

United States Department of the Interior

National Capital Parks-East

NATIONAL PARK SERVICE

Interior Region 1- National Capital Area

1900 Anacostia Drive, S.E.

Washington, D.C. 20020

Record of Determination for the Partial and Temporary Road Closures

and Public Use Limitations for the

July 4, 2023, Independence Day Celebration

Pursuant to 36 C.F.R. §1.5, the National Park Service is temporarily closing certain designated parklands and imposing a public use limitation for the July 4, 2023, Independence Day Celebration in the following park areas:

National Capital Parks-East

Between July 1, 12:00 p.m. to July 5, 6:00 a.m., the United States Park Police will coordinate the closure of the ramp from South Capitol Street to Anacostia Drive.

On July 4, 2023, the United States Park Police will make the following road closures on National Park Service property:

* Within Anacostia Park, Anacostia Drive, S.E. will be closed from Good Hope Road to the South Capitol Street Bridge (Frederick Douglass Bridge).

* Within Fort Dupont Park, Fort Dupont Drive, S.E. will be closed.

The temporary public closures to vehicular traffic is necessary to ensure visitor/pedestrian safety and to protect park resources as visitors gather and or transit through National Capital Parks-East. The closures are directly related to the July 4th, 2023, Independence Day Celebration. Less restrictive measures will not suffice within Anacostia Park because the United States Park Police, National Park Service, and other support personnel must have these roadways clear to transport equipment and staff and respond to emergencies and security issues quickly to and from the United States Park Police Anacostia Operations Facility and Aviation as both facilities will remain open during the activities. Within Fort Dupont Park, Fort Dupont Drive, S.E., will be closed to provide recreational space and enhance pedestrian safety.

The temporary public closures will occur on Tuesday, July 4, 2023, between 12:00 a.m. and 11:59 p.m. and are part of a long standing annually recurring one day fireworks display that has used these park areas before. It 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. Furthermore, the closures are not controversial in nature, given that vehicle access and public transportation to Washington, D.C. will remain open through various other routes and means of transportation.

Pursuant to 36 C.F.R. §2.35 (3)(i) and as detailed in the park compendium, possession, use or sale of alcoholic beverages is prohibited in all areas of the park, with the limited exceptions of designated areas of approved concessions contracted by the government and assigned by the superintendent, or within limited and clearly designated areas authorized under a specific permit issued by the superintendent. Pursuant to 36 C.F.R. §2.38, use or possession of fireworks is also prohibited in all areas of the park.

Pursuant to 36 C.F.R. § 1.7, notice of this temporary and partial closure and public use limitation will be made through media advisories, maps and posting at conspicuous locations in the affected park areas. Violation is prohibited. Finally, pursuant to 36 C.F.R. §l.5(c), this determination is available to the public upon request.

The closures and public use limitations within National Capital Parks-East will not adversely affect the parks' natural, aesthetic or cultural values; nor require significant modification to the resource management objectives. Accordingly, the National Park Service determines publication as rulemaking in the Federal Register is unwarranted under 36 C.F.R. § l.5(c).  The partial and temporary park closures and public use limitations are consistent with hundreds of other temporary park closures or public use limitations, the legal opinion of the Office of the Solicitor, and judicial adjudications. Mahoney v. Norton, No. 02-1715 (D.D.C. August 22, 2002), plaintiffs' emergency motion for appeal for injunction pending appealed 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. lujan, No. 90-1261 (D. D.C. May 30, 1990) Picciotto v. Hodel, No. 87-3290 (D. D.C. December 7, 1987); Spiegel v. Babbill, 855 F. Supp. 402 (D. D.C. 1994}, affd in parr wlo op. 56 F. 3d I 531 (D.C. Cir. 1995), respond in full, 1995 US App. Lexis 15200 (D.C. Cir. May 31, 1995).



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Tara D. Morrison Date

Superintendent