



**MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:** Jennifer Steingasser, Deputy Director

**DATE:** July 24, 2012

**SUBJECT:** **Supplemental Report** for ZC #11-03A, Southwest Waterfront Phase 1  
Second Stage Planned Unit Development

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This memorandum summarizes information received to date by the Office of Planning (OP) regarding navigation and anchorage in the Washington Channel, and also discusses policy guidance for the use of the Channel.

**Navigation and Anchorage**

OP reached out to the United States Army Corps of Engineers (USACE) and the DC Harbor Master for further comment on the boat capacity of the Washington Channel, specifically regarding the number of anchorages and the safety of moving boats in the Channel, both in the current and proposed pier configurations.

As of this writing OP has received no response from the Harbor Master, but has received from the applicant two letters from the Harbor Master dated December 20, 2011 and July 10, 2012. The first letter states the Harbor Master's support for the proposed 200-foot wide channel and that it "will accommodate the majority of vessel traffic even during high traffic events." The second letter was already entered into the record but is attached here for the Commission's convenience. It modifies the first letter by stating the Harbor Master's support for a mooring field, which would provide a type of anchorage for visiting boaters. That letter also states that, compared to the current configuration, the proposed pier and dock configuration "will provide a greater quantity and a wider variety of docking options for visiting recreational boaters in the Washington Channel."

OP spoke with representatives of the USACE about the existing and proposed configurations of waterside facilities at the SWW. As of this writing the Corps has not completed their review but will address any concerns about the use or safety of the Channel with the issuance of any permit for waterside construction. They expect to issue a permit in the very near future.

## **Policy Regarding the Washington Channel**

Adopted District policy encourages increased use of the water itself by a variety of users. The Anacostia Waterfront Framework Plan (AWI Plan) says specifically about the Southwest Waterfront that there is “broad community support for a more public, active, and environmentally improved waterfront” (AWI Plan, p. 122). It goes on to state that in any redevelopment of the Southwest Waterfront “public piers will extend from each of the major streets, providing expansive water views and public access to the water itself” (ibid., p. 123).

The Southwest Waterfront Plan (SWW Plan) goes into more detail. One of that document’s Planning Principles is to “Improve public access to the water itself” (SWW Plan, p. 2-1). The proposed piers and docks would help achieve another policy of the plan that says that the new design should “better connect the neighborhood and visitors to the Channel” (ibid., p. 4-1). The SWW Plan encourages the construction of facilities for new waterside transportation options such as a water taxi and ferry service (ibid., 5-1), and says that piers at 7<sup>th</sup> and 9<sup>th</sup> Streets would “allow the public to launch small boats, fish, and enjoy unique views of the Channel that are currently inaccessible without access to private marina piers” (ibid., 5-6). The SWW Plan also states that public docking locations will encourage visitors, and that increased boating activity would provide passive and active entertainment. Finally, the SWW Plan calls for mooring points along East Potomac Park to accommodate larger ships (ibid., 5-7). Overall, the applicant’s proposed waterside development plan furthers the goals of adopted District policy.

## **Attachments**

1. Letter from the Harbor Master – December 20, 2011
2. Letter from the Harbor Master – July 10, 2012

Lieutenant Paul Niepling  
Harbor Patrol Section, Metropolitan Police Department  
550 Water Street SW  
Washington, DC 20024

December 20, 2011

Attn: Kathy Anderson, Section Chief  
Department of the Army  
Baltimore District, U.S. Army Corps of Engineers  
P.O. Box 1715  
Baltimore, MD 21203-1715

This letter is in reference to the Department of the Army (DA) Permit NAB 2011-00766 (SOUTHWEST WATERFRONT REDEVELOPMENT / THE WHARF). The Harbor Patrol Section of the Metropolitan Police Department is located at the southernmost pier on the Washington Channel, termed the Police Pier. Our responsibilities include monitoring and regulation of vessel traffic and dockage within the Washington Channel. In this capacity we have the authority to dictate the movement of vessels in this waterway including overnight anchorage. The Washington Channel is primarily used by recreational vessels with a mix of visiting and permanent boats and a few commercial passenger vessels (dinner cruises, tour boats, et cetera). Under our authority, vessels are permitted to anchor within the waterway during slower boating days/seasons.

I, as the officer-in-charge of the Harbor Patrol Section, have met with the developers and consultants (Perkins Eastman and Moffatt & Nichol) to discuss the proposed plan and any concerns we foresee as a result. Overall, we support the improvements as proposed including de-authorization of a portion of the channel, reconfiguration of existing docks and expansion / construction of piers. The creation of a mooring field however is not supported and would recommend instead that a designated area for normal temporary anchoring be established in lieu of a mooring field. During our discussions, we advised the consultants that recreational vessels should not be moored in the waters between Pier 4 and the Pier 5, the Police Pier as this area is considered "secure waters" for homeland security. We concur with the recommendation (and subsequent approval by the Navigation Divisions of the USACE and USCG) to de-authorize half of the existing channel. The need for a 400-foot wide channel is no longer applicable for the Washington Channel vessel traffic; the proposed 200-foot wide channel will accommodate the majority of vessel traffic even during high traffic events. Additionally, the 500-foot wide turning basin will provide much needed additional maneuvering space for the larger commercial vessels. While we do allow vessels to anchor in the waterway, during high traffic events or when a visiting vessel such as a Tall Ship is expected, anchored vessels can pose a risk to navigation. Designating an anchorage area for temporary visiting vessels would help alleviate navigation concerns in the channel especially near the City and Transit Piers and the turning basin.

The proposed channel modifications and anchorage area should aid in improving navigation safety in the Washington Channel. The Harbor Patrol Section of the Metropolitan Police supports the Southwest Waterfront project.

Best regards,



Lt. Paul Niepling  
Harbor Patrol Section, Metropolitan Police Department



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
METROPOLITAN POLICE DEPARTMENT  
HARBOR PATROL UNIT



July 10, 2012

Mr. Shawn Seaman  
PN Hoffman & Associates Development  
4725 Wisconsin Ave. NW, Suite 200  
Washington, DC 20016

Re: Southwest Waterfront Redevelopment "The Wharf" Mooring Field  
NAB 2011-00766

Dear Mr. Seaman:

I have reviewed your application to the US Army Corps of Engineers (USACE) for the Southwest Waterfront project (NAB 2011-00766) with respect to navigational impacts in the Washington Channel. I also received your letter dated June 13, 2012 addressed to my attention describing the proposed mooring field and your plans for its implementation and management.

It is my understanding that Hoffman-Madison Waterfront (HMW) plans to obtain a permit from the National Park Service (NPS) and append the USACE permit in order to include the mooring field in the first phase of waterside work for this project and that the USACE is aware of this modification. It also my understanding that the District received grant funding through the Boating Infrastructure Grant Program for the construction of the proposed mooring field.

The DC Harbor Master has jurisdiction of the navigable waterways of the Washington Harbor and the Potomac River from Jones Point to Hains Point. The Washington Harbor is comprised of the Anacostia River, Washington Channel, and Georgetown Channel, the portion of the Potomac River extending from Hains Point to the Chain Bridge.

In the Washington Channel, the river bottom outside of the District pierhead line is under the jurisdiction of the NPS and any construction within its limits requires approval by both the NPS and the USACE. Additionally, the US Coast Guard (USCG) should review any construction within the waterway during either the USACE or NPS permit review.

DC Harbor Patrol policy is to provide maximum access and maximum safe enjoyment for the largest number of boaters possible. The law states that no vessel or amphibian aircraft shall be anchored in District of Columbia waters, other than in established anchorage areas, in excess of twenty-four (24) hours

without the prior approval of the Harbor Master. Currently, there are no established anchorage areas in the District of Columbia. However, since April 22, 1981, the policy of the Harbor Master is to permit anchorage of transient vessels or vessels waiting for permanent mooring to anchor for up to seven calendar days in designated locations. Unless unusual circumstances exist, all vessels coming to anchor for more than 24 hours shall anchor fore and aft and display a 32-point anchor light during the hours between sunset to sunrise.

All vessels requesting to anchor for more than 24 hours shall be directed to one of the following areas:

- Washington Channel, upstream of the Gangplank Marina between mid channel and Hains Point
- Washington Sailing Marina Lagoon
- Columbia Island Lagoon
- Anacostia River, upstream of the 11<sup>th</sup> Street Bridge
- Georgetown Channel, north of Memorial Bridge

This method of free access to boaters has worked successfully and safely for more than thirty years. In rare instances of vessels breaking free from their anchoring positions during heavy storms, the majority of cases were the result of vessel owners not following the requirement to anchor fore and aft. These rare occasions are normally rectified by deployment of Harbor Patrol officers to the scene to secure the vessel and contact the owner.

This past year, a total of approximately 90 vessels registered with the Harbor Master to anchor in the Washington Channel. While the proposed plans for the Southwest Waterfront may impact current anchoring practices in the Washington Channel, the proposed mooring field should replicate the current capacity for anchored vessels. Additionally, the proposed waterside plan includes more dockage for transient vessels at the new Market Pier Docks and at the expanded Gangplank Marina. The net result will provide a greater quantity and a wider variety of docking options for visiting recreational boaters in the Washington Channel. While I had reservations regarding a private entity operating a mooring field within the limits of the Washington Channel, my review of the materials included in the aforementioned USACE application and letter address many of my concerns.

For these reasons, I support the proposed mooring field with the understanding that HMW implement the following permitting, construction, management and operational procedures:

- HMW secures the appropriate permits/approvals from NPS, USACE, and USCG, as required.
- HMW installs moorings in accordance with requirements of the permits, utilizing best management procedures for waterside construction.
- Moorings are available to the public on first-come, first-serve basis.

- Public pump-out facilities are made available to visiting boats and a “No discharge” policy is enforced.
- Mooring tackle is inspected upon boat arrival.
- Vessels are not left unattended overnight.
- HMW prepares a Removal Plan for the moorings should HMW cease to operate the mooring field. The Plan should be submitted to DC Harbor Master prior to installation of moorings.
- HMW prepares a Maintenance Plan, including inspection by divers, for buoys and ground tackle. The Plan should be submitted to DC Harbor Master prior to installation of moorings.
- HMW employs a Dock Master to manage transient boating facilities and employ the policies stated above.
- The DC Harbor Patrol is provided the right to determine when moorings may be used.

Should you have any further questions, you may contact me at (202) 727-4582.



Lieutenant Paul Niepling  
District of Columbia Harbor Master