



## FINDING OF NO SIGNIFICANT IMPACT

### Development of Energy Efficient Visitor and Student Educational Facilities at the Alice Ferguson Foundation's Hard Bargain Farm Environment Center in the Scenic Easement of Piscataway Park

#### National Capital Parks-East, Piscataway Park Washington, D.C

The National Park Service (NPS) National Capital Parks – East (NACE) is proposing to approve several capital improvements and repairs to various structures on the property that the Alice Ferguson Foundation (AFF), a not-for-profit organization and NPS cooperator, owns within the scenic easements of Piscataway Park. The project would improve facilities and accommodations for existing and growing visitor and program needs at the AFF by constructing new classrooms, new overnight facilities, a new wetland boardwalk, and other support facilities at the Hard Bargain Farm Environment Center.

Under the terms of the Scenic Easement between NPS and AFF, as outlined in section 8, *"No building shall be erected, altered, placed or permitted to be built or remain on the said lands, except... may be erected if required to further the Foundation's educational and agricultural program; providing the location and type of new buildings have the written approval of the Secretary of the Interior or his authorized representative prior to construction."* In order to satisfy the terms of the scenic easement, the NPS has prepared an environmental assessment to evaluate the proposed project. Execution of this Finding of No Significant Impact (FONSI) shall serve as written approval by the Secretary of the Interior's authorized representative, the Regional Director of the National Capital Region, for the AFF to build the proposed project within the scenic easement.

The action is needed because current facilities must be improved to meet current and anticipated visitor and program needs. The AFF brings over 8,000 school students and educators per year to Piscataway Park for environmental field studies and investigations. AFF's Overnight Lodge (currently the Wareham Lodge), where students stay in extended programs, must be replaced due to persistent moisture and mold problems. Temporary mold remediation has enabled the programs to continue at significant expense to the AFF. Day-use programs have been accommodated at a facility on an adjoining property which is not under the ownership or control of AFF, exposing them to both uncertainty about the future of the programs and potential liability issues, both of which the AFF hopes to eliminate through construction of new facilities as part of this project. The project would address the inadequacies and health issues that have surfaced at Wareham Lodge, the needs for an adequate day-use pavilion, and the improvements of the wetlands trail and boardwalk which have fallen into a state of disrepair.

The NPS completed an environmental assessment (EA) that provides an analysis of the environmental consequences of the alternatives considered for this project. This EA was prepared in accordance with National Environmental Policy Act of 1969, as amended (NEPA), its implementing regulations by the Council on Environmental Quality (40 CFR 1500-1508), and Director's Order 12, Conservation Planning, Environmental Impact Analysis and Decision-Making, and accompanying Handbook. Compliance with Section 106 of the National Historic Preservation Act of 1966 was performed in parallel with the NEPA process.

## **SELECTED ALTERNATIVE**

Based on the analysis presented in the EA, the NPS has selected alternative B (Support New Development at AFF) for implementation. Under Alternative B, NPS will support the proposed construction at the AFF. This construction will include building expansions, two new small facilities, and a boardwalk trail through the wetlands, which are described below.

The Moss Lodge (11,523 square feet) will replace the old Wareham Lodge and will be located on a shady hillside. Its roof is designed to gather rain that will be purified to potable standards for the Lodge and the Grass Building. It will be a 16,000 square foot, three-story overnight lodge and classroom building with sleeping accommodations for 44, meeting rooms, teaching labs for environmental education, a commercial kitchen, a staff office, and both screened-in and open decks. There will also be two new cabins built close by, for students to be able to spend the night onsite. The cabins will each provide bunks and bathrooms to accommodate 22 children or adults. The day-use education center, called the Grass Building (6,200 square feet), will be built at the edge of a sunny field, its roof designed to maximize solar efficiency and to collect enough solar energy to generate all of the power for both buildings. It will be a one-story, day use educational facility consisting of one large, dividable meeting/classroom space, a caterer's kitchen, bathroom facilities, and covered decks.

The surrounding land (9.6 acres) will be re-graded to capture and filter stormwater and use plant evapotranspiration and groundwater recharge to mimic the native hydrology of the place. Grey water, which is wastewater generated from domestic activities such as dishwashing and bathing, will be treated in constructed wetlands and will help recharge the underground aquifer. The wetland cells will be between 1,000 and 1,500 square feet approximately, with native marsh vegetation, with infiltration achieved through a shallow drip irrigation system. The cells will be placed to avoid any zones of archeological significance. They will be placed just to the west of the Grass building, and will provide a buffer zone between the Grass building and the nearby forest. Composting toilets will eliminate the current discharge of nitrogen and phosphorous to the ground water. There will be eight separate composters, and they will be housed in the basements of the buildings. Native landscaping will replace grass and barren soil. Geothermal wells will be used to heat the buildings. A grid of wells (37 in total) will be drilled down into the ground, with water pumped down to the pipes and either heated up or cooled by the Earth's temperature.

In order to meet applicable building codes, existing parking areas must also be expanded. Along the entrance road, there are currently three small parking lots, as well as a main parking lot. Parking will be expanded so that the main lot will have a total of 15 parking spots (7 on the left side of the road and 8 new spaces on the ride side,) and 13 spots along the entrance road. The 13 spaces will be divided up into 3 smaller lots, spaced out on the right side of the road as you enter the AFF. The 8 new spaces and 3 smaller lots will add 21 new spots to the grounds.

Finally, the proposed wetland boardwalk will be located in the same corridor as the previously existing trail. It traverses former livestock pastureland that has evolved into a biologically diverse wet meadow, providing a wonderful environmental education/interpretive experience for visitors. AFF's goal is to reconnect the visitors with the resource. The proposed boardwalk is approximately 980 linear feet in length and will follow the alignment of an existing trail that is also used during interpretive programs. It includes a 6-foot wide bridge section that cross Accokeek Creek (replacing the existing bridge that is falling apart). The total square footage is approximately 6,660 square feet.

## **OTHER ALTERNATIVES CONSIDERED**

In addition to the NPS selected alternative described above, the EA analyzed a no action alternative. Under the no action alternative, there will be no new development at the AFF's Hard Bargain Farm Environment Center beyond routine repairs and/or cyclic maintenance activities and/or upgrades.

The no action alternative assumes that visitor use for the AFF facilities currently found on the site would continue into the future with no capital improvements to the existing facilities. In Fiscal Year 2011 (October 2010 – September 2011), the visitor count included 3,719 students and 846 teachers and chaperones. AFF educated a total of 4,926 student-days during the fiscal year. Those students

participated in the curriculum-based, multi-disciplinary, two-day (overnight) and one-day environmental education programs. In addition to students, several special events were held at Hard Bargain Farm Environment Center including: Oktoberfest (October, 2010), an annual public event; the dedication of the Living Shoreline Project (October, 2010); the 23<sup>rd</sup> annual Potomac River Watershed Cleanup (April, 2011); and the Spring Farm Festival (May, 2011), which is an open house featuring many hands-on children's activities, craft vendors, a plant sale, and music.

## **ENVIRONMENTALLY PREFERABLE ALTERNATIVE**

The NPS is required to identify the environmentally preferable alternative in its NEPA documents for public review and comment. The NPS, in accordance with the Department of the Interior policies contained in the Departmental Manual (DM; 516 DM 4.10) and the CEQ *NEPA's Forty Most Asked Questions*, defines the environmentally preferable alternative as the alternative that best promotes the national environmental policy expressed in NEPA (section 101[b] [516 DM 4.10]). In its *NEPA's Forty Most Asked Questions*, the CEQ further clarifies the identification of the environmentally preferable alternative, stating, "Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources" (CEQ n.d).

After completing the environmental analysis, the NPS identified alternative B (Support New Development at AFF) as the environmentally preferable alternative in this EA because it best meets the definition established by the CEQ. The selected alternative does not conflict with the definition established by CEQ as defined above, and would not adversely impact the legislated purposes for Piscataway Park. NPS support of the proposal is also consistent with the mission and activities spelled out in its Cooperative Agreement with AFF. The environmental education and program messages and goals of AFF would be improved and enhanced as a direct result of the program and activities described in this EA. Additionally, the sustainable, energy-efficient development proposed in this project would replace old, energy-inefficient facilities.

## **MITIGATION MEASURES OF THE ACTION ALTERNATIVE**

The NPS places a strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. To help ensure the protection of natural and cultural resources and the quality of the visitor experience, the following protective measures will be implemented as part of the selected action alternative.

The proposed development would go forward under the responsibility of the AFF and would not be managed by NPS. State of Maryland (Maryland Department of Environment) environmental standards would be applicable and would be followed.

To help ensure the protection of natural and cultural resources and the quality of the visitor experience, the following protective measures would be implemented as part of the action alternative. The AFF would implement an appropriate level of monitoring throughout the construction to help ensure that protective measures are being properly implemented and achieve their intended results.

The following mitigation measures have been developed to minimize the degree and/or severity of impacts to the resource, and would be adhered to during implementation of the preferred alternative:

### **VEGETATION**

- Minimize the cutting of trees whenever possible.
- Clearly note vegetation clearing limits on construction documents and mark them in the field to minimize disturbance and alteration of vegetation and wildlife habitat.
- Due to the loss of trees where the Moss Building and 2 cabins will be constructed, 79 new trees will be replanted.

## **GEOLOGY, TOPOGRAPHY, AND SOILS**

- During the construction of the proposed facilities, soils would be exposed, creating an increased potential for erosion and/or transport of surface pollutants into Accokeek Creek and the Potomac River. An erosion and sediment control plan would be developed prior to construction, pursuant to the Maryland Department of Environment Erosion and Sediment Control Program. This plan would outline measures and protocols to be implemented during construction aimed at reducing erosion of exposed soils, slowing the rate at which water leaves the site, and capturing eroded soils and concentrated nutrients before entering the downstream water flow.
- Protocols would also be developed to protect against potential groundwater contamination during construction, including implementing proper on-site refueling techniques, properly storing and handling of hazardous materials, and developing notification and containment procedures in the event of a spill. These protocols would also provide protection to the overall quality of surface waters and would help ensure that any spills that may occur are contained and cleaned up prior to entering any ground or surface waters via either overland flows or stormwater conveyance systems.

## **WETLANDS**

- Use of appropriate erosion and siltation controls during construction, including stabilization of all exposed soil or fill material at the earliest practicable date.
- Use of heavy equipment in wetlands will be avoided to the extents possible.
- Construction in the wetlands will be done outside the breeding season (late February through late October).

## **ARCHEOLOGY**

- Clearing will only occur in those areas necessary for the newly proposed development. As appropriate, areas will be reseeded/replanted with native vegetation to blend in with surroundings and Piscataway Park's natural and cultural landscape.
- If, during construction, archeological resources are discovered, all work in the immediate vicinity of the discovery would be halted until the resources can be identified and documented and an appropriate mitigation strategy developed. Consultation with the Maryland Historic Preservation Officer, NPS, and/or the NPS Regional Archeologist will be coordinated to ensure that the protection of resources is addressed. In the unlikely event that human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (25 USC 3001) of 1990 would be followed.

## **VISITOR USE AND EXPERIENCE**

- All construction activities (including hauling) will be conducted during daylight hours, to avoid loud and disruptive work at night (and during non-rush hour times if possible, due to the narrow state of Bryan Point Road).
- Major construction activities will not occur during peak visitor use periods (no work on weekends, holidays, and special AFF events) to avoid disruption for visitors.

## WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As documented in the EA, the NPS has determined that the selected alternative, alternative B (NPS preferred alternative), can be implemented without significant adverse effects. As defined in 40 CFR §1508.27, significance is determined by examining the following criteria:

***Impacts that may have both beneficial and adverse aspects and which on balance may be beneficial, but that may still have significant adverse impacts that require analysis in an Environmental Impact Statement (EIS):*** Vegetation, soils, wetlands, floodplains, archeology, and visitor use and experience, will experience both beneficial and adverse impacts as a result of implementing the selected alternative; however, no significant impacts were identified that will require analysis in an EIS. The scenic easement between the NPS and AFF calls for protection of the viewshed and protection of the natural wooded appearance. Therefore, the vegetation impacts are considered NPS resources, protected under the scenic easement. The remainder of the impacts occur to resources that are the responsibility of AFF and which will be impacted by NPS granting permission for construction.

Alternative B would include the removal of no more than 21 total trees within the project area. Construction activities and staging could include limited compaction and trampling of vegetation. Therefore, Alternative B impacts to vegetation would result in short-term, minor, adverse impacts, and long-term, minor, adverse impacts because of the loss of vegetation. However, due to the replanting of 79 trees after construction, the natural wooded appearance will not be adversely affected. The selected alternative would result in the increased potential for erosion, compaction, loss of productivity, and disturbance of soils during construction activities. Therefore, this alternative would result in both short-term and long-term negligible to minor adverse impacts to soils because of the impacts (compaction, erosion, etc) during construction.

Alternative B would result in short-term negligible to minor adverse impacts and long-term negligible adverse impacts to the wetlands. The new Grass Building will be located far enough away from the delineated wetland (100 feet) that it will have no impact. The boardwalk would be designed and constructed to minimize disturbance to the wetlands (though there would still be pilings driven as supports) and would offset ongoing wetland impacts by replacing the existing wetland trail. The design and minimal footprint of the wetland boardwalk is not expected to have an impact on the floodplain and area hydrology, and will not change the way floodwaters are conveyed. This would result in no adverse or beneficial impacts on the floodplains.

Under Alternative B, it is generally assumed that there will be no adverse impacts on archeological resources. A Phase I Archeology report was conducted in August, 2009, clearing all of the construction locations. For purposes of Section 106, the impacts would be *no adverse effect*, because of the relatively small amount of ground disturbance that would be required for construction of the boardwalk, new buildings, and the staging area. Finally, implementation of Alternative B would result in short-term minor adverse impacts on visitor use and experience as a result of construction activities. In addition, there would be long-term, primarily beneficial impacts on visitor use and experience because of improved visitor access and enhanced facilities.

***Degree of effect on human health or safety:*** The selected alternative will not adversely affect public health or safety. The selected alternative could result in impacts on both visitor and employee safety during construction because heavy equipment may be on site along with other construction-related equipment. To negate risks to the public and employees, buildings under construction will be closed off to the public and personnel not associated with the construction will not be allowed access. In addition, there will be signage to alert the public to the construction schedule and locations.

***Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, wetlands, prime farmlands, wild and scenic rivers, or ecologically critical areas:*** The project area does not contain any prime farmlands, wild and scenic rivers, ecologically critical areas, or park lands other than the NPS property that is the subject of this EA. In addition, the developed areas of the sites are outside the 100- and 500-year floodplains.

The scenic easement between the NPS and AFF calls for protection of the viewshed and protection of the natural wooded appearance. Therefore, the vegetation impacts are considered NPS resources, protected under the scenic easement. The remainder of the impacts occur to resources that are the responsibility of AFF, and which will be impacted by NPS granting permission for construction. Twenty one trees will be lost during construction, however 79 new trees will be replanted. Even with the removal, the population of these species will not be compromised and the overall natural scenery will be preserved.

As with any tree cutting and/or development proposed for the scenic easement areas of Piscataway Park, an assessment of the potential action on the viewsheds from Mount Vernon and Fort Washington and the general wooded appearance of the area was first performed. To assess the potential impacts of the action alternative, a balloon test was performed in January, 2007. Large helium-filled balloons were placed at the potential building sites at the approximate maximum height of the proposed development. The sites were then viewed from Mount Vernon and Fort Washington to see if the balloons were visible. In no case were the balloons visible from either site. In a letter dated April 21, 2009, the Mount Vernon Associate Director for Preservation wrote that structures less than 52 feet tall are invisible from the historic estate. The highest point on the structures proposed in the action alternative is 43 feet high.

A Phase I archeological survey was conducted in October 2008 by Applied Archeology and History Associates of the Proposed Potomac River Habitat Study Complex at the Hard Bargain Farm Environmental Center Property (Tyler et al. 2009). Two prehistoric archeological sites were identified: The Hard Bargain Farm Center Site (18PR962, located in the northeastern portion of the field) and the Hard Bargain Farm Footpath Site (18PR963, located in the northeastern portion of the currently flooded pasture). The western portion of site 18PR962 was identified as an area of archeological sensitivity, as well as all of 18PR963. As such, these areas "would require further testing before any Earth disturbance or construction."

However, 1937 and 1940 aerial photographs show a tobacco barn within 200 feet of the westernmost project area. They also show recent re-growth of forest, which occurred upon abandonment of tobacco farming on this section of Hard Bargain Farm. Nearly all acreage, save wetlands, has been in plowed for cultivation for over two centuries. Given the relatively small amount of ground disturbance that would be required for construction, the proposed action is viewed as having *no adverse effect* to historic and archeological resources.

The former pasture along Bryan Point Road and adjacent to Accokeek Creek has been flooded since abandonment in the 1990's due to increased beaver activity in the area. There used to be a trail through the pasture, but has since been covered with water when it flooded (except for the remains of an old bridge which still exists). The area has since developed into a biologically diverse wetland (has not been delineated) and the wet-meadow has become an important part of the environmental education programs at the AFF. A boardwalk is proposed to be constructed over top of the old trail alignment that currently traverses the wetland. The boardwalk would be ADA Accessible and cross Accokeek Creek (within the footprint of the old trail).

The boardwalk would be designed and constructed to minimize disturbance to the wetland. The boardwalk would also offset ongoing wetland impacts by replacing the existing wetland trail. However, the boardwalk would have impacts. The boardwalk would be supported on pilings, driven into the wetland substrate until refusal. In addition to the area taken by boardwalk pilings, the boardwalk structure and deck itself would create some shading that may have some impact on certain wetland vegetation growing along its alignment. To reduce the impact of boardwalk construction activities on the wetland, a 'Top Down' construction technique would be used. This construction approach requires only 'foot work' in the wetland—no construction equipment. Work people on foot using carried-in augers perform the drilling for the boardwalk pilings. Other mechanical equipment used during construction activities would work from completed sections of the boardwalk, working forward as boardwalk sections are completed. This would result in short-term negligible to minor adverse impacts and long-term negligible adverse impacts to the wetlands.

The proposed 3,457 square foot Grass Building site would be located approximately 100 feet away from the only delineated wetland in the vicinity of the project area. It is far enough away from the proposed construction that it would not be impacted by the proposed project.

Due to the boardwalk, wetlands were addressed as an impact topic in the EA. However, since the boardwalk is in an existing trail corridor (there are still remains in place from the old alignment), and the buildings are not situated on wetlands, a wetlands statement of findings (SOF) is not required. A SOF which provides a detailed description of wetland impacts and documents the rationale for identifying a preferred alternative that has adverse impacts on wetlands, is not required. (A SOF documents compliance with the policies and requirements of Director's Order #77-1 and these procedures). In addition, the wetlands not on NPS property. They are located on AFF property, under scenic easement with NPS.

Executive Orders 11988 (Floodplain Management) requires an examination of impacts to floodplains and the potential risk involved in placing facilities within floodplains. The NPS 2006 *Management Policies*, Section 4.6.4, Floodplains; and the 1993 NPS Floodplain Management Guidelines - DO-77-2 - provide guidelines on developments proposed in floodplains. Most of the proposed wetland boardwalk falls within the Accokeek Creek floodplain as well as the Chesapeake Bay Critical Area (CBCA). Due to the fact that the proposed boardwalk is replacing an existing trail and bridge (there are still remains in place from the old alignment) a SOF is not required.

***Degree to which effects on the quality of the human environment are likely to be highly controversial:*** No highly controversial effects in terms of scientific uncertainties as a result of the selected alternative were identified during the preparation of the EA or by the public during the respective public scoping and comment period.

***Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks:*** No highly uncertain, unique, or unknown risks were identified during either preparation of the EA or through public scoping or comment.

***Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration:*** The selected alternative neither establishes a NPS precedent for future actions with significant effects nor represents a decision in principle about a future consideration.

***Whether the action is related to other actions with individually insignificant but cumulatively significant impacts:*** Implementation of the selected alternative will have no significant cumulative impacts. As described in the EA, past, present and future actions and projects within the project area that could affect vegetation, soils, wetlands, floodplains, archeology, and visitor use and experience include the *Resource Protection and Visitor Accommodation Projects National Capital Parks-East (Piscataway Park) Environmental Assessment* (completed in July, 2009). The actions addressed in that document included the stabilization ("Living Shoreline") of an actively eroding section of the Potomac River shoreline; repairs to the Accokeek Marsh Boardwalk; trail improvements on the Accokeek Creek Trail; construction of a canoe launch; and the installation of interpretive waysides.

The "Living Shoreline" project resulted in short-term minor adverse impacts to vegetation due to construction impacts and long-term beneficial impacts as a result of the intended shoreline stabilization. These impacts, when added to the overall impacts of the selected alternative, would result in long-term negligible to minor adverse cumulative impacts to vegetation.

Impacts to soils are going to be site-specific and are not affected by cumulative development outside the study area. Cumulative impacts would only occur if development immediately within or adjacent to the site directly or indirectly affected the soils of the site. The "Living Shoreline" was designed to stop erosion along the shoreline which will not impact this site. Any recent projects that may have occurred in the area of the AFF would not represent actions that would result in any impacts to soils within the project site. There are no past, present, or reasonably future actions that would result in impacts to the soils within the project area. As a result, implementation of the selected alternative would result in no beneficial or adverse cumulative impact to the existing soils of the area.

There are no present or proposed future actions that would act cumulatively to impact wetland habitats under the selected alternative. The wetlands located in the project vicinity are not located in a topographic location where current and future developments will cumulatively impact their functions. As a result there would be no cumulative impact to wetlands under alternative B. In addition, there are no present or proposed future actions that would act cumulatively to impact floodplains under the preferred action alternative. As a result there would be no cumulative impact to floodplains under Alternative B.

There are no present or future projects that have the potential to change or alter the archeology associated with AFF at the site. There was a beneficial impact to archeological resources, resulting from the recently completed shoreline stabilization program. The "Living Shoreline" has significantly slowed down the erosion process, therefore protecting artifacts near the Potomac River.

Finally, improvements to the park, such as the Accokeek Trail Boardwalk and the proposed canoe launch and interpretive waysides, are all minor actions that would have beneficial cumulative impacts to the visitor use and experience. These impacts, when combined with the short-term negligible to moderate adverse impacts and long-term beneficial impacts that would occur under the selected alternative would result in long-term beneficial cumulative impacts to visitor use and experience.

***Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources:*** As stated in the EA, the project area contains archeology and there is potential for the project to impact archeology. It is also part of an area which is sensitive for its viewshed from the historic Mt. Vernon estate and Ft. Washington. Piscataway Park has been occupied by American Indians for thousands of years before the first Europeans arrived, and there are numerous archeological sites. Within the boundaries of Piscataway Park is "one of the densest locales of prehistoric and historic American Indian archeological sites in the Middle Atlantic seaboard province." (Potter, *A Historical Outline of Archeology in Piscataway Park*) Presently, there are 56 archeological sites recorded for Piscataway Park in the NPS Archeological Sites Management Information System (ASMIS). These prehistoric and historic sites range in age from approximately 8,000 BC to the end of the nineteenth century A.D.

A Phase I archeological survey was conducted in October 2008 by Applied Archeology and History Associates of the Proposed Potomac River Habitat Study Complex at the Hard Bargain Farm Environmental Center Property (Tyler et al. 2009). Two prehistoric archeological sites were identified: The Hard Bargain Farm Center Site (18PR962, located in the northeastern portion of the field) and the Hard Bargain Farm Footpath Site (18PR963, located in the northeastern portion of the currently flooded pasture). The western portion of site 18PR962 was identified as an area of archeological sensitivity, as well as all of 18PR963. As such, these areas "would require further testing before any Earth disturbance or construction."

Due to the minor ground disturbance, there may be long-term minor adverse impacts to archeology. However, 1937 and 1940 aerial photographs show a tobacco barn within 200 feet of the westernmost project area. They also show recent re-growth of forest, which occurred upon abandonment of tobacco farming on this section of Hard Bargain Farm. Nearly all acreage, save wetlands, has been in plowed for cultivation for over two centuries. Given the relatively small amount of ground disturbance that would be required for construction, the proposed action is viewed as having no adverse effect to archeological resources.

All consultations with the Maryland Historical Trust (MHT), as mandated in Section 106 of the National Historic Preservation Act of 1966, occurred as part of the development of the EA. On February 20, 2009, the NPS sent a letter to the Maryland Historical Trust to officially initiate consultation pursuant to Section 106 National Historic Preservation Act with that office. The AFF sent a follow up letter to the Maryland Historical Trust on May 7, 2012, including details of the work to be done and the Phase I archeological survey.



In a letter dated June 19<sup>th</sup>, 2012, the MHT issued a finding of “no adverse effects” on historic and archeological properties, providing the Foundation fulfilled the following requirements:

1. The Foundation shall ensure that archeological site 18PR963 and the western portions of 18PR962 are avoided by all construction related ground disturbance, activities, and equipment.
2. The Foundation shall provide site protection and avoidance through temporary fencing during construction, as needed, the inclusion of contractor avoidance procedures for the sensitive areas, and through careful oversight during project construction.

MHT staff reviewed the proposed project plans and determined the proposed project avoided any impacts to archeological site 18PR963. The northeastern portion of 18PR962 partially extends into the area slated for the Grass Building, but the Phase I survey work revealed that this portion of the site contains few artifacts and has been disturbed.

To assess potential impacts to historic viewsheds, a balloon test was performed in January, 2007 and the sites were then viewed from Mount Vernon and Fort Washington to see if the balloons were visible. In no case were the balloons visible from either site. In a letter dated April 21, 2009, the Mount Vernon Associate Director for Preservation wrote a letter to NPS acknowledging the balloon tests and no adverse impacts to the viewshed. A letter was also sent to the Maryland Historical Trust in February, 2009 to inform them of the balloon tests and Phase 1 archeology reports.

***Degree to which the action may adversely affect an endangered or threatened species or its critical habitat:*** In accordance with Section 7 of the Endangered Species Act of 1973, the NPS sent letters (February 17, 2009) to the U.S. Fish & Wildlife Service (USFWS) and to the Maryland Department of Natural Resources Wildlife & Heritage Service (MDDNR) to solicit their comments regarding potential occurrences of federal and state-listed species within the project area. The USFWS responded on February 25, 2009 stating that except for occasional transient individuals, no known federally proposed or listed endangered or threatened species occur in the project area.

The MD-DNR responded on April 20, 2009 with a list of five state-listed plant, and one invertebrate (dragonfly) species known to occur in the area, stating the potential for them to occur at the project site. However, the habitat conditions of the project site would only be potentially associated with one of the six species identified. Surveys have revealed that they were not found within the project area. As a result, no adverse affects to any federally listed species will occur from the selected alternative.

***Whether the action threatens a violation of federal, state, or local environmental protection law:*** The selected alternative violates no federal, state, or local environmental protection laws.

## **PUBLIC INVOLVEMENT**

NEPA regulations require an “early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action.” To determine the scope of issues to be analyzed in depth in this plan, meetings were conducted with park staff and the public.

The AFF hired a consulting team from Rhodeside & Harwell, Inc. to help look at the overall operations of the Hard Bargain Farm Environment Center, including meeting its educational and environmental mission in the 21<sup>st</sup> century. In April 2005, Rhodeside & Harwell, Inc. developed a draft land use plan that looked at the entire site as well as its context in Piscataway Park. The plan was comprehensive and addressed site history and context, features, land use needs and priorities, management strategies, and capital improvements. In brief, the plan recognized the need to maintain the Hard Bargain Farm, its interesting history and unique surroundings, and provided important guidance for the site’s future use and development.

Coordination with state and federal agencies was conducted during the NEPA process to identify issues and/or concerns related to natural, cultural, and archaeological resources within the proposed project area.

All consultations with the State Historic Preservation Officer, as mandated in Section 106 of the National Historic Preservation Act of 1966, occurred in parallel with the development of the EA. On February 20, 2009, the NPS sent a letter to the Maryland Historic Trust to officially initiate consultation pursuant to

Section 106 National Historic Preservation Act with that office. The AFF sent a follow up letter to the Maryland Historical Trust on May 7, 2012.

On April 21, 2009, the NPS received a letter from the Mount Vernon Ladies Association stating that following their participation in the balloon test of January, 2007 that the proposed new development at the AFF would not be visible from Mount Vernon, and posed no threat on the historic views from across the Potomac River.

On October 12, 2011 the NPS released a public notice informing all interested parties of the park's intention to develop an EA to assess the potential effects of developing energy efficient visitor and student educational facilities at AFF. The public notice was posted on the NPS Planning, Environment and Public Comment (PEPC) website, and was also sent out to the park's mailing list of pertinent stakeholders. Public scoping for the EA began October 12, 2011 and concluded November 14, 2011, and the NPS received 5 comments from the public.

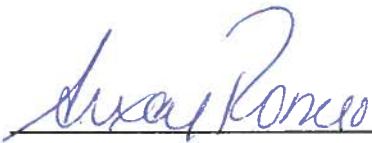
The EA was made available for public review and comment on May 29, 2011. A notice of availability letter was sent out to a mailing list of Piscataway residents. The EA was also placed on the NPS' PEPC website, and hard copies were made available at the Accokeek Foundation Visitor Center, National Capital Parks-East Headquarters, Moyaone Community Center, and Accokeek Branch Library.

The comment period concluded on July 2, 2012 with the NPS receiving 6 separate pieces of correspondence commenting on the proposed action. No changes have been made to the EA as a result of the comments received. All comments, including the NPS response to comments, are provided in attachment 1 to this FONSI.

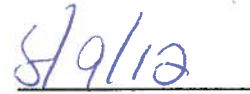
**CONCLUSION**

The NPS has selected alternative B for implementation. In light of the impacts described in the EA for the project and with guidance from NPS *Management Policies 2006*, natural and cultural resources information, professional judgment, and considering agency and public comments, the impacts that will result from the selected alternative will not impair any park resources and values. The selected alternative does not constitute an action that normally requires preparation of an environmental impact statement (EIS). The selected alternative will not have a significant effect on the human environment. Negative environmental impacts that could occur to park natural and cultural resources are negligible to minor in intensity. There are no significant impacts on vegetation, soils, wetlands, floodplains, archeology, and visitor use and experience. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the selected alternative will not violate any federal, state, or local environmental protection law.

Based on the foregoing an EIS is not required for this action and thus will not be prepared. This is a finding of no significant impact.



**Recommended:**

Alexcy Romero  
Superintendent,  
National Capital Parks - East

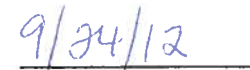


Date

**Approved:**

  
 Stephen Whitesell  
Regional Director  
National Capital Region

Deputy RD



Date

## IMPAIRMENT DETERMINATION

The determination on impairment has been prepared for the selected alternative. An impairment determination is made for all resource impact topics analyzed for the selected alternative. An impairment determination is not made for visitor use and experience because impairment findings relate back to park resources and values, and these impact areas are not generally considered to be park resources or values according to the Organic Act, and cannot be impaired in the same way that an action can impair park resources and values.

In addition to reviewing the list of criteria for significant impacts, the NPS has determined that implementing the NPS selected alternative will not constitute an impairment of park resources or values. This conclusion is based on a thorough analysis of the impacts described in the EA, agency and public comments received, and the professional judgment of the decision-makers in accordance with NPS *Management Policies 2006*. As described in the EA, implementation of the NPS selected alternative will not result in impairment of National Capital Parks-East resources or values whose conservation is (1) necessary to fulfill specific purposes identified in the park's establishing legislation, (2) key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or (3) identified in the park's management plan or other relevant NPS planning documents as being of significance.

The scenic easement between the NPS and AFF calls for protection of the viewshed and protection of the natural wooded appearance. Therefore, the vegetation impacts are considered NPS resources, protected under the scenic easement. The remainder of the impacts occur to resources that are the responsibility of AFF, and which will be impacted by NPS granting permission for construction.

The selected alternative will result in short-term to long-term negligible to minor adverse impacts on some of the park's resources, which include soils, vegetation, wetlands, floodplains, and archeology.

**Soils:** Part of the purpose of National Capital Parks-East is to protect and preserve the park's natural resources, which includes stabilized soils that support natural vegetation and wildlife habitat. Piscataway Park is situated predominantly within the Potomac River Lowland and the Piscataway Creek Floodplain and Terraces. These level out to gently sloping landscapes ranging up to 50 feet above the mean high tide line. Construction activities associated with the selected alternative will involve ground disturbances which would result in disturbance of soils. Although the selected alternative will include the clearing of vegetation and exposure of soils, the impacts will be limited to the project areas and soil productivity and characteristics will not change outside of the limit of disturbance. Soils throughout the project area are mostly previously disturbed. The soils in the area of the Grass Building are heavily compacted from years of parking cars in the fields. The soils in the area of the cabins are relatively undisturbed forest floor. Finally, the soils in the area of the Moss Building are heavily compacted or covered with existing impervious surfaces. Therefore, soils will not experience significant adverse impacts as a result of implementation of the preferred alternative. Since the selected alternative will not inhibit the park's ability to protect natural resources, including stabilized and productive soils, the selected alternative will not result in an overall impairment of soils.

**Vegetation:** One purpose of National Capital Parks-East is to preserve the natural scenery and forest. The land cover of this project is predominated by woodlands and pasture. In the meadows, where the Grass Building would be located, there are non-native grasses. The area around the proposed Moss Building, two cabins, and parking lots would be located in wooded areas. The proposed boardwalk area is located near Accokeek Creek. This creek descends from the ravine forests of its upper reaches to the tidal marsh. The activities associated with the selected alternative will involve relatively little vegetation disturbance. The project element with most impact to vegetation is the marsh boardwalk where the pilings would displace vegetation that likely would otherwise occupy the piling 'footprints.' Additionally, shade created by the boardwalk may impact certain wetland or floodplain vegetation. Moreover, while boardwalk construction techniques are intended to minimize wetland impacts, the construction activity is a disturbance and would have impacts. Those impacts, however, are anticipated to be minor and mostly short term to wetland and floodplain vegetation. The diverse plant community along the proposed boardwalk alignment would quickly adjust to the longer term change in site condition caused by the

shading created by the new boardwalk. Other proposed development is within the footprint of existing structures and/or in open, grassy areas.

The NPS determined that the proposed actions would not adversely impact the wooded appearance of the area. Due to the loss of up to 21 trees, 79 new trees will be replanted. As a result, the adverse impacts associated with this alternative would be minor and of long term. Even with the removal, the population of these vegetative species will not be significantly compromised and the overall natural scenery will be preserved. The dead and decaying trees would be removed, while the healthy tree loss would be kept to a minimum. Therefore, impacts of the selected alternative will not constitute an impairment of vegetation.

**Wetlands:** Part of the purpose of National Capital Parks-East is to preserve the natural scenery and forests within the park. Part of the protection of natural resources includes the protection and preservation of wetlands contained within the park. The former pasture along Bryan Point Road and adjacent to Accokeek Creek has been flooded since abandonment in the 1990's as beaver activity in the area increased and the area has since developed into a biologically diverse wetland (not delineated). A boardwalk is proposed to be constructed over top of the old trail alignment that currently traverses the wetland. The boardwalk would be designed and constructed to minimize disturbance to the wetland. The boardwalk would also offset ongoing wetland impacts by replacing the existing wetland trail. However, the boardwalk would have impacts. The boardwalk would be supported on pilings, driven into the wetland substrate until refusal. In addition to the area taken by boardwalk pilings, the boardwalk structure and deck itself would create some shading that may have some impact on certain wetland vegetation growing along its alignment. To reduce the impact of boardwalk construction activities on the wetland, a 'Top Down' construction technique would be used. This construction approach requires only 'foot work' in the wetland—no construction equipment. Work is performed by people on foot using carried-in augers to drill for the boardwalk pilings. Other mechanical equipment used during construction activities would work from completed sections of the boardwalk, working forward as boardwalk sections are completed. This would result in short-term negligible to minor adverse impacts and long-term negligible adverse impacts to the wetlands. The proposed 3,457 square foot Grass Building site would be located approximately 100 feet away from the only delineated wetland in the vicinity of the project area. It is far enough away from the proposed construction that it would not be impacted by the proposed project.

While there will be direct impacts to wetlands, the impacts will not be significant. The park will continue to be able to protect natural resources and will use mitigation measures to limit impacts. Because the park will continue to be able to meet the park mission and fulfill the park purpose under the enabling legislation, the selected alternative will not result in impairment.

**Floodplains:** Part of the purpose of National Capital Parks-East is to protect and preserve the park's natural resources, which includes floodplains. A floodplain is the area along or adjacent to a stream or a body of water that can store or convey floodwaters. Floodplains perform important natural functions, including moderating peak flows, maintaining water quality, recharging groundwater, and preventing erosion. In addition, floodplains provide wildlife habitat, recreational opportunities, and aesthetic benefits. The Chesapeake Bay Critical Area boundary runs along the edge of the project site, and is nearly at the proposed future 10,000 square foot sewage easement area. Most of the proposed wetland boardwalk falls within the Accokeek Creek floodplain as well as the Chesapeake Bay Critical Area (CBCA). However, FIRM maps indicate the project site is located outside of the 100-year and 500-year floodplain.

The design and minimal footprint of the wetland boardwalk is not expected to have an impact on the floodplain and area hydrology, and will not change the way floodwaters are conveyed. This would result in no adverse or beneficial impacts on the floodplains. The proposed deck of the Grass Building is also located approximately 50 feet from the CBCA, and would not impact the floodplain. Therefore, there would be no adverse or beneficial impacts to the floodplains. Therefore, the selected alternative will not result in impairment.

**Archeology:** As archeological resources exist essentially in subsurface contexts, potential impacts on archeological resources are assessed according to the extent to which the proposed alternatives would

involve ground-disturbing activities such as excavation or grading. The analysis of possible impacts on archeological resources was based on a review of previous archeological studies, consideration of the proposed design concepts, and other information provided by the NPS. A Phase I archeological survey was conducted in October 2008 and two prehistoric archeological sites were identified: The Hard Bargain Farm Center Site (18PR962, located in the northeastern portion of the field) and the Hard Bargain Farm Footpath Site (18PR963, located in the northeastern portion of the currently flooded pasture). Due to the minor ground disturbance, there may be long-term minor adverse impacts to archeology. However, 1937 and 1940 aerial photographs show a tobacco barn within 200 feet of the westernmost project area. They also show recent re-growth of forest, which occurred upon abandonment of tobacco farming on this section of Hard Bargain Farm. Nearly all acreage, save wetlands, has been in plowed cultivation for over two centuries and has therefore already been disturbed. Given the relatively small amount of ground disturbance that would be required for construction, the proposed action is viewed as having no adverse effect to archeological resources. Given past disturbance, mitigation measures, and avoidance of the sensitive areas, no impairment to archeological resources will result from implementation of the selected alternative, as all resources will be document and preserved.

## Attachment 1: NPS Response to Comments

Comment	Commenter	NPS Response
<p>Excellent Assessment. Mold continues to be a huge concern at this site, and while harmless during the day while visitors are visiting and learning, overnight exposure can prove dangerous especially in young children.</p> <p>It is unclear whether the Boardwalk must be tied into the renovation of the buildings. Perhaps Renovation of buildings only could have been another alternative? Nevertheless, the Assessment is solid, complete and informative.</p> <p>Thank You!</p>	<p><b>Joseph G. Allan</b></p>	<p>Comment noted.</p>
<p>Comment on Hard Bargain Farm Environmental Assessment Draft, Dated May 2012</p> <p>We have reviewed the Environmental Assessment Draft and we were surprised to learn that none of our concerns were addressed from our earlier letter sent to Mr. Mocko, dated November 20th, 2011. The outline of our concerns for reference were; Bryan Point Road is not built to handle the expansion of the Hard Bargain business, the large equipment during the project construction, emergency vehicle ability to reach injured children quickly, added noise to the community, and general trespassing. The first two in our list was vaguely mention in the draft report but not seriously addressed at all. The remaining items were just ignored.</p> <p>The vague and inadequate response of the road condition in the report was listed on page 46, 47 and it states;</p> <p>"One concern voiced by several residents is expansion of a business in a residential area whose infrastructure cannot accommodate. Bryan Point Road, in its present condition, could not handle increased traffic growth that would accompany the expansion. The present road is in poor condition and undersized for the existing traffic that the area brings in. This would present short-term minor adverse impacts to the local residents as there would be an increase in construction equipment. However, AFF has indicated that they don't anticipate a large increase in the number of students served (but rather an increase in the quality of their experience)."</p> <p>In fact, the present number of students, teachers and chaperones attended each year listed is 4,565 persons (page 24) yet the Project Summary states that it brings over 8,000 students and emphasizes the improvements are needed to meet current and anticipated visitors. We have issues with these statements:</p> <p>1) Knowing that 4,565 is the correct number of individuals, therefore 8,000 is nearly twice the growth and is a significant increase to just ignore our concerns and</p> <p>2) This is in direct contrast to the earlier statement on page 46 shown above in bold text.</p> <p>The other vague reference and inadequate response was construction activities on page 29 and 30, as it states;</p>	<p><b>Charles E. Clagett</b></p>	<p>1. The facilities are expanding, but there is not expected to be an increase in visitation (and therefore no increase in 'general trespassing' and noise from children is expected). There will be additional traffic from construction, but no long-term impacts are expected. Bryan Point Road is scenic (legislation for scenic easement in Piscataway to preserve the natural wooded appearance), is the gateway to Piscataway, and the county does not have enough buildable right-of-way to expand the road.</p> <p>2. As stated on page 24 of the EA, 4926 student days is the number of students, teachers and chaperones for FY 2011. When the stated numbers of students, teachers and chaperones for FY 2011 are added up, the total comes to 4,565. There can be significant visitor count differences from year-to-year and FY 2011 was one of AFF's lowest. The 8,000 number stated in three spots (very similar language used in all three) is an average of student days from several decades of numbers. AFF does not plan to increase the volume of students who attend their programs, but rather to provide them with an enhanced learning experience in a state-of-the-art, environmentally friendly building. Currently, there is no facility on site for day students</p>

<p>"Conduct all construction activities (including hauling) during daylight hours, to avoid loud and disruptive work at night (and during non-rush hour times if possible, due to the narrow state of Bryan Point Road). "</p> <p>"Avoid construction during peak visitor use periods (no work on weekends, holidays, and special AFF events) to avoid disruption for visitors."</p> <p>Again, these statements elicit further questions:</p> <ol style="list-style-type: none"> <li>1) What are the actual daylight hours?</li> <li>2) What is the definition of peak visitor hours?</li> <li>3) Since AFF concedes that Bryan Point is inadequate, why would they further exasperate the infrastructure problem with expanding their business and jeopardizing the safety of children and the community it serves?</li> </ol> <p>We are glad your assessment spends a lot of time and money making sure the wildlife and plants are safe. We just wish AFF would spend equal amount to make sure the children and the surrounding community are safe as well. It is in the best interest of NPS to limit their liability by preventing a possible lawsuit in the event that a tragedy would occur because of known poor infrastructure that was outright ignored.</p> <p>We have other issues with other statements in the draft assessment but we would rather save for a face-to-face meeting with NPS management. So we are officially asking, again, to have a meeting in July, 2012 with NPS to discuss our concerns as we originally asked for in our first letter.</p> <p>Sincerely,</p> <p>Charles and Maura Clagett 1909 Bryan Point Road Accokeek, MD 20607 (H) 301-292-7948 (W) 301286-2438</p> <p>Other concern individuals:</p> <p>Richard and Donna Clagett 1100 Bryan Point Rd Accokeek, RD 20607</p> <p>Roy and Sherry MacDonald 1801 Bryan Point Rd Accokeek, MD 20607</p> <p>Wes and Melinda Courtney 14602 Wharf Road Accokeek, MD 20607</p> <p>Michael and Barbara Sturman 14801 Wharf Road Accokeek, MD 20607</p> <p>Margaret Nolan</p>		<p>who now use the Moyaone Community Center for this purpose.</p> <p>3. NPS is not the permitting authority, AFF owns the land the construction will take place on:</p> <ol style="list-style-type: none"> <li>a. No work will take place at night.</li> <li>b. Peak visitor hours are weekends, holidays, and special AFF events.</li> <li>c. AFF is not expanding their business. Safety is a priority for NPS, and this project will not jeopardize the safety of Piscataway residents. Bryan Point Road is narrow, but there has always been community involvement to keep Bryan Point Road scenic.</li> </ol>
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1011 Bryan Point Road Accokeek, MD 20607		
<p>Dear NPS</p> <p>Thank you for the opportunity to share input on the proposed Educational Center upgrade at the Alice Ferguson Foundation (AFF). I am comfortable with AFF's diligence taken to ensure the Mount Vernon Viewshed/ Piscataway Scenic Easement (PSE) regulations are not adversely impacted by the design of the construction, as currently presented.</p> <p>From my perspective (lifelong resident in the same neighborhood as AFF, and participant in the PWSC charettes and related planning activities), the AFF environmental sciences/ low-impact land stewardship focus on leading by example is accomplished through a range of planned approaches, including, but not limited to:</p> <ul style="list-style-type: none"> <li>- compliance with NPS tree removal/replacement agreements,</li> <li>- light/acoustic mitigation strategies that are within the PSE's acceptance range,</li> <li>- maintenance of the Scenic Road status of Bryan Point Road, (protection of its low speed, light-pollution free, meandering aspect, as set in place by the efforts of locals seeking protection of the area's rural zoning),</li> <li>- User numbers of the facility staying within current ranges, ensuring the AFF facilities remain visited by stakeholders within the AFF and neighborhood ecosystem's carrying capacity,</li> <li>- appropriate recognition of the wetland's boardwalk genesis as the "Max North Nature Trail",</li> <li>- appropriate recognition of the replacement structures' genesis as the "Wareham Lodge",</li> <li>- focus on the applicability of the structure's green/living building message to its visitors, (that the take-home message is as relevant and accessible to as broad a range of the public as is possible),</li> <li>- construction of ancillary structures (such as parking areas and lighting arrangements) to neither adversely impact the scenic nature of Bryan Point Road, nor the scenic nature of AFF's neighboring properties.</li> </ul> <p>I see AFF's continued focus as being responsive to these land use issues. I therefore encourage all parties to accept AFF's submitted requests to proceed with the living building design as currently presented.</p>	<p><b>Kent L. Hibben</b></p>	<p>Comment noted.</p>
<p>As a long time resident of the Accokeek area and a supporter of the programs at AFF I fully support the construction of their new day-use building and the sleeping cabins. I would urge NPS to act quickly on this approval process. This will NOT impact the all important "VIEW" from Mount Vernon and will provide AFF with their own state of the art environmental friendly structure for teaching. Thank you for giving us the opportunity to comment.</p>	<p><b>Bud Wareham</b></p>	<p>Comment noted.</p>
<p>1. The planned location of the new green building is in relatively close proximity to the Moyaone Association community center and its swimming pool which is open all summer. Since there are daily activities there in the summer, including membership</p>	<p><b>Rita F. Bergman</b></p>	<p>1. AFF will make every effort to accommodate this request and to assure that no major activity will take place prior to Labor Day</p>

<p>swim, swim lessons, swim team events and party events, there is some concern the noise and traffic from the construction site would adversely impact the use and enjoyment of those facilities. Understanding that construction schedules are difficult to manage, we recommend that every effort be made to begin and complete construction after Labor Day and complete it before Memorial Day.</p> <p>2. Would the new facility be available for use by other neighborhood groups? If so, would that be gratis or a nominal charge?</p> <p>3. Would the geothermal drilling and heating have any impact on the aquifer which is a main source of water for many residents who have wells?</p> <p>4. The traffic impact is considered negligible, but the use of Bryan Point Rd by heavy construction vehicles will only deteriorate the road further which is already in need of significant repair. We recommend the NPS work with PG County to plan for a re-surfacing of the road once construction is completed. Many Moyaone residents use this road as their primary access to Indian Head Hwy.</p> <p>5. Overall, the Board of the Moyaone supports this initiative and believe that it will be of substantial benefit to the AFF/HBF and the community overall as an example of good environmental stewardship and sustainable development.</p>		<p>2012.</p> <p>2. The facility will be available for use by other neighborhood groups and AFF looks forward to discussions about a nominal charge for use.</p> <p>3. There will be no impact to the local aquifer. The facilities will use a closed-loop geothermal exchange system. A water-glycol solution is circulated through loops of polyethylene pipe that are grouted solidly into each well. There is no extraction of water and no direct contact with the aquifer. Heat is either extracted or rejected (depending on the season) to the rock surrounding each well through the thermal conductivity of the pipe and grout. Thermal changes are localized. Furthermore, because the system both extracts and rejects heat based on whether it is in heating or cooling mode, the system has been designed so that the thermal changes to the surrounding earth are neutral during the course of an entire year.</p> <p>4. AFF will be happy to convey this request to the appropriate agency within the county and to advocate for this action. This is a county road, not a NPS road.</p> <p>5. NPS and AFF appreciate the support of the Moyaone Association board and look forward to this facility being yet another amenity within the community.</p>
<p>The EA does not adequately address all the impacts associated with this proposed project.</p> <p>- The EA (May 2012) does not reveal the public comments made to the proposed project. Although, it references that these comments will be addressed in the document, absent the original public comment it is not possible to see if the "response" was adequate per NEPA and the standards set by the National Park Service in other units of the system.</p>	<p><b>Ruth W. Kurle</b></p>	<p>1. NPS received 6 comments during scoping, from 10/12/11 – 11/14/11, 4 of which had questions about the project (not required to post all the comments in the EA). One of the comments was an error in square footage. The other 3 had concerns about the previous</p>

- There was not sufficient public vetting of this project. No local public meetings were held where the FULL extent of the project was revealed. Even on this PEPC site the designs were vague at best.

- The proposed project is listed to be forty-three feet in height. This exceeds the community standard in the Moyaone Reserve of a maximum of thirty feet. This thirty foot standard is "enforced" through scenic easements on much of the surrounding property. These easements are held and "enforced" by the Department of the Interior. While one rationale for this thirty foot height limit is to protect scenic vista as seen from Mount Vernon, it is also fair to understand that this height limit sustains a scenic and rural character in the Moyaone Reserve and Piscataway National Park. Both Moyaone residents and Park visitors "benefit" from this scenic landscape. The proposed structure will necessarily have a serious negative impact on these scenic values. The NPS has not properly considered this impact and must under federal law and NPS and DOI guidelines.

#### - Alternatives

No reasonable alternative was considered to replace the existing structure other than the massive structure revealed in the May 2012 EA. The earlier documents posted on this PEPC site were so vague that it was not possible to understand the enormity of this project.

A reasonable alternative might have included a lower, in height, and smaller in size structure.

- The qualifications and education of the NPS staff who worked on this EA was not revealed. It should be.

- The original letter from the NPS soliciting public comment on late 2011 was mostly fabricated from text from the project proponents. This appears to show a distinct lack of objectivity by the NPS. The NEPA process and related litigation history have set a standard of clear objectivity not evidenced in the current EA process. It is therefor flawed at best and much be reconsidered.

- The project will exceed by many factors the existing structure and will cost taxpayers, of the County, several million dollars. No discussion of what the expected increase in vehicular traffic will be if this new, larger facility is built. It should be.

- The NPS and the project owner overstate the impact of the structure by constantly referring to it as "Living Building." Indeed, a net zero building is wonderful in theory but fundemantal science tells us the building will require both local resource impact and will increase vehicular traffic to the area with a corresponding air and noise pollution impact.

#### - Soundscape

As the NPS slowly begins to look at soundscape issues at other units in the system, this EA is surprisingly very quiet on this issue. It should have and should consider this impact. The

scoping (see #2 below); need for the project (see purpose and need in the EA; project is funded); existing facilities (not part of this project); construction plans (this is AFF property, this EA is analyzing whether to build or not to build); visitation impacts (pgs 46 and 46 of the EA); and visibility (balloon tests were conducted, results in the EA). Finally, in regards to widening Bryan Point Road, county doesn't have enough buildable road right-of-way. Bryan Point Road is scenic (legislation for scenic easement in Piscataway to preserve the natural wooded appearance) and is the gateway to Piscataway.

2. There were numerous opportunities for public comment and review of designs during public informational meetings, beginning in the fall of 2006 and continuing to the present. Greater Accokeek Citizens Association meetings including most recently on 04/20/12 (NPS is not the permitting authority).

- Moyaone Association meetings (2), 05/2007 or 2008, 5/12/2012 (presentation about the Living Building Project)
- Charrettes (planning) meetings open to the public at Hard Bargain Farm Environmental Center and Faith Methodist Church, 11/6-8/2006
- AFF annual meetings, 2007, 2009, 03/18/2012
- Moyaone Reserve and other interested party list-serve emails, numerous times from 2006-present, associated with public meeting opportunities
- Informational meetings at the AFF Farmhouse offices where community members

structure, as proposed, will essentially have an amphitheater under it with an outward bowl facing the Moyaone Community Center and NPS lands as well. Less than one half mile from the proposed project site are pairs of nesting Bald Eagle and Osprey. Observations indicate that these birds are disturbed by human activity including noise from school groups on AFF and NPS property. Design alternatives to reduce this impact should be considered.

were invited by email,  
phone or post,  
02/12/2009, 09/29/2011

3. There are no building height restrictions in the NPS scenic easements. The easements mandate the preservation of "the natural wooded appearance of the area" as well as the historic views from Mount Vernon and Fort Washington.

NPS did balloon tests to confirm that construction on that site, at the proposed height, would not present a historic viewshed problem. And, the AFF property, while it has clearings, fields, and buildings, is also a predominantly natural wooded site. NPS has confirmed that the proposed construction would not "jump out at you" while driving down Bryan Point Road, the "gateway" road into Piscataway Park.

4. The alternatives discussed in the EA are construction or no construction (since this is not on NPS land). These are the same plans considered since the 2006 charette process, which involved the public.

5. Qualifications and education does not need to be included in the EA.

6. The original letters did include language from AFF, as it was their project. NPS took an un-biased look at the impacts associated with this proposed work.

7. See pages 46 and 47 of the EA, no increase is expected in vehicular traffic (there will be construction vehicles, but no long-term changes). Project is funded by AFF.

	<p>8. A Living Building eliminates impact to the environment through use of renewable energy sources such as geothermal and solar, sustainable water discharge, and zero carbon footprints. Living Buildings are, in fact, designed to be regenerative to the environment as opposed to consumptive thus negating the concern about local resource impact.</p> <p>9. As there will not be a significant increase in number of students and adults served, we do not expect to have impact on the 'soundscape' from current levels. The "amphitheater" as shown in the plans is the architect's term for a gathering place for the students for instruction by AFF staff. This instruction currently takes place in an outdoor setting immediately adjacent to the current Wareham Lodge. When those at Hard Bargain Farm Environmental Center hear the sounds of children that emanate from the Moyaone Pool and its environs, they are understood to be the norm for the location and activities. Sounds that come from HBFEC should be considered in that same light.</p>
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