APPENDIX E1

SHPO, ACHP, DRPT, AND FRA MEETING SUMMARIES

D.C. TO RICHMOND SOUTHEAST HIGH SPEED RAIL

801 E. Main St., Suite 1000
Richmond, VA 23219

DHR Project Update (DHR Project #2014-0666)
February 13, 2018; 12:00pm

Agenda & Meeting Notes

Attendees:

Marc Holma- DHR
Emily Stock- DRPT
Carey Burch- HDR/Project Team
Steve Walter- Parsons/Project Team
Kerri Barile- Dovetail/ Project Team

1) DEIS Update (Steve, Emily, and Kerri)
- Publication and hearings
- Summary of public comments
- Summary of consulting party comments

2) Preferred Alternative and CTB Decision (Carey and Emily)
- General description
- Fredericksburg
- Ashland
- Richmond

3) Cultural Resource Studies (Kerri)
- Summary of data presented in DEIS
- Description of 2018 studies
- Schedule
- Milestones/Deadlines

4) Next Steps (Kerri and Carey)
- Cultural resource studies
- Consulting party meetings
- FEIS (including supplemental info on F'burg, Ashland, and Shockoe)
- MOA
- ROD

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5) Questions and Answers on Agenda Items and Project as a Whole (all)

Beyond the items listed in the agenda and described as such, the following questions/topics were discussed:

Marc asked about the comments received on the DEIS, in particular Ashland. Were the comments about the historic district or the project in general? Steve replied that most were concerned with their own property but a few individuals did mention cultural resources in their reply.

Steve went on to say that the comments were as expected regarding areas of potential controversy such as Fredericksburg, Ashland, and Richmond. Those who lived along the proposed bypass in Ashland preferred the through-town alternative and those in town preferred the bypass. No one really thought the Fredericksburg bypass was the way to go. In Richmond, concerns revolved around the Sacred Ground site near Main Street Station as well as making sure the preferred alternative fit within the larger city plans/initiatives.

Kerri gave everyone minutes from the consulting party meetings held in the fall of 2017 and summarized the main consulting party concerns: 1) Several wanted to assure that noise and vibration studies were included in the environmental analysis and the team confirmed that they were; 2) some asked about cumulative effects (i.e., if you build it, they will come; thus, the rail will bring development) and the team and FRA state that cumulative development is not part of the current project. She also brought up a few specific items that were mentioned by consulting parties that she wanted DHR to be aware of:

- Ashland Museum does not agree with the recommendations of the project team, the consultants hired by Ashland to do a cost share survey of the same area (Commonwealth), or the DHR's determinations on eligibility.
- Prince William County asked that the team take a look at Rippon Lodge and see if it should be included in the APE. Benjamin Latrobe sketched the view down Neabsco Creek during his visit in the early 19th century. In response to this inquiry, the team did go to Rippon Lodge and the project area is clearly visible. This resource is being added to the APE/list of historic properties even though it is outside of the 500-foot buffer.
- ABPP requested that KOKOA analysis be done on all battlefields. The team asked the DHR if this was required. A discussion on the project components/impacts ensued, and the DHR stated that KOKOA was not needed at this time due to the parameters of the undertaking and the fact that the rail is eligible under Criterion A.
- It was also mentioned that the ACHPO has decided that they want to be involved in this project despite previously signing an umbrella PA stating that they would not be involved. A meeting will be held in the near future, and all parties will be invited.

The conversation then turned to Shockoe Bottom. Carey presented details on the Urban Land Institute project that had been completed the week before and explained both the potential impacts in this area because of the DC2RVA project as well as the efforts that the team has taken to assure that significant

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resources would be avoided. One of these items is the inclusion of a special chapter in the Final EIS describing work done here to date, the importance of the area, and measures taken to minimize impacts. Marc said this sounded logical. Plans were reviewed, and Marc said that it would be wise to avoid bringing the Main Street Station platforms north of Broad Street as the potential to impact resources through the construction of additional structures as well as intrusions to visual elements dramatically increases in this area.

A schedule of upcoming cultural resource tasks was disseminated and discussed, and Marc agreed to help out as he can with expedited reviews based on the schedule as presented. This notably includes a preliminary review of resources being recorded at the Phase I level that would need Phase II evaluations and a meeting to discuss project effects followed by a concurrence letter. He asked if the MOA would be done prior to the FEIS, and the team said no. It would be done between the FEIS and ROD. Kerri said she would give Marc and the DHR as much of a heads-up as possible prior to a report landing on their desk for review.

In a discussion on next steps, Kerri mentioned that the six new federally recognized tribes had been invited to participate as consulting parties and she would let the DHR know if any accepted. Additional consulting party meetings will be held this summer once the additional studies are done. Future DHR consultation meetings will be held in June or July regarding project effects and this fall to discuss the MOA.

Steve indicated that our current schedule includes publication of the Final EIS in September of this year and the Record of Decision (ROD) approximately two months later in November. We committed to keeping Marc and the DHR informed of the progress towards these dates.

The meeting ended at 1:15pm.

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DHR Project Effects Meeting (DHR Project #2014-0666)
June 19, 2018; 1:00 pm

AGENDA & MEETING NOTES

Attendees:

Marc Holma- DHR
Emily Stock- DRPT
Carey Burch- Project Team
Steve Walter- Project Team
Kerri Barile- Project Team
Heather Staton- Project Team

1) Update on Current Project Status (Emily)

2) Summary of Cultural Resource Studies (Kerri)
- 2018 Technical Reports
- List of Historic Properties

3) Project Effect (Marc and Team)

4) Next Steps (Kerri, Steve, and Carey)
- Effect Letter for Signature
- Consulting Party Meetings
- MOA Production
- FEIS Completion
- ROD

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DHR Project Update (DHR Project #2014-0666)
July 2, 2018; 9:00am

Meeting Notes

Attendees:

Marc Holma- DHR
John Winkle- FRA
Emily Stock- DRPT
Steve Walter- Project Team
Kerri Barile- Project Team
Heather Staton- Project Team
Emily Calhoun- Project Team

1) Consulting Party Update= Kerri Barile provided a general update of the three consulting party meetings held in June 2018. Marc asked questions on general tone and content.

2) Mt. Vernon Highway/Long Bridge study= Emily Stock provided an update on the two projects to start a dialogue on how they are connected. They are independent projects but do have connections. Long Bridge will be done first. DC2RVA can function without Long Bridge being done, though.

- Discussion moved to cultural resources, and Kerri Barile mentioned overall SEHSR PA, which included both Long Bridge and DC2RVA. Marc Holma asked if ACHP is okay with them being done separately, and Kerri mentioned that they signed the PA which stated that this could occur. John Winkle said he would follow up with FRA Long Bridge lead to make sure communication is open.

- Marc Holma said he received a call from Matt Virta with the GW Parkway, and he suggested we get Matt additional information.

3) Mason's Hall in Richmond= Due to consulting party concerns, Mason's Hall was added to the APE. It is located on the edge of the indirect APE to the east of Main Street Station. Maps were shared and a brief discussion ensued. Kerri Barile stated that a revised effect letter would be heading to DHR with this data in the coming week.

4) Shockoe Area= Group had a long dialogue on the consulting party meetings, idea of a Traditional Cultural Property, and project avoidance and mitigation. Role of the City of Richmond was also discussed. John Winkle described FRA's legal obligations as viewed through 106/4(f) lens.

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- Marc Holma suggested a more thorough dialogue with the City of Richmond on this area to understand what they have done and what they intend to do from a CR perspective.

- Regarding proposed park, John Winkle stated that FRA looks at what is planned and funded.

- Of specific interest during the call were the two sites associated with the slave trade that are near the project but not within the archaeological APE. Should they be included? Should they be considered eligible under both A and D?

- All parties agreed to continue the dialogue on all of these areas with project participants and outside groups.

The meeting ended at 9:45am.

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DHR Shockoe Update (DHR Project #2014-0666)
July 24, 2018; 1:30pm

Meeting Notes

Attendees:

Marc Holma- DHR
Roger Kirchen- DHR
Sarah Stokley- ACHP
Emily Stock- DRPT
Steve Walter- Project Team
Kerri Barile- Project Team

Held call regarding the ongoing dialogues regarding Shockoe Bottom. In particular, the consulting party meetings and National Trust for Historic Preservation (NTHP) letter (dated July 20) were discussed.

- DHR shared general thoughts on the Shockoe items as stated by both Marc and Roger as well as Julie Langan, the State Historic Preservation Officer.
- Lumpkins Jail= All concurred it should be evaluated under Criterion A as well as D.
- APE should not be expanded but rather dialogue on resources and eligibility will cover this issue.
- Dialogue on Memorial Park and City plans
- Additional consultation with NTHP and other consulting parties should occur.
- An on-site meeting would be helpful to understand scope.
- Should this area be considered a Traditional Cultural Property (TCP)? Under debate.

Dialogue included discussions on mitigation for effects. Preliminary concepts were floated around but it was agreed to hold off on more thorough conversations until after additional consultation.

The meeting ended at 2:00pm.

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DHR Shockoe Update (DHR Project #2014-0666)
July 26, 2018; 1:30pm

Meeting Notes

Attendees:

Marc Holma- DHR
John Winkle- FRA
Emily Stock- DRPT
Nick Ruiz- DRPT
Carey Burch- Project Team
Karen Harrington- Project Team
Steve Walter- Project Team
Kerri Barile- Project Team
Emily Calhoun- Project Team

Held additional call regarding the ongoing dialogues regarding Shockoe Bottom including more on the National Trust for Historic Preservation (NTHP) letter (dated July 20).

DHR confirmed that there is no recorded archaeological district in Shockoe regarding the slave trade at this time. In addition, archaeology done to date on burial site has not revealed any burials. Archaeology has been done on Lumpkins Jail, but it was never evaluated for the NRHP. If it was evaluated, it would likely be eligible under A and D. As such, DHR suggests adding Lumpkins to the indirect APE but not adding the burial ground.

John Winkle stated that the FRA will assure that the process is followed but is letting DHR take the lead on eligibility and APE.

Regarding Lumpkins, DHR suggested evaluating its setting and feeling to determine effects. DHR and FRA discussed induced impacts and its potential place (or not) in the process. This is particularly true for 4(f). A long dialogue on the project and 4(f) ensued.

DHR reiterated that the APE should not be expanded (here or elsewhere) unless it is justified but to be sure that all criteria are evaluated.

All concurred that consultation should be ongoing with all MOA signatories as well as all consulting parties and vested groups. A broad conversation is imperative.

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DHR stated that a second amendment to the project effects should be submitted once the roster of historic properties is finalized.

The meeting ended at 2:00pm.

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ACHP Shockoe Update
July 27, 2018; 8:30am

Meeting Notes

Attendees:

Sarah Stokely- ACHP
Kerri Barile- Project Team

Held additional call regarding the ongoing dialogues regarding Shockoe Bottom including more on the National Trust for Historic Preservation (NTHP) letter (dated July 20).

Sarah discussed the Memorial Park and Shockoe in general. Kerri Barile answered questions on various groups, ongoing consultation, and the history of the area. It was agreed that the NTHP may help facilitate dialogues with various groups in this area. The ACHP wants to continue to be involved in any future dialogues.

APE was discussed including how it was defined, modifications over time due to project changes and consulting party comments, and where it currently stands. ACHP concurs with DHR that the APE was done accurately and has been modified appropriately. It is possible that resources may be considered in the APE for various criteria, so will keep an eye out for that.

Sarah asked for additional information on the identification-level studies. Kerri Barile provided this data. The topic commenced as a general dialogue but then narrowed to Shockoe. ACHP concurred that the level of effort is commiserate with the undertaking. They emphasized the importance of this area. Project team concurs.

It was discussed that future meetings should include additional dialogues on Traditional Cultural Properties, memorialization, and, importantly, the City of Richmond's plans for the area.

Sarah asked if any comparable TCPs had been found. Kerri said not to date.

A dialogue followed on indirect v. cumulative effects including the nature and scale of the undertaking and what is a reasonable and foreseeable impact based on this.

The meeting ended at 9:00am.

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FRA TCP Update
July 31, 2018; 2:00pm

Meeting Notes

Attendees:

John Winkle- FRA
Randy Selleck- DRPT
Carey Burch- Project Team
Kerri Barile- Project Team
Emily Calhoun- Project Team

Held call with FRA to discuss the definition of a Traditional Cultural Property (TCP) and how this concept may or may not relate to the Shockoe area and the slave trade.

Kerri Barile provided an update on the various calls with DHR and ACHP over the past few weeks as well as summarizing the issues at hand. John Winkle asked if the project would be physically impacting the sites, and Kerri said no. A dialogue on expanding eligibility to include Criterion A ensued. The discussion included TCPs, existing districts in Shockoe and how various sites fit/don't fit in the districts.

All agreed that an on-site meeting would help answer questions. Consulting parties and other vested groups should be invited. A discussion on the previous calls and meetings and future calls and meetings were discussed to assure appropriate and thorough public outreach.

The meeting ended at 2:30pm.

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FRA Shockoe Update
August 3, 2018; 2:00pm

Meeting Notes

Attendees:

Marc Holma- DHR
Kerri Barile- Project Team

Held call with DHR to discuss ACHP and FRA calls on Shockoe Bottom.

DHR and ACHP held a call as well to assure process is followed, and they both concur that it has.

Marc and Kerri discussed next steps with eligibility and effect based on feedback, including what sites to add to the APE, which ones to not include, the area as a Traditional Cultural Property (TCP), and role of FRA, ACHP, DHR and consulting parties.

Marc stated that the DHR is having additional meetings on the TCP concern and would have an answer for the team next week.

The DHR concurred that Lumpkins Jail should be considered to be eligible under A and D.

Paths forward were discussed including a multitude of scenarios. Kerri also provided an update on the various meetings in the works, including a meeting with the City of Richmond and the on-site consulting party meeting.

The meeting ended at 2:30pm.

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Virginia Secretary of Transportation Update
September 5, 2018; 8:30am

Meeting Notes

Attendees:

Secretary Valentine
Julie Langan- DHR
Jennifer Mitchell- DRPT
Mayor Stony- City of Richmond

1) Introductions

2) DC2RVA Section 106 Background

3) Joint Response to National Trust's Consulting Party Comment

4) Nex Steps- DC2RVA On-Site Consulting Party Meeting at Shockoe Bottom

The meeting ended at 9:30am.

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Project Signtories Update
October 2, 2018; 9am

Meeting Notes

Attendees:

John Winkle- FRA
Sarah Stokely- ACHP
Emily Stock- DRPT
Carey Burch- Project Team
Kerri Barile- Project Team
Absent= Marc Holma- DHR

Kerri Barile provided an overview of the three upcoming consulting party meetings- one in DC, one in Fredericksburg, and one in Richmond. The Richmond meeting has an on-site component. Sarah Stokely asked if she should attend the DC meeting; Kerri stated that the Richmond meeting was likely more crucial given the issues there.

Kerri Barile provided an update on various issues as provided to her by Marc Holma at the DHR (since he couldn't be on the call). She also provided some preliminary thoughts on the cadence of the meeting in Richmond. Team concurred with agenda organization and suggested sending the agenda out in advance. All agreed that there are two goals of the meeting: to provide data on the project including a visual reference for the minimal project impacts and to gather feedback from consulting parties on historic properties, effects, and significance. It is important that invitees can voice their thoughts. Consultation allows all parties to bring up issues.

John Winkle stated that he will be in attendance and help answer questions from a FRA perspective but he was going to let the cultural resource team take priority.

The dialogue also included information on a response to the National Trust's letter. Emily Stock stated that it is in progress and the City's letter on preservation in the area is forthcoming. The group discussed several items presented in their letter, including APE, Traditional Cultural Properties, and indirect v. cumulative effects.

Sarah Stokely stated that work to date has included all reasonable and foreseeable impacts and has met 106. The team should continue good will efforts to understand all impacts outside of the current project

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for context. Emily Stock concurred and said that continuing a good dialogue with the City is very important as well as hearing from VDOT and local groups on their plans for the area.

Sarah Stokely followed up by asking information on other projects that we know of that are slated for the area. Emily Stock and Carey Burch provided data. The team also specifically discussed the status of the Memorial Park project so we can be aware of the parameters prior to our meeting.

Kerri Barile said she will provide copies of handouts and agenda to signatories before the Shockoe/Richmond meeting.

The meeting ended at 9:45am.

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Signatories Update (DHR, ACHP, FRA, DRPT)
October 23, 2018; 2:00pm

Meeting Notes

Attendees:

Emily Stock- DRPT
Randy Selleck- DRPT
Marc Holma- DHR
Sarah Stokley- ACHP
Jaime Lochinger- ACHP
(absent John Winkle- FRA)
Carey Burch- Project Team
Kerri Barile- Project Team

- Held call to provide a summary on the consulting party meetings held in October, including in-person meetings and conference calls, and finalize determinations on several key issues.

- Kerri Barile provided a summary of the issues at hand and meetings. She included a summary that all dialogues held to date suggest including Lumpkins Jail and the Graveyard for Free People of Color and Slaves (off Hospital Street) in the list of historic properties and assuming eligibility of both resources under Criteria A and D. The Burial Ground for Negros (located NW of Main Street Station) is not being included as there is no evidence of the site. Marc Holma asked for a clarification on the DHR's eligibility position regarding the Graveyard for Free People of Color and Slaves, and Kerri Barile stated that it was recorded during the archaeological study for the project in 2018 and the team stated that the resource is potentially eligible but the portion of the site within the APE does not contribute to the overall eligibility. Regardless, the team has elected to assume eligibility for the whole site at the request of the consulting parties. The DHR concurred. Sarah Stokley confirmed that both sites would be eligible under A as well as D and said that this approach sounded outstanding. Jaime Lochinger said she was happy to hear this outcome and it makes sense.

- Sarah Stokley followed with additional questions on how the integrity of Lumpkins Jail was evaluated. Kerri Barile outlined the archaeological work to date and the viewshed images collected. Kerri Barile and Marc Holma also brought up NPS archaeological Bulletin and how it was carefully examined for sites eligible under criteria other than D.

- Marc Holma brought up the Burial Ground for Negros again and asked if the ACHP concurred that it should not be included in the APE. Jaime Lochinger stated that if there is a rational backing for this

decision and it was made in good faith, which it sounds like it was, then they are good with it. Sarah Stokley asked for a reminder on whether or not the piers are visible from this resource. Marc Holma said they are not. Sarah Stokley suggested that we provide a map showing the site, APE and info on visuals on why this site was not included as it is not visible from the project limits of disturbance.

- Kerri Barile followed up with additional data beyond viewshed, stating again that there is no physical evidence of the Burial Ground despite numerous attempts to locate it. Marc Holma concurred and said that VDOT has specifically looked for it at least three times and has found no evidence.

- To summarize dialogue on APE, Kerri Barile asked if the ACHP and DHR are good with the APE as defined. Both stated that they are as it sounds like it was determined reasonably and with good faith.

- Sarah Stokley asked if there would be a conference call with the NTHP. Kerri Barile said yes. Once a reply letter goes to the NTHP, would have a call with them, Preservation Virginia, and HRF as they have a stake in Shockoe. Kerri has reached out to all other consulting parties individually to talk about the mitigation.

- Regarding Traditional Cultural Properties (TCPs), Jaime Lochinger said that the team is already looking at this area as a historic district, as it is part of the Shockoe Valley and Tobacco Row HD and all sites are being assumed to contribute to the eligibility of the district. If the area is not being defined as a TCP, just need to be sure to state this and why not clearly to all consulting parties. Sarah Stokley followed up that this is one of many comments brought up by consulting parties and we should handle it like other comments. Present info on why it was considered and the outcome of the analysis with a determination.

- Marc Holma stated that the DHR still believed that it does not qualify.

- Sarah Stokley said that considering sites under Criterion A and assuming that they contribute to the existing district makes sure that they are considered in the dialogue and 106 process and addresses concerns raised by consulting parties. This is a good faith effort. Both she and Marc Holma said it is up to FRA and DRPT at this point to craft their argument and present it for their concurrence. But this issue needs to be decided now; it cannot be mitigation.

- Sarah Stokley then asked for a broader dialogue on indirect and cumulative effects. Emily Stock and Kerri Barile discussed the City's letter and their projects in this area. Jaime Lochinger said all dialogues should be documented in an administrative record to show due diligence.

- Kerri Barile summarized next steps= letter to National Trust as a reply, conference call regarding Shockoe, information on final list of historic properties to all consulting parties, revised effect to DHR. Jaime Lochinger asked if consulting parties have received any effect documents to date, and Kerri Barile said yes. They received the original letter sent in June and the addendum sent in July. They will also get this second addendum.

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- Regarding effects, Jaime asked if we are doing an overall project effect or property by property. Kerri Barile and Marc Holma said both and described the process they have been using for Virginia rail. Jaime said she is relieved and thankful for the extensive and ongoing consultation between the team and the DHR.

The meeting ended at 3pm.