



The Civil War Defenses of Washington  
Rock Creek Park  
Washington, D.C.

## **FINDING OF NO SIGNIFICANT IMPACT**

### **Fort Totten - North Michigan Park Pedestrian Access Improvement Project**

#### **Rock Creek Park**

Rock Creek Park, an administrative unit of the National Park Service (NPS), proposes to improve pedestrian access to the Fort Totten Metrorail Station and associated bus facilities from the North Michigan Park neighborhood in Northeast Washington, DC and address public safety concerns. Action is needed at this time to reduce resource damage caused by the use of unofficial or "social" trails, including cutting of branches and removal of vegetation to widen unofficial trails; placement of various materials such as bricks, wooden planks, and pebbles to create walkable unofficial trails in areas that are muddy; and accumulation of trash and debris on and near the unofficial trails. The action is also needed to address visitor safety concerns that have arisen from the use of these unofficial trails.

The proposed project area is located adjacent to Fort Totten Park and is included in the part of the Civil War Defenses of Washington (CWDW), or Fort Circle Parks, administered by Rock Creek Park. The CWDW includes remnants of a complex system of forts, batteries, and other fortifications that were constructed to deter the invasion of Washington, DC during the Civil War, as well as a greenbelt of connecting parks linking the forts and batteries.

The environmental assessment (EA) that was prepared for the proposed pedestrian access improvements was done in accordance with National Environmental Policy Act (NEPA) and implementing regulations, Title 40 Code of Federal Regulations (CFR) 1500-1508; and Director's Order 12: *Conservation Planning, Environmental Impact Analysis, and Decision Making* and Handbook. Compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA) was carried out in close coordination with this EA process.

#### **SELECTED ALTERNATIVE (ALTERNATIVE 3)**

Based on the analysis presented in the EA, and following consultation with the public, the District Department of the Environment, and the National Capital Planning Commission, the NPS has selected Alternative 3: Direct Trail (NPS preferred) for implementation. Under alternative 3, a paved multi-use trail connecting Gallatin and Galloway Streets, NE will be constructed through the project area. The trail alignment will allow for an unobstructed line-of-sight and the most gradual grade possible from the beginning to the end of the trail to ensure universal accessibility. To the extent possible, the alignment of this trail will follow existing unofficial trails. The trail will be constructed to American Association of State Highway and Transportation Officials (AASHTO) standards for multipurpose trails, and will be ten feet wide. The trail will likely be paved with impervious materials similar to and consistent with the width and surface used for the nearby Metropolitan Branch Trail, which the District of Columbia Department of Transportation is currently designing (winter 2015). Existing unofficial trails will be closed and restored with NPS-approved native vegetation. In addition, to increase visibility, non-native invasive vegetation in the understory of the project area will be reduced and maintained. Lastly, the trail may be lighted using fully shielded low-impact pole lighting, LED fixtures, and solar cells. These lights will likely be similar in type and spacing to those that will be placed on the adjacent Metropolitan Branch Trail. Lighting design will be in accordance with the 2006 NPS Management Policies (4.10, Lightscape Management), and the NPS Interim Outdoor Lighting Guidelines.

## **OTHER ALTERNATIVES CONSIDERED**

In addition to the NPS selected alternative described above, the EA analyzed the no action alternative, an improved street-side pedestrian facilities alternative, and a trail system alternative.

### **Alternative 1: No Action Alternative**

Under this alternative, current management would continue. Activities would include occasional mowing of the unofficial trails from South Dakota Avenue to Galloway Street NE, and removal of dumped items from the interior of the park. There would be no maintenance of the unofficial trail between Galloway Street NE and the intersection of Gallatin Street NE and 6th Place NE. Temporary portable lighting towers that are currently in place along the unofficial trail closest to the Metrorail station would not remain over the long term. The no action alternative was not selected because it did not meet the purpose and need for the project.

### **Alternative 2: Improve Street-Side Access**

Under alternative 2, the NPS would construct a fence around the entire project area to protect park resources. There would be no visitor access to the project area, and unofficial trails would be revegetated. The fence would follow the project area along Galloway Street NE, South Dakota Avenue NE, and Gallatin Street NE, and stop at the existing fence around the stormwater management facility west of the project area. This alternative could also include installing a sidewalk along the north side of Gallatin Street NE. There is an existing sidewalk along the south side of Gallatin Street NE in the District Department of Transportation right-of-way, on the north side of Galloway Street NE, and along both sides of South Dakota Avenue NE. Alternative 2 could also include the installation of lighting along sidewalks at the perimeter of the project area. Lighting would be energy efficient and low maintenance, such as LED lighting. In addition, as part of a separate project, the District Department of Transportation is planning to install a sidewalk/multi-purpose trail on the south side of Galloway Street NE. Alternative 2 was not selected because it would not improve pedestrian access as effectively as the selected alternative, and therefore would not fully meet the purpose and need for the project.

### **Alternative 4: Construct a Trail System**

Under this alternative, the National Park Service would construct a trail system consisting of a main, paved trail as described in alternative 3, as well as additional trails that would be surfaced with pervious materials such as wood chips or rubber mulch. This alternative would consider existing and potential trail alignments that are compatible with the topography and existing stormwater management structures that do not interfere with Metrorail access facilities on the west side of the project area, and allow for an unobstructed line-of-sight. This alternative would include the option for installing various amenities such as benches, trail lighting as described in alternative 3, and picnic tables. It would also include the option to clear invasive, non-native vegetation from the project site, resulting in an appearance similar to the grassed and forested areas of the CWDW land east of South Dakota Avenue NE. Similar to alternative 3, the National Park Service would manage and reduce the amount of non-native invasive vegetation in the understory of the project area to increase visibility and protect native species. Alternative 4 was not selected because it would create additional impacts on park resources and would require additional National Park Service personnel and resources to manage the additional trails and facilities and support visitor safety. In addition, the amount of habitat and vegetation restoration in Alternative 4 would be less than what would be achieved in the selected alternative. Therefore, Alternative 4 would not fully meet the purpose and need for the project.

## **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's NEPA Regulations (43 CFR Part 46) and the Council on Environmental Quality's (CEQ's) Forty Questions, defines the environmentally preferable alternative (or alternatives) as the alternative that best promotes

the national environmental policy expressed in NEPA (section 101[b]) (516 DM 4.10). CEQ's Forty Questions (42 CFR Part 46.30) (Q6a) further clarify the identification of the environmentally preferable alternative as "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."

After completing the environmental analysis, the National Park Service identified alternative 3—direct trail as the environmentally preferable alternative. The construction of a direct trail will have the fewest impacts on natural, cultural, and physical resources within the park. This alternative will require ground disturbance similar to the other action alternatives, but will result in more habitat and vegetation restoration than alternative 4—construct a trail system, and will have fewer long-term restrictions to wildlife than alternative 2—improve streetside access, because of the fence. The fence would have more adverse effects on cultural resources than either of the alternatives that include a trail through the project area, and would restrict wildlife passage through the area. Alternative 3 will also result in the largest amount of beneficial impacts on public safety.

### **MITIGATION MEASURES OF THE SELECTED ALTERNATIVE**

The NPS places 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 alternative. The NPS will conduct an appropriate level of monitoring throughout the construction period to help ensure that protective measures are properly implemented and achieving their intended results. Mitigation measures identified to date are presented below.

#### **GENERAL CONSIDERATIONS**

- Construction fencing will be installed to clearly delineate the project disturbance limits prior to the onset of construction activities by the contractor.
- All protection measures will be clearly stated in the construction action plan, and workers will be instructed to avoid conducting activities beyond the construction zone, as defined by road or construction zone fencing. Construction staging areas will utilize existing paved areas, to the extent feasible.
- New concrete and asphalt will be produced at locations outside of the project area. No overnight storage of these materials will be permitted within park boundaries.
- Prior to construction, a hazardous spill plan will be submitted, stating what actions will be taken in case of a spill to minimize any adverse impacts. This plan will also incorporate preventive measures to be implemented, such as the placement of construction staging areas and refueling facilities, storage and handling of hazardous materials, and notification procedures for a spill. A spill kit will be available, and workers trained to use it will be available to clean up spills.

#### **SOILS**

- The amount of disturbed earth area and soil exposure to rainfall will be minimized through the use of best management practices (BMPs). Erosion and sediment control plans will be prepared in accordance with the current District of Columbia Standards and Specifications for Soil Erosion and Sediment Control and implemented during construction. These plans will include project-specific measures to avoid and/or minimize soil erosion and transport from ground-disturbing activities, such as vegetation clearing and grading. Specific BMPs, such as the use of stabilized construction entrances and silt fences could be used and will be detailed in the approved erosion and sediment control plans.
- Any soil excavated during construction will be stockpiled and reused as fill, if needed.
- Disturbed soil or soil stockpiles will be covered with plastic sheeting, jute matting, erosion netting, straw, or other suitable cover material.

- Erosion and sediment control BMPs will be inspected on a regular basis and after each measurable rainfall to ensure that they are functioning properly. In addition, BMPs will be maintained (repaired and cleaned) as necessary to ensure that they continue to function properly.
- Prior to clearing and grading, the area will be clearly marked to minimize the amount of clearing that occurs.
- Immediately following completion of construction activities or during temporary cessation of the earth-disturbing activities, exposed soils will be stabilized and replanted with vegetation identified by the park as appropriate for the vegetation zone where construction occurs.

## **VEGETATION**

- Protection measures and BMPs will be implemented to avoid impacts on park vegetation to the extent possible. Vegetation protection measures will be detailed in the design phase of the project and may include, but will not be limited to, evaluation of large trees and development of a tree save plan by an arborist or licensed tree expert; installation of tree protection fencing; root pruning for trees whose critical root zones are within the existing trail alignment or proposed construction area; and staging construction equipment to avoid damage to park vegetation. All revegetation will fulfill NPS functional and aesthetic requirements. Landscape plans will be developed, and areas replanted following construction will be monitored to ensure successful establishment.
- Any trees removed will be replaced at a 1:1 ratio, based on diameter at breast height of trees removed, with species native to the Washington, DC area. These species may include small- to medium-sized trees, such as flowering dogwood, and species that become large when mature, such as white oak and American elm.
- Cutting trees will be minimized whenever possible, and as much tree cover as possible will be retained.
- Clearing of vegetation, performed with chainsaws to improve line-of-sight, will be kept to a minimum.
- During trail construction, crews will be trained to minimize soil and vegetation disturbance, compaction, and displacement, which can allow invasive plants to become established.
- The restoration of cleared areas and revegetation of unofficial trails will be with species native to the Washington, DC area and could include a variety of native perennial wildflowers (e.g., milkweed, cardinal flower, and black-eyed Susan), shrubs (e.g., spicebush and chokeberry), and vines (e.g., coral honeysuckle, trumpet creeper, passionflower, and American wisteria) if appropriate. Initial stabilization with native seed mixes will be followed with direct planting of native plants in the spring if watering can be ensured through summer months.

To manage invasive, non-native plants, park staff will follow the NPS's 2006 Management Policies, which directs that non-native, invasive plants - termed "exotic species" in the Management Policies - "will be managed - up to and including eradication - if (1) control is prudent and feasible, and (2) the exotic species:

- Interferes with natural processes and the perpetuation of natural features, native species or natural habitats, or
- Disrupts the genetic integrity of native species, or
- Disrupts the accurate presentation of a cultural landscape, or
- Damages cultural resources, or
- Significantly hampers the management of park or adjacent lands, or
- Poses a public health hazard as advised by the U.S. Public Health Service (which includes the Centers for Disease Control and the NPS public health program), or

- Creates a hazard to public safety.”

To implement these policies, Rock Creek Park uses an Integrated Pest Management approach, as mandated by the Federal Insecticide, Fungicide, and Rodenticide Act. Integrated Pest Management is a science-based decision-making process that guides park managers when investigating a pest situation, including non-native, invasive plants. An Integrated Pest Management approach determines the most appropriate and cost effective management solution for the specific pest situation. It includes identifying the pest, understanding the use and significance of a site or the importance of protecting a historic item, and educating the people involved. Integrated Pest Management also establishes pest tolerance levels and monitoring protocols. Then with the help of technical experts and on a case-by-case basis, an effective, site-specific and low risk strategy to manage the pest is developed. This includes altering conditions that attracted pests to the site in the first place. Integrated Pest Management often involves changing human behavior as well.

As part of its existing Integrated Pest Management approach, Rock Creek Park uses volunteers to remove non-native invasive species that can be managed manually by cutting or hand pulling. The park also uses herbicides to manage non-native, invasive plant species. It selects herbicides to treat certain species based on the size of the infestation or because the plant’s extensive root systems do not allow successful management by manual methods. Park staff selects the most effective, lowest-risk strategy for managing a particular plant species. Herbicide application is done by park staff, park contractors, or the National Capital Region’s Exotic Plant Management Team.

#### **WILDLIFE AND WILDLIFE HABITAT**

- Protection measures and BMPs will be implemented to avoid impacts on wildlife and wildlife habitat to the extent possible. Protection measures will be detailed in the design phase of the project and may include, but will not be limited to, measures described to protect vegetation that will result in the protection of wildlife habitat. Construction activities will be conducted in a manner or at appropriate times so that impacts on migratory bird species will be minimized.

#### **CULTURAL RESOURCES**

- If archeological resources are discovered during construction, all work in the immediate vicinity of the discovery will be halted until the resources can be identified and documented and an appropriate mitigation strategy can be developed. Consultation with the District of Columbia Historic Preservation Officer (DC SHPO), the National Park Service, the park’s Cultural Resource Program Manager, 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 will be followed.

#### **PUBLIC HEALTH AND SAFETY**

- Barriers, safety fencing, and/or signs will be installed, as appropriate, prior to initiating construction activities on NPS property. The objective of these measures will be to protect visitors and allow safe passage around the area of construction.

#### **PARK OPERATIONS AND MANAGEMENT**

- No mitigation measures have been identified.

#### **VISITOR USE AND EXPERIENCE**

- Construction during peak visitor use periods (e.g., weekends and holidays) will be avoided so as not to disturb visitors.
- Construction fencing will be placed at the intersections of the construction area and anywhere else visible to visitors to discourage visitors from entering a construction site.

## 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 3, 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):*** Soils, vegetation, wildlife and wildlife habitat, cultural resources, public health and safety, park operations and management, 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. Anticipated impacts that will occur to the affected resources are summarized below:

**Soils:** Implementation of the selected alternative will result in between approximately 3,000 and 5,000 new square feet of impervious surface as well as grading activities that disturb the soil during construction. Trail repair and connectivity improvements will effectively stabilize eroding soils over time, resulting in long-term, beneficial impacts on soils. Short-term, minor, adverse impacts on soils from ground disturbing activities will occur during construction and placement of impervious paving. The presence of impervious paving will result in permanent loss of soil productivity beneath the pavement; however, the small area to be paved will not be expected to result in significant long-term, adverse impacts on soils. The eventual stabilization of soils represents an improvement over baseline conditions. Moreover, BMPs will be incorporated into the design and construction of the formal trail, including preparation and implementation of a DDOE-approved erosion and sedimentation control plan. The amount of disturbed area and soil exposure to rainfall will be minimized, and any soil excavated during construction will be stockpiled and reused as fill, if needed. Erosion containment controls, such as silt fencing and sediment traps, will be used to contain sediment on site. Exposed soils will be stabilized and replanted with NPS-approved vegetation immediately following completion of construction activities or during temporary cessation of the earth-disturbing activities. The implementation of these protective measures will ensure that previously disturbed soils within the project area will be more quickly restored to a natural pre-disturbance state. As a result, over the long-term, impacts on soils in the project area will be beneficial.

**Vegetation:** Under the selected alternative, existing unofficial trails will be closed and restored with native vegetation. A formal, paved multi-use trail will be constructed through the project area connecting Gallatin and Galloway Streets NE, which may involve formalizing one of the short existing unofficial trails with adjustments to the alignment to ensure universal accessibility. The new alignment could result in clearing of vegetation. In addition, the National Park Service will manage and reduce the amount of non-native invasive vegetation in the understory of the project area.

Short-term, minor, adverse impacts on vegetation from ground-disturbing activities will occur during construction and placement of impervious paving. Standard BMPs will be incorporated into the design and construction of the formal trail. For instance, vegetation clearing and tree cutting will be minimized whenever possible for the retention of tree cover and existing native vegetation, and the implementation of these protective measures will ensure that previously disturbed native vegetation within the project area will be more quickly restored to a natural pre-disturbance state. Trees removed to construct the new trail will be replaced at a 1:1 ratio (based on the diameter at breast height of the trees removed) with trees native to the Washington, DC area. Creation of a new, formalized, paved multi-use trail, along with the closure and revegetation of existing unofficial trails, will reduce impacts on vegetation over time, resulting in long-term, beneficial impacts.

**Wildlife and Wildlife Habitat:** Under the selected alternative, existing unofficial trails will be closed and restored with native vegetation. A formal trail will be constructed through the project area connecting Gallatin and Galloway Streets NE, which may involve formalizing one of the short existing unofficial trails with adjustments to alignment to ensure universal accessibility and maximized sight lines. The new

alignment could result in clearing of vegetation. Additionally, the National Park Service will manage and reduce the amount of non-native invasive vegetation in the understory of the project area, which will be beneficial to wildlife in the project area.

Short-term, minor, adverse impacts on wildlife and wildlife habitat from ground-disturbing activities will occur during construction and placement of impervious paving, which will include clearing and grading activities and associated construction noise. Standard BMPs will be incorporated into the design and construction of the formal trail. For instance, vegetation clearing and tree cutting will be minimized whenever possible to retain existing wildlife habitat, and the implementation of these protective measures will ensure that previously disturbed habitat within the project area will be more quickly restored to a natural pre-disturbance state.

The restoration of vegetation to the secondary unofficial trails will decrease the fragmentation of the forest in the project area, improving habitat quality and reducing the potential for disturbance of wildlife species. Therefore, the creation of a new, formalized, paved multi-use trail, along with the closure and revegetation of existing unofficial trails, will reduce impacts on wildlife and wildlife habitat over time, resulting in long-term, beneficial impacts on wildlife and wildlife habitat.

**Cultural Resources (Historic Structures and Districts):** Implementation of the selected alternative will involve the construction of a paved multi-use trail through the project area connecting Gallatin and Galloway Streets NE, which may include formalizing and adjusting the alignment of one of the short existing unofficial trails. Other existing unofficial trails will be closed and restored with native vegetation. The construction of the trail will create visual disturbances, such as construction staging areas and equipment within the project area, and will result in short-term, minor adverse effects on the historic district. The option to install low-impact pole lighting will also have a minor, adverse impact. The selected alternative will have long-term, minor impacts.

**Public Health and Safety:** Under the selected alternative, barriers and/or fencing, signage, and other measures will be used to close the project area during construction, resulting in short-term, beneficial impacts on public health and safety since closure of the area will help prevent visitor injuries. In the long term, improvements to grade, topography, and the addition of a barrier-free, ADA-accessible paved trail surface will improve accessibility and reduce opportunities for crime and other safety concerns within the park. Line of sight improvements and the option to add permanent lighting will help alleviate crime concerns and improve public safety. The selected alternative will therefore have beneficial impacts on public health and safety.

**Park Operations and Management:** Under the selected alternative, short-term, negligible, adverse impacts on park operations and maintenance could result from potential reassignment of National Park Service personnel to duties outside of their typical job assignments during construction. In the long term, the selected alternative will require more park resources and personnel to be devoted to management of the newly improved trail. Since Rock Creek Park policy requires most park areas to be closed after dark, demand for NPS law enforcement personnel and resources will continue. NPS resources will also be needed to manage the area's resources, including non-native invasive plants. Overall, long-term, adverse impacts on park operations and management will be expected as a result of the selected alternative.

**Visitor Use and Experience:** Implementation of the selected alternative will have short-term, minor, adverse impacts on visitor use and experience from area closures during construction, along with noise, dust, and emissions that may result from construction activities and equipment. In the long term, construction of a formalized, barrier-free, ADA-accessible trail under the selected alternative will facilitate greater ease of use and will enhance access for individuals with mobility-related disabilities. Line-of-sight improvements and permanent lighting will enhance visitor safety. More active management of the trail by NPS staff will mitigate issues of vandalism and illegal dumping that currently exist, improving visitors' aesthetic experience. The trail will connect to the Metropolitan Branch Trail and the Fort Totten Metro Access Trail, thereby increasing access from the North Michigan Park neighborhood to increased recreational opportunities on NPS lands in the project vicinity. Overall, the selected alternative will have beneficial impacts on visitor use and experience.

***Degree of effect on human health or safety:*** The selected alternative will not adversely affect human health and safety. During construction associated with the selected alternative, visitors will not be permitted in active construction areas. Fencing, signage, and other means to inform the public will be installed at appropriate locations indicating the temporary closure of areas undergoing repair and improvement. The proposed trail repairs and improvements will not occur in an area of contaminated soils and will not be expected to mobilize any contaminants into the environment. As a result, no short-term effects are anticipated. Over the long term, improved trail connectivity, accessibility, and line of sight will likely result in beneficial impacts to human health and safety.

***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:*** No wetlands, prime farmlands, wild and scenic rivers, ecologically critical areas, or park lands other than the NPS property are located within the project area and therefore will not be subject to effects resulting from implementation of the selected alternative.

The project area is part of Rock Creek Park and is also located within the CWDW park system, which is a major element of the 1902 McMillan Commission Plan. The McMillan Commission Plan identified District-wide park system improvements, and recommended forming Fort Drive, a highway extending around Washington connecting all the Civil War era forts.

Construction activities associated with the selected alternative will be conducted within the culturally significant landscape. However, such activities will be limited to those areas where improvements are proposed and to construction staging areas. Adverse impacts during construction will be minor and short-term. Once construction is completed, the selected alternative will result in long-term beneficial impacts to the cultural landscape through enhanced opportunities to enjoy park resources and improved trail conditions.

***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 public 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 during the public comment period.

***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 soils, vegetation, wildlife and wildlife habitat, cultural resources, public health and safety, park operations and management, and visitor use and experience include construction of the Fort Totten Metro Access Trail; construction of the Metropolitan Branch Trail; and existing, ongoing, and planned development in the surrounding area, including the Art Place at Fort Totten mixed use development. Cumulative impacts conclusions were determined for the following resources:

***Soils:*** The Metropolitan Branch Trail, the Fort Totten Metro Access Trail, and the Art Place at Fort Totten mixed use development all have the potential to adversely affect soils through construction-related disturbance, permanent removal of vegetated areas, compaction, and placement of impervious surfaces. Therefore, it is anticipated that these projects will have long-term, minor, adverse cumulative impacts on soils. When combined with the short-term adverse and long-term beneficial impacts of the selected alternative, cumulative impacts on soils will be long-term, minor, and adverse.

***Vegetation:*** The Metropolitan Branch Trail, the Fort Totten Metro Access Trail, and the Art Place at Fort Totten mixed use development all have the potential to adversely affect vegetation through permanent



removal of vegetated areas, changes to vegetation community composition, and the potential introduction of invasive species in localized areas. Therefore, it is anticipated that these projects will have long-term, minor, adverse cumulative impacts on vegetation. When combined with the short-term, adverse and long-term, beneficial impacts of the selected alternative, cumulative impacts on vegetation will be long-term, minor, and adverse.

**Wildlife and Wildlife Habitat:** Existing, ongoing, and planned development in the surrounding area, including the Art Place at Fort Totten mixed use development, the Metropolitan Branch Trail, and the Fort Totten Metro Access Trail, all have the potential to adversely affect wildlife and wildlife habitat through permanent removal of wildlife habitat and changes to community composition. Therefore, it is anticipated that these projects will have long-term minor adverse cumulative impacts on wildlife and wildlife habitat. When combined with the short-term, adverse and long-term, beneficial impacts of the selected alternative, cumulative impacts on wildlife and wildlife habitat will be long-term, minor, and adverse.

**Cultural Resources:** Past, present, and future projects with the potential to impact cultural resources in the study area include existing and ongoing development in the surrounding area, the Metropolitan Branch Trail, the Fort Totten Metro Access Trail, and the Art Place at Fort Totten mixed use development. Although existing and planned projects will not affect the study area, existing and planned development in the area will lead to potentially increased use of the unofficial trails in the study area, potentially increasing their size, which will have negligible to minor, adverse impacts. New trails will have minor, adverse impacts on the project area. When combined with the short-term, minor, adverse and long-term, minor, adverse impacts of the selected alternative on the historic district, cumulative impacts will be long-term, minor, and adverse.

**Public Health and Safety:** Past, present, and future projects with the potential to impact public health and safety in the project area include existing and ongoing development in the surrounding area, including the Metropolitan Branch Trail, the Fort Totten Metro Access Trail, and the Art Place at Fort Totten mixed use development. All of these projects have the potential for beneficial impacts on public health and safety, because they will increase area population and neighborhood activity, improve connectivity, and provide safer access for residents throughout the vicinity of the project area. The selected alternative will contribute long-term, beneficial impacts on public health and safety. Overall, cumulative impacts under the selected alternative will be long-term and beneficial.

**Park Operations and Management:** Past, present, and reasonably foreseeable actions with the potential to impact park operations and management include the Fort Totten Metro Access Trail and the Metropolitan Branch Trail. These actions will result in short-term, negligible, adverse impacts on park operations and management because National Park Service personnel could potentially be reassigned for duties outside of their typical job assignments during construction. Long-term, negligible to no adverse impacts will result from periodic trail maintenance and cleanup. When combined with the long-term, minor, adverse impacts of the selected alternative, cumulative impacts will be long-term, minor, and adverse.

**Visitor Use and Experience:** Past, present, and reasonably foreseeable actions with the potential to impact visitor use and experience include the Fort Totten Metro Access Trail and the Metropolitan Branch Trail. These actions will result in long-term, beneficial impacts on visitor use and experience because an expanded multi-use trail network will provide greater recreational opportunities and improved neighborhood connectivity. When combined with the long-term, beneficial impacts of the selected alternative on visitor use and experience, cumulative impacts will be long-term.

***Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources:*** District and federal agencies were consulted during the NEPA process to identify issues and/or concerns related to natural and cultural resources in the project area. All consultations with the DC SHPO, as mandated by Section 106 of the NHPA, occurred in conjunction with

the development of the EA. The selected alternative has the potential to impact historic structures and districts.

The National Park Service submitted an Assessment of Effects (AoE) under Section 106, National Historic Preservation Act to the District of Columbia Historic Preservation Officer (DC SHPO) in coordination with the preparation of the environmental assessment. The AoE is being used as a basis for consultation between the agencies concerning the possible effects of the proposed project on cultural resources. A summary of the AoE is provided below.

The selected alternative enhances pedestrian access between the North Michigan Park neighborhood and the Fort Totten Metrorail station and associated bus facilities, improves environmentally sensitive areas, and prevents damage to the park resources and historic fabric caused by use of unofficial trails. This alternative will close existing unofficial social trails and restore those areas with native vegetation, consistent with the character of the area as green space. To date, there are no inventoried cultural landscapes in the project area, which is a designated connecting corridor between Civil War defense sites. However, nearby Fort Totten is within the boundary described in the Fort Circle National Register of Historic Places nomination (1974). In addition, the connecting corridor containing the project area is captured in the Civil War Defenses - Fort Circle Parks National Register Nomination Update (draft, 2014). Moreover, minimal ground disturbance will result from the selected alternative. Consequently, there will be *no adverse effect* on any part of the historic and cultural landscape of the CWDW Historic District from these actions.

In a letter dated March 25, 2015, the DC SHPO concurred with the NPS's finding of "*no adverse effect*" for historic properties.

***Degree to which the action may adversely affect an endangered or threatened species or its critical habitat:*** As noted in the EA, the project area is located in an urban setting, adjacent to heavily used roads, infrastructure maintenance facilities, mass transit lines, and associated infrastructure. As a result, much of the wildlife in the project area are adapted urban species. No threatened or endangered species are known or expected to occur within the project area.

The northern long-eared bat (*Myotis septentrionalis*) is one of the species of bats most impacted by the disease known as white-nose syndrome. On May 4, 2015, the northern long-eared bat received protection as a threatened species under the Endangered Species Act due to declines caused by white-nose syndrome, as well as the continued spread of the disease. Planning for this project began well in advance of the northern long-eared bat's current listing (see paragraph above). As a result of this new listing and prior to the implementation of the selected alternative during design review, NPS will initiate consultation under Section 7 of the Endangered Species Act with U.S. Fish and Wildlife Service to determine the best course of action to avoid affecting this species. Additional NEPA compliance may be required if NPS and U.S. Fish and Wildlife Service identify mitigation measures that fall outside the framework of this FONSI.

***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**

The NPS initiated public scoping for this EA by issuing a public scoping notice on March 7, 2014. The scoping notice was posted to the park's Planning, Environment, and Public Comment (PEPC) website. The scoping notice described the history of the planning process and identified the purpose of and need for action, objectives, and preliminary alternatives. The public scoping comment period was open from March 7, 2014, to May 2, 2014. During this time, the NPS requested comments on the project via the NPS' PEPC website or through written comments to be mailed to the park. In addition, a public scoping meeting was held on March 19, 2014, at the Community College of the District of Columbia in Washington, DC from 6 pm to 8 pm. There were 16 attendees at the meeting.

The EA was made available for public review and comment from January 6, 2015 to February 19, 2015. The EA was placed on the NPS' PEPC website. An open house meeting about the EA, featuring a presentation by NPS staff, was held on February 2, 2015 at the Lamond-Riggs Neighborhood Library in Washington, DC from 6:30 pm to 8 pm. Fourteen persons signed in for this meeting.


During the public comment period, a total of 24 correspondences were received. Most of the comments expressed support for the selected alternative; several of these also expressed equal support for alternative 4. Four comments expressed support for alternative 4 only, while four additional comments expressed general support for the project. The majority of the comments received were not substantive, while two were substantive. Responses to substantive comments are provided in Appendix A.

## CONCLUSION

The NPS has selected alternative 3 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 (see attached Non-Impairment Determination). The selected alternative does not constitute an action that normally requires preparation of an EIS. The selected alternative will not have a significant effect on the human environment. Adverse environmental impacts that could occur to park natural and cultural resources are short-term negligible to minor in intensity. Long-term impacts will be beneficial. There are no significant impacts to soils, vegetation, wildlife and wildlife habitat, cultural resources, public health and safety, park operations and management, 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 will not be prepared. This is a finding of no significant impact.

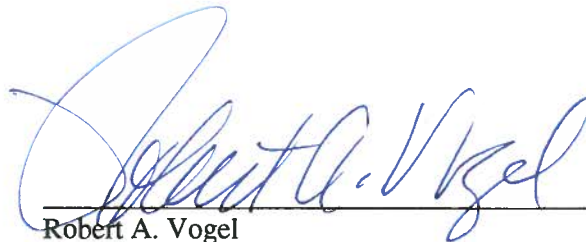
Recommended:



Tara D. Morrison  
Superintendent  
Rock Creek Park

8/21/15  
Date

Approved:



Robert A. Vogel  
Regional Director  
National Capital Region

10/28/15  
Date

## NON-IMPAIRMENT DETERMINATION

The National Park Service (NPS) has determined that implementation of the selected alternative will not result in impairment of park resources and values. Pursuant to the NPS Guidance for Non-Impairment Determinations and the NPS National Environmental Policy Act (NEPA) Process (October 31, 2011), a non-impairment determination for the selected alternative is included here as an appendix to the Finding of No Significant Impact.

The prohibition against impairment originates in the NPS Organic Act, which directs that the NPS shall:

promote and regulate the use of the...national parks...which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

According to *NPS Management Policies 2006*, an action constitutes an impairment when its impact “would harm the integrity of park resources or values, including the opportunities that otherwise would be present for the enjoyment of those resources or values” (sec. 1.4.5). To determine impairment, the NPS must evaluate “the particular resources and values that would be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts” (sec. 1.4.5).

National Park System units vary based on their enabling legislation, natural and cultural resources present, and mission. Likewise, the activities appropriate for each unit and for areas in each unit also vary. For example, an action appropriate in one unit could impair resources in another unit. The Civil War Defenses of Washington (CWDW) experienced some of the earliest planning efforts related to public recreation in the United States in 1902 and was later recommended by the National Capital Planning Commission in the 1960s as a “fort park system” providing enhanced recreational opportunities with the implementation of a continuous “bicycle and pedestrian way.” The importance of the historic earthworks and the greenbelt that these parks create along the ridge surrounding Washington, D.C. makes this a significant open space element in the Nation’s Capital.

As stated in the *NPS Management Policies 2006* (sec. 1.4.5), an impact on any park resource or value may constitute an impairment, but an impact would be more likely to constitute an impairment to the extent that it affects a resource or value whose conservation is

- necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park; or
- key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park; or
- identified in the park’s general management plan or other relevant NPS planning documents as being of significance.

The resource impact topics carried forward and analyzed for the NPS selected alternative in the EA, and for which an impairment determination is contained in this appendix, are soils, vegetation, wildlife and wildlife habitat, and cultural resources. The following describes each resource or value for which impairment is assessed and the reasons why impairment will not occur.

**Soils:** The selected alternative will not result in impairment to soils. The purposes of the CWDW are to conserve the linkage of urban green spaces that contribute to the character and scenic values of the Nation’s Capital and to provide recreational opportunities compatible with historic and natural resource values. Under current circumstances, soil conditions within the project area have deteriorated due to heavy use of unofficial trails. Deteriorated conditions including soil compaction and erosion are impacting park resources. The restoration and revegetation of unofficial trails will minimize soil erosion and the provision of a formalized multi-use trail will both reduce potential for new unofficial trails and the amount of future soil compaction and erosion from use of unofficial trails. While the selected

alternative will introduce between approximately 3,000 and 5,000 new square feet of impervious surface and soil compaction will continue in these areas, the closure and revegetation of unofficial trails will result in restored soil function on approximately 6,500 additional square feet of vegetated area. The selected alternative will correct soil damage that has resulted from use of unofficial trails; create conditions that reduce impacts to soils from erosion, destabilization, and normal visitor use of the project area; and help achieve part of the purpose of the CWDW by improving connectivity and opportunities for users to experience the natural resource values present in the project area.

BMPs employed throughout the construction period will help minimize or avoid localized adverse impacts to soils. Following construction, disturbed soils will be replaced, to the extent feasible, and revegetated to avoid compaction and erosion. Because the selected alternative will not inhibit the park's ability to protect natural resources, and will help promote soil protection, including a permanent reduction of soil compaction and erosion along unsanctioned social trails, the selected alternative will not result in impairment.

**Vegetation:** The selected alternative will not result in impairment to vegetation. The purposes of the CWDW are to conserve the linkage of urban green spaces that contribute to the character and scenic values of the Nation's Capital and to provide recreational opportunities compatible with historic and natural resource values. Under current conditions, vegetation cover is moderate to dense throughout the project area and non-native invasive vines and shrubs are well established throughout the understory. There are some areas along the unofficial trails where soil compaction is so severe that vegetation has been eliminated by trampling.

The selected alternative will result in the restoration of approximately 6,500 additional square feet of vegetated area where unofficial trails are closed and removed. The National Park Service will also manage and reduce the amount of non-native invasive vegetation in the understory of the project area. Implementation of the selected alternative will therefore improve the ecological condition of the area, helping to conserve it as an area of urban green space and to protect natural resource values. The selected alternative will not inhibit the park's ability to protect natural resources, and will help promote revegetation of many areas. Therefore, the selected alternative will not result in impairment.

**Wildlife and Habitat:** The selected alternative will not result in impairment to wildlife and wildlife habitat. The project area is part of a corridor of green space joining the nearby Fort Totten Park with other Civil War Defenses of Washington sites, and provides for the movement of wildlife, most of which are urban-adapted species. During migration, Fort Totten Park serves as an important refuge for Neotropical birds within the urban landscape, and it is likely many of these species use the project area as well.

The selected alternative will result in the restoration of vegetated area where unofficial trails are closed and removed. The National Park Service will also manage and reduce the amount of non-native invasive vegetation in the understory of the project area. Trees removed to construct the new multi-use trail will be replaced at a 1:1 ratio (based on the diameter at breast height of the trees removed) with trees native to the Washington, DC area, helping to preserve bird habitat and vegetative cover for other wildlife. Implementation of the selected alternative will improve the condition of the area as wildlife habitat in the long term, helping to protect natural resource values. The selected alternative will not inhibit the park's ability to protect natural resources, and will help promote protection of wildlife. Therefore, the selected alternative will not result in impairment.

**Cultural Resources:** There will be no impairment to the park's cultural resources. The purposes of the CWDW are to preserve and interpret historical resources related to the CWDW, to conserve the linkage of urban green spaces that contribute to the character and scenic values of the Nation's Capital, and to provide recreational opportunities compatible with historic and natural resource values.

The project area represents a small portion of the CWDW Historic District, and subsequently contributes to the significance of the cultural and historic landscape. The selected alternative does not alter the

cultural landscape and is designed to improve access to the park as well as the Fort Totten Metrorail station and associated bus facilities. Implementation of the selected alternative will not result in adverse effects or constitute impairment of the cultural landscape and will help achieve the primary purposes of the park.

***Summary***

The National Park Service has determined that implementation of the NPS' selected alternative will not constitute an impairment of the resources or values of Rock Creek Park or the CWDW. As described above, adverse impacts anticipated as a result of implementing the selected alternative on a resource or value whose conservation is necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park, key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or identified as significant in the Fort Circle Parks General Management Plan or other relevant NPS planning documents, will not constitute impairment. This conclusion is based on consideration of the park's purpose and significance, a thorough analysis of the environmental impacts described in the EA, comments provided by the public and others, and the professional judgment of the decision-maker guided by the direction of the NPS *Management Policies 2006*.

## APPENDIX A: RESPONSES TO SUBSTANTIVE PUBLIC COMMENTS

The National Park Service received two correspondences that contained substantive comments. The correspondences are included below, with the substantive text highlighted. Responses to the substantive comments are also included below the correspondence.

**PEPC Project ID: 48476, Document ID: 63266**

### **Correspondence: 1**

#### **Author Information**

Keep Private: No

Name: Shalom Flank

Organization:

Organization Type: I - Unaffiliated Individual

Address: Washington, DC 20008  
USA

E-mail: sflank@alum.mit.edu

#### **Correspondence Information**

Status: New                      Park Correspondence Log:

Date Sent: 01/06/2015                      Date Received: 01/06/2015

Number of Signatures: 1                      Form Letter: No

Contains Request(s): No                      Type: Web Form

#### **Correspondence Text**



I am writing in support of Alternative 4 under the recently completed Environmental Assessment for the Ft. Totten - North Michigan Park Pedestrian Access Improvement project.

However I must also register my dissatisfaction with the project parameters selected for the EA. The Project Area includes the wooded area between Gallatin and Galloway, but only as far as South Dakota Ave. The correct project area would have continued along Ft. Circle Park all the way to Eastern Ave.

The EA omits the key subject of transportation access for pedestrians and cyclists. Clearly the only reason the desire trails in the Project Area exist is because people want to get to the Metro station - - yet that function isn't discussed at all. This Project Area isn't some pristine park in the middle of nowhere - - it's in the middle of the city, which once again the Park Service cannot manage to comprehend.

The most important "Transportation" impact isn't construction trucks, its people getting to the Metro. The most important environmental impact isn't soil, or vegetation, or anything else that constitutes the majority of the EA. It's reducing car traffic by increasing mode share for pedestrians, cyclists, and transit users. The most important impact on public health isn't reducing crime, its more people getting out of their cars. The EA shouldn't be talking about "park visitors", this isn't Yellowstone - - it should be analyzing \*users\* and mode share.

Hence the need for a larger Project Area, reflecting both the natural "catchment area" of the Ft. Totten Metro station, and in particular the need to connect the Metropolitan Branch Trail from that Metro station to the Anacostia Tributary Trail system, reaching those trails in the vicinity of Avondale Neighborhood Park and/or Michigan Park Hills Park. As a regular user of the dangerous roads that make that connection today (Galloway to Sargent to Jefferson to 14th to Kennedy to 15th to Chillum to 16th - - yes, that's the safest and most effective route that currently exists), it is clear to me that the Park Service has an essential, irreplaceable role in improving this area.

You really should just start over, and do it right this time. The Consultation and Coordination list alone is woefully inadequate - - where is WMATA, DDOT, WABA, the Bicycle Advisory Commission, or the local ANC? By historical fluke, the Park Service has the role of a major transportation agency in Washington - - it's long past time to start acting like it.

## **RESPONSE**

While the selected alternative will serve to improve access between the North Michigan Park neighborhood and other planned trail projects such as the District Department of Transportation's (DDOT) Fort Totten Metro Access Trail and Metropolitan Branch Trail, the inclusion of additional lands and/or broader regional access goals for pedestrians and cyclists is outside the scope of this project.

**PEPC Project ID: 48476, DocumentID: 63266**

**Correspondence: 10**

### **Author Information**

Keep Private: No

Name: anon N/A

Organization:

Organization Type: I - Unaffiliated Individual

Address:

Washington, DC 20015  
USA

## Correspondence Information

Status: New

Park Correspondence Log:

Date Sent: 01/22/2015

Date Received: 01/22/2015

## Correspondence Text

The National Park Service has a set of management policies in place that set forth how the service follows the Organic Act. Management Policy 1.4.3 starts by stating: "The fundamental purpose of the national park system, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values." Section 1.4.3 ends by stating: "Congress, recognizing that the enjoyment by future generations of the national parks can be ensured only if the superb quality of park resources and values is left UNIMPAIRED, has provided that when there is a conflict between conserving resources and values and providing for the enjoyment of them, CONSERVATION IS TO BE PREDOMINANT. This is how the courts have consistently interpreted the Organic Act."

Creating an asphalt path system with lighting is not conserving this resource. In fact, this will be promoting illegal entry into the park through a route that was illegally put in place. This area is predominantly wooded and was destroyed by illegal entry and public misuse. The NPS should not be promoting these behaviors by ceding to the pressure from people who are using this area illegally. The preferred alternative should be to restore this natural area and do as the NPS management policies mandate, conserve the resource. Restore the land and improve sidewalks along the streets.

## RESPONSE

Existing resource conditions within the project area are deteriorated as a result of heavy use of unofficial trails and the extensive presence of non-native vegetation. As detailed in the EA, the selected alternative, which removes and rehabilitates unofficial trails and creates an official multi-use trail, will have long-term beneficial impacts on soils, vegetation, wildlife and wildlife habitat, public health and safety, and visitor use and experience. The selected alternative is in keeping with the purposes of the CWDW since it improves connectivity, conserving the area as part of the linkage of green spaces contributing to the character of the Nation's Capital. Additionally, the beneficial impacts to the environment and the improved safety and accessibility for pedestrian users of the area helps to promote the natural resource values of the area and preserve opportunities for users to enjoy this corridor of urban green space, consistent with the natural resource values of the CWDW.