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Testimony

June 5, 2003

DC Zoning Commission

Re: Case 02-30 and 02-31

I am Bob Morris, here to represent the DC Chapter of Sierra Club. There are 3200 member residents in the District of Columbia. Sierra Club has 17,000 members in the Washington DC area, and 700,000 members nationwide. It is important to bring a national context to this issue, because we are talking about private development of a National Park.

On May 19, 2003, 28 former National Park Service employees, including 7 former park superintendents wrote in a letter to President Bush, "the National Parks belong to every American and we are dismayed to see that they are being turned over piece by piece, contract by contract, to well-connected special interests whose foremost concern is maximizing profit and personal gain…" The current owners of the C&O Canal National Historic Park are the American people, not Georgetown University or the Park Service. It is the taxpaying public who have a matter of right in determining the future of this land. NPS recognized this right when they made the exchange agreement contingent upon the university obtaining approval by this Commission to develop this public parkland. This Commission set a precedent for this case when they decided in the Oxon Cove prison case that parkland does not need to be rezoned when it is in the best interests of the community for the land to be retained as unzoned parkland.

There is significant difference between the picture of public approval for this project presented by the university and the reality of public opposition. There is no mystery as to why public opposition has made itself known "at this late date", to quote counsel for the university. The public process that the university and NPS have followed has made it difficult to find the true parameters of the project. But the public has been concerned enough to persevere and uncover the flaws in that process and the negative consequences to the public.

The first problem is the contention that if the University isn't allowed to build on Tract 102-114, they will build on Tract 102-109 upstream. The upstream tract turns out, on examination, to be unsuitable for building a boathouse. It has recently been under water in a flood stage that the river reaches 10 or 12 times a year. It is only 45 ft. wide, so it can't possible fit the 60 ft. boats that require the university to ask for exceptions on the much deeper downstream tract. It has minimal riverfront and is part of sensitive ecological landscape that the National Park Service would protect with multiple encumbrances.

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A second problem is with the claims of prior approvals in public presentations, starting with the Environmental Assessment. The EA and FONSI have been cited to public bodies as a response to environmental concerns, but when we finally got hold of it we discovered that it didn't include consideration of the proposed use of the land. Additionally, public bodies, such as the C&O Canal Advisory Commission and Corps of Engineers, have been cited as giving approval, but they have actually only heard a concept presentation and have not given approval.

Another problem is with the siting of the building . It is generally described as being in the Georgetown Waterfront Park which the public perceives as being east of Key Bridge. It is never presented as being in the C&O Canal National Historic Park. When pinned down, it is described as being in the 1100 ft. of space west of Key Bridge that the NPS and the Georgetown Waterfront Park Commission decided should be for boathouses. It is only on close examination that we discover the project, including turnarounds, etc. would stretch well beyond that 1100 ft. zone.

Here is what the public would lose if you reverse fifty years of policy and allow new private development in the C&O Canal Park. This project has no provisions to protect the hydrologic, soil retention, wildlife habitat, flood control or public recreational functions of the land and river. It will set precedent that will encourage other private interests to take their bite out of the 185 miles of the C&O Canal parks and trailways. Public views that are shown in pictures from 140 years ago will be the private domain of the social gatherings the university describes on its web site. GU docks, ramps and boats will block the prime path up the river to the right of the Three Sisters especially favored by families and novice paddlers because it is out of the main current. The prime fishing spot most favored by kids and folks who can't take a long walk up the trail will exist no longer.

Here is what the public will gain: retaining walls, vehicular traffic, and a 50 to 60 ft. high 300 ft. long wall instead of naturally vegetated slopes, wetlands and riverfront. Increased pollution, urban heat effect, storm surge, river bottom sedimentation and flood damage downstream. This is a bad deal for taxpayers today, and for our children tomorrow.

You have been presented with a flawed zoning request from a tax-exempt special interest that is contested by the current rightful owners of the parkland, taxpaying citizens. Approval would reverse 50 years of work that have gone into making this National Park. Will you favor protecting the economic, social, ecological and aesthetic public benefits the park provides? Or will you decide to let the private interests of the university outweigh the interests of ordinary taxpayers?

I have confidence you will follow the Oxon Cove precedent and reject this flawed request.

Thank You