



FINDING OF NO SIGNIFICANT IMPACT/DECISION DOCUMENT

TRANSFER OF JURISDICTION OF CERTAIN NATIONAL PARK SERVICE PROPERTIES TO THE DISTRICT OF COLUMBIA GOVERNMENT (NATIONAL CAPITAL PARKS – EAST: FORT DUPONT PARK)

The National Park Service (NPS) proposes transferring jurisdiction of approximately 15 acres of NPS property to the District of Columbia (District) to facilitate the improvement and expansion of recreational facilities currently located at Fort Dupont Park in Washington, D.C.'s southeast quadrant. The area proposed for jurisdictional transfer is situated in the northern portion of Fort Dupont Park, bounded by Ely Place SE to the north, Minnesota Avenue SE to the west, and Ridge Road SE to the east (the Project Area). The transfer would allow the District to take over management of the property and then improve and expand sports-related recreational facilities currently located within Fort Dupont Park, including the development of a Youth Baseball Academy and the expansion of the Fort Dupont Ice Arena.

The NPS completed an environmental assessment (EA) that provides an analysis of the environmental consequences of the alternatives considered for this transfer of jurisdiction which is the subject of this EA. This EA was prepared in accordance with National Environmental Policy Act of 1969, as amended (NEPA), its implementing regulations by the Council on Environmental Quality (40 CFR 1500-1508), and Director's Order #12, Conservation Planning, Environmental Impact Analysis and Decision-Making, and accompanying Handbook (DO-12).

SELECTED ALTERNATIVE

The NPS identified alternative 2 as the preferred alternative in the EA and has selected it for implementation. Under this alternative, the NPS will transfer jurisdiction of the Project Area to the District. Pursuant to law, before this transfer can occur, it must be recommended by the National Capital Planning Commission (NCPC). Within the terms of the jurisdictional transfer, all NPS managerial responsibilities of the Project Area that also include the Fort Dupont Ice Arena, which the NPS leases to the Friends of Fort Dupont Ice Arena, Inc., will be transferred to the District, and the property will no longer be a part of Fort Dupont Park. The transfer will also necessitate amending the NPS' 2004 *Fort Circle Management Plan*. In assessing this proposed transfer, the EA also considered the District's general plan to expand and improve sports-related recreational facilities to the extent these details are presently known. The site plan options developed for this alternative and presented in the EA were conceptual and did not represent any final decisions on the facilities layout within the Project Area. These decisions will be made by the District at some point in the future. The site plans presented were used as a means of determining the feasibility of the program on the project site-- requirements of the Youth Baseball Academy and Fort Dupont Ice Arena, the size of the athletic fields, administrative building, and parking, and the physical constraints of the site --Natural Zone south of the site, NPS maintenance buildings, Kimball School fields, and the existing tennis/basketball courts. Detailed design drawings of the new facilities will be developed by the District at some point after the transfer, and these may differ from the ones presented in the EA. The impact analysis in the EA does, however, take into account those changes to the selected option's site plan that could be predicted as long as the program elements of the Youth Baseball Academy and Fort Dupont Ice Arena are preserved and the site constraints listed above are observed.

The improvements and expansion of the recreational facilities within the Project Area, proposed by the District, includes expanding the Fort Dupont Ice Arena, providing the necessary facilities to support the programming requirements of the Washington, D.C. National's Youth Baseball Academy, and considering an option to maintain a multi-purpose sports field. The District will continue the existing use of the tennis and basketball courts currently on the site. Total parking that could be accommodated under

alternative 2 ranges from 180 to 320 spaces depending upon the configuration of the site. The parking areas would not be exclusive to the facilities and may be used by any visitors. Each of the elements is described in detail below.

The District considered several options to expand the Fort Dupont Ice Arena to approximately twice its current size in order to meet increased demand and to improve the aging infrastructure of the current facility. The expanded facility could provide a second pad of ice, additional locker rooms, additional office, concessions, and maintenance space and an increased number of off-ice multi-purpose rooms.

The configuration of the ice rink expansion avoids impacts to the forested area located directly adjacent to the southern edge of the facility, designated as a Natural Zone in the 2004 *Fort Circle Management Plan*. This Natural Zone will remain a part of Fort Dupont Park and is not being transferred to the District. The EA presented four separate options for how the ice rink expansion could be configured within the footprint of the existing facility and parking lot. Parking for each of these options ranged from 123 to 168 spaces.

The District also proposes establishing a Youth Baseball Academy with a year-long program focused on training and skills development, educational and vocational classroom training, and youth counseling. In order to accommodate its program at the Project Area, an administration building and two types of ball fields would be required. The building will accommodate staff offices, classrooms, a lunchroom, and training areas. It will be two-stories with a gross area between 12,000-16,000 sf. Under all options the building is located in the center of the project area, immediately west of the ice rink parking lot. For the purposes of this EA, the dimensions for a regulation hardball field are comparable to a high school and college baseball field. The dimension from home plate to the foul line is 350 feet, and the distance from home plate to the center field wall is 375 feet. These dimensions comport with the Program Statement for the Washington D.C. Youth Baseball Academy. The baseball academy will provide two softball fields that will accommodate youth baseball as well as softball. The field should have a distance from home plate to the foul line that measures 190 feet, and the distance from home plate to the center field wall shall not exceed 220 feet. These dimensions are consistent with the National Collegiate Athletic Association standards and comport with the Program Statement for the Washington, D.C. Youth Baseball Academy.

Three separate options for how the Youth Baseball Academy could be configured within the site were presented in the EA, with one option providing an additional multi-purpose sports field. Parking for each of these options ranged from 76 to 160 spaces. Two of the options presented in the EA would require the U.S. Park Police horse lunge area to be relocated approximately 100 feet from its current location to the south.

In addition to the expansion of the Fort Dupont Ice Arena and the establishment of Youth Baseball Academy, the area that will be transferred to the District would include the basketball and tennis courts that currently exist on the site. After the transfer, no physical changes will occur to the current configuration of these facilities, and the management of these facilities will be transferred from the NPS to the District's Department of Parks and Recreation (DPR).

OTHER ALTERNATIVES

The EA prepared for this transfer proposal also analyzed the no action alternative (alternative 1). Under the no action alternative, jurisdictional responsibilities of the Project Area containing the Fort Dupont Ice Arena and other recreational facilities would remain with the NPS. The Fort Dupont Ice Arena would continue to operate under its current lease to the Friends of Fort Dupont Ice Arena at its current capacity, with approximately 188 parking spaces. The remaining recreational fields-- one baseball field, one multi-purpose sports field, three basketball courts, and four tennis courts, would continue to be maintained by the NPS. There would be no expansion of facilities and no establishment of a baseball academy.

There were three alternatives considered but rejected and therefore not carried forward for further analysis because they either impacted the Park's Natural Zone forested area or would not meet the District's requirements that had prompted this proposal for a transfer of jurisdiction. These are described in the EA on pages 27-28.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

The environmentally preferred alternative is the alternative that causes the least damage to the biological and physical environment; it also means it is the alternative that best protects, preserves, and enhances historic, cultural, and natural resources. It is defined by CEQ as the alternative that best meets the following criteria or objectives, as set out in Section 101 of NEPA.

1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
2. Ensure for all generations safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
3. Attain the widest range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences;
4. Preserve important historic, cultural, and natural aspects of our national heritage and maintaining, wherever possible, an environment that supports diversity and variety of individual choice;
5. Achieve a balance between human population and resource use that would permit high standards of living and a wide sharing of life's amenities; and
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

After completing the environmental analysis, the NPS identified alternative 2, the preferred alternative, as the environmentally preferred alternative. While both alternatives equally protect the forested area adjacent to the project area from development, designated as a Natural Zone in the 2004 *Fort Circle Management Plan*, alternative 2 most closely satisfies the policy goals detailed above. By transferring the jurisdiction of the Project Area from the NPS to the District and thus allowing for the expansion of the Fort Dupont Ice Arena and the establishment of a Youth Baseball Academy, alternative 2 provides the visitors and the community with improved and more structured recreational opportunities than the no action alternative. Alternative 2 provides a wider range of beneficial uses and achieves a greater balance between population and resource use than the no action alternative, without any greater risk of resource degradation, health and safety, or other undesirable and unintended consequences. In addition, while meeting the programming requirements of both the Fort Dupont Ice Arena and the Youth Baseball Academy, alternative 2 improves and expands the opportunities for providing organized community activities. It also provides safe and healthful accommodations with more aesthetically pleasing surroundings that are conducive to the educational goals of the different programs. Moreover, as a result of the transfer, there will be a renewed focus on the adjacent forested area by the NPS.

The no action alternative does not meet the criteria for the environmentally preferred alternative as fully as alternative 2. Under the no action, managerial responsibilities of the Project Area would remain with the NPS, and as a result, the current recreational facilities would remain unchanged. The Park would continue to provide a diverse range of recreational opportunities --baseball field, multi-purpose field, basketball and tennis courts, and the Fort Dupont Ice Arena however, the current baseball and multi-purpose fields would not be improved. The Fort Dupont Ice Arena would continue to be leased from the NPS and would operate at its current capacity, but because of the current high demand for the ice arena, would not be able serve everyone wishing to use the facility, and there would be no additional benefits to the site or the community under the no action alternative.

MITIGATION MEASURES

The NPS and the District both place a strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. After the transfer of jurisdiction, the property will be the responsibility of the District since it will no longer be managed by NPS and will no longer be a part of Fort Dupont Park, and District environmental standards will apply. It will then be the District's responsibility to develop mitigations that would minimize impacts to the area's natural resources and it.

Prior to the transfer, the NPS will enter into a Declaration of Covenants with the District that contains measures that are aimed to protect the resources found within the Project Area and the Natural Zone area that is located adjacent to the Project Area and Fort Dupont Park as a whole. There will likely be a reversion clause if the property is not used for recreation and/or the terms of the covenants are not satisfied. Such measures will likely include the following, while other requirements may be developed through the NCPC's review of this transfer:

- Installing a fence along the border of the Natural Zone and Project Area to protect park resources, such as the forested areas, which delineates the limits of construction and ensures construction vehicles do not encroach on NPS property.
- Regular monitoring of the Natural Zone area within the park by an NPS biologist during construction to ensure construction activities are not impacting the trees and other park resources. If it is determined that any of these activities could cause adverse impacts to these resources, construction would be halted until mitigations are established to avoid or minimize adverse impacts to the greatest extent possible.
- In addition, to help ensure the protection of the natural and cultural resources and the quality of the visitor experience within the project area and also those found on the adjacent NPS property, the District will ensure all appropriate District regulations are complied with and that covenant requirements will be implemented and are achieving their intended results. These include those for soil and water resources, and for cultural resources as described as mitigation in the EA on pages 26-27. The District necessarily must also abide by other requirements, such as those to protect what are defined as "Special Trees" in the District's Urban Forest Preservation Act of 2002, to the extent these types of trees are located within the transferred property. All trees removed during the construction of the new Youth Baseball Academy and expansion of the Fort Dupont Ice Arena would be replaced with native tree species.
- Prior to construction, a stormwater management plan would be developed for the operation of the proposed new facilities. This plan would address the increase in impervious surfaces and subsequent increases in overland runoff by incorporating stormwater control designs into the project to manage the rate at which runoff leave the site. To ensure no additional runoff is introduced into the Natural Zone, the stormwater control design would be directed to appropriate stormwater outfalls.
- If required, application of fertilizers and pesticides to the new ballfields would be done according to manufacturer guidelines using proper methods and correct quantities and only when weather conditions are suitable. This would ensure that that only the targeted area is treated, and areas outside of the Project Area would not be impacted.

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 2) for a transfer of 15 acres of NPS land to the District for recreational purposes, can be implemented with no significant adverse effects. As defined in 40 CFR §1508.27, significance is determined by examining the following criteria:

Impacts that may be both beneficial and adverse and which on balance may be beneficial, but that may still have significant adverse impacts which require analysis in an Environmental Impact Statement (EIS): Physiographic resources, visitor use and experience, socioeconomics, and park operations and management will experience both beneficial and adverse impacts as a result of this transfer of jurisdiction and the subsequent development proposed by the District; however, no significant impacts were identified that will require analysis in an Environmental Impact Statement.

After the transfer of jurisdiction takes place, implementation of any of the options proposed by the District under alternative 2 will result in short-term and long-term negligible to minor adverse impacts to soils within the Project Area from both construction and recreational activities. Long-term negligible to

minor adverse impacts to topography will also occur near the southern end of the Project Area as grading will be necessary to provide level ball fields. No impacts to geology will result from implementation of this alternative. Because the area adjacent to the Project Area designated as the Natural Zone in the 2004 *Fort Circle Parks Management Plan* will not be transferred, and mitigations will be set forth in the covenant to protect this area, there will be no negligible adverse impacts to the natural resources-- vegetation, wildlife, physiographic, and water resources, within the Park from the actions proposed by the District.

After the jurisdictional transfer, the Area will be temporarily closed to the public during the construction of the new Youth Baseball Academy and expansion of the Fort Dupont Ice Arena, resulting in short-term moderate adverse impacts to visitor use and experience of those who currently utilize these facilities. In addition, under the Youth Baseball Academy's Options A and B, a multi-purpose sports field is not included, which will result in long-term minor adverse impacts to those who currently utilize that field. However, with the inclusion and improvements to the multi-purpose sports field under Option C, there will be long-term beneficial impacts to those who utilize that field. Overall, there will also be long-term beneficial impacts to those who will utilize the Youth Baseball Academy and expanded ice arena facilities. Implementation of alternative 2 will also result in long-term beneficial impacts to the local community and economy as recreational facilities within the Project Area are improved and expanded. The increased availability of organized recreational opportunities may lead to a decrease in juvenile crime as safe, organized, and supervised youth activities are introduced into the area. In addition, the local economy may benefit with the potential increase in local property values and the small increase in local employment.

NPS park operations and management will experience short-term negligible adverse impacts during construction and long-term beneficial impacts as NPS personnel and resources normally allocated to the upkeep and management of the Project Area can be allocated to other NPS units. The jurisdictional transfer of the Project Area from the NPS to the District will result in amending the 2004 *Fort Circle Management Plan*. Under the Youth Baseball Academy's Options A and C, there will be short-term minor and long-term negligible adverse impacts to the U.S. Park Police, as the horse lunge is relocated approximately 100 feet. There will be long-term minor adverse impacts on the overall operations and management of the District, Friends of Fort Dupont Ice Arena, and the Washington Nationals, as personnel and resources will be reallocated to provide support for the new facilities.

Degree of effect on public health or safety: The transfer should not result in any noticeable changes in the public health or safety except those commensurate with any changes in the numbers of participants. These would be tied to potentially higher numbers of participants engaged in activities in the Project Area. The NPS does not anticipate significant changes in the numbers of visitors to the balance of Fort Dupont Park.

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, sites sacred to American Indians, or other significant ethnographic resources occur within or adjacent to the Project Area will be impacted by the actions associated with this alternative.

As a result of mitigations carried forward by the District and those set forth in the transfer covenant, impacts to the natural resources-- vegetation, wildlife, physiographic, and water resources located within Fort Dupont Park, including the area that lies adjacent to the Project Area designated as the Natural Zone in the 2004 *Fort Circle Parks Management Plan*, will be of short duration and negligible in intensity. Moreover, the District will necessarily manage the trees located on the Project Area according to the laws, regulations, and policies that are applicable such as the Urban Forest Preservation Act of 2002, and the NPS will closely monitor the effects of any activities within the Project Area on the adjacent forested areas within the Natural Zone of the Park. Impacts to cultural resources within Fort Dupont Park will also not occur due to their location in relation to the Project Area. The District Historic Preservation Office concluded the transfer itself would have "no adverse effect." The Project Area is approximately 0.30 miles northwest of the National Register of Historic Places eligible Fort Davis Drive, and nearly one mile

from Fort Dupont earthworks. The distance between Fort Davis Drive and the Fort Dupont earthworks to the area to be transferred is too great for the proposed land transfer to cause any effects. Views between Fort Davis Drive and Fort Dupont to the Project Area are obstructed by vegetation and the area's natural topography. Moreover, the recreational activities proposed by the District for the Project Area are consistent with those previously approved by the NPS for this site in the 2004 *Fort Circle Parks Management Plan*.

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 this transfer of jurisdiction were identified during the preparation of the EA or the public comment period. Ultimately the use of the Project Area will be similar to its current use and it will not change the existing uses of the balance of Fort Dupont Park.

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 the public comment period. Transfers of jurisdiction like this between the NPS and the District are a regular exercise and have occurred over much of the 20th Century and into this decade.

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. Transfers of jurisdiction like this between the NPS and the District are a regular exercise and have occurred over much of the 20th Century and into this decade.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts: Implementing the preferred alternative—transferring jurisdiction of 15 acres to the District, will have no significant cumulative impacts. The EA addressed cumulative impacts for each of the resources affected by the preferred alternative-- physiographic resources, visitor use and experience, socioeconomics, and park operations. As described in the EA, there will be no adverse or beneficial cumulative impacts to physiographic resources associated with this alternative. The Project Area being transferred is already a developed area and the number of trees located there is small. The number of trees that will be affected by activities there is fewer still, while the forested area within the adjacent Natural Zone of the Park will be preserved. Both visitor use and experience and socioeconomics will experience beneficial cumulative impacts as a result of the improved and expanded facilities and youth programs, while there is not expected to be a noticeable increase in traffic from outside the region nor a noticeable change in air quality from this traffic. In addition, by transferring jurisdiction from the NPS to the District, there will likely be long-term minor adverse cumulative impacts to the District's operation and management and long-term beneficial impacts to NPS operations and management as managerial and support responsibilities for this parcel are transferred.

Degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources: As described in the EA, no properties listed in or eligible for listing in, the National Register of Historic Places occur within the Project Area which is the property that is proposed for transfer. Many alterations have occurred to the Park in the last 50 years, and the historic appearance of the Park from the 1930s and 1940s no longer survives. A 2004 Historic Resource Study (HRS) on Fort Dupont Park evaluated the historic context of the Park and concluded that the cultural landscape did not possess the historical significance and integrity to qualify for listing in the NRHP under Criteria A, B, or C. These criteria generally pertain to significant events, persons, and architectural qualities of a property. The Fort Dupont HRS did not evaluate the Park for National Register of Historic Places eligibility under Criterion D, which generally is used for archeological resources and pertains to a property's ability to provide information important in history or prehistory.

The area to be transferred is designated as a Recreation Zone in the 2004 *Fort Circle Parks Management Plan* and does not contain any historic structures or districts. It is approximately 0.30 miles northwest of the National Register of Historic Places eligible Fort Davis Drive, and nearly one mile from Fort Dupont

earthworks. The distance between Fort Davis Drive and the Fort Dupont earthworks to the area to be transferred is too great for the proposed land transfer to cause any effects. Views between Fort Davis Drive and Fort Dupont to the Project Area are obstructed by vegetation and the area's natural topography. The distance from the Project Area to Fort Davis Drive or Fort Dupont earthworks and the lack of a viewshed suggest there would be no impact from the undertaking to these properties. The NPS will mitigate any potential impacts to the historic and scenic features mentioned in the 2004 *Fort Circle Parks Management Plan* through measures in the Declaration of Covenants it will enter with the District and that will be recorded with the land records. The District's future use of the property will be comparable to site's existing recreational functions and will preserve the current setting. In addition, no archeological resources have been identified within the proposed Project Area and impacts to undiscovered subsurface resources, if present, are not anticipated. No sites sacred to American Indians or other significant ethnographic resources are known to occur within Fort Dupont Park.

Compliance with Section 106 of the National Historic Preservation Act of 1966 was conducted in conjunction with the EA process. In letters dated July 15, 2008, the D.C. Historic Preservation Office and the Advisory Council on Historic Preservation were notified that the NPS has determined that there are no historic properties affected by the action and provided documentation on this determination consisting of the EA. The District Historic Preservation Office responded on November 7, 2008, and stated that while the actual transfer of jurisdiction will constitute "no adverse effect," the requirements of 36 CFR 800 would remain applicable to the District's proposed improvement and expansion of the sports-related recreational facilities that are currently located on the parcel and to all future actions proposed for the site. The NPS would participate in any such compliance as the adjacent land manager with potentially affected resources.

Degree to which the action may adversely affect an endangered or threatened species or its critical habitat: As described in the EA, because of the urban nature of the site and the fact that the proposed activities will be located entirely within previously disturbed or maintained landscapes, no impacts to any state- or federally-listed species are expected from this transfer of jurisdiction. On June 24, 2008, the Park sent letters to both the U.S. Fish and Wildlife Service (FWS) and the District Department of the Environment regarding the potential for any state- or federally-listed species that could be affected by the proposed construction of an addition to the ice arena or the clearing of land for the baseball academy. On July 24, 2008, the FWS responded to the Park's initial informal consultation letter stating that no federally proposed or listed endangered or threatened species are known to exist within the project impact area.

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. The transfer of jurisdiction and subsequent expansion and improvement of sports-related facilities on the site will be consistent with all laws, regulations and requirements.

IMPAIRMENT OF PARK RESOURCES OR VALUES

The National Park Service Organic Act of 1916 and related laws mandate that the units of the national park system must be managed in a way that leaves them "unimpaired for the enjoyment of future generations." These laws give the NPS the management discretion to allow certain impacts to park resources and values, when necessary and appropriate, to fulfill the purposes of a park so long as the impact does not constitute impairment of the affected resources and values. DO-12 states that environmental documents will evaluate and describe impacts that may constitute an impairment of park resources or values. In addition, the decision document will summarize impacts and whether or not such impacts may constitute an impairment of park resources or values. An impact will be more likely to constitute impairment to the extent that it affects a resource or value whose conservation is:

1. necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park,
2. key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park, or

3. identified as a specific goal in the park's general management plan or other relevant NPS planning documents.

The NPS has determined that implementation of the selected alternative will not constitute an impairment to the natural, cultural, or air quality resources or values of Fort Dupont Park, National Capital Parks – East, or the surrounding area. This conclusion is based on a thorough analysis of the environmental impacts described in the EA, relevant studies, the review of public comments and consultation with other agencies, and the professional judgment of the decision-maker guided by the direction in *NPS Management Policies* (2006).

While this transfer of jurisdiction would require the NPS to revise the 2004 *Fort Circle Parks Management Plan*, this transfer removes less than four percent of the total acreage of Fort Dupont Park in an area that is already developed and does not contain the Park's historic resources and avoids the Park's Natural Zones which remain intact. In addition, while the Project Area would no longer be a part of Fort Dupont Park, the actions proposed by the District would preserve the existing recreational functions of the site and would be consistent with the designated management zones delineated in the NPS 2004 *Fort Circle Parks Final Management Plan*. Even with some increases in factors such as traffic, lighting, and sound, this transfer does not appreciably alter the current conditions facing Fort Dupont Park although the NPS will monitor and seek to mitigate any adverse changes that result from the District's activities following the transfer. The analysis did not identify any major adverse impacts that will likely result from implementation of the selected alternative. All adverse impacts identified were negligible to moderate in intensity. Therefore, implementation of the selected alternative will not result in impairment of any park resource or value.

PUBLIC INVOLVEMENT

Public scoping occurred over an approximately three month period beginning on April 29, 2008, with the e-mail notification of a public scoping meeting with the NPS and the District. The NPS and the District sent out 622 public scoping letters via e-mail and USPS to members of the Fort Dupont Ice Arena, nearby residents, community organizations, and other organizations, and notification of the meeting was advertised in the May 2008 issue of the *East of the River* newspaper. The meeting was also announced on the NPS's Planning, Environment, and Public Comment (PEPC) website (www.parkplanning.nps.gov/NACE). It was held on May 12, 2008, from 6:30 p.m. to 8:30 p.m. at the Sousa Middle School, 3650 Ely Place SE, Washington, DC 20019. This location was chosen because it is the largest available District-owned venue in close proximity to the site. Approximately 60 people attended the meeting. The public scoping meeting provided numerous methods by which the public could comment on the proposed action. At the meeting, the NPS and the District engaged in an open dialog with the meeting participants, soliciting comments regarding the proposed action that were recorded on a flip chart. If the commenter did not want to provide verbal comments, written forms were provided to be completed and returned at the meeting. If the attendee chose not to complete a comment form at the meeting, a return address was provided on the sheet to mail back to the Park at a later date. Those attending the meeting were also instructed of an additional opportunity to comment on the project through the NPS's PEPC website.

The public scoping period concluded on July 24, 2008, as announced by the June 24, 2008 *Federal Register* notice (Volume 73, Number 122). During the public scoping comment period, NPS and the District received hundreds of comments from throughout the District providing support for the expansion of the Fort Dupont Ice Arena. There were also comments expressing support for the Youth Baseball Academy, and those that expressed concern that the proposed ice arena expansion would be sited within the adjacent forested area directly to the south of the current facility.

The EA on this transfer of jurisdiction was made available for public review and comment on October 16, 2008. Its availability was announced through a *Federal Register* Notice (Vol. 73, No. 201), dated October 16, 2008. In addition, on October 15 and 16, the notice was sent via e-mail and USPS to those who were on the original public scoping mailing list and to those that were added after the May 2008 public scoping

meeting. The notice was also placed in the Monday, October 20, 2008 edition of the *Washington Post Express*. The Park mailed copies of the EA to District offices and the Fort Dupont Ice and hard copies of the EA were available for public review at the Martin Luther King Jr. Memorial Library, Friends of Fort Dupont Ice Arena, and the National Capital Parks – East office. The EA was also placed on the PEPC. The comment period on this EA ended on Monday, November 17, 2008.

During the 30-day public comment period, the NPS received three responses from the public and one from the NCPC. Those comments that resulted in changes or additions to the EA are contained in the attached errata sheets. Other comments that required responses are summarized and attached with the NPS' responses. The District is being provided those comments with suggestions for how the transferred property should be managed. No changes to the selected alternative or the impact analysis were made as a result of public comment.

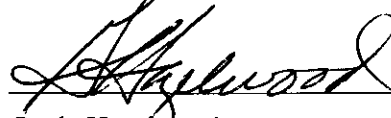
CONCLUSION

The NPS has selected alternative 2 for implementation that can occur following NCPC's review and recommendation of the transfer. The impacts that will result from the selected alternative (alternative 2) will not impair any park resource or values necessary to the NPS or to fulfill specific purposes identified in the 2004 *Fort Circle Parks Management Plan*. Selection of this alternative hereby amends the 2004 *Fort Circle Parks Management Plan*, effective with the date of the transfer, to reflect that the land use of the Project Area remains the same but the management of it is transferred from the NPS to the District of Columbia and is no longer a part of the Park.

The selected alternative does not constitute an action that normally requires preparation of an EIS. In fact, some transfers like this are categorically excluded from analysis through an EA or EIS. The selected alternative will not have a significant effect on the human environment. Negative environmental impacts that could occur are negligible to moderate in intensity. There are no significant impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for listing in the National Register of Historic Places, or other unique characteristics of the region. The Park's Natural Zones remain intact. Transfers like this are not unusual and 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.

The selected alternative does not constitute a major federal action that significantly affects the quality of the human environment. Based on the foregoing an EIS is not required for this action and thus will not be prepared. This is a finding of no significant impact.

Recommended:

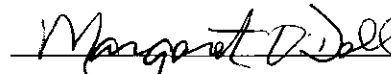


Gayle Hazelwood
Superintendent,
National Capital Parks – East

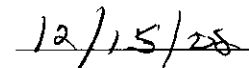


Date

Approved:



Margaret O'Dell
Regional Director
National Capital Region



Date