



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE DIRECTOR

August 29, 2016

Vision McMillan Partners
1508 U Street, NW
Washington, DC 20009

**RE: Gilles Stucker
1350 Pennsylvania Avenue, NW
Environmental Impact Screening Form 15-00632**

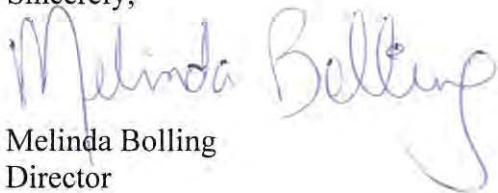
Dear Vision McMillan Partners:

The Department of Consumer and Regulatory Affairs (DCRA) has carefully reviewed and considered the recommendations of the reviewing agencies, (District Department of Energy and the Environment, the District Department of Transportation, the Solid Waste Management Administration of the Department of Public Works, D.C. Water and the Office of Planning) related to the referenced Environmental Impact Screening Form.

Based on the agencies' recommendations, it has been determined that the proposed action is not likely to have substantial negative impact on the environment, and submission of an Environmental Impact Statement (EIS) is not required. However, the applicant is required to follow any and all recommendations made by the reviewing agencies (see attached agency reports).

If you have questions regarding this decision, please contact Gary Englebert, Division Chief Permit Operations Division at, gary.engelebert@dc.gov

Sincerely,



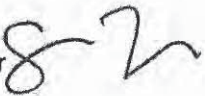
Melinda Bolling
Director

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION



d. Policy, Planning and Sustainability Administration

To: Gary Englebert
Department of Consumer and Regulatory Affairs

From: Sam Zimbabwe
Associate Director 

Date: August 19, 2016

Subject: 15-00632 - 2501 First Street NW (McMillan Reservoir)

The District Department of Transportation (DDOT) has reviewed the application and materials for the subject site. This memorandum addresses the transportation and public space aspects of the proposal.

Overview

Vision McMillan Partners, LLC and District of Columbia (the "Applicant") propose a mixed use development on the property known as the "McMillan Reservoir" at 2501 First Street, NW (Square 3128, Lot 800). The site is bounded by North Capitol Street, First Street NW, Michigan Avenue NW, and Channing Street NW. The development program includes:

- Parcel 1 – 860,000 square feet of health care office, 15,000 square feet of retail, and 1,667 to 1,900 parking spaces (consolidated approval under ZC Case No. 13-14)
- Parcel 2 – 258 multi-family residential units, 23,250 square feet of retail, and 313 parking spaces (stage 1 approval under ZC Case No. 13-14 and stage 2 approval under ZC Case No. 13-14A)
- Parcel 3 – 170,000 square feet of office, 3,000 square feet of retail, and 194 parking spaces (stage 1 approval under ZC Case No. 13-14)
- Parcel 4 – 278 multi-family residential units, a 52,920 square foot grocery store, and 339 parking spaces (consolidated approval under ZC Case No. 13-14)
- Parcel 5 – 146 row houses and 208 to 292 parking spaces (consolidated approval under ZC Case No. 13-14)
- Parcel 6 – a 272,000 square foot community center and park (consolidated approval under ZC Case No. 13-14)

The Applicant applied to the Zoning Commission (ZC No. 13-14) for a Planned Unit Development (PUD) and accordingly went through a review to determine the expected impacts of the project on the transportation network. DDOT did not object to the action.

The Applicant proposes several new private east-west and north-south roads that connect the site to the existing street grid. North Service Court and Evarts Street connect North Capitol Street and First Street NW through the site and South Service Court provides a connection to First Street NW. Half Street NW provides a north-south connection between Michigan Avenue and South Service Court and "One-Quarter Street" and "Three-Quarters Street" connect North Service Court and South Service Court. Two additional driveways on Michigan Avenue provide circulation within the site for patient pick-up/drop-off, potential shuttle services, and access to the medical office building's Healing Gardens parking garage entrance. A driveway to access the medical office building parking lot is provided on First Street NW. All streets internal to the site are proposed to be private streets not under control of DDOT but must be constructed to current DDOT standards.

The Applicant has not submitted public space plans at the time of this review. DDOT expects the Applicant to rehabilitate the streetscape infrastructure between the curb and the property lines to current DDOT standards. This includes curb and gutter, street trees and landscaping, street lights, sidewalks, and other appropriate features within the public rights of way bordering the site. The Applicant must work closely with DDOT and the Office of Planning to ensure that the design of the public realm meets current standards and will substantially upgrade the appearance and functionality of the streetscape for public users needing to access the property or circulate around it. In conjunction with the District of Columbia Municipal Regulations, DDOT's Design and Engineering Manual will serve as the main public realm references for the Applicant. As such, all public space shall be designed and constructed to DDOT standards.

PDRM

A PDRM is recommended.

Action

DDOT has no objections to the issuance of a building permit for the project provided the Applicant rebuild the public space adjacent to the site to current DDOT standards.

Z:jr

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment

MEMORANDUM

TO: Gary Englebert
Deputy Chief Building Official
Department of Consumer and Regulatory Affairs
Attn: Arlette Howard

FROM: Ibrahim Bullo
Environmental Review Coordinator

DATE: May 26, 2016

SUBJECT: Environmental Assessment: McMillan Reservoir project

Attached is an environmental assessment of the subject project. The District Department of the Environment has reviewed the Environmental Impact Screening Form (EISF) and related documents for this project, with regard to our areas of concern as specified in the attached document. In summary, we find, in general, no apparent significant adverse impact or likelihood of substantial negative impact on the environment as a result of the proposed project. Therefore, the District Department of the Environment does not recommend preparation of an Environmental Impact Statement (EIS) for this project.

However, since the area of the limits of disturbance (24.687 acres) is greater than one acre, the applicant is required to obtain a United States Environmental Protection Agency National Pollutant Discharge Elimination System (NPDES) General Construction Permit. This is a federal requirement and is one of the permits required to receive final sediment and erosion control and stormwater management approval from the Department of Energy and Environment.

Copy via e-mail:
Edna Ebanks, DDOE

**ENVIRONMENTAL ASSESSMENT
For
McMillan Reservoir project
2501 First Street, NW**

May 2016

Compiled by:

**Ibrahim Bullo,
Environmental Review Coordinator**

District Department of the Environment

Tommy Wells, Director

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LIST OF FREQUENTLY USED ACRONYMS

AQD	Air Quality Division
BGS	Below ground surface
BMP	Best management practice
BTEX	Benzene toluene ethyl and xylene
BZA	Board of Zoning Adjustment
CFS	Cubic feet per second
CSA	Comprehensive Site Assessment
DCOP	Dust and Odor Control Plan
DDOE	District Department of the Environment
DPW	Department of Public Works
EHA	Environmental Health Administration
EIS	Environmental Impact Statement
EISF	Environmental Impact Screening Form
EPA	U.S. Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FIRMS	National Flood Insurance Rate Maps, published by FEMA
HDPE	High density polyethylene
HSP	Health and Safety Plan
HWD	Hazardous Waste Division
LUST	Leaking underground storage tank
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NOx	Nitrogen oxides
OECEJ	Office of Enforcement, Compliance & Environmental Justice
OSHA	Occupational Safety and Health Administration
PPM	Parts per million
PVC	Polyvinyl chloride
RCP	Reinforced concrete pipe
SCS	Soil Conservation Service
SSECP	Soil and Sediment Erosion Control Plan
TPH	Total petroleum hydrocarbons
TSD	Toxic Substance Division
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
UST	Underground storage tank
USTD	Underground Storage Tank Division
VOCs	Volatile organic compounds
WASA	Water and Sewer Authority
WPD	Watershed Protection Division
WQD	Water Quality Division

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LIST OF MATERIALS REVIEWED IN RELATION TO THE PROJECT

A. Materials Provided by Applicant:

EISF Application and the following documents:

1. Conceptual Erosion/Sediment Control Plan
2. Conceptual Storm Water Management Plan
3. ECS, 2013a. Report of Preliminary Subsurface Exploration and Geotechnical Engineering Analysis, McMillan Redevelopment Washington, DC, ECS Project No. 37:1202, November 4, 2013
4. ECS, 2013b. Phase II Environmental Site Assessment (ESA), McMillan Reservoir Sand Filter, 1st Street and Michigan Avenue, NW, Washington, DC, ECS Project No. 37:1202-A, Date of Report: November 4, 2013
5. ECS, 2015. Phase I Environmental Site Assessment, McMillan Reservoir Sand Filter, 1st Street and Michigan Avenue, NW, Washington, DC, ECS Project No. 37:1202-C, Date of Report: February 25, 2015
6. EISF application and attachments, filed on August 13, 2015
7. Email correspondence with an attachment from Toni Taylor (Program Analyst, DCRA) to WQD dated on August 20, 2015, Subject: FW: Bancroft Elementary School
8. Email correspondence with an attachment from Gilles Stucker (Senior Project Manager, Office of the Deputy Mayor for Planning & Economic Development, Government of the District of Columbia) to WQD dated on December 11, 2015, Subject: Re: WQD review comments on EISF #00-0662, McMillan Reservoir
9. Project Narrative

B. Materials Provided by the Community:

The District Department of the Environment has received no materials from the community regarding this proposed project.

C. In-House Reference Materials and Site Visits:

1. Water Quality Division

- a. DC Ground Water Resources Studies (series of four reports).
- b. D.C. Department of Consumer and Regulatory Affairs (DCRA), District of Columbia Wetland Conservation Plan. August 1997.
- c. Johnston, P.M., Geology and Ground-Water Resources of Washington, D.C. and Vicinity. USGS Water Supply Paper (WSP) 1776. Reston, Virginia, 1964.
- d. District of Columbia Sewerage System, 1986.
- e. U.S. Geological Survey (USGS), 1965. Topographic Map Anacostia Quadrangle 7.5 Minute Series. Photo Revised 1979.

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- f. (USGS), 1965, Topographic Map Washington West Quadrangle 7.5 Minute Series. Photo Revised 1982.

2. Watershed Protection Division

- a. DC Storm Water Management Guidebook.
- b. DC Erosion and Sediment Control Standards and Specifications.
- c. DC DPW/WASA General Sewerage Map.
- d. DC WASA Sewer and Water Counter Maps.
- e. DC Soil Survey (USDA-SCS).
- f. FEMA National Flood Insurance Rate Maps.
- g. Site visit.

3. Fisheries and Wildlife Division

- a. District of Columbia List of Endangered and Threatened Species.
- b. U.S. Fish and Wildlife Service List of Threatened and Endangered Species.
- c. Section 6 Guideline for Threatened and Endangered Species Act published by the U.S. Fish and Wildlife Service.

4. Air Quality Division

National Ambient Air Quality Standards.

5. Underground Storage Tank Division

- a. DC UST Access database
- b. DC LUST Access database
- c. Case files (soft and hard) specific for the address(es)
- d. UST Regulations 20DCMR, Chapter 55-70, October 1, 1999

6. Toxic Substances Division

As no toxic substances were identified, no in-house reference materials were reviewed.

7. Hazardous Waste Program

- a. RCRAinfo database
- b. Case files (soft and hard) specific for the address(es)
- c. 20 DCMR, Chapters 42-43, June 8, 2007

8. Environmental Justice

- a. 2000 Census Tract Data.
- b. D.C. Office of Planning State Data Center Data.
- c. US Census Tract Income Data.

Environmental Assessment for the McMillan Reservoir project
2501 First Street, NW
May, 2016

I. INTRODUCTION AND PURPOSE

A. INTRODUCTION

The proposed project site is 2501 First Street, NW, occupying Lot 0800 in Square 3128. This site is located at a slow sand filtration plant for drinking (potable) water that has been abandoned for several years and consists of a series of unreinforced concrete cells. Under this EISF application, many of these cells will be removed, including the associated site appurtenances.

The site is bounded by North Capitol Street NW to the east, Michigan Avenue NW to the north, First Street NW to the west, and Channing Street NW to the south. The proposed project involves the construction of five new major buildings, 146 row houses, and a community center. The new buildings will provide a total of 682 residential units, approximately 1 million square feet of commercial/medical office space, and approximately 95,000 square feet of retail and grocery space. Four underground parking garages will provide approximately 2,700 parking spaces to supplement approximately 300 street and single car garage spaces within the development.

B. PURPOSE OF THE PROPOSED ACTION

The purpose of the proposed project is to construct five new major buildings, 146 row houses, and a community center.

II. ENVIRONMENTAL POLICY ACT DIRECTIVES APPLICABLE TO DDOE

As to this specific project, the District Department of Environment serves as an advisory agency on this project, in determining whether an environmental impact statement is required. Section 7201.2 of Title 20, D.C. Municipal Regulations requires that proposed major actions are to be assessed in a number of areas for their impact on the environment. The following areas, listed in the regulations, fall within the mandate of the District Department of the Environment. They are whether:

1. The action might have a significant adverse effect on a rare or endangered species of animal or plant, or the habitat of the species (§7201.2 (a));
2. The action might violate published national or local standards relating to hazardous waste (§7201.2 (b));
3. The action might significantly deplete or degrade ground water resources (§7201.2 (c));
4. The action might significantly interfere with ground water recharge (§7201.2 (d));
5. The action might cause significant flooding, erosion or sedimentation (§7201.2 (f));
6. The action might significantly diminish habitat for fish or wildlife (§7201.2 (h));
7. The action might create a potential public health hazard or would involve the use, production or disposal of materials that pose a hazard to people, animal or plant populations in the area (§7201.2 (i));

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8. The action might violate any ambient air quality standard, contribute significantly to an existing or projected air quality violation, or expose sensitive receptors to significant pollutant concentrations (§7201.2 (j)); and
9. The action might cause significant adverse change in existing surface water quality or quantity (§7201.2 (l)).

III. DDOE DIVISIONS INVOLVED IN REVIEWING THIS PROJECT

The divisions within the District Department of Environment that are responsible for reviewing this project are as follows:

<u>Area Reviewed</u>	<u>DDOE Division/Office</u>
Water quality	Water Quality Division
Sedimentation, storm water management and watershed protection	Watershed Protection Division
Vegetation and wildlife	Fisheries and Wildlife Division
Air quality	Air Quality Division
Underground storage tanks/leaking underground storage tanks	Underground Storage Tank Division
Toxic substances	Toxic Substances Division
Hazardous wastes	Hazardous Waste Program
Environmental justice concerns	Office of Enforcement, Compliance & Environmental Justice

Specific reports from each of the aforementioned divisions are presented in Section VI of this Report.

IV. LIST OF NEEDED PERMITS AND APPROVALS REQUIRING DDOE INVOLVEMENT

The construction and operation of the various components associated with the proposed project could require permits and approvals from DDOE divisions. Table 1.0 provides a list of the environmental related permit and approval requirements which may be applicable to the proposed action:

**Table 1.0
Permits and Approvals
Associated with DDOE**

<u>Action</u>	<u>Permit/Approval Requirement</u>	<u>Approving Agency</u>	<u>Permit Issuing Agency</u>
Stormwater Management	Construction Permit	DDOE	DCRA

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Erosion and Sediment Control	Construction Permit	DDOE	DCRA
Site Characterization Report & Corrective Action Plan for Soil and Groundwater Remediation	Approval	DDOE	DCRA
Wells	Permit	DDOE	DCRA
Air Pollution Equipment	Permit	DDOE	DDOE
Fishing	License	DDOE	DDOE
Biological Research	Permit	DDOE	DDOE
Underground Storage Tank Installation, Abandonment & Removal	Approval	DDOE	DDOE

V. ENVIRONMENTAL SETTING AND CONSEQUENCES

A. WATER QUALITY

1. Environmental Setting

Per the ECS (2013a) report, the environmental setting is described as follows:

The project site is located in the Coastal Plain Physiographic Province of Washington, DC. This Coastal Plain Province is characterized by a series of south-easterly dipping layers of relatively consolidated sand and clay deposits, with varying amounts of gravel. These Coastal Plain deposits are underlain by the eastward continuation of the crystalline rock of the Piedmont Physiographic Province. In general, the upper, natural soils at the site consist of alluvial deposits of Quaternary age. These alluvial soils typically consist of interbedded layers of silt, sand, clay, and gravel. The Quaternary age deposits are typically underlain by the Potomac Group sediments of the older Cretaceous age. The Cretaceous age Potomac Group deposits generally consist of interbedded, discontinuous, sand and clay layers that generally slope down to the southeast at

approximately 0.5 to 0.8 degrees. The sand layers generally consist of fine to medium sand with variable amounts of clay and silt. In isolated areas, gravel can also be encountered, particularly in the basal layers of Potomac Group sands.

Groundwater was encountered in all fifty-two soil borings advanced at the site at a depth ranging from 20.5 to 48.5 feet below the existing ground surface (ECS, 2013a). Based on the EISF application (Part II.15), the topographic map for the site (USGS, 1965), and Johnston (1964), there are no streams, lakes, ponds, springs, or wetlands within 100 feet of the project site.

2. Environmental Consequences

Sections 7201.1 (c), (d) and (l) of the Environmental Policy Act implementing regulations provide that a project should be assessed to determine whether:

- (c) The action might significantly deplete or degrade ground water resources;
- (d) The action might significantly interfere with groundwater recharge; or
- (l) The action might cause significant adverse change in the existing surface water quality or quantity.

Ground Water

The following addresses Sections 7201.2(c) and (d) of the Environmental Policy Act regulations.

Based on the email correspondence dated December 8, 2015, the maximum depth of excavation is currently unknown. However the applicant indicates that the pumping of groundwater will be required at the site during and/or after the project is completed at a pumping rate of 500 gallons per day (EISF, Part III 24). Because of the pumping rate proposed for the construction dewatering, there is no expected impact on groundwater flow as a result of the proposed project. The applicant states that there is soil contamination at the site (EISF, Part II.7). Additionally, total petroleum hydrocarbons – diesel range organic (TPH-DRO) and volatile organic compounds (VOCs) were detected in the most of soil samples collected during the Phase II ESA. Based on the email correspondence dated December 8, 2015, the applicant states that petroleum-impacted soil will be separated and removed offsite in accordance with applicable regulations. Additionally, if any contaminated groundwater is encountered or rainwater comes in contact with any contaminated soil during construction, the applicant has also committed in the email correspondence dated December 11, 2015 to the following:

- (1) Containerize the known or potentially contaminated groundwater or rainwater in a holding tank, obtain accurate, reproducible, and representative water samples from the

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tank (s) and have them analyzed in a laboratory for all contaminants of concern using USEPA approved methods.

If the laboratory analytical results of water samples collected from the containerized tank(s) is:

- (a) Above DC Water's Pretreatment Standards, the applicant must obtain a discharge permit from DC Water before discharging to the sanitary or combined sewer system; or
- (b) Below DC Water's Pretreatment Standards but exceeds DC Surface Water Quality Standards, the applicant must contact DOEE/WQD for guidance on handling/treatment of the contaminated water, and a discharge permit from USEPA to discharge treated water in the District's municipal separate sewer system (MS4) or surface waters;

(Note: Under these conditions, the applicant shall develop and submit a work plan stating how contaminated water will be treated. The work plan must be approved by DOEE/WQD prior to the submission of discharge permit application to USEPA. The work shall be performed in accordance with the approved work plan and comply with discharge permit conditions.)

- (2) Hire an independent environmental consultant to investigate the site to determine if any contaminated soil is identified during construction that can adversely impact US and District's waters;
- (3) Containerize all installation/investigation-derived wastes including but not limited to soils, muds, and sediments from known or potentially contaminated sites; collect accurate, reproducible, and representative samples for all contaminants of concern, and have samples analyzed in a laboratory using USEPA approved methods for characterization for offsite disposal;
- (4) Provide a soil, sediment, and water sampling plan, a quality assurance and quality control plan, a sediment and erosion control plan, and a health and safety plan for known or potentially contaminated sites for review and approval prior to the start of work to DOEE/WQD;
- (5) Take all necessary steps to minimize or prevent any discharge of contaminated water and soil that has a reasonable likelihood of adversely affecting human health or the environment;
- (6) Provide work completion report documenting procedures taken and all investigation records including but not limited to as-built plans/drawings, deviations from the

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approved work plans if any, boring logs, fields tests results, and laboratory analysis results with quality assurance quality control, data quality issues, and chain-of-custody to DOEE/WQD within 30 days of work completion; and

- (7) Complete all work in accordance with all permit conditions, and Federal and District Laws and Regulations.

The applicant's responses to the EISF (Parts III.37 and III.48) indicate that there are contaminants or hazardous substances that will affect groundwater quality or be generated at the site. Additionally, based on the email correspondence dated December 8, 2015, the applicant states that the potential pollutants and sources that may impact existing surface and groundwater quality during the redevelopment of the property include paints for the building structures, hydraulic oil, diesel fuel and gasoline fuel for construction equipment, erosion in disturbed areas, wastewater from construction equipment washing, and concrete/asphalt for pave areas/building foundations. However, the applicant also states that a Stormwater Pollution Prevention Plan (SWPPP) will be prepared to address how these will be handled during construction activities such as designating washout areas, establishing proper equipment/vehicle fueling and maintenance practices, incorporating a spill prevention and control plan, and selecting appropriate erosion and sediment control best management practices for use during and post construction. Consequently, if the guidance provided herein is adhered to, the project is anticipated to have minimal impact on groundwater quality.

Currently, 80 percent of the project site area is impervious (EISF, Part II.1.b). Based on the email correspondence dated December 8, 2015, the impervious area after the project is complete is currently unknown. The EISF III.33 indicates that the proposed project will not interfere with groundwater recharge. Based on the current impervious area and location, the proposed development at the site is anticipated to have minimal impact on groundwater recharge in the area.

Surface Water

The following addresses Section (I) of the Environmental Policy Act regulations.

The EISF (Parts II.14 and II.15) states that the project site is more than 100 feet away from the nearest hydraulically down gradient natural surface water body. Consequently, the project is expected to have minimal impact to surface water flow. This property is serviced by the Combined Sewer System (CSS). Based on the email response from the applicant dated on December 8, 2015, a Temporary Discharge Authorization Permit will be acquired from District of Columbia Water and Sewer Authority (DC Water) prior to any discharge of water from the site to the CSS. In the event discharge is to the MS4, the applicant will comply with all DOEE requirements to discharge groundwater into the District's MS4. The applicant has also committed to the requirements present in the Groundwater section above, in this EISF. Therefore, no contaminated groundwater is anticipated to be discharged to the District's MS4 or

to surface waters. Additionally, the applicant states that the project will not adversely affect existing surface water quality (EISF, Part III.34). Therefore, if the guidance provided herein is adhered to, minimal or no impact to surface water quality is anticipated from the project.

3. Conclusion

In view of the above, the WQD has assessed that there is no apparent significant adverse impact or likelihood of substantial negative impact to the environment with regards to Sections 7201.2(c), (d), and (l) of the Environmental Policy Act. Therefore, preparation of an Environmental Impact Statement is not recommended for areas of concern to the WQD.

B. SEDIMENTATION AND STORM WATER MANAGEMENT/ WATERSHED PROTECTION

1. Environmental Setting

Topographically, the ground is relatively flat, sloping from the north toward the southern limit of the site. The runoff from the site is untreated and follows the topographical pattern of the site. Currently, there is no stormwater management facility. In order to bring the site into compliance, the owner proposes to treat the runoff from the impervious area by installing multiple green roof systems, bioretention areas, infiltration trenches, pervious pavement, and rainwater harvesting for irrigation and mechanical demands.

2. Environmental Consequences

Section 7201.1(f) of the Environmental Policy Act implementing regulations provides that a project should be assessed to determine whether:

The action might cause significant flooding, erosion or sedimentation.

A review of the EISF application and the erosion and sediment control and stormwater management control plans submitted for the project site shows the 2-year pre- and post-development runoff quantities to be 46.0cfs and 91.0cfs, respectively, and the 15-year pre- and post-development runoff quantities to be 65.0cfs and 131.0cfs, respectively. There is a net increase of 45.0cfs for the 2-year storm and 66.0cfs for the 15-year storm. The net increase in the 2-year and 15-year runoff will be accommodated and regulated by installing multiple green roof systems, bioretention areas, infiltration trenches, pervious pavement, and rainwater harvesting for irrigation and mechanical demands. . The site development plan also shows appropriate erosion and sediment control measures necessary for the construction phase.

3. Conclusion

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Based on the review of the submitted EISF package and a site visit on November 18, 2015, WPD does not anticipate any significant adverse impact or the likelihood of substantial impact to the environment, provided that the proposed erosion and sediment control and stormwater management measures are implemented. Therefore, preparation of an Environmental Impact Statement is not required in the areas of concern to WPD.

C. VEGETATION AND WILDLIFE

1. Environmental Setting

The site for this project is 2501 First Street, NW, Washington, DC, an urban setting.

2. Environmental Consequences

Section 7201.1 (h) of the Environmental Policy Act's implementing regulations provide that a project should be assessed to determine whether:

The action might significantly diminish habitat for fish, wildlife or plants.

As indicated above, the proposed project is in an urban setting. There are no known endangered species at the site, and, given the urban nature of the site, there is limited habitat for fish, wildlife or plants.

3. Conclusion

After review of the plans for the above project, and based on other in-house documents, the Fisheries and Wildlife Division has determined that there is no apparent significant adverse impact or likelihood of substantial negative impact to the environment as a result of the proposed project. Therefore, preparation of an environmental impact statement is not recommended for the areas of concern to the Fisheries and Wildlife Division.

D. AIR QUALITY

1. Environmental Setting

The project site is located within the National Capital Interstate Air Quality Control Region, which includes the Washington, D.C. metropolitan area. The region currently meets the National Ambient Air Quality Standards (NAAQS) for all criteria air pollutants with the exception of ozone and fine particulates. The U.S. Environmental Protection Agency (EPA) has designated the region as a "non-attainment area" for ozone and fine particulates. Until 1996, EPA had also designated the region as a "non-attainment area" for carbon monoxide (CO); however, EPA re-designated the region as an "attainment area" with a maintenance plan for CO that year because the region had not been violating the NAAQS for CO. There have been no monitored violations

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of the NAAQS for CO since the 1996 re-designation. The District must continue to perform enhanced evaluations to ensure that the CO NAAQS is not violated during a 20 year maintenance period according to Clean Air Act requirements.

Air quality in the Washington, DC-MD-VA metropolitan area has exceeded the NAAQS for 8-hour ozone in the recent several years. The highest levels of ozone generally occur during the summer (May to September) when the warmer temperature and sunlight intensity enhances the formation of ozone. Oxides of Nitrogen (NOx) and volatile organic compounds (VOCs) are the primary precursor pollutants for ozone formation. Ozone is a secondary air pollutant and a regional air quality issue requiring mitigation at a metropolitan and larger regional level.

In the District, based on 2011 data, approximately 42 percent of VOCs that form ozone come from on-road and non-road mobile sources. Large facilities such as power plants, larger boiler plants, and factories cause only a small portion (about one percent) of the VOC emissions in the District. The remaining portion (approximately 57 percent) of VOCs is emitted from a multitude of small sources, including printers, service stations, construction contractors, paints, and cleaning solvents.

Based on 2011 data, approximately 76 percent of NOx emissions in the District that form ozone come from on-road and non-road mobile sources. Large facilities such as power plants, larger boiler plants, and factories make up approximately seven percent of the NOx emissions. The remaining approximately 17 percent come from smaller “area” sources.

As noted above, the District is classified as a “non-attainment” area for fine particulate matter (PM_{2.5}). Specifically, the District is so classified with respect to the 1997 annual standard of 15µg/m³. In recent years, the District has monitored attainment with this standard as well as the newer (identical) 2006 15 µg/m³ annual standard and the 2012 annual standard of 12µg/m³, though the District has not yet received a designation for the 2012 standard. The District is in the process of requesting designation as an “attainment area” for the 1997 standard, but will still need to show that it is maintaining compliance with this standard, similar to the process for the CO standard discussed above. Additionally, it should be noted that, while the District is monitoring attainment with these standards, the monitored levels are only marginally below the newer standard, so a high level of vigilance is needed to ensure that it is not violated.

2. Environmental Consequences

The Environmental Policy Act sets out the impact on air quality as a potential significant impact. Specifically, section 7201.2 (k) of the regulations provides that a project should be assessed to determine whether:

The action might violate any ambient air quality standard, contribute significantly to an existing or projected air quality violation, or expose sensitive receptors to significant pollutant

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concentrations.

Items 9 through 16a and 16b in Part III of the EISF application set out a series of questions to which an applicant must respond which are designed to elicit information regarding potential air quality impacts. In the response to Item 9, the applicant indicated that the project would contain residential premises, apartment dwellings, a subdivision or other housing complex designed to house 50 or more families (approximately 682 residential units). In the response to Item 10, the applicant indicated that the project would provide 50 or more new parking spaces (approximately 3,000 parking spaces to be provided). In response to Item 11, the applicant indicated that the proposed project would consist of shopping and/or commercial facilities with 50,000 or more square feet of gross floor space (approximately 1,000,000 square feet of commercial/medical office space, and approximately 95,000 square feet of retail and grocery space). In response to Item 12, the applicant indicated that the project would consist of entertainment and/or recreational facilities with capacity to accommodate more than 400 persons at one time. In response to Item 15, the applicant indicated that the proposed project would increase traffic volume that would result in a vehicle delay of 55 or more seconds at a signalized intersection (intersection level-of-service E or F). The applicant answered “no” to Item 14.

In response to Item 16a, the applicant indicated that the project would not result in an emission into the atmosphere of odorous or other air pollutants from any source, in any quality and of any characteristic and duration which is or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life and property.

In response to Item 16b, the applicant indicated that they would control fugitive dust emissions as follows: “Dust control methods consistent with DDOE recommended erosion and sediment control practices as outlined in 2013 guidebook.” The applicant will be required to comply with the requirements of 20 DCMR § 605 during construction.

As a result of the number of planned dwelling units, the number of planned parking spaces, the amount of shopping/commercial space, the amount of entertainment and/or recreation facility space, and the reduction in level-of-service of intersections, the EISF required the applicant to submit an air quality analysis of emissions (in pounds or tons of pollutants per day) of CO resulting from the operation of mobile sources associated with the proposed project. Applicants submitting an air quality analysis are required to use the most current version of the EPA’s mobile emissions factor model in deriving the emissions estimates. Applicants are also required to provide an analysis of the impact from mobile sources on CO concentrations (in parts per million) [ppm] in the vicinity of the proposed project. At a minimum, this analysis must be conducted in accordance with the procedures identified in DOEE’s “Guidance for the Analysis of Air Quality Studies Performed as a Result of the EISF Process” using an approved air quality dispersion model (the default model is the latest version of CAL3QHC/CAL3QHCR posted on the EPA regulatory model website) and must include a comparison of the resulting air quality with both the one (1)-hour average and eight (8)-hour average NAAQS for CO.

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The Air Quality Division (AQD) of the Department of Energy and Environment (DOEE) specifically required the preparation of an air quality impact study for the proposed McMillan Reservoir project. AQD did not require an evaluation of the impacts on ground-level ozone, nitrogen dioxide, lead, or fine particulate matter for the following reasons:

Ozone (O₃): As indicated above, ozone is a regional problem. It cannot be effectively subjected to project-specific analysis because of the nature of how it is formed.

Nitrogen

Dioxide (NO₂): In January 2012, the District was designated “unclassifiable/attainment” for the new 2010 annual and 1-hour NO₂ NAAQS. Based on available air quality data at the time, the EPA determined that the District is attaining the 2010 NO₂ NAAQS. New near-road monitoring requirements for the 2010 NO₂ NAAQS have not yet been fully implemented. However, based on ambient air quality data from the three existing community scale monitors to date, the District is in attainment with the 2010 NO₂ NAAQS. There is generally no need to conduct project-level NO₂ modeling unless the District is designated nonattainment in the future, based on any new ambient monitoring that meets the requirements of the new NAAQS.

Lead (Pb): In November 2011, the District was designated “unclassifiable/attainment” for the new 2008 Pb NAAQS. Based on available air quality data at the time, EPA determined that the District is attaining the standard and there is no evidence of violations. However, new monitoring requirements have not yet been implemented. There is no need to conduct project-level Pb modeling unless the District is designated nonattainment in the future, based on ambient monitoring that meets the requirements of the new NAAQS. Additionally, since combustion of gasoline is not a significant source of Pb, no hot-spot analysis for Pb is required.

Fine Particulate

Matter (PM_{2.5}): As described above, the District is in a recently re-designated “attainment area” with respect fine particulate matter (PM_{2.5}) (effective November 6, 2014) when it became a “maintenance area”. However, since this site is expected to have little effect on diesel traffic (the primary source of concern for PM_{2.5} in the area) on an ongoing basis, it was determined that no modeling was required for this pollutant.

As indicated, the air quality analysis was focused on CO. A Transportation Impact Study (TIS) was prepared by Gorove/Slade dated March 17, 2014. The TIS focused on 19 intersections near the proposed project for weekday morning and afternoon peak hour analyses. Additionally, it focused on 12 intersections for a Saturday afternoon peak hour analysis. The intersections are listed below:

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Weekday Morning and Afternoon Peak Hour Analyses

1. First St. NW & Irving St. NW;
2. First St. NW & Michigan Ave NW;
3. North Capitol St. & Michigan Ave. NE/NW;
4. Michigan Ave. NE & Franklin St. NE;
5. North Capitol St. & Girard St. NE;
6. North Capitol St. & Franklin St. NE;
7. North Capitol St. & Evarts St. NE;
8. First St. NW & McMillan St. NW;
9. North Capitol St. & Douglas St. NE;
10. First St. NW & Channing St. NW;
11. North Capitol St. & Channing St. NE/NW;
12. First St. NW & Bryant St. NW;
13. First St. NW & Rhode Island Ave. NW;
14. North Capitol St. & Rhode Island Ave. NE/NW;
15. Georgia Ave. NW & Columbia Rd. NW;
16. Georgia Ave. NW & Harvard St. NW;
17. Georgia Ave. NW & Bryant St. NW;
18. Georgia Ave. NW & W St. NW; and
19. All site access points.

Saturday Afternoon Peak Hour Analysis

1. First St. NW & Michigan Ave NW;
2. North Capitol St. & Michigan Ave. NE/NW;
3. Michigan Ave. NE & Franklin St. NE;
4. North Capitol St. & Girard St. NE;
5. North Capitol St. & Franklin St. NE;
6. North Capitol St. & Evarts St. NE;
7. First St. NW & McMillan St. NW;
8. North Capitol St. & Douglas St. NE;
9. First St. NW & Channing St. NW;
10. North Capitol St. & Channing St. NE/NW;
11. First St. NW & Bryant St. NW;
12. All site access points.

The TIS used traffic counts taken on April 24, 2013, April 25, 2013, April 27, 2013, and May 4, 2013 as base data representing existing traffic conditions. Additional traffic information taken related to the WASA Clean Rivers Project on February 15, 2012, February 23, 2012, January 23, 2013, January 24, 2013, January 29, 2013, January 30, 2013, and February 5, 2013 was also used for some intersections. The traffic study projected future baseline (without project development) and future project case (with project development) traffic conditions for a projected completion of the project in 2025. To estimate traffic conditions at future dates, to adjust for regional traffic

growth rates, varying, annually compounded growth rates were added to the study roadways. These growth rates were derived from Metropolitan Washington Council of Governments (MWCOG) estimates of traffic growth in the area adjusted to remove contemporaneous developments accounted for directly as discussed below to avoid double-counting. No growth rates were applied for the Saturday peak hour. The following growth rates were applied to the roadways in the study:

1. Georgia Avenue (northbound and southbound): 1% per year during AM peak hour;
2. Rhode Island Avenue (eastbound): 1% per year during AM peak hour;
3. Georgia Avenue (southbound): 0.7% per year during PM peak hour;
4. Rhode Island Avenue (eastbound): 0.25% per year during PM peak hour; and
5. Rhode Island Avenue (westbound): 0.5% per year during the PM peak hour.

The TIS incorporated several contemporaneous developments in the analysis. It evaluated seven different developments, but eliminated some from inclusion, either because they are not fully funded, or they are expected to be completed after 2025. After this analysis, the following three developments were included in the background scenario:

1. Veterans Affairs Medical Center Master Plan;
2. Armed Forces Retirement Home – Zone A; and
3. Howard University Campus Master Plan.

An Air Quality Analysis (AQA) was completed by Applied Environmental Inc., dated December 22, 2015. Applied Environmental used CAL3QHCR to model traffic-attributable CO concentrations at a total of 63 receptors in the area of the project. The receptors are mostly located on the roadways immediately surrounding the proposed facility, however additional receptors are found on Georgia Avenue on the other side of the McMillan Reservoir, around the intersection of Irving Street NW and First Street NW, and around the intersection of Michigan Avenue NW and Franklin Street NE.

Modeling was performed around the following intersections:

1. First St. NW & Bryant St. NW;
2. First St. NW & Channing St. NW;
3. First St. NW & McMillan Drive/South Service Court, NW;
4. First St. NW & Evarts St. NW;
5. First St. NW & North Service Court NW;
6. First St. NW & Michigan Ave. NW;
7. Michigan Ave. NW & Pick-up/Drop-off In;
8. Michigan Ave. NW & Half St. NW;
9. Michigan Ave. NW & Pick-up/Drop-off Out;
10. North Capitol St. & Michigan Ave. NW;
11. North Capitol St. & Girard St. NE;

12. North Capitol St. & North Service Court NW;
13. North Capitol St. & Franklin St. NW;
14. North Capitol St. & Evarts St. NW;
15. North Capitol St. & Douglas St. NW;
16. North Capitol St. & Channing St. NW;
17. Georgia Ave. NW & Columbia Rd. NW;
18. Georgia Ave. NW & Harvard St. NW;
19. First St. NW & Irving St. NW; and
20. Michigan Ave. NE & Franklin St. NE;

The highest one-hour traffic attributable CO concentration (with redevelopment) was modeled to be 2.14 ppm at receptor #22, located on the east side of North Capitol Street, south of Michigan Avenue NE during the PM peak traffic period. The highest eight-hour traffic attributable CO concentration (with redevelopment) was modeled to be 1.36 ppm, also at receptor #22 during the PM peak traffic period.

Applied Environmental also modeled CO attributable to the parking garages and the surface parking areas to be developed. Applied Environmental used a single complex emission site AERMOD run with six emission sources for this analysis. The following were modeled:

1. Four-level below grade parking garage in Parcel 1 with two horizontally venting exhaust shafts venting 15 feet above grade, one on each side of Half Street;
2. Two-level below grade parking garage spanning the two residential buildings in Parcel 2 with the exhaust vented vertically to the rooftop of the western building, exhausting 82.5 feet above grade;
3. Four-level below grade parking garage below the medical office building in Parcel 3 exhausting to the southeast corner of the building from a horizontal vent, centered 16 feet above grade;
4. Two-level below grade parking garage beneath the residential/grocery building in Parcel 4, with the exhaust vented vertically to the rooftop of the center wing, exhausting 78.7 feet above grade;
5. Street parking and private garages in Parcels 5 and 6, modeled as an area source.

On May 19, 2016, ECS Mid-Atlantic, LLC (ECS) submitted slightly revised modeling from the original modeling to address concerns raised by AQD regarding whether the most conservative assumptions regarding garage stack modeling were used. The revised numbers were very slightly higher, but not significantly so.

The results of the revised modeling showed a maximum one-hour peak of 6.55 ppm CO during the PM peak period. The revised maximum eight-hour CO contribution from the parking was 1.99 ppm during the PM peak period.

Some of the roads in the vicinity of the project carry more than 20,000 vehicles per day. Therefore, in accordance with DOE's "Guidance for the Analysis of Air Quality Studies Performed as a Result of the EISF Process", the applicant use the highest second high regional ambient monitor data to represent background values over 2012, 2013, and 2014. The value used for the one-hour background was 4.9 ppm while the value used for the eight-hour background was 3.1 ppm.

The analysis chose the worst case combinations of traffic contributions and parking contributions and summed them with the identified background CO contributions to determine an overall worst case future status with the development.

The worst case total one-hour concentration was determined to be 13.6 ppm. This value is well below the 35 ppm one-hour NAAQS.

The worst case total eight-hour concentration was determined to be 6.5 ppm. This value is below the 9 ppm eight-hour NAAQS.

It should also be noted that, in a pre-submittal meeting, AQD expressed a concern about particulate emissions from the planned "Transit Hub" in the northern part of the site. AQD was particularly concerned about the possibility of a high concentration of diesel vehicles, such as transit buses. Applied Environmental addressed this concern in the AQA (see pages 7-8 of the AQA). They note that Metrobus traffic will not enter the site, but will be served by relocated bus stops on Michigan Ave. near the intersection with Half Street NW. The Metro Express service, DC Connector, and DC Streetcar service would also be accommodated on Michigan Ave. NW. The identified "Transit Hub" is intended as a pick-up/drop-off court serving taxis, shuttles, and patient/visitor pick-up and drop-off activity. It is expected that shuttle buses or vans will be used rather than bus-sized vehicles.

Shuttle bus service may or may not be needed to shuttle people to and from the Brookland Metrorail station. This would likely only be needed if other planned service expansions (especially the streetcar service) do not materialize. If needed, Applied Environmental indicated that information they received from Gorove/Slade indicates that 13-18 round trips would occur during peak hour service with fewer than 100 total round trips per day. Applied Environmental also indicated that many providers of this type of service use gasoline rather than diesel vehicles.

Additionally, Applied Environmental indicated that they received information from Shalom Baranes Associates that two anchor tenants of the healthcare facility may reduce shuttle trips from satellite lots as more parking would be available on site.

Please note that any installation of fuel burning equipment (such as boilers) with heat input ratings greater than 5 MMBTU/hr, stationary generators, or other stationary air pollutant emitting equipment will need to go through a separate air quality permitting process prior to their construction being initiated. The EISF form specifically mentions that one or more emergency

generator sets will be maintained at the site on the roof of the buildings. These generators will require separate permits from DOEE AQD before installation begins. It is also deemed likely that this type of project will have some form of cogeneration system or boiler plant installed. There is a strong likelihood that any such system would require air quality permits. The applicant is encouraged to contact AQD's Permitting Branch at (202) 535-1747 with any questions about these required permits.

Where applicable, 20 DCMR § 800, Control of Asbestos, must be followed during demolition and renovation of existing structures at the site.

If any soil vapor extraction or groundwater remediation is required at the site, the applicant must comply with the requirements of 20 DCMR § 717, Soil and Groundwater Remediation.

Fugitive dust must be controlled by methods ensuring compliance with 20 DCMR § 605, Control of Fugitive Dust.

Because the results of the AQA are strongly dependent upon garage exhaust heights, the applicant must construct the stacks so that they vent at the heights listed or higher. The ones listed as vertically venting shall be constructed in that configuration.

3. Conclusion

Based on this review, and provided the project is implemented as proposed, AQD believes that the proposed project will not violate any air quality standard. So, in regard to Section 7201.2 (k) of the Environmental Policy Act, the preparation of an environmental impact statement is not recommended for areas of concern to the Air Quality Division.

E. UNDERGROUND STORAGE TANKS/LEAKING UNDERGROUND STORAGE TANKS

1. Environmental Setting

As per the USTB records review of the data maintained within the Department of Energy and Environment (DOEE), multiple underground storage tank systems were registered to the subject site. Four (4) gasoline tanks of unidentified capacity were installed on site in 1956, with two of the tanks abandoned in place in 1970 and two abandoned in place in 1982. Two 8,000-gallon heating oil tanks were registered to the site and were closed and removed from the ground in 1998 and 1999. One 8,000-gallon fiberglass heating oil tank is currently in use at the site. No current or historic Leaking Underground Storage Tank (LUST) Cases were found to be associated with the site.

2. Environmental Consequences

A detailed environmental site assessment/excavation during the construction stages will reveal any unknown or buried tanks and other subsurface conditions, such as petroleum contamination. Any unknown or buried tanks found must be reported to DDOE for an inspection before removal or abandonment-in-place.

The soil excavated from areas of new construction must be screened in the field to determine the presence of potential environmental impacts. If evidence of impacts of environmental contaminants are identified during construction excavation the presence of such contamination must be reported to DDOE within 24 hours. If evidence of impacts are identified soil samples should be collected and if the samples test results indicate levels above the DC standards for TPH-DRO, TPH-GRO and BTEX, or are above established disposal criterion for VOC – impacted soil, the soil must be shipped to an approved off-site treatment facility. Reuse of contaminated soil onsite is not acceptable. Contaminated soil should be tested and reported to DDOE if above our standards after post excavation confirmatory analysis.

Contaminated groundwater produced during dewatering must be treated according to the District's water discharge standards. A pretreatment discharge permit must be obtained from WASA prior to any discharge to any sanitary or combined sewer.

There may be other contaminants on the property that are not under the purview of UST or LUST Programs, these may be related to aboveground activities, such as petroleum spills, waste oil dumping, car repair shops, mechanic shops, paint shops, pesticides use, etc. and may require the involvement of other Programs within DDOE .

As a best management practice, a remediation plan should include dust and contaminants odor control measures that prevent or minimize off-site migration.

It is noted that the Project that does not involve the installation of new underground storage tank systems for storing petroleum or hazardous materials. Should UST installation be part of the future operational plans, the Developer is required to contact our office for further guidance, to request an inspection during installation and to register the tanks before operation commences, send design plans, notification form and \$200 application fee per tank. Failure to comply with this requirement may result in enforcement action. Any UST System installed on the property should be managed and operated in accordance with all applicable District and Federal Regulations.

3. Conclusion

Considering all of the above and based on this review of the EIA application and information attached, it is the judgment of the UST Branch that there may not be significant adverse impact or likelihood of substantial negative impact to the environment as a result of the proposed project

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and that likely impacts can be mitigated by the developers to reduce potential harm to health and the environment.

F. TOXIC SUBSTANCES

1. Environmental Setting

There are no known toxic substances in use at the site, nor does the project plan indicate any will be used, disturbed or created in concentrations that would constitute a significant adverse impact on the environment.

2. Environmental Consequences

Section 7201.1(j) of the Environmental Policy Act implementing regulations provides that a project should be assessed to determine whether:

The action would create a potential public health hazard or would involve the use, production or disposal of materials that pose a hazard to people, animals or plant populations in the area.

Based upon the plan submitted, there is no indication that adverse environmental impacts would occur in the areas of interest to the Toxic Substance Division for the following reasons:

- No species of plants or animals were identified as threatened or endangered and therefore would not be affected if there were any releases of pesticides during construction of the project;
- There are no reported effects of pesticides to public health and safety originating from this site where pesticides may have been applied according to label directions; and
- Pesticide products will not be applied at this site as part of the project according to the information provided.

3. Conclusion

In view of the above, the Toxic Substance Division has determined that there is no apparent significant adverse impact or likelihood of substantial negative impact to the environment as a result of the proposed project. Therefore, the Division does not recommend that an environmental impact statement be required for this project.

G. HAZARDOUS WASTES

1. Environmental Setting

There are no known hazardous wastes present at the site of the proposed project in concentrations that would result in a significant adverse impact on the environment. Review of the project plan does not indicate the production or disposal of hazardous wastes in concentrations that would result in a significant adverse environmental impact.

2. Environmental Consequences

Sections 7201.1 (b) and (j) of the Environmental Policy Act implementing regulations provide that a project should be assessed to determine whether:

- (b) The action might violate published national or local standards relating to hazardous wastes; and
- (j) The action might create a potential public health hazard or would involve the use, production or disposal of materials that pose a hazard to people, animals or plant populations in the area.

There is no indication that the proposed action would violate published national or local standards relating to hazardous wastes, nor will the action create a potential public health hazard or involve the use, production or disposal of materials that pose a hazard to people, animals or plant populations in the area. However, since the project may generate UW fluorescent lamps during renovation of the existing building, an active EPA ID Number must be obtained from the DDOE-HW program prior to generating regulated waste streams.

3. Conclusion

In view of the above, the Hazardous Waste Program has determined that there is no apparent significant adverse impact or likelihood of substantial negative impact to the environment as a result of the proposed project. Therefore, preparation of an environmental impact statement is not recommended for areas of concern to the Hazardous Waste Program.

H. ENVIRONMENTAL JUSTICE

Environmental justice, as defined by the U.S. Environmental Protection Agency (EPA), is “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to development, implementation, and enforcement of environmental laws, regulations and policies.” It follows that environmental injustice occurs when certain segments of society, such as low-income and minority communities, bear a disproportionate share of the harmful effects of governmental decisions. The District Department of the Environment

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(DDOE), of course, strives for environmental justice in all its actions—including the review of this proposal.

Federal law and a presidential order guide the District’s environmental justice policies. First, Title VI of the Civil Rights Act of 1964 prohibits intentional discrimination on the grounds of race, color, or national origin under any program or activity receiving federal financial assistance. Second, President Clinton’s Executive Order 12898 directs each federal agency to make achieving environmental justice part of its mission by identifying and addressing as appropriate, disproportionately high and adverse human health effects of its programs, policies and activities on minority and low-income populations. Projects with disproportionate negative impact directly contravene these legal requirements.

The above federal obligations also govern District agencies that receive federal assistance. Since DDOE is one of those agencies, its mandate to protect and restore the environment, conserve natural resources, provide energy-related policy, and improve the quality of life in the District of Columbia fall at least in part under federal purview. Thus, in the interest of environmental justice, DDOE must also examine the potential adverse impacts on the communities in which environmentally burdensome projects are sited, especially those communities that are predominantly low-income and/or minority.

One aspect of this examination is to provide opportunities for community input in the EISF review process and to ensure that meetings and notices are accessible to minority and low-income communities potentially affected by a proposed project. This project, however, will not need that level of community involvement. DOEE’s Office of Enforcement (OE) has found no indication that this project—mixed use development located at 2501 First Street, NW—would be environmentally burdensome or would otherwise pose a disparate and unjustified health risk to the community in which it would be sited.

In support of that conclusion, OE reviewed the submitted EISF and demographic information related to the project area using EJSCREEN and other databases.¹ The project area² has an equal percentage of low-income citizens than the District as a whole (approximately 32 percent—versus 32 percent for the District as a whole).³ The area has a higher percentage of minority citizens than the District as a whole (78 percent—versus 65 percent for the District as a whole).⁴ In terms of vulnerable populations, 5 percent of the project area’s residents are children four years old or younger, and 8 percent are seniors 65 years and older.

¹ EJSCREEN is an EPA assessment tool, available at <http://ejscreen.epa.gov/mapper/>. An EISF review may also include data from the U.S. Census Bureau’s 2000 census and 2006-2010 American Community Survey, the D.C. Office of Planning’s State Data Center, and commercial databases such as www.city-data.com.

² This review includes the project site surrounded by a one-half mile buffer.

³ Based on EJSCREEN demographic indicator which defines “low income” as twice the Census Bureau’s poverty level.

⁴ Based on EJSCREEN’s State Average calculator of minority populations.

No information indicates that the environmental burden on neighbors will disproportionately increase as a result of the project. Accordingly, the proposal and the project area demographics do not require heightened scrutiny. OE concludes that no racial or ethnic minority or low-income group of people will bear disproportionate negative environmental consequences resulting from the District's action.

VI. DDOE RECOMMENDATIONS AND MITIGATION MEASURES

The Department of Energy and Environment, a reviewing agency pursuant to the Environmental Policy Act and its implementing regulations, recommends to the Department of Consumer and Regulatory Affairs that the McMillan Reservoir project, does not require the preparation of an environmental impact statement. Our recommendation is based on the fact that none of our reviews have identified any significant adverse impact or the likelihood of a substantial negative impact to the environment as a result of the proposed project.

However, since the area of the limits of disturbance (24.687 acres) is greater than one acre, the applicant is required to obtain a United States Environmental Protection Agency National Pollutant Discharge Elimination System (NPDES) General Construction Permit. This is a federal requirement and is one of the permits required to receive final sediment and erosion control and stormwater management approval from the Department of Energy and Environment.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Public Works



Solid Waste Management Administration

Memorandum

To: Rabbiah Sabbakhan
Chief Building Official

From: Tony Duckett *T.D.*
Associate Administrator SACD, DPW

Subject: McMillan Reservoir 2501 First St, NW BLRA- No. 15-00632

Date: August 20, 2015

This project will not cause a negative environmental impact, provided that, project developers and owners are in compliance with applicable laws and regulations governing solid waste management during all phases of the project. District laws require that the property and the abutting public space be maintained free of litter, dust management, and debris daily, and that all solid waste be properly containerized and removed at sufficient frequency by a licensed solid waste Collector.

Please call me with additional information if needed (202-727-2539).



November 6, 2015

Ms. Toni Taylor
DCRA, Permit Operations
1100 4th St. SW
Washington, DC 20024

Re: EISF Review BLRA No.15-00632
McMillan Reservoir
2501 First Street, NW

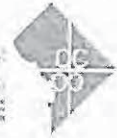
Dear Ms. Taylor,

The DC Water and Sewer Authority (DC Water) reviewed the EISF for this project as transmitted by the DC Department of Consumer and Regulatory Affairs. Currently, there are no long term environmental impacts anticipated beyond the period of construction. DC Water will work in conjunction with the developer and address all relevant aspects of this project, including assessment of flooding potential and review of the project plans for technical sufficiency of the water and sewer design. As appropriate, a temporary discharge permit maybe required for construction dewatering. If the plans are in conformance with the standard design manual and all fees have been paid, DC Water will issue a Water and Sewer Availability Certificate and recommend issuance of a building permit.

Sincerely,

Brian McDermott
Director, Permit Operations

For



MEMORANDUM

TO: Rabbiah Sabbakhan, Acting Division Chief, Permit Operations, DCRA
 cc: Toni Taylor, DCRA Program Support Specialist
 FROM: *JL for* Jennifer Steingasser, Deputy Director Development Review & Historic Preservation
 DATE: August 10, 2015
 SUBJECT: BLRA No. 15-00632 Environmental Impact Screening Form (EISF)
 McMillan Reservoir, 2501 First Street, NW

Pursuant to Chapter 72, Title 20, *Environmental Policy Act Regulations*, the Office of Planning has reviewed Part 2, Item 14 *Impact on the Growth Character of the Community or Neighborhood* as outlined in the Environmental Impact Screening Form.

Conclusion: Under the relevant regulations, the Office of Planning (OP) concludes that there are no significant impacts. OP has determined that the proposed project would not disrupt or divide the physical arrangement of an existing community nor adversely induce significant growth or concentration of population. The Zoning Commission in ZC Case No. 13-14 approved the proposed development on November 10, 2014.

Brief Project Description:

Applicant	Vision McMillan Partners, LLC and Office of the Deputy Mayor for Planning and Economic Development
Address:	2501 First Street, NW
Legal Description:	Square 3128, Lot 800
Ward/ANC	5/5E
Proposal:	The overall development would include approximately 2,070,753 square feet of gross floor area and will include: Healthcare Facility - 860,000 square feet of gross floor area. Retail – 71,000 square feet of gross floor area. Multi-Family – 528 units Row houses: 146 units Community Center: 17,500 square feet of gross floor area. Additionally, there would be approximately 500,000 square feet of land area devoted to parks, landscaping, and open areas.
Zoning:	PUD/C-3-C - permits medium-high density development, including office, retail, housing, and mixed-use development. PUD/CR - encourage a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, light industrial, and other miscellaneous uses.

Historic District	The property is part of the McMillan Park Reservoir Historic Landmark.
Comprehensive Plan Future Land Use and Policy Map Designations:	Land Use Map – mixed use: moderate density residential, moderate density commercial and Parks, Recreation and Open Space. Policy Map - Land Use Change Area As evidenced by the Zoning Commission approval of the development, the proposal is not inconsistent with these designations.
Comprehensive Plan:	Comprehensive Plan: The proposal would particularly further objectives of the Land Use, Parks, Recreation and Open Space, Transportation, Historic Preservation, Housing, Environment, Economic Development, and Urban Design Citywide Elements, and the Mid-City Area Element of the Comprehensive Plan.
ZC Approval:	The ZC approved the proposed development in ZC Case No. 13-14 on November 10, 2015.

Item 14. OP analysis of whether the proposed project will disrupt or divide the physical arrangement of an existing community; might adversely impact the environment; and/or might induce significant growth or concentration of population that might adversely impact the environment:

Will the proposed project:	Yes:	No:
Create a new source of significant light or shadow which would adversely impact other properties?		X
Substantially degrade or obstruct any scenic view or vista now observed from public areas?		X
Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the Comprehensive Plan), which was adopted for the purpose of avoiding or mitigating environmental effect?		X
Induce significant growth or concentration of a population that might adversely impact the environment?		X
Create a demand for additional community services (schools, police, recreational facilities, etc.)?		X

Overall Finding:

In light of the Zoning Commission approval, and upon review of cumulative adverse impacts of Item 14, the Office of Planning concludes that the proposed project **will not** disrupt or divide the physical arrangement of an existing community that might adversely impact the environment; or induce significant growth or concentration of population that might adversely impact the environment.