THE PLAN

OVERVIEW

In the *Draft Management Plan / Environmental Assessment,* three alternatives addressing concerns and issues about the future management of the Fort Circle Parks were evaluated. Purpose and significance statements, identification of significant resources, and input received during public meetings guided the development of the alternatives.

After the draft plan was published and following agency and public review, the planning team, in response to comments received, combined the previous alternatives 2 and 3 to form a new preferred alternative. A finding of no significant impact was issued in September 2003. That document indicated that the agency's preferred alternative also is the environmentally preferable alternative and would become the management plan for the Fort Circle Parks.

The management of the Fort Circle Parks will focus on both cultural resources and recreation. Cultural resource management will focus on the story of the Civil War defenses of Washington, with special emphasis on the battle of Fort Stevens and on the ring of forts that protected the city of Washington during the Civil War. These sites are nationally significant because they effectively protected the nation's capital from Confederate attack, influencing the outcome of the Civil War.

A significant part of the mission of the National Park Service will be to improve local and regional recreation. Recreation management will be compatible with the protection of significant cultural and natural resources of the parks. It will involve linking sites through interpretation, designating a new foot trail linking some of the fort sites and the connecting green corridor of the Fort Circle Parks system, designating auto tour routes, and producing a driving tour guide and other publications (see The Plan maps sections 1, 2, 3, and 4.)

The Fort Circle defenses and the natural areas that have grown up around them have become part of the local cityscape and now function as community parks. The National Park Service will offer interpretation and educational programs so that all visitors can experience park resources in ways compatible with preserving those resources. Visitors will have opportunities to make personal connections with the historic events these sites commemorate.

MANAGEMENT ACTIONS

CULTURAL RESOURCES

The focus for managing cultural resources in the Fort Circle Parks will be on the national significance of the battle of Fort Stevens and the ring of forts and batteries that protected the city during the Civil War. Other foci will be on the activities of the Civilian Conservation Corps (CCC) at various sites during the 1930s, the McMillan Plan, and early 20th century city planning and parks/parkway design concepts.

Preservation actions for historic resources will entail stabilizing earthworks, controlling erosion, and managing vegetation. Vegetation will be cleared from selected areas in Fort Foote and Fort Totten following archeological evaluation. This will enhance the interpretation of the critical role played by the system of forts during the Civil War.

The CCC-era reconstruction of Fort Stevens will be preserved, and Fort Stevens will be recommended for national recognition as a national battlefield, national historic landmark, or national historic site in its own right.

A walking tour of the battle of Fort Stevens, between Battleground National Cemetery and Fort Stevens, will be developed to encourage visitors to use the proposed side trail to the National Cemetery (see the map on p. 33). A brochure will be prepared to interpret the defense sites system, the significance of the Battle of Fort Stevens, and the evolution of preservation efforts related to the fort sites and the greenbelt connecting them.

NATURAL RESOURCES

Natural resources will be managed to maintain the greenbelt around the city for its natural, cultural, and scenic values. Preservation actions will involve emphasizing the removal of exotic vegetation to ensure habitat for native plant and animal species, retaining the forest canopy over earthworks, and surveying and monitoring park boundaries to prevent encroachments. Steps will be taken to eliminate illegal dumping, manage stormwater, and control erosion. The use of adjacent lands will be monitored, and zoning will be used to protect park resources.

Opportunities to correct stormwater impacts from nonpark sources will be sought and implemented, and feasible environmental enhancements will be undertaken. These actions will improve the opportunities for interpreting natural resources.

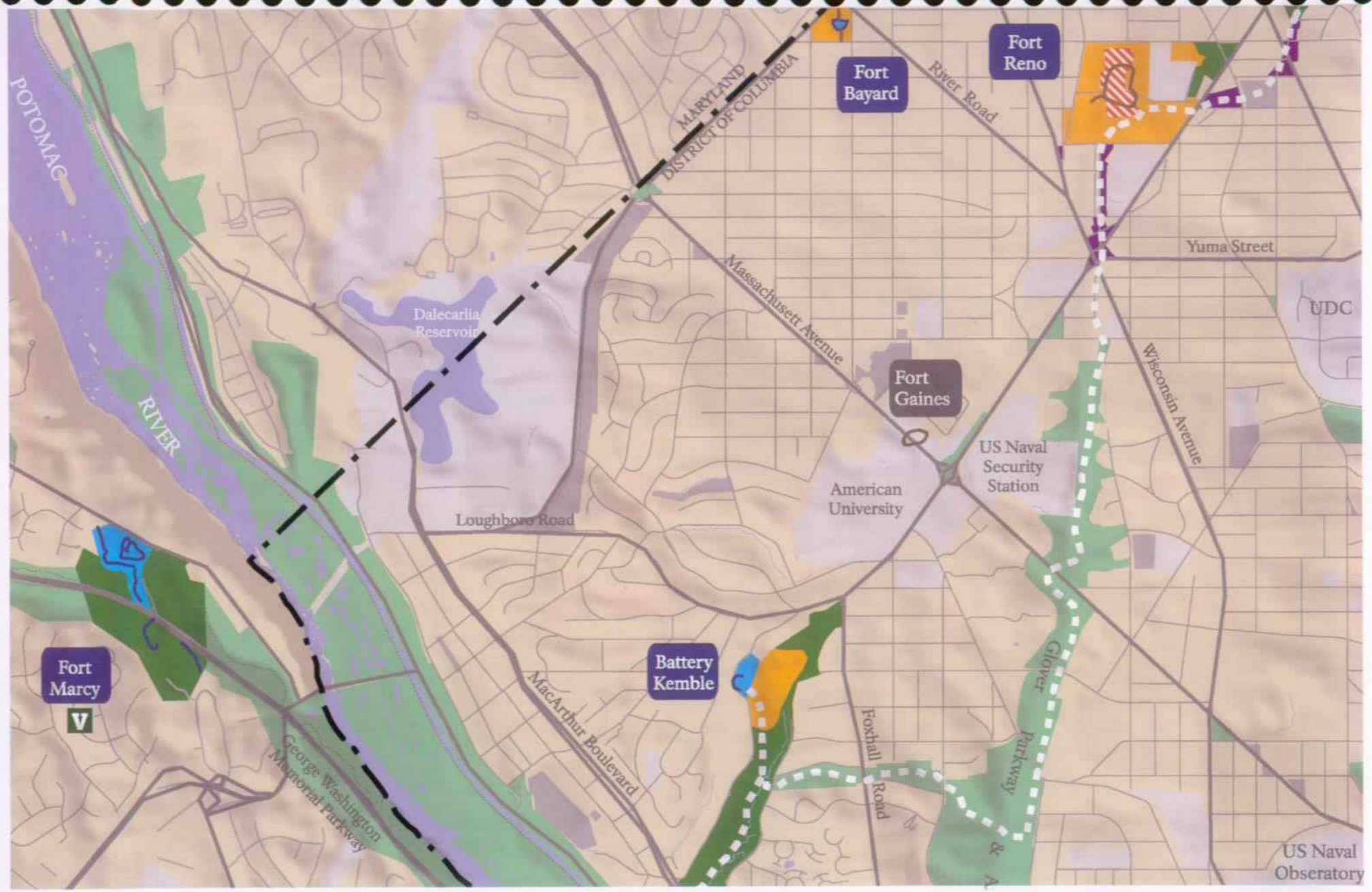
RECREATION

Existing recreational opportunities and facilities will be improved where needed. Such improvements might include rehabilitating selected ballfields, basketball and tennis courts, picnic areas, and other existing facilities as needed. Proposals for added new facilities will be carefully evaluated.

A new trail will be developed to link most of the fort sites and to connect the green corridor of the Fort Circle Parks system. A separate planning effort will be necessary to develop the new trail. The National Park Service will consult with the District of Columbia and other governmental and private organizations to develop a route. Existing trail segments will be used, as will city sidewalks, with some minor construction to connect existing trail segments. It is proposed that the trail extend the entire 23 ± miles around the city.

In the Shepherd Parkway area, the trail will go primarily along city sidewalks to avert the impacts of a new trail in narrow wooded corridors and to avoid important wildlife habitat.

Appropriate signs will be placed along the greenbelt corridor connecting most of the fort sites. Where possible, bicycles will be allowed on the new trail so long as cultural and natural resources can be sufficiently protected. Existing bicycle use of the trail between Fort Mahan and Fort Stanton can continue, but because of the



Earthworks (existing)

Earthworks (presumed location)

NPS site

Non NPS ownership

Self-guided walking tour (Construct Trail where feasible route shown is conceptual)

Visitor Contact Facility

NPS Lands

Management Zones

Administrative zone

Cultural zone

Connecting corridor zone

Recreational zone

Special use zone

Natural zone

North

0 0.2 0.4 Miles

The Plan (Section 1)

FORT CIRCLE PARKS

United States Department of the Interior • National Park Service

DSC • 832 • 20044 • SEPT 2004

The Plan (Section 2)
FORT CIRCLE PARKS
United States Department of the Interior, National Park Service
DSC • 832 • 20045 • SEPT 2004
North
0
0.2
0.4 Miles
Rock Creek Park
Walter Reed Army Medical Center
Battleground National Cemetery
Fort DeRussy
Fort Stevens
Fort Slocum
Fort Totten
Unnamed Battery
Battery Terrill
Little Forest
14th Street
16th Street
Georgia Avenue
Missouri Ave
Kansas Avenue
South Dakota Avenue
Michigan Ave
Rhode Island Avenue
Barnard Hill
Fort Bunker Hill
Trail to River
Fort Lincoln
NPS site
Non NPS ownership
Earthworks (existing)
Earthworks (presumed location)
New Interpretive Sign (along trail where feasible)
Battle of Fort Stevens Walking Tour
Self-guided walking tour (Construct Trail where feasible route shown is conceptual)
Interpretive Sign
Visitor Contact Facility
Wayside Improvements
Update Information and customize at each site
NPS Lands
Management Zones
Administrative zone
Cultural zone
Connecting corridor zone
Natural zone
Recreational zone
Special use zone

NPS site

Earthworks (existing)

Earthworks (presumed location)

Battle of Fort Stevens Walking Tour

Self-guided walking tour (Rehabilitate Trail where necessary - route shown is conceptual)

Interpretive Sign

Proposed Visitor Contact Facilities

NPS Lands

Battle of Fort Stevens Walking Tour
FORT CIRCLE PARKS
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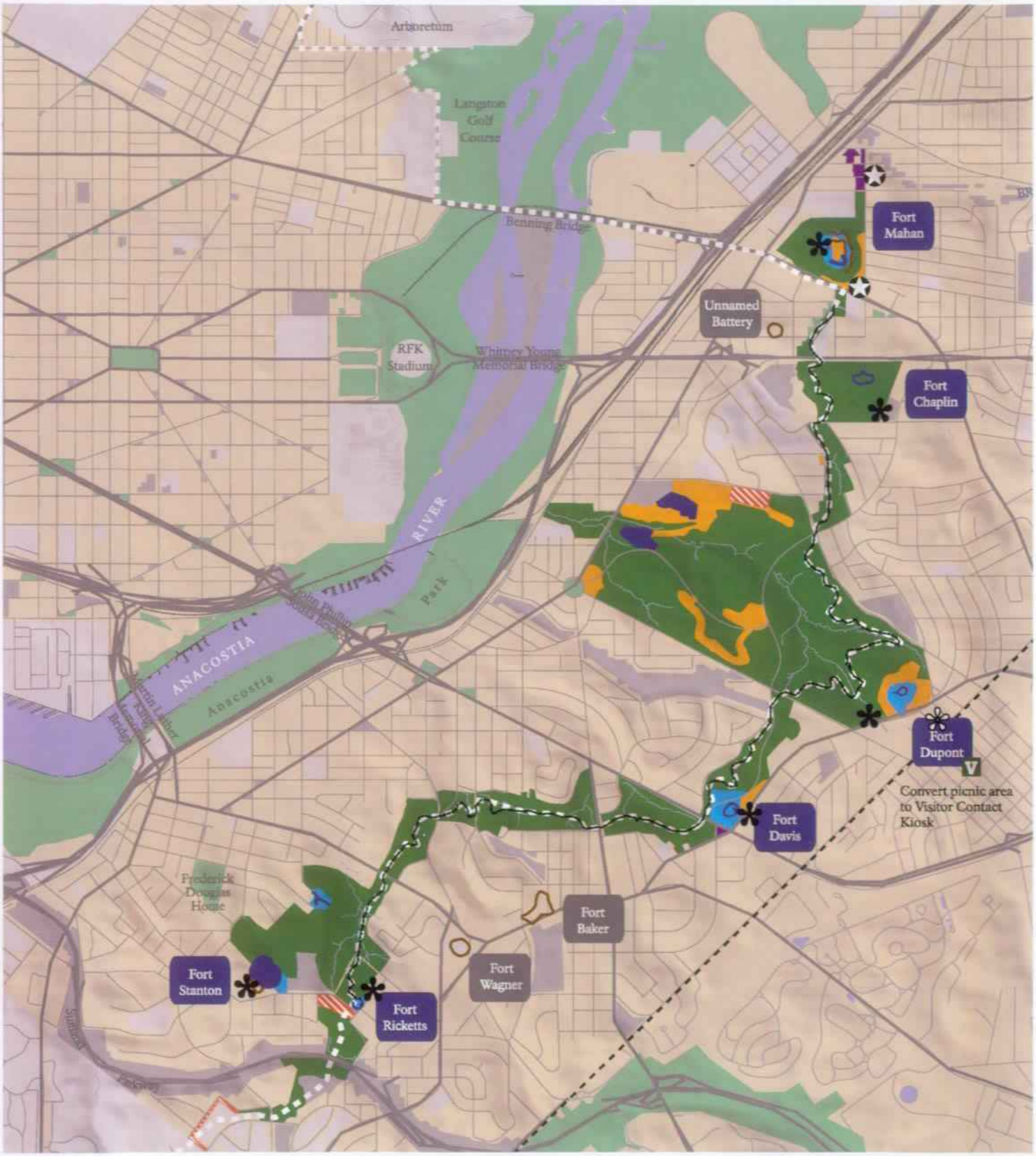
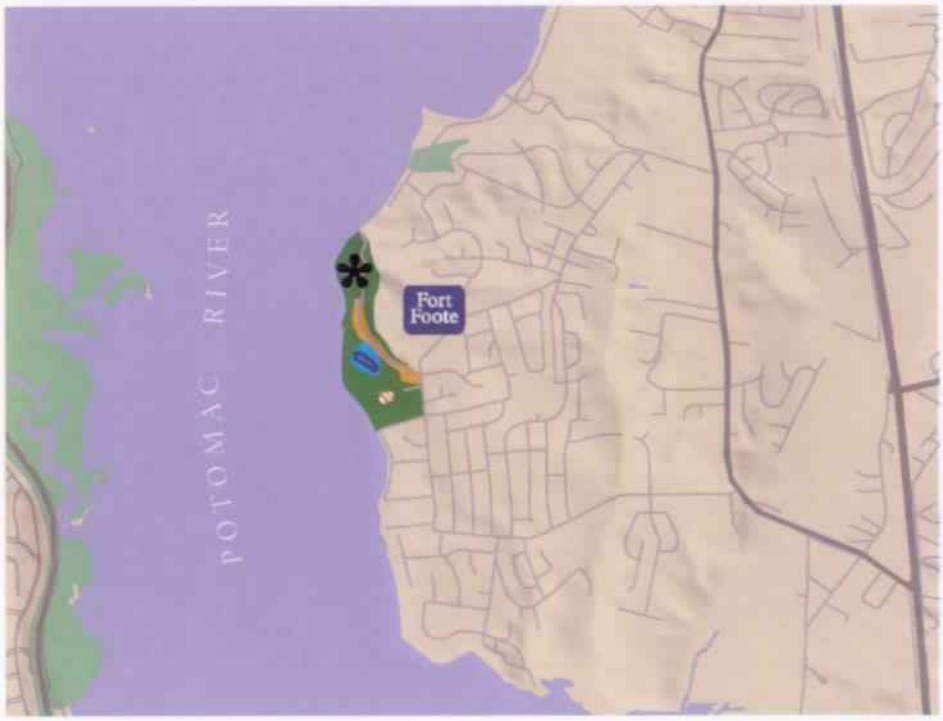
North

0 0.2 0.4 Miles


Arboretum
Langston Golf Course
Benning Bridge
Fort Mahan
Unnamed Battery
RFK Stadium
Whitney Young Memorial Bridge
Fort Chaplin
ANACOSTIA
Anacostia
Park
Fort Dupont
Convert picnic area to Visitor Contact Kiosk
Fort Davis
Frederick Douglas Home
Fort Baker
Fort Stanton
Fort Wagner
Fort Ricketts
NPS site
Non NPS ownership
Earthworks (existing)
Earthworks (presumed location)
New Interpretive Sign (along trail where feasible)
NPS Lands
Trail (Existing)
Self-guided walking tour (Rehabilitate Trail where necessary - route shown is conceptual)
Interpretive Sign
Visitor Contact Facility
Wayside Improvements
Update Information and customize at each site
Fort Dupont Improvements
Management Zones
Administrative zone
Cultural zone
Connecting corridor zone
Natural zone
Recreational zone
Special use zone
The Plan (Section 3)
FORT CIRCLE PARKS
United States Department of the Interior, National Park Service
DSC • 832 • 20047 • SEPT 2004
North
0
0.2
0.4 Miles



NPS site

Non NPS ownership

Earthworks (existing)

Earthworks (presumed location)

New Interpretive Sign (along trail where feasible)

NPS Lands

Trail (Existing)

Self-guided walking tour (Rehabilitate Trail where necessary - route shown is conceptual)

Interpretive Sign

Visitor Contact Facility

Wayside Improvements
Update Information and customize at each site

Management Zones

Administrative zone

Cultural zone

Connecting corridor zone

Natural zone

Recreational zone

Special use zone

The Plan (Section 4)

FORT CIRCLE PARKS

United States Department of the Interior • National Park Service
DSC • 832 • 20048 • SEPT 2004

North

0 0.2 0.4 Miles

alternating urban and rustic nature of existing trails, as well as the environmental damage and aesthetic changes that would be caused by a "combination" trail, the rest of the trail will be limited to walking only.

Sidewalks will need to be replaced or constructed in some areas along the trail route. Pushbutton streetlights will have to be installed to allow visitors to cross busy streets safely. Bridges will be necessary to cross long expanses of water such as the Anacostia River or parkways such as the Suitland Parkway. Such locations will be identified and appropriate measures taken after the separate trail study is completed.

Based on the history of Fort Circle Drive and its various incarnations over the past 90+ years, this trail will maintain the identity of the defenses of Washington as a "system" that protected the city and that, in our time, offers recreational opportunities for local residents and visitors. The trail will become the physical manifestation of the site's history.

Like previous planning efforts, this trail reflects the original proposal in the 1902 *The Improvement of the Park System in the District of Columbia* to preserve the original fort sites and maintain a greenbelt of parkland around the inner periphery of the District of Columbia. (NPS Civil War sites are listed in appendix E.)

A brochure will be issued to cover the trail route, and appropriate interpretive and directional signs will be placed at appropriate intersections to guide users and to explain the historic communications and supply uses of the original connecting corridor between fort sites. Opportunities for traditionally passive forms of recreation such as birding and nature walks will be enhanced by the trail improvements and through interpretation.

In 1989 Congress authorized the Potomac Heritage Trail, which will extend from Chesapeake Bay to Pennsylvania, connecting the cultural resources of the Potomac River corridor. A city council resolution directed the mayor to develop a plan for an alignment of the Potomac Heritage Trail in Washington D.C. Congress designated the C & O Canal a segment of the trail; however, the concept of the Potomac Heritage Trail is that of a braided trail system that can be composed of side trails as well. Thus, the Fort Circle Trail could be made part of the Potomac Heritage Trail if the District of Columbia nominated it to the secretary of the interior.

VISITOR USE AND DEVELOPMENT

A comprehensive interpretive plan will be developed for the Fort Circle Parks. This plan will call for partnerships with Monocacy National Battlefield and other Civil War sites (such as Fort Ward), both federally and nonfederally managed (see appendix C). It will contain plans for interpretive staffing, visitor center exhibits, publications, wayside exhibits, and other interpretive media such as a video and an audio-tour tape.

A small year-round visitor contact facility will be developed in the vicinity of Fort Stevens. This will become a focal point of the system, offering visitor orientation and interpretation and serving as the start of a driving tour of the forts.

Existing services such as restrooms, picnic tables, and parking lots will be improved to raise the quality of the visitor experience. The three superintendents will make a coordinated effort to develop a Fort Circle Parks logo and to purchase similar signs, site furniture, and interpretive materials as a way to make the Fort Circle Parks more visible and let visitors know when they are in the Fort Circle Parks.

The activity center at Fort Dupont will be redeveloped into an education center for school and community groups, offering programs in cultural history, natural resources, and environmental education. The center also will promote community partnerships, helping schools within walking distance of the fort sites to use these areas as local outdoor classrooms for cultural and environmental education.

Fort Marcy will be a key location for introducing national visitors to the fort system be-

cause of its prominent location on the George Washington Memorial Parkway. This will not involve a new structure; rather, it represents a change in the interpretive focus to emphasize the entire system of forts and to encourage people to visit them.

A kiosk near the earthworks at Fort Dupont will be a site for the interpretation of the fortifications of the southern and eastern quadrants. This is a central, easily accessible location for visitors to learn about the forts and how to find them, and a starting place for their exploration.

PARK MANAGEMENT AND OPERATIONS

The management responsibility for the fort resources will continue to be divided among Rock Creek Park, National Capital Parks–East, and George Washington Memorial Parkway. However, funding and staffing needs will be coordinated among the parks. This will ensure that the level of maintenance, facilities, and interpretation is similar across park boundaries and that the visitor experience is seamless regardless of park boundaries.

The staff will have to be increased to operate proposed year-round contact facilities and to offer orientation and interpretive programs focusing on the history of the forts. Additional law enforcement patrols will be needed to help ensure a safe visit for park users.

Funding also will have to be increased to cover preservation, stabilization, and restoration activities, as well as more staff. Appendix D contains a cost estimate.

ALTERNATIVES CONSIDERED BUT NOT ANALYZED FURTHER

OVERVIEW

Planning for the preservation and use of the forts and their associated lands has been a long ongoing process that has evolved with changing urban realities and priorities. A proposal to establish a "Fort Drive," a road including connections with some of the Civil War fortifications, was included in the *District of Columbia Highway Plan* of 1898. Starting around the turn of the century (1900), there were numerous efforts to preserve at least some of the forts, including congressional consideration of bills to establish a Fort Stevens–Lincoln National Military Park (NPS 1996). Most of the major proposals of these early actions have not been implemented, but they included elements that merited consideration in the development of the management alternatives for the present plan.

CHANGING THE NAME

The possibility of changing the name of the Fort Circle Parks has been seriously considered. During public review the name "Civil War Fort Circle Parks" was suggested to emphasize the importance of the events that occurred here during the Civil War. Another possible name considered, in keeping with the significance of the Civil War earthworks, and in an effort to give new focus to the resources, was "Civil War Defenses of Washington." The idea was that this name would give visitors a better understanding of what resources are available in these parks and focus the attention of local residents more on the Civil War resources and less on the local recreational aspects of the parks.

The naming of a national park is not within the purview of the National Park Service. Changing the name of the Fort Circle Parks to any other name would require review and would involve an act of Congress. Although the name change has been discussed, such a decision is outside the scope of this plan.

ESTABLISHING THE FORT DRIVE

A parkway connecting the fort sites, to be known as the Fort Drive, was an important component of early 20th century plans for the city of Washington. Much of the land needed to construct the drive was originally acquired. However, efforts to construct the drive met with strong community opposition, and the proposal did not receive congressional funding for construction. By 1962 it was concluded that the parkway was no longer a valid concept because of changed urban conditions, right-of-way limitations, and traffic increases on the cross streets that the road would have intersected. The conditions precluding the development of a parkway have continued to the present.

DEVELOPING A CONTINUOUS BICYCLE/FOOT TRAIL

In the 1960s a study by the National Capital Planning Commission, with the cooperation of the National Park Service, recommended that the original Fort Drive concept be revisited and that the parkway be developed as a "fort park system" emphasizing park recreation. One of the primary features would have been a continuous "bicycle and pedestrian way," which would have been a significant recreational asset. Such a bicycle/hiking trail would have provided access to the other recreational and cultural opportunities (Fred Tuemmler and Asso. 1965).

The National Park Service followed this concept and prepared the *Fort Circle Parks Master Plan* in 1968. That plan was approved in 1974. Detailed plans were prepared for the continuous bikeway and foot trail, but few sections were actually constructed. A "hiker-biker" trail about 3 miles long was constructed through the eastern section of fort parks, connecting Fort Mahan, Fort Chaplin, Fort Dupont, Fort Davis, and Fort Stanton. In 1971 this trail, the only part of the proposed trail ever constructed, was designated a national recreation trail.

Completing the bicycle portion of the bicycle and pedestrian way was contemplated during the planning for this document, but it was determined to be undesirable for several reasons. Palisade Park, Glover Archbold Park, and Rock Creek Park are intimate in scale, with narrow, often one-lane paths. In some places visitors must step from stone to stone or climb a steep set of stairs. Making those trails fully accessible for bicycles would have required additional bridges, and switchbacks or tunnels would have been needed. This would have resulted in a loss of the sense of wildness that currently exists. Trails in those three parks would have had to be widened to 10 feet to accommodate both hikers and bicyclists. (The 10-foot width is the minimum width recommended by the American Association of State Highway Transportation Officials for a shared use trail.)

The removal of some trees would have been required, and some excavation and construction of walls along the valley slopes would have been necessary. Larger, more substantial bridges would have been needed. The trails would have had to be paved, and this would have significantly changed the appearance and character of the trails that now exist.

The existing portions of the hiker-biker trail in National Capital Parks–East would have needed to be upgraded to the same standards as those for the new sections of trail. These standards have changed since the hiker-biker trail was constructed, and that trail, too, would have had to be widened and paved to be consistent with the new sections. This would have resulted in some of the same impacts noted above. The right-of-way in some residential areas is so narrow that more land would have had to be acquired to construct a bikeway to NPS standards.

RESTORING OR RECONSTRUCTING FORTS

The management policies of the National Park Service define three levels of treatment for historic structures that would be applicable to the Fort Circle Parks earthworks, from *preservation* to *reconstruction.*

Preservation allows a structure to be preserved in its present condition provided that (1) satisfactory protection, maintenance, use, and interpretation can be achieved or (2) another treatment is warranted but cannot be accomplished until some future time. Stabilization is one such treatment.

Restoration allows a structure to be returned to an earlier appearance provided that (1) restoration is essential to public understanding of the cultural associations of the park, and (2) sufficient data exist to permit restoration with minimal conjecture.

Reconstruction produces a new structure identical in form, features, and details to a historic structure that no longer exists. Reconstruction can be implemented when (1) it is essential to public understanding of the cultural associations of the park established for that purpose, (2) sufficient data exist to permit reconstruction on the original site with minimal conjecture, and (3) significant archeological resources will be preserved in situ or their research values will be realized through data recovery.

Restoring selected forts was an alternative mentioned during the public involvement process, but it was rejected from consideration. Although the existing fort resources no longer contain a high percentage of their original historic fabric, drawings of each fort exist in the National Archives, which would have made restoration feasible. However, considering the amount of historic fabric remaining, the result, if done, might have been closer to reconstruction rather than restoration.

The National Park Service considers reconstruction always a last-resort measure for addressing management objectives. Policy reviews and specific approvals would be required for the reconstruction of the forts. Such reconstruction would have resulted in the damage or destruction of the remaining original fabric. Extensive archeological investigation and mitigation would have been required before construction, and the whole process would have been very costly. In addi-

tion, reconstructed sites would be more likely to attract vandalism.

The National Park Service has restored or reconstructed earthworks at many areas within a two-hour drive of Washington, D.C., notably Fredericksburg and Spotsylvania County Battlefields National Military Park, Richmond National Battlefield Park, and Petersburg National Battlefield. Fort Ward Museum and Historic Site, owned and operated by the city of Alexandria, Virginia, has been partially reconstructed and is within a 45-minute drive of most locations in the Fort Circle Parks. Fort Ward, although it is not part of the Fort Circle Parks, was one of the forts that originally made up the Civil War defense system of Washington. With ample opportunity to see a restored military earthwork in the Washington area, restoring or reconstructing any Fort Circle earthworks seems unnecessary.

A secondary reason for rejecting this alternative is that to restore forts that are in a forested environment, large numbers of trees would have had to be removed and some wildlife habitat would have been eliminated. Such restoration also would have eliminated the forested canopy that provides a scenic backdrop to the nation's capital.

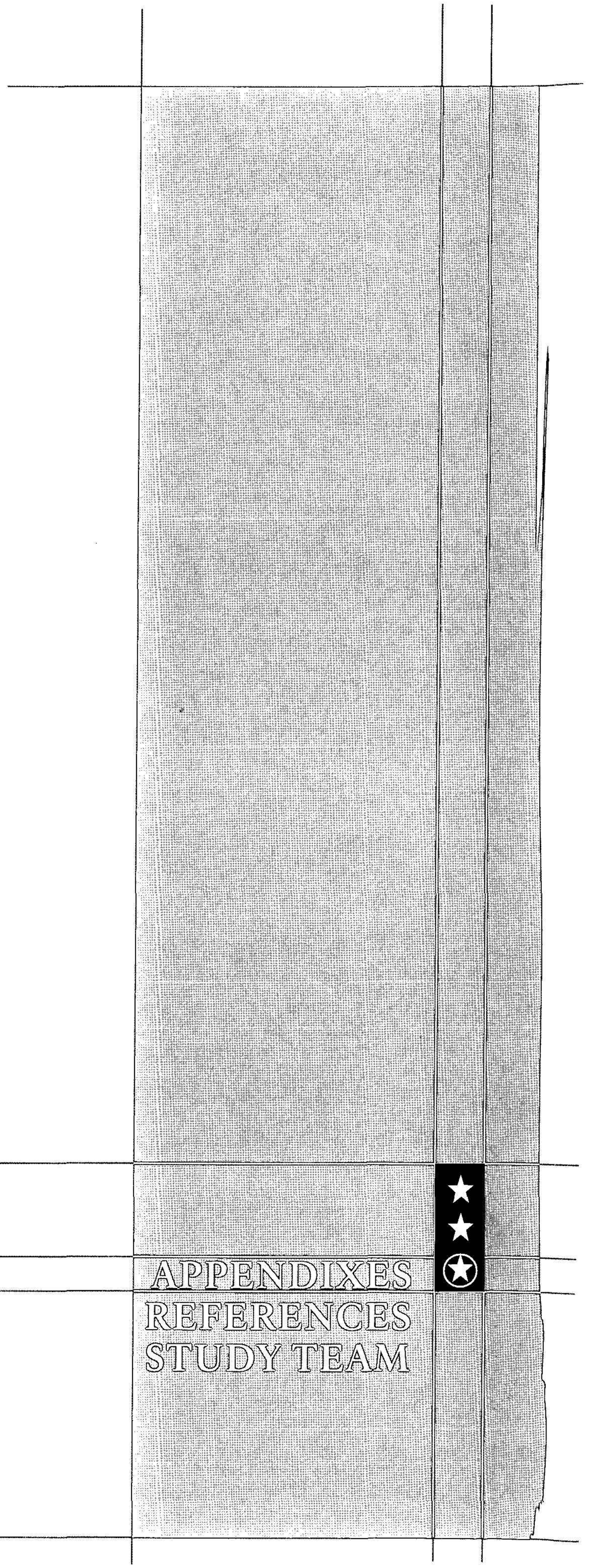
ESTABLISHING A SEPARATE NPS UNIT

The establishment of a separate national park system unit for the Fort Circle Parks was briefly evaluated. It was dismissed from consideration for the following reasons:

- Although the forts were listed on the National Register of Historic Places on July 15, 1974, and the national register boundary was expanded September 13, 1978, the significance level was "local" rather than the "national" or "national landmark" level of significance normally required for a property to become a unit of the National Park Service in its own right.
- The properties are being preserved at present as part of their current respective park affiliations and are in no danger of loss or destruction.
- Interpretation and visitor use of the sites can be coordinated across the three existing parks without the need to create a separate park unit.
- The operation and management of the individual fortification remnants, covering all four quadrants of the city, would have been unwieldy and logistically difficult to maintain. There would have been a redundancy with other units in the city, and the actions would have resulted in duplication of resources.

ADDING A MAJOR VISITOR CENTER

Consideration was given to establishing a major visitor center that would interpret the overall theme of Washington, D.C., during the Civil War. This objective has merit but is somewhat beyond the scope of this plan. In the future, additional consideration should be given to coordinating NPS and other resources related to the Civil War. At present, Fort Ward in Alexandria, Virginia, is providing a museum related to the Civil War defenses of Washington. This presents an excellent introduction to the fort system, and it should not be duplicated elsewhere by the National Park Service.


APPENDIXES
REFERENCES
STUDY TEAM

APPENDIX A: LEGISLATION

1. Reorganization of Government, excerpts from Executive Order No. 6166 of June 10, 1933 (5 U.S.C. secs. 124-132).

Executive Order

Organization of Executive Agencies

Whereas section 16 of the act of March 3, 1933 (Public, No. 428, 47 Stat. 1517), provides for reorganizations within the executive branch of the Government; requires the President to investigate and determine what reorganizations are necessary to effectuate the purposes of the statute; and authorizes the President to make such reorganizations by Executive order; and

Whereas I have investigated the organization of all executive and administrative agencies of the Government and have determined that certain regroupings, consolidations, transfers, and abolitions of executive agencies and functions thereof are necessary to accomplish the purposes of section 16;

Now, therefore, by virtue of the aforesaid authority, I do hereby order that:

* * * * * * * * * * *

Section 2. *National Parks, Buildings, and Reservations*

All functions of administration of public buildings, reservations, national parks, national monuments, and national cemeteries are consolidated in an Office of National Parks, Buildings, and Reservations[1] in the Department of the Interior, at the head of which shall be a Director of National Parks, Buildings, and Reservations; except that where deemed desirable there may be excluded from this provision any public building or reservation which is chiefly employed as a facility in the work of a particular agency. This transfer and consolidation of functions shall include, among others, those of the National Park Service of the Department of the Interior and the National Cemeteries and Parks of the War Department which are located within the continental limits of the United States. National cemeteries located in foreign countries shall be transferred to the Department of State, and those located in insular possessions under the jurisdiction of the War Department shall be administered by the Bureau of Insular Affairs of the War Department.

The functions of the following agencies are transferred to the Office of National Parks, Buildings, and Reservations of the Department of the Interior, and the agencies are abolished:

Arlington Memorial Bridge Commission
Public Buildings Commission
Public Buildings and Public Parks of the National Capital
National Memorial Commission
Rock Creek and Potomac Parkway Commission

Expenditures by the Federal Government for the purposes of the Commission of Fine Arts, the George Rogers Clark Sesquicentennial Commission, and the Rushmore National Commission shall be administered by the Department of the Interior.

* * * * * * * * * * *

Section 19—*General Provisions*

Each agency, all the functions of which are transferred to or consolidated with another agency, is abolished.

The records pertaining to an abolished agency or a function disposed of, disposition of which is not elsewhere herein provided for, shall be of, disposition of which is not elsewhere herein provided for, shall be

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[1] "National Park Service" was substituted for "Office of National Parks, Buildings, and Reservations" by Act of March 2, 1934 (48 Stat. 389), see excerpt, page 13.

transferred to the successor. If there be no successor agency, and such abolished agency be within a department, said records shall be disposed of as the head of such department may direct.

The property, facilities, equipment, and supplies employed in the work of an abolished agency or the exercise of a function disposed of, disposition of which is not elsewhere herein provided for, shall, to the extent required, be transferred to the successor agency. Other such property, facilities, equipment, and supplies shall be transferred to the Procurement Division.

All personnel employed in connection with the work of an abolished agency or function disposed of shall be separated from the service of the United States, except that the head of any successor agency, subject to my approval, may within a period of four months after transfer or consolidation, reappoint any of such personnel required for the work of the successor agency without reexamination or loss of civil-service status.

Section 20. – *Appropriations*

Such portions of the unexpended balances of appropriation for any abolished agency or function disposed of shall be transferred to the successor agency as the Director of the Budget shall deem necessary.

Unexpended balances of appropriations for an abolished agency or function disposed of, not so transferred by the Director of the Budget, shall, in accordance with law, be impounded and returned to the Treasury.

Section 21. – *Definitions*

As used in this order—

"Agency" means any commission, independent establishment, board, bureau, division, service, or office in the executive branch of the Government.

"Abolished agency" means any agency which is abolished, transferred, or consolidated.

"Successor agency" means any agency to which is transferred some other agency or function, or which results from the consolidation of other agencies or functions.

"Function disposed of" means any function eliminated or transferred.

Section. 22—*Effective Date*

In accordance with law, this order shall become effective 61 days from its date; *Provided,* That in case it shall appear to the President that the interests of economy require that any transfer, consolidation, or elimination be delayed beyond the date this order becomes effective, he may, in his discretion, fix a later date therefor, and he may for like cause further defer such date from time to time.

FRANKLIN D. ROOSEVELT.

The White House,
June 10, 1933.

[No. 6166]

2. Reorganization of Government, Executive Order No. 6228 of July 28, 1933, to make more explicit and to interpret Section 2 of Executive Order No. 6166 of June 10, 1933 (5 U.S.C. secs. 124-132)

Executive Order

ORGANIZATION OF EXECUTIVE AGENCIES

Whereas executive order No. 6166 Dated June 10, 1933, issued pursuant to the authority of Section 16 of the Act of March 3, 1933 (Public No. 428—47 Stat. 1517) provides in Section 2 as follows:

"All functions of administration of public buildings reservations, national parks, national monuments, and national cemeteries are consolidated in an office of National Parks, Buildings, and Reservations in the Department of the Interior, at the head of which shall be a Director of National Parks Buildings, and Reservations; except that where deemed desirable there may be excluded from this provision any public building or reservation which is chiefly employed as a facility in the work of a particular agency. This transfer and consolidation of functions shall include, among others, those of the National Park Service of the Department of

the Interior and the National Cemeteries and Parks of the War Department which are located within the continental limits of the United States. National Cemeteries located in foreign counties shall be transferred to the Department of State, and those located in insular possessions under the jurisdiction of the War Department shall be administered by the Bureau of Insular Affairs of the War Department."

and;

Whereas to facilitate and expedite the transfer and consolidation of certain units and agencies contemplated thereby, it is desirable to make more explicit said Section 2 of the aforesaid executive order of June 10, 1933, insofar as the same relates to the transfer of agencies now administered by the War Department:

Now, Therefore, said executive order No. 6166, date June 10, 1933, is hereby interpreted as follows:
1. The cemeteries and parks of the War Department transferred to the Interior Department are as follows:

NATIONAL MILITARY PARKS

Chickamauga and Chattanooga National Military Park, Georgia and Tennessee.
Fort Donelson National Military Park, Tennessee.
Fredericksburg and Spotsylvania County Battle Fields Memorial, Virginia.
Gettysburg National Military Park, Pennsylvania.
Guilford Courthouse National Military Park, North Carolina.
Kings Mountain National Military Park, South Carolina.
Moore's Creek National Military Park, North Carolina
Petersburg National Military Park, Virginia.
Shiloh National Military Park, Tennessee.
Stones River National Military Park, Tennessee.
Vicksburg National Military Park, Mississippi.

NATIONAL PARKS

Abraham Lincoln National Park, Kentucky.
Fort McHenry National Park, Maryland.

BATTLEFIELD SITES

Antietam Battlefield, Maryland.
Appomattox, Virginia.
Brices Cross Roads, Mississippi.
Chalmette Monument and Grounds, Louisiana.
Cowpens, South Carolina.
Fort Necessity, Wharton County,[2] Pennsylvania.
Kenesaw Mountain, Georgia.
Monocacy, Maryland.
Tupelo, Mississippi.
White Plains, New York.

NATIONAL MONUMENTS

Big Hole Battlefield, Beaverhead County, Montana.
Cabrillo Monument, Ft. Rosecrans, California.

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[2] Wharton Township, Fayette County.

Castle Pinckney, Charleston, South Carolina.
Father Millet Cross, Fort Niagara, New York.
Fort Marion, St. Augustine, Florida.
Fort Matanzas, Florida.
Fort Pulaski, Georgia.
Meriwether Lewis, Hardin County, Tennessee.
Mound City Group, Chillicothe, Ohio.
Statue of Liberty, Fort Wood, New York.

MISCELLANEOUS MEMORIALS

Camp Blount Tablets, Lincoln County, Tennessee.
Kill Devil Hill Monument, Kitty Hawk, North Carolina.
New Echota Marker, Georgia.
Lee Mansion, Arlington National Cemetery, Virginia.

NATIONAL CEMETERIES

Battleground, District of Columbia.
Antietam, (Sharpsburg) Maryland.
Vicksburg, Mississippi.
Gettysburg, Pennsylvania.
Chattanooga, Tennessee.
Fort Donelson, (Dover) Tennessee.
Shiloh, (Pittsburg Landing) Tennessee.
Stones River, (Murfreesboro) Tennessee.
Fredericksburg, Virginia.
Poplar Grove, (Petersburg) Virginia.
Yorktown, Virginia.

2. Pursuant to Section 22 of said executive order it is hereby ordered that the transfer from the War Department of national cemeteries other than those named above be, and the same is hereby postponed until further order.

3. Also pursuant to Section 22 of said executive order it is hereby ordered that the transfer of national cemeteries located in foreign countries from the War Department to the Department of State and the transfer of those located in insular possessions under the jurisdiction of the War Department to the Bureau of Insular Affairs of said Department be, and the same are hereby postponed until further order.

FRANKLIN D. ROOSEVELT

The White House,
July 29, 1933.

[No. 6228]

SIXTY-EIGHTH CONGRESS. Sess. I. CH. 270. 463

CHAP. 270.-An Act Providing for a comprehensive development of the park and playground system of the National Capital.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That to preserve the flow of water in Rock Creek, to prevent pollution of Rock Creek and the Potomac and Anacostia Rivers, to preserve forests and natural scenery in and about Washington, and to provide for the comprehensive systematic, and continuous development of the park, parkway, and playground system of the National Capital, there is hereby constituted a commission, to be known as the National Capital, Park Commission, composed of the Chief of Engineers of the Army, the Engineer Commissioner of the District of Columbia, the Director of the National Park Service, the Chief of the Forest Service, the officer in charge of public buildings and grounds and the chairmen of the Committees on the District of Columbia of the Senate and House of Representatives. At the close of each Congress the Presiding Officer of the Senate and the Speaker of the House of Representatives shall appoint, respectively Senator elect and a Representative elect to the succeeding Congress to serve as members of this commission until the chairmen of committees of the succeeding Congress shall be chosen: The officer in charge of public building sand grounds shall be the executive and disbursing officer of said commission.

Sec. 2. Said commission or a majority thereof is hereby authorized and directed to acquire such lands as in its judgment shall be necessary and desirable in the District of Columbia and adjacent areas in Maryland and Virginia, within the limits of the appropriations made for such purposes, for suitable development of the National Capital park, parkway, and playground system. That said commission is hereby authorized to acquire such lands by purchase when they can be acquired at prices reasonable in the judgment of said commission, otherwise by condemnation proceedings, such proceeding to acquire lands within the District of Columbia to be in accordance with the provisions of the Act of Congress approved August 30, 1890, providing a site for the Government printing Office (United States Statutes at Large, volume 26, chapter 837), the Chief of Engineers of the Army being, for the purposes of this Act, hereby clothed with all the power vested by the said Act of August 30, 1890, in the board created by the Act. Said commission is hereby authorized to acquire such lands, located in Maryland or Virginia, either by purchase or condemnation proceedings, by such arrangements as to acquisition and payment for the lands as it shall determine upon by agreement with the proper officials of the States of Maryland Virginia shall be subject to the approval of the President of the United States.

Sec. 3. That there is authorized to be appropriated, each year hereafter, in the annual District of Columbia Appropriation Act a sum not exceeding one cent for each inhabitant of the continental United States as determined by the last preceding decennial census, said sum to be used by said commission for the payment of its expenses and for the acquisition of the lands herein authorized to be acquired by said commission for the purposes named, the compensation for the land, the expense of surveys, ascertainment of title, condemnation proceedings, if any, and necessary conveyancing to be paid from said appropriations. The funds so appropriated shall be paid from the revenues of the District of Columbia and the general funds of the Treasury in the same proportion as other expenses of the District of Columbia. The land so acquired within the District of Columbia shall be a part of the park system of the District of Columbia and be under control of the Chief of Engineers of the United States Army; that areas suitable for playground purposes may in the discretion of said Commission, be assigned to the control of the Commissioners of the District of Columbia for playground purposes. That the land so acquired outside the District of Columbia shall be controlled as determined by agreement between said commission and the proper officers of the State of Maryland and Virginia, such agreements to be subject to the approval of the President.

Sec. 4. Said commission shall report to Congress annually on the first Monday of December the lands acquired during the preceding fiscal year, the method of acquisition, and the cost of each tract. It shall also submit to the Bureau of the Budget on or before and the cost of each tract. It shall submit to the Bureau of the Budget on or before September 15 of each year its estimate of the total sum to appropriated for expenditure under the provisions of this Act during the succeeding fiscal year.

Approved, June 6, 1924

CAPPER-CRAMTON ACT

Act of May 29, 1930 (46 Stat. 482), as amended by the Act of August 8, 1946 (60 Stat. 960), Section 3 of the Act of July 19, 1952 (66 Stat. 781, 791), and the Act of August 21, 1958 (72 Stat. 705).

An Act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that there is hereby authorized to be appropriated the sum of $13,500,000, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, for acquiring and developing, except as in this section otherwise provided, in accordance with the provision of the Act of June 6, 1924, entitled "An Act providing for a comprehensive development of the park and playground system of the National Capital," as amended, such lands in the States of Maryland Virginia as are necessary and desirable for the park and parkway system of the National Capital in the environs of Washington. Such funds shall be appropriated as required for the expeditious, economical, and efficient development and completion of the following projects:

(a) For the George Washington Memorial Parkway, to include the shores of the Potomac, and adjacent lands, from Mount Vernon to a point above the Great Falls on the Virginia side, except within the City of Alexandria, and from Fort Washington to a similar point above the Great Falls on the Maryland side except within the District of Columbia, and including the protection and preservation of the natural scenery of the Gorge and the Great Falls of the Potomac, the preservation of the historic Patowmack Canal, and the acquisition of that portion of the Chesapeake and Ohio Canal below Point of Rocks, $7,500,00; Provided, That the acquisition of any land in the Potomac River Valley for park purposes shall not debar, limit, or abridge its use for such works as Congress may in the future authorize for the improvement and the extension of navigation, including the connecting of the upper Potomac River with the Ohio River, or for flood control irrigation or drainage, or for the development of hydroelectric power.

The title to the lands acquired hereunder shall vest in the United States, and said lands, including the Mount Vernon Memorial Highway authorized by the Act approved May 23, 1928, upon its completion, shall be maintained and administered by the Director of Public Buildings and Public Parks of the National Capital, who shall exercise all the authority, power, and duties with respect to lands acquired under this section as are conferred upon him within the District of Columbia by the Act approved February 26, 1925; and said director is authorized to incur such expenses as may be necessary for the proper administration and maintenance of said lands within the limits of the appropriations from time to time granted therefor from the Treasury of the United States, which appropriations are hereby authorized.

The National Capital Park and Planning Commission is authorized to occupy such lands belonging to the United States as may be necessary for the development and protection of said parkway and to accept the donation to the United States of any other lands by it deemed desirable for inclusion in said parkway. As to any lands in Maryland or Virginia along or adjacent to the shores of the Potomac within the proposed limits of the parkway that would involve great expense for their acquisition and are held by said commission not to be essential to the proper carrying out of the project, the acquisition of said lands shall not be required, upon a finding of the commission to that effect.

Said parkway shall include a highway from Fort Washington to the Great Falls on the Maryland side of the Potomac and a free bridge across the Potomac at or near Great Falls and necessary approaches to said bridge; Provided, That no money shall be expended by the United States for lands for any unit of this project until the National Capital Park and Planning Commission shall have received definite commitments from the State of Maryland or Virginia, or political subdivisions thereof or from other responsible sources for one-half the cost of acquiring the lands in its judgment necessary for such unit of said project deemed by said commission sufficiently complete, other than lands now belonging to the United States or donated to the United States;

Provided, That in the discretion of the National Capital Park and Planning Commission, upon agreement duly entered into the State of Maryland and Virginia or any political subdivision thereof to reimburse the United States as hereinafter provided, it may advance the full amount of the funds necessary for the acquisition of the lands in any such unit referred to in this paragraph, such agreement providing for reimbursement to the United States to the extent of one-half of the cost thereof within interest within no more than eight years from the date of any such expenditure; Provided further, That in the discretion of the National Capital Planning Commission, upon agreement duly entered into between that Commission and the Maryland National Capital Park and Planning Commission, an agency of the State of Maryland, created by chapter 448 of the laws of Maryland of 1927, as amended, such portion of the said $7,500,000 authorized to be appropriated under this paragraph as the said Federal and Maryland agencies may determine may be appropriated for the purposes set forth under paragraph (b) of this section and subject to the conditions imposed by that paragraph. The appropriation of the amount necessary for such advance, in addition to the contribution by the United States, is hereby authorized from any money in the Treasury not otherwise appropriated.

(b) For the extension of Rock creek into Maryland, as may be agreed upon between the National Capital Park and Planning Commission and the Maryland National Capital Park and Planning Commission, for the preservation of the flow of water in Rock Creek, for the extension of the Anacostia Park system up the valley of the Anacostia River, Indian Creek, Paint Branch and Little Paint Branch, the Northwest Branch and Sligo Creek; of the Oxon Run Parkway from the District of Columbia line to Marlboro Road; and of the George Washington Memorial Parkway up the valley of Cabin John Creek, Little Falls Branch, and Willet Run, as my be agreed upon between the National Capital Park and Planning Commission and the Maryland National Capital Park Commission, $1,500,00; Provided, That no appropriation authorized in this subsection shall be available for expenditure until a suitable agreement is entered into by the National Capital Park and Planning Commission and the Washington Suburban Sanitary Commission as to sewage disposal and storm water flow; Provided further, That no money shall be contributed by the United States for any unit of such extensions until the National Capital Park and Planning Commission shall have received definite commitments from the Maryland National Capital Park and Planning Commission for the balance of the cost of acquiring such unit of said extensions deemed by said commission sufficiently complete, other than lands now belonging to the United States or donated to the United States; Provided further, That in the discretion of the National Capital Park and Planning Commission upon agreement duly entered into with the Maryland National Capital Park and Planning Commission to reimburse the United States as hereinafter provided, it may advance the full amount of the funds necessary for the acquisition of the lands required for such extensions referred to in this paragraph, such advance, exclusive of said contribution $1,500,000 by the United States, not to exceed $3,000,000, the appropriation of which amount from funds in the Treasury of the United States not otherwise appropriated is hereby authorized, such agreement providing for reimbursement to the United States of such advance, exclusive of said Federal contribution, without interest within not more than eight years from the date of any such expenditure. The title to the lands acquired hereunder shall vest in the State of Maryland. The development and administration thereof shall be under the Maryland National Capital Park and Planning Commission and in accordance with plans approved by the National Capital Park and Planning Commission.

(c) For the extension of the park and parkway system of the National Capital in the Virginia environs of Washington, as my be agreed upon between the National Capital Planning Commission and a park authority established under the Park Authorities Act of the State of Virginia (and such other public bodies as my be authorized under the laws of the State of Virginia), up the valleys of Hunting Creek, Cameron Run, Homes Run, Tripps Run, Four Mile Run, Pimmit Run, Accotink Creek, and tributaries of such streams, and over other desirable lands, $4,500,000. No part of such sum shall be expended by the United States for any unit or such extension until the National Capital Planning Commission has received definite commitments from such park authority (and other public bodies, and the State of Virginia for two-thirds of the cost of acquiring the lands in its judgment necessary for such unit of the extension deemed by the Commission sufficiently complete. The title to the lands acquired hereunder shall vest in, and the development and administration thereof shall be under, such park authority or the State of Virginia in accordance with plans approved by the National Capital Planning Commission. Such lands shall not be used for any purpose other than the development and completion of the park and parkway system provided for in this paragraph, except with the approval and consent of the National Capital Planning Commission. No appropriation authorized in this paragraph shall be available for expenditure

until a suitable agreement has been entered into between the National Capital Planning Commission and the appropriate local authority as to sewage disposal and storm-water flow.

Sec. 2. Whenever it becomes necessary to acquire by condemnation proceedings any lands in the States of Virginia or Maryland for the purpose of carrying out the provisions of this Act, such acquisition shall be under and in accordance with the provisions of the Act of August 1, 1888 (U.S.C., p. 1302, sec. 257). No payment shall be made for any such lands until the title thereto in the United States shall be satisfactory to the Attorney General of the United States.

Sec. 3. Whenever the use of the Forts Washington, Foote, and Hunt, or either of them, is no longer deemed necessary for military purposes they shall be turned over to the Director of Public Buildings and Public Parks of the National Capital, without cost, for administration and maintenance as a part of the said George Washington Memorial Parkway.

Sec. 4. There is hereby further authorized to be appropriated the sum of $16,000,000, or so much thereof as may be necessary, out of any money in the Treasury of the United States not otherwise appropriated, for the acquiring of such lands in the District of Columbia as are necessary and desirable for the suitable development of the National Capital park, parkway, and playground system, in accordance with the provisions of the said Act of June 6, 1924, as amended, except as in this section otherwise provided. Such funds shall be appropriated for fiscal year 1931 and thereafter as required for the expeditious, economical, and efficient accomplishment of the purposes of this Act and shall be reimbursed to the United States from any funds in the Treasury to the credit of the District of Columbia follows, to wit: $1,000,000 on the 30th day of June, 1931; and $1,000,000 on the 30th day of June each year thereafter until the full amount expended hereunder is reimbursed without interest.

The National Capital Park and Planning Commission shall, before purchasing any lands hereunder for playground, recreation center, community center, and similar municipal purposes, request from the Commissioners of the District of Columbia a report thereon. Said commission is authorized to accept the donation to the United States of any lands deemed desirable for inclusion in said park, parkway, and playground system, and the donation of any funds for the acquisition of such lands under this act.

Sec. 5. The right of Congress to alter or amend this Act is hereby reserved.

Sec. 6. Section 4 of Public Act 297 of the Seventieth Congress entitled "An Act authorizing the Great Falls Bridge Company, its successors and assigns, to construct, maintain, and operate a bridge across the Potomac River at or near Great Falls," approved April 21, 1928, as amended, is hereby amended by adding at the end of said section the following:

"Provided, That after the George Washington Memorial Parkway is established and the lands necessary for such parkway at and near Great Falls have been acquired by the United States, the United States may at any time acquire and take over all right, title, and interest in such bridge, its approached and approach roads, and any interest in real property necessary therefore, by purchase or by condemnation, paying therefor not more than the cost of said bridge and its approaches and approach roads, as determined by the Secretary of War under section 6 of this Act plus 10 per centum."

An Act to facilitate the management of the National Park System and miscellaneous areas administered in connection with that system, and for other purposes, approved August 8, 1953 (67 Stat. 495)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to facilitate the administration of the National Park System and miscellaneous areas administered in connection therewith, the Secretary of the Interior is hereby authorized to carry out the following activities, and he may use applicable appropriations for the aforesaid system and miscellaneous areas for the following purposes:

1. Rendering of emergency rescue, fire fighting, and cooperative assistance to nearby law enforcement and fire prevention agencies and for related purposes of the National Park System and miscellaneous areas.

2. The erection and maintenance of fire protection facilities, water lines, telephone lines, electric lines, and other utility facilities adjacent to any area of the said national Park System and miscellaneous areas, where necessary, to provide service in such area.

3. Transportation to and from work, outside of regular working hours, of employees of Carlsbad Caverns National Park, residing in or near the city of Carlsbad, New Mexico, such transportation to be between the park and the city, or intervening points, at reasonable rates to be determined by the Secretary of the Interior taking into consideration, among other factors, comparable rates charged by transportation companies in the locality for similar services, the amounts collected for such transportation to be credited to the appropriation current at the time payment is received: *Provided,* That if adequate transportation facilities are available, or shall be available by any common carrier, at reasonable rates, then and in that event the facilities contemplated by this paragraph shall not be offered.

4. Furnishing, on a reimbursement of appropriation bases, all types of utility services to concessioners, contractors, permittees, or other users of such services, within the National Park System and miscellaneous areas: *Provided,* That reimbursements for cost of such utility services may be credited to the appropriation current at the time reimbursements are received.

5. Furnishing, on a reimbursement of appropriation basis, supplies, and the rental of equipment to persons and agencies that in cooperation with, and subject the approval of, the Secretary of the Interior, render services or perform functions that facilitate or supplement the activities of the Department of the Interior in the administration of the National Park System and miscellaneous areas: *Provided,* That reimbursements hereunder may be credited to the appropriation current at the time reimbursements are received.

6. Contracting, under such terms and conditions as the said Secretary considers to be in the interest of the Federal Government, for the sale, operation, maintenance, repair, or relocation of Government-owned electric and telephone lines and other utility facilities used for the administration and protection of the National Park System and miscellaneous areas, regardless of whether such lines and facilities are located within or outside said system and areas.

7. Acquiring such rights-of-way as may be necessary to construct, improve, and maintain roads within the authorized boundaries of any area of the said National Park System and miscellaneous areas, and the acquisition also of land and interest in land adjacent to such rights-of-way, when deemed necessary by the Secretary, to provide adequate protection of natural features or to avoid traffic and other hazards resulting from private road access connections, or when the acquisition of adjacent residual tracts, which otherwise would remain after acquiring such rights-of-way, would be in the public interest.

8. The operation, repair, maintenance, and replacement of motor and other equipment on a reimbursable basis when such equipment is used on Federal projects of the said National Park System and miscellaneous areas, chargeable to other appropriations, or on work of other Federal agencies, when requested by such agencies. Reimbursement shall be made from appropriations applicable to the work on which the equipment is used at rental rates established by the Secretary, based on actual or estimated cost of operation, repair, maintenance, depreciation, and equipment management control, and credited to appropriations currently available at the time adjustment is effected, and the Secretary may also rent equipment for fire control purposes to State, county, private, or other non-Federal agencies that cooperate with the Secretary in the administration of the said National Park System and other areas in fire control, such rental to be under the terms of written cooperative agreements, the amount collected for such rentals to be credited to appropriations currently available at the time payment is received. (16 U.S.C. § 1b.)

Sec. 2. (a) The term "National Park System" means all federally owned or controlled lands which are administered under the direction of the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended, and which are grouped into the following descriptive categories: (1)

National parks, (2) national monuments, (3) national historical parks, (4) national memorials, (5) national parkways, and (6) national capital parks.

(b) The term "miscellaneous areas" includes lands under the administrative jurisdiction of another Federal agency, or lands in private ownership, and over which the National Park Service, under the direction of the Secretary of the Interior, pursuant to cooperative agreement, exercises supervision for recreational, historical, or other related purposes, and also any lands under the care and custody of the National Park Service other than those heretofore described in this section. (16 U.S.C. § 1c.)

Sec. 3. Hereafter applicable appropriations of the National Park Service shall be available for the objects and purposes specified in the Act of August 7, 1946 (60 Stat. 885). (16 U.S.C. § 1d.)

An Act To amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes, approved June 13, 1957 (71 Stat. 69)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Property and Administrative Services Act of 1949, as amended, is hereby further amended as follows:

By designating paragraphs (2) and (3) of subsection (a) of section 507 as paragraphs (3) and (4) and adding a new paragraph (2) to read as follows:

"(2) to direct and effect the transfer to the National Archives of the United States of any records of any Federal agency that have been in existence for more that fifty years and that are determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the United States Government, unless the head of the agency which has custody of them shall certify in writing to the Administrator that they must be retained in his custody for use in the conduct of the regular current business of the said agency." (44 U.S.C. § 697).

APPENDIX B: COMPLIANCE WITH FEDERAL AND STATE LAWS, EXECUTIVE ORDERS, AND REGULATIONS

When implementing the actions described in the *Draft Management Plan / Environmental Assessment,* the National Park Service will adhere to applicable laws, executive orders, and regulations (except where noted and explained in the alternatives). These precepts include the following:

GENERAL

- The Architectural Barriers Act of 1968 (42 USC 4151 et seq.); the Rehabilitation Act of 1973 (29 USC 701 et seq.); and the Americans with Disabilities Act of 1990 (PL 101-336, 104 Stat. 327)

The above acts require that all developed facilities and programs be made as accessible as possible to special populations.

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations

Under policy established by the secretary of the interior to comply with this executive order, departmental agencies should identify and evaluate, during the scoping and/or planning processes, any anticipated effects, either direct or indirect, from the proposed project or action on minority and low-income populations and communities, including the equity of the distribution of the benefits and risks. None of the impacts of any of the alternatives would fall disproportionately on either the minority or low-income members of the region. The following facts contributed to this conclusion:

None of the alternatives would result in any identifiable adverse human health effects. Therefore, there would be no direct or indirect negative or adverse effects on any minority or low-income population or community.

The impacts on the natural and physical environment that would result from implementing one of the alternatives would not appreciably and adversely affect any minority or low-income population or community.

The proposed action would not result in any identified effects that would be specific to any minority or low-income community.

The National Park Service has had an active public participation program to solicit information and comments and has equally considered all public input regardless of age, race, income status, or other socioeconomic or demographic factors.

Impacts on the socioeconomic environment that would result from implementing alternatives 2 or 3 would be marginally positive. These impacts would not occur all at one time but would be spread over a number of years.

CULTURAL RESOURCES

- The National Historic Preservation Act of 1966, as amended (16 USC 470 et seq.)

The National Park Service is mandated to preserve and protect cultural resources as stated in the act of August 25, 1916, which established the National Park Service, and in specific legislation such as the Antiquities Act of 1906, the National Environmental Policy Act, and the National Historic Preservation Act. The cultural resources of the Fort Circle Parks are to be managed in accordance with these acts and in accordance with NPS *Management Policies,* NPS-28, *Cultural Resource Management Guideline,* the *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation,* and other policy directives.

Section 106 of the National Historic Preservation Act of 1966, as amended, defines the obligations of the federal government regarding activities proposed for or affecting properties on or eligible for listing on the National Register of Historic Places. Federal agencies are required to take into account the potential effects of their activities on protected resources and to allow the Advisory Council on Historic Preservation and the state historic preservation officer an opportunity to comment. Actions are determined to have no effect, an adverse effect, or an effect that is not adverse on cultural resources. Before this plan is implemented, the National Park Service would work with the historic preservation officers of Washington, D.C., the commonwealth of Virginia, and the state of

Maryland, as well as the Advisory Council on Historic Preservation, to meet the requirements of section 106.

An internal section 106 form ("Assessment of Actions Having an Effect on Cultural Resources") will be completed following the approval of this plan but before the implementation of the individual proposed actions. The form will document project effects, outline actions to mitigate such effects, and document that the proposed action flowed from an approved plan meeting section 106 requirements. Cultural resource management specialists will review and certify all proposed actions affecting cultural resources.

As part of the cultural resource management responsibilities mandated by section 110 of the National Historic Preservation Act, as amended, the National Park Service inventories and evaluates all cultural resources on land under its jurisdiction or that could be affected by agency actions. Cultural resources are evaluated by applying the criteria for inclusion on the National Register of Historic Places.

Until a complete archeological inventory and evaluation of the Fort Circle Parks can be completed, all ground-disturbing actions will be preceded by an archeological evaluation to determine the level of investigation required before construction can begin.

Because all alternatives recommend a course of action that might affect cultural resources listed on the National Register of Historic Places, the National Park Service will work closely with the historic preservation officers of the District of Columbia, the commonwealth of Virginia, and the state of Maryland, as well as with the Advisory Council on Historic Preservation and the National Capital Planning Commission to determine a course of action that will avoid, reduce, minimize, or mitigate adverse effects. Local community, park neighbors, park users, D.C. Area Neighborhood Councils, local government preservation, park and planning agencies, also will be involved in reviewing and commenting on this plan.

NATURAL RESOURCES

- National Environmental Policy Act of 1969

This act sets forth the federal policy to preserve important historic, cultural, and natural aspects of our national heritage. It requires federal agencies to use a systematic, interdisciplinary approach that integrates natural and social sciences in planning and decision-making that may impact the human environment. This environmental assessment was prepared pursuant to this act and its implementing regulations and guidelines. Implementing this plan will require ongoing adherence to the National Environmental Policy Act.

- Section 118 of the Clean Air Act, as amended (42 USC 7401 et seq.)

Washington, D.C., is in a class II clean air area. Under the Clean Air Act, as amended, maximum allowable increases of sulfur dioxide, particulate matter, and nitrogen oxide beyond baseline concentrations established for class II areas cannot be exceeded. Section 118 of the Clean Air Act requires all federal facilities to comply with federal, state, and local air pollution control laws and regulations. National Park Service staff would coordinate with the appropriate District of Columbia, Commonwealth of Virginia, and State of Maryland offices to ensure that all project activities would meet the requirements of federal and local air quality programs.

- Executive Order 11988, Floodplain Management

Executive Order 11988 directs agencies to avoid development in floodplains whenever there is a practicable alternative. The NPS *Floodplain Management Guideline* provides requirements for implementing floodplain protection and management actions in units of the national park system. However, the guideline does not apply to certain park functions near water for the enjoyment of visitors and for activities that do not involve overnight use such as trails and picnic areas.

- Endangered Species Act of 1973, as Amended (16 USC 1531 et seq.)

Section 7 of the Endangered Species Act requires all federal agencies to consult with the U.S. Fish and Wildlife Service to ensure that any action authorized, funded, or carried out by the agency does not jeopardize the continued existence of listed species or critical habitat. Consultation with the Fish and Wildlife Service has revealed federally listed threatened, or endangered species in the vicinity of the Fort Circle Parks. Appropriate measures would be taken to avoid adverse impacts on these species as a result of implementing actions in this management plan.

- Permits

The District of Columbia, Prince Georges and Montgomery Counties in Maryland, and Arlington County in Virginia have permit requirements affecting the sites. The sites must meet sanitary and storm water criteria that are applicable for projects in Washington, D.C., and Prince Georges, Montgomery, and Arlington Counties. Any other activities related to construction will be conducted in compliance with all applicable state and federal regulations.

- Section 404 of the Clean Water Act (33 USC 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 USC 401 et seq.)

The U.S. Army Corps of Engineers issues permits for work affecting navigable waters and wetlands of the United States. Section 404 of the Clean Water Act regulates the discharge of dredged material into U.S. waters, including both navigable waters and wetlands of the United States. If proposed actions would impact U.S. waters —- surface water resources in and near the Fort Circle Parks — these actions would be subject to review by the U.S. Army Corps of Engineers; a 404 permit, which is issued by the Corps of Engineers, would be required.

NPS management policies require the National Park Service to examine impacts on water resources, specifically impacts on the preservation, use, and quality of water originating, flowing through, or adjacent to park boundaries. The National Park Service seeks to restore, maintain, and enhance the quality of all surface water and groundwater within the parks, consistent with all other federal, state, and local laws and regulations. In addition, the 1972 Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977, is a national policy to restore and maintain the chemical, physical, and biological integrity of the nation's waters; enhance the quality of water resources; and prevent, control, and abate water pollution.

- Storm Water Rule

Under the 1987 amendments to the Clean Water Act, a storm water rule has been promulgated to regulate storm water discharges. The storm water rule (40 CFR, parts 122, 123, and 124) requires that a national pollution discharge elimination system (NPDES) storm water permit be obtained for construction activities affecting over 5 acres. The District of Columbia, which has been granted authority to administer NPDES permits by the Environmental Protection Agency, administers the storm water permitting program.

- Executive Order 11990, Protection of Wetlands

Executive Order 11990 requires federal agencies to avoid, where possible, impacts on wetlands. Any permitting required under section 404 of the Clean Water Act and any state requirements for proposed actions will be met.

Any impacts on wetlands could only occur under the guidance provided within Director's Order 77-1, which may include more stringent requirements than permits required only under section 404 of the Clean Water Act.

APPENDIX C: CIVIL WAR DEFENSES OF WASHINGTON FORT SITES OUTSIDE NPS OWNERSHIP

INTRODUCTION

A number of forts that are not within NPS units are owned and managed by other public agencies in the Washington, D.C., area. These agencies are potential partners for coordinated interpretive and other programs that would relate to the entire Civil War defense system surrounding Washington. Most of the Civil War forts and batteries have been lost to urban and suburban development, but the following in public ownership have survived to the present.

Fort Ward

Historic Fort Ward and the Fort Ward Museum are within a 45-acre site in the city of Alexandria, Virginia. The city initiated the preservation of the fort in 1961 as a Civil War Centennial project and has completely restored the fort's northwest bastion. The other remaining earthworks have been preserved, and the ceremonial gate and officers' hut have been reconstructed. The Fort Ward Museum, adjacent to the fort, interprets the site's history and features exhibits about the fort system and a variety of Civil War topics. The museum also contains a research library and a collection of Civil War artifacts, and it offers educational and interpretive programs throughout the year, including an interpretive video. This restored bastion presents the capital area's best demonstration of how the Civil War forts appeared, and the museum and research collection are a source of extensive information on the Civil War defense system.

Fort C. F. Smith

Fort C. F. Smith is on a 19-acre estate that Arlington County, Virginia, acquired in 1995 and opened to the public in 1997. Plans are to preserve and interpret the earthworks in their existing condition.. The tree canopy and stabilizing ground cover will be maintained. The park interprets the Civil War, the fort, the defenses of Washington, and the prehistory of the sites, landscape, archeology, and natural resources.

Fort Ethan Allen

Arlington County also owns and manages Fort Ethan Allen. Earthworks and trenches are evident in this location. Interpretive markers have been placed in the site, which is in a historic district. Few visitors come who are interested in the history of the fort.

The Virginia Civil War Trail Project has provided uniform signs for the forts listed above. To encourage tourism to the historic sites, maps and literature are being produced that will identify over 200 Virginia Civil War sites.

Fort Whipple

Fort Whipple occupied the site of present-day Fort Myer, adjacent to Arlington National Cemetery. Although there are no remnants of the original defenses, an interpretive sign was placed at the site in the spring of 1998, and there are plans to acquire a cannon to mark the site.

Fairfax County Sites

A number of remnant Civil War fortifications are in Fairfax County, Virginia, but very little preservation or interpretation has been accomplished. The sites include unstabilized earthworks remaining at Fort Willard and a six-gun battery position near the location of Fort Farnsworth. A sign has been placed at a partial reconstruction of what is known as "Fort Freedom Hill" in Vienna, Virginia, which was a fortified position.

Battery Bailey

Battery Bailey is the sole remnant of the Civil War Defenses in Montgomery County, Maryland. The Maryland National Capital Park and Planning Commission purchased the property in 1951, and the Montgomery County Department of Parks manages the site. The battery is in a park adjacent to the Westmoreland Hills Recreation Center. The earthworks have been stabilized, and split-rail fencing surrounds the site to prevent foot traffic on the earthworks. A historical marker has been erected and an interpretive display faces the battery.

Other Related Sites

A number of Civil War related historic sites in the Washington, D.C., area could be interpreted in

relation to the Civil War Defenses of Washington. These are listed below:

- Arlington House, the Robert E. Lee Memorial, served as a headquarters for the Union Army generals who commanded the system of forts. The memorial is managed by the George Washington Memorial Parkway and is within Arlington National Cemetery, not far from the site of Fort Whipple.

- President Lincoln and Soldiers' Home National Monument includes Anderson Cottage, on the grounds of the U.S. Soldiers' and Airmen's Home. Anderson Cottage was President Lincoln's summer White House and retreat from the city. He spent approximately one-fourth of his presidency at the site, and it was there that he wrote the final draft of the Emancipation Proclamation. The cottage is about a mile from Fort Stevens. Lincoln traveled from there to witness the battle in 1864.

- The Montgomery County Department of Parks manages sites associated with the Battle of Fort Stevens. Confederate officers during the battle occupied the Jessup Blair House. At the nearby "Silver Spring" a shell from the fort killed a Confederate soldier. In Woodside Park, at Georgia Avenue and Spring Street, a plaque has been placed interpreting the attack of Jubal Early's forces.

- The graveyard of Grace Episcopal Church, several miles north on Georgia Avenue, is the burial site of unknown Confederate soldiers killed in the Battle of Fort Stevens.

- Walter Reed Medical Center also has a site associated with the Battle of Fort Stevens. A sign marks the site of the "sharp-shooter tree" used by Confederate soldiers during the battle. There is also a medical museum containing Civil War era exhibits.

APPENDIX D: COST ESTIMATES

The cost estimates below are "Class C" cost estimates. Because the plan is conceptual, these represent a "best guess" estimate and have a relatively low degree of accuracy. These estimates, which are based on the cost of similar construction, provide a means of comparing the alternatives but should not be used for funding requests.

Once design planning begins, the scope of work necessary will be reevaluated. A second, somewhat more accurate, "Class B" estimate will be made following preliminary design. A third, "Class A" estimate will be made at the end of design and with completed construction documents in hand.

Like the "Class C" cost estimate, the "life cycle costs" shown below are for comparison purposes only. They provide a means of indicating the yearly and total costs over the life of the plan for each alternative but are subject to the same low degree of accuracy attendant at this stage of development.

In the *Draft Management Plan / Environmental Assessment,* the ONPS item was inadvertently left off the cost estimate table for alternative 3. That amount would have been $375,000, and the ongoing operating cost for that alternative would have been $566,000. This document presents a cost estimate table for the approved plan, a combination of the previous alternatives 2 and 3.

THE PLAN — COMBINED ALTERNATIVES 2 AND 3

Element	Initial Capital Costs	Ongoing Operating Costs ($ per year)
Designate foot trail linking forts; produce interpretive materials	$1,330,000	$110,000
Repair and/or upgrade recreational facilities (ballfields, basketball and tennis courts, picnic areas)	290,000	25,000
Stabilize selected earthwork and perform selected vegetation management	260,000	114,000
Upgrade existing restrooms, street furniture, and parking	633,000	50,000
Restore the CCC-era Fort Stevens earthworks	125,000	17,000
Develop logo, audiotape, and videotape for Fort Circle Parks	345,000	3,000
Purchase furnishings for visitor contact facility to be developed near Fort Stevens	76,000	4,000r
Additional ONPS (Operation of the National Park Service funds (include staff salaries) per year (currently $1.04 million)*	none	320,000
Total anticipated costs	**$3,059,000**	**$643,000**

* ONPS, or "Operation of the National Park Service" funds include staff salaries. None of the three parks breaks out staff time and costs specifically for the Fort Circle Parks.

APPENDIX E: FORT CIRCLE PARKS — NATIONAL PARK SERVICE SITES

Site	Description	Location	Condition
Fort Foote	Rural forested site on the Potomac River; Rodman cannons; interpretive signs; trail; picnic area; river access	Prince Georges County, MD	Earthworks in good condition
Fort Greble	Wooded area; interpretive sign; remains of rifle trenches	I-295, near Elmira St. and Nichols Ave. SW	Vegetation and understory are overgrown
Fort Carroll	Mixed forested area; small picnic area and pavilion; interpretive sign; remains of rifle trenches	I-295, near South Capitol St. and Martin Luther King Blvd. SW	Vegetation and understory are overgrown
Fort Stanton	Mixed forest with open fields; partial ruins of substantial fort site; hiker/biker trail; interpretive sign	W Street, Good Hope Rd. and Fort Dr. SE	Fort ruins overgrown with vegetation; hiker/biker trail eroded
Battery Ricketts	Mixed forest with open field; small picnic area and pavilion; interpretive sign; remains of rifle trenches	W Street, Good Hope Rd. and Fort Dr. SE	Rifle trenches are overgrown with vegetation and understory
Fort Circle Corridor East	Largely wooded corridor; hiker/biker trail	Battery Ricketts to Fort Davis, Fort Davis to Fort Dupont, Fort Dupont to Fort Chaplin, Fort Chaplin to Fort Mahan	Hiker/biker trail eroded in sections
Fort Davis	Mixed forest and mowed field; basketball court; hiker/biker trail; interpretive sign; Fort Davis Dr.; small fort ruins	Near Pennsylvania Ave. and Alabama Ave. SE	Fort ruins overgrown but in good condition; hiker/biker trail eroded
Fort Dupont	Mixed forest, fields, and transition areas; picnic areas, community gardens, activity center; amphitheater; ice rink; hiker/biker trail; Fort Davis and Fort Dupont Drs., Randall Circle within park boundaries; interpretive trail and signs; picnic area with tables; fort ruins	Bounded by Alabama, Massachusetts, Minnesota Aves. and Ridge Rd.; fort site entrance on Alabama Ave. SE	Fort ruins overgrown but in good condition; picnic area and road encroach on historic resource
Fort Chaplin	Mixed forest with open areas; D.C. day camp; picnic tables; hiker/biker trail; interpretive signs; fort ruins	East Capitol St. and Texas Ave. SE	Fort ruins in good condition; lack of interpretation and designated access to historic resource
Fort Mahan	Mixed forest and fields; ballfield; picnic tables; interpretive sign; perimeter trail; hiker/biker trail; rifle trenches	Benning Rd. and 42nd St. NE	Remaining historic fort and rifle trenches overgrown; hiker/biker trail eroded
Fort Bunker Hill	Mixed forest and fields; picnic table; amphitheater; interpretive sign; fort remains	Between 13th and 14th Sts. and Otis and Perry Sts. SE	Partial remains of fort small, but in good condition
Barnard Hill	Mixed forest and fields; loop road with picnic area; interpretive sign	Eastern Ave. and Bunker Hill NE	Mixed woods and green fields in good condition
Fort Circle Corridor at Gallatin and Galloway Streets	Mowed green strip with wooded areas; baseball field; identification sign	Between Gallatin and Galloway Sts. from Eastern Ave. to Fort Totten NE	Mowed areas in good condition adjacent to wooded strips with thick understory

Site	Description	Location	Condition
Fort Totten	Mixed forest with open fields; picnic tables; community gardens; interpretive sign; earthworks	Adjacent to Fort Totten Metro station, Fort Totten Dr. and Gallatin St. NE	Significant erosion of original earthworks
Fort Circle Corridor — Fort Totten to Fort Slocum	Mowed green strip with mixed woods; community gardens; identification sign	Between Fort Drive and 1st St., between Gallatin St., 3rd St., and Oglethorpe St. NE	Mowed grassy areas in good condition
Fort Slocum	Mixed forest with open fields; picnic pavilion; interpretive sign; rifle trenches	Kansas Ave. and Madison St. NW	Few remains of rifle trenches overgrown
Fort Circle Corridor — Fort Slocum to Fort Stevens	Mowed green strip; community gardens; identification sign	From 3rd St. and Piney Branch Rd. to Fort Dr. and Missouri Ave. NW	Mowed grassy areas in good condition
Fort Stevens	Partially reconstructed fort with earthworks; two cannons; monuments and plaques	Piney Branch Rd. and Quackenbos Rd. NW	Partially reconstructed fort needs rehabilitation; earthworks in fair condition
Battleground Cemetery	National military cemetery; pavilion and flagpole; historic caretaker lodge	Georgia Ave. between Van Buren and Whittier Sts. NW	Cemetery and caretaker's lodge in good condition
Fort Circle Corridor — Fort Stevens to Fort DeRussy	Mowed green strip with wooded area; community gardens	Between Fort Stevens and Oregon Ave. near Military Rd. NW	Mowed grassy areas in moderately good condition; some erosion from foot traffic
Fort DeRussy	Mixed forest; monument; interpretive sign; earthworks	Rock Creek Park NW	Extensive erosion of earthworks; overgrown with vegetation
Fort Circle Corridor — Fort DeRussy to Fort Reno	Mixed forest and mowed areas	Along Fort Dr, between Fort DeRussy and Nebraska Ave. NW	Wooded and open fields in good condition
Fort Reno	Recreation fields, multiple-use ballfields; some trees; community gardens; DC reservoir; interpretive sign	Chesapeake and 40th Sts. NW	Playing fields in good condition
Fort Bayard	Playground, ballfield	Western Ave. and River Road NW	Playground and ballfield in good condition
Fort Circle Corridor — Fort Reno to Battery Kemble	Mowed grassy parcels	Nebraska Ave. NW	Parcels in good condition
Battery Kemble	Wooded ravine; recreation trail; picnic tables; interpretive sign	Near Chain Bridge Rd. NW	Areas overgrown but in good condition
Fort Marcy	Mixed forest with open areas; parking lot; picnic tables; interpretive signs; cannon; rifle trenches; earthworks	George Washington Memorial Pkwy, Fairfax County, VA.	Earthworks and rifle trench in excellent condition

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As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historical places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

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