Washington Canoe Club
3700 WATER STREET, NW
WASHINGTON, D.C. 20007

6/27/2003

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

ZONING COMMISSION
District of Columbia
Case 02-30
Exhibit 376

REF: **Case No. 02-30 (Georgetown University & U.S. National Park Service)**

Dear Ms Mitten:

Please find attached additional material for the record from Washington Canoe Club in the matter of Case 02-30. I hope these are helpful in considering the matters before you.

1) A letter from the Bureau of Environmental Quality to the Office of Planning requesting an Environmental Impact Statement. Obviously we concur with Mr. Collier and his office regarding this matter. The project is sufficiently large and in an area that warrants an EIS. The Army Corp of Engineers states that wetlands do exist in the proposed boathouse tract. They are dismissive about the quality of the wetlands. I do not believe that the environmental regulations make or require an assessment about the quality of the wetlands, only that they exist. Further, since the EA was undertaken the area has seen a large growth in wildlife. I regularly see bald eagles, osprey, heron and other wildlife on that tract of land. Clearly an Environmental Impact Statement is needed and WCC hereby requests it.

2) A copy of the memorandum of agreement (MOA) between the NPS, ACHP and DC SHPO is attached. In particular the stipulations on page 3 are of interest. Namely that the building be under 15,000 square feet in footprint and under 40' tall as measured from grade. It is the position of WCC that the 40' height should be measured from the water in a manner similar to that provided in photograph of WCC that Georgetown University provided, as the river is the substantial and substantive "grade" for the waterfront. For the record, WCC is 37' above the waterline. A GU boathouse that was of similar height would not overwhelm the Washington Canoe Club in the manner that a boathouse that is nearly twice the height obviously will. We intend to request that the 106-review process be re opened. Now that the building plans are well known, a better assessment of the potential impact on the C&O Canal NHP and the Washington Canoe Club can be better performed. As indicated in testimony, we are very concerned about the impact of building a boathouse directly upstream of WCC. This concern is for both the C&O Canal and WCC.

3) A copy of the environmental assessment (EA) is included. In the EA, we call attention to what is known as the non-motorized boathouse zone as described on page (5). This zone is to extend 1000' above Key Bridge. According to our measurements this places the western most extent of the nonmotorized boathouse zone 180 feet west of WCC. This would partially explain the public's shock and surprise at the size of the boathouse. A boathouse built within the actual approved nonmotorized boathouse zone would be much smaller than that currently proposed by Georgetown University. Assuming a 12' side setback the building would be approximately 120' wide. This would make it wider than Potomac Boat Club and slightly smaller than WCC.

ZONING COMMISSION
District of Columbia
CASE NO.02-30
EXHIBIT NO.376

Clearly this is what the C&O Canal NHP, NCPC and ACHP were thinking of when they approved a boathouse being built on the site. Additionally, as the public document of record, persons concerned about the boathouse would have seen the EA and decided that the boathouse would not be sufficiently large to warrant concern. This is a similar sentiment to that one would come to when seeing the artist rendering presented on the official GU Athletic Department website - namely a building that in some ways looks smaller than WCC.

In the exchange agreement the nonmotorized boathouse zone is referenced as being 1100', and further in the exchange agreement it is once again extended from 1100' to 1250' provided the Commission of Fine Arts and the National Capital Planning Commission provide concurrence. We do not believe that the Georgetown Waterfront Master Plan has been properly amended to reflect this additional 250' of C&O Canal National Historic Park. Further, we've requested that the NCPC to check to see if their concurrence has been given to extend the boathouse zone. Note that this concurrence is not needed to build a boathouse in the boathouse zone, but rather to accommodate the proposed grand structure that overwhelms WCC and the other historic boathouses. Accordingly, we believe that the NCPC language regarding the need to restrict "significant structures west of Key Bridge" should apply to the region west of the approved 1000' nonmotorized boathouse area. Tract 102-114 straddles the C&O Canal NHP and the boathouse zone of the GWP. Clearly, if built the boathouse should be in that portion of the Boathouse zone that is in the 1987 Plan and not any further upstream. GU should be encouraged to provide public access both to the boathouse and to the park area on their upstream portion of the property.

4) We also provide the submittal documents provided by GU and the NPS to the CFA. In neither those documents nor the minutes of the CFA hearing provided by Georgetown University is the distance from Key Bridge ever discussed as an issue, or a point that requires a motion. Accordingly, we believe that permission has not been granted. We have requested that NCPC examine their files to see if they ever granted permission. Moreover, the comment "although 30,000 sf. is on the smaller side of what most universities are building, it is larger than the two adjacent boathouses" must be commented on. First the boathouse is actually 33,200 square feet, and second it is demonstrably larger than what most universities are building. The language "on the smaller side" would imply a boathouse of 11,000 square feet. Which, incidentally is about the right size for Washington's boathouse row. If the accurate facts had been presented to the CFA, would the enthusiastic endorsement been given?

5) WCC has grave concerns regarding the non-rowing usage of the facility. In the CFA submission we see "the great room "can be used for other functions – but in this case, primarily for exercise." Georgetown University and the National Park Service have gone on record at a number of meetings, emails and in ZC testimony that the primary purpose of the room is exercise. That there will be "no social functions" in the facility (NPS email, attached, section 10 page 5). Washington Canoe Club requests that a zoning order be placed prohibiting social functions from the facility. The language on their website GUHOYAS.com has been revised to remove the comments about future social events. The Zoning Order should be explicit, prohibiting social functions, and further from catering trucks from using the service road. I've attached the old and new versions of the website.

6) Additionally, in the Environmental Assessment on page (9) we note that the only DC office that was coordinated with in the preparation of the EA was the DC State Historical Preservation Office. Why was the Bureau of Environmental Quality (Air, Fish, Water) not consulted and coordinated with? It would seem that the EA is seriously flawed without the coordination of the Department in the District Government that upholds the environmental regulations.

7) During the June 19, 2003 hearing Commissioner May asked questions about the slide in my presentation showing the back of Washington Canoe Club from the C&O Canal. He was interested in the height of the building at the edge and the overall height of the building. This relates to the relative height of the proposed GU Boathouse and WCC and the view blockage that will occur. The latest drawing set was produced in May of

2003. The official height of WCC is 26.7 feet to the main roofline. Further, WCC sits into the slope of the site. Thus from the rear of the building the height of the main roofline is only 23 feet. The base of the window in the picture is 6' 6", and the drip edge of the roof is 13.3 feet. This helps explain why the 54' roofline appears so high. It is. Attached are copies of the drawings. I'm also attaching the slide and note page for easier reference.

8) Enclosed is a copy of the Excel Spreadsheet that was presented on June 19, 2003.

9) Additionally enclosed is the picture provided by Georgetown University of the rowing and paddling courses. WCC comments are provided on that sheet.

10) For the information of the Zoning Commission, I'd like to report that the C&O Canal NHP Advisory Commission met on June 20th. At that meeting, the NPS presented the GU Boathouse seeking approval of the design. Rather than approving it, the Commission passed a resolution expressing concern about the size and height of the boathouse. Further, much spirited discussion centered on what a boathouse meant ("a one story shed that boats are stored in, versus this Taj Mahal"), and what it should be used for. The commission was highly skeptical of the "exercise room" and what it would be used for.

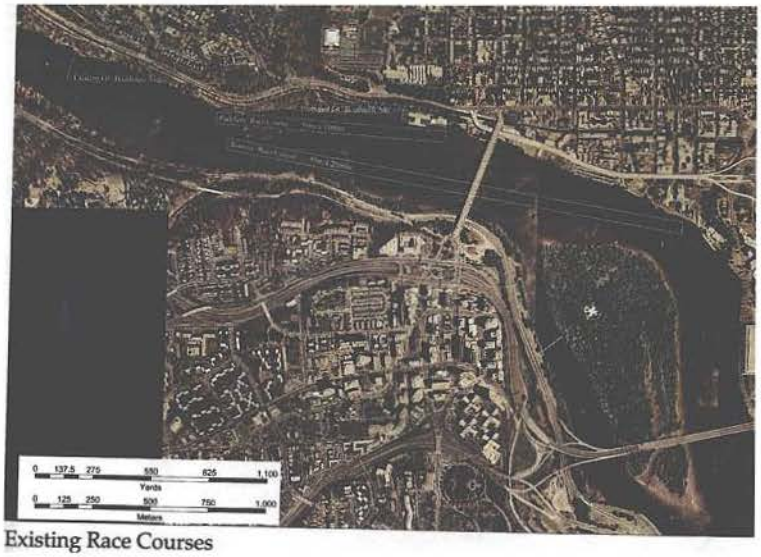
11) Finally, as I drive home on the George Washington Parkway, I am struck by the beauty of the Potomac River Gorge and the C&O Canal behind it. One's eye isn't drawn up to the University on the bluff above, but rather to the water and the trees. In particular the area in the first 1500 feet above Washington Canoe Club, as this is the only part of the Washington Palisades that is visible from the road as you are speeding along prior to the Spout Run exit (at 35 mph of course). I believe that the proposed boathouse, no matter how beautifully designed, is of such a grand scale that it will mar that view in a truly devastating manner. Clearly these are the views that the NCPC is trying to preserve when they state in their February 2001 revised Comprehensive Plan for the National Capital Parks, Open Space, and Natural Features Element:

> "View corridors should be maintained to the monumental city of Washington – such as those experienced when traveling southbound on the George Washington Memorial Parkway (GWMP) atop the Potomac Palisades, or northbound along the GWMP from Alexandria – **should be maintained and protected for the enjoyment of all** [emphasis mine]."
>
> Additionally the NCPC states that: "The C&O Canal NHP should be preserved as a legacy of inland waterway development. It should serve as a recreational area for non-motorized uses, such as bicycling, jogging, hiking, and boating **though preservation of the park's historic resources should take precedence over the provision of recreational activities [emphasis mine].** Adjacent development should be kept at a low density, except east of Key Bridge."
>
> Further that "As a great natural area, the Potomac Palisades...should reflect the nature which controlled early settlement in the Region. **Conspicuous man-made forms** should be avoided upstream from Key Bridge [emphasis mine]."

VR & thank you very much,

L. C. S.

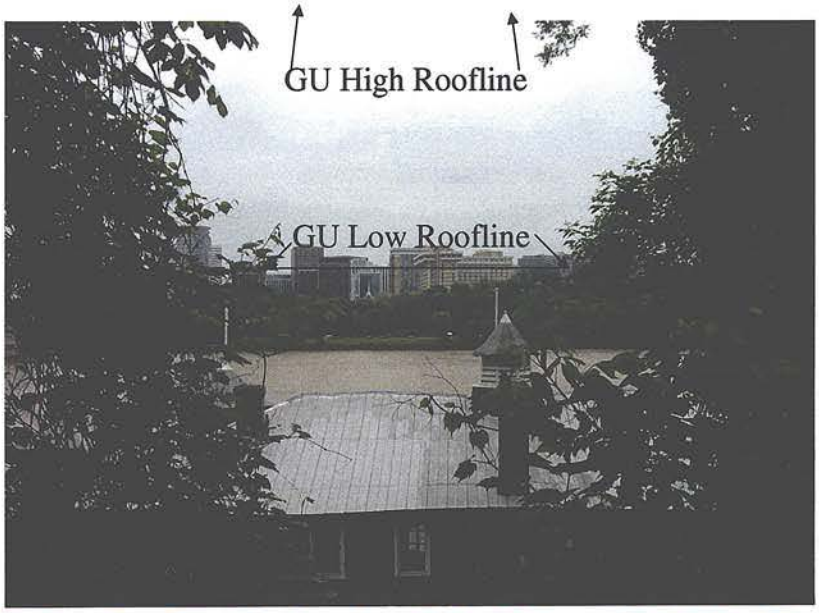
Lawrence C. Schuette
President, WCC
PO BOX 25449
Washington, DC 20375



Existing Race Courses

Photo provided by GU – many problems with this picture.

1) The existing GU Boathouse site is substantially narrower than shown. Assuming that the scale shown is correct, the site is actually ½ as wide. GU's proposed boathouse would resemble a covered bridge – 30' wide and 600' long.
2) The existing 1000 meter course as proposed by GU has the kayaks racing in the mud of 3 Sisters Island. It needs to be closer to DC to be accurate. Of course in doing so it is now closer to shore which means that the dock is in the way.
3) Further, our race course ends closer to the upstream end of our dock.
4) The dock is esp. in the way of our 200 meter and 500 meter courses.
5) And, WCC loses the view of the inshore portion of the Potomac River between WCC and the 3 sisters islands. We've traditionally looked up stream to observe the sunset: that will be significantly blocked. We've looked upstream to observe the kayakers: that will be signficicantly blocked. We've looked upstream at the Virginia Palisades, that will be significantly blocked.



GU "Low" roofline blocks view of Key Bridge, "High" Roofline blocks view of Washington Monument from the towpath.

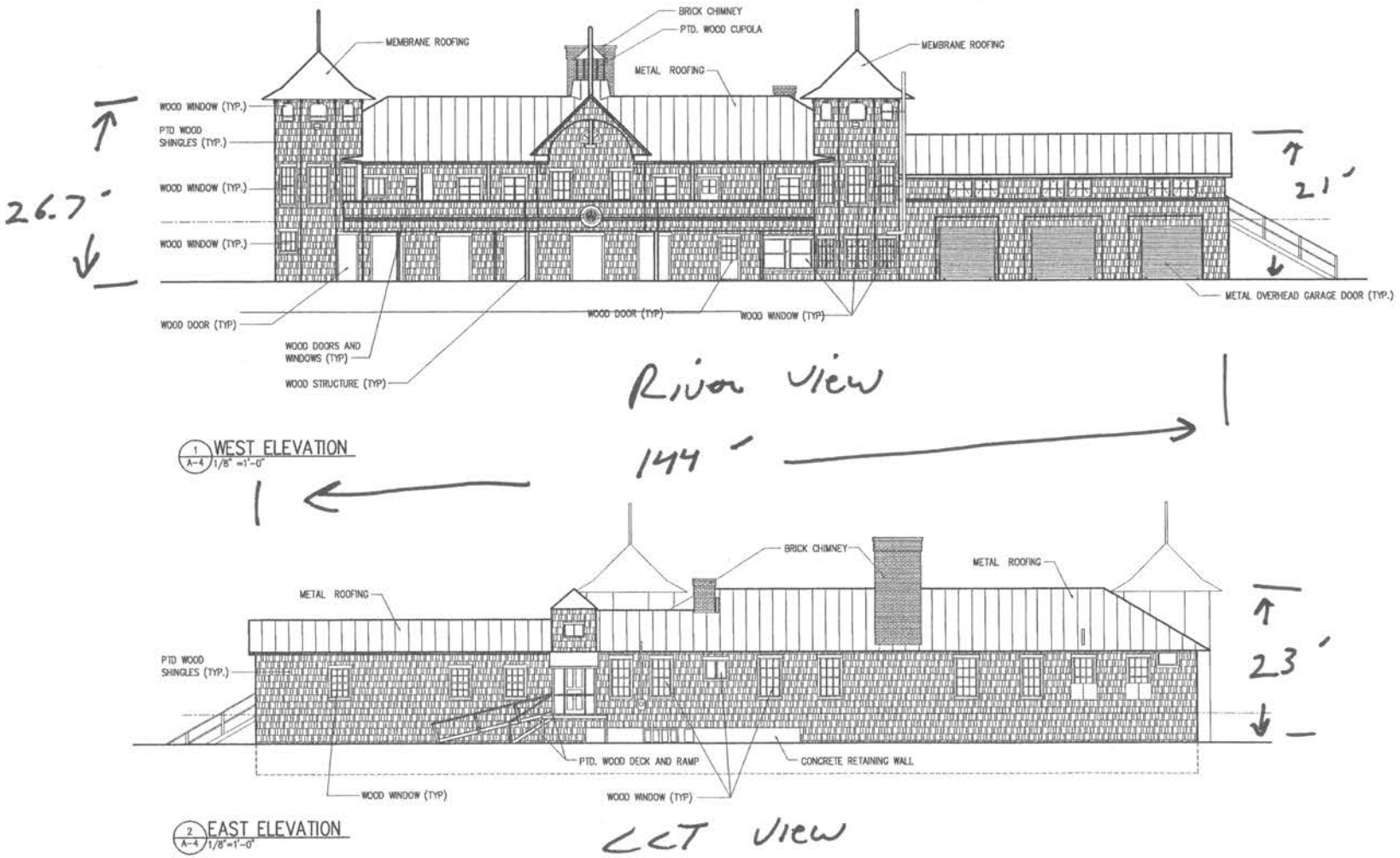
The most recent renderings and photographs provided by the applicants show how difficult it is to determine the impact of a planned structure on a view. Here is a view from the C&O Canal. Using well established techniques in photogrametric analysis I offer the following:

Using a level camera and based on a point 5' above the towpath, and 66' from the peak of the WCC roof, the look angle is 7 degrees downward to the roofline of WCC (you look down at the roof as it is 4 ½' below the towpath.

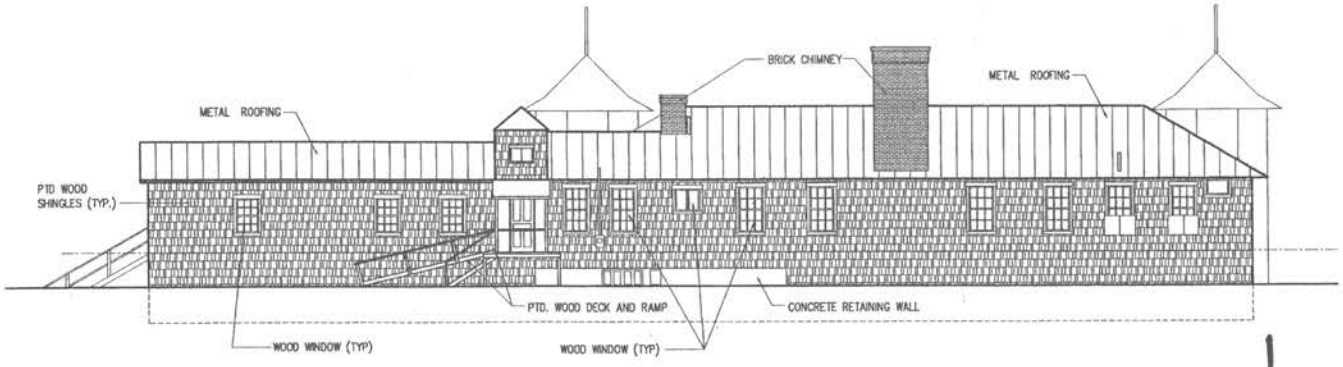
For the 41' roof of the GU Boathouse that angle is 1.7 degrees positive (you look up at the roof unless you are 7' tall). Everything under 80' will disappear on the VA shoreline.

The peak of the GU Boathouse has a positive look angle of 13 degrees when you are directly behind it. Because of the 21' elevation and the bend in the towpath it will block the view from the towpath upstream all views from upstream of the Washington monument and Roosevelt Island. Objects under 300' tall will be hidden by the roofline on the VA shore.

Clearly a licensed independent Professional Engineer needs to be retained to do a through "View Analysis" to provide an accurate assessment to the Zoning Commission. Only then will the visual impact be accurately assessed. We request the opportunity to interview and inspect their efforts.

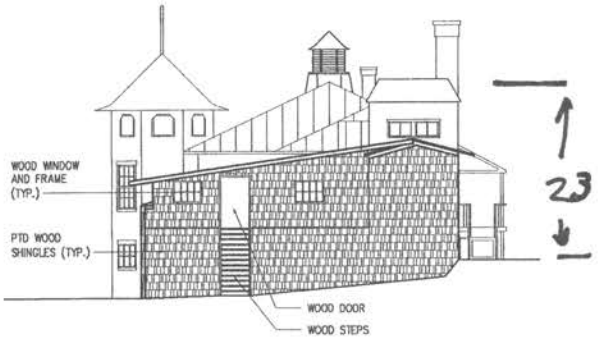

BRICK CHIMNEY
PTD. WOOD CUPOLA
MEMBRANE ROOFING
METAL ROOFING
MEMBRANE ROOFING
WOOD WINDOW (TYP.)
PTD WOOD SHINGLES (TYP.)
WOOD WINDOW (TYP.)
WOOD WINDOW (TYP.)
26.7'
21'
METAL OVERHEAD GARAGE DOOR (TYP.)
WOOD DOOR (TYP)
WOOD DOOR (TYP)
WOOD WINDOW (TYP)
WOOD DOORS AND WINDOWS (TYP)
WOOD STRUCTURE (TYP)
River View
144'
1 A-4 WEST ELEVATION 1/8"=1'-0"
BRICK CHIMNEY
METAL ROOFING
METAL ROOFING
PTD WOOD SHINGLES (TYP.)
23'
PTD. WOOD DECK AND RAMP
CONCRETE RETAINING WALL
WOOD WINDOW (TYP)
WOOD WINDOW (TYP)
2 A-4 EAST ELEVATION 1/8"=1'-0"
CCT View

1 A-4 WEST ELEVATION
1/8" = 1'-0"

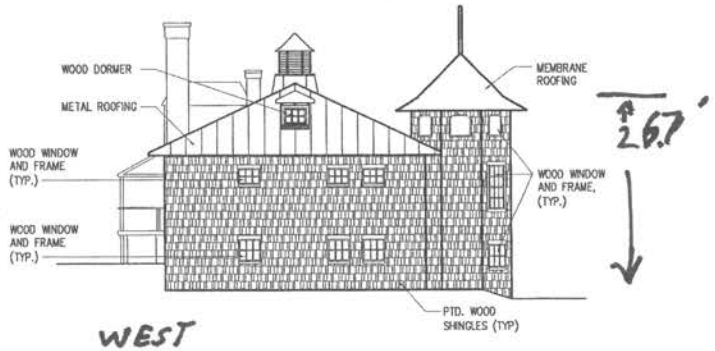


2 A-4 EAST ELEVATION
1/8" = 1'-0"

144'



3 A-4 SOUTH ELEVATION
1/8" = 1'-0"



WEST

4 A-4 ~~SOUTH~~ ELEVATION
1/8" = 1'-0"

TO: Joel Lawson, Development Review Specialist, Office of Planning

FROM: Jim Collier, P.E., Chief, Bureau of Environmental Quality

DATE: May 14, 2003

SUBJECT: Zoning Commission Case #02-30—Map amendment to permit the construction of a Georgetown University Rowing Club Boathouse on the Potomac River, and Case #02-31—possible text amendments to the W-1 zone.

The District of Columbia Environmental Policy Act of 1989 states:

> Whenever the Mayor or a board, commission, authority, or person proposes or approves a major action that is likely to have substantial negative impact on the environment, if implemented, the Mayor, board, commission, authority, or person shall prepare or cause to be prepared, and transmit, in accordance with subsection (b) of this section, a detailed EIS at least 60 days prior to implementation of the proposed major action....

We believe that the project concerned in the above two cases falls under this Act. Further, it appears that the proposed boathouse project has the potential to negatively affect wetlands, upland terrestrial habitat, and aquatic habitat.

The Office of Planning is tasked with upholding the goals of the District's Comprehensive Plan and we note that the proposed boathouse project would not further the goals and objectives of the Comprehensive Plan. Important goals of the Comprehensive Plan are for District residents to increase use of the river for recreation and transportation, and for residents of Ward 2 specifically to increase their use of the river. A private boathouse will not provide increased opportunities for the general public to boat on the river. Building a private boathouse on what is now public access open space will, in fact, decrease such opportunities.

GUHoyas.com
THE OFFICIAL WEB SITE OF THE GEORGETOWN HOYAS ATHLETIC DEPARTMENT
Hoyas Unlimited
Supporting Excellence in Georgetown Athletics
Hoya Proshop Online

Men's
Baseball
Basketball
Crew
Football
Golf
Lacrosse
Co-ed Sailing
Soccer
Swimming/Diving
Tennis
Track

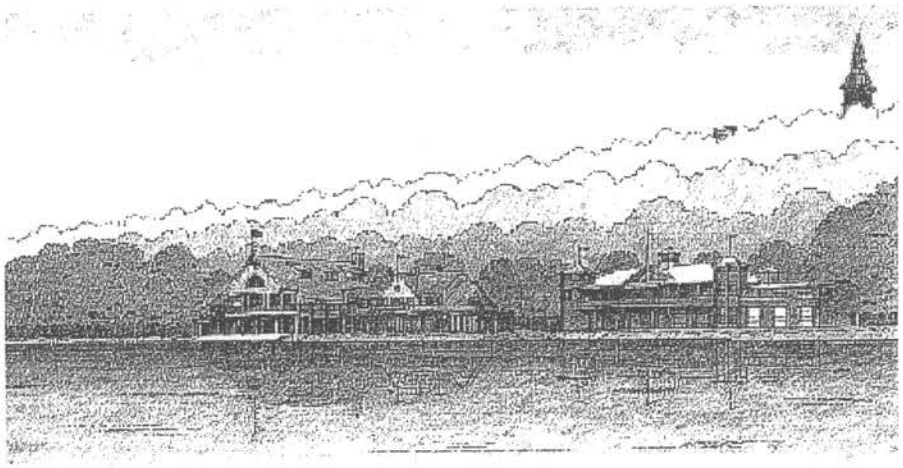
Women's
Basketball
Crew
Field Hockey
Golf
Lacrosse
Sailing
Soccer
Swimming/Diving
Tennis
Track
Volleyball

Links
Hoyas Unlimited
Tickets
What's a Hoya
Facilities
Yates Field House
Hall of Fame
Georgetown.edu
Staff
Equities and Disclosure
Robert A Duffey Scholar Athlete Award
Feedback
Advertising

Help Georgetown Crew Reach the Finish Line

Walk through the Boathouse with us. Imagine one facility for Georgetown Crew. Envision the rowing tanks where the 150 rowers will perfect strokes from beginners to the most advanced. See the boat bays that will hold all of our racing shells. See the trophy room that celebrates the tremendous history of Georgetown Crew. Go up the stairs to the Great Room with an amazing view of the Key Bridge and the Potomac. Imagine the possibilities. This dream is our finish line, and that finish line is just around the corner.

New Language



Return to the beginning.

This is G o o g l e's cache of http://www.guhoyas.com/extras/local/boathouse/conclusion.html.
G o o g l e's cache is the snapshot that we took of the page as we crawled the web.
The page may have changed since that time. Click here for the current page without highlighting.
To link to or bookmark this page, use the following url: http://www.google.com/search?q=cache:a6vcBzBsqCsJ:www.guhoyas.com/extras/local/boathouse/conclusion.html+&hl=en&ie=UTF-8

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GU Hoyas .com
THE OFFICIAL WEB SITE OF THE GEORGETOWN HOYAS ATHLETIC DEPARTMENT
Hoyas Unlimited
Supporting Excellence in Georgetown Athletics

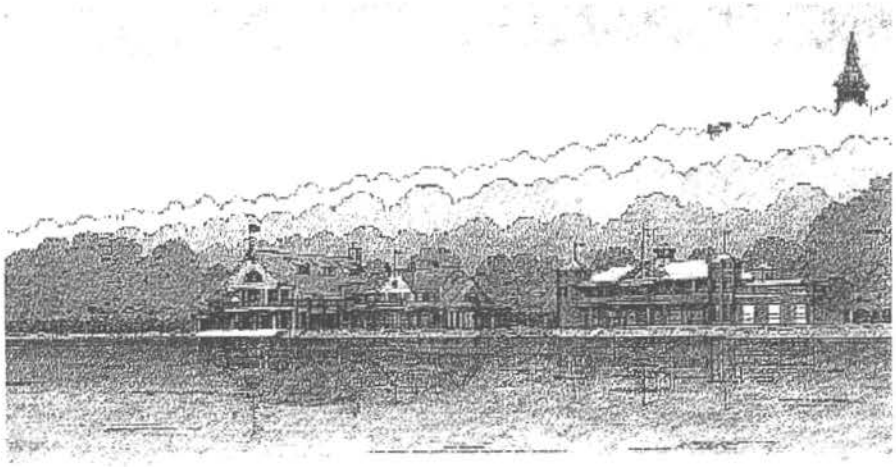
old language

Help Georgetown Crew Reach the Finish Line

Valid till 6/5/03

Walk through the Boathouse with us. Imagine one facility for Georgetown Crew. Envision the rowing tanks where the 150 rowers will perfect strokes from beginners to the most advanced. See the boat bays that will hold all of our racing shells. See the trophy room that celebrates the tremendous history of Georgetown Crew. Go up the stairs to the Great Room with an amazing view of the Key Bridge and the Potomac - a perfect setting for future crew alumni and parent events. Step onto the observation deck where we will watch the Hoyas race. Imagine a boathouse that is an extension of the Georgetown campus. Imagine the possibilities. This dream is our finish line, and that finish line is just around the corner.

has been edited



		Year Built or Renovated	Student Body	Total Square Footage	Fraction	Height of Roof Line	Length on Shoreline	Include Rowing Tanks	Seats in Tanks	Distinctly Larger	Similar Size	Distinctly Smaller	Comments
Georgetown's Proposal		**proposed**	6418	**33,200**	**100%**	54	292	Yes	24				
1 Boston Univ.	DeWolfe		**1999**	17,819	**20,000**	**60%**	40	125				Yes	Tanks on campus.
2 Brown	Marston	1966	**1994**	6,029	**25,000**	**75%**	40	175	Yes	16		Yes	
3 Cornell	Collyer	1957 & 1970s		8,381	**21,000**	**63%**	35	160				Yes	Tanks on campus.
4 Columbia	Class of 1929		**2001**	6,623	10,000	**30%**	30	75				Yes	
5 Dartmouth	Friends		1986	4,047	11,400	**34%**	30	75				Yes	Tanks on campus.
6 Harvard	Newell		1900	4,843 M	19,000	**57%**	32	150	Yes	16		Yes	Shared facility
6 Harvard	Weld		1906	19,337	20,000	**60%**	44	180				Yes	
7 MIT	Pierce		1958	4,258	17,100	**52%**	22	95'	Yes	8		Yes	
8 Northeastern	Henderson		**1990**	19,588	**18,000**	**54%**	35	100				Yes	Tanks on campus.
9 Princeton	Shea	1887 **&**	**2001**	4,663	**33,500**	**101%**	34	250	Yes	16	Yes		Shared facility
10 Rutgers	Class of 1914		1961	3,717	10,000	**30%**	24	110				Yes	
11 Syracuse	Ten Eyck	1937 &	**1988**	12,386	15,000	**45%**	30	100				Yes	
13 Univ. of Penn	Penn		1876	11,686	12,000	**36%**	30	100				Yes	
14 USNA	Fisher		1930	4,172	**17,600**	**53%**	36	110	Yes	10			
15 Wisconsin	Crewhouse		**2003**	29,697	**52,000**	**157%**			*Yes*	*16*	*Yes*		*As proposed, not built yet*
16 Yale	Gilder		**1999**	5,286	**22,400**	**67%**	30	150				Yes	Tanks on campus.

Bolded Numbers are per School Website, Architect or Builder of Record
Others are from measurements, onsite or photogrametric

median boathouse = 18,500 square feet
average boathouse = 20,250 square feet

THE COMMISSION OF FINE ARTS

ESTABLISHED BY CONGRESS 17 MAY 1910

NATIONAL BUILDING MUSEUM
441 F STREET, N.W., SUITE 312
WASHINGTON, D.C. 20001-2728

202-504-2200
202-504-2195 FAX

31 October 2001

Dear Mr. Parsons:

During its meeting on 18 October 2001, the Commission reviewed and enthusiastically approved the general concept design for the proposed boathouse facility for Georgetown University to be built on the Potomac up stream from the Washington Canoe Club. The design was also warmly received by the Commissions' Old Georgetown Board who reviewed the concept design at its meeting on 4 October 2001. We understand a land swap between the Park Service and the University is needed to make this property available for the boathouse.

We look forward to the review of the development of the design and details. As always, the staff is available to assist in the review process.

Sincerely,

J. Carter Brown
Chairman

Mr. John Parsons
Acting Regional Director
United States Department of the Interior
National Park Service
National Capital Region
1100 Ohio Drive, SW
Washington, DC 20242

cc: Alan Brangman, Georgetown University
Stephen Muse, FAIA, Muse Architects

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

L3215 (NCR-LRP)

OCT 12 2001

Mr. J. Carter Brown
Chairman
Commission of Fine Arts
441 F Street, NW., Suite 312
Washington, D.C. 20001-2728

Dear Mr. Brown:

We are submitting, on behalf of Georgetown University, their design for a new boathouse on parkland on the Georgetown Waterfront.

In 1987 the Commission approved a plan for the waterfront in which emphasis was placed on rowing and canoeing as historic activities on this section of the river which should be expanded. In fact, the plan delineated a non-motorized boating zone at the western end of the park in which boathouse construction was delineated. Enclosed is a copy of the plan for your information.

In this context, we have entered into an agreement with the university which provides for a land exchange with them. The site for their boathouse would be conveyed to them by us in exchange for a parcel of equal value up river near three sister islands if they receive the necessary approvals from your Commission as well as the National Capital Planning Commission and the comments of the State Historic Preservation Officer.

We support the design of the building which will set a standard for other new structures to follow while complimenting existing historic structures along the waterfront. We are pleased that the Advisory Neighborhood Commission and the Old Georgetown Board have reviewed and support the project as submitted.

We are requesting that this project be placed on your October 18 meeting agenda.

Sincerely,

Acting

Regional Director, National Capital Region

Enclosure



Office of Lands, Resources, and Planning

National Capital Region
National Park Service
1100 Ohio Drive, SW
Washington, DC 20242
Fax: (202) 401-0017
Phone: (202) 619-7025

FAX

Please deliver the following pages

To:

Name: Ms. Bendstrom

Phone: _____

From:

Name: John Lawson

Phone: _____

Date & Time: 10/12

Number of pages to *follow*: 1

Message:

Georgetown Boathouse
Old Georgetown Board/CFA
4 October 01/18 October 01

Site

The site for the new boathouse is the result of **land swap** with **Park Service** –
A good thing – **boathouse district** (Washington Canoe Club, Potomac Boat Club)
The site is **approx. 110/120′ x 400′**
Directly west of the Washington Canoe Club
Other adjacencies are River to south, Park to west, and the bike path and a significant slope (30′+) to north – nestled below hill.

Photos

Program

Four basic parts

1. **5 boat bays** (storage, one used as shop)
   Set size
   Two orientations
2. **Indoor rowing tank**
   Part of training facility
   24 athletes - Simulate being on river
   Set size – spacing for 24 athletes/turning radius of tank
3. **Big room**
   Can be used for other functions – but in this case, primarily exercise
4. **Mens/womens locker rooms**
   90 spots per side

Offices, weight room, team room, etc.

When you put all this together, it is approx. **30,000 sf. of space.**

Schematic Design

There are two issues about the site that play a major role in the development of our design.
The first is the **narrowness of the site** – Boathouse tour - parti
The second is the **size of the program**.
Although 30,000 sf. is on the smaller side of what most universities are building, it is larger than the two adjacent boathouses.

REPORT OF THE OLD GEORGETOWN BOARD
to
THE COMMISSION OF FINE ARTS

DRAFT

18 October 2001

O.G. 01-270 HPA. 01-582	Potomac River and Crescent Trail National Park Service Georgetown University Boathouse	New building - conceptual

REPORT: The Old Georgetown Board reviewed the proposed boathouse facility for Georgetown University at its meeting 4 October 2001 and enthusiastically approved the general concept. The site for the proposed new structure is up-stream of the Washington Canoe Club on the Potomac River, west of the Key Bridge. The narrow 1 acre lot is currently owned by the National Park Service, which is considering a land swap with the University. The Board has no objections to the direction the concept is taking, with architectural language appropriate to boathouse design, and they look forward to the review of concept development plans. The Board forwards the following Recommendation:

RECOMMENDATION: No objection to the general concept for a new boathouse facility for Georgetown University. File new submission of design development for concept review by the Commission when ready.

Environmental Assessment for the Proposed Exchange of Properties between the National Park Service and Georgetown University within the District of Columbia and within the Boundary of Potomac Palisades Park within the Chesapeake and Ohio Canal National Historical Park

Chesapeake & Ohio Canal National Historical Park
Washington D.C.

July 1995

Prepared by: National Capital Area, National Park Service
and the U.S. Department of the Interior

I. Overview

This environmental assessment addresses the proposed action of a land exchange involving approximately two acres, between Georgetown University and the Chesapeake and Ohio Canal National Historical Park (C&O Canal NHP), to further National Park Service goals. The National Park Service (NPS), intends to obtain fee interest in the property being acquired from Georgetown University by conveying in exchange fee interest in a Federally owned tract of land within C&O Canal NHP. The property descriptions of the parcels being considered for this land exchange are attached as Appendix A.

The purposes of the proposed exchange are: 1) to allow the National Park Service to acquire and thereby preclude from development, a largely undisturbed inholding featuring mature trees and native vegetation and also prevent the disruption of adjacent parkland, along with preserving a scenic vista of the Potomac River Gorge; 2) consistent with longstanding National Park Service studies and regional planning and in furtherance of the recreational mandate of the C & O Canal NHP Act, provide for placement of a nonmotorized boat facility on property with less developed natural features; and 3) to obtain and thereby extinguish a competing right of access along a length of the National Park Service Capital Crescent Trail, a paved pedestrian-bicycle trail (Capita Crescent Trail).

Section II. The Proposed Action

The National Park Service and Georgetown University propose to enter into an agreement to exchange parcels of land located within the boundaries of the Chesapeake & Ohio Canal National Historical Park. The properties under consideration are the National Park

Service's parcel, Tract 102-114; and Georgetown University's parcel, Tract 102-109.

This proposal allows the National Park Service to prevent, through acquisition, both the destruction of a mature stand of trees and native vegetation on a privately owned inholding located within the boundaries of C&O Canal NHP and the disturbance of adjacent parkland. This parcel was acquired by Georgetown University as a boathouse site. By obtaining this parcel from Georgetown University, the National Park Service will be able to keep it in its present undeveloped state, and provide protection to its sensitive natural resources.

In exchange for relinquishing this tract of relatively undisturbed land, Georgetown University gains a location in an already developed portion of the waterfront of the Georgetown section of the C & O Canal NHP to place a collegiate boathouse. This proposal does not contemplate a marina (motorized boating) use of this parcel. Georgetown University seeks a better site to serve its rowing and sailing needs. Georgetown University intends to creat and maintain an open landscaped setting for the boathouse which will be available to the public. Completion of the rowing structure and its occupancy by Georgetown University will result in space becoming available for use by the public at existing boating facilities presently used by Georgetown University.

In accord with authorities available to the National Park Service at 16 U.S.C. § 460l-22(b)(1988), and 16 U.S.C. § 410y-1(b)(1988), the National Park Service and Georgetown University propose to exchange land interests of approximately equal value. The National Park Service land exchange authority provides that properties to be exchanged must be located in the same state and that be of substantially equal value, or are equalized by the payment of cash.

In this proposed action, both properties are within the District of Columbia. Georgetown University's parcel, Tract 102-109, a lot equalling one acre, is a former CSX railroad property complete with access to the street system of the District of Columbia at the north end of K Street, N.W., and along the length of the former railroad bed now improved as the Capital Crescent Trail. It is, however, encumbered by a use restriction which limits it to use for boathouse purposes and this restriction must be lifted for the exchange to be completed. Tract 102-109 is proposed to be exchanged for Tract 102-114, a one acre vacant lot on Federal property.

Tract 102-114 is approximately 470 feet north of the Old Georgetown Aqueduct Bridge, adjacent to the site of the Washington Canoe Club facility. Beneath the length of Tract 102-114 and along the C & O Canal, the District of Columbia government operates and maintains a sewer facility which services government-owned facilities and several municipal systems.

As a result of covenants to be placed upon the Federally-owned property requiring perpetual use of the property for boathouse purposes by Georgetown University and its successors, the appraised values of the two properties will be approximately equal when exchanged. In consideration of receipt of fee interest in Tract 102-109 and its access rights now owned by Georgetown University, the National Park Service will convey fee interest in Tract 102-114 of the Chesapeake and Ohio Canal National Historical Park.

Section III. Background

The National Capital Area of the National Park Service manages major portions of the publicly accessible areas of the Potomac River within the District of Columbia. The management of these public areas by the Federal Government has been encouraged throughout the development history of the District of Columbia.

In 1927, plans to establish the Potomac Palisades Park were developed and approved by the National Capital Planning Commission (NCPC) in an effort to protect and preserve the shoreline of the Potomac River north of Georgetown. The National Capital Planning Commission is the Federal government's central planning authority for the metropolitan Washington, D.C. area. NCPC statutory authority is found at 40 U.S.C. § 71a(a)(1)(1988).

The Potomac Palisades Park lies within what is now the boundary of C & O NHP. Consistent with the NCPC plan, the United States eventually acquired large holdings of the Chesapeake and Ohio Canal Company and also from private individuals and corporations. Some of these properties had been developed, such as the parcel that the National Park Service is proposing to provide for the exchange for Georgetown University's more natural tract.

The passage of the Chesapeake & Ohio Canal National Historical Park legislation in 1971 continued the drive to protect this riverfront area. The Act's purpose is "to preserve and interpret the historic and scenic features of the Chespeake and Ohio Canal, and to develop the potential of the canal for public recreation," 16 U.S.C. § 410y-1(a)(1988). In this proposed land exchange, both parcels of property are located within the boundary of the C & O Canal NHP.

In 1988, in furtherance of the goals set out in the Act, the National Park Service acquired from CSX Railroad, railroad property within the shared boundary of Potomac Palisades Park and the C & O Canal NHP. This parcel extended from the old Washington Aqueduct Bridge to the District of Columbia boundary line. This addition to the C & O Canal NHP, of approximately 34 acres, largely completed the acquisition needed to accomplish this aim of the Act.

Prior to its transaction with the National Park Service, CSX Railroad had conveyed to Georgetown University, Tract 102-109. On

the former railroad bed that runs adjacent to this Georgetown University inholding, the National Park Service recently completed the construction of the Capital Crescent Trail.

Since 1869, there have been boathouses along the Potomac River in the area where the parcel proposed for Georgetown University's boathouse is located. Present-day boathouse facilities in the vicinity include the Washington Canoe Club whose clubhouse is located on parkland and is listed on the National Register of Historic Places. Additionally, the National Park Service has long had boating concessions operations in this section of the Potomac River. Thompson's Boat Center, located at the confluence of Rock Creek with the Potomac River, was developed by the National Park Service in 1960. Another NPS boating concession, Fletcher's Boat House, is located upstream at Canal Road. There are other boating facilities also serving the needs of private clubs, schools, and the general public.

Today much of the land located in this area of the Potomac River Gorge has reverted to a basically natural, if not pristine condition, and is characterized by tree-lined riverbanks and a general absence of structures other than recreational facilities such as boathouses. Virtually all development has been kept outside the topographic edge of the Gorge. The boathouse structure envisioned for Tract 102-114 will be located on the northernmost extension of the building line along the waterfront, consistent with the existing character of the area.

Section IV. Need for the Proposal

This proposed land exchange fulfills two goals of the National Park Service for this parkland, in addition to meeting statutory mandates.

First, it provides the National Park Service with one acre of Potomac River shoreline property containing mature, mostly native vegetation located in an area designated to be left undeveloped. By acquiring this parcel, the likelihood of site clearing and construction on this property is virtually eliminated. Due to its location and the accompanying reservation of access, this parcel, Tract 102-109, interrupts the public ownership and potentially interferes with Federal management options within the Potomac Palisades Park area between the prism of the Chesapeake and Ohio Canal and the Potomac River. The former railroad bed adjacent to Georgetown University's inholding now contains the Capital Crescent Trail. So long as Georgetown University owns Tract 102-109, the potential for some development on their land adjacent to this trail exists.

Second, this proposed land exchange makes available for boathouse

use, a site recommended for this purpose in prior regional and NPS studies and plans, and furthers the recreational mandate of the C & O Canal NHP Act.

The parcel proposed by the National Park Service for exchange with Georgetown University for placement of a boathouse, Tract 102-114, is a site previously identified for boathouse use in National Park Service studies. One of these studies, the 1987 cooperative plan produced by the National Park Service, the District of Columbia, interested groups, and the National Capital Planning Commission, Plan for the Georgetown Waterfront Park and the C & O Canal National Historical Park, as approved by the NCPC and the Fine Arts Commission, recommends that the area where Georgetown University's parcel is located be protected from further development.

The 1989 National Park Service Special Study, Nonmotorized Boating In The Potomac and Anacostia Rivers -- Washington, D.C., Preliminary Report, January 1989, quotes from this 1987 plan. It states:

> The [1987] [bracketed language in quoted text] plan designates a general area of land and water within which new boathouses are appropriate (zone 14). The area assigned to boathouses does not extend west of Key Bridge more than 1,000 feet because of the policy aimed at preservation of the natural appearance of the Palisades. ...
>
> Preserve Natural Scenic Values of Palisades: Above Key Bridge, west of the boundary of the designated boathouse area, the natural conditions of the Palisades will be preserved. The Potomac River above Key Bridge is one of the main scenic treasures of the nation's capital, and no new development will be permitted here. In areas not now adequately protected, particularly the south edge of the Georgetown University campus, attempts will be made to acquire scenic easements and other devices to prevent intrusive developments.

Pages 6-7, NPS Special Study, Nonmotorized Boating In The Potomac and Anacostia Rivers -- Washington, D.C., Preliminary Report, January 1989. This report is Appendix B.

This 1987 plan builds on earlier regional proposals. In 1984, the National Capital Planning Commission identified the need for additional nonmotorized boating facilities in the vicinity of Francis Scott Key Bridge at Georgetown. The Georgetown Waterfront Park plan approved that year by the National Capital Planning

Commission contained as an element of this plan, the development of these nonmotorized boating facilities.

Studies conducted by the National Park Service reflect increasing public interest in nonmotorized boating as a recreational activity. Demand for rowing facilities in particular continues to grow in the metropolitan Washington, D.C. area. In 1989, the National Park Service concluded "rowing activities in the [Washington, D.C.] metropolitan area have doubled, with high school and college team activity up 60 percent in three years." National Park Service special study, Nonmotorized Boating in the Potomac and Anacostia Rivers- Washington, D.C., Preliminary Report, January 1989. There is no indication that this trend has reversed.

This increased demand has made existing facilities inadequate to serve these boating needs. In the January 1985 National Park Service report, Survey of Non-motorized Boating Activities along the Georgetown Waterfront, eighteen local rowing or boating groups were contacted and at that time many of these groups had waiting lists of individuals seeking to become members. This report is Appendix C.

Georgetown University currently rents two bays (storage compartments) of the Thompson's Boat Center for the storage of seventeen 57-foot shells; six 44-foot shells; eight 32-foot shells; and five 26-foot shells. There is every indication that this space, if vacated by Georgetown University, will be quickly filled with watercraft from other programs, groups, and individuals.

Section V. Description of the Environment and Potential Impacts

A. Legal descriptions for both properties are in Appendix A.

B. Tract 102-109, Georgetown University's parcel which the National Park Service seeks to acquire:

This land contains a combination of mature and second growth riverine vegetative habitat and contains a high-grade wetland. The majority of species on this tract are indigenous to the Potomac River Watershed and the District of Columbia. Wildife species include a variety of small mammals including muskrat, beaver, rabbit and raccoon, with a population of native songbirds and waterfowl.

This tract is located within the Potomac Palisades area which is currently being inventoried for vegetation species. Over 300 individual plant species have already been identified in this location, with over 60 of these species being of special interest to authorities even if not listed as rare, threatened or endangered.

The clearing or modification and development of such an established woodland site increases the potential for storm water runoff and soil sedimentation into the Potomac River and ultimately the Chesapeake Bay. Construction activities or even increased recreation on this tract will impact the natural resources and degrade existing natural resources.

C. Tract 102-114, National Park Service parcel which the National Park Service proposes be exchanged for use by Georgetown University as a boathouse site:

This land has been continuously impacted by human development and use. The vegetation present on this tract is nonnative. It is predominantly an edge-type habitat, consisting of alien and invasive nonnative species typically found in previously cleared urban areas. Wildlife at this location consists of populations of small mammals such as rabbit, squirrel and raccoon which are present at a limited level.

No existing or potential cultural resources have been identified as occurring on this tract. The area had been surveyed as part of the development of the Capital Crescent Trail. That survey, coupled with the construction during 1962-1963 of the Dulles Interceptor sewer, indicates that the likelihood of any archeological resources meeting the National Register's criteria of significance is remote. However, in the event that any subsurface artifacts were disturbed during any activities associated with this proposed land exchange, they will be appropriately recorded pursuant to National Park Service policy. As a result of past construction and other activities on Tract 102-114, however, no artifacts are expected to be encountered on this site.

Soil compaction from the use of the site as a parking area has increased the likelihood of the occurrence of storm water runoff and soil sedimentation into the Potomac River.

Beneath the length of Tract 102-114 and along the C & O Canal, the District of Columbia government operates and maintains a sewer facility which services government-owned facilities and several municipal systems.

Pursuant to NPS guidelines, in May 1995, the National Park Service completed a wetlands delineation on this parcel. Sewerline construction and water seepage from the Canal have combined to create conditions that qualify this tract as a wetland. On concluding that wetland indicators were present, the U.S. Army Corps of Engineers (Corps) was contacted. In June 1995, the Corps met with the National Park Service and Georgetown University and inspected Tract 102-114. Based on this examination, the Corps will work with the National Park Service, should wetlands mitigation be necessary.

Section VI. Alternatives to the proposed land exchange and associated environmental impacts

Alternative A. No action

Under this alternative, the National Park Service parcel, Tract 102-114, may be used for occasional permitted urban uses and by fishermen. Parking of vehicles, trespasses, and continuing degradation to the natural resources through both permissible and unpermitted uses is likely.

Under this alternative, the Georgetown University parcel, 102-109, will likely be proposed by Georgetown University for development as a boathouse or other collegiate recreational facility. Should Georgetown University develop the property, in addition to having an adverse impact on the native flora and fauna on its tract, the resources of the surrounding parkland will be negatively affected.

Georgetown University also retains its right to legitimately use vehicles on the Capital Crescent Trail to reach their inholding, thereby disrupting visitor use and enjoyment of the Trail.

Alternative B. National Park Service placement of boathouse on its tract

Under this alternative, if the National Park Service developed its parcel as a recreational boathouse without acquiring Georgetown University's parcel in an accompanying land exchange, the unpermitted recreational use of the National Park Service tract will decrease as the parcel becomes developed. This development could be accomplished by either the National Park Service through appropriated funds, or as a concessioner opportunity.

Georgetown University, however, will still be able to develop their upstream property in contradiction of recommendations to preserve the natural character of the area. A structure on Tract 102-109 could interefere with the current natural vista of the Potomac River Gorge. Activities on the Georgetown University tract will also affect the surrounding parkland. Additionally, Georgetown University will retain its right to legitimately use vehicles on the Capital Crescent Trail to reach its inholding, thereby disrupting visitor use and enjoyment of the Trail.

This alternative could result in construction of two boathouses in this area of C & O Canal NHP, instead of one.

VII. Impact and Benefits of Proposal

This proposed exchange does not change the boundary of either the Potomac Palisades Park or the Chesapeake and Ohio Canal National

Historical Park. If Tract 102-109 is acquired, access along the Capital Crescent Trail will be restricted to that length of trail north of the Aqueduct bridge to Tract 102-114. In this portion of the Trail, access will be controlled to delivery of boats, equipment and supplies to the boathouse and public safety vehicles. Some widening of the paved trail may be required to accommodate coincidental movement of boathouse and other recreational traffic.

Acquiring Georgetown University's parcel will preclude its development as a recreation facility and the accompanying disturbance of parkland adjoining this inholding. It will protect the existing scenic vista of the Potomac River Gorge. This tract contains mature native vegetation. Preserving the natural condition of this property conforms with longterm planning for this area of C & O NHP. This exchange will continue the current passive use of this property.

The tract that the National Park Service is considering for placement of a boathouse by Georgetown University is already used for both permitted and unpermitted recreational activities. It is located next to a boathouse with an active boat club and a large membership. For decades, boating-related activities have occurred on this parcel of land. A major portion of this tract has been formally used by this boat club occupying the neighboring site.

Most of this parcel is open space, with a fringe of nonnative and invasive trees and alien vegetation around its perimeter. It has also been a staging site for various construction projects over the years. Litter which regularly accumulates on this parcel is of a type associated with tailgate parties and camping. This exchange may lead to the construction of a boathouse on this property. If this is the case, the tract will no longer be used for activities and parking which are unrelated to nonmotorized recreational boating.

Another benefit of this proposed exchange is that as Georgetown University vacates commercial boathouse space upon completion of its boathouse, additional rowing facilities will become available to the general public and for organized rowing groups.

VIII. Consultation and Coordination and Public Involvement

The National Park Service is complying with applicable statutes and regulatory requirements in considering this action, which include:

NPS Land Exchange Guidelines as revised February 16, 1995. This process provides for public notification.

This land exchange proposal is also being evaluated pursuant to National Park Service policy, consistent with Executive Order No. 11988, 3 C.F.R. 1977 Comp., p. 117, Floodplain Management; and

Executive Order No. 11990, 3 C.F.R. Comp., p. 121, Protection of Wetlands. The U.S. Army Corps of Engineers has been consulted.

The District of Columbia State Historic Preservation Officer has been consulted. C & O Canal NHP is a historic property, and the Washington Canoe Club, which is listed in the National Register of Historic Places, is on Federal property adjacent to the exchange parcel proposed for the boathouse.

Conditions precedent to any development, should this exchange be completed, include approval by the appropriate regional planning agencies pursuant to applicable law, including 40 U.S.C. § 71 (1988). In particular, the Commission of Fine Arts and the NCPC must approve the design of the boathouse.

This environmental assessment was drafted notwithstanding that land exchanges not leading to significant changes in the use of the land are generally excluded from this NEPA requirement under the Departmental Manual provision on Categorical Exclusions to the National Environmental Policy Act of 1969, 42 U.S.C. § 4321 et. seq. (1988), (NEPA), for actions related to development, 516 DM 6 Appendix 7.4 (C)(2).

The terms of this proposed land exchange are also shaped by the prior studies performed by the National Park Service and other entities on the subject of boathouses for metropolitan Washington, D.C. The studies, in large part, are based upon the comments of public and private entities and those of the general public. Nonetheless, the National Park Service actively seeks public comment on this Environmental Assessment. Pursuant to National Park Service policy and consistent with Executive Order No. 11988, Sec. 2(a)(4), 3 C.F.R. 1977 Comp., p. 117; and Executive Order No. 11990, Sec. 2(b), 3 C.F.R. Comp., p. 121, written comments will be considered if delivered by or postmarked no later than August 21, 1995.

Written comments should be directed to: Mr. Robert Stanton; Field Director; National Capital Area; 1100 Ohio Drive SW; Washington, D.C. 20242. Copies of the Environmental Assessment may be reviewed or obtained by contacting Mr. Glenn DeMarr of the Office of Stewardship and Partnerships located at the above address or by telephone at (202) 619-7027

IX. List of Appendices

Appendix A Legal descriptions of Tracts 102-114, and 102-109.

Appendix B NPS Special Study, Nonmotorized Boating In The Potomac and Anacostia Rivers -- Washington, D.C., Preliminary Report, January 1989.

Appendix C NPS Report, Denver Service Center Survey of Non-motorized Boating Activities along the Georgetown Waterfront, January 1985

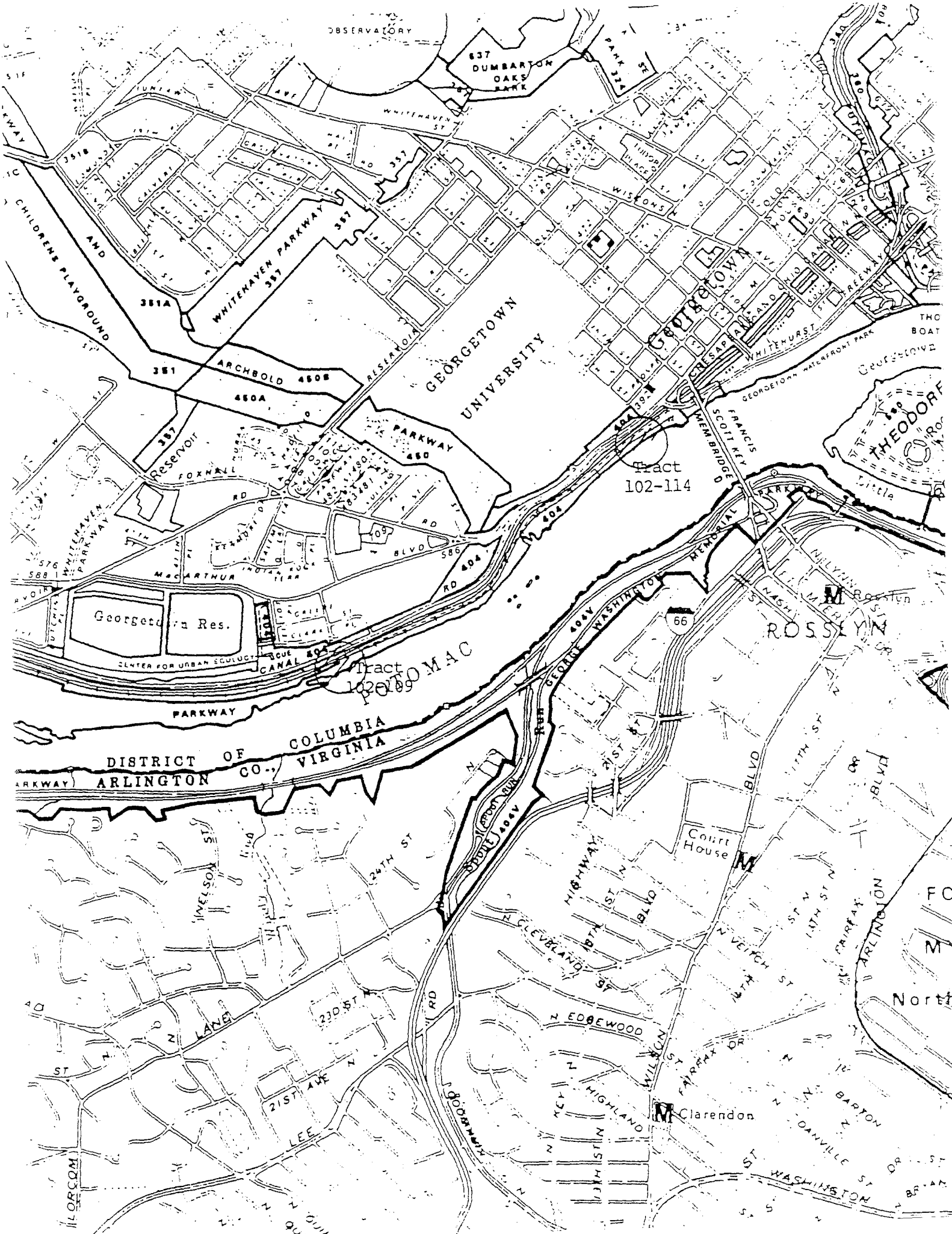
X. Other References

Flora and Fauna Reports for Chesapeake and Ohio Canal National Historical Park, May 13, 1994, as prepared by the National Biological Survey.

XI. List of Agencies Consulted

U.S. Army Corps of Engineers, Baltimore District

District of Columbia State Historic Preservation Officer


OBSERVATORY
637
DUMBARTON OAKS PARK
WHITEHAVEN ST
CHILDRENS PLAYGROUND AND
WHITEHAVEN PARKWAY
357
351A
351
ARCHBOLD
450B
450A
RESERVOIR
GEORGETOWN UNIVERSITY
PARKWAY
450
Reservoir
FOXHALL RD
MacARTHUR BLVD
586
404
Georgetown Res.
CENTER FOR URBAN ECOLOGY
CANAL
Tract 102-114
Tract 102.09
POTOMAC PARKWAY
DISTRICT OF COLUMBIA
ARLINGTON CO., VIRGINIA
GEORGE WASHINGTON MEMORIAL PKWY
FRANCIS SCOTT KEY BRIDGE
WISCONSIN AVE
M STREET
GEORGETOWN
WHITEHURST FREEWAY
GEORGETOWN WATERFRONT PARK
THEODORE
ROSSLYN
Court House
Clarendon
HIGHWAY
N CLEVELAND ST
N EDGEWOOD
N HIGHLAND ST
N WILSON ST
N VEITCH ST
N FAIRFAX DR
N BARTON
N OAKVILLE ST
WASHINGTON BLVD
23RD ST
21ST ST
24TH ST
NELSON ST
LEE
LORCOM
66

would be closed. Land protection would emphasize high flood influence areas, wetland, riparian areas, and high visual sensitivity areas. Under alternative C, protection of public or private improvements threatened by river erosion and flooding would be allowed. The size of the borrow pit would remain constant. Selective manual forest fuel reduction techniques would be used to reduce hazard forest fuel loadings. Firewood would be supplied from administrative wood and natural selection ecoforestry selective cutting from a designated area. The airstrip would be managed by the National Park Service for emergency use only. Land protection would emphasize high flood influence areas, wetlands, and high visual sensitivity areas.

Major impact topics assessed for the proposed action and alternatives include natural and cultural resources and the socioeconomic environment, including the local and regional economy.

SUPPLEMENTARY INFORMATION: The no-action period on this final plan and environmental impact statement will end 30 days after the Environmental Protection Agency has published a notice of availability of the GMP/Plans/FEIS in the **Federal Register**. For further information, contact: Superintendent, North Cascades National Park Service Complex, 2105 State Route 20, Sedro Woolley, WA 98284–1799; telephone (360) 856–5700.

Copies of the GMP/Plans/FEIS will be available at North Cascades National Park Service Complex Headquarters, as well as the following locations: Office of Public Affairs, National Park Service, Department of the Interior, 1849 C Street NW., Washington, DC; National Park Service, Seattle System Support Office, 909 First Ave., Seattle, WA; Stehekin Ranger Station, Lake Chelan National Recreation Area, National Park Service, Stehekin, WA; Chelan Public Library, Chelan, WA; Government Publications, Suzzallo Library, University of Washington, Seattle, WA; and Government Documents, Main Public Library, 100—4th Ave., Seattle, WA.

Dated: July 10, 1995.

Rory D. Westberg,

Superintendent, Columbia Cascades System Support Office, National Park Service.

[FR Doc. 95–17892 Filed 7–19–95; 8:45 am]

BILLING CODE 4310–70–M

Availability and 30-day Comment Period on an Environmental Assessment for a proposed Exchange of Interests in Lands between the National Park Service and Georgetown University

AGENCY: National Park Service, Interior.

ACTION: Notice of availability of an environmental assessment and a 30-day comment period.

SUMMARY: This notice announces the availability of an environmental assessment for a proposed exchange of interests in lands between the National Park Service and Georgetown University.

Written comments on the EA should be received no later than August 21, 1995. A 30-day no action period will follow this comment period and end on September 20, 1995. Written comments on the EA should be submitted to Mr. Robert Stanton; Field Director, National Capital Area; 1100 Ohio Drive SW., Washington, DC 20242.

Copies of the EA are available for review between the hours of 9 a.m. and 4 p.m., Monday through Friday at the following locations: Office of Stewardship and Partnerships; National Capital Area; National Park Service; 1100 Ohio Drive SW., room 201; Washington, DC 20242; and Chesapeake & Ohio Canal National Historical Park Headquarters, Sharpsburg, Maryland 21782. A limited number of copies of the EA are available on request from Mr. Glenn DeMarr, Office of Stewardship and Partnerships, room 201; 1100 Ohio Drive SW., Washington, DC. Inquiries should be directed to Mr. Glenn DeMarr at the above address or on (202) 619–7027.

SUPPLEMENTARY INFORMATION: This proposal is for the exchange of interests in lands between the National Park Service and Georgetown University. The National Park Service intends to obtain from Georgetown University, fee interest in an inholding containing mature, native vegetation and wildlife located within the Chesapeake & Ohio Canal National Historical Park. In exchange, the National Park Service will convey to Georgetown University, a fee interest in another tract in the already developed portion of the waterfront of the Georgetown section of the C&O Canal National Historical Park.

The primary purposes of the proposed exchange are: (1) To allow the National Park Service to acquire and thereby preclude from development, a largely undisturbed inholding featuring mature trees and native vegetation and wildlife, and avoid the disruption of adjacent parkland from regular recreational activities of Georgetown University that could occur on this tract; and (2) consistent with National Park Service studies and regional planning, to provide for placement of a non-motorized boating facility in furtherance of the recreational mandate of the C&O Canal National Historical Park Act, on property with less developed natural features.

By acquiring Georgetown University's tract of land, the National Park Service can ensure that the tract will remain in its present undeveloped condition, consistent with long-term planning for the area. Placement of a non-motorized boating facility on the other tract conforms with the conclusions reached in prior recreational boating studies.

Dated: July 14, 1995.

Terry R. Carlstrom,

Acting Field Director, National Capital Area.

[FR Doc. 95–17891 Filed 7–19–95; 8:45 am]

BILLING CODE 4310–70–M

INTERSTATE COMMERCE COMMISSION

[Docket No. AB–3 (Sub-No. 119X)]

Missouri Pacific Railroad Company; Abandonment Exemption; in Sebastian, Franklin, and Logan Counties, AR

[Docket No. AB–3 (Sub-No. 1X)]

Fort Smith Railroad Company; Discontinuance of Service Exemption in Sebastian, Franklin, and Logan Counties, AR

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission exempts from the prior approval requirements of 49 U.S.C. 10903–04 the abandonment by Missouri Pacific Railroad Company and discontinuance of service by Fort Smith Railroad Company over 31.03 miles of rail line (part of the line known as the Paris Branch) between milepost 522.39, east of Fort Chaffee, AR, and the end of the track at milepost 553.42, near Paris, AR, in Sebastian, Franklin, and Logan Counties, subject to environmental and standard labor protective conditions.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on August 19, 1995. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2)[1] must be

[1] See Exempt. of Rail Abandonment—Offers of Finan. Assist., 4 I.C.C.2d 164 (1987).

Lawrence C. Schuette

From: John_Parsons@nps.gov
Sent: Monday, May 12, 2003 2:24 PM
To: nfitzpatrick@AudubonNaturalist.org; seawalk@starpower.net; lneumann@boo.net; bsnape@defenders.org; logan@potomac.org; mssbobm@earthlink.net; emeyers2@comcast.net; gill@waba.org; Clawsonp@aol.com; Palisades@yahoogroups.com; sboasberg@aol.com; jimdougherty@aol.com; chip@fawcetgroup.org; ahhjlhDC@worldnet.att.net; asatt@aol.com; paularch@starpower.net; zartmanbj@aol.com; brooksew@hotmail.com; egaull@yahoo.com; wcanoe@wcanoe.org; raykukulski@cagtown.org; NPTrust@aol.com
Subject: Georgetown U. Boathouse

Dear Colleague:

The National Park Service (NPS) is quite pleased by the progress we have made in the planning and design for the long-awaited Georgetown Waterfront Park. In 1997 we signed a partnership agreement with the Georgetown Waterfront Park Commission which is chaired by Senator Charles Percy. The Commission has been hard at work with us and the citizens of Georgetown since that time. Through the Commission's efforts, 10 acres stretching from 31st Street to just above Key Bridge, were transferred from the District of Columbia to the NPS for park purposes in 1999. We have been conducting a public planning process for the last year to refine the concept plans that were approved in 1987 for the park.

No community could be more skeptical of change in its public spaces than Georgetown which has fully participated in the development of a good plan for a world class urban park. The design is the creation of landscape architect Ignacio Bunster-Ossa from the highly acclaimed firm of Wallace Roberts and Todd in Philadelphia. The result has been applause and universal praise for the plan. We have received the support of Advisory Neighborhood Commission 2E and are proceeding to achieve other necessary approvals. The development of this park is a private-public partnership wherein the scarce construction funds of the NPS will be augmented by private donations and other public funds. We already have $3.8 million toward our $15 million goal, including $1 million from federal appropriations to the District of Columbia.

A major component of this plan has always been to accommodate the increasingly popular, historical sport of non-motorized boating. Canoeing and skulling have been the signature uses of the Potomac here for over a century and we are committed to supporting those activities. Participation in scholastic shell racing by college and high schools has expanded significantly in the last 15 years, far exceeding the capacity of the our Thompson Boat Center. In anticipation of that expansion, our 1987 plan for the park provided for a boathouse zone from 34th Street just east of Key Bridge to a point 1100 feet upstream from the Bridge and identified four potential sites for new boathouses. This zone was delineated by the National Capital Planning Commission, the Old Georgetown Board, the Commission of Fine Arts, the District of Columbia Historic Preservation Review Board and the C&O Canal National Historic Park Advisory Commission so as to balance the need for urban green space of the new park with the wild nature of the Palisades beyond by clustering the architecture of boathouses on either side of Key Bridge. The concept of expanding this zone east of 34th Street was reviewed during last year and it was determined that this modest urban park between 31st Street and 34th

Street
should be retained without structures. The boathouse zone includes and compliments the Potomac Boat Club and the Washington Canoe Club.

Since Georgetown and George Washington Universities both are housed in Thompson's Boathouse and were desirous of building their own facilities, we
began working with them on siting their boathouses within the boathouse zone over 10 years ago. Their move would free up over 50 spaces for the high school programs at Thompson's. The boating community embraces not just university rowers, but public high school teams and individuals who want better use that will be provided by the park. The Commission established a boating subcommittee five years ago which has worked very hard and collegially, despite its own differences, to come together in support of a plan that blends public, private, and university uses.

The only mechanism we have to place a privately owned facility on parkland
is a land exchange. We use this authority very seldom and only when a clear public interest is being served. Certainly in this case, boathouses
must be on the river to function and we will receive an equal amount of riverfront property in exchange. We have not finalized our exchange with
either university.

The Zoning Commission will be considering zoning the Georgetown University
site at a public hearing on May 19. While those who have been involved in
this process support the boathouse, others outside the Georgetown community
have stimulated a lot of misunderstanding about the proposal. Thus, we have produced the following Fact Sheet about the Georgetown Boathouse. Hopefully this will clarify the proposal for you and your organization as
you decide what, if any, action you may want to take.

I, of course, am hopeful that you will support this project as a first step
in achieving a world class park in place of the current missing link in the
Potomac River Park System.

If you have any questions, please call me at (202) 619-7025.

John G. Parsons
Associate Regional Director
Lands, Resources and Planning

FACT SHEET
Georgetown University Boathouse
Land Exchange with the National Park Service

Boathouse demand requires three additional boathouses

1. 1987 Park Plan identified boathouse zone on Waterfront

The 1987 NPS Georgetown Waterfront Plan first established the park concept
as approved by NCPC. A major principle of this Plan was to provide for increased non-motorized boating. A collective consensus was developed and
contained in the Plan that boathouse construction should be placed in a stretch of the river from 34th Street to a point 1100 feet upstream

where
boathouses had been located historically.

A subsequent non-motorized boating study in 1989 looked at the zone and determined there were four sites worthy of further consideration. Further
studies came to the conclusion that three of the sites were viable and only
two were suitable for scholastic rowing. The third site between Key Bridge
and the Potomac boathouse is proposed for a concession-operated new boathouse for privately owned single and double shells and rental of canoes
and kayaks.

2. Land owned by Georgetown University is buildable for a boathouse with
vehicular access along 1 mile of the Capital Crescent Trail

In 1992, Georgetown University acquired a one-acre site for a boathouse from CSX Railroad with a perpetual easement along what is now the Capital
Crescent Trail to drive to its site, approximately one-mile upstream from
Key Bridge. This conflict of uses would be untenable. Further, the construction of a boathouse this far up into the gorge of Palisades Park would be an unacceptable visual intrusion. Although some speculate that this site in unbuildable, the University is confident that it is engineeringly feasible. The property is zoned C-M-1 because of its prior
ownership by the railroad. C-M-1 zoning permits buildings as high as 60 feet with approval by the Zoning Commission.

The University's property contains a combination of mature and second growth riverine vegetative habitat and contains a high-grade wetland. The
majority of species on this tract are indigenous to the Potomac River Watershed and the District of Columbia. Wildlife species include a variety
of small mammals including muskrat, beaver, rabbit and raccoon, with a population of native songbirds and waterfowl.

This tract is located within the Potomac Palisades area which is currently
being inventoried for vegetation species. Over 300 individual plant species have already been identified in this location, with over 60 of these species being of special interest to authorities even if not listed
as rare, threatened or endangered.

3. There will be no net loss of parkland

The NPS and Georgetown University will be receiving an equivalent amount of
land in the exchange. Each parcel is a little over one acre. In addition
the NPS will retain an easement over the property restricting it to boathouse use only. Further, the boathouse property will not be fenced and
the public will be welcome to pass through the site.

4. Land exchange is seldom used

The land exchange method of acquisition has only been used by the NPS four
times in the past 50 years in the District of Columbia. In each case we have received more parkland than we have conveyed because we retain a

scenic easement over the lands we convey that restricts the uses to protect the resources and adjacent parkland. These protective covenants are essential to ensure that these lands, which remain within park boundaries, are protected in perpetuity.

5. Boathouse design is handsome, of quality materials and respects the design of existing boathouses

The designers conceived of the building's massing in three parts, in deference to the scale of structures adjacent to the site. Gabled roofs, materials of cedar shingle and stone, and porches and decks link this new boathouse to the boathouse traditions of the past as well as boathouses that currently exist along the Georgetown waterfront. In addition, covered porches, arcades, and traditional detailing provide a residential scale to the building that is also in keeping with the residential scale of other buildings along this portion of the Georgetown waterfront. The project has received extremely favorable reviews by the Historic Preservation Review Board, Old Georgetown Board, Commission of Fine Arts, Georgetown Waterfront Commission, the Georgetown ANC and the C&O Canal National Historical Park Advisory Commission.

Every attempt has been made to control the scale of this building given the Federal Emergency Management Agency (FEMA) requirements for the second floor to be above the 100 year flood elevation, as well as the programmatic requirements of boathouses of this type. The roof ridge of the western wing of the Georgetown Boathouse is only approximately 5 feet taller than the roof elements of the Washington Canoe Club.

Overall, the boathouse is 292 feet long which is only 50 feet longer than Thompson's Boathouse. It is divided into two side buildings are 58 feet deep and a center bay that is 85 feet deep. Thompson's Boathouse has two sections, which are 80 feet and 60 feet deep.

6. Capital Crescent Trail will not be impacted

A separate access to the boathouse will be constructed by the University adjacent to the trail. The Capital Crescent Trail will not be used by Georgetown for access to the boathouse during or after construction. The new 10 foot wide access will only be used to access the boathouse for fire or rescue, trash pickup and delivering or retrieving boats. Daily vehicular access by staff or students is precluded.

7. The dock will only extend 70 feet out from the shoreline

The dimension that the boat dock will extend into the river depicted on the drawings is approximately 70 feet. The University has little ability to control this dimension. It is a function of the size of the crew shells, the height of the deck grade above the water, and maximum desired slope

of
the access ramp to ensure that rowers would be able to manage their launches and retrieval of their shells. The river is approximately 1300 feet wide here which is twice as wide as in front of Thompson's Boathouse.
This will allow more than adequate space for multiple boat uses.

8. Views from the C&O Canal to the river will only be blocked by the boathouse during winter

Both the C&O Canal towpath and the Capital Crescent Trail pass by this site. Due to vegetation along both routes, the river is only visible from
November to April. Thus, the boathouse would block winter views from the
towpath and the Capital Crescent Trail for approximately 350 feet. Both of
these trails extend approximately four miles along this stretch of the river and have ample opportunity for similar river views.

9. Parking will not be provided at the boathouse

No parking will be provided. All students walk or run to the Thompson's Boat Center currently and that will not change. A 100 car short-term metered public parking lot under the west end of the Whitehurst Freeway is
proposed in the park plan.

10. The facility will not be used for social events

The use of the boathouse shall be as a training facility for Georgetown University men and women crew program. As part of Georgetown University's
crew team mission, the facility may also be used as a base for rowing clinics, both in the rowing season and during the summer. The University
has assured us that they have no plans or desire to use this facility otherwise. They have a conference center (Leavey Center) which is the social center of the University. The Athletic Department currently manages
McDonough Gymnasium and Yates Fieldhouse and has been effective in maintaining those facilities as athletic venues and would do the same with
the boathouse.

11. Water dependent uses are permitted in the flood plain

The National Park Service has consulted with the U.S. Army Corps of Engineers on this proposal which was found to be dependent upon water access and a location on the shoreline. With respect to Executive Order 11988, the project, while it is located within the floodplain, cannot be accomplished without use of the floodplain. Under the NPS Regulations published in the Federal Register on May 28, 1980, this action falls within
the category of excepted actions, as defined under Section 5(B)(3); therefore, further compliance with Executive Order 11988 is not required.

12. There are no significant wetlands or vegetation on the boathouse site

This site was significantly impacted by the construction of the 96-inch interceptor sewer and the temporary access road for the abandoned Three Sisters Bridge project in the 1960's and still retains those scars.

With respect to Executive Order 11990, the project is within an area designated as wetlands. However, the purpose of the proposal cannot be

accomplished without the use of the wetlands. Under the NPS Regulations published in the Federal Register on May 28, 1980, this action falls within the category of excepted actions, as defined under Section 5(B)(3); therefore, further compliance with Executive Order 11988 is not required.

The U.S. Army Corps of Engineers evaluated the boathouse site for wetlands characteristics and came to the following conclusion. "The review indicates that there are no jurisdictional wetlands on the site and the Army Corps of Engineers jurisdiction is confined to that portion of the property fronting the Potomac. Although a small area of the site is a wetland, it is not jurisdictional because the circumstances creating the wetland are not valid causes. That is, the hydrology is the result of the C&O Canal leaking and the 84-inch sewer line acting as a subsurface dam. If either condition were removed, the soil would not have sufficient hydrology to maintain the wetland."

13. 1995 public process concluded that the land exchange is environmentally preferable

The August 1995 environmental assessment was made available for public comment for 45 days. On October 10, 1995, we participated in a public meeting of ANC 2E at which they unanimously approved the exchange agreement. Similarly, the National Capital Planning Commission at their September 8, 1995, meeting approved the land exchange agreement. The D.C. Historic Preservation Review Board concurred in the exchange on October 26, 1995.

ROUTING SLIP
for
MEMORANDA OF AGREEMENT and Letters of Rejection

FILE NAME: DC/ C&O Canal NHP/ NPS/ Transfer of Land for Boathouse

COLOR CODE: Blue

Staff Member: Martha Catlin

Date Received: 10/8/98 **Date Action Required:**

Type Agreement: [ ] **Two-Party**
[x] **Three-Party**
[ ] **Programmatic**

Type of Letter: [ ] **Reject: Advise of Changes**
[ ] **Reject: Comment**

Review	Received	Completed
Staff Specialist	10/8/98	10/14/98
Office Director	10/16	10/15
General Counsel	Received	Completed
	Yes: ____ No: x	

Signature Recommendation: [x] Executive Director
[ ] Chairman

Handling:
Date Approved by Executive Director: 10/15/98

Date Agreement Signed: OCT 19 1998

Date Mailed to Agency: _____

Instructions/Notes:
- _____
- _____

Advisory
Council On
Historic
Preservation

The Old Post Office Building
1100 Pennsylvania Avenue, NW, #809
Washington, DC 20004

OCT 19 1998

Douglas Faris
Superintendent
C&O Canal National Historical Park
National Park Service
P.O. Box 4
Sharpsburg, MD 21782

REF: Transfer of Land for Boathouse
C&O Canal National Historical Park
District of Columbia

Dear Mr. Faris:

Enclosed is your copy of the fully executed Memorandum of Agreement for the referenced project. By carrying out the terms of the Agreement, you will have fulfilled your responsibilities under Section 106 of the National Historic Preservation Act and the Council's regulations. The original Agreement will remain on file at our office.

Thank you for your cooperation.

Sincerely,

Martha Catlin
Office of Planning and Review

MEMORANDUM OF AGREEMENT

WHEREAS, the National Park Service proposes to enter an agreement which may lead to the transfer of property located within the boundaries of the C&O Canal National Historical Park (C&O Canal) to Georgetown University (the University), for use as a site for a non-motorized recreational boathouse, in exchange for which the National Park Service shall receive an undeveloped parcel of property which is owned by the University and located within an undeveloped area of the C&O Canal; and

WHEREAS, the National Park Service's acquisition of this undeveloped property, which is located in a pristine area of the Potomac Palisades, furthers National Park Service goals; and

WHEREAS, longstanding National Park Service studies identify the property proposed to be transferred to the University in this exchange as a potential site for a non-motorized recreational boathouse; and

WHEREAS, the National Park Service intends that the proposed property to be transferred to the University only be developed with a non-motorized recreational boathouse of a certain style and size and a specific landscape design; and

WHEREAS, the proposed property to be transferred to the University is located on the Georgetown Waterfront and identified as Element 14 of the Georgetown Waterfront Master Plan, and is adjacent to property contained on the National Register of Historic Places; and

WHEREAS, the D.C. State Historic Preservation Officer (SHPO) and the Advisory Council on Historic Preservation (the Council) have approved the Georgetown Waterfront Master Plan; and

WHEREAS, the National Park Service has consulted with the District of Columbia SHPO and the Council pursuant to the regulations (36 C.F.R. Part 800 (1996)), implementing Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f (1994)) concerning this undertaking which is the agreement and the possible exchange of real property; and

WHEREAS, the District of Columbia Historic Preservation Review Board determined at its October 26, 1995, meeting that the proposed land exchange may have a potential for an adverse effect on historic properties; and

WHEREAS, the National Park Service seeks to avoid any potential adverse effects on any historic properties which could result from this undertaking,

NOW THEREFORE, to address the potential effect on historic properties by this undertaking which is the agreement and proposed land exchange, the National Park Service, the District of Columbia SHPO, and the Council enter this Memorandum of Agreement, agreeing, in accordance with 36 C.F.R. § 800.6(a)(1)(i) (1996), that the undertaking be with the following stipulations:

STIPULATIONS

1. The above-described agreement between the National Park Service and the University which may result in a land exchange shall contain the following provisions concerning the parcel that the University would receive:

a. Design requirements that the appearance of any facility on this site, be generally consistent with that of either "Boathouse Row" on the Schuylkill River, in Philadelphia, Pennsylvania, or those of Northeastern University (excluding size as this facility will be larger); that the facility's footprint or aggregate footprints are not more than 15,000 square feet for a building rising no more than 40 feet above grade.

b. That approval by the Commission of Fine Arts, the National Capital Planning Commission, District of Columbia Zoning Commission, the District of Columbia Historic Preservation Review Board, and other authorities (the Authorities), if within the jurisdiction of such Authorities, of a zoning classification to permit such use of the site for non-motorized boating and ancillary recreational uses and of the design of the boathouse facilities to be constructed will be necessary in order to allow the University to make such use of this site, and that the University must obtain such zoning and other approvals as may be required for this specific development and use of the site.

c. That prior to submitting the designs to the Authorities for approval, the University shall obtain the approval of the National Park Service of such design.

d. That the National Park Service and the University shall work cooperatively, reasonably, and in good faith to adopt both a boathouse design and landscaping scheme agreeable to both.

2. The deed for the property transferred to the University shall contain similar restrictions and conditions pertaining to the use of the site.

3. The agreement and the deeds shall be recorded in the lands records for the District of Columbia.

4. That disputes arising pursuant to this Memorandum of Agreement shall be resolved as follows:

a. Should any party to this Memorandum of Agreement object within thirty (30) days after receipt, to documents relating to the undertaking which is the agreement between the National Park Service and possible exchange of real property, which are provided for review pursuant to this Memorandum of Agreement, or to the manner in which this Memorandum of Agreement is being implemented, the National Park Service shall consult with the objecting party to resolve the objection. If the National Park Service determines that the objection cannot be resolved, the National Park Service shall forward all pertinent documentation to the Council. Within thirty (30) days after receipt of this documentation, the Council shall either:

(1) provide recommendations to the National Park Service, which the National Park Service shall take into account in reaching a final decision regarding the dispute; or

(2) notify the National Park Service that it will comment pursuant to 36 C.F.R. § 800.6(b)(1996). Any Council comment provided in this context, in reference to the subject of the dispute, will be taken into account by the National Park Service in accord with 36 C.F.R. § 800.6(c)(2)(1996);

Any Council recommendation or comment will be understood to pertain only to the subject of the dispute; the National Park Service's responsibility to carryout all actions under this Memorandum of Agreement that are not the subject of the dispute shall remain unchanged.

EFFECT OF THIS AGREEMENT

Execution of this Memorandum of Agreement evidences that the National Park Service has afforded the Council an opportunity to comment on the undertaking which is the agreement and the proposed land exchange between the National Park Service and the University, such land exchange possibly leading to the University developing the property it receives for a non-motorized recreational boathouse, and on this land exchange's effects on historic properties, and that the National Park Service has taken into account the effects of the undertaking on historic properties.

This Memorandum of Agreement is effective on the date of the last signature affixed here

Douglas D. Faris — Date 8/20/97
Superintendent
C&O Canal National Historical Park

Terry R. Carlstrom — Date 8-15-97
ACTING Regional Director
National Park Service, National Capital Region

State Historic Preservation Officer — Date
District of Columbia

John M. Fowler — Date 10/15/97
Executive Director
Advisory Council on Historic Preservation