



ATTACHMENT D: RESPONSES TO SUBSTANTIVE PUBLIC COMMENTS

Introduction

Pursuant to the National Environmental Policy Act (NEPA), its implementing regulations, and National Park Service (NPS) guidance on meeting NPS NEPA obligations, National Capital Parks – East must assess and consider comments submitted on the Fort Dupont Creek Stream and Wetland Restoration Project Environmental Assessment (EA) and provide responses to substantive concerns raised in these comments. This report describes how the NPS considered public comments and provides the responses. The EA was made available for public review and comment from September 5, 2023, to October 5, 2023, at the NPS PEPC project webpage

<https://parkplanning.nps.gov/projectHome.cfm?parkID=428&projectID=68832>. The EA public review period was announced on the NPS PEPC and DOEE project webpages and by separate NPS and DOEE press releases on September 1, 2023. The NPS communicated the EA public review period by emailing a public notification letter on September 1, 2023, to agencies, stakeholders, and other potentially interested parties on the Project's established mailing list. Flyers were also distributed by DOEE within the community to the neighbors immediate to the Project site.

A total of 11 correspondences were received during the EA public review period. Each correspondence was read, and specific comments within each piece of correspondence were identified. A total of 11 comments were derived from the correspondences received.

To categorize and address comments, each comment was given a code to identify the general content of a comment and to group similar comments together. A total of 4 codes were used to categorize the comments received on the EA. An example of a code developed for this project is *SUPPA1000 – Support Alternative A*. During coding, comments were also classified as substantive or non-substantive. A substantive comment is defined in the NPS Director's Order Handbook as one that does one or more of the following (Director's Order 12, section 4.6A):

- Question, with reasonable basis, the accuracy of information presented in the EA;
- Question, with reasonable basis, the adequacy of the environmental analysis;
- Present reasonable alternatives other than those presented in the EA; and/or
- Cause changes or revisions in the proposal.

As further stated in Director's Order 12, substantive comments "raise, debate, or question a point of fact or policy. Comments in favor of or against the proposed action or alternatives, or comments that only agree or disagree with NPS policy, are not considered substantive." While all comments were read and considered, only those determined to be substantive were analyzed for creation of concern statements for response from the NPS, as described below. Under each code, all substantive comments were grouped by similar themes, and those groups were summarized with a concern statement. For example, under the code *SUPPB1000 – Support Alternative B*, one concern statement identified was "Commenters suggested that the restoration should take proper care to minimize affects to riparian trees." This one concern statement captured many comments. Following each concern statement are one or more "representative quotes," which are comments taken from the correspondence to illustrate the issue, concern, or idea expressed by the comments grouped under that concern statement.

As shown in Table 1, 50% of the substantive comments received are related to 1 of the 4 codes. Non-substantive comments comprise 64% of the comments received. Of these, 27% were in support of the Alternative B or stream and wetland restoration (*SUPPB1000 – Support Alternative B*), 18% were in support of the visitor experience (*SUVE1010 – Support Visitor Experience*), and 18% were in support of Alternative A or opposed to stream and wetland restoration (*SUPPA1000 – Support Alternative A*). Of the 11 pieces of correspondence, 64% came from commenters in the District of Columbia, 18% came from commenters in Virginia, 9% came from commenters in Maryland, and 9% came from Utah (Table 2).



Table 1: Comment Distribution by Code

Code	Description	Total Number of Comments	% of Total Comments Received	Number of Substantive Comments	% of Substantive Comments Received
SGSR1000	Suggestions for Stream Restoration	1	9.0%	1	25%
SUPPB1000	Support Alternative B	4	36.4%	1	25%
SUVE1010	Support Visitor Experience	2	18.2%	0	0%
SUPPA1000	Support Alternative A	4	36.4%	2	50%
	Total Comments	11		4	

Table 2: Correspondence Distribution by State

State	Number of Correspondences	Percentage
DC	7	64%
VA	2	18%
MD	1	9%
UT	1	9%
Total	11	100%

CONCERN RESPONSE REPORT

This report summarizes the substantive comments received on the National Capital Parks-East Fort Dupont Creek Stream and Wetland Restoration Project EA during the public review comment process. These comments are organized by codes and further organized into concern statements. Representative quotes are then provided for each concern statement. The NPS provides a response for each concern statement. References cited below are included at the end of this section.

SUPPA1000 – Support Alternative A

CONCERN STATEMENT: A commenter is opposed to the stream restoration because of the perceived abundant use of Regenerative Stream Conveyances (RSCs) across the project area. Makes mention that the technique will be used in 61% of the project area. This commenter also mentions that fish communities in RSCs were low quality habitat.

Representative Quote(s): **Corr. ID: 5** **Organization: N/A**
Organization Type: Unaffiliated Individual

Representative Quotes:

- Summary of Proposed Restoration Approaches by Project Area (p. 11), indicates that no less than 11,570 feet of stream restoration consists of Baseflow Channel/Regenerative Stream Design. This



technique constitutes 61 percent of the 18,900 linear feet of stream that NPS proposes to employ to restore Fort Dupont Creek under Alternative B (p. 39).

- In general, RSC fish communities were more similar to low-quality single streams than to high-quality single streams or stream wetland complexes.

Response: The referenced non-peer reviewed paper, *Vertebrate Community Response to Regenerative Stream Conveyance (RSC) Restoration as a Resource Trade-Off*, provides a study of post-restoration condition compared to high quality and low quality un-restored natural stream systems. It does not compare pre-restoration to post-restoration conditions which would provide a much better assessment of vertebrate community response to an RSC. That said, the study does provide results that indicate that RSCs may provide limitation to fish and herpetofauna habitats due to low dissolved oxygen (DO) conditions caused by slow moving water within long pools that were typical in the RSC sites studied. And by less shading and smaller buffer widths in the RSC sites studied.

The authors state the goal of presenting the results of this study is to, “help practitioners and regulators develop realistic expectations of biotic resource changes that occur when defined-channel stream systems are transformed into less-defined stream wetland complexes in urban-suburban settings.” And to have RSC design, “evolve to better approach vertebrate communities found in high-quality references”.

The Fort Dupont design has recognized the challenge of restoring habitat conditions in a highly urban setting to a level that matches high quality habitat found in undeveloped, forested watersheds when developing project goals. The design approaches selected favor a single baseflow channel for the majority of the perennial stream system that does not include long, valley wide pools. The approach selected also supports the goal of maintaining a densely forested floodplain to provide shade to the aquatic habitat.

A clear distinction is needed between the baseflow channel/regenerative stream design approach and the regenerative stormwater conveyance (RSC) approach and their application for the Fort Dupont Project.

- Baseflow Channel/Regenerative Stream Design will replace the existing incised, over widened and highly degraded perennial stream channel, with an aquatic community index of biological integrity (IBI) verbal rating ranging from Very Poor to Poor (MWWOG 2020), with a stable, well connected stream channel using narrow riffles and wood structures to hold grade and improve instream physical habitat conditions. Baseflow channel/regenerative stream design is proposed within the stream valley along the perennial stream channel and accounts for 11,570 linear feet or 61% of the project length as represented in Table 1 on page 11 of the EA.
- Regenerative Stormwater Conveyance (RSC) will replace existing upland areas or steep confined valley areas where concentrated flows are entering the stream valley via a stormwater outfall with a series of constructed riffles/cascades and pools underlaid with sand/woodchips. Regenerative stormwater conveyance is proposed within these transitional areas from uplands to the stream valley within flowpaths that are ephemeral/intermittent and accounts for 1,265 linear feet or 6% of the project length as represented in Table 1 on page 11 of the EA.



CONCERN STATEMENT: A commenter is opposed to the stream restoration and believes that hypohelminthic and macropore spring populations of shallow subterranean aquatic arthropod communities will be impaired because of work happening in or adjacent to seeps within the project areas (PAs).

Representative Quote(s): **Corr. ID: 10** **Organization: Dept of Env. Science, American Uni.**
Organization Type: Unaffiliated Individual

Representative Quote:

- The proposed stream and wetland restoration of Fort Dupont creek would at least seriously impair, and likely extirpate any hypohelminthic or macropore spring populations in the area. The addition of soil would result in compaction of existing habitat, and any loss of tree cover would likewise be highly detrimental.

Response: There have not been any published studies conducted within Fort Dupont Park that have determined the presence of shallow subterranean aquatic arthropod communities. Prior to construction, DOEE and NPS will demarcate the location of the seeps in the field. Based on the locations provided by NPS, many seeps are located outside of the project area limit of disturbances and will not be disturbed. Seeps located within the limit of disturbance, but not directly within the restoration grading limits will be protected from disturbance by fencing these seep locations off with highly visible fencing that will be maintained during construction. The other seeps located directly within the restoration grading limits have been considered in the design to minimize impacts. This includes relocating the active channel to the opposite side of the over widened channel from the seep, and partially filling the channel in the location immediately around the seep locations. This will result in the seep being located within a floodplain depressing that allows for the length of vertical, exposed bank with the seep to remain undisturbed to the maximum extent practicable.

The current condition along the majority of the project length consists of incised channels that have downcut to an elevation below the shallow groundwater, resulting in the degraded channel actively lowering shallow groundwater and reducing wetland extent. The project's intent is to raise the groundwater within the valley bottom and reconnect streams to their natural floodplain. Increasing the groundwater increases the storage capacity and extends the life of seeps even during summer low flows. It is likely the number, distribution and quality of seeps will increase, thus enhancing habitat for arthropods, if present.

SUPPB1000 - Support for Alternative B

CONCERN STATEMENT: A commenter is in support of the stream restoration; however, there were concerns about the bottom reach of the stream at the mouth of the Anacostia being left out of the project area, reduction of stormwater flows using a sediment forebay under Burns street at PA-01, protection of a seep in PA-01 and the location of a staging area adjacent to the Ridge Playground.

Representative Quote(s): **Corr. ID: 11** **Organization: Retired NPS/NACE**
Organization Type: Unaffiliated Individual

Representative Quotes:

- I was disappointed to see the most bottom reach of the Fort Dupont Stream excluded from the project. Perhaps more than a notion or a separate phase, but I recommend considering redefining the project area to extend to the mouth of the Fort Dupont Stream at the historic Anacostia River Seawall. I think some modification of that highly disturbed and invasive plant infested riparian area in effort to reconstruct a (small?) tidal marsh interface behind the seawall is in order here.



- A primary concern is the upper portion of PA-1. Specifically, the upper area above, and in the vicinity of, the Fort Circle Hiker-Biker Trail crossing where the stream is extremely eroded and there's the extremely incised "V-channel." Past innovative bioengineering concepts required extensive removal of forest just to allow access for the construction equipment to build-up and armor the eroding stream bank. It was almost as if you had to cut down the forest to save it. At that time all plans addressed armoring the streambanks against the heavy stormflows but proposed nothing to address/manage damaging stormflows them prior to entering the park in the first place at the Burns Street outfall. Therefore, I hope consideration is given to constructing some sort of stormwater forebay or vault under Burns Street above that outfall (assuming property acquisition across Burns Street is not feasible?) to manage and reduce the impacts of storm flows entering the park.
- I'm thinking no action is really needed for the spring seep input a few yards up above the PA-1 outfall along Burns Street... beyond possibly invasive plant management?
- There appears to be a staging area proposed across from the Ridge Playground. I assume it's for work associated with the collapsed headwall? In any event, I believe that is a wooded area. This staging area, and all staging/stockpile areas should avoid forested areas and be relocated to the adjacent street or turf areas.

Response: The bottom reach of the Fort Dupont Creek will be addressed part of a separate DOEE wetland restoration project under design. The creation of any stormwater management feature such as a sediment forebay is outside of the scope of this project. Impacts to seeps within all project areas will be avoided or minimized to the extent practicable. Staging and stockpiling areas were carefully selected to avoid forest impacts. In order to limit or avoid any new disturbance and tree loss all areas selected for staging and stockpiling are located on one of the following: existing trails (which will be restored), abandoned roads, parking areas, areas previously disturbed, areas without trees and areas overrun with non-native invasive species.

SGSR1000 - Suggestions for Stream Restoration

CONCERN STATEMENT: A commenter shows support for the stream restoration and makes several suggestions regarding eel and fish habitat, maintenance of cool water tributary in PA-04, evaluation of the integrity of the Fort Davis CMP, enhancement of existing wetland in PA-04 and need for a baseflow channel regime in the wetland complex proposed in PA-09.

Representative Quote(s): **Corr. ID: 2** **Organization: MWCOG**
Organization Type: Unaffiliated Individual

Representative Quotes:

- Page 1 Paragraph 3: The American eel should be listed as the fish that benefits from barrier removal.
- Page 4 (Figure 1): Evaluate the integrity of this Fort Davis CMP culvert. Deteriorating invert conditions were observed in 2000.
- Page 11 (Table 1, PA-09 Stage 0/Wetland Complex): The stage0/Wetland Complex in PA-09 is a valid approach but, there needs to be a base flow channel in the wetland complex that connects to both the downstream and the upstream. There are fish in Fort Dupont and a main or baseflow channel should be included in this approach for low flow conditions at all channel development stages.
- Page 11 (Table 1, PA-04): PA-04 is a coolwater tributary. The drainage area is practically all vegetated and almost all wooded. This condition does not exist elsewhere in the terraced Anacostia coastal plain. Regardless of the stream water source, the restoration approach for PA-



04 should enhance the aquatic habitat and maintain this coolwater thermal regime to protect this refugia.

- Page 20 (Figure 6, PA-04): There is an opportunity to enhance the existing wetland upstream of the first RSC. This is a low, relatively flat area and the soils are saturated year-round.

Response: The most significant barrier to eel movement is the series of culvert pipes and open channels that convey Fort Dupont Creek from the downstream end of PA-09 to the Anacostia River, through the railroad embankment, under Anacostia Parkway, through CSX property, and under Anacostia River Park, for a length of approximately 1,300 ft. The downstream most section of pipe within Anacostia River Park for approximately 300 feet is proposed for removal as part of a separate DOEE wetland restoration project under design. The remaining length of piped stream is not proposed for removal, as it is outside the project limits.

The Fort Dupont CMP culvert located near the amphitheater is proposed for replacement as part of this restoration project and will have a partially buried invert that will facilitate aquatic organism passage.

Within PA-09, a baseflow channel will be considered as an addition to the wetland complex to maintain aquatic habitat for fish as suggested.

The coolwater tributary referred to in PA-04 is a function of a broken water main in the project area that has been leaking municipal water into the valley for several years. There is no natural perennial cool water flowing within the project area. The broken water main supplying a constant source of cool water into the stream will be repaired as part of this project, resulting in the system reverting to its natural ephemeral/intermittent flow regime and habitat condition. Therefore, the proposed restoration technique of a Stage 0/Wetland complex is appropriate for this landscape setting and will provide habitat for organisms found within the upper limits of an intermittent/ephemeral coastal plain headwater system.

The existing wetland referred to in PA-04 will have a net benefit as a result of the project work. Despite there being no active restoration work proposed directly in this area, wetter conditions will be created post restoration due to the restoration of the enlarged gully that is located just downstream of it and negatively lowering the groundwater in that area.

APPENDIX D REFERENCES

Metropolitan Washington Council of Governments (COG)

2020 Fort Dupont Tributary. District Department of Energy & Environment. Watershed Protection Division. March 2020.

Tetra Tech and UMCES-Chesapeake Biological Laboratory

2021 Vertebrate Community Response to Regenerative Stream Conveyance (RSC) Restoration as a Resource Trade-Off. September 30, 2021. Available online at: <https://cbtrust.org/wp-content/uploads/FINAL-Report-for-18002-Tetra-Tech-CBL-CBT-RR-Vertebrates-in-RSCs-30SEP2021-Submitted-to-CBT.pdf>.