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## Memo To File

### A. Project Information

**Park Name:** National Capital Parks - East

**PEPC Project Number:** 25872

**Project Title:** Design/Construct the Anacostia River Trail, Section 3 (Kenilworth Park)

**Project Location:**

**County, State:** Washington, D.C., District of Columbia

**Project Leader:** Mike Commisso, Chief of Resource Management, and DDOT staff

### B. Description of the Current Action (Project Description)

#### **DETERMINING THE FRESHNESS OF NATIONAL ENVIRONMENTAL POLICY ACT DOCUMENTATION:**

On December 19, 2011 through January 31, 2012, the National Park Service (NPS), in collaboration with the District of Columbia Department of Transportation (DDOT), released an environmental assessment (EA) to the public that analyzed the proposed construction Section 3 of the Anacostia Riverwalk Trail (ART) through Anacostia Park. This section of trail is a realignment of a section previously identified in a 2004 planning study. It is located east of the Anacostia River in the northeast section of Washington, D.C., and extends into Maryland. As part of this proposal, a pedestrian bridge that crosses the Anacostia River would be constructed that connects the proposed new trail alignment to U.S. National Arboretum. This section of trail would serve to link other sections of the ART, as well as other District trail tie-ins.

Public scoping for this EA began February 3, 2011, and concluded March 4, 2011. Notice of the public scoping period was posted on the NPS Planning, Environment and Public Comment website (PEPC), and the NPS sent a press release email notice of the meeting to individuals and organizations. Following the scoping period, the comments received were used in the preparation of the alternatives for the EA.

The EA was made available for public review and comment on December 20, 2011 through January 31, 2012. The EA was also placed on the NPS's PEPC website. During the public comment period, the NPS received 13 pieces of correspondence largely in favor of the proposed action. A Finding of No Significant Impact (FONSI) was prepared and executed on June 29, 2012.

The FONSI identified alternative B, Realignment of Section 3 of the Anacostia Riverwalk, for implementation. The project was intended to be broken down into two phases. Phase I would use portions of the existing roadway network in order to bypass the southern portion of the Kenilworth Park Landfill, located in the project area, and include a pedestrian bridge connecting Anacostia Park with the U.S. National Arboretum. Upon completion of CERCLA remediation activities for Kenilworth Park South (KPS) Landfill, phase II would provide an alignment of Section 3 that would allow visitors to remain along the Anacostia River bank without using existing roadways. The phase I alignment would remain open and would allow local residents more direct access to the entire ART.

Under phase I, the realigned Section 3 trail heads west on Hayes Street, wrapping around Hayes Street and Mayfair Terrace. In this section, Anacostia Avenue is 34 feet wide and is composed of two 12-foot travel lanes that will be shared by vehicles and bicycles and two 5-foot unmarked parking areas, one on each side of the street. Pedestrians will use the existing sidewalk areas. Along Hayes Street, existing parking will be eliminated and a barrier will be put in place on the street to protect trail users from

traffic and existing bus routes. Hayes Street is currently 36 feet wide, including the on-street parking. The trail width will remain at 10 feet with a 4-foot barrier, allowing for 22 feet of roadway.

The trail then leaves Hayes Street, turns north, and cross over the Watts Branch creek on an existing pedestrian bridge. The proposed trail traverses Deane Avenue and continues north toward the Kenilworth Recreation Center and the intersection of 40th Street SE and Anacostia A venue. The trail then turns west toward the river, traversing the northern edge of the former Kenilworth Park Landfill and just south of the boundary to the Kenilworth Aquatic Gardens. After closure, former landfill waste placed in this area was covered with 2 to 4 feet of soil and fill before being redeveloped for recreational use. NPS will work with DDOT to ensure development of the ART in the area of the former landfill is completed in a manner that does not disturb landfill material and protects future users of the trail. To date, the above description of Phase I of the ART has been completed. Impacts associated with the completion of this section of trail are consistent with what was described in the 2011 EA. The phase I portion of the pedestrian bridge connecting Anacostia Park and the U.S. National Arboretum, and phase II of ART are currently being designed with funding available for implementation.

As described in the EA, the pedestrian bridge spanning the Anacostia River will provide connectivity between Anacostia Park and the National Arboretum. From the ART, a small trail spur will turn south along the riverbank, ending at a pedestrian bridge across the Anacostia River approximately one mile upstream from the Benning Road Bridge. The bridge abutment on the eastern bank of the Anacostia River will be located on top of the northern portion of the former Kenilworth Park Landfill. The bridge span over the river will be approximately 390-foot, with approximately 1,000 feet of new trail construction on the western bank of the river. The bridge will connect with an existing gravel service road that connects the U.S. National Arboretum with NPS property and is currently used occasionally by maintenance vehicles. The trail will provide direct pedestrian and bicycle access between the ART and the National Arboretum so that users of the trail can enjoy the unique gardens, landscapes, and amenities of the National Arboretum. During the normal operating hours of the National Arboretum, users of the trail can continue through the National Arboretum and exit at the R Street Gate to continue into the District. The bridge and the western section of the ART will operate during National Park Service hours. The trail on the western bank will be similar to the eastern bank trails built at grade, with a 10-foot-wide asphalt trail and 2-foot stone dust shoulders. The proposed bridge width is 14 feet in order to allow two-way bicycle traffic with a buffer to accommodate pedestrians or bystanders on the bridge.

The bridge will be designed to meet the navigational and permitting requirements of the U.S. Coast Guard, the USACE, and the DOEE. The Anacostia River is considered a navigable waterway at the location of the pedestrian bridge and, as a result, the bridge will be designed to maintain the navigable channel width downstream of the bridge. Existing condition survey plans obtained by the USACE identified the location of a planned 80-foot-wide channel along the eastern portion of the river at the proposed bridge's location. In order to accommodate this channel, the bridge pilings will be located 120 feet apart so as not to impede the planned channel. The bridge will also be designed to provide adequate navigational clearance for watercraft. The clearance of the bridge will be approximately 16 feet above the mean high-water level, which is in line with the height of the Benning Road Bridge.

Phase II is a final alignment that will be constructed at Kenilworth Park South in the area of the former landfill. This area is currently closed to the public. As with trail construction at Kenilworth Park North, NPS will work with DDOT to ensure the trail across Kenilworth Park South is constructed in a manner that protects future visitors and recreational users of the trail from any unacceptable risk posed by the former landfill. The alignment would avoid the use of any existing streets and would continue the ART along the east bank of the Anacostia River. The phase I alignment will remain open and will allow local residents more direct access to the entire ART. The selected alternative consists of multi-use trail options that generally parallel the Anacostia River. The typical construction needed for the realignment of the trail (e.g., the width, material, and landscaping) will vary by location. For example, in areas that are currently maintained as turf, the section will consist of a 12-foot-wide asphalt path that meanders around existing trees and wetlands. The trail will be reduced to 10 feet wide in the area of the Kenilworth Aquatic Gardens. The trail will be landscaped with additional trees and plants. In

environmentally sensitive areas such as wetlands and river edges, the walkway will be constructed as a boardwalk. Other portions of the trail will include reconstructing existing roadways and constructing the trail in existing sidewalk areas.

#### **JUSTIFICATION FOR NO FURTHER NEPA COMPLIANCE**

Due to the time that has elapsed since the execution of the 2012 FONSI, the NPS has reviewed all the NEPA documentation to determine whether the impact analysis associated with the bridge construction is still relevant to current conditions. The current design, location, and alignment of the bridge is consistent with how it was described in the 2011 EA and 2012 FONSI. There is no noticeable physical changes within the project area and the direct and indirect impacts resulting from the construction of the pedestrian bridge and the ART extension described as phase II are still consistent with the language in the 2011 EA. No further impact analysis is warranted.

There are two newly proposed projects in the general area were not included in the 2011 EA's cumulative impact analysis, they include:

**The 11th Street Bridge Park:** Bound by the Washington Navy Yard on one side and Anacostia Park on the other, the park will be built upon the existing piers that once elevated the old 11th Street Bridge. One additional pier will be required. Given the urban nature of site and that the park would be utilizing the existing piers, plus a single additional pier, the overall impacts to natural resources (i.e., water quality, vegetation, wildlife and wildlife habitat, soils) would be minimal.

**Proposed Redevelopment of the RFK Stadium Campus:** The plan looks to improve accessibility to the site for the surrounding neighborhoods and integrate the natural beauty of the historic Anacostia River. The redevelopment plan looks at ways to improve the overall campus and provide new amenities, including two new proposed pedestrian bridges that provide accessibility to Kingman and Heritage Islands and improve pedestrian flow and access. The spans of these two pedestrian bridges are less than 200 feet and would be connecting to existing trails on the islands. No new piers in the bed of the river are being considered at this time and the overall impacts to natural resources would be minimal. When considering the scope of the ART pedestrian bridge in context with the location of these newly proposed crossings, the overall cumulative impacts to natural resources would not be noticeable nor measurable considering the negligible contributions provided by ART bridge. In addition, since the proposed pedestrian bridge and Phase II of the ART does not fall within the area of potential effect of the aforementioned projects, there would be no contribution and no cumulative impact to cultural resources.

#### **ON-GOING COMPLIANCE**

**National Historic Preservation Act, Section 106** - The NPS began coordination with the DC SHPO regarding the Section 3 ART realignment in 2010. A revised section 106 consultation letter to include the pedestrian bridge was sent to the DC SHPO in April 2011. In a letter dated June 21, 2012 and follow-up e-mails dated June 27, 2012, the DC SHPO concurred with a "no adverse effects" to historic resources within the project area, with the condition of future geo-archaeology taking place in area of the trail bridge landing on the west bank of the Anacostia River, adjacent to the National Arboretum, prior to any construction work. The DC SHPO stated concerns about potential adverse effects because the precise location of the identified site in the project vicinity is only vaguely known, a Woodland period village in this area of Anacostia River bank.

A geo-archeological survey is scheduled and the findings will be shared with the DC SHPO's office prior to any construction taking place. In addition, as detailed in the EA and Section 106 assessment of effect, mitigation measures will be implemented during construction to ensure minimal impacts to the seawall. The design of the bridge will be completed in consultation with the DC SHPO and will undergo review by the Commission of Fine Arts and the National Capital Planning Commission, ensuring the bridge design will minimize any impacts to cultural landscapes and the viewshed of the vicinity the project area is adjacent to a number of historic resources that are listed on, or considered eligible, for the NHRP.

**Endangered Species Act, Section 7** – When the NPS last consulted with the U.S. Fish and Wildlife Service, there were no known threatened or endangered species found in or around the project area. However, in 2015, due to declines caused by white-nose syndrome and continued spread of the disease, the northern long-eared bat was listed as threatened under the Endangered Species Act. While there are no known occurrences on northern long-eared bats occurring within the project area, the potential exists. The main potential threat to these bats from the proposed actions is the removal of trees suitable maternal roosting trees. To avoid impacting those bats in their maternity roosts, trees where northern long-eared bats could occur cannot be removed between June 1 and July 31.

Prior to construction, the NPS will re-initiate section 7 coordination with the U.S. Fish and Wildlife Service with regards to the northern long-eared bat. Through NPS's commitment to adhere to time of year restrictions for removing trees, the NPS will seek concurrence on a "not likely to adversely affect" determination.

## **E. Conclusion**

The interdisciplinary team (IDT), National Capital Area, and park staff, conducted internal scoping to review the proposed project. After careful review of the 2011 Environmental Assessment, the team concurs that the previous document adequately describes and analyzes the impacts for proposed construction Section 3 of the Anacostia Riverwalk Trail (ART) through Anacostia Park. There is no change to project scope, the description of impacts (context, intensity and duration) remain as described in the 2011 Environmental Assessment, and site conditions have not changed since preparation of the environmental assessment. No additional public involvement is required. Because neither the original EA, nor this evaluation, resulted in any major adverse effects to NPS resources and values, there would be no impairment to National Park System resources and values from implementation of this project.

I certify that the existing NPS NEPA document has been reviewed and there are no substantive differences between the current proposal and its associated environmental impacts and the proposal and impacts as described in the existing NEPA document and associated decision document.

**Superintendent:** Tara D Morrison **Date:** April 3, 2020  
Tara D. Morrison