 2013

Mr. Bob Campbell  
National Park Service, Chesapeake Bay Office  
410 Severn Avenue, Suite 314  
Annapolis, MD 21403

Dear Mr. Campbell:

On behalf the Anacostia Watershed Society, I would like to express strong support for the Living Classrooms Foundation and *The Yards In-Water Development* project proposed at The Yards Park in Southeast Washington on the Anacostia River.

Over the past 20 years, the Anacostia Watershed Society's efforts have expanded significantly to encompass efforts in environmental education, stewardship, and recreation, as well as engaging the community through public affairs. In addition to protecting and restoring the Anacostia River and its watershed communities by cleaning the water, recovering the shores, and honoring the heritage, we aim to make the Anacostia River accessible to the public. While there are a number of access points to the Anacostia in the more northern portion of the River, there is a significant lack of public access points and recreational boating opportunities along the lower stretch where this project will be located. The Yards Park is a new, attractive, and vibrant addition to the waterfront, and would be a great location for this project.

In addition, this project is very consistent with the access plans we are working closely with the National Park Service to develop with a variety of partners. This location is under consideration on the draft master plan and will be a great addition and asset to the community and the river.

We urge you to award Living Classrooms Foundation so that the proposed docks can be installed to provide canoe, kayak and paddler public access along with additional environmental education opportunities for groups such as ourselves and others.

Sincerely,

James Foster  
President

Clean the Water, Recover the Shores, Honor the Heritage

# NATIONAL BUILDING MUSEUM

*CityVision*



In the fall 2012 semester of *CityVision*, students focused on the air rights above D.C.'s Union Station. Participants, working alongside volunteers from the District Department of Transportation and other local firms and schools, explored the site and interviewed local workers and residents.

“The National Building Museum is a vital resource for Stuart-Hobson Middle School, as well as other D.C. Public Schools. It is without reservation that I encourage my and other schools to continue to offer support for such innovative and important programs for our students.”

– Katie Franklin, Assistant Principal of Stuart Hobson Middle School

Established in 1993, *CityVision* is the Museum's flagship outreach program serving young people from underserved communities in the District of Columbia. *CityVision* is an urban planning course in which students apply the process of design to solve real problems in D.C. neighborhoods, such as underutilized public spaces or the need for parks and community centers.

*CityVision* is offered free to participants each year during the fall and spring semesters, with students meeting for one full school day per week for 14 weeks. Participants learn about the design process, examine areas in specific local neighborhoods, learn about community needs for that space, and explore other D.C. neighborhoods to develop a comparative basis for evaluation. Then, they recommend original solutions to address identified needs, plan their designs, produce technical drawings, and build models of their solutions. Midway through the process, students present their concepts to volunteers from the D.C. Office of Planning and other local professional organizations, who respond with feedback. To conclude the program, the students present their work publicly to these mentors.

Sixty to seventy students participate in *CityVision* each year. Through previous school partnerships and staff outreach to the D.C. public school system, the Museum selects up to three Title I schools per semester to participate in the program. *CityVision* supports the core D.C. Public School curriculum in many content areas, as the program requires students to use and further develop skills in oral and written communication, history, mathematics, art, design, and technology.

The Museum aims for *CityVision* students to develop:

- Visual and spatial methodologies for problem solving
- Proficiency in technical skills such as sketching, basic design composition, use of basic design tools, design language, use of scale models and drawings, photography, and creating maps
- Personal and interpersonal skills, including conflict resolution and negotiation
- Problem-solving skills, including observation, analysis, and evaluation
- Communication skills, including interviewing and public speaking techniques
- Advocacy skills, including formulation, presentation, and defense of a position
- Understanding of architecture, engineering, planning, and other design careers

***CityVision* is a 2012 merit honoree of the American Architectural Foundation's "Accent on Architecture Community Grant" program. *CityVision* meets National Standards for Arts Education and Common Core Standards for D.C. Public Schools.**

*CityVision* is one of three teen outreach programs offered by the Museum: *CityVision*, *Design Apprenticeship Program*, and *Investigating Where We Live*. Funding helps us provide *CityVision* free of charge to Title I schools in the District of Columbia.

For additional information about sponsoring *CityVision* or any of the Museum's teen outreach programs, contact the Museum's Development Department at 202.272.2448.

Photo by National Building Museum staff.



**Roster**  
**Anacostia Watershed Restoration Partnership - Steering Committee**  
(As of September 2012)

JURISDICTION	NAME	TITLE	E-MAIL	TELEPHONE
<b>District of Columbia</b>	Keith Anderson	Acting Director	keith.anderson@dc.gov	202-478-1417
• <b>Alternate</b>	Hamid Karimi	Deputy-Director, Department of the Environment	hamid.karimi@dc.gov	202-535-2277
<b>Montgomery County</b>	Bob Hoyt	Director, Department of Environmental Protection	Bob.Hoyt@montgomerycountymd.gov	240-777-7781
• <b>Alternate</b>	Steven Shofar	Division Chief, Department of Environmental Protection	Steven.shofar@montgomerycountymd.gov	240-777-7736
<b>Prince George's County</b>	Adam Ortiz	Acting Director, Department of Environmental Resources	aortiz@co.pg.md.us	301-883-5810
<b>Alternate</b>	Jeffrey-DeHan	Associate Director of Stormwater Management Division (SMD)	jmdehan@co.pg.md.us	301-883-5838
	Larry Coffman	Associate Director, Department of Environmental Resources	isocoffman@co.pg.md.us	301-883-5839
<b>Maryland – MDE</b>	Jim George	TMDL Coordinator	jgeorge@mde.state.md.us	410 537-3572
• <b>Alternate</b>	TBD			
<b>Maryland – DNR</b>	Frank Dawson (Chair)	Assistant Secretary Maryland Department of Natural Resources	fdawson@dnr.state.md.us	410-260-8110
• <b>Alternate</b>	Ken Yetman	Maryland Department of Natural Resources	kyetman@dnr.state.md.us	410-260-8812
<b>EPA Region 3</b>	Jon Capacasa	Director, Water Protection Division	capacasa.jon@epa.gov	215- 814-5422
• <b>Alternate</b>	Dominique Lueckenhoff	Associate Director, Water Protection Division	lueckenhoff.dominique@epa.gov	215-814-5810
<b>Corps of Engineers</b>	Dan Bierly	General Investigations Manager and Supervisory Civil Engineer	Daniel.M.Bierly@usace.army.mil	410-962-6139
• <b>Alternate</b>	Amy Guise	Chief, Civil Planning Branch	amy.m.guise@usace.army.mil	410-962-2558
<b>NOAA</b>	Simeon Hahn	Coastal Resource Coordinator	Simeon.hahn@noaa.gov	215-814-5419
• <b>Alternate</b>	Peyton Robertson	Director, NOAA Chesapeake Bay Office	Peyton.robertson@noaa.gov	410-267-5652
<b>University</b>	(Pending)			
<b>Citizens Advisory Committee</b>	Bill Matuszeski	Chair (District of Columbia)	bmat@olg.com	202-288-6139
• <b>Alternate</b>	Mike Smith	Vice-Chair (Montgomery County)	Mike78smith@hotmail.com	301-649-1284
• <b>Alternate</b>	Cary Coppock	Vice-Chair (Prince George's County)	awcaccpg@gmail.com	
<b>Private Funding Network</b>	Linda Howard	Executive Director, Summit Fund of Washington	LHoward@summitfdn.org	202-912-2910
• <b>Alternate</b>				
<b>Municipality</b>	Andy Fellows	Mayor, City of College Park, MD	afellows@collegeparkmd.gov	202-895-0420 x102
• <b>Alternate</b>	Judith Davis	Mayor, City of Greenbelt	jfintakdavis@aol.com	301-474-8000
<b>NPS</b>	Lisa Mendelson-Ielmini	Deputy Regional Director, National Capital Region	lisa_mendelson-ielmini@nps.gov	202-619-7000
• <b>Alternate</b>	Alex Romero	Deputy Superintendent, National Capital Parks-East	Alex_Romero@nps.gov	202-690-5197
•	Emily Ferguson	Environmental Protection Specialist, National Capital Parks-East	emily_ferguson@nps.gov	202-692-6033
<b>NGO-Rep</b>	Diane Cameron	Director of ANS Conservation Program	dianecameron60@gmail.com	301-652-9188
• <b>Alternate</b>	Jim Foster	Executive Director, Anacostia Watershed Society	jfoster@anacostiaws.org	301-699-6204
<b>Development Industry</b>	Ramsey D. Meiser	Forest City	ramseymeiser@forestcity.net	202-496-6632
• <b>Alternate</b>	David Borchardt	Tower Companies	David.borchardt@towercompanies.com	301-984-7000
<b>Green Business</b>	Eric L. Siegel	Cohen Companies	Eric@cohencompanies.com	301-692-1900
• <b>Alternate</b>	Michael Stevens	Executive Director	michaelstevens@capitolriverfront.org	202-465-7079
<b>DC Water</b>	Will Pickering	Government Relations Manager	William.Pickering@dcwater.com	202-787-7013
• <b>Alternate</b>	Maureen McGowan Holman	Program Manager, Sustainability	Maureen.McGowanHolman@dcwater.com	202-787-2666