

**From:** Steve Davis  
**To:** [May, Peter](#)  
**Cc:** Jane Labanowski; Jorjani\_Daniel; Todd Willens; Bob\_Vogel  
**Subject:** Re: Boring Phone Call Follow-Up  
**Date:** Monday, November 13, 2017 4:34:07 PM  
**Attachments:** [PACSCON Preliminary Geologic Review\\_Southern Tunnel Extension\\_MD\\_2017-11-13.pdf](#)

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Hi Peter,

Two things:

1. Attached is the preliminary geologic survey you requested.
2. Any further thoughts on next steps?

Thanks,  
Steve

On Wed, Nov 8, 2017 at 7:53 AM, May, Peter <[peter\\_may@nps.gov](mailto:peter_may@nps.gov)> wrote:  
That's something I think we can look into when we discuss further internally.

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Peter May  
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[peter\\_may@nps.gov](mailto:peter_may@nps.gov)

On Tue, Nov 7, 2017 at 11:48 PM, Steve Davis <[steve@boringcompany.com](mailto:steve@boringcompany.com)> wrote:  
Thanks. We could also appraise just the main tunnel (which we know exactly now) and then do separate appraisals on any specific shafts later. This way, we can move forward with the main portion. Thoughts?

On Nov 7, 2017, at 10:16 PM, May, Peter <[peter\\_may@nps.gov](mailto:peter_may@nps.gov)> wrote:

The only method with which I am acquainted for doing an appraisal is to have a specific description of the property to be leased or exchanged. I will have to investigate to see whether we can work with an approximation of the square footage.

Peter

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On Tue, Nov 7, 2017 at 10:05 PM, Steve Davis <[steve@boringcompany.com](mailto:steve@boringcompany.com)> wrote:  
Thanks for the note.

We would either request a competitive lease process or an arrangement with a nonprofit (Options 2 and 3).

For the cross-tunnels, it would be impossible to say exactly where they are, but all of the NPS impact would be subsurface and the square footage would be in the noise compared to the project. Would you like us to estimate the square footage? For purposes of an appraisal, would that get this rolling? Should we update the pdf document accordingly?

Thanks,  
Steve

On Nov 7, 2017, at 9:52 PM, May, Peter <[peter\\_may@nps.gov](mailto:peter_may@nps.gov)> wrote:

Steve,

I have a couple questions.

First, if you are now planning to have all exits and ventilation shafts located off NPS property, then I assume there will need to be lateral tunnels to connect to those vertical shafts. We will need to have those lateral connections described as well as the main tunnel. The same is true for any spurs that connect to maintenance/storage areas.

Second, I think I am a little confused - you mention that you are no longer seeking a land exchange - what instrument are you proposing to authorize this use?

Peter

---

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On Mon, Nov 6, 2017 at 2:57 PM, Steve Davis <[steve@boringcompany.com](mailto:steve@boringcompany.com)> wrote:

Hi Peter,

Thanks for the comments. Based on your comments and other factors, we will no longer request the use of any surface NPS land all will solely install all ventilation shafts and emergency exits on privately owned land. This should make the process much simpler, as it is only subsurface right-of-way in play. Answer to your questions in full (IN CAPS) are below.

Thanks,  
Steve

- Locating emergency exits within the median are probably not wise for safety, aesthetic, or construction logistics reasons. I would think that if there have to be exits on parkland they would be best located off the shoulder.

#### NO EXITS ON PARKLAND

- The description says that the ventilation/emergency exit shafts will be "hidden from public view." Is there a need for exits to be connected to a public way, or a paved path connected to a public way, as would be expected for an exit from a building? Additional paved paths would need to be described for appraisal purposes.

#### NO SHAFTS ON PARKLAND

- Is it possible to get more information on the vent/egress shafts? Ideally it would be good to know the specific plans for each such shaft and any related paths on parkland but I understand you may not have that at this point. At the very least we would need to see prototypical plans and a cross-section.

#### NO SHAFTS ON PARKLAND

- What will determine whether the tunnels will be twinned horizontally or vertically and will that decision have any impact on the land that is required for use?

GEO DATA AND FINAL STATION LOCATION. BECAUSE THIS IS UNCERTAIN, WE GAVE THE LEGAL DESCRIPTION ASSUMING SIDE BY SIDE WITH THE LOGIC BEING THAT IT TAKES UP THE MOST WIDTH/RIGHT-OF-WAY.

- Will any utility connections for the project be accommodated within the proposed tunnel cross sections or will there need to be utility connections at the vent/egress shafts? As I recall the vent shafts eventually become pumping stations, so if there is a need for future electrical feeds we will want to know that.

ALL UTILITIES WITHIN TUNNEL CROSS SECTIONS AND ALL SURFACE PENETRATIONS ON PRIVATE LAND

- Will the twin tunnels cause structural limitations that would affect future uses of the surface? It looks like there are areas where the tunnels are not very deep. It is not uncommon for tunnels and pipes to create a zone of influence that would affect what can happen on the surface.

NO EFFECT ON ANY REASONABLE SURFACE USE. VALUE OF SURFACE IS UNCHANGED DUE TO EXISTENCE OF TUNNEL. IF THERE WAS, WE WOULD GO DEEPER.

- Is there a need for the twin tunnels accommodate any redirection or storage that may be necessary during periods of maintenance and emergency situations? The Washington Metro system has cross-over, pocket, and spur tracks to accommodate this.

THE TWO TUNNELS ACCOMODATE BIDIRECTIONAL TRAVEL. FOR STORAGE/MAINTENANCE, SPURS ARE USED TO REDIRECT SKATES ONTO PRIVATE LANDS. IN OTHER WORDS, MAINTENANCE/STORAGE LOCATIONS ARE IDENTICAL TO STATIONS (I.E. A SPUR OFF THE MAIN ARTERY)

- Can we get a plan of the entire route within the District of Columbia? It looks like NPS land in DC would also be involved. If so, that would mean a land exchange within DC as well as in MD, as our authority to exchange property stipulates it has to occur within the same state.

ATTACHED. PLEASE NOTE THAT WE ARE NOT PLANNING ON A LAND EXCHANGE ("OPTION 1"), BUT, INSTEAD, EITHER OPTION 2 OR 3 AS PRESENTED ON OUR TELECOM.

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On Fri, Nov 3, 2017 at 4:42 PM, May, Peter <[peter\\_may@nps.gov](mailto:peter_may@nps.gov)> wrote:  
Steve,

See attached. This is just a few initial questions focused primarily on working toward an appraisal. We will definitely need to have a more in-depth discussion to get all the information we would need to request an appraisal, plus we should start discussing the NEPA process. Can we try to set up a meeting with your folks and my key staff?

Peter

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Peter May  
Associate Regional Director - Lands and Planning  
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On Wed, Nov 1, 2017 at 4:49 PM, May, Peter <[peter\\_may@nps.gov](mailto:peter_may@nps.gov)> wrote:  
My staff has done some review but I have not had time to review and consolidate their comments. I hope to get back to you on Friday.

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Peter May  
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On Wed, Nov 1, 2017 at 3:46 PM, Steve Davis <[steve@boringcompany.com](mailto:steve@boringcompany.com)> wrote:  
Hi Peter,

Just checking in to see if you had any initial thoughts.

Thanks,  
Steve

On Oct 23, 2017, at 9:32 AM, May, Peter <[peter\\_may@nps.gov](mailto:peter_may@nps.gov)> wrote:

Thanks. I did read the information in the proposal you sent yesterday, and I saw the information about the ventilation shafts. Typically we would want to see plans that outline the specific areas that are proposed for ventilation shafts, as well as areas of temporary use for construction and any long-term access requirements.

At this moment I cannot provide suggestions about the placement of ventilation shafts, except to say that if they can be located off park property it would be a simpler process for us.

As for working in parallel, there is a certain minimum information that is needed to start an appraisal. We need some time to assess what you have sent and will let you know what more we need. The geological survey will be helpful but may not be needed upfront.

I hope to get back to you in a few days.

Peter

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Peter May  
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On Mon, Oct 23, 2017 at 11:08 AM, Steve Davis  
<[steve@boringcompany.com](mailto:steve@boringcompany.com)> wrote:

Thanks. \_

In the document we submitted, we discussed max square footage for the ventilation shafts. Since we are flexible on location, any NPS feedback would be great on preferred locations (both along the alignment and laterally [i.e. in the median or on the shoulder]). If NPS, should we choose best-guess representative locations or just include the maximum square footage?

Also, the geologic survey is in progress, and should be completed in 2-3 weeks. However, I assume the process can continue in parallel?

Thanks,  
Steve

On Mon, Oct 23, 2017 at 10:47 AM, May, Peter  
<[peter\\_may@nps.gov](mailto:peter_may@nps.gov)> wrote:

We are checking on what we have, but whatever we have will include all the land of the parkway. The easement itself will need to be described. We will also need to know the location and extent of surface use for the exit/ventilation shafts.

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Peter May  
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On Mon, Oct 23, 2017 at 10:31 AM, Steve Davis  
<[steve@boringcompany.com](mailto:steve@boringcompany.com)> wrote:

Hi Peter,

Thanks for the note.

In John's email, he discusses the legal descriptions and title reports for the Parkway.

We have assumed that NPS has much better data w/ regards to their Parkway ownership than we would be able to find. Is this accurate?

Thanks,  
Steve

On Mon, Oct 23, 2017 at 7:41 AM, May, Peter  
<[peter\\_may@nps.gov](mailto:peter_may@nps.gov)> wrote:

Thank you Jane.

We will review this package and send you some comments as quickly as possible. In the meantime, any additional information that you can provide as was suggested in John Ross's 10/12 email to Steve Davis would be helpful.

Peter

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On Sun, Oct 22, 2017 at 6:51 PM, Jane Labanowski  
<[jane@boringcompany.com](mailto:jane@boringcompany.com)> wrote:

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Hi Peter,

You'll find a summary of our proposed project attached. We will follow up this preliminary package with any requested specifics, but wanted to give your team context in hopes of prompting initial questions and comments.

Please don't hesitate to let us know if there's any further information we can provide at this time or following your review of the attached summary. Thank you in advance for your consideration.

Best,  
Jane

On Wed, Oct 18, 2017 at 6:39 PM, Steve Davis  
<[steve@boringcompany.com](mailto:steve@boringcompany.com)> wrote:

Hi Peter,

Thanks for the note. Will happily prepare a package for you. In general, if the action is ever on us, please let us know and we respond instantaneously. Will have an initial package for you on Friday. Jayne, who is CCed, will send it out. If there is something specific you want to see, please let us know. If not, we will take our best guess and submit and we can iterate until you are happy.

Thanks,  
Steve

On Oct 18, 2017, at 9:29 PM, May, Peter  
<[peter\\_may@nps.gov](mailto:peter_may@nps.gov)> wrote:

Steve,

I believe that during our conference call last week you stated that you could provide some detailed information about the proposal. I will need whatever you can provide in order to prepare the package needed to start the appraisal. When do you think you can send us some details on the proposal?

Thanks.

Peter

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On Wed, Oct 18, 2017 at 3:22 PM, Jorjani,  
Daniel <[daniel.jorjani@sol.doi.gov](mailto:daniel.jorjani@sol.doi.gov)> wrote:

Steve - Sorry for the delayed response. John also reported that it was a positive meeting. Yes, you understand the process correctly. The next step would be for NPS to send the packet over to OAS/OVS to begin the appraisal process. \_



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On Wed, Oct 18, 2017 at 3:16 PM, Steve  
Davis <[steve@boringcompany.com](mailto:steve@boringcompany.com)> wrote:  
Hi DOI/NPS Team,

Just checking in on this one to see what you would recommend for next steps and/or your thoughts on the "Step 1" above? Also, as an FYI, there will be likely some news in the next few days discussing the tunnel - please note that the news will be referring to the state (northern) portion of the parkway, not the federal (southern) portion of the parkway.

Thanks,  
Steve

On Thu, Oct 12, 2017 at 12:49 PM, Steve Davis <[steve@boringcompany.com](mailto:steve@boringcompany.com)> wrote:

Just met with John this morning - had a great conversation and he was highly knowledgeable. As I understood it, the process is:

1. NPS/DOI writes a formal letter to John's office (OVS) that they would like an appraisal done
2. Upon receipt, NPS/DOI work together to form the scope of work for the appraisal (1 month)
3. OVS sends scope of work to multiple appraisers and works, per their regulations, towards an appraisal contract (1 month)
4. Actual appraisal (2-3 months)
5. OVS reviews the appraisal and, if all looks good, releases (1 month)

Thus, 6 months seems doable, assuming nothing surprising happens (which is always a risk).

He noted that NPS does not have to be the agency doing the valuation (could be done under DOT), but it seems fully reasonable for DOI to do this given the ownership and given John's team's vast experience.

If all are onboard, what steps would need to be taken to complete Step 1? Is there anything I can do, or would DOI/NPS talk internally?

Really appreciate all of your time and help on this project.

Thanks,  
Steve

On Tue, Oct 10, 2017 at 5:35 PM, Jorjani, Daniel <[daniel.jorjani@sol.doi.gov](mailto:daniel.jorjani@sol.doi.gov)> wrote:

No problem. Todd, cc'd, will follow-up with the Park Service regarding getting the appraisal underway in a compliant manner. I've also cc'd two of the other participants on the call - Bob Vogel (both Acting Deputy Director of the

NPS & NCR Director) and Peter May (Associate NCR Director for Lands and Planning).

John Ross's contact info is pasted in below. Feel free to reach out to his office directly to get even more information about the appraisal process. All appraisers within the Department report ultimately to him. As I noted on the call, a key component of the reforms we launched in the early 2000s was ensuring that appraisers report only to appraisers all the way through to the SES level. This is one part of ensuring the integrity of DOI appraisal process. Protecting appraisals from any form of interference remains a top priority.

Best,

Dan

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On Tue, Oct 10, 2017 at 4:02 PM, Steve Davis <[steve@horingcompany.com](mailto:steve@horingcompany.com)> wrote:

Thanks for organizing and apologies for the miscommunication. With regards to next steps, we will be looking into the 501c3 topic, and would appreciate any help in connecting w/ the right person (Peter?) to help get an appraisal kicked off.

Thanks again!

On Tue, Oct 10, 2017 at 2:08 PM, Daniel Jorjani <[daniel.jorjani@sol.doi.gov](mailto:daniel.jorjani@sol.doi.gov)> wrote:

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