



FINDING OF NO SIGNIFICANT IMPACT

Arlington County and Vicinity Boathouse Environmental Assessment

George Washington Memorial Parkway, Virginia

INTRODUCTION

The National Park Service (NPS), in cooperation with the National Capital Planning Commission (NCPC) and Arlington County, prepared an environmental assessment (EA) to evaluate the proposed development of a boathouse and related facilities on the Virginia side of the Potomac River, south and west of Washington, DC, on land that is part of the historic George Washington Memorial Parkway (the park). The project area includes sites in both Arlington and Fairfax Counties, Virginia. Demand for waterfront access along the George Washington Memorial Parkway and the Virginia shoreline exists for additional rowing facilities for scholastic, collegiate, and private rowers and other nonmotorized activities, as well as equipment storage and training facilities along the Potomac River. Over the past 30 years, multiple plans and studies have been completed to assess the feasibility and existing conditions for the potential construction and operation of boathouse, training, and storage facilities. The studies also examined access to the facilities by high school rowing programs and other nonmotorized boat users in Arlington County. The construction of a boathouse facility and soft launch areas is needed to meet direction from Congress to provide enhanced public waterfront access near Arlington County. This action will increase access along the Virginia shoreline for nonmotorized water-based recreational activities on the Potomac River.

The purpose of taking action is to identify a preferred site for an environmentally sustainable public rowing and paddling facility along the Virginia shoreline, while ensuring the protection of natural and cultural resources of the park. A public rowing and paddling facility would meet the existing and future demand for rowing programs and related boat storage space in Arlington County. The rowing conditions, potential conflicts with motorized watercraft, and travel times between Arlington County and the boat clubs make some of these locations less than ideal for the high school rowing programs and other community users. Other area schools have generated additional demand for rowing programs and associated storage spaces.

The EA was prepared in accordance with the National Environmental Policy Act of 1969 (NEPA), the regulations of the Council on Environmental Quality for implementing NEPA (40 Code of Federal Regulations [CFR] 1500–1508), and NPS Director's Order 12, *Conservation Planning, Environmental Impact Analysis, and Decision-making* and the accompanying *NPS NEPA Handbook*. Compliance with section 106 of the National Historic Preservation Act of 1966, as amended, and with section 7 of the Endangered Species Act was conducted separately but concurrently with the NEPA process. The statements and conclusions reached in this finding of no significant impact (FONSI) are based on documentation and analysis provided in the EA and associated decision file. To the extent necessary, relevant sections of the EA are incorporated by reference.

SELECTED ALTERNATIVE

Based on the analysis presented in the EA, the NPS selected alternative C: Combination Upper and Lower Rosslyn Sites. Pages 11–13 of the EA contain a detailed description of the selected alternative.

Under the selected alternative, NPS and Arlington County will develop a boathouse facility and a 300-foot-long low-profile floating dock for nonmotorized boats on the lower Rosslyn site and supporting facilities on the upper Rosslyn site. An option will be available to create car-top access and soft launch points with short, floating docks for paddle craft along the Virginia shoreline of the Potomac River at Riverside Park and Roaches Run. The Potomac River at the Riverside Park soft launch site will require permits from the Maryland Department of the Environment and Fairfax County, Virginia. The Roaches Run soft launch site will require permits from Arlington County and the Virginia Department of Environmental Quality. The boathouse facility and support facilities will be operated through either a concession contract or a cooperative agreement. Docks and other in-water work will need to be permitted by the US Army Corps of Engineers (USACE) and the local jurisdiction.

The boat storage facility, floating dock, and rigging area/apron will be developed on the lower Rosslyn site. The additional support facilities will be sited on the upper Rosslyn site and will include office space, locker rooms, restrooms, and space for education and outreach. The storage facility will be approximately 14,000 square feet (SF) with additional square footage for a rigging area/apron. A path will link the rigging area/apron to a 300-foot-long floating dock for launching paddle craft. A 300-foot long access lane for emergency vehicles will connect the existing parking lot to the boathouse. The access lane will be designed to minimize visual and environmental impacts. The lower Rosslyn site will require rerouting the Potomac Heritage Trail around the boat storage facility and will not permit vehicular access or car-top launch users. A small parking area for access for visitors with disabilities and service vehicles will be constructed on the upper Rosslyn site to be accessed by a driveway originating from N. Lynn Street. The upper Rosslyn site will require rerouting of the Martha Custis Trail. Facilities under the selected alternative will be predominately accessed by transit, bicycle, and on foot. Enhanced wayfinding will be provided at the bus drop-off in Rosslyn and bicycle and pedestrian access points to the newly rerouted Potomac Heritage Trail and Martha Custis Trail to help boathouse users find their way between these locations and the boathouse and support facilities.

The boathouse and support facilities will be designed to resist flood damage. Design features include flow-through and tear-away walls, natural daylighting, operable windows, passive heating and cooling, and structure and finishes of durable materials that dry out and clean off easily. The construction of a boathouse, support facilities, and docking and soft launch areas will be subject to local and federal laws and mandates and NPS policies regarding stewardship of natural and cultural resources.

RATIONALE FOR DECISION

NPS selected alternative C, Combination Upper and Lower Rosslyn Sites. Waters at the lower Rosslyn site are calmer and will provide a safer environment for nonmotorized boaters. With a boathouse and dock located in an area of calmer waters, scholastic and community users will be allowed more days on the water during peak use hours. Construction of the boathouse support facility and user amenities on the upper Rosslyn site area will provide additional space for office space, lockers, restrooms, education, and outreach that are not available or practical at the lower Rosslyn boat storage facility. Existing boathouses reach maximum capacity in the fall and spring from high school crew team practices during the week. Residents of Arlington County involved in rowing or paddling and other nonmotorized water activities are challenged to find available boathouse storage space and access to waterfront amenities. The selected alternative will alleviate the high demand and pressure on existing boathouses and enhance visitor access to the Virginia side of the Potomac River within the George Washington Memorial Parkway. Constructing two additional soft launch access points will improve public access for nonmotorized boating and paddle sports (i.e., kayaks/canoes) along the Virginia shoreline. This alternative meets direction provided by Congress to improve public waterfront access near Arlington County.

By using both the upper and lower Rosslyn sites, the support facilities will be situated off NPS property and outside the flood zone. The configuration of the boating support facilities and parking area is close to the Rosslyn Metro Station and DC Circulator stop and provides continued access to the Mount Vernon

Trail, the Martha Custis Trail, and the Potomac Heritage Trail. Improved wayfinding and signage will provide safe and compatible access for pedestrians and cyclists.

ALTERNATIVES CONSIDERED

The EA provides an overview of the proposed project and analyzes four alternatives and their impacts on the environment: Alternative A, No Action (page 11 of the EA); Alternative B, Lower Rosslyn Site (page 15 of the EA); and Alternative D, Gravelly Point Site (page 24 of the EA). Alternative C, Combination Upper and Lower Rosslyn Sites, the selected alternative, is described above in the "Selected Alternative" section; the remaining alternatives are described below.

MITIGATION MEASURES

The selected alternative incorporates the mitigation measures listed in appendix A of this FONSI.

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As documented in the EA, the selected alternative has the potential for adverse impacts on soils, wetlands and floodplains, vegetation, aquatic wildlife, historic structures and districts, archeological resources, visitor use and experience, and traffic and transportation; however, NPS has determined that the selected alternative can be implemented without significant adverse effects, as defined in 40 CFR 1508.27.

Under the selected alternative, sedimentation and erosion will increase during construction of the boat storage facility and boathouse support amenities. This soil disturbance and loss of soil productivity will occur in the building and trail footprints and in the staging zone. These minimal adverse impacts will be mitigated by implementation of best management practices included in a sediment and erosion control plan while soils are exposed.

A new dock on the lower Rosslyn site may shade up to 3,000 SF of shallow water riverine wetlands and submerged aquatic vegetation (SAV) beds. The dock anchors will directly disturb a small area of riverine wetlands. The regrading or dredging to 3.3 feet deep at mean low tide to accommodate boat access will disturb approximately 3,600 SF of SAV in front of and below the dock. NPS could mitigate the loss in SAV by planting native species of SAV nearby, establishing a buffer around SAV beds, and stipulating work be done when plants are dormant. Soils exposed during construction of facilities can enter the water column and create turbidity in open water wetland. These impacts will be minimized through in-water practices, such sediment curtains or cofferdams. In addition, establishing a dock on the lower Rosslyn site will require approximately 1 to 2 feet of dredging and re-contouring of the river bottom of an area up to approximately 58,000 SF to achieve the minimum 3.3-foot water depth for boat access. Dredging and re-contouring to the required depth will result in long-term, adverse impacts from the loss or degradation of habitat for fish and other aquatic species associated with SAV communities. Aquatic species present could include freshwater mussels (e.g., eastern pondmussel and tidewater mucket) and other less mobile benthic species. No aquatic wildlife species are present at the upper Rosslyn site. Temporary increases in turbidity and in-water disturbances will occur during establishment of the soft launch sites. Current boat traffic and human presence will increase during the construction period of the facilities and soft launch sites, but this will not be a substantial change from existing conditions because boat traffic and human presence already occur in these areas. As designs progress, a bathymetric survey of the site will be completed to more accurately determine the area to be dredged. Once this area is known, then a wetland Statement of Findings would be prepared to look at the overall impacts to the riverine wetlands and SAV encroachment and determine appropriate mitigation actions.

The lower Rosslyn site, Riverside Park, and Roaches Run areas of the project area are located within the 100-year floodplain, although the floodplain at Riverside Park is very narrow; the upper Rosslyn site is outside the floodplain. The new facilities at the lower Rosslyn site will be designed with flow-through construction and tear-away walls on the ground floor, so that floodwaters can flow through the structures and not impede floodplain function. The design and installation of floating docks at the soft launch sites

will require minor vegetation clearing and manipulation of the riverbank to allow paddle craft users to access the water; however, these actions will not impede the function of the floodplain.

Construction of the boathouse, support facilities, rigging area/apron, and the realignment of the Potomac Heritage Trail and Martha Custis Trail will permanently remove trees, shrubs, turf grass, and other understory vegetation. Only a small amount of vegetation will be removed for the establishment of the soft launch sites at Riverside Park and Roaches Run. These direct, adverse impacts from the minimal disturbances and permanent removal of vegetation will be mitigated by replanting appropriate vegetation near the new structures, pathways, and realigned trails. Best management practices will minimize the potential for invasive species to establish and spread during the construction period.

Under the selected alternative, construction of the boathouse, storage, and support facilities will permanently change the George Washington Memorial Parkway Historic District. The removal of trees within the historic district boundary and the physical presence of facilities within the historic district will alter the integrity of setting and feeling in the immediate area. These adverse impacts on the historic resources will alter the cultural landscape and change the natural character of the Potomac Gorge, a contributing resource in the park and historic district. This change in the built environment along the shoreline of the Potomac River, although permanent, will still allow the historic district to convey its significance for purposes of the National Register of Historic Places (National Register). The long-term, indirect visual impacts of the boathouse and support facilities to the Francis Scott Key Bridge (Key Bridge), will not affect the bridge's integrity of design, workmanship, materials, location, feeling, or association. Although the southern remnants of the Alexandria Aqueduct will be visible from the floating dock of the lower Rosslyn site, this change in setting will not affect the resource's integrity of design, workmanship, materials, location, feeling, or association with its engineering significance. The boathouse at the lower Rosslyn site will be visible from only the northern end of Theodore Roosevelt Island, from portions of the Chesapeake & Ohio (C&O) Canal, from portions of the Georgetown Historic District, and not at all visible from other historic resources within the area of potential effects. The boathouse will have long-term, indirect visual impacts on the historic district's waterfront setting, though the floating dock will not greatly alter the view of the shoreline. The historic district in the vicinity of Riverside Park and Roaches Run will be directly affected by the installation of soft launches, but there will be limited, if any, visual impacts on the historic district as a whole because of the low-profile nature of the soft launches. The exact design of the boathouse and facilities will be reviewed by the Virginia and District of Columbia (DC) state historic preservation officers (SHPO), per the stipulations of the programmatic agreement, to determine potential resource impacts and mitigation measures for adverse effects on the historic district and cultural landscape.

Archeological investigations have not demonstrated sufficient integrity for National Register eligibility of the much-modified remnant of Mason's Causeway as an archeological resource. However, the submerged portion of the causeway is eligible for the National Register as an element of the Theodore Roosevelt Island Historic District (Louis Berger Group 2005:112). The causeway once connected Mason's Island (now Theodore Roosevelt Island) to the mainland and crossed over the lower Rosslyn site. However, the dock will be located near the causeway remnants. Ongoing consultation with the Virginia and DC SHPOs throughout the project and during design per the programmatic agreement will determine if long-term, adverse impacts will occur. Remains of the Alexandria Canal, a related component of the C&O Canal, may be present in the upland portion of the upper Rosslyn site, but it is very unlikely that any canal elements survived the extensive local construction activities based on the archeological investigation completed in 2005. No archeological potential exists on the Roaches Run soft launch site; therefore, no impacts will occur. Terrestrial and underwater archeological resources have not yet been investigated at Riverside Park along the Potomac River in Fairfax County. Impacts of the installation of the poles and anchor points for the floating dock at Riverside Park will be under the jurisdiction of the Maryland SHPO. A Phase I study will be necessary to determine if archeological resources are present, and further consultation with the Virginia and Maryland SHPOs will be required.

The selected alternative will improve nonmotorized boat access along the Potomac River shoreline in Virginia, increase the safety of rowing and paddling activities on the water, increase boat storage availability, and provide space for educational and outreach opportunities. Additional storage facilities for scholastic, collegiate, and other rowing groups will reduce crowding at existing facilities and result in a more enjoyable experience for visitors. During construction of the boathouse and support facilities, the Potomac Heritage Trail at the lower site and the Martha Custis Trail at the upper site will be temporarily closed and realigned. These trails are used for a variety of recreational activities. Closure will have a short-term, direct, adverse impact on visitor use and experience. Visitors using the Theodore Roosevelt Island parking lot will experience short-term, direct, adverse impacts from the reduction of the number of parking options during the construction period. Construction noise and temporary re-routing, if needed, from the installation of the soft launch sites will result in short-term, adverse impacts on visitors recreating in the nearby park areas. However, construction activity will be restricted to daytime hours, and all applicable local, state, and federal noise ordinances and compliance measures will be implemented and enforced. The selected alternative will noticeably enhance visitor use and experience by increasing public access to the waterfront of the Virginia shoreline, increasing the amount and diversity of visitor opportunities and facilities, and improving wayfinding. Additional boat storage space will provide more comfort for public users and scholastic and collegiate rowing groups. Overall, this alternative will result in long-term, beneficial impacts on visitor use and experience.

The selected alternative will attract new users to the nonmotorized boathouse, generating a large number of new vehicular, pedestrian, and bicycle trips to and within the project area. Construction of the facilities at both sites will require a new curb cut at the sidewalk along N. Lynn Street in Rosslyn and result in an increase in pedestrian and bicycle congestion along the Martha Custis Trail between N. Lynn Street and the Theodore Roosevelt Island parking lot. Transit routes will be adjusted by Washington Metropolitan Area Transit Authority and Arlington County Transit to offset an increase in ridership to the boathouse. The development of these sites will result in increased vehicular volume. Traffic analysis of the area reported that the increase will not adversely affect the operations of the study area intersections though, because there will be no parking associated with the boathouse. Therefore, there will be no measurable long-term, direct impacts, but there could be short-term, direct, and adverse impacts along the parkway and N. Lynn Street during construction of the boathouse.


In summary, the selected action will not have a significant effect on the human environment. No significant impacts on public health, public safety, sites or districts listed in or eligible for listing in the National Register, or other unique characteristics of the region are expected. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the NPS selected action will not violate any federal, state, or local environmental protection law.

CONCLUSION

As described above, the selected alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement. The selected alternative will not have a significant effect on the human environment in accordance with Section 102(2)(c) of NEPA.

Based on the foregoing, it has been determined that an EIS is not required for this project and, thus, will not be prepared.

Recommended:



Charles Cuvelier
Superintendent
George Washington Memorial Parkway

4-2-2019

Date

Approved:



Lisa Mendelson-Ielmini
Acting Regional Director
National Capital Region

5/7/19

Date

LIST OF APPENDICES

Appendix A: Mitigation Measures

Appendix B: Non-impairment Determination

Appendix C: Response to Public Comment

Appendix D: Errata

Appendix E: Programmatic Agreement

APPENDIX A: MITIGATION MEASURES

The National Park Service (NPS) places a strong emphasis on avoiding, minimizing, and mitigating potentially adverse environmental impacts. To help ensure the protection of natural and cultural resources and the quality of the visitor experience, the following protective measures will be implemented as part of the selected alternative. NPS will implement an appropriate level of monitoring throughout the construction process to help ensure that protective measures are being properly implemented and are achieving their intended results.

SOILS

- The construction of the boathouse and installation of floating docks will be subject to permitting requirements and appropriate sediment and erosion control management practices as required in Virginia's Erosion and Sediment Control Handbook to minimize the potential for sediment-laden runoff from the construction site.
- If the total site disturbance exceeds 2,500 square feet (SF), a land-disturbing activity permit will be required by the Erosion and Sediment Control Ordinance in Chapter 57 of the Arlington County Code and the Virginia Erosion and Sediment Control Program.

WATER QUALITY

- The construction of the boathouse and installation of floating docks will be subject to permitting requirements and appropriate sediment and erosion control management practices as required in Virginia's Erosion and Sediment Control Handbook to minimize the potential for sediment-laden runoff from the construction site.
- The boathouse will (1) comply with stormwater management requirements, (2) maximize building-integrated stormwater management, and (3) minimize the use of impervious surfaces to minimize the potential for stormwater impacts on water quality.
- Storage of petroleum products for coaches' launches and other uses will be prohibited to prevent impacts from accidental spills.
- Dredging activities, if required, will be permitted through the US Army Corps of Engineers.

WETLANDS AND FLOODPLAINS

- The boathouse structures will be designed to reduce floodplain impacts, including using flow-through construction and possibly an elevated structure.
- A buffer will be established around submerged aquatic vegetation (SAV) beds to the extent possible, and dredging and placing any necessary fill will occur outside the growing season. The total square footage of SAV disturbed will be replanted outside the project area but within the watershed, as close to the site as possible.
- Mitigation, to be determined during the permit process, will occur, as necessary.

VEGETATION

- Following construction, revegetation of temporarily disturbed areas will follow applicable best management practices to minimize and prevent the establishment of invasive species. Fill material will be obtained in accordance with agency approvals and permitting requirements and will be certified free of exotic invasive vegetation species and weeds. The equipment used at the site will be free of mud, dirt, and plant material before use. Plants used in revegetation activities will include only native species. Prior to revegetation, disturbed areas will be monitored for any invasive plant species.
- Ground disturbance will be avoided and minimized, where possible.

- Trees removed during construction will be replaced within the project area or elsewhere within the George Washington Memorial Parkway at a 1:1 ratio. Replanting will be consistent with the cultural landscape features and historic planting plans for the Parkway.

AQUATIC WILDLIFE

- The construction of the boathouse and installation of floating docks will be subject to permitting requirements and use of appropriate sediment and erosion control management practices as required in Virginia's Erosion and Sediment Control Handbook to minimize the potential for sediment-laden runoff from the construction site, which could affect aquatic wildlife.
- Consultation with the US Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) will be carried out prior to implementation to determine what mitigation measures will be required, such as time of year restrictions for in-water work, to ensure the protection of listed species. All mitigation measures required by USFWS and NMFS will be included in all required permits and potential future compliance documentation.

HISTORIC DISTRICTS AND CULTURAL RESOURCES

All mitigation for historic districts and cultural landscapes will be completed in consultation with the Virginia, District of Columbia (DC), and Maryland state historic preservation officers (SHPO); this consultation will continue into the design phase of the project. All necessary requirements and the pathway to identify future mitigation measures are included in the programmatic agreement (appendix E). Impacts on historic structures or districts will be minimized by ensuring that development of the boathouse and support facilities is conducted in a manner consistent with the Secretary of the Interior's *Standards for the Treatment of Historic Properties*. If archeological resources are discovered during construction, all work in the immediate vicinity of the discovery will be halted until the resources can be identified and documented and an appropriate mitigation strategy can be developed. Consultation with NPS, and/or the NPS regional archeologist and the SHPO will be coordinated to ensure that the protection of the resources is addressed. In the unlikely event that human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (25 United States Code 3001) of 1990 will be followed.

ARCHEOLOGICAL RESOURCES

All mitigation for archeological resources will be completed through section 106 consultation with the Virginia, DC, and Maryland SHPOs. All necessary requirements and the pathway to identify future mitigation measures are included in the programmatic agreement (appendix E).

VISITOR USE AND EXPERIENCE

Construction activities for the boathouse and installation of the floating docks will be limited to daytime hours and subject to all applicable local, state, and federal noise ordinances and compliance measures.

TRAFFIC AND TRANSPORTATION

To reduce impacts on the transportation system from the preferred alternative, mitigation measures are recommended by travel mode of transportation analyzed.

- Pedestrians: Signs to help boathouse users, especially tourists, should be installed to improve wayfinding between the Rosslyn Metro Station and the boathouse facilities. More detail is provided in the Transportation Impact Assessment (TIA) (appendix A of the environmental assessment [EA]).
- Bicycles: Bicyclists will be required to walk their bicycles between N. Lynn Street and the boathouse along the Martha Custis Trail to reduce bicycle-pedestrian safety issues through this section with a steep grade. More detail is provided in the TIA (appendix A of the EA).

- **Transit:** NPS will work with the Washington Metropolitan Area Transit Authority and the District Department of Transportation to install signs directing boathouse patrons from the key transit locations to the boathouse, including the Rosslyn Metro Station and DC Circulator stop at N. Moore Street at N. 19th Street.
- **School buses/taxis/other carpools:** Arlington County will work with NPS to designate locations where school buses, taxis, and other vehicles can safely drop-off/pick-up boathouse users. The TIA provides a few suggested locations, but these locations need to be formalized before a new boathouse opens to prevent vehicles from attempting the drop-off/pick-up at the corner of Lee Highway Westbound (Lee Highway WB) and N. Lynn Street. The following locations are suggested for further study as near-term solutions:
 - School buses: along N. Kent Street.
 - Taxis and personal vehicle drop-off/pick-up: along Lee Highway Eastbound (Lee Highway EB) service road, using the existing designated bus stops during the weekdays.
 - Taxis and personal vehicle drop-off/pick-up: along N. Moore Street just south of Lee Highway EB service road along the west side, using the existing on-street parking during the weekday peak hours.
 - All drop-off/pick-up: along N. Moore Street just south of Lee Highway EB service road along the west side using the existing on-street parking converted to an official drop-off/pick-up for all boathouse traffic. More detail is provided in the TIA (appendix A).
 - In the long term, all drop-off/pick-up is suggested to use an existing commuter bus stop for 13 Loudoun County Transit outbound commuter buses destined to Loudoun County located on N. Kent Street. There is 100-foot section of curb that is signed to prohibit parking.
- **Parking:** No parking for use of the boathouse facilities will be allowed at the existing Theodore Roosevelt Island parking lot.

APPENDIX B: NON-IMPAIRMENT DETERMINATION

By enacting the National Park Service (NPS) Organic Act of 1916 (Organic Act), Congress directed the US Department of the Interior and NPS to manage units “to conserve the scenery and the natural and historic objects and wild life therein and to provide for the enjoyment of the same in such a manner and by such a means as will leave them unimpaired for the enjoyment of future generations” (54 United States Code [USC] 100101). Congress reiterated this mandate in the Redwood National Park Expansion Act of 1978 by stating that NPS must conduct its actions in a manner that will ensure no “derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by Congress” (54 USC 100101).

NPS Management Policies 2006, Section 1.4.4, explains the prohibition on impairment of park resources and values.

While Congress has given the Service the management discretion to allow impacts within parks, that discretion is limited by the statutory requirement (generally enforceable by the federal courts) that the Park Service must leave park resources and values unimpaired unless a particular law directly and specifically provides otherwise. This, the cornerstone of the Organic Act, establishes the primary responsibility of the Nation Park Service. It ensures that park resources and values will continue to exist in a condition that will allow the American people to have present and future opportunities for enjoyment of them.

NPS has discretion to allow impacts on park resources and values when necessary and appropriate to fulfill the purposes of a park (*NPS Management Policies 2006*, Section 1.4.3). However, NPS cannot allow an adverse impact that will constitute impairment of the affected resources and values (Section 1.4.3). An action constitutes an impairment when its impacts “harm the integrity of Park resources or values, including the opportunities that otherwise will be present for the enjoyment of those resources or values” (Section 1.4.5). To determine impairment, NPS must evaluate “the particular resources and values that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts” (Section 1.4.5).

This determination on impairment has been prepared for the selected alternative described in this Finding of No Significant Impact. An impairment determination is made for the resource topics of water resources (including wetlands and floodplains), soils, and historic districts and structures. These resources are considered fundamental to the park because of the ecological importance of the Potomac Gorge (upstream of the boathouse and support facilities) and the historical significance of the George Washington Memorial Parkway (the park). An impairment determination is not made for visitor use and experience and traffic and transportation because impairment findings relate back to park resources and values, and these impact areas are not generally considered to be park resources or values according to the Organic Act and cannot be impaired in the same way that an action can impair park resources and values.

SOILS AND VEGETATION

Under the selected alternative, new structures constructed at the lower Rosslyn site will eliminate soil productivity and increase soil compaction on approximately 14,000 square feet (SF). Similar impacts will occur in the upper Rosslyn site where boathouse support facilities and a parking lot will be located. Construction at both locations will permanently remove trees, shrubs, turf grass, and other understory vegetation. Realigning the Potomac Heritage Trail and the Martha Custis Trail will disturb and compact soils. A formalized path will replace existing social trails, reducing soil compaction in those locations. Minimal vegetation clearing would be required to create the soft launches. Exposed and disturbed areas will be reseeded and mitigation measures will be implemented to stabilize the soil, repair compaction, and/or improve soil productivity. Best management practices employed throughout the construction period will prevent erosion and runoff and help minimize or avoid adverse impacts on soils. After

construction activities are completed, appropriate vegetation will be replanted in temporarily disturbed areas and adjacent to the new structures, pathways, and realigned trails. Cleared trees would be replaced on-site, to the extent possible, or elsewhere in the park.

The area of permanent impacts on soils and vegetation under the selected alternative is small, relative to the overall size of the George Washington Memorial Parkway, and will not impede the purpose of the park to protect the natural shoreline of the Potomac River. Because impacts will largely be temporary and the addition of impervious surface to the existing footprint will be relatively small, no impairment to soils and vegetation will occur in the George Washington Memorial Parkway.

WATER RESOURCES

The selected action will affect water resources, including wetlands and floodplains; however, these resources will not be impaired. Installation of the docks at the lower Rosslyn site will disturb approximately 3,600 SF of submerged aquatic vegetation (SAV) in that area. Dredging or regrading activities will disturb up to 58,000 SF of riverine wetlands by disturbing the river bottom, which is a combination of clay, sand and silt, habitat, and SAV.

It is possible that SAV could reestablish itself on the river bottom where dredging occurred. NPS and permitting agencies could stipulate that project work be done in the fall and winter when SAV are dormant. To the extent possible, the establishment of a buffer around the SAV bed and area adjacent to the docks could also mitigate impacts. The largest population of the lost SAV is an invasive species, *Hydrilla verticillata*. NPS could compensate the 3,600 SF of lost SAV by planting native species on a 1:1 basis in the Potomac River as close to the project site as possible. Although the character of the wetlands will change, the overall wetland area will not be lost because even with dredging, the depth at mean low tide will remain less than 2 meters (6.5 feet).

Dredging and re-contouring to the required depth will also result in the loss or degradation of habitat for fish and other aquatic species associated with SAV communities and will likely result in mortality of sessile or less mobile benthic species, potentially including eastern pondmussel and tidewater mucket from crushing or burial. These impacts will affect isolated individuals but will not affect the overall population levels of these species given the small amount of habitat that will be affected and the abundance of nearby suitable habitat within the Potomac River. Impacts on aquatic species will be temporary.

Construction management practices such as the use of cofferdams and sediment curtains will minimize the risk of short-term, adverse impacts from sedimentation adjacent to the work and disturbed area. The boathouse and soft launch locations, are located within the 100-year floodplain. However, compliance with NPS Director's Order 77-2 will minimize long-term, adverse effects on floodplain functions and values. The boathouse is water-dependent and will be designed to be flood resistant (i.e. flow-through construction, tear-away walls, and possible construction on piles to elevate the building). The soft launch locations will not alter the function of the floodplain.

Overall impacts on wetlands, floodplains, and aquatic wildlife will be limited and will not alter the overall purpose and significance of the park. Because the impacts on wetlands will be limited, and floodplain function and values will not be adversely affected, no impairment of these water resources will occur.

CULTURAL RESOURCES

The project area is within the George Washington Memorial Parkway Historic District and contains the Francis Scott Key Bridge (Key Bridge), which connects Georgetown in Washington, DC, and Rosslyn in northern Virginia. The project area also contains Theodore Roosevelt Island, an 88.5-acre island on the Potomac River near the Key Bridge. Theodore Roosevelt Island is individually listed in the National Register of Historic Places. The selected alternative will have direct and indirect impacts on historic resources within the direct and indirect areas of potential effect. The new facilities will alter the setting of

the historic resources in the area but will be designed to be compatible with the adjacent resources and consistent with the Secretary of the Interior's *Standards for the Treatment of Historic Properties*. For all areas that will be disturbed by construction, it is likely that no archeological resources will be disturbed and no impacts would occur. Additional surveys are required at Riverside Park to confirm the presence or absence of archeological resources. The submerged portion of the causeway is eligible for the National Register as an element of the Theodore Roosevelt Island Historic District. If the construction footprint is unable to be modified to avoid this feature, there would be a direct impact and mitigation would be required.

Continued consultation with the Virginia, District of Columbia, and Maryland State Historic Preservation Offices and other consulting parties will occur during the design phase of the project to ensure adverse impacts on cultural resources are minimized and mitigated to the extent possible. None of the impacts will affect the eligibility for listing of any of the historic resources in the National Register of Historic Places, and the purpose and significance of the parkway and its ability to function as a scenic gateway to the nation's capital will be unaltered. No impairment of historic structures and districts or archeological resources will occur.

SUMMARY

NPS has determined that the implementation of the selected alternative (alternative C) will not constitute an impairment of the resources or values of the park. As described above, implementing the selected alternative is not anticipated to impair resources or values that are essential to the purposes identified in the establishing legislation of the park, key to the natural or cultural integrity of the park, or identified as significant in the park's relevant planning documents. This conclusion is based on the consideration of the purpose and significance of the park, a thorough analysis of the environmental impacts described in the environmental assessment, relevant scientific studies, the comments provided by the public and others, and the professional judgment of the decision maker guided by the direction of the NPS *Management Policies 2006*.

APPENDIX C: ENVIRONMENTAL ASSESSMENT COMMENTS AND RESPONSES

No.	Comments	Responses
1	<p>Commenters expressed concern that motorized coaching launches could not be stored at the new boathouse. Commenters proposed the use of special gasoline storage lockers that would be filled offsite and stored outside the floodplain. The gasoline tanks would be removed from the boats every night and secured in the lockers.</p> <p>Commenters noted that launch storage should be allowed at the boathouse because meeting the rowers on the water is dangerous and the athletes would be unsupervised while coaches retrieve their boats from offsite, noting that on-site storage of launches is critical to managing a scholastic rowing program. A commenter suggested using a supplementary nearby dock for the launches.</p>	<p>Coach's launches with removable gasoline tanks would be able to be stored at the boathouse. Gasoline tanks would need to be filled off-site and removed from the site after each use. The gasoline tanks would not be able to be stored on-site.</p>
2	<p>One commenter noted that 300-foot docks for the proposed boathouse would be excessive because it is not easy to launch kayaks from docks. Other commenters also noted that it is difficult to launch kayaks and paddle crafts from some docks because the floats that the docks are placed on are thick and the drop to the boat is far. These commenters requested that the design of the soft launch access site consider kayakers' needs.</p>	<p>The length of the proposed docks is appropriate to accommodate multiple shells, which vary in length, but can be up to 68 feet long. Accommodations for the launching of kayaks and paddleboards will be incorporated into the dock design during the design phase.</p>
3	<p>Commenters noted that the Roaches Run soft launch site would not provide access to the Potomac River and therefore would not be useful.</p> <p>Commenters suggested providing access to the river from Gravelly Point, away from the existing concrete ramp for motorized use. Other suggested soft launch locations included Columbia Island, Theodore Roosevelt Island, and other locations along the parkway with existing parking areas.</p>	<p>The Roaches Run soft launch would not provide access to the Potomac River, but does provide access to the Roaches Run inlet, which provides a different paddling experience for users. Launch sites at other NPS locations may be considered at a future date, but are outside the scope of this study.</p>
4	<p>One commenter noted that rigging apron would be between the boat storage area and the docks, which would impede launching, especially during de-rigging and re-rigging operations for regattas elsewhere. The commenter suggested that side lawns could be used for rigging to minimize impervious surfaces.</p>	<p>The EA provided a conservative analysis, including a larger footprint, to provide flexibility during the design phase. As the design process moves forward, this suggestion will be taken into consideration for the layout and functionality of the boathouse</p>

No.	Comments	Responses
5	Commenters requested that the boat storage facility address the needs of all users, including providing space for paddlers, senior citizens, and users with disabilities in addition to the rowing space. One commenter also asked that kayak and stand up paddleboard rentals be available at the facility.	NPS and Arlington County will consider all potential functions and user groups in the design of the boathouse. As the design process moves forward, this suggestion will be taken into consideration for the layout and functionality of the boathouse. As a facility on federal property, the building will be required to be accessible for users with disabilities. The operation of the building, including any potential rental opportunities, has not yet been determined.
6	Two commenters requested that the lower Rosslyn facility provide running water for hoses and hand washing and an outdoor shower.	As described in the EA, the design of the boathouse will include a light on the land approach and is located within the floodplain. The boathouse will strive to have a minimal intrusion on the land and, as a result, will not have running water to avoid additional development and land disturbance.
7	One commenter noted that the EA does not mention that a portion of the Potomac Heritage Trail would need to be paved. Other commenters advocated for enhanced interpretive signage, noting that the relocation of the Potomac Heritage Trail along one side of the boathouse would create an opportunity for historical and environmental education and interpretation.	Page 20 of the EA notes a portion of the Potomac Heritage Trail would need to be relocated under alternative C, which is demonstrated visually in Figure 9 on page 21. While the trail would be relocated, it would not be paved. The suggestions for interpretive signage will be taken into consideration during the design and implementation phase of the project and NPS appreciates the ideas for new ways to inform the public on the important historic and cultural resources within the park.

No.	Comments	Responses
8	<p>Commenters raised questions about how boats would be brought to the proposed boathouse by water and how the coordination would work with Thompson Boat Center.</p> <p>Commenters also questioned how teams would load boats for regattas and how shells would be moved during or before flood events.</p> <p>A commenter noted that use of the boathouse for scholastic teams would require on-site parking and loading and unloading space.</p> <p>Commenters requested that trailers be able to access the parking lot and boathouse before and after regattas.</p> <p>A commenter suggested that the parking lot at Theodore Roosevelt Island be reserved for team trailers on Fridays and Sundays during race weekends to allow loading and unloading of shells going to and coming from regattas.</p> <p>Other commenters requested that a limited access lane or second entrance to the lot be added into the site or parking area that would make it possible for trailers or personal vehicles to enter and exit the site for loading boats and minimize traffic conflicts.</p> <p>Other commenters suggested that trailer access be limited to weekdays when the parking lot is less congested or that the emergency lane be modified to create a loop for drop-off.</p>	<p>As noted in the EA, there will be no parking or temporary loading space available at the boathouse under the selected alternative. The parking lot at Theodore Roosevelt Island will not be able to accommodate trailers, even for loading and unloading purposes. The parking lot does not have the capacity for additional vehicles and the length of the trailers cannot make the turn exiting or entering the parkway from the parking lot and too narrow to reconfigure to safely add a second entry or exit lane. As noted in the EA, all boats will be floated to and from the boathouse to other boathouses for loading and unloading purposes.</p>
9	<p>Commenters requested more information about the number of days that water conditions at Gravelly Point would prevent rowing versus the number of days rowing would be possible from the lower Rosslyn site.</p> <p>Commenters also requested more information about rowing patterns and usage on the Potomac River because NPS cites this as a reason for identifying the preferred alternative.</p> <p>Commenters asked for additional information on how and why NPS determined alternative C was the preferred alternative, specifically noting that the preferred alternative would result in tree loss from a Resource Protection Area.</p>	

No.	Comments	Responses
	A commenter expressed concern that selection of alternative C as the preferred alternative would stop the public from being able to participate in the comprehensive planning process for the upper Rosslyn site because the EA does not address the benefits of maintaining the upper site for passive recreation, and Arlington County has not completed a public planning process for the site.	Arlington County is a cooperating agency as part of the NEPA process and the EA has included multiple opportunities for public comment that specifically included the use of the upper Rosslyn site. Completion of federal compliance under NEPA does not preclude further compliance with planning processes by Arlington County.
10	One commenter asked for clarification on if the boat storage facility proposed in alternatives B, C, and D would be the same size.	Yes, the size of the boathouse for both alternatives B and C would be the same. The quoted text refers to the ability to provide support facilities with a smaller boathouse as opposed to one larger boathouse structure that would contain support facilities at the lower Rosslyn site, which is located within the floodplain and was not considered as a feasible alternative. The footprint of the boathouse under alternative D was analyzed to be of similar size, but would contain a second story with support facilities.
11	One commenter requested that the EA explore ways to accommodate restrooms and lockers at the lower Rosslyn site by enlarging the footprint or providing a second building on the lower site.	A larger boathouse structure would not be appropriate for a variety of reasons. The boathouse will be within the floodplain, so the smallest footprint possible is desired, with minimal ground disturbance and tree clearing. A larger or taller structure would be more visible, increasing impacts to the viewshed and cultural resources; and could impede access to the Potomac Heritage Trail.
12	<p>Commenters requested that parking be made available near the facility or parking lots added.</p> <p>One commenter added that pedestrian access should also be improved so that it would not be necessary to drive to the boathouse.</p> <p>One commenter stated that parking at the upper Rosslyn facility and the curb cut off North Lynn Street would be unnecessary. The commenter suggested converting a travel lane on Lynn or Lee Highway to parking for the upper Rosslyn facility.</p>	No public parking facilities are included at the upper Rosslyn site under the selected alternative; Rosslyn has public parking available within walking distance of the site with existing pedestrian connections. The small lot included at the upper Rosslyn site would be used for NPS or Arlington County maintenance vehicles with a few designated accessible parking spaces, so a curb cut would be required to allow access for those vehicles. Conversion of travel lanes to parking would not be practical.

No.	Comments	Responses
13	<p>Commenters asked about accessibility and programming for the community at large beyond rowing.</p> <p>One commenter expressed concern that the proposed boat storage facility is designed only for rowing and would not serve the larger watersports community.</p> <p>The commenter noted that because there is no road access, the facility would not benefit kayakers and canoeists who do not store boats there. Other commenters suggested that NPS provide a soft launch site or other way to launch paddle craft at the lower Rosslyn site, with space in the boathouse to store paddle craft, a pickup and drop-off area that could be added by changing the emergency access lane, dedicated time-limited parking, and lightweight carts to transfer boats from the overpass to the docks so visitors could launch canoes or kayaks from the new facility's docks.</p> <p>Commenters also asked about programming for the boathouse for low-income residents, schools, and residents from outside Arlington.</p>	<p>Universal accessibility will be incorporated into the overall design of the boathouse and surrounding facilities.</p> <p>While some portion of the boathouse would be reserved for scholastic rowing programs, the remainder of the facility could be open for storage of other craft, including kayaks, canoes, SUPs, or individually owned rowing shells.</p> <p>As noted in previous responses, no parking or drop off for boathouse related activities would be allowed because of space constraints, so car top facilities cannot be accommodated at the site, and because of this, NPS has proposed the Riverside and Roaches Run soft launch locations.</p> <p>Programming for the facility has not been determined.</p>
14	<p>Commenters expressed concern about the extent of the limits of disturbance at the lower Rosslyn site and suggested removing as few trees as possible. Specifically, one commenter suggested avoiding the proposed staging area by the pedestrian bridge and retaining a large elm near the parking lot. The commenter recommended other areas for staging, including the parking lot at Theodore Roosevelt Island. The same commenter also recommended maximizing tree canopy in the restoration plan. Another commenter suggested preserving existing native trees to the greatest extent possible, including the row of locust trees on the hill and other native species along the riverbank</p>	<p>Unfortunately, due to the very heavy use of Theodore Roosevelt Island, closing the parking lot to public use and using it as a staging area is an impact that is unacceptable to the NPS. The EA considered a conservative analysis for vegetation to ensure actual impacts do not exceed the anticipated impacts. NPS would seek to limit vegetation removal to the extent possible during the design phase of the project.</p>

No.	Comments	Responses
15	One commenter asked for additional information regarding alternative D, particularly how alternative D compares to the other alternatives regarding water conditions, water quality, air quality, and footprint size.	The footprint for the facility at Gravelly Point would be similar to the footprint for lower Rosslyn, but the facility would have a second level. There would be more airport noise and lower air quality adjacent airport. The noise and air quality, however, would not pose a threat to boater health. Due to the larger expanse, less protected conditions of the river at this site, waves are larger and develop quicker than at the Rosslyn site, which would result in less days on the water, and possible issues with boater safety. There is no difference in water quality at the two locations.
16	One commenter suggested that NPS should select alternative D because it would have fewer impacts on the natural environment than the other alternatives and is adjacent to other visitor uses. The same commenter also noted that readers are unable to see the current condition of Gravelly Point because there are no ground-level photographs of the site.	Alternative selection balanced adverse and beneficial impacts across all impact topics. The NPS rationale for the selection of the preferred alternative was included in the EA and again as the selected alternative in the FONSI. Every figure for alternative D provided an aerial image that demonstrates the proposed location is sparsely vegetated, which was supported by additional text in the EA.
17	Commenters suggested other locations for a boathouse that would be less disruptive and result in fewer environmental impacts, including Theodore Roosevelt Island, Daingerfield Island, expanding the Thompson Boat Center, and the existing marina opposite the Pentagon at Lady Bird Johnson Park. Commenters also suggested that the Madison Street boathouse should be used for crew teams, and a soft launch site with parking could be constructed opposite Theodore Roosevelt Island.	Alternatives considered but dismissed, including Daingerfield Island, are provided on page 29 of the EA. Expansion of Thompson Boat Center would not meet the purpose and need for the project because it would not be located on the Virginia side of the Potomac River, which was the direction from Congress. Providing a soft launch site at the lower Rosslyn site would be difficult because of site constraints and lack of available parking. For this reason, NPS proposed the soft launch sites at Roaches Run and Riverside Park.
18	Commenters suggested additional amenities that should be included in the plan, including allowing small businesses to set up retail space; providing food-for-purchase options; and constructing a walking bridge from Rosslyn Plaza to Roosevelt Island, a new comfort station, and a walking path to the lower Arlington site.	Programming and amenities for the new facility will be determined during the design and implementation phase of the project.

No.	Comments	Responses
19	<p>Commenters suggested agencies and organizations that should be consulted during the development of this plan. One commenter suggested, in the event that disturbance is proposed in the intertidal zone as part of project implementation, NPS should coordinate with the Fairfax County Wetlands Board to review whether or not a wetlands permit would be required for the Riverside Park soft launch. Because both terrestrial and underwater archeological resources exist in the area of Riverside Park, one commenter suggested NPS coordinate with the Park Authority's Archeological Collections Branch and the Virginia and Maryland State Historic Preservation Offices</p>	<p>NPS will continue to coordinate with all appropriate agencies as the project moves forward into the design phase and more specific site plans are developed.</p>
20	<p>One commenter noted that the EA does not provide information on the presence of boathouses on the Virginia shoreline in the Georgetown nonmotorized boathouse zone, even though the EA states that this area "was historically known to contain many boathouses." The commenter further notes that these boathouses are actually on the District of Columbia's shoreline</p>	<p>The quoted text discusses the impacts from the Georgetown Nonmotorized Boathouse Zone Project, which is included as a cumulative project occurring near the project area on the District of Columbia shoreline. No change was made to the EA as a result of this comment.</p>
21	<p>One commenter suggested other cumulative actions that should be considered in the EA, including the Georgetown Canal Plan; Rock Creek Park Trail Access and Safety Improvements; the Rehabilitation of Rock Creek and Potomac Parkway; the Kennedy Center Expansion; the Kennedy Center Pedestrian Access; and the Key Bridge Architectural Lighting Project</p>	<p>Comment noted.</p>
22	<p>One commenter pointed out areas in the EA that need editorial revisions, specifically the misnaming of the "Custis Trail" as the "Martha Custis Trail." Another commenter noted several typographical errors in the EA and suggested the document include applicable executive orders, applicable local and federal regulations (e.g., the Federal Environment Tree Policy), and the National Capital Planning Commission NEPA Regulations for guidance regarding timing of NEPA compliance under §601.8(b) through (f).</p>	<p>NPS has followed the policies in the agency's 2015 NPS NEPA Handbook, which encourages a streamlined, reader-friendly NEPA document. When applicable to specific resources, such as wetland and floodplains, specific executive orders are included in those sections. All additional editorial errors are fixed in the Errata.</p>

No.	Comments	Responses
23	One commenter suggested revisions to some of the figures in the EA. These include: adding a legend in figure 1 to depict the project components that are described under the "project area" narrative on page 3; illustrating previous locations that were considered for the proposed boathouse facility; illustrating the two proposed soft launches sites for paddle craft; showing the Arlington and Fairfax County boundaries; illustrating the proposed boathouse locations and soft launch sites; labeling Chain Bridge Road; and illustrating the locations of the proposed parking lot and portions of the relocated trail and supporting buildings for options A and B.	The locations of the project components, including the proposed soft launch sites and the county boundaries are provided in figure 2 (page 13). There is no proposed parking lot to illustrate. The reference to options A and B was an error and has been corrected in the Errata.
24	One commenter suggested the EA include a discussion of the local and federal stormwater management regulations that the project must address	The EA clearly describes stormwater requirements and indicates that new facilities would be required to replicate predevelopment hydrology on the sites. It is likely that stormwater management on sites D and E would result in improved stormwater management systems on those sites, which are now paved without any stormwater management. As noted in chapter 1, wildlife disturbance would be minimal. Minimal disturbance to wetlands are described in the action alternative, alternative 2.
25	One commenter suggested that the EA include a table that compares the impacts of all alternatives and recommended defining the thresholds of change for the intensity of impacts in terms of negligible, minor, moderate, and major	The analysis of impacts were quantified to the greatest extent possible in order to provide the reader of what the impacts actually are in real numbers. Assigning thresholds to define an impact is no longer practice of the NPS.

No.	Comments	Responses
26	<p>Commenters noted that the boathouse would require funding, which could occur through club membership, leases or concessionaire contracts. One commenter noted that both options would exclude the public. Another commenter requested businesses be allowed to operate in the boathouse, under either a traditional lease or a public-private (P3) partnership. The commenter noted that businesses at the boathouse could assist with visitor use during the off-seasons or during non-boating hours and could serve as a revenue stream for NPS. One commenter noted that the proposal does not include any information about security at the boathouse. The commenter further questioned where the funding for such security would come from.</p>	<p>Funding for boathouse construction and operation has not yet been determined. This determination will be made in partnership with Arlington County. Security will be determined during the design and programming processes.</p>
27	<p>One commenter noted that because of the highly developed nature of the Rosslyn site, any removal of trees would have an adverse impact on water quality, the integrity of the shoreline, and the productivity of the wetlands</p>	<p>Impacts on wetlands are fully analyzed in the EA, beginning on page 59, and are reiterated again the Wetland Statement of Findings in Appendix B</p>
28	<p>One commenter noted that impacts on mudflats, shallow water, and submerged aquatic vegetation should be quantified in the EA. The commenter added that a tidal datum should be identified and the submerged aquatic vegetation mapping should be updated to better illustrate the most recent coverage</p>	<p>The EA included the most recently available coverage of submerged aquatic vegetation, and includes acreage of that coverage. Specific acreage of the other types of wetlands cannot be quantified until design, so the EA assumed that it would all be disturbed. Once design is underway and it the actual area of disturbance can be determined, the NPS will go through a Wetland Statement of Finding Process, and develop a mitigation plan that will offset the impacts of this disturbance. This document will be available for public review and comment.</p>

No.	Comments	Responses
29	<p>One commenter requested that additional information be provided to demonstrate the need to dredge in the project area. The commenter noted that the explanation should address whether construction access or navigable depths for shallow-draft vessels is the rationale supporting the need for and the extent of the proposed dredging. Additionally, the commenter requested the document identify the type of dredge equipment to be used and how dredge material would be managed and disposed. A second commenter requested NPS consider reducing the amount of dredging to minimize impacts on water resources.</p>	<p>Dredging would be required to provide for navigable depth to the dock. The EA included a conservative analysis for the potential dredging area and further design and study would be required to provide specific dredging area, equipment and disposal. Further coordination with NOAA and any permitting agencies will continue as this project moves forward into the design phase. During the design process, the NPS will strive to reduce the size and depth of dredging as much as possible while ensure a usable and safe environment for all boathouse users.</p>
30	<p>One commenter suggested that the impacts on vegetation under alternative C are not described correctly and that adverse impacts on vegetation under alternative C would be more severe than impacts under alternative B. The impacts of tree loss under alternative C would be especially adverse because the site is within a designated Resource Protection Area on the Potomac River and is subject to the provisions of the Commonwealth of Virginia's Chesapeake Bay Preservation Act. The commenter also noted that the EA lacks information about the number, species, or condition of the trees that the action alternatives would remove and felt that the photographs included in the EA of upper and lower Rosslyn are misleading because they show open space with mowed grass and vine-covered trees and do not show the other trees growing on the sites. The commenter also suggests that the EA incorrectly indicates that the upper and lower Rosslyn sites lacks trees and vegetation, while failing to demonstrate that Gravelly Point is much more barren of trees. The commenter suggested that this omission prevents a valid comparison of vegetation impacts. One commenter suggested that the EA fails to consider the impacts on vegetation from tree removal on Arlington County property. The commenter suggested the adverse impacts on vegetation from tree loss would be significant and would require a separate EA.</p>	<p>The EA photos accurately demonstrate that the upper and lower Rosslyn sites contain both mowed grass and trees. The aerial mapping of all three alternatives also demonstrate alternatives B and C (figure 9, page 21) contain trees while alternative D is mowed vegetation (figure 12, page 25). The EA analysis of impacts on vegetation is based on best available data and, beginning on page 65 of the EA, states that alternative B (and also C) would "permanently remove trees, shrubs, turfgrass, and other understory vegetation and convert these areas to impervious surface or pervious pavement" and assumes up to 1.5 acres of clearing for alternative B with an additional acres of clearing under alternative C. The additional acre of vegetation clearing under alternative C is on Arlington County property and is appropriately considered within the EA analysis for total vegetation loss. Page 67 of the EA describes that impacts on vegetation under alternative D would only impact turfgrass, noting impacts on vegetation would be minimal.</p>

No.	Comments	Responses
31	One commenter noted that a more appropriate time to begin the time of year restriction for project construction is March 1, rather than April 1, and that the EA's initial determination for impacts on essential fish habitat is not correct. The commenter further suggested that the project should be relocated and reconfigured as a floating pier to access deeper water and eliminate the need for dredging sensitive habitat	Consultation with all appropriate agencies, including the National Oceanic and Atmospheric Administration, will continue as the project moves forward into the design phase.
32	One commenter noted that the EA recognizes the adverse cultural resource impacts associated with alternatives B and C, which provides sufficient reason to select alternative D instead	NPS considered potential adverse and beneficial impacts on all resources and determined alternative C as the selected alternative.
33	One commenter noted it would be useful to include images of historic resources in the document	Comment noted.
34	One commenter disagreed with the EA statement that the Washington and Old Dominion Railroad acquired the Alexandria Canal's right-of way after the canal was abandoned in the 1880s and that the tracks of the Washington and Ohio Railroad occupied the former Alexandria Canal route by 1900. The commenter stated the railroads did not operate in the Canal's former right-of-way	Comment noted.
35	One commenter noted that the EA should consider the Star-Spangled Banner National Heritage Trail and the Captain John Smith Chesapeake National Heritage Trail. The commenter stated that outreach to the trails should occur to fully review the historic resources and visitor experience along the section of trail. The commenter further noted that the "Visitor Experience" section of the Potomac Segment Plan (2015) describes several public access options within the project boundary that should be referenced and considered during this EA process.	The Potomac Heritage Trail is the only national trail considered in the EA because it is the only national trail within the project area with the potential to be impacted by the proposed alternatives. The trails recommended by the commenter are not in the vicinity of the project area. The recommended access improvements provided by the commenter in the Potomac Segment Plan are outside the scope of this project

No.	Comments	Responses
36	<p>One commenter suggested that alternative C would have long-term, adverse impacts on visitor use, rather than long-term, beneficial impacts as reported in the EA. The commenter stated that only a small portion of park visitors use the Parkway for nonmotorized boating, while the majority of visitors would receive no benefit from the boathouse or the support facility and would be adversely affected by the loss of the natural area. The commenter noted that the buildings constructed as part of alternative C would be visible from the Martha Custis Trail and would adversely affect trail-users' views and experience of the natural area. Another commenter noted that the proposed action would disrupt access to the Potomac Heritage Trail, and therefore have adverse impacts on visitor use.</p>	<p>Comment noted. See pages 78-83 of the EA for Visitor Use and Experience impact analysis.</p>
37	<p>Commenters expressed concern about safety and user conflicts on the Mount Vernon Trail. One commenter recommended NPS consider safety treatments along the trail to enable safe pedestrian crossings near Riverside Park between the parking lot and the shoreline. The commenter noted that safety issues on the trail may increase with the boathouse use. Other commenters noted that many cyclists use the overpass, and the hairpin turn on the bridge makes it more likely that collisions would occur if the number of users increases.</p>	<p>Current signage instructs cyclists to dismount and walk their bicycles on the pedestrian bridge, so while there may be increased use of the bridge, increased collisions would not be anticipated. During the design of the soft launches, NPS will implement appropriate additional safety improvements that may be appropriate at each of the locations within the selected alternative</p>
38	<p>One commenter noted that the EA does not mention the private high schools in Arlington that also use the Thompson Boat Center and suggests that the discussion of Thompson's Boat Center include these schools in addition to the public high schools that use the location.</p>	<p>Public high schools in Arlington County were listed because Arlington County is a cooperating agency for this NEPA process.</p>

No.	Comments	Responses
39	<p>Commenters indicated concern about adverse impacts on parking at Theodore Roosevelt Island parking lot, which is already full on many weekends. Commenters noted that enforcing parking restrictions at the lot would be difficult because there is no obvious way to restrict who uses the parking, and NPS does not have personnel to provide regular parking enforcement. One commenter also stated that using the justification that the preferred alternative is close to transit lacks merit. Another commenter is concerned that rowing teams would use the parking lot on weekends to load and unload shells.</p>	<p>NPS and Arlington County recognize the concerns regarding crowding at the Theodore Roosevelt Island parking lot and will work together to develop an enforcement plan as the project moves forward into design. The reasons NPS selected alternative C are not related to any one aspect of each alternative, such as its location to transit. Alternative selection balances adverse and beneficial impacts across all impact topics and the proximity to public transit was just one beneficial impact under alternative C.</p>
40	<p>Commenters expressed concern about increases in conflicts among users of the Mount Vernon Trail.</p> <p>One commenter is concerned that the plan does not provide support to the trail system or bicycle infrastructure, even though the boathouse facilities would increase vehicular, bicycle, and pedestrian traffic.</p> <p>Another commenter noted that there could be conflicts between people loading or unloading large equipment and cyclists and pedestrians. One commenter suggested that significant improvements to the Mount Vernon Trail should be implemented to increase safety between trail users and vehicular traffic. One commenter requested that the Mount Vernon Trail be kept accessible to non-boaters during and after construction.</p>	<p>The Mount Vernon Trail terminates at the Theodore Roosevelt Island parking area and is not anticipated to be impacted by construction. Boats, including both shells and kayaks, would not be allowed in the parking area and would not result in conflicts. All shells would be floated to and from the boathouse to avoid conflicts within the parking lot.</p>
41	<p>One commenter suggested that water resources and stormwater management (including compliance with section 438 of the Energy Independence and Security Act) be included as impact topics analyzed in the EA because of the proposed dredging and potential increase in turbidity as a result of the plan. The same commenter suggested that noise be analyzed as an impact topic in the EA because of the project's proximity to the airport and the George Washington Memorial Parkway</p>	<p>The EA describes the likely impacts on water resources in the dismissal section in chapter 1, and why these impacts would not be meaningful. Stormwater management is not addressed as a separate impact topic, but the effects of stormwater management requirements are considered in the multiple sections of the EA, including vegetation, soils, and wetlands and floodplains.</p>

No.	Comments	Responses
42	One commenter noted that the public meeting held on July 12 was unsatisfactory because there was no presentation and attendees were not allowed to ask questions or benefit from others' questions. The commenter suggested that the meeting materials did not make it clear that alternative C is the preferred alternative for the project	Comment noted.

APPENDIX E: PROGRAMMATIC AGREEMENT

**Programmatic Agreement
among
The National Park Service,
The National Capital Planning Commission,
County Board of Arlington County, Department of Parks and Recreation,
District of Columbia State Historic Preservation Office, and
Virginia State Historic Preservation Office,
Regarding
Arlington County and Vicinity Boathouse**

WHEREAS, the National Park Service (NPS) at the George Washington Memorial Parkway, in cooperation with the National Capital Planning Commission (NCPC) and the County Board of Arlington County, through its Department of Parks and Recreation (Arlington County), is proposing to develop a boathouse and related facilities on the Virginia side of the Potomac River south and west of Washington, DC, on land administered by the George Washington Memorial Parkway (hereafter known as the Project); and

WHEREAS, the NPS has determined that the proposed Project is an “undertaking” as defined in 36 Code of Federal Regulations (C.F.R.) § 800.16(y); and

WHEREAS, in accordance with 36 C.F.R. § 800.2(a), the NPS is the federal agency with responsibility to comply with Section 106 of the National Historic Preservation Act (NHPA), 54 United States Code (U.S.C.) 306108; and

WHEREAS, the Project is described as the *Combination Upper and Lower Rosslyn Site*, the preferred alternative (Alternative C) in the Arlington County and Vicinity Boathouse Environmental Assessment prepared pursuant to the National Environmental Policy Act (NEPA). Refer to Attachment A; and

WHEREAS, the purpose of the undertaking is to identify a preferred site for an environmentally sustainable public rowing and paddling facility along the Virginia shoreline, while ensuring the protection of park natural and cultural resources. The selection of a preferred site and construction of a boathouse is needed to meet the direction of Congress to provide enhanced public waterfront access near Arlington County, increase access along the Virginia shoreline for nonmotorized water-based recreational activities on the Potomac River, and alleviate pressure on other area boathouses, which are currently at maximum capacity; and

WHEREAS, the Project includes sites in both Arlington and Fairfax County. The “Lower Rosslyn” site is located along the Potomac River shoreline in Virginia south of the Key Bridge, east of the George Washington Memorial Parkway (GWMP) and north of the existing Theodore Roosevelt Island parking lot. The “Upper Rosslyn” site is located to the west across the GWMP, east of North Lynn Street, and north of the 1-66 clover off-ramp (Attachment A). The Project also includes launching sites at Riverside Park in Fairfax County and Roaches Run Waterfowl Sanctuary in Arlington County; and

WHEREAS, the Project consists of a low-impact, flood-resistant riverfront boat storage facility of 14,000 square feet, a 300-foot-long floating dock for nonmotorized boats, and a 300-foot-long access lane for emergency vehicles to be located on the lower Rosslyn site. The project

Programmatic Agreement
Arlington County and Vicinity Boathouse

also includes a support building that houses office space, locker rooms, restrooms, and space for education and outreach, a small parking area for visitors with disabilities and service vehicles, and an access road to be located on the upper Rosslyn site. In addition, the Project includes car-top access and soft launch points for paddlecraft at Riverside Park and Roaches Run; and

WHEREAS, the NPS has consulted with the Virginia State Historic Preservation Office, the District of Columbia State Historic Preservation Office, and the Maryland Historical Trust, (VA, DC, and MD State Historic Preservation Offices [SHPOs]) to define the area of potential effects (APE) for the Project in accordance with 36 C.F.R. § 800.16(d) and has identified the Project's direct or physical APE as areas where historic properties will be physically altered; areas of ground disturbance, including areas of dredging, removal of riprap, and/or filling; and areas where new structures will be added; and the indirect or visual APE as the viewshed of all of the proposed changes and construction associated with the Project as indicated in Attachment B to this Programmatic Agreement (Agreement); and

WHEREAS, the NPS, in consultation with the VA, DC, and MD SHPOs and the other Consulting Parties, has identified historic properties located within the APE for the Project, as documented in the report *Arlington County and Vicinity Boathouse Assessment of Effect* (2018); and

WHEREAS, the George Washington Memorial Parkway is a nationally significant historic property listed in the National Register of Historic Places (NRHP) on June 2, 1995, for its commemorative, design, and scenic qualities; and

WHEREAS, Theodore Roosevelt Island is a nationally significant historic property listed in the NRHP in 1967 and 1999 as a significant cultural landscape for its role in the colonial and early federal period of Georgetown and Washington, DC, for the only monument honoring the 26th president of the United States in Washington, DC, and for its potential to yield important information; and

WHEREAS, the NPS, in consultation with the VA, DC, and MD SHPOs, has determined that that the Project will have a direct adverse effect on the George Washington Memorial Parkway Historic District and an indirect adverse effect on Theodore Roosevelt Island; and further determined that the Project will have no adverse effect on the Georgetown Historic District, Key Bridge, Potomac Aqueduct Bridge Abutment and Pier, C&O Canal, Potomac Boat Club, and Washington Canoe Club; and

WHEREAS, the NPS, in consultation with the VA, DC, and MD SHPOs and the other Consulting Parties, has sought to minimize adverse effects from the Project on historic properties by further consultation with VA and DC SHPOs on the design of the boathouse, and the VA and DC SHPOs have commented on these efforts and concurred on 25 July 2018, and 23 July 2018, respectively, and shall continue design review in accordance with this Agreement; and

WHEREAS, the Advisory Council on Historic Preservation (ACHP) elected not to participate as a Consulting Party to this undertaking through not responding to a May 2, 2018 invitation letter and not attending the May 23, 2018 Consulting Party meeting; and criteria specified in Appendix A to 36 C.F.R Part 800 for ACHP involvement in consultation is not applicable to the

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undertaking; and the NPS notified the ACHP via June 22, 2018 email of an adverse effect determination through provision of the Assessment of Effects documentation meeting criteria specified in 36 C.F.R § 800.11(e) and invited comment; and hearing no response from the ACHP the NPS has successfully negotiated with Consulting Parties language for an agreement to resolve adverse effects; and ACHP participation under 36 C.F.R § 800.6(a)(1)(i) is not applicable; and

WHEREAS, in accordance with 36 C.F.R § 800.6(c)(1)(i), the NPS and VA and DC SHPOs are each a Signatory to this Agreement (hereafter referenced by name, as Signatory or collectively as Signatories); and

WHEREAS, the NPS, in accordance with 36 C.F.R. § 800.2(c)(5) has identified and invited the organizations identified in Attachment C to participate in consultation on this Project; and

WHEREAS, the VA and DC SHPOs, Tom Moncure, the Kennedy Center for the Performing Arts, the Arlington Historical Society, Arlington County, the Georgetown Business Improvement District, the Friends of Theodore Roosevelt Island, Inc., and the Delaware Nation have indicated that they want to participate in consultation on this Project and the Delaware Nation requested to be a concurring party to this Agreement per 36 C.F.R. § 800.6(c)(3); and

WHEREAS, the NCPC has approval authority over federal projects located within the District of Columbia, including within the bed of the Potomac River, per 40 U.S.C. § 8722(b)(1) and (d), and advisory review of projects located on federal land located in Virginia and Maryland per 40 U.S.C. § 8722(b)(1); and

WHEREAS, the NCPC has designated NPS as the lead federal agency pursuant to 36 CFR § 800.2(a)(2) for the Project to fulfill their collective Section 106 responsibilities; and

WHEREAS, the NPS has determined the preferred alternative may affect properties included in or eligible for inclusion in the NRHP and is entering into this Agreement with the VA and DC SHPOs and the NCPC to ensure that future actions on NPS lands have appropriate project review and comply with Section 106 of the NHPA (54 U.S.C. 306108) and its implementing regulations, "Protection of Historic Properties," (36 C.F.R. Part 800); and

WHEREAS, the NPS has most recently responded to the interests of Consulting Parties through a series of meetings (23 May 2018 and 7 November 2018) and has provided studies of the potential effects of the Project on historic properties to the VA, DC, and MD SHPOs and the other Consulting Parties; and

WHEREAS, the NPS has sought and considered the views of the public on this Project as evidenced by a public notice and public scoping comment period held 28 June 2018 through 30 July 2018, and a public notice and publication of an Environmental Assessment (EA) released 28 June 2018, prepared and issued as part of NPS's compliance with the National Environmental Policy Act that describes potential impacts to historic properties and requests the public's comments, and NPS received these comments over a 30-day period and replied to them as documented in the Finding of No Significant Impact.

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NOW, THEREFORE, the NPS, VA and DC SHPOs, the NCPC, and Arlington County agree that the undertaking shall be implemented in accordance with the foregoing recitals, which are incorporated in this Agreement, and the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

The NPS shall ensure that the following measures are carried out:

A. AVOIDANCE AND MINIMIZATION

1. The NPS has made efforts to minimize the Project's adverse effect on historic properties in the following manner:
 - a. Restricting and minimizing ground and vegetation disturbance during construction, including limiting tree removal.
 - b. Minimizing the size of construction equipment and using minimally invasive construction methods.
 - c. Developing a "light on the land" facility with a minimal footprint and massing that is in scale with the surrounding landscape.
 - d. Limiting the depth of excavation to avoid disturbing any unknown archeological resources below the depth of previous testing.
 - e. Keeping a 50-100 foot area of protection around known archeological sites where heavy equipment is not allowed to help avoid compression/compaction.
 - f. Applying avoidance and minimization strategies to staging and storage areas as well.

The above minimization efforts shall be reflected in the Project final design plans for improvements on NPS lands.

B. MITIGATION

1. The NPS shall develop a planting plan that includes replacing any removed vegetation, additional plantings for screening from the George Washington Memorial Parkway and Theodore Roosevelt Island, and shoreline restoration within the limits of disturbance. The final planting plan will be provided to the signatories to this Agreement and will be completed in conjunction with the design development for the project (see C. Design Consultation).
2. The NPS shall undertake a cultural landscape inventory (CLI) for the affected portion of the George Washington Memorial Parkway not yet surveyed for landscape qualities (Boundary Channel to, and including, Spout Run Parkway). The final CLI will be provided to the DC and VA SHPOs for review and comment.
3. The NPS shall update interpretive and educational programming for Theodore Roosevelt Island and the George Washington Memorial Parkway in consultation with the DC and VA SHPOs, respectively.
4. These mitigation measures will be completed within ten (10) years of the execution of this Agreement.

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C. DESIGN CONSULTATION

1. Design Review. The NPS shall review the proposed design documentation at the 30%, 70%, and 95% design phases for consideration and consultation as follows:
 - a. The NPS shall review the proposed design documentation focusing on any changes from the preliminary concepts and make a determination as to whether the proposed design may result in new adverse effects that have not already been resolved and/or the intensification of known adverse effects on historic properties.
 - b. The NPS shall forward, via electronic media, its determination in Stipulation C.1(a), and the proposed design documentation to the Signatories for a 30-day review and comment period.
 - c. If the NPS determines that no new adverse effects may result or no known adverse effects on historic properties would be intensified, and no Signatories object within the 30-day review period, the NPS shall proceed with the next phase of design or construction.
 - d. If the NPS determines that no new adverse effects may result or no known adverse effects on historic properties would be intensified and a Signatory objects in writing within the 30-day review period, the NPS shall notify the Signatories and the Signatories shall consult to seek ways to resolve the objection. If the NPS determine that the objection cannot be resolved, the NPS shall follow the procedures in the Dispute Resolution clause of this Agreement.
 - e. If the NPS determines that a new adverse effect may result or a known adverse effect on a historic property would be intensified, the NPS shall immediately notify the Signatories and other consulting parties, and will work to revise the design documentation to avoid, minimize, or mitigate the new or intensified adverse effect and to submit a revised design documentation package for review. The NPS shall reevaluate to determine whether new or intensified adverse effects remain. If unavoidable adverse effects on historic properties may result or be intensified, the NPS shall consult with the Signatories to determine whether the proposed design documentation warrants an Amendment to this Agreement which would identify additional measures that will be carried out to avoid, minimize, or mitigate any new or intensified adverse effects.
 - f. If the Agreement is amended, the NPS shall notify the Consulting Parties and provide or post the Amendment on the NPS's Planning, Environment and Public Comment PEPC site. Otherwise, the NPS shall submit the proposed design documentation to the NCPC and the US Commission of Fine Arts (CFA) for their formal approvals, as appropriate.

D. ARCHEOLOGY

1. For each Project element on NPS lands involving ground disturbance, the NPS shall

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consult with the VA and DC SHPOs and other Consulting Parties, as appropriate, to review the previous archeological surveys of the area to determine if adequate information exists to assess project effects. If the NPS determines in consultation with the VA and DC SHPOs and other Consulting Parties that further identification efforts are needed, the NPS shall ensure that an archeological survey program, for identification of archeological sites, is developed. Prior to affecting any potentially eligible archeological site, the NPS shall develop a testing program of sufficient intensity to provide an evaluation of eligibility for the NRHP in consultation with VA and DC SHPOs and other Consulting Parties, following the regulations outlined in 36 C.F.R. § 800.4(c).

2. All investigations will follow the VA SHPO's *Guidelines for Conducting Historic Resources Survey in Virginia* (2017) as well as the *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* (1983) and will be conducted under the direct supervision of an archeologist that meets or exceeds the pertinent qualifications in the Secretary of the Interior's *Professional Qualifications Standards* (48 FR 44738-39).
3. If, as a result of the testing program, archeological sites are identified within the Project APE that are determined eligible for the NRHP, the NPS shall develop a plan for their avoidance, protection, mitigation, or recovery of information in consultation with the VA, DC (and MD SHPO if sites discovered in MD) SHPO and other Consulting Parties. Prior to implementation, the plan shall be submitted to the VA, DC (and MD SHPO if necessary) SHPO and other Consulting Parties for a 30-calendar day review and comment period starting upon receipt.
4. All data recovery plans prepared under the terms of this Agreement shall include the following elements:
 - a. Information on the archeological property or properties where data recovery is to be carried out, and the context in which such properties are eligible for the NRHP;
 - b. Information on any property, properties, or portions of properties that will be destroyed without data recovery;
 - c. Discussion of the research questions to be addressed through the data recovery with an explanation / justification of their relevance and importance;
 - d. Description of the recovery methods to be used, with an explanation of their pertinence to the research questions; and
 - e. Information on arrangements for any regular progress reports or meetings to keep the VA, DC, (and/or MD if necessary) SHPOs and other Consulting Parties up to date on the course of the work. The plan should contain the expected timetable for excavation, analysis, and preparation of the final report.
 - f. A plan for public dissemination of the information.
 - g. The NPS shall ensure that the approved treatment plan or data recovery plan is implemented prior to those project activities that could affect the archeological site(s).
5. The NPS shall notify the VA, DC, (and MD if necessary) SHPO and the other

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Consulting Parties in writing once the fieldwork portion of the treatment plan or data recovery plan is complete and provide a brief management summary so that a site visit may be scheduled, if requested. Project activities may proceed following this notification while the technical report is in preparation. The NPS may proceed with implementation of construction or construction related ground disturbing activities in the area and within the boundary of the affected archeological site(s) while the technical report is in preparation.

6. The NPS shall submit for a 30-day review and comment period a draft of all archeological reports, treatment plans, and other documentation to the VA, DC, (or MD if necessary) SHPO in two bound hardcopies and one electronic copy in Adobe® Portable Document Format and one copy in an agreed upon format to other Consulting Parties (as appropriate and per the requirements of protecting sensitive site information as noted in Section 304 of the National Historic Preservation Act and in the Archeological Resources Protection Act [ARPA]). Section 304 of the NHPA protects certain sensitive information about historic properties from disclosure to the public when such disclosure could result in significant invasion of privacy, damage to historic property, or impede the use of a traditional religious site by practitioners. ARPA provides authority to limit information on the "nature and location" of archeological resources.
7. The VA, DC, (and MD if necessary) SHPOs and other Consulting Parties agree to provide comments on all technical reports, treatment plans, and other documentation arising from this Agreement within 30 calendar days of receipt. If no comments are received from the SHPO or other Consulting Parties within the 30-day review period, the NPS may assume the non-responding party has no comments.
8. The NPS shall include provisions in the construction permit and documents for the treatment of unanticipated archeological discoveries, including human remains, during excavation, construction, or other ground-disturbing activities resulting from the Project. In the event of an unanticipated discovery, the following stipulations shall occur:
 - a. In the event that a previously unidentified archeological resource is discovered during activities in the APE, the NPS shall immediately halt all ground-disturbing activities in the area of the resource and in the surrounding area where further subsurface remains can reasonably be expected to occur.
 - b. The NPS shall notify the appropriate SHPO and Delaware Nation by email and by telephone immediately upon discovery of previously unidentified archeological resources. The NPS, or its representatives, shall visit the site within 48 hours of such notification, inspect the work site, and determine the nature and extent of the affected archeological property and establish a resource area. Construction may then continue outside the newly established boundaries of the resource area.
 - c. Within 3 working days of the original notification of discovery, the NPS, in consultation with the SHPO and other Consulting Parties, shall determine whether the resource is potentially eligible for listing on the NRHP.
 - d. The NPS, in consultation with the VA, DC, (and MD if necessary) SHPOs and other Consulting Parties, shall ensure compliance with 36 C.F.R. § 800.13. Work in the resource area shall not proceed until either: (a) the development and implementation

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of appropriate data recovery or other recommended mitigation procedures; or (b) the determination is made that the located archeological remains are not eligible for inclusion in the NRHP.

- e. The NPS shall ensure that all investigations are conducted under the direct supervision of an archeologist who meets or exceeds the pertinent qualifications in the Secretary of the Interior's *Professional Qualifications Standards* (48 FR 44738-39).
 - f. All associated reports will meet contemporary professional standards, according to the Department of the Interior's *Format Standards for Final Reports of Data Recovery Programs* (42 FR 5377-79), and also meet the standards as set out in the VA SHPO's *Guidelines for Conducting Historic Resources Survey in Virginia* (2017), as appropriate.
9. The NPS shall make all reasonable efforts to avoid disturbing gravesites and associated funerary artifacts. The NPS shall treat all human remains in a manner consistent with the ACHP's "Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects" (February 23, 2007; www.achp.gov/docs/hrpolicy0207.pdf) or ACHP policy in effect at the time remains and funerary artifacts are handled.
- a. The NPS shall contact law enforcement and emergency personnel as appropriate in the jurisdiction where the human remains are discovered. The NPS shall immediately notify the VA, DC, (and MD if necessary) SHPOs of the discovery of human remains. The NPS shall ensure that all ground-disturbing activities in the immediate area of the discovery ceases immediately and will notify appropriate law enforcement officials.
 - b. If the remains are determined to be of Native American origin, the NPS shall comply with the provisions of the Native American Graves Protection and Repatriation Act, 25 U.S.C. § 3001 et seq. and the accompanying regulations at 43 C.F.R. Part 10. If the remains appear to be of historic, but not Native American, origin, the NPS will consult with the VA, DC, and MD SHPOs and other Consulting Parties as appropriate on the appropriate treatment.
 - c. The NPS shall use reasonable efforts to ensure that the public is excluded from viewing any burial site or associated funerary artifacts. Subject to applicable law, the VA, DC, (and MD if necessary) SHPOs, and the Consulting Parties to this Agreement shall release no photographs or images of any burial site or associated funerary artifacts to anyone, including the press and the public. If they do release such photographs or images, accidentally, voluntarily, or pursuant to applicable law, they shall notify the NPS and the other Consulting Parties as soon as possible. The NPS shall notify the appropriate federally recognized tribes when burials, human skeletal remains, or funerary artifacts are encountered on the project.

E. ADMINISTRATION

- 1. **Annual Reports.** By January 31 of each year during which this Agreement remains in effect, the NPS shall update the Signatories and the Consulting Parties on the actions taken to implement the terms of this Agreement. The update will take the form of a Report submitted on an annual basis. The Annual Report shall include information regarding activities undertaken pursuant to this Agreement and information on the overall status of the Project.

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2. **30-day Review Period.** The SHPOs and other Consulting Parties agree to respond to all requests for review from the NPS within a 30-day review and comment period unless otherwise specified in this Agreement. If the SHPO or other Consulting Parties do not respond within the 30-day review period, the NPS may move forward with the project in accordance with its determination and/or proposed plans.
3. **Duration.** This Agreement shall be valid for a period of ten (10) years from the date of execution by the last Signatory. At any time in the 6-month period prior to such date, the NPS may request the SHPOs to consider an extension or modification of this Agreement. No extension or modification shall be effective unless all signatory parties to this Agreement have agreed with it in writing.
4. **Dispute Resolution.**
 - a. Should any Consulting Party object in writing to the NPS regarding any action carried out or proposed in accordance with this Agreement, the NPS shall consult with the Consulting Party to resolve the objection. Should the NPS be unable to resolve the disagreement, the NPS shall forward its background information on the dispute as well as NPS's proposed resolution of the dispute to the ACHP. Within 45 business days after receipt of all pertinent documentation, the ACHP shall provide the NPS with written recommendations, which the NPS shall consider in reaching a final decision regarding the dispute, or notify the NPS that it shall comment pursuant to 36 C.F.R. § 800.7(c) and then proceed to comment. The NPS shall take the ACHP comments into account, in accordance with 36 C.F.R. § 800.7(c)(4). Any ACHP recommendation or comment shall be understood to pertain only to the subject matter of the dispute; the NPS's responsibility to carry out all actions under this Agreement that are not subjects of the dispute shall remain unchanged.
 - b. At any time during implementation of the measures stipulated in this Agreement, should an objection pertaining to this Agreement or the effect of the Project on historic properties be raised by a member of the public, the NPS shall notify the other signatories and Consulting Parties and attempt to resolve the objection. If the NPS determines that the objection cannot be resolved, the NPS shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories, and concurring parties and provide the objecting member of the public with a copy of this written response. The NPS will then proceed according to its final decision.
5. **Amendments.** This Agreement may be amended when an Amendment is agreed to in writing by all Signatories. The Amendment will be effective on the date it is signed by all of the signatories and filed with the ACHP. If the Signatories cannot agree to appropriate terms to amend the Agreement, any Signatory may terminate the Agreement in accordance with Stipulation E.6.
6. **Termination.** If any Signatory to this Agreement determines that the terms of the Agreement cannot be or are not being carried out, that party shall so notify the other Signatories in writing and consult with them to seek resolution or Amendment of the Agreement. If within sixty (60) business days a resolution or Amendment cannot be reached, any Signatory may terminate the Agreement upon written notification to the other Signatories. Once the Agreement is terminated, and prior to work continuing on the Project, the NPS must either execute a new Agreement or request, take into account,

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and respond to the comments of the ACHP per 36 C.F.R. § 800.7. The NPS is not required to select the same option recommended by the ACHP. The NPS will notify the Signatories as to the course of action it will pursue.

7. In the event that this Agreement is terminated, the NPS shall submit to the SHPOs and the other Consulting Parties a technical report with the results of any surveys or treatment measures that have been implemented to date, up to and including the date of termination.
8. **Anti-Deficiency Act.** The obligations of federal agencies under this Agreement are pursuant to 31 U.S.C. § 1341(a)(1); therefore, nothing in this Agreement shall be construed as binding the United States to expend in any one fiscal year any sum in excess of appropriations made by Congress for this purpose, or to involve the United States in any contract or obligation for the further expenditure of money in excess of such appropriations.
9. **Emergencies.** Should an emergency situation occur that represents an imminent threat to public health or safety or creates a hazardous condition, after the NPS learns of it and notifies appropriate law enforcement and emergency personnel as necessary, the NPS shall immediately notify the appropriate Signatories and the ACHP of the condition that has initiated the situation and the measures taken to respond to it. Should the SHPOs or the ACHP desire to provide technical assistance to the NPS, they shall submit comments to the NPS within 7 calendar days from notification, if the nature of the emergency or hazardous condition allows for such coordination.
10. **Electronic Copies.** Within one (1) week of the last signature on this Agreement, the NPS shall provide each Signatory and Concurring Party with one legible, color, electronic copy of this fully-executed Agreement and all of its attachments. Internet links shall not be used as a means to provide copies of attachments because web-based information often changes. If the electronic copy is too large to send by email, the NPS shall provide each Signatory and Concurring Party with a copy of this Agreement on a compact disc.
11. **Completion.** Upon the completion of all stipulations to this Agreement, the NPS shall provide to the signatories and other Consulting Parties a signed memorandum documenting that the NPS has fulfilled all its responsibilities under this Agreement.

ATTACHMENTS

Attachment A: Project Area and NPS Selected Alternative
Attachment B: Area of Potential Effects
Attachment C: List of Consulting Parties
Attachment D: Summary of Adverse Effects Determination

SIGNATURES FOLLOW ON SEPARATE PAGES

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SIGNATORY PAGE



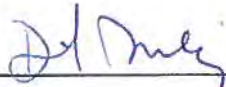
3-18-19

Charles Cuvelier
Superintendent, George Washington Memorial Parkway, National Park Service

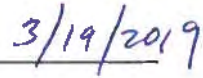
Date

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DC STATE HISTORIC PRESERVATION OFFICE



David Maloney
District of Columbia State Historic Preservation Officer



Date

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VIRGINIA STATE HISTORIC PRESERVATION OFFICE

A handwritten signature in cursive script, appearing to read "Julie Langan", written over a horizontal line.

3/22/19

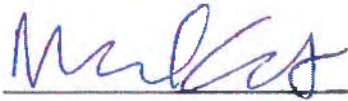
Julie Langan, Director

Date

Department of Historic Resources and State Historic Preservation Officer

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NATIONAL CAPITAL PLANNING COMMISSION



3/19/19

Marcel C. Acosta
Executive Director

Date

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COUNTY BOARD OF ARLINGTON COUNTY

Mark Schwartz May 22, 2019

Mark Schwartz
County Manager

Date

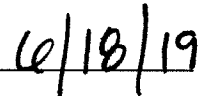
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Concurring Party:

DELAWARE NATION

A handwritten signature in dark ink, appearing to read "Debbie Dotson", written over a horizontal line.

Debbie Dotson
President, Delaware Nation

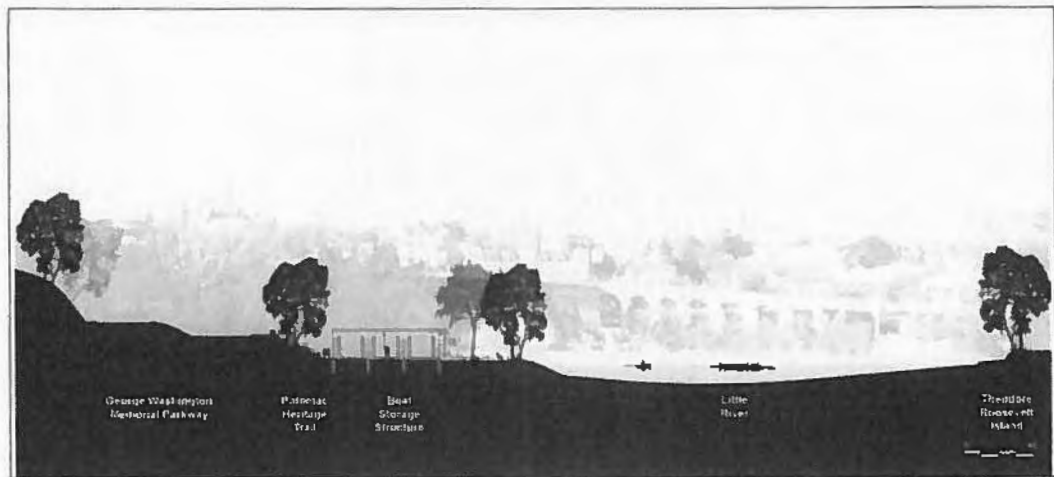
A handwritten date "6/18/19" in dark ink, positioned to the right of the signature line.

Date

ATTACHMENT A:
PROJECT AREA AND NPS SELECTED ALTERNATIVE



Alternative C. Upper and Lower Rosslyn Sites [NPS Selected Alternative]



CONCEPTUAL ELEVATION FOR THE LOWER ROSLYN SITE

Arlington County and Vicinity Roadhouse EA

ATTACHMENT B:
AREA OF POTENTIAL EFFECTS



Area of Potential Effect: Upper and Lower Rosslyn Site



Area of Potential Effect: Riverside Park



Area of Potential Effect: Roaches Run

ATTACHMENT C:
LIST OF CONSULTING PARTIES

CONSULTING PARTIES CONTACTED

Organization	Contact Name	Email	Accept/ Decline
Advisory Council on Historic Preservation	Chris Wilson	cwilson@achp.gov	Decline
Advisory Neighborhood Commission 2E	Peter Sacco	anc2E@dc.gov ; 2E@anc.dc.gov	Decline/ No Response
American Society of Landscape Architects	Julia Lent	lent@asla.org	Decline/ No Response
Arlington County, Dept. of Community Planning, Housing & Development	Cynthia Liccese-Torres, John Liebertz	cliccese@arlingtonva.us ; jliefertz@arlingtonva.us	Accept
Arlington County, Dept. of Parks and Recreation	Marco Rivero, Lisa Grandle	mriviero@arlingtonva.us ; lgrand@arlingtonva.us	Accept
Arlington Historical Society	Gerry Laporte	g.laporte@verizon.net	Accept
Catawba Nation	Chief Bill Harris	info@catawbaindian.net	No Response
Commission of Fine Arts	Thomas Luebke, Fredrick Lindstrom	tluebke@cfa.gov ; flindstrom@cfa.gov	Accept
Committee of 100 on the Federal City	Stephen A. Hansen	info@committeeof100.net	Decline/ No Response
DC Historic Preservation Office	David Maloney, Andrew Lewis	david.maloney@dc.gov ; andrew.lewis@dc.gov	Accept
DC Preservation League	Rebecca Miller	rebecca@dcpreservation.org	Decline/ No Response
Delaware Nation	Kim Penrod	kpenrod@delawarenation.com	Accept
District Department of Transportation	Jeff Marootian	ddot@dc.gov	Decline/ No Response
Friends of Theodore Roosevelt Island	Samuel Sharp, Nicole Goldstein	samuel.sharp@whitecase.com ; nicoleelangoldstein@gmail.com	Accept
Georgetown BID	Joe Sternlieb	isternlieb@georgetowndc.com	Accept
Georgetown University	n/a	gusaexecutive@gmail.com	Decline/

Organization	Contact Name	Email	Accept/ Decline
			No Response
Gunston Hall	Scott Stroh	sstroh@gunstonhall.org	Decline/ No Response
Historical Society of Washington, DC	John Suau	jsuau@historydc.org	Decline/ No Response
John F. Kennedy Center for the Performing Arts	Thomas Whitaker	TGWhitaker@kennedy-center.org	Accept
John F. Kennedy Center for the Performing Arts	Ellery Brown	EJBrown@kennedy-center.org	Accept
Key Bridge Boathouse	n/a	dcboatinginfo@boatingin.com	Decline/ No Response
Maryland Historical Trust	Elizabeth Hughes, Beth Cole	Elizabeth.Hughes@maryland.gov ; beth.cole@maryland.gov	Decline
National Association of Olmsted Parks	Brian Poffenberger	info@naop.org	Decline/ No Response
National Capital Planning Commission	Diane Sullivan, Lee Webb	diane.sullivan@npsc.gov lee.webb@npsc.gov	Accept
National Trust for Historic Preservation	Robert Nieweg	Rnieweg@savingplaces.org	Decline/ No Response
Pamunkey Indian Tribe	Chief Robert Gray	robert.gray@pamunkey.org	No Response
Potomac Boat Club	n/a	social@potomacboatclub.org	Decline/ No Response
Preserving the Historic Road	Dan Marriott	dan_marriott@historicroads.org	Decline/ No Response
Theodore Roosevelt Association	Lowell E. Baier, Chris Segal	LEBaier@lawbaier.com ; Chris.Segal@gmail.com	Accept
Tom Moncure (Mason Family Descendent)	Tom Moncure	tmoncure@gmu.edu	Accept

Organization	Contact Name	Email	Accept/ Decline
Virginia Department of Historic Resources	Julie Langan, Greg LaBudde	julie.langan@dhr.virginia.gov ; gregory.labudde@dhr.virginia.gov	Accept
Washington Canoe Club	Andrew Soles	asoles@tnc.org	Accept

ATTACHMENT D:
SUMMARY OF ADVERSE EFFECTS DETERMINATION

The assessment of effects for the Arlington County & Vicinity Boathouse is an undertaking in accordance with regulations implementing Section 106 of the NHPA and would have an adverse effect on Theodore Roosevelt Island and the George Washington Memorial Parkway Historic District and no adverse effect on the Georgetown Historic District, Key Bridge, Potomac Aqueduct Bridge Abutment and Pier, C&O Canal, Potomac Boat Club, and Washington Canoe Club.

