

COMMENTS ON THE FINAL NATIONAL MALL PLAN / ENVIRONMENTAL IMPACT STATEMENT

During the 30-day no-action period beginning July 16, 2010, the National Park Service received three letters commenting on the *Final National Mall Plan / Environmental Impact Statement*. They came from the U.S. Environmental Protection Agency, the Smithsonian Institution, and the Committee of 100 on the Federal City. The letters are available for review on the National Mall Plan website (www.nps.gov/nationalmallplan).

U.S. Environmental Protection Agency

The Environmental Protection Agency stated that some of their comments on the *Draft Environmental Impact Statement* were not adequately addressed in the final document. The concern and response is described below:

- *Providing additional information about graywater use* — The National Park Service has agreed to place signs that describe the use of graywater in some ornamental water features.
- *A concern about the loss of warm-water habitat in the Tidal Basin* — As stated in the *Final Environmental Impact Statement*, no specific design has been proposed for widening the walks, which will result in a slight decrease in the size of the basin. The plan recognizes that revised circulation could also affect the size of the Tidal Basin. As a result, the full impact on the Tidal Basin cannot yet be determined. Additional compliance in accordance with the National Environmental Policy Act and the National Historic Preservation Act, as well as consultation with the U.S. Army Corps of Engineers, will be undertaken before finalizing plans for the Tidal Basin seawalls and walks, as well as bridges and other circulation elements.
- *Water quality in the Tidal Basin* — This topic is generally outside the scope of the plan, but it is affected by compliance with the Chesapeake Bay Protection Act. As mentioned in the *Final Environmental Impact Statement*, site-specific environmental analyses will be conducted for all proposed Tidal Basin projects before construction begins, including mitigating measures.
- *Protecting habitat during construction* — The *Final Environmental Impact Statement* states that short-term adverse impacts could occur during construction in and around the Tidal Basin and along the banks of the Potomac River. The *Final Environmental Impact Statement* also states that the Tidal Basin is a shallow artificial water body and the water becomes quite warm, resulting in low-quality habitat (reduced oxygen, increased algal growth). Best management practices and environmental mitigation will be applied to any projects that could affect the Tidal Basin or Potomac River so as to minimize impacts to habitat during construction.

The Smithsonian Institution

The National Park Service appreciates the Smithsonian Institution's support for adequate resources to restore the Mall to "an acceptable state."

- *Use of the elm tree panels on the Mall* — The Smithsonian Institution continues to express concern about the effect of the plan on the Folklife Festival if use of the elm tree panels is restricted for temporary event facilities, such as tents, stages, or vehicles. The letter from the Smithsonian Institution describes the Folklife Festival as low-impact programming and refers to the plan action as a "ban" on Smithsonian Institution programming in the elm tree panels and states that it is premature. The intent of the plan is not to ban activities, but to find ways to make the National Mall and the Mall sustainable for the high levels of use now and in the future. To better accommodate anticipated use volumes during permitted activities and national celebrations, the National Park Service proposes adding paved areas designed specifically for stages, events, temporary facilities, and high-use levels on the Mall between 3rd and 14th streets. The plan also proposes providing additional permanent restrooms and flexible office space that could be used by event organizers. These actions will allow repeated use while minimizing adverse impacts. We believe these actions will benefit the Folklife Festival and facilitate setup and takedown times, and they will also benefit the more than 100 other permitted activities that take place annually on

the Mall. In 2009 there were more than 820 permit-days and 750 event-days on the Mall between 3rd and 14th streets. Moving temporary event facilities to hard surfaces has reduced impacts in other areas of the National Mall. For example, in 2008 the National Park Service relocated activities associated with the National Cherry Blossom Festival to paved surfaces near the Tidal Basin, which helped reduce impacts on soils, turf, and trees, and also facilitated setup and takedown operations. We encourage the Smithsonian Institution through its sponsorship of the Folklife Festival to take a proactive leadership role in achieving a more sustainable future for the Mall by creatively finding ways to accommodate temporary facilities on paved spaces.

- *Mall elm tree panels* — As stated in the *Final Environmental Impact Statement*, eight of the past nine resource studies have found that the impact of activities under the elm trees along the Mall was deleterious to tree health and that temporary event facilities, such as tents, stages, or vehicles, should no longer be allowed in these areas. As a result, the grassy elm panels are generally not used for permitted activities or temporary facilities other than the Folklife Festival and Black Family Reunion. The majority of events taking place on the Mall are small, last a short time, and do not specifically take place in the elm tree panels. The Folklife Festival is the longest permitted activity on the Mall, and the permit period for setup and takedown, as well as the event itself, is 10 weeks during the hottest time of the year, when vegetation is likely to be even more stressed. The elm tree panels are also a contributing element of the historic landscape and the planned vista between the U.S. Capitol and the Washington Monument. The National Park Service is tasked with protecting and preserving this planned vista, one of the most recognizable in our nation. The vista is defined by the regularly spaced rows of native American elm trees. To ensure that this vista is protected, the plan proposes improving the soils and tree growing conditions and controlling unwanted social trails. In addition to being a policy mandate, protecting sites and special status trees is also a best practice and a component of the Sustainable Sites Initiative™. To address the concerns of the Smithsonian Institution, the *Final Environmental Impact Statement* states that the National Park Service will undertake an additional peer-reviewed study to examine the health of the elm trees. The Smithsonian Institution has agreed to join this effort. The elm tree panels will always remain open to the general public to enjoy the shade that the trees provide, along with low-intensity recreational activities.

The Committee of 100 for the Federal City

The long-standing interest of the Committee of 100 and others in comprehensively examining the broader historic landscape is addressed by several stipulations in the “Programmatic Agreement among the National Park Service, the District of Columbia State Historic Preservation Officer, and the Advisory Council on Historic Preservation.” Stipulations include updating to the National Mall Historic District nomination, and in cooperation with other property owners or managers evaluating and possibly nominating adjacent historic resources in the Monumental Core to the National Register of Historic Places and potentially developing a national historic landmark nomination for the Monumental Core.