

# STAFF RECOMMENDATION

D. Hamilton

NCPC File No. 6414



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**AFRICAN AMERICAN CIVIL WAR SOLDIERS MEMORIAL  
TRANSFER OF JURISDICTION (S.O. 00-85)**  
Vermont Avenue and U Street, NW  
Washington, D.C.

Submitted by the National Park Service and the District of Columbia

September 2, 2004

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## **Abstract**

The National Park Service and the District of Columbia have jointly submitted a proposed transfer of jurisdiction of land that comprises the African American Civil War Soldiers Memorial. The proposal would transfer a portion of U.S. Reservation 170 from the National Park Service to the District of Columbia government, and a portion of 10<sup>th</sup> Street NW from the District of Columbia government to the National Park Service. The memorial is constructed and the transfer is being requested to address property administration issues (management and maintenance) of the site and memorial.

## **Commission Action Requested by Applicant**

Approval of transfer of jurisdiction pursuant to 40 U.S.C. § 8124(a).

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## **Executive Director's Recommendation**

The Commission:

**Approves** the transfer of jurisdiction of a part of U.S. Reservation 170 from the National Park Service to the District of Columbia for highway purposes and part of 10<sup>th</sup> Street N.W. from the District of Columbia to the National Park Service for park purposes, at the site of the African American Civil War Memorial, Vermont Avenue and 10<sup>th</sup> Street N.W., as shown on S.O. 00-85 (NCPC Map File No. 31.20(63.00)41428).

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## PROJECT SUMMARY

### Site Description

The site of the proposed transfer of jurisdiction is the site of the African American Civil War Soldiers Memorial at Vermont Avenue and 10<sup>th</sup> Street N.W. The memorial is constructed and is bordered by U Street on the north, Vermont Avenue on the east and south, and 10<sup>th</sup> Street, the Masonic Hall and private residences on the west. The site also contains the U Street-Cardoza Metro Station entrance.

### Background

The transfer plat formalizes the amended areas of jurisdiction that were initiated in 1985 to allow for the development of the WMATA system. The eastern entrance to the U Street-Cardoza Metro Station was approved by NCPC on May 30, 1985. This entrance occupies an area of 10<sup>th</sup> Street between Vermont Avenue and U Street. This action closed the street space to vehicular traffic and resulted in the improvement to the area to promote pedestrian ingress and egress to the station.

In 1992 Public Law 102-412 authorized the memorial to honor the African American Civil War Soldiers Memorial. The site selection and design approval process for this memorial resulted in amendments to the space that had been designed by WMATA in 1985. Between 1995 and 1997, the memorial was constructed. After the construction of the memorial, the NPS and DC government had not made the necessary legal transfers of jurisdictions to allow for management and maintenance of the memorial site.

### Previous Commission Action

At its December 7, 1995 meeting, the Commission approved the final design plans for the memorial to the African-Americans who served with Union Forces during the Civil War, located on U.S. Reservation 170, Vermont Avenue and 10<sup>th</sup> and U Streets, NW.

### Proposal

The transfer of jurisdiction would transfer the portion of US. Reservation that is currently used for highway purposes on the east side of the site to the District of Columbia. This portion also includes the bus lay-by at the site. The portion of 10<sup>th</sup> Street that would be transferred from the District of Columbia to the National Park Service for park purposes is located on the west side of the site and includes the Metro entrance. The Metro entrance area would contain an easement for access and egress.

## PROJECT ANALYSIS

### Executive Summary

Staff recommends approval of the proposed transfer because it is a necessary administrative process to allow for maintenance and management of the memorial site. Both the National Park Service and the District of Columbia government concur in the proposal.

## PROJECT CONFORMANCE

### Coordinating Committee

The Coordinating Committee reviewed the proposal at its meeting on August 18, 2004, and forwarded the proposal to the Commission with the statement that the project had been coordinated with all agencies participating. The participating agencies are: NCPC, the District of Columbia Office of Planning; the District Department of Transportation; the General Services Administration; and the Washington Metropolitan Area Transit Authority.

### National Environmental Policy Act

Staff review finds the Commission's action to approve the transfer is identified as a Commission Categorical Exclusion in accordance with Section 8 of the Commission's Environmental and Historic Preservation Policies and Procedures.

### National Historic Preservation Act

The National Park Service completed Section 106 review at the time of the approval of the final design plans for the African American Civil War Soldiers Memorial. The proposed transfer of jurisdiction will have no adverse effect on the design or character of the site.