



DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND
1333 ISAAC HULL AVENUE
WASHINGTON NAVY YARD DC 20376-2701

IN REPLY REFER TO

4520
Ser 333/145
06 Jul 2012

Ms. Jan DeVault
San Jacinto Battleground Conservancy
811 Rusk, Suite 720
Houston, TX 77002

Dear Ms. DeVault:

Thank you for your letter of June 11, 2012 to the Naval Sea Systems Command (NAVSEA) and the Texas Parks and Wildlife Department (TPWD) requesting clarification on the "reasonable alternatives" analysis for the Battleship Texas Dry Berth Project (Battleship Project). I am responding on behalf of NAVSEA and TPWD. Mr. Carter Smith, the Executive Director of TPWD, has concurred with this letter.

In your letter, you expressed concern about the reasonable alternatives proposal process. In particular you state, "[T]he website informs the public that alternatives to the dry berth will be considered, but the [site evaluation criteria] contradicts that statement by making it clear that only a dry berth solution will be considered." Per the National Historic Preservation Act (NHPA) and its implementing regulations at 36 C.F.R. § 800.6, the Federal agency is required to discuss with consulting parties, ways to develop and evaluate alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties. On March 6, 2012, during the second Section 106 consultation meeting, consulting parties agreed to afford interested parties the opportunity to submit "reasonable alternatives" to the proposed undertaking. Interested parties were given until May 31, 2012 to submit such "reasonable alternatives." In accordance with the NHPA, the TPWD notified the public of this opportunity via the project website and provided information about the process for submitting "reasonable alternatives." At the January 26 meeting, I made a personal commitment to review all submissions of reasonable alternatives. Our records reflect that no alternatives were submitted.

To date, a review of the Battleship Project record reflects that the TPWD has taken appropriate steps to comply with all applicable environmental statutes, including but not limited to the NHPA. As the lead Federal agency for the Battleship

Project, NAVSEA is committed to partnering with the TPWD to ensure compliance with all applicable environmental statutes.

If you have any additional questions or concerns, please contact Tuwana Cummings at tuwana.cummings@navy.mil or (202) 781-1504. We look forward to continuing our work with you and the other consulting parties during this Section 106 consultation process.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. R. PIETRAS', with a long horizontal line extending to the right.

C. R. PIETRAS
Captain, U.S. Navy
Program Manager
Navy Inactive Ships Program (PMS 333)

Copy to:
Texas Parks and Wildlife Department
Advisory Council on Historic Preservation
Texas Historical Commission