

06-30

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RECEIVED
D C OFFICE OF ZONING
2007 JUL 23 PM 4:38

Director
District of Columbia Office of Zoning
441 4th Street, N W , Suite 210
Washington, D C 20001

Re Case #06 03 Pollin Memorial Community Development LLC -- Square 5040 & Parcels
170/27 and 170/28 Kenilworth Park at Hayes Street, N E)

Dear Director

Please enter my name to the official record on Zoning Commission Case # 06-30 as being opposed to the subject application. My interest in this case is simply as a District of Columbia (DC) resident who is concerned about the health of its waterways parks and environment, and of the future of our great city. Similarly I encourage the DC Zoning Commission to deny the subject zoning change that would allow this Hayes Street, N E section of Kenilworth Park to be developed for residential purposes. Although the subject site is no pristine environment, it is important contiguous Anacostia Park natural habitat and Anacostia River buffer. Furthermore, future park improvements that will occur here, including the Anacostia Riverwalk Trail, will suffer from the permanent physical and visual intrusion this project will create.

There is an Anacostia River tidal tributary that flows through a portion of the subject property. It supports fish, frogs and turtles nest in the areas next to stream. Numerous birds and mammals use the other portions of the property. It is extremely disappointing, outrageous, and frankly speaking, offensive to learn that DC and the National Park Service (NPS) are working together to develop this Anacostia parkland to permanently eliminate this natural and wetland habitat from the city and from the Anacostia River.

While there may be laws that allow the DC and the NPS to exchange lands with minimal process or environmental analysis, clearly the residential development of this natural Anacostia River buffer that has been managed by the NPS for many years constitutes a controversial Federal action and should be subject to a higher level of National Environmental Policy Act (NEPA) analysis.

In the early 1980's the NPS initiated a planning process in accordance with NEPA for Kenilworth Park. That planning included this subject site in the over 700-acres of Kenilworth Park and Aquatic Gardens and involved considerable public review and participation at that time. It resulted in the *Development Concept Plan for the Kenilworth Park & Aquatic Gardens* which is still the only approved plan for the park. Such a significant change in land use should require additional NEPA analysis in the form of an Environmental Assessment or Environmental Impact Statement. At a minimum, this process should be slowed-down so that Anacostia Park and

ZONING COMMISSION
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CASE NO. 06-30
EXHIBIT NO. 37

Anacostia Watershed restoration stakeholders can learn more about this. It was only by chance that I learned about this project a few days ago.

At a time when tremendous public investment and volunteers' sweat equity is going into restoring the Anacostia River environment, it is absolutely absurd for DC and the NPS to do this and still give lip-service supporting the restoration of the Anacostia Watershed. It is areas such as this, river buffers and small wetlands, that are critical to protecting and improving the Anacostia River Watershed. You can't improve the river environment and pave its contiguous parklands and stream buffers at the same time. The National Park Service should be embarrassed to be part of such an action that is so contradictory to, and in violation of, its purposes and mission.

Unlike other recent high-profile transfers of Anacostia Park lands, Anacostia River restoration activists and stakeholders are not aware of this public parkland giveaway. It seems almost secret. This proposed development reeks of environmental injustice and I do not believe such an action would even be attempted on any portion of Rock Creek Park. Please think about the future and end this chipping-away of public space. The areas immediately adjacent to this site offer more than enough housing—both existing and planned.

Lets not constrain or restrict the potential of Anacostia River parklands by continuing the slow chipping away of areas that have served so long as sanctuaries for wetland and other wild species. We need to protect the park land we have, and avoid such permanent visual and physical intrusions like this that will degrade future park enhancements that will happen. Unlike other recent transfers of Anacostia park land that resulted from Congressional action, you have some control over this. Please deny this request and truly make a stand for restoring the Anacostia River Watershed. Thank you for your consideration.

Sincerely,

Gregory C Syphax

Important Points (Summary)

- The site is contiguous Anacostia parkland
- Although not pristine the site is important natural habitat and has a tidal tributary of the Anacostia River
- The stream wetlands, and upland areas of the site support fish frogs turtles deer, numerous songbirds and other wild species
- This site is exactly the kind of site recognized by the Chesapeake Bay Program, the Anacostia Watershed Management Committee, and others watershed restoration stakeholders, as being critical buffer and protection for the River as well as habitat
- The permanent elimination of this public park land and river buffer conflicts sharply with the interagency and public efforts to restore the Anacostia River Watershed
- The property is part of Kenilworth Park, and was part of the approved 1986 Development Concept Plan for Kenilworth Park & Aquatic Gardens that went through significant public review per National Environmental Policy Act (NEPA) That still remains the only approved plan for park development
- This proposed permanent change in park land use is provocative and constitutes a significant Federal action that should require additional compliance with NEPA, in the form of an Environmental Assessment or an Environmental Impact Statement

July 23, 2007

D C Board of Zoning Adjustment (BZA)

Attached is my statement of opposition to the proposed rezoning and development of the Pollin Memorial Community Development (PUD) site in Square 5040 & Parcels 170/27 and 170/28. Unfortunately, I will not be able to attend the scheduled public hearing tonight regarding this matter. However, I would appreciate having this letter read into the record.

Sincerely

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