



United States Department of the Interior

NATIONAL PARK SERVICE
George Washington Memorial Parkway
c/o Turkey Run Park
McLean, Virginia 22101

IN REPLY REFER TO:

W22 GWMPVRP
Administrative Order # 21-002
February 5, 2021

Record of Determination for the Implementing and Enforcing Mask-Wearing Requirements for Park Visitors

Pursuant to 36 CFR 1.5(a)(2) the George Washington Memorial Parkway is implementing a temporary restriction on activities within park areas for the maintenance of public health and safety. The order effectuating this temporary closure will remain in place from February 5, 2021, until it is modified, revoked, or superseded.

As stated in E.O. 13991, it is the policy of the Administration to halt the spread of coronavirus disease 2019 (COVID-19) by relying on the best available data and science-based public health measures. Such measures include wearing masks when around others, physical distancing, and other related precautions recommended by the Centers for Disease Control and Prevention (CDC).

On January 24, 2021, the Office of Management and Budget issued [M-21-15, COVID-19 Safe Federal Workplace: Agency Model Safety Principles](#) to provide guidance to federal agencies on implementing E.O. 13991. M-21-15 contains model safety principles that apply CDC guidelines related to mask-wearing and physical distancing to the federal workplace and are designed to be used by federal agencies as a starting point for updating their COVID-19 workplace safety plans.

On January 29, 2021, the Acting Secretary of the Interior issued a memorandum entitled [Protecting Our Workforce by Requiring Mask-Wearing](#). This memorandum reaffirmed the Administration's commitment to an urgent, robust, and professional response to the COVID-19 pandemic. The Memorandum requires all onsite employees, contractors, and volunteers to wear a mask or face covering at all times while in Department buildings or on federal public lands when physical distancing of 6 feet or more is not possible.

After reviewing visitor-use patterns in the George Washington Memorial Parkway, I have determined that, when others are present, physical distancing (i.e., maintaining a minimum distance of 6 feet from people not in one's household) cannot reasonably be maintained in the following outdoor areas in the park:

Great Falls:

- outdoor courtyard area adjacent to the Great Falls Visitor center
- the entrance lane to Great Falls, generally described as the travel lane and area adjacent to the fee station where vehicles stop and idle for the purpose of paying and entering the park
- the (two) designated overlooks at Great Falls

Dyke Marsh:

Boardwalk viewing platform and the end of the boardwalk/trail

Glen Echo:
 Playground
Jones Point:
 Playground

Accordingly, I have determined that in the above-listed outdoor areas in the park all individuals over the age of two years must wear masks at all times, except when actively eating or drinking.

This temporary activity restriction is not of a nature, magnitude, or duration that will result in a significant alteration in the park's public use pattern; will not adversely affect the park's natural, aesthetic, scenic, or cultural values; will not require significant modification to the park's resource management objectives; and is not of a highly controversial nature.

Accordingly, the National Park Service has determined that publication of this temporary restriction as rulemaking in the Federal Register is not required under 36 CFR 1.5(c). This determination is consistent with hundreds of earlier partial or temporary closures, the legal opinion of the Office of the Solicitor, and judicial adjudications that have upheld other NPS closures and public use limitations. *Spiegel v. Babbitt*, 855 F. Supp. 402 (D.D.C. 1994) *affd 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); *ANSWER Coalition v. Norton*, No. 05-0071, (D.D.C. January 18, 2005), *Mahoney v. Norton*, No. 02-1715 (D.D.C. August 22, 2002), *plaintiff's emergency motion for appeal for injunction pending appealed denied Mahoney v. Norton*, No. 02-5275 (D.C. Cir. September 9, 2002) (per curium); *Picciotto v. United States*, No. 99-2113 (D.D.C. August 6, 1999); *Picciotto v. Lujan*, No. 90-1261 (D.D.C. May 30, 1990) *Picciotto v. Hodel*, No. 87-3290 (D.D.C. December 7, 1987).

Pursuant to 36 CFR 1.7, the public will be notified of this temporary activity restriction through signs posted at conspicuous locations in the affected park areas and by posting information on the park's public-facing website.

Approval: _____
 Superintendent

February 5, 2021
Date