

**APPENDIX J: EA & FONSI**  
(Proposed Land Exchange between NPS and Georgetown University)

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Georgetown University Boathouse  
Environmental Assessment

April 2006

## FINDING OF NO SIGNIFICANT IMPACT

### EXCHANGE OF PROPERTIES CHESAPEAKE AND OHIO CANAL NATIONAL HISTORICAL PARK IN THE DISTRICT OF COLUMBIA

**ACTION:** Exchange of Tract 102-114 (National Park Service) for Tract 102-109 (Georgetown University), in the District of Columbia and within the boundary of the Chesapeake and Ohio Canal National Historical Park (C&O Canal NHP).

**DESCRIPTION:** The proposed action, which was analyzed in an environmental assessment (EA) dated July 14, 1995 and noticed in 60 F.R. 37,472 (July 20, 1995), consists of the proposal between the National Park Service (NPS) and Georgetown University to exchange two tracts of land within the legislated boundary of the park. The exchange would be accomplished under authorities available to the NPS at 16 U.S.C. § 4601-22(b) (1988), and 16 U.S.C. § 410y-1(b) (1988).

Tract 102-109 is located one mile north of the Washington Aqueduct Bridge. It is owned by Georgetown University and is accessible via a reservation of access that coincides with the NPS Capital Crescent Trail, a paved pedestrian-bicycle trail which was opened to use in 1993. Tract 102-114 is approximately 470 feet north of the Old Georgetown Aqueduct Bridge, adjacent to the site of the Washington Canoe Club facility. It was identified as a potential boathouse site in a 1989 NPS Special Study of Nonmotorized Boating.

The proposed exchange of these two tracts will allow the NPS to accomplish several goals. These are: the acquisition by the NPS of a wooded, prime wetland site along the shore of the Potomac River, thereby precluding from development, a largely undisturbed inholding of natural and scenic character; the acquisition and extinguishment of nearly a mile of private access rights along a public trail; and the implementation of the long-term goal of the NPS to enhance the opportunities for non-motorized boating on the Potomac River. Prior NPS studies of non-motorized boating options for the Washington, D.C. area were used in the development of this EA and are appendices to the EA.

In exchange for relinquishing this tract of relatively undisturbed land and most of its right of access along the Capital Crescent Trail, Georgetown University gains a location to place a collegiate boathouse in an already developed portion of the waterfront of the Georgetown section of the C & O Canal NHP. This area was designated for boathouse use in the fully approved

Georgetown Waterfront Plan of 1987. This proposal does not contemplate a marina (motorized boating) use of this parcel. Georgetown University intends to construct a boathouse for its students, in an open landscaped setting which will be available to the public. The length of common access along the Capital Crescent Trail from K Street N.W. to the site of the proposed Georgetown boathouse will be managed to ensure safe access by the public and Georgetown University. Completion of the rowing structure and its occupancy by Georgetown University will result in space becoming available for use by the public at existing boating facilities presently used by Georgetown University.

**ALTERNATIVES:** The no-action alternative, Alternative A, would likely be a proposal by Georgetown University for development of Tract 102-109 as a boathouse or other collegiate recreational facility, which would have an adverse impact on the native flora and fauna on its tract as well as on the resources of the surrounding parkland. Additionally, Georgetown University would also retain its right to use vehicles on an approximate one mile length of the Capital Crescent Trail to reach its inholding, thereby disrupting visitor use and enjoyment of the Trail.

A second option, Alternative B, is for the National Park Service to forego an exchange and seek an appropriation of public funds to develop Tract 102-114 as a recreational boathouse or seek a concessioner to develop a boathouse facility on parkland in order to meet the identified need to augment the public demand for additional non-motorized boating access to the Potomac River. However, in this alternative, Georgetown University could develop its own facility on Tract 102-109 as well, and continue to use the right of access along one mile of the Capital Crescent Trail.

**ANTICIPATED ENVIRONMENTAL IMPACTS:** No significant environmental or socioeconomic issues were identified during the preparation or public review of the EA. There were two requests for copies of the EA and one request for an extension of time to comment, which was withdrawn. Further, copies of the EA were mailed to the Commissioners of the Chesapeake and Ohio Canal Commission and the Washington Canoe Club, which has a permitted area and privately owned facility adjacent to Tract 102-114. No substantive comments were received.

The National Park Service has consulted with the U.S. Army Corps of Engineers on this proposal which was found to be dependent upon water access and a location on the shoreline. With respect to Executive Order 11988, the project, while it is located within the floodplain, cannot be accomplished without use of the floodplain. Under the NPS Regulations published in the Federal Register on May, 28, 1980, this action falls within the category

of excepted actions, as defined under Section 5(B)(3); therefore, further compliance with Executive Order 11988 is not required.

With respect to Executive Order 11990, the project is within an area designated as wetlands. However, the purpose of the proposal cannot be accomplished without the use of the wetlands. Under the NPS Regulations published in the Federal Register on May, 28, 1980, this action falls within the category of excepted actions, as defined under Section 5(B)(3); therefore, further compliance with Executive Order 11988 is not required.

The U.S. Army Corps of Engineers evaluated both parcels for wetlands characteristics. The wetlands that are on the National Park Service tract are not of the kind that are considered to be beneficial to the preservation or improvement of water quality of the Potomac River or the Chesapeake Bay. The Georgetown University tract, however, was considered to contain high quality wetlands which are contributory to the preservation and improvement of water quality of the Potomac River and the Chesapeake Bay.

No archeological artifacts were determined to be on Tract 102-114 due to prior major construction disturbance. No rare, threatened, or endangered plant or animal species or their habitat are located within either parcel.

The District of Columbia Historic Preservation Officer previously concurred in the Georgetown Waterfront Park plan, which will be partially implemented through this exchange. The National Register of Historic Places has been consulted, and it has been determined that the C & O Canal NHP and the Washington Canoe Club structure properties are listed on the Register. These will be affected by the future erection of a boathouse on this tract by Georgetown University. Therefore, compliance with the requirements of Section 106 of the National Historic Preservation Act is required. In that regard, the design of the boathouse itself will be subject to the review of appropriate agencies, including the Commission of Fine Arts, and the National Capital Planning Commission, and the State Historic Preservation Officer. In accordance with these requirements, copies of all pertinent correspondence are enclosed.

**DETERMINATION:** A review of the environmental assessment and other information obtained in connection with the proposed agreement to exchange property between the NPS and Georgetown University indicates that approval of the proposal does not appear to constitute a major Federal action significantly affecting the quality of the human environment, as described in

affecting the quality of the human environment, as described in Section 102(2)(C) of the National Environmental Policy Act of 1969. The actions to be taken in connection with this project are consistent with the objectives and policies of that Act, and the National Park Service processes for evaluating archeological, wetland and other aspects of this proposal have been followed. This exchange will be conducted pursuant to the recently revised National Park Service land exchange guidelines (February 16, 1995). Pursuant to that Act, the guidelines of the Council on Environmental Quality and National Park Service Guidelines (NPS 12, September 1982), the criteria have been met, and, therefore, the assessment document is considered to be adequate.

Based upon the cited documentation and the rationale of the decision above, I find that this project is not a major Federal action significantly affecting the human environment, nor is it environmentally highly controversial. The public was notified that the environmental assessment was available for review and no substantive written comments were received. The project is not committing the NPS to specific future actions which would constitute a significant or controversial impact. The impact of this proposal is not of a cumulative nature, either in itself or in conjunction with other Federal or non-Federal projects. Therefore, pursuant to Section 102(2)(C) of the aforementioned Act, the Guidelines of the Council on Environmental Quality and National Park Service Guidelines (NPS 12, September 1982), this proposal does not require the preparation of an Environmental Impact Statement.

Recommended:

*Douglas D. Faris* 9/6/95  
Douglas D. Faris, Superintendent  
Chesapeake and Ohio Canal National Historic Park  
National Park Service

Approved:

*Robert Stanton* 9/6/95  
Robert Stanton, Field Director  
National Capital Area  
National Park Service

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

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

**July 1995**

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

**I. Overview**

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

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

**Section II. The Proposed Action**

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

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

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

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

In accord with authorities available to the National Park Service at 16 U.S.C. § 4601-22(b) (1988), and 16 U.S.C. § 410y-1(b) (1988), the National Park Service and Georgetown University propose to exchange land interests of approximately equal value. The National Park Service land exchange authority provides that properties to be exchanged must be located in the same state and that be of substantially equal value, or are equalized by the payment of cash.

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

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

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

### Section III. Background

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

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

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

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

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

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

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

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

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

#### Section IV. Need for the Proposal

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

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

Second, this proposed land exchange makes available for boathouse

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

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

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

The [1987] [bracketed language in quoted text] plan designates a general area of land and water within which new boathouses are appropriate (zone 14). The area assigned to boathouses does not extend west of Key Bridge more than 1,000 feet because of the policy aimed at preservation of the natural appearance of the Palisades. ...

Preserve Natural Scenic Values of Palisades: Above Key Bridge, west of the boundary of the designated boathouse area, the natural conditions of the Palisades will be preserved. The Potomac River above Key Bridge is one of the main scenic treasures of the nation's capital, and no new development will be permitted here. In areas not now adequately protected, particularly the south edge of the Georgetown University campus, attempts will be made to acquire scenic easements and other devices to prevent intrusive developments.

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

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

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

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

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

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

## Section V. Description of the Environment and Potential Impacts

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

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

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

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

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

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

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

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

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

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

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

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

### **Alternative A. No action**

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

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

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

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

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

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

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

## **VII. Impact and Benefits of Proposal**

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

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

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

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

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

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

#### VIII. Consultation and Coordination and Public Involvement

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

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

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

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

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

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

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

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

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

#### IX. List of Appendices

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

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

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

X.    Other References

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

XI.   List of Agencies Consulted

U.S. Army Corps of Engineers, Baltimore District  
District of Columbia State Historic Preservation Officer

