



United States Department of the Interior

NATIONAL PARK SERVICE
Region 1 – National Capital Area
Rock Creek Park
3545 Williamsburg Lane, N.W.
Washington, DC 20008-1207

IN REPLY REFER TO:
I.A.2 (NCR-ROCR)

May 1, 2020

Ms. Elizabeth Hughes
State Historic Preservation Officer
Attn: Ms. Beth Cole and Ms. Natalie Loukianoff
Maryland Historical Trust
100 Community Place, 3rd Floor
Crownsville, MD 21032

RE: Rock Creek Park – Chevy Chase Circle Fountain Lighting– Seeking Review of and
Concurrence with Finding of No Adverse Effect

Dear Ms. Hughes:

The National Park Service (NPS), in cooperation with the Friends of Chevy Chase Circle, is planning to illuminate the Francis G. Newlands Memorial Fountain, which is located within the center of Chevy Chase Circle in Washington, D.C. (U.S. Reservation 335A).

Located on the border of the District of Columbia and Chevy Chase, Maryland, Chevy Chase Circle is a 1.05-acre park administered by Rock Creek Park, a unit of the NPS. The park's central feature is the Francis G. Newlands Memorial Fountain, which was constructed in 1933 to honor the founder of Chevy Chase. The fountain can project water 30 feet into the air and is situated in a 60-foot diameter fountain basin constructed of Aquia sandstone and concrete. The fountain was listed in the National Register of Historic Places in 2007 and is significant under Criterion C in the area of art (#07001058).

The proposed lighting design illuminates the historic fountain and its immediate surroundings and offers a visual cue to nighttime drivers to stay on the surrounding roadways. The fountain and nearby pathways currently have no direct lighting. Several vehicles have attempted to drive through the circle at night, resulting in significant damage to the fountain, benches, and other landscape features.

The project proposes to install nine submersible LED lights to illuminate the fountain's plume of water. The required conduits will be installed within the floor of the basin, which has been previously replaced and is scheduled to be done again as part of a separate preservation

maintenance rehabilitation project. Additionally, six LED bollard-style luminaries will be installed around the outer edge of the walkway surrounding the fountain to illuminate the exterior basin. The color temperature for both the bollards and the submersible lighting will be a warm, white stationary light with a color temperature of no more than 3000K.

The limits of ground disturbance for the bollards is anticipated to be 10 inches in diameter and 18 inches below ground surface for a concrete footer. Each bollard will have two conduits running underground to the utility vault (existing, located southeast of the fountain) that will be buried 16 inches below ground surface.

The NPS and the Friends of Chevy Chase Circle hosted an on-site lighting mock-up on the evening of October 3, 2019. Invited participants included local neighbors, Advisory Neighborhood Commissioners (3G), Maryland State Highway Association, District Department of Transportation, Chevy Chase Village, DC Historic Preservation Office, and the Maryland Historical Trust. Only three submersible lights were used, as opposed to the proposed nine. However, no significant issues were identified with the concept during the mock-up.

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA) (54 U.S.C. § 306108), and the Advisory Council on Historic Preservation's regulations (36 CFR Part 800), the NPS has considered the effects of this undertaking to historic properties, prepared an Assessment of Effect document, and applied the Criteria of Adverse Effect, as defined in 36 CFR Part 800.5, to historic properties within the Area of Potential Effects (APE). Modifications of this nature to a historic structure do not fall under the NPS streamlined review process outlined in the [2008 Nationwide Programmatic Agreement](#). Therefore, the NPS believes standard four-step consultation for Section 106 with both the D.C. and Maryland State Historic Preservation Offices is appropriate.

The APE for physical impacts includes an approximately 0.4-acre area centered around the middle of the fountain (75 feet out from the center). The limits of disturbance are not expected to exceed 18 inches below ground surface for the installation of the bollards and 16 inches for the electrical conduit. The APE for visual impacts is approximately 35 acres centered around the middle of the fountain (700 feet out from the center), which was determined during the October 3, 2019 on-site lighting mock-up. A map depicting the proposed APE is enclosed for your review.

In addition to the Francis G. Newlands Memorial Fountain, the project APE includes the Garden Club of America Entrance Markers at Chevy Chase Circle, which are also listed in the National Register of Historic Places (#8000346). The markers were listed in the National Register in 2007 under Criterion C in the area of art. Chevy Chase Circle itself is a documented cultural landscape that is eligible for listing in the National Register. Finally, within the APE are the Chevy Chase Survey District, Chevy Chase Village Survey District, and the Corby Mansion, which are featured in the Maryland Inventory of Historic Places.

NPS cultural resources professionals have reviewed the undertaking and determined that the current proposal will not adversely affect the historic characteristics of the Francis G. Newlands Memorial Fountain or other historic properties that qualify them for inclusion in the National

Register of Historic Places. While there will be an effect to the fountain and the surrounding area, it does not rise to the level of adverse effect. Installation of submersible and bollard lighting will not compromise the historic integrity of the fountain itself, as its materials, design, workmanship, location, association, and feeling will remain unchanged. The setting will change with the new illumination, but only at night. While the lighting and bollards will represent new, non-historic elements within the cultural landscape, they are relatively small-scale features and ultimately reversible, and thus would not result in any permanent effects or changes to the site. While the lights are expected to be seen throughout the surrounding area in both D.C. and Maryland, such illumination will not diminish the historic character of nearby historic properties. Please see the enclosed Assessment of Effects form for additional information.

Regarding impacts to archeology, there are no known archeological sites within Chevy Chase Circle. A review of historic maps shows this area has always been a traffic intersection from the 1890s to the present. No historic buildings are known to have been located within the circle. The construction of the fountain, presence of utilities beneath the circle, and the irrigation system all speak to previous ground disturbance and thus reduces the potential for intact archeological resources to exist. As the project requires ground disturbance for bollards and electrical conduit to a depth of 18 inches, the ROCR Cultural Resources Program conducted Phase I archeological investigations on April 17, 2020. Four shovel tests pits (STPs) were excavated at the locations of the bollards. Potential subsoil was only observed in one of the STPs and no two soil profiles were the same, suggesting the site has experienced a high degree of prior disturbance. A limited number of historic-era artifacts were encountered, but these were discovered in disturbed fill layers and do not represent intact or significant resources. Based on this information, no adverse effects are anticipated to archeological resources.

The NPS has determined this undertaking will have No Adverse Effects to historic properties and districts. We trust you will concur with this determination and look forward to your response. Should you have any questions regarding this correspondence, please contact Bradley Krueger, Cultural Resources Program Manager, at 202-895-6067 or bradley_krueger@nps.gov.

Thank you for your continued assistance.

Sincerely,

**FRANCIS
YOUNG**  Digitally signed by
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Date: 2020.05.01
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Frank Young
Deputy Superintendent

Enclosures: Assessment of Effect Form, APE Map, CFA Project Information Presentation