1601-45th Street, N. W.
Washington, D. C. 20007
March 28, 2005

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The Honorable Geoffrey Griffis
Chair, Board of Zoning Adjustment
441-Fourth Street, N. W.
Suite 210-S
Washington, D. C. 20001

Re: Board of Zoning Adjustment Application # 17276, Phillips Park, LLC

As the Advisory Neighborhood Commissioner whose single member district includes the property at 2101 Foxhall Road, Northwest, I am transmitting a declaration from Julie Moore, conservation biologist, regarding wetlands on the site of the proposed development.

This declaration is being filed as a supplementary submission on behalf of the Friends of Whitehaven.

Sincerely,

Ann Haas

Ann Haas
ANC3D-09

Enclosure

Cc: Mr. Richard Nettler
Robbins, Kaplan, Miller & Ciresi, LLP
1801 K Street, N. W., Suite 1200
Washington, D. C. 20006

The Honorable Alma H. Gates
Chair, Advisory Neighborhood Commission 3D
Post Office Box 40846
Washington, D. C. 20016

BZA
Case No. 17276
Exhibit No. 57

Board of Zoning Adjustment
District of Columbia
CASE NO. 17276
EXHIBIT NO. 57

Mrs. Chandra [redacted]ardy
2001 Foxhall Road, N. W.
Washington, D. C. 20007

Ms. Maggie Brady
2002 Foxboro Place, N.W.
Washington, D. C. 20007

Mr. David Murphy
National Park Service
National Capital Region
900 Ohio Drive, S.W.
Washington, D.C. 20024

Declaration of Julie H. Moore

I, Julie H. Moore, declare and state as follows:

1. I am a citizen of the state of Virginia; I am a conservation biologist by profession who has worked in the southeastern Unites States for 34 years. I hold a M. S. degree in Botany from the University of North Carolina. I have additional training and two years experience in identification and mapping of wetlands by the standards prescribed by the US Fish and Wildlife Service. I completed the National Wetlands Inventory Classification and Inventory Training Program, October 1983.

2. I have visited the Phillips property twice, the first time at the invitation of Ann Haas, Harry Gates, and Ted Visnic, builder, in December 2004, and again in February 2005, with Ann Haas, Harry and Alma Gates and Kent Slowinski. On both occasions I walked the property from the northern boundary along the eastern boundary to the southern boundary and traversed the central part of the property. I made observations on tree species, distribution and condition, wetland vegetation, hydric features, topographic features of the site and proximity of the site to public lands to the east and south.

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3. With regard to wetland features on the property, I observed that there are two major areas with wetland features. These distinctively different areas will be described separately although they are connected hydrologically.

4. The northernmost wetland is situated slightly south of the approximate center of the property. I could locate no US Army Corps of Engineers' flagging tape (pink with black strips) delineating this area as a wetland. Today this area supports an extensive zone of cattails (*Typha* sp.) with a few other wetland species such as willow (*Salix* sp.) with abundant growth of the sprawling vine tear thumb *(Polygonum sagittifolium)*. I observed that the surface of the soil was wet and the soil saturated in this area which resembles a fresh water marsh. The fact that this area supports few trees indicates to me that is has been disturbed in some way in the past. Woody vegetation was removed and, due to the amount of water moving through the soil and across the surface, an extensive area of hydric vegetation now dominates the site. On the west side of this wetland, water was observed flowing from two locations that appear to be springs. Water from this open wetland flows southward into the southern wooded wetland through a wash out in a berm of fill that was placed across the site for an east-west running road (known as the Driggs road) that was never completed and partially blocked the natural surface flow southward. The flow has been of sufficient volume to wash out a segment of the 6 to 10 foot existing berm.

5. The southern wetland is distinctly different having a wooded over story above a clearly defined stream bed. The distinctive Corps of Engineers wetland delineation flagging tape was clearly evident. This wetland is spring fed and several old cisterns still remain in the creek attesting to possible use as a water source. Water also seeps from the northern wetland into this creek. One of the steepest slopes on the property is located at the southwest end of this perennial drainage. Mature hardwoods grow on this slope above the springs. The fill road constructed but never completed, to the north of this delineated

wetland has had an impact on this wetland; however it still retains wetland vegetation and there has been a flow of water on both of my visits.

6. Corps of Engineers wetland delineation tape (pink with black strips) was observed on the Phillips property around the wooded wetland extending northward along the western drain head from one of the two springs observed. No delineation tape was located around the open cattail wetland.

7. I made observations regarding potential topographic alterations by comparing the topographic map of the site as it exists today with the most current development plan. To allow for building site and street construction, the current development plan indicates that the northern open cattail marsh area will be covered by fill dirt as will the two springs observed. On the north side of the east-west running wooded wetland a berm will be constructed approximately on the existing fill road. The precise height of that slope is difficult to interpret from the current site plans, but it appears to be at least twenty feet higher than the current fill road and will be at a steep enough slope to potentially cause erosion along the entire length of the berm (400 feet) into the wooded wetland.

8. From my two site visits, I can conclude that there are more wetlands on the property than have been delineated to date by the Corps of Engineers. The wetlands that have not yet been delineated, according to the current plan, will be filled for construction sites and/or roads. These wetlands will be destroyed by grading (cutting and filling) activities to prepare the site for construction, and their wetland values terminated. I can determine no design effort from the current plans to remove the hydric features that have created this wetland from the site.

9. I believe that the wooded wetlands that have been delineated by the Corps will be impacted by the new berm to be located immediately to the north both during its construction, by erosion before it is vegetated, and also from alteration of the hydrologic pattern that feeds water into the wetland. The bridge planned on the steep slope at the western end of the drainage has the potential to impact the springs and alter their flow that feeds into the creek as well as causing erosion into the wetlands during construction.

Pursuant to 28 U.S.C. Section 1748, I declare under penalty that the foregoing is the true and correct, and that this Declaration was entered into in Arlington, Virginia, March 28, 2005.

Julie H. Moore

Julie H. Moore