



United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Parks - East
1900 Anacostia Drive, S.E.
Washington, D.C. 20020

IN REPLY REFER TO:

Record of Determination for a Temporary Public Closure of Anacostia Drive from Nicholson Avenue to Good Hope Road to Vehicular Traffic on Saturday, March 15, 2014 due to the “Rock N Roll USA Marathon”.

Pursuant to 36 CFR§ 1.5(a), Anacostia Drive, administered by National Capital Parks-East, (NACE), will be closed to vehicular traffic on Saturday, March 15, 2014 from 4:00 a.m. until 11:00 a.m. The portion of Anacostia Drive that will be closed is from Morris Road to Nicholson Avenue. During this time period, the roadways Anacostia Drive will only be open to pedestrians who are participating or viewing the “Rock N Roll USA Marathon” event #14-10.

The temporary closure to vehicular traffic on the Anacostia Drive roadway is necessary to protect visitor safety as an anticipated 29,000 visitors participate or watch the “Rock N Roll USA Marathon”. Less restrictive measures will not suffice, to help ensure the safety of race participants who will be using the roadway. Vehicles have other alternatives since they may enter and exit at Good Hope Road and will have access to the Park Police D-5 Station, NACE Headquarters and parking areas along Aviation Road.

The temporary public road closure will occur for seven hours in duration and is therefore not of a nature, magnitude, or duration that will result in a significant alteration in the public use pattern of these park areas. The vehicle closure neither constitutes an impairment to park resources and values, nor adversely affects the park’s natural, aesthetic or cultural values. Furthermore, the vehicle closure is not controversial in nature and is similar to past vehicle closures done for permitted races.

Accordingly, pursuant to 36 CFR§ 1.5(b), publication as rulemaking in the Federal Register is unnecessary and unwanted. This is consistent with the hundreds of past partial and temporary park closures or public use limitations, the legal opinion of the Office of the Solicitor, and past judicial adjudications. *Mahoney v. Norton*, No. 02-1715 (D.D.C. August 29, 2002), plaintiffs’ emergency motion for injunction pending appeal denied *Mahoney v. Norton*, No. 02-5275 (D.C. Cir September 9, 2002) (per curiam); *Picciotto v. United States*, No. 99-2113 (D.D.C. August 6, 1999); *Picciotto v. United States*, No. 94-1935 (D.D.C. September 9, 1994); *Picciotto v. Luqan*, No.90-1261 (D.D.C. May 30, 1990); *Picciotto v. Hodel*, No.87-3290 (D.D.C. January 26, 1988).

Pursuant to 36 CFR§ 1.7, notice of the closure will be made via posting, fencing, media advisories and by park staff direction. This Record of Determination is available upon request. Violation is prohibited.

Gopaul Noojibail
Acting Superintendent
National Capital Parks-East