

APPENDIX E4

SHPO MOA CORRESPONDENCE



D.C. TO RICHMOND SOUTHEAST HIGH SPEED RAIL



Kerri Barile <kbarile@dovetailcrg.com>

DC2RVA revised MOA

1 message

Kerri Barile <kbarile@dovetailcrg.com>

Fri, Dec 21, 2018 at 4:50 PM

To: John Winkle <john.winkle@dot.gov>, Sarah Stokely <sstokely@achp.gov>, Jaime Loichinger <jloichinger@achp.gov>, "Holma, Marc (DHR)" <Marc.Holma@dhr.virginia.gov>, "Stock, Emily (DRPT)" <Emily.Stock@drpt.virginia.gov>, "Ruiz, Nick (DRPT)" <Nick.Ruiz@drpt.virginia.gov>, "Selleck, Randy (DRPT)" <Randy.Selleck@drpt.virginia.gov>
Cc: DC2RVAdocumentcontrol <DC2RVAdocumentcontrol@hdrinc.com>, "Harrington, Karen" <Karen.Harrington@hdrinc.com>, "Burch, Carey" <carey.burch@hdrinc.com>, "Estes, Michael" <Michael.Estes@hdrinc.com>, "Walter, Stephen C" <Stephen.C.Walter@parsons.com>, "ecalhour@dovetailcrg.com" <ecalhoun@dovetailcrg.com>, Heather Staton <hstaton@dovetailcrg.com>

Dear DC2RVA MOA signatories,

Thank you so very much for your continued feedback and thoughts as we work through the complex 106 process for the DC to Richmond Southeast High Speed Rail project! Over the past four years, and particularly over the past six months, we have garnered an incredible amount of data on this corridor including significant public and consulting party feedback. I've attached a revised MOA (both a Track Changes copy and a Clean copy as sometimes the track changes copy gets a bit dizzying) to this document that is inclusive of all of the feedback received to date, including:

- Edits to the first draft from the Virginia AG's office received in September 2018
- Edits to the first draft from the FRA received in November 2018
- Edits made based on DHR review and updated effect determinations
- Edits made by DRPT and team to address comments received during the scores of communications with consulting parties and the public regarding cultural resources along the corridor
- Additional edits and thoughts as received from DRPT, FRA, ACHP, DHR, and others throughout the process

In addition to the revised MOA, I've also attached an excel sheet that outlines all of the actual mitigation stipulation changes that have occurred since the original draft. This shows what modifications were made based on consulting party feedback to address their requests and concerns....and to have all mitigation in one spot as scrolling through so many pages is daunting!

Lastly, just a quick note that I reduced the quality of the maps so that the documents can be easily emailed. I will replace them with full-quality versions when the document goes final.

Again, thank you again for your help and please let me, Emily Stock, or any other team member know if we can address any questions. I will be sending this MOA in clean format to consulting parties for their concurrent review likely next week to assure that all comments are received and considered prior to ratifying the document.

I hope you all have a wonderful holiday!

Kerri

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Kerri S. Barile, Ph.D., RPA | President

Office - 540.899.9170, x1001 | Cell- 540.623.5106 | Fax- 540.899.9137

kbarile@dovetailcrg.com11905 Bowman Drive, Suite 502, Fredericksburg, Virginia 22408
721 Philadelphia Pike, Wilmington, Delaware 19809**Knowing the Past — Building the Future**www.dovetailcrg.com

3 attachments **DC2RVA MOA_Draft 4_12.21.18.docx**
5310K **DC2RVA MOA_Draft 4_12.21.18_CLEAN.docx**
5005K **CR mitigation changes.xlsx**
15K



Kerri Barile <kbarile@dovetailcrg.com>

draft SEHSR DC2RVA PA

1 message

Holma, Marc <marc.holma@dhr.virginia.gov>
To: Kerri Barile <kbarile@dovetailcrg.com>

Wed, Jan 16, 2019 at 4:46 PM

Kerri,

Here are DHR's comments on the draft PA. Please distribute them as necessary.

Marc

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Marc Holma
Architectural Historian
Division of Review and Compliance
(804) 482-6090
marc.holma@dhr.virginia.gov

 **DC2RVA MOA_Draft 4_12.21.18_CLEAN (1).docx**
5134K



Kerri Barile <kbarile@dovetailcrg.com>

Re: DC2RVA Draft MOA: ACHP Comments

1 message

Holma, Marc <marc.holma@dhr.virginia.gov>

Mon, Feb 11, 2019 at 1:37 PM

To: Kerri Barile <kbarile@dovetailcrg.com>

Cc: Sarah Stokely <sstokely@achp.gov>, "Stock, Emily (DRPT)" <Emily.Stock@drpt.virginia.gov>, "Selleck, Randy (DRPT)" <Randy.Selleck@drpt.virginia.gov>, "Ruiz, Nick (DRPT)" <Nick.Ruiz@drpt.virginia.gov>, John Winkle <john.winkle@dot.gov>, DC2RVAdocumentcontrol <DC2RVAdocumentcontrol@hdrinc.com>, "Burch, Carey" <carey.burch@hdrinc.com>, "Harrington, Karen" <Karen.Harrington@hdrinc.com>, "Walter, Stephen C" <Stephen.C.Walter@parsons.com>

DHR has used similar language in other agreement documents to indicate that it's not the federal agency itself doing the work, but a consultant hired by the federal agency.

Marc

On Mon, Feb 11, 2019 at 1:31 PM Kerri Barile <kbarile@dovetailcrg.com> wrote:

Hi Sarah,

Thank you again for your edits to the MOA. I'm making them now. I just had one quick question. As you alluded to in your sidebar comments, DRPT will be using a consultant to do the mitigation commitments but they aren't sure who they will be using. That's why the DHR suggested the "or cause to be created" language. Would it be acceptable to you (and the other signatories) if we amend this line by saying "or cause to be created through the engagement of a qualified consultant"? Or is there other verbiage you would suggest to convey this thought?

My goal is to have a revised MOA to all signatories tomorrow that is inclusive of ACHP and consulting party comments.

Thanks again!

Kerri

On Fri, Feb 8, 2019 at 6:50 PM Sarah Stokely <sstokely@achp.gov> wrote:

Dear Kerri,

The Advisory Council on Historic Preservation (ACHP) has completed its review of the *Draft Memorandum of Agreement among the Federal Railroad Administration, the Virginia Historic Preservation Office, the Advisory Council on Historic Preservation, and the Virginia Department of Rail and Public Transportation Regarding the Washington, D.C. to Richmond, Virginia Southeast High Speed Rail Project* submitted to ACHP via email on January 22, 2019.

This is a comprehensive Memorandum of Agreement (MOA) and it contains a good process for addressing the undertaking's adverse effects. Our comments generally focus on clarifying roles and responsibilities, ensuring consistency in the administrative stipulations with our guidance, and addressing the applicability of design guidelines for any new construction in or near historic properties. We have provided our comments, insertions, and red line edits in the attached Word document.

We understand FRA's desire to move forward with this agreement. This Section 106 agreement document, therefore, should adhere to our regulations and be comprehensive so as to avoid the potential for subsequent procedural challenges. Accordingly, we urge FRA to consider revising the agreement document to address all comments provided by consulting parties. If you have any questions, please feel free to contact me.

Thank you,

Sarah

Sarah C. Stokely

Program Analyst

Advisory Council on Historic Preservation

Telephone: 202-517-0224

Fax: 202-517-6381

Email: sstokely@achp.gov

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Kerri S. Barile, Ph.D., RPA | President

Office - 540.899.9170, x1001 | Cell- 540.623.5106 | Fax- 540.899.9137

kbarile@dovetailcrg.com



11905 Bowman Drive, Suite 502, Fredericksburg, Virginia 22408

3/7/2019

Dovetail Cultural Resource Group Mail - Re: DC2RVA Draft MOA: ACHP Comments

721 Philadelphia Pike, Wilmington, Delaware 19809

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www.dovetailcrg.com

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Marc Holma
Architectural Historian
Division of Review and Compliance
(804) 482-6090
marc.holma@dhr.virginia.gov



Kerri Barile <kbarile@dovetailcrg.com>

Re: DC2RVA MOA/DHR edits

1 message

Kirchen, Roger <roger.kirchen@dhr.virginia.gov> Wed, Feb 20, 2019 at 2:28 PM
To: Kerri Barile <kbarile@dovetailcrg.com>
Cc: Sarah Stokely <sstokely@achp.gov>, John Winkle <john.winkle@dot.gov>, "Orlaskey, Daniel (FRA)" <daniel.orlaskey@dot.gov>, "Holma, Marc (DHR)" <Marc.Holma@dhr.virginia.gov>, DC2RVAdocumentcontrol <DC2RVAdocumentcontrol@hdrinc.com>, "Stock, Emily (DRPT)" <Emily.Stock@drpt.virginia.gov>, "Selleck, Randy (DRPT)" <Randy.Selleck@drpt.virginia.gov>, "Ruiz, Nick (DRPT)" <Nick.Ruiz@drpt.virginia.gov>, "Harrington, Karen" <Karen.Harrington@hdrinc.com>, "Burch, Carey" <carey.burch@hdrinc.com>, "Walter, Stephen C" <Stephen.C.Walter@parsons.com>

I'm OK with the proposed change to address our comments on the post-review discoveries stipulation.

*Roger W. Kirchen, Director
Review and Compliance Division
Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221
phone: 804-482-6091
www.dhr.virginia.gov*

On Wed, Feb 20, 2019 at 8:05 AM Kerri Barile <kbarile@dovetailcrg.com> wrote:

Hi Sarah and John (and Dan),

(Dan, I added you here as I know John is out of town and I wasn't sure if you are looking at any of this while he is gone- delete if you are staying away!)

Attached are the DHR's latest round of comments on the DC2RVA MOA. They are made to the clean Draft 6 wherein ACHP and NTHP edits have been made but the latest FRA edits have NOT yet been rendered to the document. I wanted to send these to you so you can see their feedback. There are just a couple of word changes and one comment, which I have addressed with an edit. (Roger and Marc- this edit work for you?)

Once I get ACHP and DRPTs next round of edits (and any ensuing comments from FRA on the DHR edits), I will merge all of the post Draft 6 edits into one document and send them around as a Track Changes document along with a clean Draft 7 for another review.

Thanks!
Kerri

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Kerri S. Barile, Ph.D., RPA | President
Office - 540.899.9170, x1001 | Cell- 540.623.5106 | Fax- 540.899.9137
kbarile@dovetailcrg.com



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