



United States Department of the Interior

NATIONAL PARK SERVICE
George Washington Memorial Parkway
700 George Washington Memorial Parkway
McLean, VA 22101

IN REPLY REFER TO:

GWMP

Closure Order # 26-002

**Record of Determination for Temporary Closure of the
Clara Barton Parkway Right Lane at Site 17, wooded areas between C&O Canal and Lock 10
parking lot, north to Lock 14, and delineated work Area 2 from Rock Run culvert to Potomac
River required to address the ongoing safety concerns from DC Water emergency sanitary
sewer overflow, bypass, pipe repair, and environmental clean-up operations**

Pursuant to 36 CFR Section 1.5, the National Park Service is imposing a temporary closure to the Clara Barton Parkway Right Lane at Site 17, wooded areas between Clara Barton Parkway, C&O Canal and Lock 10 parking lot, north to Lock 14, and delineated work Area 2 from Rock Run culvert to Potomac River, from the present through April 30, 2026. The C&O Canal towpath, Lock 10 parking lot, and trail to the C&O Canal towpath will remain open to the public. On January 19, 2026, the 72" Potomac Interceptor collapsed, depositing significant debris blocking the sanitary sewer and eroded away soil surrounding the pipe to overflow under the towpath to the Potomac River. The ongoing multi-agency emergency response affecting normal safety around the park lands has made the areas unsafe for visitor use. The areas will remain closed for the duration of emergency response, repair, and clean-up work to provide for the maintenance of public health and safety. It is expected that work to restore the area will be complete by the end of April 2026. Unauthorized entry or activity is prohibited in this area while it is closed.

These temporary closures is not of a nature, magnitude, and duration that will result in a significant alteration in the public use pattern, insofar as these activities are necessary to restore safe public access that has remained interrupted since January 19, 2026, since which time the area has been closed on an emergency basis. Nor will this temporary closure adversely affect the park's natural, aesthetic, scenic or cultural values, require a long-term or significant modification in resource management objectives, and is not of a highly controversial nature given the need to protect park visitors in this dangerous area. Fences and/or signage, traffic cones and other barriers will mark closed areas.

Given the safety protections necessary in the closed area, less restrictive measures will not suffice. The closures will not adversely affect the park's natural, aesthetic, or cultural values.

Accordingly, pursuant to 36 CFR Section 1.5(b), publication as rulemaking in the Federal Register is unwarranted. This is consistent with hundreds of past partial and temporary park closures, the legal opinion of the Office of the Solicitor, and case law. *See Mahoney v. Norton*, No. 02-1715 (D.D.C. August 29, 2002), plaintiff's 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. Lujan*, No. 90-1261 (D.D.C. May 30, 1990); *Picciotto v. Hodel*, No. 87-3290 (D.D.C. January 26, 1988); *Spiegel v. Babbitt*, 855 F.Supp. 402 (D.D.C. 1994), *aff'd* in part w/o op. 56 F.3d 1531 (D.C. Cir. 1995), reported in full, 1995 US App. Lexis 15200 (D.C. Cir. May 31, 1995).

Pursuant to 36 CFR Section 1.7, notice of this temporary closure will be made through media advisories, fencing and posting of signs at conspicuous locations in the affected park area. Finally, pursuant to 36 CFR Section (1.5), this determination is available to the public upon request.

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Jennifer Madello
Superintendent
George Washington Memorial Parkway

Date

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Ed Wenschhof
Superintendent (acting)
C&O Canal National Historical Park

Date