

NATIONAL CAPITAL PLANNING COMMISSION

+ + + + +

COMMISSION MEETING

+ + + + +

OPEN SESSION

+ + + + +

THURSDAY,  
APRIL 5, 2012

+ + + + +

The meeting convened in Room 5115, Suite 500, 401 9th Street, N.W., Washington, D.C. 20004, at 12:30 p.m., Preston Bryant, Jr., Chairman, presiding.

NATIONAL CAPITAL PLANNING COMMISSION MEMBERS  
PRESENT:

- PRESTON BRYANT, JR., Chairman,  
Presidential Appointee
- HOWARD A. DENIS, U.S. House of Representatives
- ARRINGTON DIXON, Mayoral Appointee
- ELYSE GREENWALD, U.S. Senate
- JOHN M. HART, Presidential Appointee
- PETER MAY, Department of the Interior
- ROBERT E. MILLER, Mayoral Appointee
- BRADLEY PROVANCHA, Department of Defense
- HARRIET TREGONING, Office of the Mayor of  
the District of Columbia
- TOMMY WELLS, Council of the District of  
Columbia
- BETH WHITE, Presidential Appointee
- MINA WRIGHT, General Services Administration

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

NCPC STAFF PRESENT:

MARCEL C. ACOSTA, Executive Director

ANNE SCHUYLER, General Counsel

DEBORAH B. YOUNG, Secretary to the Commission

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

TABLE OF CONTENTS

Agenda

1	Report of the Chairman	5
1A	Election of Vice Chairman and Appointment of Third Member of Executive Committee	5
2	Report of the Executive Director	7
3	Legislative Update	11
4	Consent Calendar - No Presentations	13
4A	Fort Belvoir, South Post, Fairfax County, Virginia - Travel Camp (Phase 1)	13
4B	Fort Lesley J. McNair, 4th and P Streets, SW, Washington, D.C. - Electric Generating Equipment	13
4C	Joint Base Myer-Henderson Hall, Arlington, Virginia - Electric Generating Equipment	13
5	Action Items - With Presentations	14
5A	National Museum of African- American History and Culture, Constitution Avenue between 14th and 15th Streets, NW, Washington, D.C. - Building Foundation and Elevator Cores	14
5B	Herbert Hoover Building, Department of Commerce Head- quarters, 1401 Constitution Avenue, NW, Washington, D.C. - Site Improvement and Perimeter	32

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

TABLE OF CONTENTS

Agenda	Page
6 Information Presentations	69
6A District of Columbia Commission on Arts and the Humanities 5 x 5 Temporary Art Program	69
6B DC Clean Rivers and Green Infra- structure Projects	85
6C Intelligence Community Campus- Bethesda, 4600 Sangamore Road, Bethesda, Maryland - Phase 1 (North Campus)	155

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

P-R-O-C-E-E-D-I-N-G-S

(12:33 p.m.)

CHAIRMAN BRYANT: Good afternoon.

Let's bring the meeting to order. I think we have -- is Ms. Wright here? Okay.

Good afternoon, and welcome to the National Capital Planning Commission's April 5, 2012, meeting.

Would you all please stand and join me in the Pledge of Allegiance.

(Whereupon the Pledge of Allegiance was recited.)

Thank you. For all in attendance, please note that today's proceedings are being live streamed on the NCPC website. And we do have a quorum, so without objection we will proceed along the lines of the agenda that has been publicly advertised.

[INSERT - MEETING AGENDA]

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

**1 - Report of the Chairman**

**1A - Election of Vice Chairman and  
Appointment of Third Member  
of Executive Committee**

CHAIRMAN BRYANT: Agenda Item Number 1 is the Report of the Chairman, and you will be happy to know that I don't have a report, other than it is that time of the year to -- where the chair appoints an Executive Committee, currently constituted as me and Rob Miller as Vice Chair, and Peter May as the third and final member.

And with the Commission's consent, I would like to keep that same trio in place.

So is there a nomination for -- can we do them -- these block in a block --

COMMISSIONER HART: So moved, yes.

CHAIRMAN BRYANT: -- a nomination to keep Rob Miller as Vice Chair and Peter May as a member of the Executive Committee. It has been moved, and is there a second?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

COMMISSIONER DIXON: Second.

CHAIRMAN BRYANT: It has been moved and seconded. All in favor say aye.

(Chorus of ayes.)

Opposed, no.

(No response.)

Congratulations, Peter.

(Laughter.)

## **2 - Report of the Executive Director**

CHAIRMAN BRYANT: Agenda Item Number 2 is the Report of the Executive Director.

Mr. Acosta?

MR. ACOSTA: Thank you, Mr. Chairman, and good afternoon. I just have a few items that may be of interest to the general public. NCPC's next speaker series events, Shades of Green, will be held on Wednesday, April 11th, 6:30 p.m., in the Commission Chambers.

Representatives from five emerging

### **NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

ecodistricts in the Washington Region, including Walter Reed, Arlington, downtown D.C., the University of the District of Columbia, and also NCPC's own ecodistrict in the southwest side, will present innovations and finance governance policy and design that are helping foster the sustainability showcases, brought that into the port/wound sustainability initiative, also moderate the discussion. So there is a flyer in front of you, and we hope you are able to attend.

On Thursday, May 17th, NCPC will also bring together a group of leaders and experts to discuss policies and best practices for the planning of military bases and installations. Dr. Dorothy Robyn, Deputy Undersecretary of Defense, Installations and Environment, will deliver a keynote address prior to the discussion.

Also, we have Dr. Mark Gillem, Professor of Architecture and Urban Design, at

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

the University of Oregon, who also provided an in-depth look at the currently updated unified facilities criteria, which outlined the Department of Defense's facilities planning, design, and standards. We will provide the location and time of the event shortly.

I know the Commission has been very interested and engaged in the planning of military bases in terms of master plan and how we review them and how the standards are set.

So we hope that you will be able to attend that session, and, again, we will provide that information to you as soon as possible, as soon as we know.

On Thursday, May 31st, NCPC, the Trust for the National Mall, the National Building Museum, will host a conversation with the National Mall design competition winners.

Representatives from the National Trust sponsored competition will share their ideas and images for transforming Union Square, the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Washington Monument grounds at Sylvan Theater, and Constitution Gardens. This program will take place at 6:30 p.m. at the National Building Museum on May 31st.

Also, the public exhibition of the design concepts will be displayed on Monday, April 9th at the Smithsonian Castle and the National Museum of American History, for those of you who are interested in seeing the competition results.

So that concludes my presentation.

There is also a written report in your packet.

[INSERT - REPORT OF THE EXECUTIVE DIRECTOR]

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

CHAIRMAN BRYANT: Thank you. One question. The DoD meeting regarding facilities master planning, is that kind of generally speaking, or is it specific to facilities in the NCR?

MR. ACOSTA: These are standard -- these are master plan guidelines that apply to all military bases throughout the country. But we will also look at how they apply to certain instances here.

CHAIRMAN BRYANT: Great. Thank you.

COMMISSIONER MAY: Mr. Chairman?

CHAIRMAN BRYANT: Yes.

COMMISSIONER MAY: Can I just add, I believe that the competition entries will be on display for the full week starting the 9th, the 9th through whatever the day is, 13th I think.

CHAIRMAN BRYANT: Okay. Thank you.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Questions or comments to Mr.  
Acosta?

(No response.)

### **3 - Legislative Update**

CHAIRMAN BRYANT: Okay. Agenda  
Item Number 3 is the legislative update. Ms.  
Schuyler?

MS. SCHUYLER: Thank you, Mr.  
Chairman. I have three items to report. The  
first is on March 29th, a few weeks ago, the  
Senate passed House of Representatives Bill  
2297. And I know you all know that that is a  
bill to promote development of the Southwest  
Waterfront District, and that is really a bill  
that is intended to help clear and clarify the  
title for the property that is being  
transferred from the District to the  
developer.

This bill has previously passed  
the House, but the Senate did add an amendment  
-- a minor amendment regarding an Army Corps

#### **NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

of Engineers navigation project for the Washington Channel. So, therefore, this bill has to go to conference before it can go to the President, but I think you can expect it to happen fairly quickly.

The second item is the introduction in the House of Representatives of H.R. 665. And essentially what this is doing is requiring a pilot program, as between GSA and the Office of Management and Budget, to conduct real property disposals on an expedited basis, somewhat related to the civilian BRAC bill, but this is designed to have 15 currently declared excess properties sold in an expedited process, to see how that might work.

And a third item is we have had pass the House a Civilian Property Realignment Act, the R&L. And that has been referred to the Senate, but there have also been introduced two versions in the Senate. They

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

are in Committee, but I think you can expect to see passage of that -- some version of that bill in the Senate as well.

CHAIRMAN BRYANT: Thank you.

Questions for Ms. Schuyler?

(No response.)

Thank you.

**4 - Consent Calendar -**

**No Presentations**

**4A - Fort Belvoir, South Post,  
Fairfax County, Virginia - Travel Camp**

**(Phase 1)**

**4B - Fort Lesley J. McNair,  
4th and P Streets, SW, Washington, D.C. -  
Electric Generating Equipment**

**4C - Joint Base Myer-Henderson Hall,  
Arlington, Virginia -  
Electric Generating Equipment**

CHAIRMAN BRYANT: Agenda Item Number 4 is the Consent Calendar, and we have three items on the Consent Calendar. Item 4A

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

is the Travel Camp, Phase 1, at Fort Belvoir.

Item 4B is the Electric Generating Equipment at Fort McNair, and 4C is the Electric Generating Equipment at Joint Base Myer-Henderson Hall.

COMMISSIONER DIXON: So moved, Mr. Chair.

CHAIRMAN BRYANT: It has been moved and seconded that the three items on the Consent Calendar be adopted. All in favor say aye.

(Chorus of ayes.)

Opposed, no.

(No response.)

Those are adopted.

[INSERT - FORT BELVOIR TRAVEL CAMP]

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

[INSERT - FORT LESLEY J. MCNAIR]

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

[INSERT - JOINT BASE MYER]

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

**5 - Action Items - With Presentations**

**5A - National Museum of African-  
American History and Culture,  
Constitution Avenue between 14th and  
15th Streets, NW, Washington, D.C. -  
Building Foundation and Elevator Cores**

CHAIRMAN BRYANT: Agenda Item  
Number 5, or 5A, is -- regards the Building  
Foundation and Elevator Codes for the National  
Museum of African-American History and  
Culture.

We have Mr. Walton. Welcome.

MR. WALTON: Good afternoon, Mr.  
Chairman, and members of the Commission.  
Today, the Smithsonian has submitted the  
National Museum of African-American History  
and Culture for final approval of the  
Foundation and Building Core Plans.

Before I get into the  
presentation, I want to quickly go over the  
Commission actions to date. The National

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Museum of African-American History and Culture is a fast-track project, and that means basically that the construction has started before the design is completed.

Because of that, the Commission is seeing more submissions for this project than they typically see in order to help the Smithsonian keep their construction schedule.

But in order to minimize any confusion, I just want to quickly go over those actions, starting with the November preliminary design approval.

That approval included the final site utilities, the supportive excavation, which is also called the slurry wall, the excavation and dewatering. In June of 2011, there was approval of a gas line relocation. There was a gas line that was removed from about 50 feet into the site closest to the curb line of Constitution Avenue in order to keep that construction schedule moving.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

In April of 2011, there was approval of the revised concept design. And in September of 2010, there was approval of the concept design. That brings us to where we are today in the foundation and building core plan.

I want to start with a little background. Just as a reminder, the site is located here along Constitution Avenue between 14th Street and 15 Street and Madison Drive, at the end of a row of existing museums on the National Mall.

This more detailed version of the site plan shows that the building itself is set back 234 feet off Constitution Avenue, 136 feet off of 15th Street, 85 feet off of 14th Street, and 140 to 90 feet off of Madison Drive. And this is consistent with the preliminary design submission from last November.

This is also a key point for this

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

submission, because following this the building's position will be fixed. And that will not preclude further development of the landscape plan or of the building facades.

Since that preliminary design submission, the Smithsonian has started the site utility work, which is nearing completion. They have also began the construction of the slurry wall last month. The slurry wall, in the case of the museum, is actually a perimeter wall that wraps the site to keep groundwater out of the site during the construction process.

Seismic monitoring was carried out last September and October to study the impacts of pile driving on the surrounding buildings and monuments. These triangular shapes that you see here onsite represent the location of different seismic monitors, and the circles represent the buildings and monuments that are being studied.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

The vibration test results have come back lower than the standard that was set and agreed upon by representatives from the agencies that are responsible for the buildings and monuments that surround the site.

As I mentioned, slurry wall construction started last month. In this diagram, the slurry wall is represented by the blue fill area here. The slurry wall, however, is really just a six-foot wide 100-foot deep trench that wraps around the perimeter of the site.

Once the trench is completed, it is filled with concrete. And once the concrete is cured, the earth and water are removed from the site, so that groundwater is kept from entering the site during construction of the foundation, which is shown here in yellow.

The yellow area actually fits

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

within the perimeter of the slurry wall. You can see it better here in plan. So this is the foundation in yellow boundary here. The blue boundary is the slurry wall. And you can see from the details that are taken from the four corner points in these intersections that the slurry wall is set back about five to eight feet, depending on where you are around the site from the foundation wall. It can be seen a little bit better I think in section.

So this is the slurry wall out here. This is the foundation wall. The slurry wall is keeping water from coming into the site during the construction.

The foundation itself is going to be happening in phases. The first phase is going to occur here on the north side of the site. It is going to be a mat slab foundation. The middle third here will be second. It's a little deeper slab with piers below the core. The core is here. And on the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

south side, the third phase would be mat slab and additional piers.

These cores are central to the structure of the building in that they carry a large portion of the structure of the building itself. The four core foundations are the footings that show -- shown here in plan, and those four cores also serve as the vertical transportation cores for the building, as they are integrated into the structure of the building. You can see the elevators and the stairs within the four cores.

So with that, Mr. Chairman, the Executive Director recommends that the Commission approves the final foundation and building core plans for the National Museum of African-American History and Culture.

That concludes my presentation.

[INSERT - NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY]

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

COMMISSIONER DIXON: So moved.

COMMISSIONER HART: Second.

CHAIRMAN BRYANT: Well, it has been moved and seconded. Before we go to a vote, is there any discussion among Commission members immediately for Mr. Walton before we have public comment?

(No response.)

We do have one speaker signed up to speak to the building foundation and elevator codes. Dr. Feldman, please. Dr. Judy Scott Feldman is here representing the National Coalition to Save our Mall, and, as such, will have five minutes to speak on this item. Welcome.

MS. FELDMAN: Good morning. I have a PowerPoint that -- the revised PowerPoint you received. Okay. Thank you very much.

Good morning, Chairman Bryant, and Commissioners. The National Coalition to Save

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

our Mall has participated regularly in the Historic Preservation Section 106 public consultation process for this museum since it began in January 2007.

The Coalition supports approval of the final foundation plans and agrees with the NCPC staff recommendation that the location of the building onsite will be fixed with approval of the foundation plans.

We also agree with the staff's determination that the work will not preclude further design of the building exterior or landscape. My testimony today focuses on that future landscape, in particular an alternative approach to what has come out of the Section 106 public consultation meetings.

I have given each of you a full transcript of the PowerPoint presentation that is posted on the Coalition website at SaveTheMall.org entitled Improving the Mall Setting for the Smithsonian's National Museum

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

of African-American History and Culture. Also, some illustrations. My comments today are a distillation of that.

Next slide.

When I get tours on the Mall from the Smithsonian Metro to the Washington Monument, I lose people at this stretch of Mall between 14th and 15th, the Museum location. People see a great void, a great dangerous expanse filled with roads and trees -- and traffic, sorry.

Next slide.

In fact, the Park Service's 1966 Skidmore Owings and Merrill Master Plan devoted a good deal of attention to this problematic area. That plan proposed to correct abrupt changes in grade between Independence to Constitution, bury the roads, and continue the rows of trees from the Eastern Mall all the way towards 15th Street.

But that plan was never

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

implemented. Now we have a major construction project with this Museum and a wonderful, rare opportunity to make improvements. But instead of looking holistically at this section of the Mall, the focus during the Section 106 process has been on maintaining the status quo.

What is the alternative?

Next slide.

Existing conditions at the Museum site show the isolated, irregular-shaped parcel bounded by the dangerous curb of 15th Street and the diagonal alignment of Madison Drive. The Museum landscape is being forced to conform to this awkward setting.

Next slide.

But these road alignments are not historic. They were made only in 1997 to support 1993 plans for a tourmobile stop and retail gift shop on Madison and Jefferson Drive -- next slide -- and an underground visitor's center at the stone structure on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

15th Street.

Next slide.

The 2003 Olin Security Plan intended the lodge to be the entrance to an underground security screening area and tunnel entrance to the Monument, but these plans all have been abandoned, and, with them, the rationale for current awkward conditions.

Next slide.

The solution is to straighten 15th Street and realign Madison and Jefferson Drive to be continuous with the roadways of the Museum-lined Eastern Mall.

Next slide.

The Stone Lodge could be relocated near the Sylvan Theater.

Next slide.

Continue the tree-lined landscape and gravel pathways of the Eastern Mall in this area, and then do crosswalks to create a more pedestrian-friendly connection to the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Washington Monument. These improvements will create a larger site for the Museum and its landscape, and make this a safer, more pedestrian safety -- friendly environment for visitors.

Next slide.

In the process, we will gain a new smaller building site on the parcel along Independence Avenue. Importantly, making these improvements will not impact the time schedule for the Museum building and can be implemented as the ongoing site and landscape plan review continues.

An equally significant reason to seriously and equally consider this alternative is to protect the legacy of the plan of the city of Washington, D.C., at this long-neglected portion of the mall.

Next slide.

These improvements would restore the geometry and design of the historic

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

L'Enfant and McMillan Plan and -- next slide -- the concept of the Mall cross-axis for this crucial connection between the Museum-lined Eastern Mall and the Washington Monument.

Next slide.

In fact, the 2003 site selection study prepared by the Presidential Commission for the African-American Museum chose this site precisely because it was consistent with the L'Enfant and McMillan Plans.

Next slide.

This approach conforms with the Commemorative Works Act, whose purpose -- I provided the text in your handout -- is to protect the legacy of the L'Enfant and McMillan Plans, and it follows the comprehensive plan for the National Capital, whose policies include to "protect and enhance the elements, views, and principles of the L'Enfant Plan, and to restore historic streets and reservations that are not consistent with

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

it."

Next slide.

The Section 106 process did not allow consulting parties to consider this alternative. Based on national register studies and National Park Service maps that identify this site as part of the Washington Monument, government preservationists say that the landscape must follow the Olin Plan. Citing the Secretary of Interior standards for preservation, they say that since 14th and 15th Streets, this section of the mall, was never completed as intended in historic plans, it cannot be completed now.

I'm almost done. But this current interpretation contradicts the comprehensive plan, and it ignores the fact that the L'Enfant/McMillan Plans have only slowly been realized over more than a century.

As Former Commission of Fine Arts Chair J. Carter Brown used to say, and his

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

successor David Childs also said, "The Mall is still a work in progress."

Final slide.

I have spoken with traffic engineers and others who say that the alternative the Coalition proposes is both feasible and desirable. I believe it is time to revisit now how we plan the Mall with respect to the historic plans and urban design legacy that President George Washington created at the founding of the Capitol.

As I wrote in my letter about the Eisenhower Memorial published in The New York Times last Friday, the plan of the city of Washington is a work of art in its own right, and we ask planners, historians, and designers have an important role to protect it. Given a choice of the current conditions that are a reflection of obsolete projects, and the vision of L'Enfant that is the basis for Washington's unique power, the historic plan

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

should be given precedence.

The Coalition asks NCPC to help lead the much needed discussion about the value of the L'Enfant Plan and comprehensive plan today and in this project in particular.

Thank you.

CHAIRMAN BRYANT: Thank you. The agenda item before us today is on the building foundation and elevator codes. Your remarks were largely on a different matter. Did you have remarks specific to the building foundation and elevator codes?

MS. FELDMAN: Well, I believe these were specific, because it was actually in the staff report about this not affecting the future. As for the actual foundation, we are happy to see that studies have been done about potential impact on the Washington Monument, and we hope that the Smithsonian also is talking with the National Geodetic Survey, which is in the process of evaluating

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

tilt and the height of the Monument to make sure that nothing untoward has happened since the earthquake.

CHAIRMAN BRYANT: Okay. Thank you.

MS. FELDMAN: And I hope you believe that this was relevant, because as the ongoing discussion happens, it is important these things be said earlier rather than later when it's too late.

Thank you.

CHAIRMAN BRYANT: Thank you very much.

We will now return the matter to the Commission. Additional discussion on the building foundation and building -- and elevator codes and the EDR that is before us? Mr. Provancha.

COMMISSIONER PROVANCHA: Just some positive comments. I think it is important to commend the designers for a variety of things.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

It is important I think -- a distinction to make sure that -- the approval of the motion before us actually has two parts -- the concrete foundation as well as the bearing vertical core of the building that is going to be made of reinforced concrete.

I think the designers could be commended for the concept of putting these piles all the way down to bedrock to give a more solid and stable foundation that is resistant to almost everything except for earthquakes.

This seems to be also very respectful, attentive to the concerns of the neighboring properties and memorials, meeting the standards that they have set, particularly on the vibration and the noise, the frequency, the duration, the extent, and so forth. So I think there is a lot of very commendable and collaborative activities that the designers have succeeded in accomplishing and should be

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

commended and applauded for that.

Thank you.

CHAIRMAN BRYANT: Other discussion? Mr. Walton, the construction schedule is largely where it should be at this time?

MR. WALTON: Yes, it is. It is moving along pretty well. Charlie, the construction schedule is on point? Yes.

CHAIRMAN BRYANT: Any additional comments or questions?

(No response.)

Hearing none, the EDR is before you. All in favor of the EDR as presented say aye.

(Chorus of ayes.)

Opposed, no.

(No response.)

It is approved.

MR. WALTON: Thank you.

CHAIRMAN BRYANT: Thank you, Mr.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

Walton.

**5B - Herbert Hoover Building,  
Department of Commerce Headquarters,  
1401 Constitution Avenue, NW,  
Washington, D.C. - Site Improvement  
and Perimeter Security**

CHAIRMAN BRYANT: Agenda Item 5B is the site improvement and perimeter security at the Department of Commerce Headquarters, the Hoover Building. We have Mr. Hart.

MR. HART: Good afternoon, Mr. Chairman, and members of the Commission. The project that is before you today is the site improvement and perimeter security for the Herbert C. Hoover Building, which is the headquarters of the Department of Commerce.

This project was submitted by the General Services Administration for concept site development review.

A little background. The building opened in 1932, and at that time it was

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

considered the largest office building in the world. It is 1.2 million gross square feet, and it houses the Department of Commerce, the White House Visitor's Center, as well as the National Aquarium.

For recent Commission actions in 2006, GSA submitted concept building modernization plans, and these included perimeter security. The Commission approved the concept building modernization plans, but at the time did not take an action on the perimeter security, noting that the security needed to be reevaluated as it was actually at the curb, and I will describe that in a few minutes.

In 2007, the General Services Administration submitted preliminary and final building modernization plans that did not include the perimeter security, and the Commission approved that -- those building modernization plans.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

And finally, in 2010, GSA submitted concept for a design for the National Aquarium Entrance Pavilion, and the Commission noted that GSA -- the design for the National Aquarium Entrance Pavilion did include the potential for future perimeter security in one of the -- the south wall. And I will share that in a few minutes.

This is the project location. The site is located in the Federal Triangle, and it is bound by Pennsylvania Avenue to the north, Constitution Avenue to the south, 15th Street is on the west side, and 14th Street is on the east side.

It is just north of the National Museum of the African-American History and Culture, which you just heard a few minutes ago. Also included in this, wanted to show where the White House Visitor's Center is, which is to the northern -- on the northern portion of the site. And then, the National

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Aquarium, the future home of the National Aquarium, is on the southern entrance -- southern side of the site near Constitution Avenue.

The images on the right of this slide are showing the main pedestrian entrance to the Commerce Building, and also the perimeter security, which is a row of, actually, planters.

And also, we have the vehicular entrance. There are active vehicular barriers. We also -- usually call them delta barriers, as well as a guard house and some other elements.

So perimeter security planning -- the National Capital urban design and security plan -- it is a guiding document for perimeter security projects in the District. The relevant objectives are summarized here.

They are to protect the design principles of the historic plan of the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

District, to balance physical perimeter security with the vitality of the public realm, and, finally, to -- also understanding that there is an acceptable reasonable risk for buildings that are located in an urban environment.

An important policy for the project is listed here about impacting public space, and it is -- for existing buildings in urban areas, perimeter security barriers should be located within the building yard when the size of the yard is greater than or equal to 20 feet. And if less than 20 feet, the barriers may be located in public space

The proposal that is before you today is important because it is a good example of how the plan can be utilized to create a perimeter security solution that respectfully balances the need for providing an appropriate level of security while minimizing impacts on public space and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

pedestrian flow.

So looking at a comparison of what was submitted in 2006, this again was the concept from 2006 showing the perimeter security itself. That is the darker line here. And since this was proposed in 2006, GSA has worked hard with Commerce security officials, as well as NPS, DDOT, and NCPC staff on developing security measures that balance the security needs with the public access to and around the building.

And I would also like to point out that the property line is shown in here as well. So the security perimeter was well outside of the property line in the 2006 case.

This is the -- sorry.

CHAIRMAN BRYANT: Wasn't there a proposal at one time -- or am I confused -- that actually even extended perhaps into the roadway?

MR. HART: The only thing that has

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

been submitted to us has been the 2006 perimeter security --

CHAIRMAN BRYANT: Okay.

MR. HART: -- but --

CHAIRMAN BRYANT: That is the only thing that has come before us officially.

MR. HART: That's correct, yes.

CHAIRMAN BRYANT: Okay.

MR. HART: Here is the security perimeter itself that is being proposed now. This perimeter is a little hard to see, but it wraps around the building. It is generally on the property line, which is here. I have also shown the 2006 security perimeter in the very thin line that is out here. So this has changed since the 2006 security perimeter was submitted.

The plan now, as I said, reduces the impacted area while maintaining the necessary level of protection for the Commerce Building. GSA has worked with NPS on the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

northern -- this is the northern or Pennsylvania Ave side of the building. This is the Constitution Ave side of the building.

GSA has worked with NPS, because NPS has jurisdiction on Pennsylvania Avenue, and is managing the White House Visitor's Center, which is -- the main entrance is on this side.

Both agencies are supportive of this new proposed alignment. And this is to give you a little clearer view of what is being proposed here. And I will talk about what these little indentations are. They are little niches in the design.

So the perimeter security elements -- GSA is proposing a cable rail system, and this consists of piers. They are terminal end and interim piers. They are all clad in stone. These piers actually encase bollards, and a cable will connect each of the bollards together. You see the horizontal elements

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

here. The vertical elements are the piers, and the horizontal ones are the railing or the cable.

All of these sit on a stone curb that connects all of the elements. There are also walls. This is a curved wall at the -- at each of the four corners there are curved walls. And there are niches as well incorporated into the design.

Independent of the cable rail system are bollards, which you see down in the bottom left. And these will -- currently they are looking at a steel sleeve to go over top of them. Also, active vehicle barriers and reinforced elements, such as flagpoles and pedestrian lights.

So we have talked about the national urban design and security plan a little. The staff is supportive of the alignment that GSA is proposing, and we are suggesting some minor design modifications for

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

GSA to explore as the design progresses.

They are broken down into kind of overall suggestions as well as some specific suggestions. The overall suggestions are then also divided into some -- the number of elements that are being proposed. Currently, GSA is looking at 13 elements, different types of elements. It seems as though this is somewhat cluttered, and it may be helpful to reduce the number of elements that are being proposed.

The rhythm or the proportions of the elements is also a piece, as well as the materials being suggested currently.

Specific comments are around Pennsylvania Avenue and 14th Street entrances, the National Aquarium entrance, and entrance pavilion wall, vehicle barriers, and seating at the curved walls at the corners.

For the National Environmental Policy Act, or NEPA, and the National Historic

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Preservation Act compliance, GSA is going to amend the 2006 environmental assessment for the modernization project and include the perimeter security in that, and then for Section 106, the GSA will initiate consultation with the D.C. State Historic Preservation Office, as well as NCPCH staff in the near future.

What I would like to do is to kind of walk around some key points in the design and walk around the building and talk about a few of the areas of -- in detail. This is the White House Visitor's Center entrance. It is -- the entrance itself is here. These are pedestrian entrances into the building.

GSA has worked with NPS and consulted with NPS about the location of the perimeter security. And GSA is looking to install the perimeter security and, in doing so, they need to remove four trees. And these are trees that they are removing.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

And the proposal is to have the curved walls transitioning to the cable rail system, bollards at pedestrian entrances, and the areas that are on either side of the White House Visitor's Center entrance actually create raised beds at those locations. So this would be a low wall, and it would be one point that people could actually sit on fairly -- about a 36 -- 30-inch wall that would be there.

In the detailed look, this is the -- this entrance in a little more detail. Staff is -- we would like to suggest that GSA look at the spacing of some of the elements. These are bollards, as well as pedestrian lighting, and look at the spacing to make sure that there is adequate space for pedestrians to move through easily without being too pinched.

This is a view looking at the entrance itself with the bollards and then the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

pedestrian lights, and the low wall.

For the main pedestrian entrance into the Commerce Building, this is along 14th Street and towards the middle of the street. GSA is proposing the cable rail system with the niche walls, and that transitioning to bollards as well as reinforced flagpoles. You see the flagpoles and bollards here with the -- a little portion of the cable rail system wall here.

This will be 44 feet from the face of the building and a 20-foot sidewalk. And this is actually the existing condition. This is the same line that is being carried today.

As with the Pennsylvania Avenue side of the proposal, staff is looking at -- is requesting that GSA explore the position of these bollards and reinforced elements to make sure that there is adequate space for people -- pedestrians to move through.

And this is the Constitution Ave

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

side of the building. Again, the perimeter security comes down to Constitution Avenue from 15th Street. This is a wall transitioning into some bollards. Bollards are generally the main access or the main vehicle for people to get through to the pedestrian entrances.

And then, for the entrance of the National Aquarium, the National Aquarium itself is a below-grade facility. The main door is located here. These are stairs going down to it, and a ramp going down to it. This is a -- what we call the south wall, and there are bollards -- one bollard here and one bollard here that would protect the entrance of the stairs and the ramp.

At the June 2010 meeting, the National Aquarium Entrance Pavilion concept was approved by the Commission, as I said a little earlier, and at the time the Commission noted that GSA was designing this wall to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

include perimeter security. And staff supported that, and this was primarily because at the time the perimeter security was -- proposal was actually at the curb and not the current proposal.

Now, staff is recommending that GSA explore the potential for actually reinforcing this wall, and the reason for that is that when perimeter security is in the south wall, that the wall thickness has to get fairly large -- it's about a foot -- and we are looking to see if we can minimize that because it is in public space.

15th Street -- again, following the cable rail system with the niches, this is 27 feet from the building face. And for the proportions of -- for the elements or the rhythm of the elements, staff understands that there are -- some of the elements actually line up with the building facade.

But there are some elements that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

don't seem to line up, and staff would just ask GSA to look at how that rhythm can be maintained along the length of the building.

And then, for vehicle entrances, staff is -- this is what is being proposed now with active vehicle barriers at the entrances.

Staff is suggesting that GSA make sure that as the location of these are being determined that there is adequate space for the vehicles to be kind of stopped and screened, and pedestrians to be able to walk through along the street.

There is also a suggestion about when there are entrances that are not used as frequently, the possibility of using retractable bollards or movable bollards instead of the active vehicle barriers.

And then, for materials staff is suggesting that GSA continue working with D.C. State Historic Preservation Office, as well as CFA and NCPC staff, in developing detection

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

materials for the perimeter security.

And with that, staff is very supportive of the project and recommends that the Commission comment favorably on the proposed concept design for the installation and perimeter security elements at the Herbert C. Hoover Building and commends the General Services Administration for developing a design for perimeter security of a building that is well integrated into the urban fabric of the surrounding streetscape, and also recommends that GSA explore the following as the overall design of the proposal progresses -- work to simplify the overall security design by minimizing the total number of different elements to create a regular pattern and style for the security elements, so that they align with certain architectural features of the building; continue to refine the cable rail detail, ensuring that if a horizontal element is used that it complements the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

architecture and historic nature of the building and landscape; consult further with NCPC, CFA, and the D.C. State Historic Preservation Office on the materials used to ensure that they are compatible with the historic context of the Federal Triangle.

And, further, recommend that GSA explore the following -- use more specific details, use more modern-looking active vehicular barriers at the vehicular entrances, locate the active barriers such that vehicles waiting to be screened will not block pedestrian movements, allow for barriers to be only used at the most active vehicle entrances, incorporate perimeter security in the rear wall of the National Aquarium Entrance Pavilion rather than the front or south wall in order to reduce the width of the south wall and its impact on public space, modify the spacing of the security elements at the Pennsylvania Ave and 14th Street sides of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

the building in order to maximize pedestrian clearances and avoid the creation of narrow, unusable spaces, and evaluate the potential for seating along the walls at the corners of the building.

And, finally, notes that GSA will need to coordinate -- continue coordinating with the District Department of Transportation, Public Space Committee, and the National Park Service on the security elements to be located in public space.

And that concludes my presentation. I would be happy to answer any questions.

[INSERT - HERBERT HOOVER BUILDING]

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

CHAIRMAN BRYANT: Thank you, Mr. Hart. The overall modernization of the Department of Commerce building has been with us for quite a number of years now, and the Commerce agency staff and the GSA staff have been very diligent at working with us and all should be commended for longevity and sticktuitiveness.

This phase of the perimeter security has been an especially important topic of conversation that has been with us for quite some time as well, and this, to my eye, seems to be a very nice resolution, very nice design.

With that, other comments or questions on this very important -- and this project is very important in terms of perimeter security, not the least of which is due to its -- the prominence of the building on Constitution and Pennsylvania and its proximity to the White House grounds. So it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

has been a very important project, not one to be underestimated at all.

Again, other questions or comments? Ms. Greenwald?

COMMISSIONER GREENWALD: Can you just describe to me the active vehicle barriers that are currently proposed, and what are sort of the more modern alternatives that are referenced in the recommendation?

MR. HART: Yeah. They're a little hard to see, I think. But currently most people refer to them as delta barriers. They are literally a thing that slides up, and then, you know, the vehicles are not able to come in.

And I guess it is -- looking at what is there now, it just seems a very utilitarian type of thing, and there may be an alternative to doing that. And we are just suggesting that GSA look at alternatives for doing that, and there are some that are kind

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

of U-shaped, kind of inverted U-shaped ones that are -- that have a little bit more aesthetic design to them.

COMMISSIONER GREENWALD: That would match the arches nicely.

(Laughter.)

MR. HART: Didn't say that.

COMMISSIONER GREENWALD: And I guess then the other question is, at the beginning you sort of discussed that there is a certain amount of risk that is taken on when, you know, a federal building is located within a city. And I understand that, and that is certainly true.

But it is not clear to me exactly what is the risk. I mean, it is in a high-risk location, but exactly what is the risk assigned to this building and exactly how much risk they are taking on through this perimeter design.

MR. HART: I think we should have

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

GSA -- GSA representatives are here. They can answer that for you.

COMMISSIONER WRIGHT: First, it is a Level 5 because of location.

MS. HILL: It's Level 4.

COMMISSIONER WRIGHT: Oh, it's 4?

MS. HILL: Yes.

CHAIRMAN BRYANT: Yeah.

COMMISSIONER WRIGHT: Oh, oh, 5. No, sorry. Yes, of course it's 4, because of size and location.

But before we launch into more of the detail, I did want to take some time to thank the Department of Commerce, because for those of you who have been following this project, it was not their first choice to locate the perimeter security.

Their first choice was to have it out in the sidewalk, which is not our first choice, and they have very graciously acquiesced to the location in the building

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

yard. So that is a big victory for GSA, and "victory" is probably a bad word. That is a huge concession by the Department of Commerce, and we want to make sure that everybody understands that. Number one.

And, number two, on just a larger kind of design -- from a larger design perspective, this is an expanse that could lend itself to a great deal of monotony. So, yeah, we do recognize that there is an abundance of elements that we are experimenting with. And we do need to -- we do probably need to simplify a little bit further.

But oversimplification could lend itself to just so many elements marching down the street and become pretty toxic in its own right. So we are very aware of that balance.

I just wanted to put in a preemptive defensive argument for -- we get that it is a vexing problem, and we are not there yet.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Suzie, do you want to address more competently the --

MS. HILL: The security -- when we started --

COMMISSIONER WRIGHT: Suzie Hill.

MS. HILL: Suzie Hill, GSA. I'm the NEPA specialist and working on this project and have been for many years now.

When we started to look at moving into the building yard, we really engaged with Department of Commerce's security staff, and some of them are actually here, to look at the risks of moving into the building yard. And this went up really high level within Department of Commerce, that they were willing to accept the risk of less of a setback on the compromise that they will be able to get perimeter security.

So they recognize that there was a tradeoff there, that in order to get perimeter security, which they understand is important

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

for the building, they needed to assume a certain level of risk to moving within the building yard.

And we did a number of studies looking at approaches to the building, those kinds of things, to look at where were the most vulnerable parts of the building, and we do actually get where -- the most vulnerable parts on 14th Street is where we do get quite a bit within the building yard more the setback that we need, within the existing conditions.

If you want to switch to the 14th Street side, if you look where the perimeter security line is there on 14th Street at the entrance, we do get quite a bit of setback there within the existing building yard. And that is where we have identified as the higher risk to the building from vehicle.

COMMISSIONER GREENWALD: I'm just confused. If that is the higher risk area,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

shouldn't the perimeter be farther out, not closer to this?

MS. HILL: Well, 14th Street is actually where we get more setback there. If you look at that, it is a wider setback.

COMMISSIONER WRIGHT: Okay.

MS. HILL: Sorry, yeah. We do get wider setback on 14th Street. So, yeah --

COMMISSIONER WRIGHT: Okay.

MS. HILL: -- so that's where we -- you know, that's sort of what we looked at in terms of where we can locate the perimeter security in the building.

COMMISSIONER WRIGHT: So just to get a little bit more specifically into the security aspects, if it's a Level 4 building, this kind of countermeasure is designed to protect what level building? I mean, are you protecting this as if it were a Level 2 building or a Level 3 or --

MS. HILL: It is still protected

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

as if it is a Level 4. So the cable rail system, all of those are being designed to protect it as if it is still Level 4. So the rating of the elements that we are using is still at a Level 4.

COMMISSIONER WRIGHT: So the compromise has been at the location --

MS. HILL: Yeah.

COMMISSIONER WRIGHT: -- of those elements.

MS. HILL: Yeah. And the building during the modernization has also gotten the blast film on the windows -- adds further protection to the building and occupants.

COMMISSIONER WRIGHT: Okay. That's helpful to understand. And I sort of bring up the question because outside of this we have looked at a lot of perimeter security issues and security issues broadly speaking, and it's helpful for you to go into this level of detail. And I hope all of the other

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Commission members sort of understand the security risks that these buildings face.

CHAIRMAN BRYANT: Mr. Hart?

COMMISSIONER HART: A question of clarification on what you are calling niches. What are they all about?

MR. HART: They are really -- I think I have one that is a little bit more detailed. I think it's farther back. There, there it is. They are really just areas for kind of -- if you to stop and talk on the phone and you are not in the sidewalk area, if you wanted to look at a map and, you know, there are a lot of tourists that are kind of walking up and down 14th and 15th Streets, so there are places that people can kind of walk off on the side.

COMMISSIONER HART: So this could be a location for pedestrian benches.

MS. HILL: Right. And we are exploring benches in those locations and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

working with CFA on a good design for benches in that area.

COMMISSIONER HART: I mean, this is the public realm, and I appreciate the fact that, you know, part of the solution has to, you know, reach out to the pedestrians and the population in general as well as provide the security.

COMMISSIONER WRIGHT: And this is to -- to Preston's point earlier, this is an important project to establish for a vocabulary for the entire Triangle. I am loathe to say a kid of parts, because it makes it sound like we just kind of do a True Value Hardware approach to the rest of the Triangle, which is not our intent.

But we are trying to establish a vocabulary with this building. And because Commerce is the biggest one, and because it has this long, inexorable march to the mall that the tourists are making, you really have

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

to break it up. And the niches I think are an attempt to do that, and also serve a purpose to provide some resting places for people when they are not, you know, in the melee of pedestrian traffic.

So it serves two purposes. But it's still -- my favorite line, this is design concept. We are working a lot of things out.

CHAIRMAN BRYANT: Ms. White.

COMMISSIONER WHITE: I just wanted to compliment the staff at NCPC, GSA, and Commerce for working in this way. And from the perspective of the at-large member, I mean, you guys are setting a standard here that is going to be copied in other parts of the country. And this is so much further ahead than the initial sort of hardening elements that have been used around the city.

So I was really delighted to see the sensitivity to the public realm, and opportunities for increasing that pedestrian

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

experience and giving places to sit.

Also, I really like the way you wrote about these issues without using a lot of jargon and having people understand the appreciation between the need for security and balancing the need for the experience of the public realm. So I thank you for that.

CHAIRMAN BRYANT: Mr. Provancha.

COMMISSIONER PROVANCHA: I appreciate the comments of the -- some fellow Commissioners that also had similar questions about -- this looks like a lot of security, but appreciate the confirmation that this is appropriate security based on the level assigned to this building, and also the question about the niches. We had some questions also -- the purpose, the value, the cost, the benefit. I think the report talks about seating and wayfinding, so appreciate that.

Also, again, reminding ourselves

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

that it is -- the design concept appears that it is a step up as opposed to at grade, which is a little bit of an access barrier, if that is the final design. There was --

MR. HART: I'm sorry. Which part of that?

COMMISSIONER PROVANCHA: It appears that the niches -- you have to step up to get in niches.

MR. HART: No. You're walking into --

COMMISSIONER PROVANCHA: According to --

MR. HART: It's at grade.

COMMISSIONER PROVANCHA: -- Figure 7 on page 10.

MR. HART: They are at grade.

COMMISSIONER PROVANCHA: Okay.  
Thank you.

MR. HART: Yeah, they are at grade.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

COMMISSIONER PROVANCHA: Okay. It talks about stone clad, again, acknowledging they were at design concept -- stone clad walls to match pavers to architecturally match the adjacent building to match --

MR. HART: Well, I think currently they are looking at matching the building. But I think that that is still being kind of discussed and what that is going to be.

COMMISSIONER PROVANCHA: Gotcha. Appreciate that niches -- are they the right niches in the right places? For example, do folks queue up and/or rest on 14th and 15th and not on Pennsylvania and Constitution, which are primary entrances to the building? There is --

MR. HART: No. They do that.

COMMISSIONER PROVANCHA: It just appears that there is more niches on 14 and 15, where the entrances to the Visitor's Center is on the north and the Aquarium on the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

south, and there are no niches on the north and the south, unless you say, "Well, the lines are so long, and they queue up around the corners, so the people at the end of the line can't sit down, but the people at the front of the line can."

MS. HILL: There are benches on Pennsylvania Avenue already.

COMMISSIONER PROVANCHA: There are? Okay, good.

MS. HILL: And we propose to keep those in place.

COMMISSIONER PROVANCHA: Gotcha. Looks like on the 14th Street side, too, there was reinforced flagpoles. It looked like there was existing flags hanging off the building, and we've got redundant flagpoles now, more flags than we need, and we have --

MS. HILL: We would take them off of the building and replace them. Original plans for the building actually had them in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

that location on the street, so -- and the sidewalk.

COMMISSIONER PROVANCHA: Okay.

And the last comment was, from the September '07 meeting, it looked like there was two areas of concern -- perimeter security and streetscape elements.

This is submitted as a perimeter security proposal, but not as a streetscape element proposal. That being said, it appears that all of -- if you would just confirm all of the streetscape developments are included in this proposal, so we are actually approving both, just by being submitted as just perimeter security only.

MR. HART: Well, this is perimeter security. There are some streetscape elements actually on the Pennsylvania Ave side, because of the removal of a couple of trees that are there --

COMMISSIONER PROVANCHA: Right,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

right.

MR. HART: -- and the grass panels.

COMMISSIONER PROVANCHA: Okay.

MR. HART: And the raised bed that is along Pennsylvania Avenue as well.

COMMISSIONER PROVANCHA: So this proposal includes, then, just to clarify, all of the streetscape elements. So approval of the perimeter security also indicates approval of the streetscape elements. So --

MR. HART: That they --

COMMISSIONER PROVANCHA: -- checked off both of those --

MR. HART: That they are looking at --

COMMISSIONER PROVANCHA: -- from September '07.

MR. HART: That they are looking at for this, yes.

COMMISSIONER PROVANCHA: Okay.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

Got it. Thank you.

COMMISSIONER TREGONING: Just a quick question. One of the recommendations was to locate the active barriers such that vehicles waiting to be screened won't block the pedestrian movements. Can you show me what you mean?

MR. HART: Give me a second to get there. Just along the -- really along here, because of where the pedestrian -- the sidewalk is, and then the entrances are here and here. And if there is a way to have the vehicles be able to fully come into the -- kind of the property without having that -- blocking that pedestrian --

COMMISSIONER TREGONING: So who are -- what are these vehicles? Are they employee parking? What are the vehicles that are being screened here?

MR. HART: They are -- there are some employee, but --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

MS. HILL: There is parking -- there are motor courts within the building, so there is employees that have parking. So they are being screened, and then -- and it's really just an ID check, and then they can move it and park within the courts of the building.

COMMISSIONER TREGONING: And what is -- you know, what -- it looks like there is only the depth of maybe one car.

MS. HILL: Yes.

COMMISSIONER TREGONING: So where would they move the screening, so that they could -- the queuing wouldn't block the pedestrian access?

MR. HART: Well, I think, again, it is looking at having these move in -- at least having one car that is able to be in here without, again, blocking the pedestrian realm. It is -- I don't think it is seen as being a number of cars queuing up to get in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

here.

MS. HILL: Right. It would just be one car stop, ID check, and then move in, is how the operations work.

COMMISSIONER TREGONING: Okay. I would just suggest that that might be more of a -- there might be more operational design than simply changing the dimension. Anything larger than the dimension of a single car would probably, even if it's like one and a half car lengths, would probably encourage a second car to try to pull in.

So I think that is something that actually has to be designed. Especially we are entering our peak tourist season now, and, you know, I am sure that you have seen and employees of Commerce have seen the incredible increase in pedestrian traffic, you know, in this area.

And I find our tourists are a wonderful boon to the city, but they are often

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

not looking for traffic hazards. They are looking around at other things. So just a thought there.

And not to be churlish -- I don't say this churlishly -- I do appreciate how much an improvement this is over the 2006 security perimeter, but I would still urge GSA to take all of the security out of the public realm, you know, that can possibly be taken out.

And if there are other ways with these urban buildings to harden exterior walls and not affect the public realm, especially for a building in this prominent location that is designed to be a destination for visitors, that would be greatly appreciated.

But, again, appreciate the progress that is being made. I can't wait to see the next iteration.

Thank you.

COMMISSIONER WRIGHT: You can be

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

as churlish as you want on this subject.

(Laughter.)

CHAIRMAN BRYANT: When is the estimate for -- assuming all approvals, that construction would start on this? Any idea?

MR. HART: Suzie? I think we are looking at within the next, what, six months?

MS. HILL: Spring of '13 to start construction.

CHAIRMAN BRYANT: Okay.

MR. HART: So yeah.

CHAIRMAN BRYANT: Okay.

MS. HILL: And then, coming back for preliminary and final June/July, a couple months down the road.

CHAIRMAN BRYANT: Okay.

MS. HILL: And it is RF funded, so we do have those sort of schedule limitations and constraints.

CHAIRMAN BRYANT: Additional questions or comments?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(No response.)

Hearing none, the EDR before you  
-- is there a motion on the EDR before you?

COMMISSIONER WHITE: I'll move.

CHAIRMAN BRYANT: It has been  
moved and seconded that the EDR as presented  
be approved. All in favor say aye.

(Chorus of ayes.)

Opposed, no.

(No response.)

It is approved. Thank you very  
much.

**6 - Information Presentations**

**6A - District of Columbia Commission on  
Arts and the Humanities 5 x 5**

**Temporary Art Program**

CHAIRMAN BRYANT: Agenda Item  
Number 6A is the District of Columbia  
Commission on Arts and the Humanities 5 x 5  
Temporary Art Program. And Ms. Moulton is  
here. Welcome.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

MS. MOULTON: Good afternoon, Mr. Chairman, and members of the Commission.

In partnership with the National Cherry Blossom Festival, the District of Columbia's Commission on Arts and Humanities has developed 5 x 5, a temporary art program.

This spring event is the work of five curators, each tapping five artists to create a total of 25 unique public artworks throughout D.C.

And I am pleased to introduce Mary Beth Brown and Deirdre McWilliams from CAH who are here today to provide an information presentation on the program.

5 x 5 brings temporary art to all eight wards of the District, which is really an unprecedented achievement that has taken over a year to coordinate. After our fall 2011 call for curators, 25 works were developed and dispersed throughout the city. And many of them are mobile and will actually

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

engage multiple neighborhoods.

While the main purpose of the program is to encourage residents of D.C. to get out and experience the artwork, 5 x 5 also provides the opportunity for visitors to the city to explore areas beyond the National Mall, too.

Temporary art is an increasingly popular way for cities to enliven the public realm. Whether it's through a surprise performance of opera at the Smithsonian Castle or an outdoor art projection on the Hirschorn, it really provides a fleeting but significant shift in the way that we experience life beyond our front door.

Temporary art is supported by a number of NCPC documents, including the federal elements of the comp plan, the monumental core framework plan, and the memorials and museums master plan. And with more federal and local agencies committed to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

creating a dynamic public realm, staff anticipates an increasing number of temporary art projects through the NCR.

While NCPC doesn't typically review an event like this, staff did want to bring this to the attention of the Commission, just to highlight the importance of public art and of the use of temporary art specifically to activate the public realm.

There are a number of thematic links, too, between an event like this and other programs such as Beyond Granite, the temporary commemoration project that is currently underway with NCPC and GSA.

At this time, I would like to invite Mary Beth and Deirdre to walk you through some of their 5 x 5 projects.

MS. BROWN: Good afternoon. My name is Mary Beth Brown of the D.C. Commission on the Arts and Humanities. I just wanted to thank you for giving us this opportunity to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

present 5 x 5.

The D.C. Commission on the Arts and Humanities is responsible for providing grants, programs, and educational activities that encourage diverse artistic expressions and learning opportunities. 5 x 5 was conceived through our public art master plan.

The Commission selected five curators, who in turn selected five individual artists or artist teams to each create a temporary public art project, the result being 25 temporary public art installations of various shapes, sizes, and mediums, installed throughout the District.

MS. McWILLIAMS: Hi. My name is Deirdre Ehlen McWilliams, and I am the managing consultant for the 5 x 5 project. On the screen is an overview of all five curators and each of the 25 artists. Each project is a temporary intervention that activates space in a new and creative way and encourages

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

residents and visitors to explore within and beyond the monumental core.

New York curator Amy Lipton's curatorial focus is on contemporary art and its relationship to the natural world. She has chosen five artists whose work addresses biodiversity in both scientific and cultural terms. Biodiversity is the title of our 5 x 5 curatorial work and refers to the wide variety of ecosystems and living organisms, including humans, animals, plants, and their habitats.

The project shown is Brandon Ballengee's outdoor light installation for the National Zoo entitled Love Motel for Insects.

Ballengee is finishing his Ph.D. in biology and has created a similar installation in both Asia and Europe.

At each location, the arthropods leave traces and create abstract pheromone paintings on the fabric surfaces. These works have become the backdrop of community events

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

such as picnics, scientific investigations, and music and dance events.

MS. BROWN: Justine Topfer is an Australian curator based out of San Francisco.

Her 5 x 5 projects are designed to breathe new life into the ordinary, reinvigorating the fabric of urban environments under the curatorial title *Betwixt and Between*.

The masculine virility and stamina driving Jefferson Pinder's performance *Ben Hur* draws out the historical, social, and political issues tied to race and identity. This endurance performance opens up a broader narrative to explore our collective experience of human predicament and struggle.

MS. McWILLIAMS: Local curator Laura Roulet is focused on transforming the production and reception of public art. *Activate Participate* is the title of her 5 x 5 curatorial work, and each of her five projects creates communal, multi-sensory experiences

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

for diverse audiences.

The project shown is the Floating Lab Collective re Museum. The Floating Lab Collective has transformed a truck normally used for selling tacos into a roving museum. The truck functions under the premise of accessibility, participation, roaming, and integration of displaced communities.

This roving museum meets with residents to explore ideas of what belongs in a museum, who defines what art is, and how is art valued. Floating Lab Collective asks members of the community to bring objects from their home that is meaningful to them. Floating Lab then casts these objects, like a hair comb from the first African-American beauty salon on Capitol Hill, or a teen's microphone.

These objects have been displayed at the Corcoran Gallery of Art shown on the screen and at the Pepco Edison Gallery. This

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

coming weekend the works will be on display at the Deanwood Recreation Center, and on April 14th in Anacostia.

MS. BROWN: Richard Hollinshead is our only international curator participating in the inaugural 5 x 5. He is from northeast England, and he decided to work solely with artists from that region of the U.K.

Cath Campbell, one of the five artists in Richard's curatorial work entitled *Magnificent Distances*, which brings an outsider's view of D.C. to 5 x 5, his projects explore the iconic D.C. but also the domestic human D.C., with its complex histories and communities.

*Marathon*, by Cath Campbell, as you see on the screen, is a working scale model of the original cable car from Mt. Hiei, Japan, where the gift of 3,000 cherry trees came from a hundred years ago.

Threading through the concrete

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

pillars of the yard park lumber shed, Marathan draws attention to the scale and empty volume of a building that is emblematic of wider social shifts away from manufacturing towards a leisure and recreation-led regeneration.

MS. McWILLIAMS: Steve Rowell is a bi-coastal curator whose 5 x 5 body of work, *Suspension of Disbelief*, investigates the fringes of the monumental core. Air spaces, zones of exclusion, perimeters, liminal landscapes, waterways, shorelines, perceived non-places in lesser known or overlooked memorials.

The project shown, *Temperance Fountain* by Koonstra Public, a Berlin-based artist-run collective, revolves around the layered histories in D.C. of the Temperance Movement of the late 19th and early 20th centuries, in the highly influential straight-edged punk rock music scene of the late 1970s and early '80s.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Both of these movements in very different ways highlight the values of social reform, activism, and counter culture. The research from this project has been realized as a replica of the Temperance Fountain found just around the corner at 7th and Indiana.

Our fountain roams throughout the city and is used as a focal point for public gatherings, musical events, and talks.

MS. BROWN: So we just want to thank you again for taking time to review our projects. As you can see on the timeline, we began unveiling projects on March 20th. Programming will continue to take place through July, with the last work deinstalled July 20th.

Thank you.

CHAIRMAN BRYANT: Thank you very much for a city that so highly values public art. This is quite a nice exhibit and undertaking.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Ms. Tregoning.

COMMISSIONER TREGONING: I just wanted to say bravo to our Commission on Arts and Humanities for this really wonderful event. They have been -- you know, they have clearly done a wonderful job selecting curators and artists, and all around the city I think they have really succeeded in creating these focal points of commentary and interaction that have been great.

They have a particular collaboration with our Office of Planning as part of a grant that we received, a national grant, called -- from a new foundation called Art Place to specifically over time activate with arts-based installation and activities of four different neighborhoods in the city.

And they already mentioned how -- one on April 14th with Illuminate Anacostia, one of those four projects, how some of the mobile artworks are going to congregate in

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Anacostia. But we are doing them also in Deanwood and Brookland and central 14th Street.

So I think so many of these things are a commentary on the nature of the federal city versus, you know, the other city. And I think a lot of these things really capture that unique dynamic in Washington, D.C., and I just wanted to commend you.

Thank you for coming and telling us about this great program.

CHAIRMAN BRYANT: Ms. Greenwald.

COMMISSIONER GREENWALD: I just wanted to also say thanks. Appreciate the installations, and there is one near my apartment and I have been enjoying it for the last week or so. So thank you for the work, and I look forward to visiting other installations.

CHAIRMAN BRYANT: Mr. Provancha.

COMMISSIONER PROVANCHA:

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Compliments on the program. Could you share with us the size of the grant, so we can get a concept of the scope of the project?

MS. BROWN: Yes. Each of the five curators was allotted up to \$100,000.

COMMISSIONER PROVANCHA: Okay. All right. Impressive.

In some previous presentations, for I think as I recall September of '09, we had a Capital Space Plan presentation in February 2010, activating federal places, and we saw a variety of concepts shown such as plants, like they have in London. Is there any plan to put permanent displays for the temporary art exhibits, or is that part of the concept?

MS. BROWN: I can say that the D.C. Commission on the Arts is very intrigued and very excited with this first dive into temporary public art, and London's fourth plants project is a wonderful example. And I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

can't make any promises, but it is something that we are interested in exploring further.

COMMISSIONER PROVANCHA:  
Excellent.

MS. McWILLIAMS: And I do want to add that it is laid out in our master plan, our public art five-year master plan. And that particular project is highlighted to think about a permanent place for rotating public art.

COMMISSIONER PROVANCHA: Great. You cited the memorials and museum master plan, the comprehensive plan, the core framework, and added Beyond Granite. It is also consistent with and formed by -- under the auspices of the capital space plan and the activating federal places initiatives. Are all of these -- is there some synergy and linkage between these initiatives?

MS. MOULTON: I would certainly say that there is synergy. I think

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

overarching -- the overarching principle really is to activate a space, whether it's through local government, nonprofits, all of those plans certainly advocate for an activated public realm.

COMMISSIONER PROVANCHA: Do you have an outreach program? For example, if federal agencies were to invite you, if we wanted to launch similar programs on a smaller scale for our facilities and campus, do you have that type of a service available?

MS. BROWN: Yes. It would just more generally be connecting with our office --

COMMISSIONER PROVANCHA: Okay.

MS. BROWN: -- through me, for example --

COMMISSIONER PROVANCHA: All right.

MS. BROWN: -- in setting that up.

COMMISSIONER PROVANCHA: Very

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

good. Thank you.

CHAIRMAN BRYANT: Ms. White.

COMMISSIONER WHITE: I was noticing in your brochure that you invited people to reach out to you if they had an idea for an event or a program, which I think is a really clever way to do outreach. I'm curious, what kind of response did you get that came from the community or another organization?

MS. BROWN: That was actually Dierdre's idea, so I'm glad you appreciate it.

We have -- I think we have a lot of interest in tours. We haven't seen a lot of them happen yet, but a lot of people reach out to us and want to do a bike tour or a bus tour.

And so we are actually working on doing tours on the 14th and the 21st to coincide with those events happening in Anacostia. As Harriet said, Illuminate, which is happening from the D.C. Office of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Planning's Art Place grant. So hopefully we could do a tour to some of the sites, and then end up at the Illuminate Festival in Anacostia.

MS. McWILLIAMS: And, in addition, the reason why we are sort of doing this crowd sourcing idea for events is because the project is installed through July, and we are just two people, and so we want to think about really ways to get the community involved in 5 x 5 and feel excited.

So if anyone is interested in hosting a picnic or a barbecue near one of the sites, it really draws people out into the District neighborhoods, and kind of takes the burden off of us as well.

COMMISSIONER WHITE: Sounds very clever. I wish you a lot of luck with it.

MS. McWILLIAMS: Thank you.

CHAIRMAN BRYANT: Thank you very much. Very exciting.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

[INSERT - TEMPORARY ART PROGRAM]

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

**6B - DC Clean Rivers and Green****Infrastructure Projects**

CHAIRMAN BRYANT: Agenda Item Number 6B is the DC Clean Rivers and Green Infrastructure Projects, and we have Ms. Koster.

MS. KOSTER: Thank you, Chairman Bryant, and members of the Commission.

I am pleased today to be introducing George Hawkins, the General Manager of D.C. Water. Mr. Hawkins will be updating the Commission on the Clean Rivers Project. D.C. Water is under a 2005 court-ordered consent decree to build a massive tunnel to control combined sewer overflows to the Anacostia and Potomac Rivers.

This work is already underway with the construction of the first tunnel. In addition, Mr. Hawkins will be talking to you about the proposed green infrastructure pilot project. This is a fast-track proposal to see

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

if a green, low impact development approach could reduce or eliminate the need for the additional tunnels that are not yet under construction.

It will -- the pilot project will affect 50 acres in the western side of D.C. and could cost from \$10- to \$30 million. While this approach could be almost as effective as traditional infrastructure, it could also provide green jobs, an enhanced environment, and greener neighborhoods.

We wanted the Commission to hear about these projects, because they do touch on federal and District interest issues. First of all, NCPC has already reviewed three of the Clean Rivers projects, and we would anticipate that you would see this work continuing to come before you.

In addition, the kind of green infrastructure approaches that are being proposed here are very consistent, both with

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

administration objectives on sustainability as well as NCPC's own policies and our work such as the things we are proposing in the southwest ecodistrict. So there is a natural synergy there.

I think we have long supported the idea as well of clean rivers and a clean Chesapeake Bay, which is the ultimate goal of all of these projects.

I would note D.C. Water has been actively seeking support for the pilot project proposal, which requires EPA approval. The Commission typically does not take action on information proposals. However, if after the presentation you would like to direct staff to do any further followup, we would be happy to do that.

So with very little further ado, I will introduce Mr. Hawkins.

CHAIRMAN BRYANT: Mr. Hawkins, welcome back.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

MR. HAWKINS: Thank you.

CHAIRMAN BRYANT: Thank you for dressing up for us.

(Laughter.)

Otherwise, we would mistake you for a Harvard lawyer or something.

MR. HAWKINS: I came in downstairs and they directed me to the back where I apparently was --

(Laughter.)

It is very funny. I go to the Wilson Building and they want to let me through, just want to know where I'm working.

So maybe those movies where someone dresses up and gets in works, but --

CHAIRMAN BRYANT: It does have its advantages.

MR. HAWKINS: My name is George Hawkins. I have the pleasure and honor to be the General Manager of D.C. Water, which is your water utility for the region. I'm

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

delighted to be here to tell you about an exciting prospect that is before us, and perhaps you will decide -- it is certainly good for you to know about it no matter what you decide to do, but perhaps you will consider supporting it. We are seeking support from a variety of audiences for this approach.

Before I start, the reality of what we are doing at Blue Plains -- this is a picture when we did the kickoff ceremony for this project. That is Blue Plains, and obviously you see the Mayor and the Congresswoman and a number of folks in the project. Yet last night -- we had a Board meeting for D.C. Water this morning, so I actually wore this to the Board meeting. I wear this every day, actually, wherever I go.

But I was leaving late, preparing for the Board meeting, and I was stuck between two cement trucks that were leaving our plant.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Just to give you a sense of the scale of work we are undertaking at the site, three nights a week we are pouring 1,200 cubic yards of concrete.

If you have ever seen the giant trucks with the circular back, that holds about nine cubic yards of concrete. So last night we had 137 full concrete trucks come on our site and pour concrete. We do that three nights a week.

And currently we have about 600 trucks a day leaving and entering our site, given the scale of the construction -- the largest project of which is this one, but there are three major projects. I am going to just summarize all three of them, and then go right to the presentation.

One is a project called Enhanced Nitrogen Removal. It is governed by a permit issued by the U.S. EPA. That is a billion dollar project. We will be done by 2015. It

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

will allow us to be one of the most stringent plants meeting nutrient removal requirements for the Chesapeake Bay. That is actually happening now.

If you drive by on 295, you will see about 10 big cranes closest to the road. That is the nutrient removal project for the Chesapeake.

The second is one of the most interesting projects. We are building the first in North America and the largest in the world -- a digester project to turn the solids at our facility into energy. It will be the largest source of clean renewable energy in the region -- 13 megawatts of power. That is a \$470 million discretionary project by the Board.

It is cashflow positive from the day we turn on the system, and we can demonstrate that it works. There is facilities all over the country watching the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

project, because the technology hasn't been used in North America. But we will likely turn every water -- every waste water authority into a powerplant, which they should be.

Just to give you a sense of scale, 60 full-sized tanker trucks, not quite the size of this room, leave our plant every single day with solid material we are removing from the waste water. Half of that will be used in this powerplant to produce clean energy.

And then, the third is this project, which is clean rivers. This is a consent decree mandated project. Signing on to the consent decree in 2005 was the Mayor of the District of Columbia, the Chair of the Board of D.C. Water, the U.S. EPA, Environmental Protection Agency, and the U.S. Department of Justice.

So we are mandated to do this

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

project. There is a very specific requirement for the project, its timeline, and its timeframe, which is what we are implementing today.

And what we are proposing is an alternative pilot that might change the direction of the project that we think is exciting, and that is what I want to describe to you now.

So first just to give you a sense of the project and its scale, the problem, as you know, is from combined sewers. You probably know this as well as anybody. By the way, it is great to see so many of my friends.

I know many of the people on this Board, although not all, but Marcel and Harriet.

Council Member Wells and I will be at a public meeting tonight where this will be one of our issues. We are going around the city and doing public meetings in every ward and with every organization. Ward 6 is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

tonight, so I will be seeing him shortly. But it is great to see you all.

As we know, in the older part of the city, which is this purplish section, the pipes that were designed to carry wastewater are the same pipes that are designed to carry stormwater running off the street. That's why they're called combined sewers. It was much better than the alternative at the time.

The challenge is that no matter how big that pipe is, in a big storm it will fill up. And when they fill, the question is, what does -- the new flow coming into the pipe, where does it go?

And there are sort of two choices.

It could either go back where it came from, because there is no more capacity in that pipe, which would mean sewage going back to buildings, stormwater runoff from streets standing in the streets, which would mean all of the underpasses would fill up. I mean, the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

city would literally stop functioning on a public health and a transportation basis.

Or you allowed an overflow, so essentially you allow a relief valve that allows flow to go out of the pipe to allow new flow to come in. That is called a combined sewer overflow, or a CSO. It is how it was designed. This was not by accident.

But the problem with that solution, obviously, is while it is better than having sewer backups in the homes and businesses and having the city stop functioning, that means a combination of sewage and rainwater is going directly to the river without any treatment.

And in an average hydrologic year, about three billion gallons of overflow go some to each of the three rivers of the city -- the Potomac, the Rock Creek, and the Anacostia.

The consent decree designed to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

resolve this problem is -- the largest piece of this is a 13-mile tunnel which will proceed up the Potomac, the Anacostia. That is the Nationals ball park. We have the Main and -- well, you of course know this map very well. But we have our Main and O pump stations there. So there is a big shaft where we are going to be putting -- this is Poplar Point.

The second phase is we will go up to RFK. A third phase, we will actually go into northeast D.C.

These shafts actually are not for combined sewer. Many of you know there is historic flooding in northeast D.C. Since we had a tunnel so close to historic flooding, we agreed in the remedy to add additional tunnels to solve that flooding problem. Although it is not a CSO problem per se, it is just taking the benefit of the tunnel, since we are so close, to solve the historic problem.

Currently, we are building the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

first phase of this tunnel, which is here. That is the largest contract D.C. Water has ever entered -- design-build for \$330 million.

That is a current project undergoing, and we will continue -- we are just now in the process for awarding this contract, which will also be design-build, and then we will move to the next phase.

This part is not part of our proposal to do a pilot. One of the messages that you need to understand -- some of you have heard this before -- we are -- what we have proposed to EPA would not change the building of the Anacostia side of the remedy.

We are planning to build it.

And, in fact, of the three billion gallons of overflow in the average hydrologic year, it is a long way of saying we had to pick an average year to estimate how much rainfall and what our remedy would be, and actually use three years -- you take a worst

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

case scenario, in essence, and that becomes your average hydrologic year.

Preston will remember all of this from his past days, but two-thirds of the overflow in the entire system in the average hydrologic year occur on this side of the city.

So since there is such a large -- two billion of the three billion are on this side of the city, we are going to build these tunnels, because Anacostia is also a much slower moving river, so any contaminants going into the river have more ecological consequence, because they sit there for longer.

So we are building this, and we have not proposed to modify any aspect of the Anacostia side of the project. What we are considering or have proposed to EPA is whether or not a low impact development, green development, green roofs, porous pavement,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

redesigning streets, all of the elements that you have heard, that Harriet has talked about and is designing into the city, whether we did it at enough scale, could we capture enough stormwater, so that instead of building an underground tunnel, which you don't see, has a great consequence, but you don't see it.

Instead, you change the landscape of the city on a broad scale. If you could capture enough stormwater, you might pick that as an alternative. That is not in our consent decree. We can't do it unless there is an alternative pilot allowed, and it would be -- at least what we have proposed is potentially for the Potomac Tunnel and the Rock Creek Tunnel.

So the two that we are -- the proposal is for, this is the current Georgetown -- in Georgetown for the Potomac, overflow to the Potomac. The other reason why, by the way, we have selected these two

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

aspects is, as a practical matter in the timeline of the consent decree, Georgetown is Phase 2 and the Rock Creek Piney Branch Tunnel is Phase 3.

So they actually happen in phase later in the consent decree. The Anacostia Tunnel we are building right now, so we would have to actually stop construction, stop work of what has already been done. In this case, we have not started designing these projects.

So if we push them back in time to see if a pilot would work, we haven't lost the work we have done because we haven't done it yet.

So this is the tunnel. One of the interesting aspects of the Georgetown Tunnel, there is no question it will be harder to capture enough stormwater at the surface in Georgetown than it might be otherwise because of the level and scale of existing development. There is just not as much open spaces to do the green work we want to do.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

On the other hand, that is also an opportunity, figuring out how to do green development at this scale in a more classic urban context is one of the issues that we hope that the pilot could resolve, because we would put pretty significant money into this project.

The plan was for us to start facility planning by 2015. We think we are going to have to move that forward. Because of the consequence and scale of this tunnel, there is an issue of whether an EIS or that an EIS needs to be done. If we weren't originally contemplating that, if an EIS is done, we have to move our schedule forward to accommodate the timing of an EIS process.

So 9,500 feet long, 34 feet in diameter, that is a huge tunnel. Thirty-four feet is much bigger than a Metro tunnel. If you can imagine it's maybe eight feet and just 34 feet in diameter. The tunnel boring

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

machines that build these tunnels are awe-striking when you see how big they are.

And if you'd like to come back and get a tour when we are actually building the one under the Anacostia, I am going to be going down there and looking at it, because I can't wait to see it. But we would be glad to take you all down, too.

So the question is, could we do enough? We have green development in the areas that drain. Otherwise, we'd go down into this tunnel and capture it by green development on the surface.

Now, there are strengths and weaknesses to both sides, which I can come back to. That is what the pilot is hopeful to answer. At the moment, we couldn't do that. The consent decree does not enable it, the consent decree does not allow it, so unless there is a change to the consent decree it is not even something that is possible. We have

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

to build the tunnel under the current consent decree.

The other tunnel is up in the Rock Creek. It is probably the one where just off the bat there is most likely chance, because there is -- the landscape development around here, it's much larger lots, much more green space, many more opportunities perhaps to be doing green development, and there is less to capture.

So there is less quantity to capture, and there is arguably more places to do the green development if you wanted to. But it is not as classic urban landscape design up there. This is more like a suburban landscape.

So we have two different kinds of landscapes that would allow us to really sample at a scale two different approaches. And this a year later, so this is a year back even from 2015 where, absent anything else, we

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

would be starting on the facility planning to get this project done.

So here is the notion of what we are doing. This is the impressive performance nature of the existing project. You have what we call the Clean Rivers Project. The long-term control plan didn't resonate with anybody with what on earth we were doing.

So clean rivers is really why we are doing the projects. We wanted to name the project for the purpose of the effort, so people would understand the cost. If I didn't mention the cost, it is \$2.6 billion.

Part of the hearing tonight with Council Member will be presenting our budget.

It is the fastest rising part of our budget -- is the capital costs associated with this project, and it's projected to rise every year for the next 15 years -- every year, year after year after year. We've got to raise \$2.6 billion to pay for this, and D.C. Water

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

doesn't -- we raise it, but it has to be paid for by our ratepayers.

So here is the level of overflow, so you can see there is three billion -- more than three billion in the average hydrologic year, and you can see that it is -- about two-thirds of that is in the Anacostia. That is one of the reasons why we are going to build the tunnels in the Anacostia.

And also, the level of performance. In the average hydrologic year, when we were formed, there was 82 overflows. And by the time we finished with this gigantic tunnel system underneath the river, it will be two. It is not 100 percent. No matter how big of a tunnel you design, there still could be a bigger storm that even will fill up the huge tunnel, and then you are still going to have to have an overflow system, because rainwater is coming into a sewage system.

But you can see from 82, 74, and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

30, we are down to a handful of these overflows. And it is going to be the very largest of monster storms that are going to cause overflows in any year.

This points to the advantage of the gray solution, which is in our consent decree. You can design it, you know exactly how much it captures, you know who is going to maintain it, which is us, you know where to monitor it and measure it. All sort of the very practical operational aspects of making a decision on performance are highlighted in the gray infrastructure solution.

So we can pretty -- guarantee is overstated, because this is an average hydrologic year. In a year of rainfall like we have had this one, where so far we have had very little snow or rainfall, you might have zero overflows in a year. If rainfall gets much heavier, we would have more. But we certainly can calculate that and know it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

almost to the square inch of what the performance is likely to be. That is a strength of the project.

Just so you know, of the work we are doing, we wanted to emphasize there are some who, for whatever reasons of concern, are worried that we are trying to propose something to duck our obligations, and we want everybody to know we are ducking nothing.

Currently, we are fully engaged, and we will deliver on the consent decree, as it is required of us, that we will meet our deadlines. And that is the project we were on, and we will meet it. And to give you a sense of it, this is Blue Plains. This is the tunnel that is coming in 100 feet below grade.

So this is below a Metro tunnel. This is 23 feet in interior diameter. Again, think of that relative to this ceiling. It is a huge interior diameter tunnel. In a storm, the volume and velocity of the flow that is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

going to be coming down here is pretty impressive, so you've got to have a huge concrete retaining system, so it doesn't hit and completely blow out the bottom like it would a stream itself, and then shoot straight up.

This system is a 16-story building we are building straight down at Blue Plains.

And at the bottom there has to be a screening system to take out all of the crud before it is then pumped up, and on top of this there will be a treatment plan built that will provide additional treatment at Blue Plains. It is just a massive engineering project, and we are currently building this, which is why we are pouring so -- one of the reasons we are pouring so much concrete onsite.

So we are doing this. We are not trying to shirk anything. And if for whatever reason public policy suggests we don't open the consent decree, we will build this. We

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

will satisfy and meet the obligations of that consent decree.

For the consent decree itself, I won't go into great detail on this. But it is a consent decree entered with the federal court. The parties -- D.C. Water, District government, U.S. EPA, Department of Justice of course negotiates for EPA, is EPA's lawyer, it has a very detailed schedule for when work has to be done, concluding in 2025. That is a very significant element for our project, as I will come back to.

And it has a very specific set of remedies that outline what we have to do and in what order. So that is what we are currently doing, and, as I said, we will do.

The question of what is in there currently, there is a little bit about green infrastructure. There is a \$3 million pilot for us to do green infrastructure at our facilities. We are doing that. We have

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

actually done most of it already. We will vastly -- but that is not designed to give us enough knowledge of green infrastructure to change the consent decree.

It was just added into the consent decree as an element -- mostly of a demonstration, but we are doing it on our site. So what it is teaching us about what it would take if it's in public space, or if it's a private property, no "we," it is on our facility, so we are designing and building it and putting it in place ourselves, which is a whole different ballgame.

As everybody knows, if we are going to engage private landowners, or we are going to be in the public space with DDOT and the Federal Government, that would be a question that would have to be addressed if we are going to do low impact development at a scale to change the big tunnel remedy.

So we are -- it says that on the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

basis of this \$3 million pilot on our own facilities we conceivably could downsize the Potomac and Rock Creek tunnels. Our engineering folks don't see that there is any possible way that that little project on our own facility would tell us enough about anything to propose downsizing a tunnel, given the scale of what needs to be done.

So it is in there this -- I want to be very straight about it -- but to us this is not going to get us to a potential different alternative. So what we are suggesting is an adaptive management approach, and what I want everyone in the room to understand is that this is not breaking new ground.

D.C. Water -- we like to think we are in the forefront of many things, and this one we are looking to many of our compatriots and trying to catch up, arguably.

And what I have listed here are

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

cities. We have huge notebooks back at the office where we have gone through the consent decrees of cities facing exactly the same issue, who have built into their consent decrees systems to allow adaptive management on the basis of much larger pilots to enable a low impact development remedy. And the cities are listed down the side here.

And one of the most dramatic elements is the percentage reduction of stormwater. You can see we have relative to our -- we have a 96 percent average percentage, where other cities have lower percentages. It almost -- that is the biggest single challenge is that concrete, gray infrastructure. We know how it works; we know what it captures some of these others don't.

The cost of ours is -- this is the green investment of what is being put in. Philadelphia's and New York's are actually on a different scale. They have been approved by

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

the state agencies. In those states, the state has authority over the Clean Water Act decisions.

In the District, we negotiate directly with EPA. So you may have seen some of the articles. New York just was approved by New York State. Philadelphia has been approved by Pennsylvania State environmental agencies. But EPA has not signed off on these consent decrees, on either one, because you can see the percentage reduction.

The are essentially relying on green development to a much greater scale in those cities, and both cities are promoting it. I am impressed. On the other hand, the percentage capture is much less than what we are getting with the gray project here.

And the question to us is: what is the proposal that we would put in place for a green investment? What would the percentage be? What would the reductions be? And could

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

we move forward?

And to us, actually, before we would make this proposal, we want to have far better information about how we would do it, in what manner we would do it, all the practical details that we would have to answer to have anywhere near the certainty of performance with a green development landscape-level remedy as we do with a gray development, physical plant-level remedy.

So our proposed approach is a demonstration project. This would mean postponing, but not cancelling, the tunnels on Rock Creek and the Potomac. It is a very significant difference from Philadelphia, for example.

The Philadelphia project, which is groundbreaking and breathtaking, was essentially to do a meanly green development remedy, wait until the end of it, and then determine if something else is necessary and a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

whole other negotiation comes in place.

And pretty much everyone is certain that it is going to do very well, but not capture as much stormwater. And the question is: what do you do when you come to that reckoning point when you still have water quality and overflows that you want to stop? And that has been delayed in the Philadelphia experiment until back end.

In our case, what we have asked for is an extra series of years to do a full-scale pilot to see if the LID works. And we are going to call an advisory board together to review every bit of information, put it out on the web. None of this will be hidden. We want to be transparent about what we find.

And if at the end of that pilot we -- I mean, "we" in the broad sense -- decide we would rather have gray because we liked the performance, then we will build the tunnels. So our commitment to build the tunnels doesn't

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

change.

What we have asked for is an extension of time, push back the tunnel construction, so we can do a full-scale pilot, answer all of these questions, and then make a decision whether an alternative should be selected when we have very hard data about how the project would be done.

So the demonstration project, we think it is necessary. And without going into the details, yesterday the head of DDOT, myself, and the head of Department of Environment met for over an hour. And it was over practical questions that are coming up as more low impact development is being designed in the city.

We are all in favor of it, but there is all sorts of issues that are coming up about how to maintain it, who is going to look after it, what if it is put in over a water main when you have trees being planted.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

We like the trees, but we know from experience that if you put a tree over a water main you are going to have a problem, unless you design -- in one case it was put in low impact development but pushed a little space next to the bollards that are put in to stop transport trucks. But that was the only place our truck could pull in to fix a water main that was right in the same space, and we had to put a halt on it.

So you are stopping LID, and our reaction was, we don't mean to stop anything.

We are now having the kinds of discussions on a design basis that we haven't had to have before, because we weren't doing as much low impact development, and we've got to get these answers as best we can right.

But the kind of questions that I am also asking -- and this is from the perspective of a very operational agency -- is after these low impact development

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

installations are built, who maintains them? Where do the trucks come from? Where do the trucks get placed?

I mean, one of the big issues we have in our -- in the city, we have about 550 vehicles in our fleet, is where to put them, because D.C. would like to move us off where we are now, which is perfectly fine as long as we can figure out somewhere else to put them.

It's practical questions of who drives the trucks? Where do they get paid from? Where does the training come from? We would like to have as much knowledge and answers to those questions -- not that it has to be perfect -- as we can before we would agree to go with the green development alternative, because we are the ones on the hook. It is our consent decree.

We think all of these answers have to be -- questions have to be answered to the best of our ability. So these are the two

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

areas that we are looking at -- drainage to the Georgetown and drainage to the Rock Creek low density residential. This is historic, which is its own challenge in Georgetown, as well as heavily developed.

And what we have done is actually looked in great detail -- and I'm not patting myself on the back. This is a decision the Board has supported. But we just now spent more than \$1-1/2 million in prep work to do the work to produce the proposal to do this option.

So that is on top of it. This is not -- this is a million and a half we put into it, because we have gone in and looked at parcels throughout these areas, and we have done a fairly complex matrix of where we would select to do the pilot.

We don't want to self-select land that would be easy to do. So what is representative of the actual land cover? We

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

are going to do those places, so we don't select something where it is easier for us to make the project work. But then we don't really learn what we need to learn to make it work.

We want different income levels. We want different wars, different political situations, commercial. We had this complex matrix of trying to select places that will truly tell us what we need to do to then model it to scale to see what we could ultimately do.

So this is the concept plan approach of where we have been going down. We have walked these neighborhoods. We are starting to map the neighborhoods. If we invested, what could we do, and at what scale?

The last time we discussed this with Harriet, she had all sorts of ideas about the performance of any one LID is at a certain level, but if you combine them together, it is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

-- like the sum is stronger than the pieces, that you'd get better performance doing it as a whole, which I model all of that.

But then, actually build it somewhere, monitor it, see what the performance is. So you -- and this is old hat to you. You know exactly the kinds of things we are talking about. This organization is very supportive and the lead on these sorts of things.

The institutional issues -- what I asked our engineers to do is create a Gantt chart, just like they would if this were a hard project with everything laid out in time about -- and there is 10 institutional papers that we think need to be written.

And these are not philosophical papers. This is, what are the permits needed, and who grants them, and in what order? And what are -- who are the agencies that need to be involved? Very practical. Each one we

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

have a paper, we have it assigned to a timeframe, when it is going to be answered, and how it is going to be done.

So it is not just physically installing a green roof. It is all sorts of institutional issues, financial questions. If it's a private property owner who does it, what happens if they change over to a new private property owner? And how do we make sure that the new private property owner does what the past one was? If we are counting that performance in our remedy. A lot of questions to answer.

So what we have proposed to EPA, we wrote a letter actually to the Administrator, Lisa Jackson, last summer. We followed up with a letter to Region 3, which is in Philadelphia, which is the region that has oversight for the District. We have proposed to spend, on top of what we have already spent in the planning phase of this,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

between \$10- and \$30 million for the pilot itself. I'd have to guess it is going to end up closer to \$30- than \$10-, but that is what we have been saying.

A large of this is going to take -- we have actually spoken to environmental groups, and actually go into the D.C. Environmental Network in May. We are going across the city. We have gotten support from the Mayor, from Congresswoman Norton.

So the question is, we think that doing this at a pilot level will advance the state of the art. It will be a benefit to the city, no matter what, even if at the end of it we -- again, the broad "we" -- decided it was a great pilot, you really demonstrated a lot, we learned a lot, but the capture ratios are just not high enough, and we would rather go with the gray infrastructure.

We are ready to build it, so we would. I am hopeful that we in fact find a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

green infrastructure, one that works. Otherwise, I wouldn't be here. But if not, we will build the gray. We are not walking away from it. But we certainly will have, if nothing else, put \$30 million -- \$10- to \$30 million into green infrastructure, which is permanent -- that doesn't go away -- and we have gotten, we hope, all of this learning about how it would be done at scale if we so chose.

This is that Gantt chart, a short version of it. The long version is much bigger, because it has all of the little pieces built into it.

What we have asked for from EPA -- and this may seem like a long time to you, but I want to come back to that -- is an eight-year extension of time in order to do the project, the papers, the evaluation, performance, maintenance, and then a calculation of alternatives for what it could

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

be that is not green versus gray.

It is gray is in there now; it would be some hybrid, perhaps even some gray infrastructure that currently we are not thinking about, but would become relevant if the amount of capture we had to accomplish with gray was reduced. So we don't have to do a huge tunnel, if we do other alternative gray solution.

And the notion of the eight years, EPA, as others have -- why eight years? That seems like a lot of years to do a pilot. The consent decrees in other cities that have this adaptive management technique are all 25 years, because they realize the period of time to do a pilot that is meaningful -- and then the decisionmaking time, even if after the pilot is done we then have to produce alternatives, our experience is that it actually takes a fairly long time, sometimes a couple of years, just for the various

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

government agencies to come to a conclusion about what the right choice is.

But there is 25 years to do the adaptive management technique. Our consent decree is only a 20-year consent decree, so we had five years to start with, and we are seven years in. So we actually only have 13, 14 years left to do the bulk of the work of the consent decree, because the first big chunk was planning and gearing up. We are now full tilt pretty much from now until the end.

So in order for us to be able to hold back on what we need to do to get those two other tunnels built, and have the time to do a sufficient, meaningful pilot, we believe is eight years. That is a negotiable point as far as we are concerned, but we are -- we have gone to EPA and explained to them exactly where these dates come from and why we think that is a fair number and very similar to what has been granted to other cities in similar

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

circumstance.

So we know that issues -- permitting construction, post-construction monitoring, all of that is built into the plan. These are the years that we have asked for.

Institutional issues -- this is actually where I think perhaps the most work is going to need to be done is how to make all of these decisions, and who is going to be on the hook.

Construction, post-construction monitoring, four full years. It is 11 years, but 2012 -- we weren't planning to start until -- for three years back, which is why 11 minus three gets us back to eight. So that's where the eight came from.

But we won't wait to start until 2015. We will start immediately -- well, we already have. As I said, we've got a million and a half into the project so far.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

So we think this is absolutely in the public interest. There is a lot going on in the city already. We do not mean to suggest there isn't a lot of interest in this -- including from here. But the kind of firepower that we are going to deploy I think will add to that.

We are going to bring our entire engineering squad to the forefront on this, and try to answer it like our engineers answer everything -- very operationally, very systematically, and have a very specific answer to every question, connected with budgets and maintenance.

And over time -- what about 10 years from now, what about 20 years from now?

Well, the tunnel, we know what we are doing 20 years from now. We need to know -- or know as best as we can -- what we would do with this remedy 20 years from now. So we think there is tremendous public interest.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

So our next step -- we have sought lots of support from a lot of different avenues. We understand that this is not typical for you to take action on an informational presentation, but we hope that you will at least consider. And we are certainly willing to answer any questions, which I can do now.

We have -- EPA, we actually got an answer back from EPA yesterday. I'm afraid to say that it was tepid at best, and so we definitely have some work to do with EPA, our experience. I used to be in EPA enforcement lawyer. Can't believe some of the decisions I made back then.

But I know what that mind-set is, having been there, and they have a deal in place. So why open something? And our reaction is: because there is all sorts of good reasons to open it, and persuading EPA to do that is a challenge. But we are on it, and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

we are working on it.

We have -- as I said, Mayor Gray has written a letter of support. We have gotten a letter from the Congresswoman, a variety of organizations, environmental groups, individuals have signed on.

And one of the key points I also want to mention that has been very significant in some audiences is one of the distinct differences between gray and green, aside from the green infrastructure and the energy heat island effect, and habitat, all sorts of benefits at the landscape level, is the job difference.

A job creation, you know, a deep tunnel project is significant, but there is very specialized folks who do that work. And most of them come in, they do tunneling work all over the world, actually, and they come in and they run these giant machines.

The kind of work that would be

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

associated with landscape changes, doing more green alleys, green streets, green roofs, bioswales, is the kind of work that we think is likely to put a lot of people in the District to work, and which is probably a great public benefit. Many of them might be folks who don't have jobs now, and think of the cost difference between supporting someone who is in trouble to someone who has got a good, productive job.

Over time, it is not a job that comes and goes; you have to then maintain it.

And I personally believe that one of the parts of this is going to have to be a maintenance trust fund where we would fund -- and I'm saying this as a personal opinion. D.C. Water has not agreed to this.

We don't -- I'm just assuming it has to be part of it -- is that we put aside a sizeable amount of money in a permanent fund that could not be used for anything other than

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

every year having a certain source of funds to maintain these low impact development applications, and of course drive the jobs that are associated with it. So we think that is a benefit.

Our direct need is to achieve environmental results, because we are on the consent decree, we are the ones who have a set of performance standards to reach. But there are all sorts of other benefits that come to the city if this other approach turns out to work.

So I hope that wasn't too long. I thank you for listening. I know there is great interest by this organization for these topics, so I was delighted to have the chance.

I'm actually here with Alan Heymann and Will Pickering from our staff, some of you may know, so we can jointly follow up today or in the future with any questions you have as we go forward.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

CHAIRMAN BRYANT: Thank you, George. A couple of questions. I mean, you answered many questions I jotted down. While you can't speak for EPA -- and I know you just got that tepid response yesterday -- but I was going to ask you if you could generally characterize kind of the nature of the discussions and perhaps -- I think I know the answer -- how enthusiastically they have embraced this possibility.

And along with that, while DOJ assists EPA in the negotiations, is DOJ a separate signatory to the CO as well as EPA?

MR. HAWKINS: To start in the second part of the question, I believe my memory is that they did sign the consent decree.

CHAIRMAN BRYANT: Yeah.

MR. HAWKINS: But I would have to go back and check to be sure. They certainly come to all the negotiations. My view is that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

the Department of Justice is the lawyer for the client, and the client should be making the decision on the policy, but Department of Justice has strong opinions on these things.

And they have been very hesitant at the staff level in our negotiations. To go to the first part of your question, it is --

CHAIRMAN BRYANT: Well, there is clear precedent that they have made these decisions before.

MR. HAWKINS: Yes, absolutely.

CHAIRMAN BRYANT: What might be --

MR. HAWKINS: Which we have been highlighting. The challenge from EPA of answering the question of how -- what is EPA's sort of demeanor towards this proposal is it almost entirely depends on who you ask. If you are here in Washington, the headquarters office is promoting these ideas as the direction of the agency.

And so they have new policies that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

have come out on green development; they have new policies on integrated permitting. There is all sorts of policy-level work that are coming out that encourage -- that's one of the reasons that we are encouraged to try this.

The regional office and the enforcement staff who you end up negotiating with on an operational level, they are aware of those policies I guess, but that is not what is before them on a day-to-day basis.

And my -- rather than what you hear from headquarters, which is encouragement, this is where we want the agency to go, this is -- and I know Lisa Jackson from New Jersey personally, and we talked about it, which is -- this is great, let's -- not that we agree with it, but we encourage you, go for it -- is very different from the response from the region which is cautious, to put it mildly.

CHAIRMAN BRYANT: Mr. Garvin been

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

encouraging or cautious?

MR. HAWKINS: I have only gone to him once. We are -- having been with the agencies before, I know many of us are -- I am always hesitant to go above the -- until we have done the formal steps, and then to elevate, which haven't really done yet other than folks in headquarters do know that we are doing this project. It is Washington, D.C., or at least proposing this project.

But I think Mr. Garvin is interested. Everyone seems interested, but when you get down to the nitty-gritty, essentially what EPA is telling us is, as long as you agree to meet exactly the same level of performance that you would have with the tunnels, which I am not sure is going to be possible -- there may have to be a tradeoff -- we will accept a little bit less capture.

However, we will get all of these other things. And can you sort of evaluate

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

and choose a different package of benefits than the capture rate that the tunnel achieves so successfully? I am not pre-judging that decision. I just would like the chance to make the case, and then the decision will go where it goes.

EPA wants to presuppose that decision which is we are not even going to negotiate capture rates. If you can do 95 percent, or 96 percent, we don't care what remedy you use as long as you reach the number.

And then, separate from that, essentially they want us to do all of the prep work, all of the analysis work, all of the planning work, all of this money we are putting into it already, before they agree to give us any flexibility, which my Board is questioning me on. "Hawkins, why are you asking for any significant funds when you haven't gotten anything yet? You are

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

essentially negotiating with yourself."

So, but they haven't said no. They had said, yes, let's continue talking, let's continue negotiating. So the door is open. We have done the steps we need to do at a staff level, which we think is always the right way to start.

And I do think this is -- the reason that I am not feeling badly about elevating the issue is I do think it is not -- it is a policy question. Does EPA, as a policy matter, want to go in this direction or not? And that is a decision that is made at the upper levels, and then reflected in this kind of action, rather than a person who has negotiated consent decrees in Region 3 has never agreed to one like this before.

There hasn't been something like this in Region 3. Region 3 has not agreed, for example, and signed on to the Philadelphia consent decree, although ours would be a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

completely different ballgame.

I hope that wasn't too long-winded to your --

CHAIRMAN BRYANT: No. Another question now --

MR. HAWKINS: -- question.

CHAIRMAN BRYANT: -- and the last question I think.

MR. HAWKINS: Sure.

CHAIRMAN BRYANT: From a project construction budget perspective, if you roll the dice on this and you get a bad roll, and it just doesn't work, the performance evaluation isn't there, you have put off the -- while you are still going to be continuing with the design of the tunnel, but you ultimately have to build it, pushing it off, any estimate as to what the anticipated construction cost or the rate of increase would be, and if it will add even more to the 2.6?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

MR. HAWKINS: Our sense is that it goes both ways. Will we defer some costs, which in fact you have the time value of money, and we add some costs with pushing them back farther in time.

And as best we can tell, on an econometric basis, other than the 1.5 million so far that we have put in, the 30 million, which would just have been spent, that we think it is about a wash for us, that this is not something we are doing to make money. If we ended up building the tunnels or lose money, we think we would be about -- there is some financial benefit to deferring the project for these years, and there is some financial detriment to building it.

And at least at the moment, we are doing more economic analysis of that now. We have held off on doing thorough analysis, because we really want to have a sense of how many years we are talking about, because that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

is the biggest denominator for changing the calculation of how much time we would actually have.

CHAIRMAN BRYANT: And then one more question. The 2.6 billion is a hefty figure that ultimately the ratepayers pay. The business community is behind this as a -- you know, a potential way to keep that number down? And have you specifically talked to the Federal City Council? And they take up initiatives like this and get behind them if they --

MR. HAWKINS: We have gotten a letter of support just last week from AOBA, the Apartment and Office Building Association.

I am scheduled to go in front of the DCBIA to talk about this, although the comments have been very positive. Similar, from the Chamber, we haven't actually gotten letters from them yet, but all of what we're hearing is positive. The universities in the city are

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

very supportive of the idea.

The business community likes it, my impression is, for several reasons. One is it might reduce the cost. But even if it were the same price, we would -- I think there would have to be some incentive program to encourage low impact development on private property, because we are just not going to be able to capture enough unless we do it.

And a lot of these developers or existing landowners want an incentive program that they get access to to get funds to do something that their customers like, and they would like to do anyways. So we think that the development and business community is very interested in this alternative.

CHAIRMAN BRYANT: Thank you.  
Other questions for Mr. Hawkins? Ms.  
Tregoning.

COMMISSIONER TREGONING: It's not  
really so much a question as a comment I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

guess. I mean, I don't know that -- you know, personally, I feel like we can't be sort of forceful enough in supporting this idea. I mean, there might have been a time in this country when we could spend a dollar and get only a dollar's worth of benefits. In this case, you know, water quality.

But if we are talking about spending a dollar, and not only getting water quality benefits, but getting -- you know, cooling the city, you know, by greening it, which is going to literally reduce the temperature, reduce our energy use, reduce our carbon emissions, reduce the cost to our citizens, you know, beautify the city, create habitat, employ people, not just to design and install but to maintain, I just think when you put the numbers together -- and that is what I am most interested in seeing -- I just don't see how it wouldn't be a tremendously compelling case.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

And I am not even sure if the net environmental benefit, even at a lower level of certainty, something in the eighties, like what every other city in America has negotiated, that you -- but because of the other environmental benefits that you would see that you wouldn't end up having a net case -- you and I having both worked for EPA in the past know that the hardest thing is for the environmental agencies to compare benefits across their own program areas.

But I do think, you know, this is so much more sensible for the city in every way that I hope our colleagues would be willing to support it here.

The other thing I would just point out is that we have nearly 8,000 acres of roads in Washington. And so I don't see how this is going to work unless, you know, roadways are a serious part of the solution.

And I know you have been meeting

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

with DDOT, but it seems like, you know, one of the research projects we need to do together is really put out a call for a road design, for a road construction method that will actually store -- collect and store stormwater before infiltrating it into the subsurface, into the ground. I don't see how we can do it without engaging the roadways.

MR. HAWKINS: Thank you for the first comment, which I personally wholeheartedly agree, which is thankfully a position our Board has also taken to date.

On the second question, I can tell you that DDOT is very enthusiastic about this.

The irony is is that if we did this -- I also agree we will never capture enough unless we get to roadways.

We could end up being one of the largest funders of DDOT projects in the city would be D.C. Water, which would allow them to take money that they would have spent in the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

districts where we are funding it for water quality and spend that transportation money somewhere else.

So the whole city's boat would be rising, because they would take their funds, spend it elsewhere, Georgetown, and parts of Rock Creek. We would essentially cover every road project there is. We'd cover the cost, because we do it to capture rainwater.

So, yes, you are right. I think that is, and at least so far the Department of Transportation is very interested in pursuing.

We did get a proposal coming to the Anacostia Water Shed Society from Clark about specifically roadways and how they could capture water. In their view -- this was in writing, and this is what our engineers want to test -- our engineers are the ultimate show-me folks. And that sounds great on paper, let's go build it and see if it works.

But their view is you can do a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

square foot per road capture of understory at a quantity that is -- you have a very specific number, .08 gallons per water. And if you multiply it by enough roadways, you can know exactly how much water you will capture.

And their view is they could capture more water than our tunnels, if we were willing to rebuild enough roads, which their view is it costs less than building a tunnel 100 feet underground with a drill machine the size of a football field.

I am encouraged by that usually, and I would love to test it out, which is why we want to do this pilot.

CHAIRMAN BRYANT: Mr. May.

COMMISSIONER MAY: First of all, let me just say the Park Service is very supportive of this effort overall for reasons that are obvious, and I don't need to restate.

And I think for the benefit of the Commission I think we need to understand a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

little bit more about the item of the EIS that is necessary for the Georgetown Waterfront, and we haven't even started talking about what the potential impacts are at the -- for the Rock Creek tunnel.

But this Commission has taken action in the past to approve what is being done, what is just getting started at CSO 19, along the Anacostia River in the vicinity of RFK Stadium. And for that one, we did an environmental assessment that addressed all of the permitting issues having to do with the Anacostia tunnel.

Well, we had the convenience there of dealing with land that is adjacent to the stadium parking lots, and could be taken up for this construction project for a long period of time without having a significant impact on the environment. So we were able to sign a finding to that effect.

When we talk about doing something

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

like that at roughly the same scale on the Georgetown Waterfront -- and recall that this Commission approved the Georgetown Waterfront Park, which was -- now is a tremendous asset for the city and was a joint effort of the city and the Park Service to produce in terms of the land and the funding and everything else.

Imagine a portion of that being torn up for a project like this, plus additional areas beyond this, beyond the area of Georgetown Waterfront Park itself further up river being taken up and consumed for a period of several years, while a similar drop shaft is built and connecting tunnels.

And we are not just talking about, you know, just beyond Georgetown Waterfront Park. We are talking about impacts that go several hundred yards, as I recall, up the Capital Crescent Trail. And so that means essentially building a roadway sufficient to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

support all of these same trucks going up and down that portion of what is now a tremendous resource and a bicycle and hiking trail.

So it has got the potential to have huge, huge impacts, which is why we believe at this point an EIS is necessary. And when we go into the mode of having to do an EIS, we are not just talking about -- we are talking about additional time, which means moving the schedule forward. It also means an uncertainty about the timing overall. So even if you move it forward a year or two, that may not be enough time to bring it all the way to a conclusion.

And then, the last thing is we don't know exactly what that conclusion will be, and we may come to the end of that conclusion and determine that, you know, the decision that we can make isn't fully supportive of what D.C. Water needs to do to meet their consent decree.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

So there is I think an absolute necessity for this project to be undertaken, and I think this Commission should support it to the strongest extent possible. So --

MR. HAWKINS: Thank you, Peter. The only comment I would make about that is what I had not done, which you just did, is not -- I didn't discuss at all that there are serious impacts from the current remedy and its construction process, which is -- I love the Crescent Trail and that new park. I am there a lot.

And we are not doing it on purpose. We would rather not have to put huge trucks and everything else, but when you are pouring 1,200 cubic yards of concrete to get one of these gigantic shafts down, and on the Potomac side it is a deeper -- I mean, it is a -- the diameter of the shaft is larger than the one on the Anacostia. It is going to be a massive construction project.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

And there will be a toll, in the short run and the longer term, for the current remedy, let alone what it might be an alternative, which is a reason maybe the EIS starts and we push back the dates to do the pilot, and the EIS comes to some alternatives, and the pilot is showing alternatives that those two work in parallel and support each other.

And if in fact the alternative doesn't work, the EIS has come to a conclusion that there is -- you come to some points at the same time, that makes a lot of sense to me. So --

CHAIRMAN BRYANT: Additional comments? Mr. Denis.

COMMISSIONER DENIS: Is your Board united on this program?

MR. HAWKINS: Yes. The Board is united in the pilot, yes.

COMMISSIONER DENIS: Okay. So

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

that would include not only D.C., but Montgomery, Prince George's, and Fairfax as well?

MR. HAWKINS: Correct. As a matter of pricing, just so you understand, we have a very complicated -- through the IMA, which some of you may know a whole lot about, which has been approved by almost every jurisdiction.

COMMISSIONER DENIS: I have one of the original copies.

MR. HAWKINS: You do. Well, there is about to be a new 2012 IMA. It is actually waiting for the District Council to review and authorize the Mayor to sign. But we allocate costs between the jurisdictions. Blue Plains is one of the original regional resources.

It is the only wastewater facility that has an area that covers multiple states. That doesn't happen anywhere else in the country. But we allocate costs very

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

specifically. The cost of the tunnels -- 92.9 percent of the cost of the tunnels are allocated to the District ratepayers, and 7.1 percent are allocated to the suburban, which is -- and that was a calculation -- actually, Dan Tangerlini was the one on the Board who was in charge when that allocation was made, which is now going to be in the new IMA.

But that 7.1 percent, 2.6 billion is still not a small number. But, yes, every jurisdiction on the Board -- Prince George's -- we have the CEOs of Prince George, Fairfax, Montgomery, Loudoun, and Arlington, indirectly are all supportive of seeking this approach.

COMMISSIONER DENIS: Thank you.

CHAIRMAN BRYANT: Others? Mr. Provancha.

COMMISSIONER PROVANCHA: Are Mr. Hopkins' slides available to us? Are those close-hold, or are they publicly available, so we can --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

MS. KOSTER: I believe they are publicly available, and we would be happy to share them with the Commission.

COMMISSIONER PROVANCHA: We had a small tunneling project at our facility, less than a mile. One of the things that we did was we found that we had optimal soil conditions, so that we could use the piping as the drill bit basically. Do we know anything about the soil conditions along the routes of these proposed tunnels to see if a similar approach is favorable?

MR. HAWKINS: I love this job, and I am a lawyer running D.C. Water, so I am fascinated by the engineering lessons that I learned, just going to the job every day. In order to prepare for the tunnel, the biggest concern that we have, as far as an unexpected cost, is underground conditions that we haven't allocated --

COMMISSIONER PROVANCHA: Sure.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

MR. HAWKINS: -- planned for, because if we hit a subsurface that we haven't planned for, we will have the wrong drill bit.

And you can have enormous cost overruns.

COMMISSIONER PROVANCHA: Right.

MR. HAWKINS: So we have actually done -- we spent -- I can't remember the number, but it is an astronomical amount of money. And many of you who have been driving on 295 have been seeing these drill borings going on. That is us. We have done every 200 feet all the way along to drill down and figure out exactly what is there.

The way this big machine works is that the front cuts the hole, and it essentially is laying tracks going back --

COMMISSIONER PROVANCHA: Right.

MR. HAWKINS: -- so that there is a conveyor system taking the rubble back while new pieces of pipe are being brought forward at the same time in what is a small city.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

They are laid into the side of this tunnel as the machine is going along, with the HVAC, you know, and hydraulics and everything being put in, so it's this moving construction system, which I haven't actually seen one. I have only seen the descriptions and the animation we have. But it sounds breathtaking.

Short answer is: we have done as much as -- and actually perhaps even more. We are very nervous about hitting conditions that we are not prepared for, because that would be a cost issue. So we have done very, very detailed borings, the entire length. We haven't started over in Potomac or Rock Creek yet doing borings, but we have done it for the entire length on --

COMMISSIONER PROVANCHA: Type of piping -- another lesson learned was when we went to fiberglass reinforced pipe, it lowered the coefficient of friction, allowed us to shrink the diameter of the piping. Is that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

being considered?

MR. HAWKINS: I don't know the answer to that question. I can find out. I know that we have a lot of engineering firms that -- it is a design-build engineering contract. I do not know the specific answer, but I can find out.

COMMISSIONER PROVANCHA: Okay.

MR. HAWKINS: We are certainly interested in any of those kinds of solutions that could save money or make the project more efficient.

COMMISSIONER PROVANCHA: We are very impressed with the level of analysis that has been done to date. We were surprised -- just to clarify, were you not able to calculate, for example -- throw out a number.

For every 10 million gallons of overflow that is captured, it would reduce the diameter of the pipe by a foot. No calculations like that have been done at this point?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

MR. HAWKINS: I'm sure we have done calculations like that, because actually one of the last times I was here was the calculations we were doing about using a tunnel underneath the mall to capture where there was very specific calculations of how much you would have to do to capture a certain percentage of rainwater from the flood. What was it, 2006?

And I just don't remember what the numbers are here. What we are realizing, however, is while we know that end of sort of a math equation of how much volume versus the size of the pipe, it is the calculation of how much roadway, it is working back upstream as it were, to how much landscape you have to manage to capture that much, which is what -- is what we really want to get the answer to.

COMMISSIONER PROVANCHA: Okay. Last point, perhaps counsel can help us, with the difficult decision of it -- it looks like

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

there is strong support. However, this is an informational presentation. If there is some way that we can endorse, for the record, an informational presentation, that would be welcome guidance.

CHAIRMAN BRYANT: Yeah. I think this would probably require a motion, generally along the lines of -- I just jotted something down. We are generally supportive of D.C. Water's green infrastructure pilot project initiative to determine whether LID could be a practical alternative to a more expensive tunnel construction project, or something along those lines.

PARTICIPANT: So moved.

CHAIRMAN BRYANT: If there would be a motion and a presumed second, what I would ask is that, since the Executive Committee has both District representatives and federal representatives on it, we could sort of cover the Waterfront, that maybe the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Executive Committee could take a crack at drafting the letter, and then we could, when it is near full completion, we will share.

COMMISSIONER TREGONING: Second.

CHAIRMAN BRYANT: So it has been moved and seconded. With that understanding, all in favor say aye.

(Chorus of ayes.)

Opposed, no.

(No response.)

Thank you. We will be in touch, Mr. Hawkins.

MR. HAWKINS: We are most grateful. Thank you.

CHAIRMAN BRYANT: Thank you for your very comprehensive presentation.

[INSERT - CLEAN RIVERS PROJECT]

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

**6C - Intelligence Community Campus-Bethesda,  
4600 Sangamore Road, Bethesda,  
Maryland - Phase 1 (North Campus)**

CHAIRMAN BRYANT: We have one more item before us, and that is Agenda Item 6C. It's the Intelligence Community Campus-Bethesda, Phase 1, North Campus.

We have Mr. Hinkle.

MR. HINKLE: Yes. Thank you, Mr. Chairman, and the Commission. And I think I will continue the discussion on stormwater management with this next presentation.

But if you remember, last February the Commission approved a new master plan for the Intelligence Community Campus in Bethesda, Maryland. And within this approval, the Commission requested that the applicant set targets related to deforestation and stormwater management in its design of Phase 1 of the installation.

So the Army Corps of Engineers is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

here today to discuss with the Commission their process towards these goals in advance of actually completing the design of Phase 1 and submitting these plans for Commission review.

So with that, I would like to introduce Mr. Jared Olsen with the Corps, and he has a short presentation for the Commission to explain this progress.

With that, I will hand it over.

MR. OLSEN: Thank you, Jeff. Thank you to the Commission for the invitation today.

Moving on to what was the outcome from the 2 February meeting, we basically had two categories of actions. One was a set of comments that needed to be addressed relative to the master plan, which we have provided a coordinating draft to the staff here and are working through that process of finalizing those documents to incorporate all of the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

comments that were made.

And then, we had the discussion with regard to the targets that were provided relative to the deforestation on the site and the stormwater management question. And what I would like to do is spend most of my time today discussing those two particular issues, because they are in fact the most challenging.

And I would like to highlight the progress we have been making to date.

Just to reorient everyone to the site, just a quick refresher, this is the former NGA Campus in Bethesda. Red line is the property boundary. Sangamore Road is located here. MacArthur Boulevard, the Wapakoneta, which is the private road with the residential development here, and then the Potomac River to the west.

Phase 1 -- two phases for the redevelopment of the site includes this general area. Main features are the parking

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

garage, the vehicle control, visitor control, and the access road.

Phase 2 includes demolition of some select structures, new construction of a new connector building, and then renovation of three existing buildings that will remain, the retention of this historical area here known as The Ellipse, and then general greening of the site throughout the rest of the site.

Just to recap on the progress made to date, with respect to the question of deforestation with respect -- relative to the location of the parking garage, our original design submission called for three acres of clearing associated with the garage. It was generally located or oriented with an axis north-south on the western edge of the site. Again, Sangamore Road being down here.

This slide was presented as a part of the staff briefing on 2 February, and it did indicate the progress that was made to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

reducing it 70 percent to a less than one acre of disturbance. And I am going to zoom in on this slide next and discuss the specific details.

The key improvements that we made going into the 2 February Commission meeting were reducing the size of the garage from 2,240 spaces to 1,800 spaces. This enabled us to retain more of the forested area located here, as well as all of the specimen trees that have been identified as a part of our survey.

The question with regard to viewshed impact -- we are to lower the elevation in the garage on the site, and so as to minimize viewshed impacts offsite into the Potomac River Gorge, as well as to the neighborhoods surrounding the facility.

We do have a requirement to maintain an open garage. In order to do that, we have incorporated this feature. It is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

known as the reverse slope berm, where basically we are lowering it down and you come out of the lowest level of the garage up to a ridge, if you will, that surrounds on the west and the southern edge of the garage.

And that provides not only a view block from the immediate neighbors here along Wapakoneta and from views along MacArthur Boulevard, but it also allows for some plantings that will be planned for the top of the reverse slope berm that further screens the view of the garage.

And in combination with the green screen that is planned for the top of the garage structure, that will very much mitigate the viewshed impacts.

Our progress since 2 February, we have been able to go from approximately .75 acres of deforestation, potential deforestation, to .45 acres. And we did that principally by sliding the garage or

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

translating it along its long axis here, approximately north-northeast. North is generally to the right of the slide.

We are able to further, then, develop our design with regard to the reverse slope berm, which previously had only been designed to a level of a rough concept, and have been able to reduce principally three-tenths of an acre of potential deforestation along here, which is now shown in the screen.

The yellow does represent areas of potential deforestation that remain as part of the development for the parking garage. And the feature that is located right here, this jut out is actually a requirement from MDE. It is the stormwater outfall, and I will talk more about stormwater -- the plan for that, because that is the second topic.

But generally speaking, we have sized and located the facility such that we have made the best use of the available space

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

on this site in order to locate the garage, and have pretty much snugged it in as best as we can. Still maintaining features of the open garage, the necessity for two lanes in and two lanes out of traffic up on the third level, the two lanes and two lanes -- one lane in, one lane out on the second level, basically all the parameters we have, as well as the standoffs from the denial barriers, which we had addressed previously.

Along with the planning here that has been done, we have continued our public engagement, have continued to meet with community leaders as well as other stakeholders from the National Park Service, Montgomery County as well, and continued to provide them with the current status of where we are at.

Later this month we will actually stake out the limit of disturbance, which is the line that borders the yellow area here,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

onsite and invite select members to come in -- from the community to come in and view what the actual is, because we are really dealing with kind of a paper representation of what our plan is here. But it is the state of the design thus far.

I am going to transition to the stormwater and talk a little bit about that. The requirement that we had was to treat and retain 100 percent of a 25-year storm. Just to judge the magnitude of that, for this area, 5.8 inches of rain over 25 -- excuse me, a 24-hour period represents a 25-year storm.

That volume of water -- basically, the 4.6 million gallons across the whole site would fill a football field 11 feet deep. So if you can kind of get a feel for the quantity of water that we are talking about here. It is significant. And if we were just talking about the impact of the water across the North Campus, we would be looking at an area the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

size of a football field approximately four feet deep.

A key distinction from an engineering perspective on the topics of -- or the terms "retain" versus "detain." Retain, we believe -- or it means to us basically that you do not release the stormwater for the site. It either infiltrates, evaporates, or is reused on the site.

Detention, on the other hand, is collected, and there is a controlled release.

And what we are going to show you is how we are basically moving from that point forward to address and go beyond the minimum requirements from MDE with regard to the stormwater management.

Just to kind of go back to the site design or the site layout again for a moment, the area is pretty congested. To recall that Sangamore is actually the high side of the site, the ground slopes generally

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

away toward the Potomac River here, from a gravity collection perspective for stormwater, we basically have the two areas that we have identified and are using for collecting stormwater that are located in these particular areas of the site, again, not wanting to disturb any of the forest that remains in this area.

With that, we want to make sure that we locate those structures such that we make the best use of the available space. But challenges that we have with locating a stormwater management structure elsewhere on the site, generally having to avoid The Ellipse here because of its historical nature, are the issues of utilities, for one, that are located throughout the site that complicate that effort; and, second, the necessity we would have of collecting stormwater here and then basically pumping it back up about 20 feet in elevation to store it here

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

temporarily.

The other factor of fact with regard to this site is it does not perk very well. In other words, it does not meet the criteria -- minimum criteria for water infiltration into the ground. So this -- given those constraints, we are pretty limited in what we think we can do with regard to the stormwater management and retaining it.

However, the detention I think is definitely an achievable objective, and that is the direction which we are heading. And, really, if you go to what the principles of MDE and EISA are requiring, is that we want to return the site to the predevelopment hydrology to the maximum extent practical.

And we recognize that this idea of no adverse downstream effects, particularly in the parkland and the -- that are immediately the bluffs and the canal, and then the Potomac River, is really what our true objective is.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

So we believe that the solution that we will have going forward from here will achieve that objective.

A quick comment on standards with respect to this site. The MDE did issue a stormwater and erosion control permit in January 2012. Now, that was based on the preliminary design that was submitted last summer that showed the three acres of clearing and the larger garage.

They did issue it with the caveat, after we informed them that we weren't going to develop the site exactly in that manner, and that we were making efforts to reduce the deforestation on the site and shrink the garage. They did issue the permit, but it was caveated that we could not go forward with any ground-disturbing activities until we resolved this issue of the garage location and the approval of the master plan, which we were able to do in February.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

We have since submitted a revised permit application, and that is currently under review with the MDE.

For redevelopment, MDE examines basically two aspects of -- affecting water quality. One is the amount of impervious surface that remains on the site, and it is desirable to reduce that to the maximum extent practical. If you can reduce it by at least 50 percent, you really don't have to pursue any water treatment options onsite.

But given that is the other option, what we have found ourselves in is we are not quite able to get to a 50 percent elimination of impervious surface on the site.

And so we will combine, use both impervious area reduction, as well as the treatment of water prior to discharge.

And the last point, just to highlight there, is that the MDE looks for us to treat the first flush, if you will -- the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

first flush on impervious surfaces that will pick up those contaminants -- oil spills from vehicles that park in parking areas, anything that might spill off a vehicle on a road surface, and the key is to treat that, first flush of water in order to meet basic water quality standards.

This chart really focuses in on two things -- the impervious surface area reduction that we are achieving given -- compared to the existing conditions that we have, as well as the efforts of going above and beyond with regard to water treatment for the site that we are able to achieve by the way we size the structures that we have. And I am going to talk a little bit about both of those in a little more detail.

But real quick, presently we have 8.2 acres of impervious surface on this site.

We have an approved permit that was approved in January, in which we achieved a 35 percent

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

reduction in impervious surface. We have further developed that design so that we will achieve an overall 47 percent reduction of impervious surface on the site from the 8.2 acres to the 4.3 acres.

With respect to treatment, stormwater treatment, there was treatment for four acres of surface, impervious surface area on the site. And we had received the permit for the treatment, originally collecting just from the parking garage.

Now, what we have added in the current design has gone beyond just the parking garage as kind of the minimum standard, but we have also incorporated all of the roadways, access roads into the site, and we do have the ability to collect the water from all of the pervious surfaces as well, within the limited disturbance within the North Campus.

So basically what we are doing is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

collecting 100 percent of the stormwater runoff and treating the first inch of that per the MDE standard.

Conceptually, this shows what the approved permit design was for. Again, it collected water primarily from the parking garage and went to an oil/grit separator located here off of the northern end of the garage, and discharged into the stream immediately to the west.

The road surface that came down was also a requirement, and that went into a biofilter structure here, which was collected, treated, and discharged to a stream that flows to the west from the mid-site.

In the current design -- and where we are going, again, is 100 percent treatment from the whole area. So clearly this will exceed the minimum requirements stipulated or the basic requirements stipulated by MDE, and it shows our ability to improve the water

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

quality discharge off of the site.

Again, the water draining from the circulation road, which is shown here, that goes to the back of the campus, as well as from the reverse slope berm, will go to a biofilter structure located here, and then be discharged.

The parking garage, the access road, visitor control center, visitor parking, as well as the two large pervious areas located on either side of the access will be collected and flow through this structure here, first treated and prior to discharge into the stream to the west.

So just to summarize, we are in a pretty tight condition with regard to the available real estate. We have decreased the garage here substantially, have moved it as far north as we can because this underground oil/grit separator that is located here, which is collecting, again, that stormwater coming

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

off of the bulk of the North Campus site, needs approximately this amount of real estate here to be constructed, as we have shown on this drawing.

This is the fenceline. What we have just off of -- just outside this fenceline is the stream that basically runs between the Waldorf School, which is down in this area down here, and the Montgomery County Park that is located right here. It is basically the drainage that separates it, and there is a pretty substantial dropoff several feet from the property down to that stream.

So we have this structure that is pretty well shoehorned in between the edge of the garage and the high ground that separates that stream from the site.

We have the other stormwater structure located here just off of the southeast corner of the garage, which again collects the water from the road surface here

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

as well as the pervious surface that comprises the berm here, into a biofilter, and then discharges again to the stream that goes here.

We have been able to reduce the deforestation from .75 acres to .45 acres in order to preserve the trees that are located, again, in this -- generally this southern end of the property, or just south of the garage, where the woods in good condition are located off of the site there.

And that concludes my comments, subject to your questions. Thank you.

[INSERT - INTELLIGENCE COMMUNITY CAMPUS]

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

CHAIRMAN BRYANT: Thank you, Mr. Olsen, very much.

COMMISSIONER WRIGHT: You said that you have lowered the elevation, but you didn't give us a number by the total. What is the number of feet that the elevation has been lowered?

MR. OLSEN: It hasn't been lowered since 2 February. What we showed there was the elevation at the lowest -- had already been lowered, and the elevation top of parapet for the garage is approximately 275 feet above sea level.

By comparison, Morey Hall, which is the adjacent existing structure, is 297 feet above sea level. And Erskine Hall, which is the largest, highest structure existing on the site, is 341 feet above sea level.

COMMISSIONER WRIGHT: It's Groundhog Day. You're not answering my question.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

MR. OLSEN: Okay.

COMMISSIONER WRIGHT: My question is: by how many feet have you lowered the elevation of the garage from the original design to where it is now?

MR. OLSEN: I don't have that number with me. I don't know.

COMMISSIONER WRIGHT: That seems a really important number to me.

MR. OLSEN: Okay. We can provide that.

COMMISSIONER WRIGHT: I would like to know that. And you noted that you have an open garage requirement. What does that mean? It is required by whom or what regulation or what entity or --

MR. OLSEN: It was a design criteria that was established for the garage. And when the job was bid, it was a requirement of the design-build contract that was awarded. And so it was bid and awarded

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

for a dollar amount that would construct a garage not requiring the fire protection and mechanical ventilation systems for enclosed garage.

COMMISSIONER WRIGHT: Right. So, but the design criteria were set by --

MR. OLSEN: Our client, the DIA.

COMMISSIONER WRIGHT: So, and was there ever a serious look at moving the location of the garage?

MR. OLSEN: Yes, ma'am.

COMMISSIONER WRIGHT: How serious -- how would you characterize "serious"?

MR. OLSEN: It was serious. It was looked at very seriously early on last summer when we were doing the site development for the project.

COMMISSIONER WRIGHT: That's not what I'm asking.

MR. OLSEN: Okay.

COMMISSIONER WRIGHT: Since the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

December meeting here, was there a serious look at relocating the garage?

MR. OLSEN: Yes. I mean, we sat down with the project executive, Mr. Massman, who spoke to you at the February meeting, and laid out the alternatives, and, again, reviewed the logic and analysis that went into relocating the garage elsewhere on the site, the mid-site option and the northeast corner options.

And based on that discussion, basically because of viewshed impacts and site circulation concerns, again, where we have it located is the best location.

COMMISSIONER WRIGHT: And during the course of this serious revisiting of the location, was the option of locating the garage outside of the security perimeter ever considered?

MR. OLSEN: It was discussed, yes, ma'am.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

COMMISSIONER WRIGHT: Was it seriously considered?

MR. OLSEN: It was determined at that time that the client's requirements are that it needed to be within the security perimeter.

COMMISSIONER WRIGHT: Was the client consulted with the option?

MR. OLSEN: Yes.

COMMISSIONER WRIGHT: And they rejected the option.

MR. OLSEN: Yes.

COMMISSIONER WRIGHT: Okay.

CHAIRMAN BRYANT: Ms. Greenwald? Oh, I'm sorry. Mr. Denis, did you have --

COMMISSIONER DENIS: No.

CHAIRMAN BRYANT: Mr. Hart?

COMMISSIONER HART: Yes, I have a question about compliance with the Maryland State Forest Conservation Act. Was a forest stand delineation plan prepared and approved?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

MR. OLSEN: A forest conservation plan was, yes, sir.

COMMISSIONER HART: And is -- a forest conservation plan was prepared and approved by D&R?

MR. OLSEN: Yes, sir.

COMMISSIONER HART: Okay.

MR. OLSEN: Now, that was for the original permit that was submitted, and it will be, accordingly, revised based on the reduced forest impact.

COMMISSIONER HART: Thank you.

CHAIRMAN BRYANT: Mr. May? Mr. Provancha?

COMMISSIONER MAY: First, I want to say I appreciate the fact that there has been -- there continues to be progress on this project and close coordination with the Park Service with the two park jurisdictions that are involved. And I think there has generally been positive feedback from the neighbors, at

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

least from the little bit that I have heard. So I am pleased to hear that there is good consultation and cooperation going on.

I have to say, I am a little bit disappointed that you haven't gotten all the way to what we were looking for when we approved the master plan. And the -- you know, I think the deforestation -- maybe there is more that can be done. I am probably more concerned at this moment with the stormwater runoff situation, because it only takes one really bad storm that you haven't -- you know, that your system -- your new system can't manage, to do the kind of damage that we have seen already in the park.

So I would strongly encourage that the -- that you continue to work on that. And I -- frankly, you know, looking at the very simple diagrams that you showed us, I am not quite sure I understand why you can't do more to detain water onsite.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

The treatment structure that you have that is next to the garage entrance, that is underground there, I don't understand why that couldn't be expanded to be able to hold more water. Is there a reason why that can't grow any larger?

MR. OLSEN: And we actually have expanded it by about -- on the order of about 30,000 gallons. It was originally sized 80,000. Now it is 110,000. Basically, the issue that we have is the setback area, the laydown for installing it. We are at the limits of fitting it between the garage and the northern crest, if you will, before you fall off into the stream along the northern boundary.

COMMISSIONER MAY: Okay. But those are essentially two sides of a triangle, and there is a third side of the triangle which backs it, you know, which would allow you to expand the hole closer to the road.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Would it not? I mean, couldn't you expand in that direction?

MR. OLSEN: The issue we have is the denial barriers require underground structures that require space as well as other utilities that are in the area with regard to storm sewer and some other utilities that are located in that area that kind of complement the space there at the north end of the garage.

It has been evaluated. In fact, we gave the criteria to the design team following the 2 February meeting to make the structure as large as you possibly can, so we can retain as much water as -- or detain as much water as possible onsite.

COMMISSIONER MAY: I mean, it sounds to me that that is just an engineering challenge. It is not -- I mean, there is no inherent incompatibility with having a structure at the surface of that nature with a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

subsurface structure.

It just means it would need to be engineered differently. I mean, is there a reason why you can't have that -- the -- whatever the retainage structure is below grade. Why can't that pass under the barriers of the surface? I mean, is there a reason? I mean, it seems to me that it is just -- it changes the structure of things. It changes how it is engineered and how much rebar you have to put in and -- but it doesn't seem like it is inherently incompatible.

MR. OLSEN: I think the only issue would be the depth at which you would have to build that structure, the stormwater detention structure, in order to have it below grade and have it drain via gravity and still reach the outfall that discharges into the western stream.

COMMISSIONER MAY: Oh, okay.

MR. OLSEN: So you have an issue

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

of slope and grade that you have to --

COMMISSIONER MAY: So it is not a retainage solution, that there are concrete solutions you need or a rebar solution. What you need is a pump.

MR. OLSEN: And the desire not to have that operating complication from a -- with a stormwater management structure.

COMMISSIONER MAY: Well, okay. Buy a pump, have significant stormwater damage in the park. It seems to me that you have to balance that and really justify that, and I'm not persuaded.

MR. OLSEN: Right.

COMMISSIONER MAY: So, anyway, I would just encourage you to keep working on that --

MR. OLSEN: All right.

COMMISSIONER MAY: -- push the limit. Thanks.

COMMISSIONER

PROVANCHA:

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

Appreciate Mr. May's comments about the stormwater management, as well as the collaboration with the community. The staff report talks about active engagement with the community since February.

However, for the record, the attachment going back to December talks about extensive collaboration with the community well before the February Commission meeting. So that has been an ongoing, improving, and a very important I think aspect of this project.

On the two specific requirements from our last meeting on the deforestation and the stormwater management, I think the Corps should be commended for the tremendous progress.

I think if we started, for example, on deforestation with three acres, and we are down to .45, the Corps was only asked to set a target of .25 and you're within two-tenths of an acre of meeting a target that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

you weren't required to meet -- you were required to set, but not necessarily to meet or achieve, as well as the established or meeting the MDE and EISA 438 standards I think all reflects very, very well on the Corps, as well as all of the other aspects of planning, from the traffic accidents, working with local jurisdictions particularly on traffic accidents and egress along Sangamore, balancing security, and so forth. So I continue to be encouraged by what we see each time we revisit this project. So thank you.

MR. OLSEN: Thank you.

COMMISSIONER TREGONING: I'll just -- the issue I wanted to comment on that Commissioner may raised is also stormwater, that the stormwater problem isn't merely about the quality of the stormwater, it is about the quantity.

So the scouring that occurs when large volumes of water are released down that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

slope, you know, into the receiving water is something that could, you know, cause great problems with erosion. So not -- so designing a system that is essentially about skimming oil from the -- you know, from the roads and other surface materials doesn't really do much to reduce that scouring.

And I have to say, I would like to be sympathetic, except the District has a federal requirement that applies to virtually the entire city to permanently retain stormwater from a significant event, not from as large an event. So we are talking about a 1.6-inch stormwater event, but it has to be retained, not detained.

And we have a lot less land to deal with for most of our buildings than you have at this site. So I realize that once you have already established where you are going to put everything, and you design the stormwater system and the forestation system

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

after the fact, that you are probably not going to have as much success as if it was part of the design to begin with.

But, you know, I think that Commissioner's May comment about having to pump, well, if you put the garage on the downstream side of the site, and you don't want to put the retention facility there, yeah, you are going to have to pump. I don't see any -- you know, I don't see any way around it.

You know, I guess that is my main comment. I still don't understand why there is any -- why the -- the literal edge of the garage, if it has to be in the security barrier at all, why it can't just be the security barrier, why there has to be, you know, one inch of additional disturbance, except what you might have to do to actually construct, you know, beyond the wall of that garage, because it is not an occupied

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

structure.

You know, it is not an occupied structure. You have the standoff from the rest of the building. You know, I just don't see why it is necessary.

Now, maybe it is a stormwater -- it wasn't clear to me, quite frankly, from the presentation whether that was a security feature or whether that is something that you are putting in to -- you know, more to hide the garage, you know, not clear. But I just don't get it from a security perspective.

CHAIRMAN BRYANT: Thank you.

Mr. Olsen, thank you very much. I would agree with Mr. Provancha that the Corps has made, especially in recent months, tremendous strides in terms of both community outreach and in redesign.

MR. OLSEN: Thank you, sir.

CHAIRMAN BRYANT: Thank you for your efforts.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

Without noticing any additional comments, we have had a long meeting. Thank you all for your attendance and your perseverance.

And unless there is any further business, this meeting is adjourned.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

(Whereupon, at 3:21 p.m., the proceedings in  
the foregoing matter were  
adjourned.)

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701