



# FBI Headquarters Consolidation

## Section 106 Consulting Parties Meeting

May 17, 2016

# Agenda

- I. Opening Remarks
- II. Summary of Programmatic Agreement Key Issues & Responses
- III. Update from NCPC on Square Guidelines Development
- IV. Questions/Comments/Next Steps
- V. Conclusion

## Summary of Programmatic Agreement Key Issues & Responses

- Clarify the Undertaking
- Clarify Existing Authorities for Squares 378 and 379
- Clarify Undertaking Processes as they apply to GSA Authorities and Consultation
- Further Definition of Regulatory Agency Roles
- Furtherance of Avoidance, Minimization and Mitigation
- Clarify Exchange Partner Responsibilities

## Clarify the Undertaking

The Preamble has been revised to better define each component of the Undertaking (54 – 63). The Undertaking is composed of the following components:

- Consolidation (new construction) of FBI HQ at one of three suburban sites (Preamble 103 – 112; Stipulation II) in exchange for Squares 378 and 379 (Preamble 124 – 126)
- Acceptance of Square Guidelines for Squares 378 & 379:
  - Preamble 206 – 211; Stipulation III
- Redevelopment Proposal Approval for Squares 378 & 379:
  - Preamble 206 – 211; Stipulation IV

## Clarification of Existing Authorities for Squares 378 and 379

- Applicability of 1978 MOA:
  - Preamble (158 – 165; 178 – 189)
- 36 CFR Part 910 (General guidelines and uniform standards for urban planning and design of development within the Pennsylvania Avenue development area, 1982) revises the 1980 Design and Construction Guidelines for new development, further consideration of historic properties and preservation
- Transfer of PADC responsibilities:
  - Preamble (167 – 176)
- The 1996 Agreement defines the processes for Square Guidelines (Stipulation III) and Redevelopment Plan Approval (Stipulation IV.C)

## Process as it applies to GSA Authorities and Consultation

- GSA is the lead agency for this Undertaking; other agencies, notably NPS and NCPIC, hold key roles and responsibilities, many of which have been stipulated in this agreement
- Other roles, particularly those not associated with Section 106, will be defined in accordance with the respective regulations governing the various processes as the Undertaking proceeds
- Square Guidelines Dispute Resolution:
  - Stipulation III.C.2 (403 - 410)
- Redevelopment Plan Approval Protocol:
  - Stipulation IV.C (495 – 558)

## Definition of Respective Regulatory Agency Roles

- ACHP
  - Consultation: Stipulation V.A (beginning on line 564)
  - Dispute Resolution : Stipulation VII (beginning on line 645)
  - Emergency and Unanticipated Adverse Effects Situations (Stipulation XI, beginning on line 717)
- DCSHPO/HPRB
  - Consultation and Effect Determination for Square Guidelines Acceptance: Stipulation III. A&B
  - Consultation and Effect Determination for the re-evaluation of the JEH building: Stipulation IV.B.1.a
  - Consultation and Effect Determination for Redevelopment Plan Approval: Stipulation IV.C.2.a
  - Redevelopment Plan Protocol: Stipulation IV.C.2.a.i (505 – 516)

Both MD and VA SHPO have defined roles in the first part of the Undertaking (consolidation of FBI HQ)

## Definition of Respective Regulatory Agency Roles

- NPS
  - Land Transfer: Preamble (128 – 141)
  - Agreement with Plan Amendment: Preamble (192)
- NCPC
  - Capper Cramton: Preamble (114 – 122)
  - Plan Amendment and Square Guidelines
    - Process currently underway: Preamble (185 – 189)
    - Develop Square Guidelines and submit to GSA Stipulation III.A
  - Amendment of Square Guidelines: Stipulation IV.C.2.d.ii (541 – 558)
  - Redevelopment Plan: Stipulation IV.C.2
- CFA
  - Shipstead-Luce (Preamble 144)



## Furtherance of Avoidance, Minimization, and Mitigation

- Consolidated FBI HQ
  - Stipulation II.B.1.d (357 – 369)
- Squares 378 and 379
  - Primacy of the Plan for the City of Washington:
    - Preamble (93 - 94)
    - Determination of effect: Stipulation III.B.1 (385 - 388)
  - Avoidance, Minimization, and Mitigation
    - Square Guidelines: Stipulation III.B.2 (389 – 394)
    - Redevelopment Plan: Stipulation IV.B.2 (483 – 492)
    - Potential change in historic property status: Preamble 88 – 91 and Stipulation IV.B (440 – 492)

## Exchange Partner Responsibilities and Deed Content

- The Exchange Partner may submit separate redevelopment plans over time
  - Preamble (213 – 215) and stipulation IV.A (421 – 424)
- Submittal of proposed redevelopment plan by the Exchange Partner to GSA and NCPC covered under Stipulation IV.C
- How will the Exchange Partner be held to the terms of the Programmatic Agreement?
  - Stipulation IV.A (beginning on line 415)
    - NEPA Record of Decision
    - Quitclaim Deed: “therein GSA will bind the developer to comply with the “Property Redevelopment” provisions (Section II) of the 1996 Agreement and Section V.A.1.B of this Agreement”

# Square Guidelines Development Timeline



## Comments and Next Steps

- Final Comments Due: May 25, 2016
- Final Programmatic Agreement sent to Consulting Parties for final review before signature: June 10, 2016

## Comments and Next Steps

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