

Baltimore & Potomac Tunnel Project

Section 106 Programmatic Agreement

Annual Report

August 20, 2021

Introduction:

Amtrak is pleased to provide this consolidated report regarding the work undertaken and tasks completed pursuant to the terms of the Baltimore & Potomac (B&P) Tunnel Project (Project) Programmatic Agreement (PA), executed March 2, 2017. The PA was executed to resolve adverse effects of the proposed project under Section 106 of the National Historic Preservation Act, as amended (Section 106). This report covers the period of March 2017 through June 2021. In addition to providing an update on the PA activities to date, this report establishes the format to be used for future reporting, which will be performed annually. While perhaps repetitive, this format will ensure that all aspects of the PA are considered in future reporting.

Summary of Project Activities:

Since the execution of the PA and the Record of Decision under the National Environmental Policy Act (March 24, 2017), Amtrak has continued the overall design effort, advancing from the Preliminary Engineering Package (nominally 30%) toward, but not yet reaching, 60% design. Due to the nature of the Project, there will not be a single 60% submission; rather, separate design packages will be advanced on different schedules through typical design milestones for specific Project elements along the length of the Project corridor. Specific engineering design efforts to date include: continued geotechnical investigations; subsurface utility engineering and engagement of Baltimore Gas & Electric (BGE) utilities; refinement of Charles Interlocking configuration, and advancement of design for replacement of the Warwick Avenue Bridge.

Amtrak undertook a value engineering exercise to identify key cost drivers of the Project and has been developing its Project delivery strategy and identifying major Project elements, cash flow, and required resources. In FY21, Amtrak and MDOT agreed that the Project will be delivered in phases, with the current construction effort focusing on the implementation of Phase I, which includes only two of the four tunnel bores. In coordination with FRA, Amtrak has determined that using a phased delivery approach is consistent with the terms of the PA, which allows for the phasing of activities necessary to advance the Project in Stipulation II. The phased delivery approach does not include a change in Project activities and, therefore, does not constitute a Project Change as defined in Stipulation VII as being of a nature to potentially affect historic properties.

Strategic stakeholders have begun to be engaged; however, the Project experienced challenges with advancing necessary third-party agreements with certain key stakeholders during this report's timeframe. After adoption of the phased delivery approach in 2021, Amtrak has experienced significantly more engagement with key external partners, including the Maryland Transit

Administration, Baltimore City, and BGE. While Amtrak has not yet acquired property for construction, Amtrak has initiated property acquisition efforts for early acquisition targets, including properties necessary for the Intermediate Ventilation Facility.

In June 2021, Amtrak also announced, with key federal, state, and local leaders, that the new tunnel will be named after Frederick Douglass (the “Frederick Douglass Tunnel”), who escaped to his freedom via a train in Baltimore.

Section 106 Programmatic Agreement Detailed Status:

The following outline shows each section of the PA, states whether activities have been progressed or completed, and notes any challenges, changes or disputes that have been identified. Where applicable, activities to implement the PA are noted that Amtrak estimates could occur within the upcoming year.

I. Applicability

No changes; no comments.

II. Timing

Estimated Phase I construction completion has been updated to 2035.

III. Roles and Responsibilities

No changes; no comments.

IV. Professional Qualifications and Standards

To ensure that all work carried out pursuant to this PA will be done by or under the direct supervision of a qualified professional in the disciplines of Archeology, Architectural History and/or Historic Architecture who meets the relevant standards outlined in the Secretary of the Interior’s *Professional Qualifications Standards for Archeology and Historic Preservation* (36 CFR § 61), Amtrak has contracted with WSP USA / Parsons Transportation Group, Inc., a Joint Venture, which will coordinate compliance with the PA. Archaeological work will be carried out by or under the direct supervision of WSP USA Supervising Archaeologist Henry Ward and Parsons Cultural Resources Specialist Susan Bupp. A Joint Venture subconsultant, ARCH², Inc., will carry out historic architectural work and will advise Amtrak and the Joint Venture regarding compliance with the Project PA. Henry Ward, Susan Bupp, and ARCH², Inc.’s founder and President, Nancy L. Zerbe, all far exceed the professional standards in their respective fields.

V. Treatment Measures for Architectural Resources

A. Introductory Paragraph

No change; no comment.

B. Preservation Grant Fund

ARCH² conducted research to locate examples of other preservation grant funds that could be used as models for the B&P Tunnel Project and initiated development of the framework for a Fund Agreement. Upcoming activities for the next year include coordination with FRA,

Maryland Historical Trust (MHT), and Preservation Maryland on the administration of the fund, including development and execution of the Fund Agreement.

C. Context Sensitive Design

ARCH² prepared a context-sensitive design report, which was finalized in consultation with the PA signatories and concurring parties.

On March 19, 2019, Amtrak and Federal Railroad Administration held a meeting in Baltimore to review the draft context-sensitive design report with PA signatories and concurring parties. Amtrak led the discussion with a PowerPoint presentation, and all recipients received a copy of the draft report. Following the meeting, all participants—including those unable to attend the meeting—were provided an opportunity to comment on the draft document. By June 2019, all comments had been received; needed changes incorporated; and the report finalized.

The Joint Venture and ARCH², Inc. are utilizing the context-sensitive design report to guide design development and in the coming year will seek input from the PA signatories and concurring parties on preliminary design elements.

D. Historic Properties Construction Protection Plan

ARCH² conducted research to locate examples of construction protection plans that could be used as models for the B&P Tunnel Project. The firm developed a draft plan that is undergoing internal review. In the coming year, Amtrak will consult with PA signatories and concurring parties on the draft plan.

E. Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) Documentation

ARCH² performed extensive historic research to assist with the HABS / HAER documentation and other PA stipulations by either visiting, contacting to learn of relevant material, and/or using online research documents at the following facilities or sources:

- Amtrak Archives
- Maryland Historical Trust inventory and records
- Maryland State Archives
- Baltimore City Archives
- Maryland Historical Society
- B&O Railroad Museum
- B&O Railroad Historical Society
- Enoch Pratt Free Library
- Hagley Library
- Pennsylvania State Archives
- Railroad Museum of Pennsylvania
- John W. Barringer III National Railroad Library
- Pennsylvania Railroad Technical and Historical Society
- Temple University PRR Collection

- National Archives
- Library of Congress
- Rutgers Special Collections and University Archives
- New Jersey State Archives
- Princeton University Library
- New York Public Library
- Yale University Library, Special Collections
- Cornell University Kroch Library of Rare Books & Manuscripts
- Harvard University's Baker Library
- Smithsonian Institution Archives
- Stevens Institute of Technology
- Pennsylvania State University's Historical Collections and Labor Archives
- University of Michigan's Bentley Library
- www.hathitrust.org
- www.jstor.org
- Google Books
- www.EDRnet.com
- <http://pr.railfan.net>
- newspapers.com
- *The New York Times Archives*

While research has been hampered somewhat by restrictions imposed during the novel coronavirus outbreak, much of the research was conducted prior to closure of repositories. Both primary and secondary sources have been utilized, including railroad company records, annual reports, correspondence, and plans; books; journal articles; newspapers; historic maps and atlases; and city directories.

ARCH² coordinated with National Park Service (NPS) representatives Catherine Turton and Christopher Marston “on the final scope, content, format, and disposition” of the HABS/HAER recordation effort. This consultation, which included several on-site meetings with NPS lead reviewer Christopher Marston, resulted in approval of a system for organizing and numbering the documentation, decisions on the level of effort for each historic property to be documented, an approach for handling HABS documentation for groupings of rowhouses, and a process for interim submission of photographic documentation for NPS review and approval.

ARCH², assisted by subconsultant photographers, has completed fieldwork to describe and take large-format photographs of two groupings of historic properties. For the B&P Railroad (Philadelphia, Baltimore and Washington Railroad) (B-5164) from Penn Station to Gwynns Falls, the bridges constructed to eliminate grade-crossings, and the Baltimore and Ohio (B&O) Railroad, Baltimore Belt Line Bridge over Jones Falls Valley (B-5288), ARCH² collaborated with Rob Tucher Photographic Documentation. For the Reservoir Hill Historic District (B-5112) commercial building, 900-908 West North Avenue, ARCH² worked with Architectural Photography by Jet Lowe to complete exterior as well as interior fieldwork and photography.

ARCH² is currently evaluating the historic research material and working on drafting the HABS and HAER documentation for many of the historic properties. Although the fieldwork is complete for the rail-related historic properties, additional property access will be required in the coming year to facilitate descriptions of building exteriors that cannot be seen from the public right-of-way as well as building interiors.

F. Interpretive Displays

ARCH² performed historic research in conjunction with task V.E.

G. Railroad Historic Property Boundary Classification

ARCH² performed historic research in conjunction with task V.E. Utilizing historic research material and maps, Ms. Zerbe initiated the analysis of railroad boundaries in the vicinity of Baltimore Penn Station, and she initiated consultation with the MHT to inform this effort. A recent amendment to the Baltimore Penn Station determination of eligibility will also inform this task.

H. Salvage Building Components

ARCH² conducted research to locate examples of salvage programs and their procedures that could be used as models for the B&P Tunnel Replacement Project and has drafted procedures that are currently undergoing internal review. In the upcoming year, Amtrak will seek the input of PA signatories and concurring parties and proceed to implement the program.

I. Electronic Information Platforms

No Activity.

VI. Treatment and Measures for Archeological Resources

A. Introductory Paragraph:

No change; no comment.

B. Define Archeological APE

Archeologists Henry Ward and Susan Bupp have reviewed Project updates, including any new parcels identified for acquisition and existing geotechnical data, to assess necessary changes to the delineation of the Archeological APE. Upcoming work will involve agency coordination on the new APE delineation with FRA and MHT.

C. Supplemental Phase I Survey

As part of an effort to develop a supplemental Phase I Survey, Henry Ward and Susan Bupp are conducting data collection, including historic geotechnical data, and are researching historic land use through cartographic analysis.

In the coming year, the archeologists will work on targeted archeological analysis of priority/enabling projects and a supplemental Phase IA survey of the entire currently

proposed limit of disturbance. In addition, they will review soil borings to establish previous ground disturbance, conduct Phase IB testing, as appropriate, to determine the presence of intact archaeological deposits (based on the supplement Phase IA survey), and develop an archeological testing plan with a methodology to determine the subsurface extent of intact archeological deposits.

D. Phase II Evaluation

No activity.

E. Phase III Data Recovery

No activity.

F. Curation

No activity.

G. Protective Archeologically Sensitive Information

No activity.

VII. Project Changes

Amtrak determined that due to the passage of time since the execution of the PA, additional properties within the APE may now be 50 years old and could be historically significant. Although there are no changes to the Project scope, FRA and Amtrak intend, in the next five years, to use the process outlined in this section of the PA to identify and evaluate additional potential historic properties in consultation with PA signatories and other consulting parties. To date, Amtrak has identified the following additional properties: 920 W. North Avenue, which is slated to be demolished, is now over 50 years old and needs to be assessed for National Register eligibility; and 2000 W. Lafayette Avenue, which is now considered a contributing element to the National Register-eligible Midtown Edmondson Historic District due to an updated period of significance for the historic district. For any additional properties identified as historic and adversely affected, mitigation measures will be handled in a manner consistent with the PA and in consultation with PA signatories and other consulting parties.

VIII. Unanticipated Discoveries

None.

IX. Treatment of Human Remains

None.

X. Emergency Situations

None.

XI. Document Review

No issues encountered during document review to date.

XII. Communications

The following changes have been made to the points-of-contact:

Signatories:

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Amtrak invites updates to other contacts related to this Project, including concurring parties.

XIII. Anti-Deficiency Act

No changes; no comments.

XIV. Adoptability

No changes; no comments.

XV. Dispute Resolution

None.

XVI. Amendments

No changes; no comments.

XVII. Termination

No changes; no comments.

XVIII. Monitoring and Reporting

A. Annual Report

No. 1 for the period March 2017 through June 2021

B. Specific Notifications:

a. Acquisition of Property

While Amtrak has not yet completed any agreements with property owners to acquire property, Amtrak is advancing property acquisitions with an expectation that initial acquisitions might be completed in calendar year 2021.

b. Demolition of Acquired Property

None.

c. Excavation/Earthmoving Activities

None.

d. Construction

None.

In compliance with the PA, Amtrak will provide FRA's Federal Preservation Officer with an email notification ten business days prior to commencing any of the four Project activities listed above.

XIX. Execution and Effective Date

No changes; no comments.

XX. Duration

No changes; no comments.