

**SEP 24 1980**

**MEMORANDUM OF AGREEMENT  
BETWEEN AND AMONG  
THE GENERAL SERVICES ADMINISTRATION,  
THE DISTRICT OF COLUMBIA  
STATE HISTORIC PRESERVATION OFFICER, AND  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION  
REGARDING  
CONSTRUCTION OF AN ANNEX TO AND RENOVATION OF  
THE E. BARRETT PRETTYMAN U.S. FEDERAL DISTRICT COURTHOUSE**

WHEREAS, the General Services Administration (GSA) proposes to construct an annex to and renovation of the E. Barrett Prettyman U.S. Courthouse (USCTHS) located in the District of Columbia on the block bounded by Pennsylvania Avenue, C Street, 3<sup>rd</sup> Street, and John Marshall Place, Northwest, Washington, DC, and the new building addition, referred to as the Annex, will be constructed at the eastern portion of the project site, adjacent to 3rd Street;

WHEREAS, the existing building is eligible to be listed on the National Register of Historic Places and is located within the boundaries of the Pennsylvania Avenue Historic Site (PAHS);

WHEREAS, the construction of the Annex will not have any effect on the PAHS, but the construction of the Annex and renovation of the USCTHS may produce adverse effects to the USCTHS. The construction of the Annex and the renovation of the USCTHS will not have an effect on any other historic property;

WHEREAS, GSA has consulted with the District of Columbia State Historic Preservation Officer (DCSHPO) and the Advisory Council on Historic Preservation (the Council) in accordance with Section 106 of the National Historic Preservation Act [16 U.S.C. 470f] (NHPA) and the Council's implementing regulations ("Protection of Historic Properties," 36 CFR Part 800); and

WHEREAS, GSA has provided opportunities for the involvement of the public and the consideration of their comments through the review of this project by the United States Commission of Fine Arts, the National Capital Planning Commission and the DC Historic Preservation Review Board and in accordance with 36 CFR 800.6.

NOW, THEREFORE, GSA, the DCSHPO and the Council agree that the undertaking shall be implemented in accordance with the following stipulations to take into account and mitigate any potential adverse effects on the USCTHS from the construction of the Annex and renovation of the USCTHS:

## STIPULATIONS

### Potential Adverse Effects on the E. Barrett Prettyman U.S. Courthouse

- A. Design: The construction of the Annex and renovation of the USCTHS will be undertaken in accordance with the recommended approaches set forth in the "New Additions to Historic Building" section of the Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service, 1992), the Secretary of the Interior's Standards for the Treatment of Historic Properties (U.S. Department of the Interior, National Park Service, 1995), and as specifically described in the project plans and specifications dated August 31, 2001, which have already been provided to the DCSHPO and the Council.
- B. Design Review: GSA shall provide the DCSHPO with the complete plans and specifications for the construction of the Annex and renovation of the USCTHS. Review by the DCSHPO shall be limited to alterations to the exterior of the existing USCTHS in restoration zones and preservation of historic features in rehabilitation zones. GSA will afford the DCSHPO thirty (30) calendar days to comment in writing on such plans and specifications and shall consult with the DCSHPO regarding such plans and specifications as needed during the 30-day comment period to resolve any comments and respond to questions. If the DCSHPO does not respond in writing to GSA within 30 days of the receipt of such plans and specifications, GSA may assume concurrence with GSA's plans and specifications.
- C. GSA shall not alter any plan or specification that has been agreed upon between GSA and DCSHPO, without first affording the DCSHPO an opportunity to review the proposed amendment. If GSA determines that an amendment to the plans or specifications is needed, GSA shall follow the procedures described immediately above in B.

### Administrative Stipulations

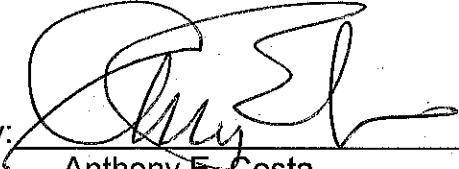
- A. Should the DCSHPO object to any action carried out or proposed by GSA with respect to the implementation of this MOA, GSA shall consult with the DCSHPO to resolve the objection.
- B. At the request of GSA or DCSHPO, a meeting shall be held to facilitate review and comment, to resolve questions, or to resolve adverse comments.

C. If GSA determines that it cannot implement the terms of this MOA, or if the DCSHPO or the Council determines that the MOA is not being properly implemented, GSA, the DCSHPO, or the Council may amend or terminate the MOA in accordance with 36 CFR Part 800.6(c)(7)-(8). Any resulting amendments to this MOA shall be developed and executed among GSA, DCSHPO, and the Council in the same manner as the original MOA. In the event that GSA does not carry out the terms of this MOA, GSA will comply with 36 CFR 800.4 through 800.6 with regard to individual undertakings covered by this MOA.

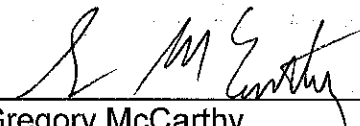
D. Provisions of this MOA will be carried out from the date of execution of this MOA through the completion of design.

Execution of this MOA by GSA, the DCSHPO and the Council, and implementation of its terms, evidence that GSA has afforded the DCSHPO and the Council an opportunity to comment on GSA's construction of an annex to and renovation of the USCTHS and on their effects on historic properties, and that GSA has taken into account the effects of the proposed project on historic properties.

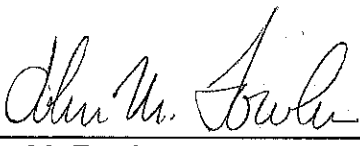
GENERAL SERVICES ADMINISTRATION, NATIONAL CAPITAL REGION

By:  Date: 9/21/01  
Anthony E. Costa  
Assistant Regional Administrator, PBS

DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICER

By:  Date: 09/26/01  
Gregory McCarthy  
District of Columbia State Historic Preservation Officer

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By:  Date: 10/1/01  
John M. Fowler  
Executive Director