United States Department of the Interior

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

Title 36 -Code of Federal Regulations (CFR) Compendium

George Washington Memorial Parkway

Under the provisions of 16 U.S. Code, Section 3 and Title 36, Codes of Federal Regulations (CFR), Chapter 1, Parts 1 through 7, the following designations, closures, permit requirements and other restrictions imposed under discretionary authority of the Superintendent are established for the George Washington Memorial Parkway (GWMP). Unless otherwise noted, these Compendium orders apply in addition to the provisions contained in Parts 1 through 7 of Title 36 CFR.

The George Washington Memorial Parkway administers federal parkland located in District of Columbia, Maryland and Virginia. The GWMP includes, but is not limited to:

Arlington House, The Robert E. Lee Memorial
Arlington Memorial Bridge & Memorial Avenue
Belle Haven Park & Marina
Clara Barton National Historic Site
Clara Barton Parkway
Collingwood Picnic Area
Columbia Island Marina
Claude Moore Colonial Farm
Daingerfield Island
Dyke Marsh Wildlife Preserve
Fort Hunt Park
Fort Marcy
Glen Echo Park
Gravelly Point
Great Falls Park
Jones Point Park
Lady Bird Johnson Park (formerly known as Columbia Island)
Lyndon Baines Johnson Memorial Grove-on-the-Potomac
Mount Vernon Circle (Terminus) and Parking Lots
Mount Vernon Trail
Netherlands Carillon
Potomac Heritage Trail
Riverside Park

Roaches Run Waterfowl Sanctuary
Spout Run Parkway
Theodore Roosevelt Island
Turkey Run Park
U.S. Marine Corps War Memorial (Iwo Jima Memorial)
Washington Sailing Marina
Women in Military Service For America Memorial (WIMSA)

PART 1 – GENERAL PROVISIONS

Definitions

The following are terms derived under 36 CFR 1.4 or 1.5

- *Bicycle* means every device propelled solely by human power upon which a person or persons may ride on land, having one, two, or more wheels, except a manual wheelchair.
- *Camping* means the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle, motor home or trailer, or mooring of a vessel for the apparent purpose of overnight occupancy.
- *Commuter Parking* means parking at or near a location from which an employee commutes to work by transit, vanpooling, carpools, or other means.
- *Commercial Fishing* means fishing with any gear and selling, trading or bartering of catch or giving of catch to another in order that it may be sold, traded, or bartered.
- *Designated Picnic Area* means an area containing picnic tables and/or fireplaces specifically established for the outdoor consumption and/or preparation of food.
- *Front-end Parking* means parking a vehicle with the front of it facing the curb.
- *Hunting* means taking or attempting to take wildlife, except trapping.
- *Motor Vehicle* means every vehicle that is self-propelled and every vehicle that is propelled by electric power, but not operated on rails or upon water, except a snowmobile and a motorized wheelchair.
- *Motorized Wheelchair* means a self-propelled wheeled device, designed solely for and used by a mobility-impaired person for locomotion that is both capable of and suitable for use in indoor pedestrian areas.
- *Park Road* means the main-traveled surface of a roadway open to motor vehicles, owned, controlled or otherwise administered by the National Park Service.
- *Permit* means a written authorization to engage in uses or activities that are otherwise prohibited, restricted, or regulated.
- *Personal Watercraft* refers to a vessel, usually less than 16 feet in length, which uses an inboard, internal combustion engine powering a water jet pump as its primary source of propulsion. The vessel is intended to be operated by a person or persons sitting, standing or kneeling on the vessel, rather than within the confines of the hull. The length is measured from end to end over the deck excluding sheer, meaning a straight line measurement of the overall length from the foremost part of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bow sprits, bumpkins, rudders, outboard motor brackets, and similar fittings or attachments, are not included in the measurement. Length is stated in feet and inches.
- *Pet* means a dog, cat or any animal that has been domesticated.

- *Picnicking* means an excursion or outing in which the participants carry food with them and have a meal in the open air.
- *Recreational Fishing* means fishing with authorized recreational fishing gear for personal use only, and not for sale or barter.
- *Segway* means motor vehicle as defined above.
- *Scooter* means a two or three wheeled motor vehicle as defined above.
- *Slack Lining* means walking on a rope or other line that is anchored between rock formations, trees, or any other natural features. Height of the rope above the ground is immaterial.
- *Smoking* means the carrying of lighted cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from these objects.
- *Superintendent* means the official in charge of a park area or an authorized representative thereof.
- *Unmanned aircraft* means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, and drones) that are used for any purpose, including for recreation or commerce.
- *Wading* means walking in or through water.
- *Wildlife* means any member of the animal kingdom and includes a part, product, egg or offspring thereof, or the dead body or part thereof, except fish.

1.5 Closures and public use limits.

1.5(a) (1) Area closures

GWMP areas are closed to the public between the hours 10:00 PM and 6:00 AM unless otherwise posted. Except for the following:

Arlington House, The Robert E. Lee Memorial, is open:

October through February	9:30 AM to 4:30 PM
March through May	9:00 AM to 5:00 PM
June through August	9:00 AM to 5:30 PM
September	9:00 AM to 5:00 PM

Closed Christmas Day and New Year's Day;

Arlington Ridge Park, which includes the U.S. Marine Corps War Memorial (Iwo Jima Memorial) and the Netherlands Carillon, is open:
6:00 AM to 12:00 AM (midnight) daily;

Belle Haven Marina boat ramp is open Sunrise to Sunset. Belle Haven Marina Offices are open:

Mid- April to Mid- October:

Monday through Friday	9:00 AM to 7:30 PM

Saturday through Sunday	9:00 AM to 6:00 PM,
Mid-October to Mid-April	9:00 AM to 5:00 PM

Claude Moore Colonial Farm (CMF) is open:
April through mid-December:
Wednesday through Sunday 10:00 AM to 4:30 PM

CMF may issue an after-hours use permit for their location. CMF is operated through a cooperative agreement with the Friends of Claude Moore Colonial Farm at Turkey Run;

Clara Barton National Historic Site is open 10:00 AM to 5:00 PM daily
Closed all federal holidays from November through March;

Columbia Island Marina and Daingerfield Island/Washington Sailing Marina are open:
6:00 AM to 12:00 AM (midnight) daily; Marina slip holders may use the Marina docks for vessel arrivals and departures during closed hours;

Glen Echo Park is open:
6:00 AM to 1:00 AM daily

Glen Echo Park Ranger Station is open:
May 1 - September 30 9:00 AM to 4:30 PM
Winter hours are subject to change

Closed all federal holidays from November through March except Veterans' Day;

Glen Echo Candy Corner is open:
May 1 - September 30:

Thursday and Friday	11:00 AM to 1:00 PM
Saturday and Sunday	11:00 AM to 3:00 PM

Gravelly Point Parking Lot and Boat Ramp areas are open:
6:00 AM to 10:00 PM;

Great Falls Park is open:
7:00 AM to thirty (30) minutes after sunset, daily, and closed Christmas Day.

~~Designated portions of the Potomac River's Virginia shoreline adjacent to Great~~ Falls of the Potomac is closed to the public and may only be accessible through a

Special Use Permit. This closed parkland is depicted on the attached map and is more particularly described as being approximately 1680 feet in length and 250 feet in width along the Potomac River, beginning at the upper edge of Fisherman's Eddy, directly below Overlook Two, and extending upstream to a point in line with Mine Run Stream; and extending from the eastern edge of the park trail that leads to River Bend County Park.

Access into the Potomac River between the downstream portion of Overlook #2 to the Aqueduct Dam is prohibited. Fishermen and boaters are encouraged to use Fisherman's Eddy to access the Potomac River.

Please reference Appendix C for the GWMP "Record of Determination for Closure of Designated Portions of the Potomac River Virginia Shoreline Adjacent to the Great Falls of the Potomac."

Access to the rocky environments south of Overlook 3 to the downstream side of Flat Iron climbing area is restricted as depicted on the attached map. Access is by permit only, which is issued to individuals or groups who wish to access the restricted area for climbing, fishing, and for research or similar special uses. Access to points (climbing routes, fishing spots on Potomac River shoreline) in the restricted area is only by a designated marked trail (yellow blaze). The purpose of the restriction is to preserve globally rare plant communities endemic to Great Falls and the Potomac River Gorge. Permits are available at the Great Falls Park visitor center.

Please reference Appendix D for the GWMP "Record of Determination Closing the Rocky Environments South of Overlook 3 at Great Falls Park, Virginia – Riverside Outcrop Prairie/Riverside Outcrop Barrens."

Great Falls Park Visitor Center is open:

At daylight savings beginning (2nd Sunday in March)	10 AM to 5 PM
At daylight savings end (1st Sunday in November)	10 AM to 4 PM

Mount Vernon Trail is closed between 10:00 PM and 6:00 AM, except for bicycle and pedestrian commuter traffic.

The Parking Lot at Roaches Run on the southbound lanes of the George Washington Memorial Parkway is open from 6:00 AM to 12:00 AM (midnight).

The George Washington Memorial Parkway, the Clara Barton Parkway, and Spout Run Parkway roadways are normally open 24 hours a day year-round. Certain weather conditions or incidents/events may require a temporary closure of GWMP-administered roadways;

The Clara Barton Parkway will operate as a one-way road between the MacArthur Boulevard Exit and Chain Bridge during the following times, Monday to Friday:

Eastbound (inbound to Washington, DC):	6:15 AM to 10:00 AM
Westbound (outbound to Maryland):	2:45 PM to 7:15 PM.

GWMP Headquarters Offices at Turkey Run Park are open 8:00 AM to 4:15 PM, Monday through Friday, and closed on all federal holidays.

1.5(a) (1) Parking Limitations

Parking is permitted in designated areas only. Parking is not permitted on any grass or lawn areas except by permit unless otherwise posted.

Parking in closed areas is prohibited.

Parking of vehicles in areas after closing time is prohibited.

Commuter parking is prohibited in all George Washington Memorial Parkway parking areas.

Overnight parking is prohibited on all National Park Service land administered by the George Washington Memorial Parkway unless subject to a permit issued by the National Park Service. The only exception is vehicles belonging to slip-holders at the three concession-operated marinas (Belle Haven Marina, Columbia Island Marina, and Daingerfield Island /Washington Sailing Marina).

Parking for other than recreational purposes or for longer than three (3) hours Monday through Friday is prohibited in the following lots:

Turkey Run Park
Scenic Overlooks #1 & #2
Theodore Roosevelt Island
Lady Bird Johnson Park
LBJ Memorial Grove
Columbia Island
Gravelly Point
Daingerfield Island
Belle Haven Park
Clara Barton National Historic Site
Roaches Run Parking Lot
Jones Point Park

Parking in the parking lot at the U.S. Marine Corps War Memorial (Iwo Jima Memorial) for longer than one (1) hour is prohibited.

Front-end parking is required in the following parking lots:

Turkey Run Park
Fort Marcy
LBJ Memorial Grove
Columbia Island
Daingerfield Island overflow parking
Riverside Park

1.5(a) (1) Road Closures

The left lane of the Loop Road at Fort Hunt Park is closed to vehicle traffic beyond Parking Lot A around to the Entrance Road.

Please reference Compendium Appendix A for the GWMP "Record of Determination for Public Use Guidelines for Pedestrian and Cycling Special Events within the George Washington Memorial Parkway".

1.5(a) (2) Public Use restrictions

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of the George Washington Memorial Parkway is prohibited except as approved in writing by the superintendent.

Justification – The Superintendent has determined recreational use of unmanned aircraft within the George Washington Memorial Parkway may conflict with, or impact, a variety of park uses including visitor experience of unimpaired view sheds through the Mather Gorge and along the Potomac River; the disturbance, displacement or harassment of wildlife in areas such as, but not limited to, Great Falls Park, Roaches Run Waterfowl Sanctuary, Theodore Roosevelt Island and Dyke Marsh Wildlife Preserve. Their use could also lead to the creation of public safety hazards per operation near roadways or large aggregations of visitors. A hazard would also exist in a large portion of the parkway that experience overflights of commercial aircraft to and from Ronald Reagan National Airport in the areas of, but not limited to, Theodore Roosevelt Island, Gravelly Point, Lady Bird Johnson Park, Belle Haven Park, Jones Point Park and Collingwood Picnic Area. The presence of unmanned aircraft may also pose a serious interruption to the solemnity and memorialization intended for areas such as, but not limited to, Fort Marcy, US Marine Corps War Memorial, LBJ Memorial Grove on the Potomac, Arlington Memorial Bridge and Memorial Avenue, Arlington House, The Robert E. Lee Memorial, Clara Barton National Historic Site, Glen Echo Park and Fort Hunt Park.

Less restrictive methods will not suffice as this is a new park use that could affect park resources, staff, and visitors in ways that the National Park Service has yet to identify and analyze to examine their impacts on park resources. It is the National Park Service policy

to not allow a new park use until a determination has been made that it will not result in unacceptable impacts on park resources and values.

As required by 36 C.F.R. §1.7, notice of this temporary and partial closure and public use limitation will be made through media advisories, maps and posting at conspicuous locations in the affected park areas. Violation is prohibited. This determination is available to the public upon request.

Washing, waxing, or repairing of vehicles is prohibited anywhere in the George Washington Memorial Parkway.

The use of park tap water is limited to one gallon per person per day.

Jones Point Park docks are for canoe and kayak launching purposes only.

1.6 Permits.

1.6(f) Permits are required for the following:

Picnicking in Areas A-D at Fort Hunt Park during the periods April – October. (Please refer to section 2.11). Groups may not reserve more than one picnic area at Fort Hunt Park on the same day. Picnic permits are not available on July 4th. Fort Hunt Park picnic permits are issued by a NPS reservation agent for George Washington Memorial Parkway;

The possession and consumption of alcoholic beverages, except at designated areas at concession-operated facilities at Daingerfield Island and Columbia Island. (These areas are indicated on the concessioner's land assignment and operating plan as alcoholic beverage consumption areas.);

Land navigation activities (e.g. orienteering, geocaching, letterboxing) which involve placing of markers or items.

PART 2 – RESOURCE PROTECTION, PUBLIC USE AND RECREATION

2.1 Preservation of natural, cultural and archeological resources.

Attaching or tying objects to, nailing, jumping from or swinging by ropes or other means from aqueducts, bridges, structures, trees, or other vegetation is prohibited, without a permit issued by the Superintendent.

If climbers at Great Falls Park have no other available tie-off (anchor) point, connection to trees must be protected with padding between the anchor material and the tree. Only 7/16" (or larger) rope, or 1" (or wider) flat webbing will be used for anchoring to trees.

Digging of any holes is prohibited, including ground disturbance activities such as staking except by permit.

Construction and use of rope traverses or slack lining is prohibited, except by permit.

2.2 Wildlife protection.

2.2(a)(1) prohibits hunting, trapping or the taking of wildlife [defined at 36 CFR 1.4 as any member of the animal kingdom except fish].

2.2(d) Transportation of wildlife

Legally taken, tagged wildlife may be transported through federal land administered by GWMP.

2.2(e) Wildlife protection

All federal land under the administration of GWMP areas are closed to the viewing of wildlife with an artificial light, except for GWMP approved resource management activities.

2.3 Fishing.

Pursuant to 36 CFR 2.2(d)(4) commercial fishing is prohibited in the waters of the George Washington Memorial Parkway, including Dyke Marsh Wildlife Preserve.

Applicable Virginia, Maryland, District of Columbia or Potomac River Fisheries Commission recreational fishing licenses are required when fishing from GWMP property.

All applicable state or city recreational fishing regulations must be followed while fishing, or in possession of fish, on GWMP property. Contact the appropriate State or District Agency for specific regulations.

District of Columbia--Fishing in the waters of the District of Columbia (between Little Falls and the commemorative boundary markers at Jones Point Park Lighthouse) regardless of whether fishing from the Virginia shoreline or from National Park land requires, by law, possession of a current District of Columbia recreational fishing license with the exception of Roaches Run Sanctuary, which requires a Virginia recreational fishing license.

Virginia and Maryland have reciprocal freshwater recreational fishing license agreements for the area above Little Falls. Resident recreational anglers may fish the Potomac River and both river banks.

Virginia, Maryland and the Potomac River Fisheries Commission have reciprocal recreational fishing license agreements for the area south of the commemorative boundary markers at Jones Point Park Lighthouse.

Please reference Compendium Appendix B for the GWMP "Record of Determination at Dyke Marsh Wildlife Preserve For a No Wake Zone, and Boating Limits in Designated Areas During the Marsh Wren and Least Bittern Nesting Season"

2.10 Camping and food storage.

Camping is not permitted on any property of the George Washington Memorial Parkway.

2.11 Picnicking.

Picnic areas are available to the public on a first-come first-serve basis. The only exceptions are:

Fort Hunt Park: April
Reservations are required only on Saturdays and Sundays for Areas A-D. Area E is always open for use on a first-come first-serve basis. Use of park electrical outlets at Ft. Hunt Park is allowed only at Area A and by permit only.

Fort Hunt Park: May through October
Reservations are required daily for Areas A-D. Area E is always open for use on a first-come first-serve basis. Use of GWMP electrical outlets at Ft. Hunt Park is allowed only at Area A and by permit only. Picnic permits are not available on July 4th.

Fort Hunt Park picnic reservations are issued by a NPS reservation agent for George Washington Memorial Parkway. Groups may not reserve more than one picnic area at Fort Hunt Park on the same day. Reservations for Fort Hunt Park are accepted by telephone (1-800-444-6777) and internet only. Website http://www.recreation.gov

Food and drink are prohibited in the immediate vicinity of all statues and memorials.

The use of tents, canopies or shelters by picnickers will only be allowed if they are free standing, self-supporting, weighted and placed in a manner that will not restrict a view shed and allow other GWMP visitors access to all public areas. Use of tents, tarps, or shelters that are partially or wholly supported by stakes and guy-lines are prohibited.

2.12 Audio disturbances. (see CFR 36 2.12)
http://www.gpo.gov/fdsys/pkg/CFR-2004-title36-vol1/xml/CFR-2004-title36-vol1-sec2-12.xml

2.13 Fires.

Campfires are prohibited except with a permit and in designated areas.

Open charcoal fires are only permitted in government-provided or private grills in designated picnic areas.

Grills and charcoal fires are prohibited in GWMP managed areas within the boundaries of Arlington County, Alexandria City, and the District of Columbia on July 4th.

All coals must be removed and disposed of from grills before the user leaves the GWMP in a manner that does not threaten GWMP resources. Coals may only be placed in ash cans specifically designated and marked for the purpose of disposing of coals.

At Columbia Island Marina, Washington Sailing Marina, and Belle Haven Marina charcoal or gas grills, or open flames of any type, are not allowed on the docks or on any vessel tied to the docks.

2.15 Pets.

All pets must be restrained on a leash which shall not exceed six feet or otherwise physically confine a pet at all times. An "invisible" electronic leash is not considered restraint by the GWMP.

Visitors with pets in the GWMP are required to remove and dispose of their pets' excrement by placing it in a refuse can or carrying it out of the GWMP.

Pets are prohibited from entering the Potomac River from within GWMP managed areas.

2.19 Winter activities: Ice Skating.

Pursuant to 36 CFR 2.19 and 36 CFR 7.96(b)(4), ice skating is not permitted in areas administered by the GWMP.

2.20 Skating, skateboards, and similar devices.

Use of roller skates/blades, skateboards (non-motorized), coasting vehicles, and similar devices are prohibited on GWMP property except on the Mt. Vernon Trail, the left lane of the Fort Hunt Park picnic area Loop Road, and paved areas of Jones Point Park.

The use of portable ramps and similar materials used for performing tricks with bicycles, skateboards, or other devices is prohibited on all GWMP property.

The use of wind propelled devices, motorized skateboards, scooters, and any other motorized device is prohibited on the Mt. Vernon Trail, in the Ft. Hunt picnic areas, and on all other GWMP property.

The use of electric motorized scooters, Segways or other similar devices is prohibited on all GWMP property except for use by individuals with disabilities.

2.21 Smoking.

Smoking is prohibited in all GWMP buildings or pavilions.

Smoking is prohibited within 25 feet of any building or pavilion.

Other GWMP areas, including trails, picnic areas, and other public use areas, may be closed to smoking during periods of high fire danger.

2.35 Alcoholic beverages and controlled substances.

The possession and consumption of alcoholic beverages is prohibited except under an official permit issued by the Superintendent or at concession-operated facilities at Daingerfield Island and Columbia Island. (These areas are indicated on the concessioner's land assignment and operating plan as alcoholic beverage consumption areas.)

All Glen Echo Park permits for the possession and consumption of alcohol will be issued for use in specific buildings only. No permits for alcohol possession or consumption will be issued for the Carousel.

Alcohol consumption and possession is not allowed in the open or common areas of Glen Echo Park.

Fort Hunt Areas A through D allow for the possession and consumption of only beer and wine and only through the Fort Hunt Park picnic permit system.

It is the responsibility of the permit holder to comply with all state (District of Columbia, Maryland, and Virginia) alcohol license requirements.

2.61 Residing on Federal lands

"Liveaboards" on vessels moored at marinas in the GWMP are prohibited. The GWMP considers a "liveaboard" as someone who stays overnight on board a vessel in a marina ~~for four (4) or more nights in any seven (7) day period and more than three (3) occasions~~ in any twelve (12) month calendar period.

2.62 Memorialization.

2.62(b) Human ashes.

The scattering of human ashes from cremation is prohibited within the GWMP without a permit, in compliance with conditions set by the Superintendent and applicable state laws.

PART 3 – BOATING AND WATER USE ACTIVITIES

3.8 What vessel operations are prohibited?

A vessel's internal combustion engine may not be used [while a vessel using electric trolling motor, sail, or paddling is allowed] and no more than three vessels of an organized group at any one time is allowed within designated areas of Dyke Marsh Wildlife Preserve during the Marsh wren (*Cistothorus palustris*) and Least bittern (*Ixobrychus exilis*) nesting season from 15 May through 25 August.

Please reference Compendium Appendix B for the GWMP "Record of Determination at Dyke Marsh Wildlife Preserve For a No Wake Zone, Ban on the Use of Lead Fishing Tackle That Is Under One Ounce, and Boating Limits in Designated Areas During the Marsh Wren and Least Bittern Nesting Season"

3.9 May I operate my personal watercraft (PWC) in park waters?

Personal watercraft (PWC), as defined at 36 CFR 1.4, is not authorized by special regulation and thus prohibited in the GWMP waters, including Dyke Marsh Wildlife Refuge and Roaches Run Waterfowl Sanctuary.

3.16 May I swim or wade in park waters?

36 CFR § 7.96(e) prohibits bathing, swimming, or wading from any GWMP shores, boat ramps, or docks, "except for the purpose of saving a drowning person.

PART 4 – VEHICLES AND TRAFFIC SAFETY

4.11 Load, weight and size limits.

~~No trucks are allowed on GWMP roads.~~

A truck is defined as:

> Any vehicle in excess of 10,000 lbs Gross Vehicle Weight, 49 CFR 3 § 350.105(1)

Permits may be granted by the Superintendent for trucks to use GWMP roads. Said permits may limit the size of the vehicle and the route the vehicle may take while on the GWMP.

Guidance for commercial vehicles, of any size, is found in 36 CFR 1 § 5.6 and § 7.96(f)

The George Washington Memorial Parkway has instituted an indefinite 10-ton load restriction for the Arlington Memorial Bridge. The restriction is based on the findings from the Federal Highway Administration's 2015 bridge inspection report. The National Park Service in consultation with the Federal Highway Administration enacted the load restriction in May 2015.

4.21 Speed limits.

a) Speed limits in approximate locations on the George Washington Memorial Parkway:

Southbound

50 MPH from I-495 south to Windy Run Bridge
40 MPH from Windy Run Bridge to Slaters Lane
30 MPH from Slaters Lane to Powhatan Street
25 MPH from Powatan Street to Hunting Creek Bridge
35 MPH from Hunting Creek Bridge to south of Belle View Boulevard
45 MPH from south of Belle View Boulevard to Little Hunting Creek Bridge
35 MPH Little Hunting Creek Bridge to Mount Vernon Circle
25 MPH at Mount Vernon Circle

Northbound

25 MPH at Mount Vernon Circle
35 MPH after Mount Vernon Circle to Little Hunting Creek Bridge
45 MPH from Little Hunting Creek Bridge to south of Belle View Boulevard
35 MPH from south of Belle View Boulevard to Hunting Creek Bridge
25 MPH from Hunting Creek to Bashford Lane
30 MPH from Bashford Lane to Abingdon Drive merge
40 MPH from Abingdon Drive merge to Spout Run Parkway
50 MPH from Spout Run Parkway to I-495

b) Speed limits on Clara Barton Parkway:

Eastbound
30 MPH from MacArthur Boulevard to Carderock exit
50 MPH from Carderock exit to Cabin John Parkway
45 MPH from Cabin John Parkway to prior to Glen Echo exit
35 MPH from Glen Echo exit to Chain Bridge

Westbound
35 MPH from Chain Bridge to Glen Echo exit
25 MPH at Glen Echo exit
50 MPH beyond Glen Echo exit to MacArthur Boulevard approach
30 MPH to MacArthur Boulevard

c) Speed limits on Spout Run Parkway
35 MPH on Spout Run Parkway

d) Lower speed limits are posted on other GWMP roadways and ramps.

4.30 Bicycles.

4.30(a) Bicycle use prohibitions.

Bicycling is prohibited in the following areas:

Great Falls Park:
Patowmack Canal Trail
River Trail
Swamp Trail
Swamp-Ridge Connector Trail
Matildaville Trail
Mine Run Trail
Riverbend Road Trail
Between Old Dominion Drive and River Bend Road
Jones Point Park Trails (excluding Mount Vernon Trail)
Theodore Roosevelt Island
Dyke Marsh Wildlife Preserve Haul Road
Potomac Heritage Trail
The George Washington Memorial Parkway roadway from Mount Vernon Circle to Interstate 495 near the American Legion Bridge.
The Spout Run Parkway roadway
The Clara Barton Parkway roadway

The following regulations apply to bicyclists on designated trails in George Washington Memorial Parkway:

The speed limit for bikes is 15 MPH.
Cyclists must stay on the right side of the trail.
Move left only to pass and give ample audible warning when passing other trail users.
Bicyclists must adhere to protective equipment requirements and regulations set by the applicable state or county.
Trail users must keep to the right and travel in single file.

PART 5 – COMMERCIAL AND PRIVATE OPERATIONS

5.6 Commercial vehicles.

Commercial vehicles of all types are prohibited within GWMP property.

The Superintendent may grant permits for the operation of commercial vehicles pursuant to 36 CFR § 5.6 and in § 7.96(f)

Guidance for the issuance of permits for buses can be found at 36 CFR § 7.96(f

PART 7 – SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

7.96 National Capital Region.

7.96 (b) Athletics/Organized Games

No organized or league-sponsored sports are allowed at Ft. Hunt Park, except under permit.

Races and other competitive activities which involve the use of timing devices or offer incentives for finish time or place are prohibited within the George Washington Memorial Parkway, except by permit from the Superintendent. This prohibition applies to any form of athletic activity, including, but not limited to, footraces, bicycling, and skating.

Race courses may not be set up in the Washington Sailing Marina Channel, between day marker 2 and 7 if they would block or restrict non-racing vessels attempting to navigate the channel.

Golf playing is prohibited within the George Washington Memorial Parkway.

Pitching of horseshoes is prohibited, except in designated areas at Fort Hunt Park and Claude Moore Colonial Farm.

Kite flying is prohibited at Gravelly Point and Daingerfield Island (including Washington Sailing Marina).

Ball playing, flying disc throwing, and kite flying are prohibited in the area of any national memorial, including, but not limited to, the Netherlands Carillon, Theodore Roosevelt Island Plaza, or Memorial Avenue, in respect to the sanctity of the memorials.

Please reference Compendium Appendix A for the GWMP "Record of Determination for Public Use Guidelines for Pedestrian and Cycling Special Events within the George Washington Memorial Parkway."

Please reference Compendium Appendix E for the GWMP "Record of Determination for Public Use Guidelines for Footraces and Organized Runs at Great Falls Park."

7.96(g) (1)(ii)

Organizers of fishing tournaments whose participants enter the GWMP boundary at Dyke Marsh Wildlife Preserve or Roaches Run Waterfowl Sanctuary require a special use permit issued by GWMP.

Fishing rodeos operating within GWMP property require a special use permit issued by GWMP.

APPROVED: _____
Superintendent, George Washington Memorial Parkway

EFFECTIVE DATE: August 8, 2016

ENDING DATE: Reviewed annually

Appendix A

Record of Determination for the Public Use Guidelines for Pedestrian and Cycling Special Events Within the George Washington Memorial Parkway

United States Department of the Interior

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

RECORD OF DETERMINATION
FOR THE PUBLIC USE GUIDELINES FOR PEDESTRIAN AND CYCLING SPECIAL EVENTS WITHIN THE GEORGE WASHINGTON MEMORIAL PARKWAY

Pursuant to 36 C.F.R. §§ 1.5, 7.96(g),(1)(ii),(5)(vi), (xiii) the George Washington Memorial Parkway issues this public use limitation guidelines for special event races and organized runs in the George Washington Memorial, Clara Barton and Spout Run Parkways; Mount Vernon Trail; Arlington Ridge Park (United States Marine Corps War Memorial and Netherlands Carillon); Arlington Memorial Bridge; Memorial Avenue; Fort Hunt Loop Road; Great Falls Park, Virginia and all other sites under the administration of the George Washington Memorial Parkway. In this policy, the public use limitation is intended to more fully define what is "reasonably suited" for these park areas, by imposing a "public use limitation" on the number and duration of pedestrian and cycling special events in order to minimize any negative impact on resources, visitor services, access to and egress from park concessionaires, normal park visitor usage and other permitted activities. Permit applications for pedestrian and cycling race special events runs within George Washington Memorial Parkway will be administered in accordance with this Record of Determination, 36 CFR 7.96 and all applicable National Park Service special event policies and requirements.

The Park Service is committed to providing appropriate, high-quality opportunities for visitors to enjoy the parks. In exercising its discretionary authority, the Service will allow only special uses that are appropriate to the purpose for which the park was established and that can be sustained without causing unacceptable impacts to park resources and values. One factor for unacceptable impacts would be a special use that creates an unsafe or unhealthy environment for visitors or employees. Another factor would be if the special use diminishes opportunities for visitors to enjoy, learn about, or be inspired by park resources or values, or if it unreasonably interferes with appropriate use.

We believe the policy outlined herein appropriately balances pedestrian and cycling special events with the other concession and public uses, while maintaining a safe and enjoyable experience for all visitors. The restrictions address how park management addresses the various challenges due to trail congestion with concession and other public uses. According to a 2004 park memorandum, "The trail receives heavy public use and is so congested, particularly on weekends in the spring and fall, that a timed foot race presents a serious safety hazard to trail users."

Data collected in 2009 reveals peak weekend visitation is nearly 4,000 trips per day in northern section.

In addition to the wide range of recreational activities on the Mount Vernon Trail; the George Washington Memorial, Clara Barton and Spout Run Parkways serve as major commuter routes. While maintaining the background for a scenic, historical and cultural setting, the Parkways must also minimize its recreational usage.

Furthermore, the George Washington Memorial, Clara Barton and Spout Run Parkways consist of 32.6 miles of scenic parkways which annually has over 29,177,902 motor vehicles per year. One of the George Washington Memorial Parkway's purpose is to protect and manage the natural, cultural, and recreational resources and scenic values in light of its major commuter route. *Superintendents will set, enforce, and monitor carrying capacities to limit public visitation to or use of cultural resources that would be subject to adverse effects from unrestricted levels of visitation or use.* (Management Policies 2006, 5.3.1.6 Visitor Carrying Capacity).

The following data collected in 2009 reveal vehicular visits throughout the four seasons along the George Washington Memorial Parkway: Spring (March, April and May) – 7,716,798; Summer (June, July and August) – 7,576,082: Autumn (September, October and November) – 7,305,904 and Winter (December, January and February) – 6,579,118. The George Washington Memorial Parkway links the Clara Barton and Spout Run Parkways to a variety of experiences to millions of people each year. Through prescribing indicators and specific standards for acceptable and sustainable visitor use along the George Washington Memorial, Clara Barton and Spout Run Parkways, recommendations are made to enforce and monitor carrying capacities for pedestrian and cycling events. While providing for enjoyment of the parks, the Parkways must be sustained without causing unacceptable impacts to park resources or values.

As managers of the Mount Vernon Trail (MVT), we are often challenged to balance a wide range of uses and the timing of event on the multi-use trial. It is also critical to understand the trail is nine feet wide, portions of which are located within just a few feet of the George Washington Memorial Parkway. The close proximity of the trail and roadway contributes to congestion and concerns for the safety of all visitors. Weekend congestion on this narrow trail is typically recorded as 400-450 people per hour in the afternoon. Morning use on the weekend is also high, at 300 people per hour observed during 8am to 10am time period. It's also important to note that congestion persists throughout the week due to a combination of transportation and recreation use. With this policy, our goal is to make the MVT available to as many visitors and users as possible, while ensuring a safe and enjoyable experience for all parties involved.

Permit applications for pedestrian and cycling events on the George Washington Memorial, Clara Barton and Spout Run Parkways; Mount Vernon Trail; Arlington Ridge Park (United States Marine Corps War Memorial and Netherlands Carillon); Arlington

Memorial Bridge; Memorial Avenue; Fort Hunt Loop Road; Great Falls Park, Virginia and all other sites under the administration of the George Washington Memorial Parkway. Administered in accordance with this Record of Determination, 36 CFR 7.96 and all applicable National Park Service special event policies and requirements, the park issues the following guidelines:

A. Consistent with 36 CFR 7.96(g), applications for pedestrian and cycling special events will be accepted on a first-come, first served basis, up to one (1) year in advance of the proposed race date, which includes pre-event set up and post-event take down.

   Races requiring road closures will not be conducted on sites/areas under the administration of the George Washington Memorial Parkway from Memorial Day Weekend through Labor Day Weekend.

B. Pedestrian and cycling special events on the George Washington Memorial, Clara Barton and Spout Run Parkways – maximum of three per year (except the Marine Corps Marathon and the Parkway Classic)
   1. Will be allowed between Labor Day weekend and Memorial Day weekend;
   2. Must begin no later than 8:00 a.m.;
   3. Parkways must be cleared for reopening by 9:30 a.m.;
   4. Maximum participation will not exceed 5,000;
   5. Events requiring road closures will not be permitted on Thanksgiving Day, Christmas Day and New Year's Day;

C. Pedestrian and cycling special events at Arlington Ridge Park (United States Marine Corps War Memorial and the Netherlands Carillon) with the exception of the Marine Corps Marathon
   1. Will be allowed between Labor Day weekend and Memorial Day weekend;
   2. Must begin no later than 8:00 a.m.;
   3. Must be cleared by 9:30 a.m.;
   4. No activities are permitted on the parade field, reviewing platform and plaza levels;
   5. No events are permitted the second Tuesdays of June, July and August and Veteran's Day;
   6. No events are permitted Memorial Day, Saturdays of June, July, August, Labor Day, and Independence Day,
   7. Races requiring road closures will not be permitted on Thanksgiving Day, Christmas Day and New Year's Day;

D. Pedestrian and cycling special events along Arlington Memorial Bridge and Memorial Avenue (except the Marine Corps Marathon, Rolling Thunder, Army Ten-Miler, and Cherry Blossom)

1. Only permitted on the weekends between Labor Day weekend and Memorial Day weekend;
2. Must begin no later than 8:00 a.m.;
3. Must be cleared by 9:30 a.m.;
4. Events requiring road closures will not be permitted on Thanksgiving Day, Christmas Day and New Year's Day;

E. Pedestrian and cycling special events on the Mount Vernon Trail (MVT) – maximum of two per month

1. Will be allowed November 1 though the third weekend in April with a maximum number of 300 participants;
2. Between the fourth week in April – October 31 with a maximum number of 100 participants;
3. Must begin no later than 8:00 a.m.;
4. Must be cleared by 9:30 a.m.;
5. For event starting on park property, must maintain a dispersal start with a maximum of 15 participants at a time entering the MVT in 4 minute intervals;
6. Participants shall maintain adequate dispersal while entering and traveling along the MVT in order to share the trail with the general public;
7. Must maintain a maximum of 15 single file participants per group at a time on the MVT;
8. Events requiring road closures will not be permitted on Thanksgiving Day, Christmas Day and New Year's Day;

F. Pedestrian and cycling special events on the Fort Hunt- Fort Hunt Loop Road

1. Year round events are permitted at Fort Hunt Park. If the event occurs during the Fort Hunt Park reserved picnic season, permittee must also obtain a picnic permit for one of the reserved areas. Visit the website http://www.recreation.gov/ for more information and to make a reservation.
2. Events must begin no later than 8:00 a.m.;
3. All roads must be cleared no later than 9:30 a.m.;
4. Maximum participation will not exceed the carrying capacity of the reserved area(s);
5. Must maintain a dispersal start with a maximum of 25 participants at a time entering the Fort Hunt Loop Road in 4 minute intervals;
6. Participants shall maintain adequate dispersal while traveling along the inner lane of Fort Hunt Loop Road in order to share the inner lane with the general public;
7. Participants must run single file clockwise in the inner lane of Fort Hunt Loop Road;

8. The outer lane of Fort Hunt Loop is reserved for police, emergency, and general public vehicles;
9. Events requiring road closures will not be permitted on Thanksgiving Day, Christmas Day and New Year's Day;

G. Pedestrian and cycling special events at Great Falls Park, Virginia
1. Will be allowed between September – March;
2. Must remain on official established trails;

H. Pedestrian and cycling special events will be allowed under the following conditions:
1. Permittee must provide for and require all participants and support staff to be clearly identified. Participants must be clearly identified through clothing items or bibs. Support staff must be cleared identified though t-shirts naming the event. Marshals must wear reflective vests and be stationed at every intersection.
2. At a pre-determined "Off the Course" time, permittee is responsible for directing all participants to conclude their race on the course and provide a vehicle to pick-up participants who have not finished the course by the off the course time limit.
3. The permittee is required to make an announcement to all participants at the start of the foot race, the walk, and/or the bike ride that they are required to abide by the following while on the Mount Vernon Trail:
   *Participants may run only in the right lane, except when passing. When passing in the left lane, runners must yield to any oncoming trail traffic.
   *Participants are prohibited from impeding or preventing the general public from using any part of the Mount Vernon Trail.
   *When crossing roads, participants must stay within the boundaries of the painted crosswalks.

I. Pursuant to 36 C.F.R. § 4.30(a) the use of a bicycle is prohibited except on park roads, in parking areas and on routes designated for bicycle; provided, however, the Superintendent may close any park road or parking area to bicycle use pursuant to the criteria and procedures of § 1.5 and 1.7 of this chapter. Routes may only be designated for bicycle use based on a written determination that such use is consistent with the protection of a park area's natural, scenic and aesthetic values, safety considerations and management objectives and will not disturb wildlife or park resources. Any bike race special event that is allowed, either separately or as part of a biathlon/triathlon only, may occur under the following conditions:

1. Permittees must provide for and require all participants to exercise all normal and reasonable safety precautions including observance of all applicable bike course safety notices and the wearing of personal

protection equipment such as helmets.

2. Permittee must provide and adequately maintain suitable protective safety devices such as barricades, heavy duty plastic surfaces and fences for the safety of staff, volunteers and participants. Placement of such devices requires the prior written approval of the National Park Service.
3. For filming on the race/bike course, only one motor vehicle will be allowed and must be located behind a United States Park Police cruiser leading the runners/bikers and must continue moving with the cruiser throughout the race/bike route.
4. The "transition area," must be finished with adequate lighting, entrances and egress points. The fencing design must provide for the safety of participants entering and exiting the transition area as well as for spectators viewing the event from this location.

J. No fees (including electronic transactions) or charges may be collected on park land and the special event permittee may not engage in or solicit any business on park land. All participants must be pre-registered.

K. The permittee/sponsor for special event races requiring road closures must procure public and employee liability insurance from a responsible United States based company with a minimum limitation of $1 million per person for any one claim and an aggregate limitation of $3 million for any number of claims arising from any one incident. The United States of America shall be included as an additional named insured on all such policies and a copy of the insurance rider must be provided to the National Park Service.

L. Permittee will be required to reimburse any costs incurred by the National Park Service and the United States Park Police in support of these activities.

M. The Permittee will be held liable for any damage to park property coincident to this permit. The Permittee is responsible for all reimbursement costs, including work performed by park staff, to correct or repair damages to park property (i.e. ruts, damages to drains, curbing and/or road surfaces, injuries to vegetation and turf, etc.) incurred as a result of the activity permitted.

N. The National Park Service will not be held responsible for any specific roadway maintenance requirements in support of footrace events, above and beyond regular routine maintenance.

O. Marking of race course must be by flour, real estate type signs, or similar material only, but must first be approved in writing by the National Park Service and is to be removed immediately after the event.

P. Unbudgeted expenditures incurred by the National Park Service and/or U.S. Park Police include personnel services, maintenance supplies and materials as well as maintenance clean-up following the event.

The Permittee will take special care to prevent damage to park resources. The Permittee will be held liable for any damages to park property coincident to this permit. In addition, the Permittee is responsible for the immediate cleanup of any debris deposited on park lands and roads. Permittee is responsible for reimbursing the National Park Service and United States Park Police for all personnel costs associated with this activity.

Lesser restrictive measures will not suffice in order to effectively balance and avoid conflicts between race and organized run activities with other visitor use and services activities equitably allocated park areas and facilities, access to and egress from park concessionaires, and concession operations. The public use limitation enhances park resources and values and is not of a nature, magnitude and duration that will result in a significant alteration in the public use pattern. Further, it will not adversely affect the park's natural, aesthetic or cultural values and is not of a highly controversial nature, given that these guidelines have been developed for past races in Rock Creek Park. Accordingly, pursuant to 36 C.F.R. §1.5(b) publication as rulemaking in the Federal Register is unnecessary and unwarranted. This is consistent with hundreds of past park closures or public use limitations, the legal opinion of the Office of the Solicitor, and past judicial adjudications. Mahoney v. Norton, No.02-1715 (D.D.C. August 29, 2002), plaintiffs' emergency motion for injunction pending appeal denied Mahoney v. Norton, No.02-5275 (D.C.Cir. September 9, 2002)(per curiam); Spiegel v. Babbitt, 855 F.Supp. 402 (D.D.C. 1994), aff'd and vacated in part 1995 US App. LEXIS 15200 (D.C. Cir. May 31, 1995); Picciotto v. United States, No. 99-2113 (D.D.C. August 6, 1999); Picciotto v. United States, No. 94-1935 (D.D.C. September 9, 1994); Picciotto v. Luian, No. 90-1261 (D.D.C. May 30, 1990); Picciotto v. Hodel, No. 87-3290 (D.D.C. January 26, 1988).

Pursuant to 36 C.F.R. § 1.7, notice of any closure will be made by posting, by officers' direction, or outlined in the permit. Pursuant to 36 C.F.R. § 1.5 (c), this Record of Determination is also available to the public upon request.

D P Marshall 3-31-10

Superintendent, George Washington Memorial Parkway Date

Appendix B

Record of Determination at Dyke Marsh Wildlife Preserve For a No Wake Zone and Boating Limits in Designated Areas During the Marsh Wren and Least Bittern Nesting Season

United States Department of the Interior

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

Record of Determination at Dyke Marsh Wildlife Preserve For a No Wake Zone and Boating Limits in Designated Areas During the Marsh Wren and Least Bittern Nesting Season

Dyke Marsh Wildlife Preserve is part of the National Park Service's George Washington Memorial Parkway pursuant to the Act of June 11, 1959, Public Law 86-42, 73 Stat. 71-72. That Act provided that its acquisition was "in order to acquire an area of irreplaceable wet lands near the Nation's Capitol which is valuable for the production and preservation of wildlife" and that it is to be administered "so that fish and wildlife development and their preservation as wet land wildlife habitat shall be paramount."

Pursuant to 36 C.F.R. §§ 1.5, 2.2(a)(2) and 2.3(a), and in order to further management objectives including preservation and protection of wildlife, within the boundaries of Dyke Marsh Wildlife Preserve (1) no vessel wakes are allowed and (2) during the Marsh wren and Least bittern nesting season from 15 May through 25 August, designated areas are closed to the use of internal combustion engines and for groups of three or more water craft. The boundary of Dyke Marsh Wildlife Preserve is based upon Public Law 86-41(a)'s NCPC map 105.22-415. Attached is the map which also contains supplemental GPS points to help identify its boundaries to boaters as well as the area that is restricted during the Marsh wren and Least bittern nesting season. Violation is prohibited.

Dyke Marsh Wildlife Preserve is the largest remaining freshwater tidal wetland in the Washington Metropolitan Area and provides a habitat for a diverse array of plants and animals and offers an ideal setting for a variety of recreational activities. A park trail that leads visitors into the marsh is a favorite of area birdwatchers, hikers, photographers, and nature lovers, while the waters in and around the marsh are popular for wildlife viewing and fishing.

To date, more than 360 species of plants have been recorded. The dominant plant species of the marsh itself is the narrow-leafed cattail. Other plants include arrowhead (a.k.a. duck potato), a plant whose starchy tubers are favored by waterfowl; arrow arum, a distinctive plant with large triangular leaf blades; pickerelweed; sweetflag; spatterdock-pond lily; and northern wild rice, the grains of which are enjoyed by red-winged blackbirds and waterfowl. Dyke Marsh Wildlife Preserve also provides habitat which supports a diverse array of animals, which includes beavers, muskrat, little brown bats, red fox, cottontail rabbit, gray squirrel, shrews and white footed mice. Several species of reptiles and amphibians also inhabit the marsh, including bullfrogs, leopard frogs, northern water snakes, as well as snapping, painted, and box turtles.

Nearly 300 species of birds, including Marsh wrens and Least bitterns, have been observed in Dyke Marsh Wildlife Preserve, making it one of the premier bird watching spots in the

metropolitan area. Among the species reported at Dyke Marsh include the commonly observed Canada geese (*Branta canadensis*), Mallard (*Anas platyrhynchos*), Great egrets (*Ardea alba*), Double-crested cormorants (*Phalacrocorax auritus*), Great blue herons (*Ardea herodias*), Laughing gulls (*Larus atricilla*); rarely observed: Common loons (*Gavia immer*), Tundra swans (*Olor columbianus*), Redhead ducks (*Aythya Americana*); and rare to uncommonly observed: Wood ducks (*Aix sponsa*), Black ducks (*Anas rubripes*); Herring gulls (*Larus argentatus*), Snowy egrets (*Egretta thula*), Greater scaup (*Aythya marila*), Black-crowned night-herons (*Nycticorax nycticorax*), and Bald eagles (*Haliaeetus leucocephalus*). At least 14 other ~~not listed~~ duck species ~~are~~ of similar size and habit ~~of~~ as Mallard also occur in Dyke Marsh.

I. No Wake Zone

The land portions of Dyke Marsh Wildlife Preserve have eroded at an alarming rate. A recent study of erosion rates at Dyke Marsh by Litwin, R.J. et al. 2010, Analysis of the Deconstruction of Dyke Marsh, George Washington Memorial Parkway, Virginia: Progression, Geologic and Manmade Causes, and Effective Restoration Scenarios. U.S. Geological Survey Open-File Report (In Press) which determined that since 1976 27% of the marsh land has been lost to erosion. Acres of remaining marsh land were documented as eroding over the years. Specifically, in 1976 while there was 82.9 acres, in 1987 there was 78.7 acres, in 2002 there was 68.9 acres and in 2006 there was only 60.3 acres. The rate of loss is approximately 3/4 of an acre per year over the last 30 years and the trend is that the amount of loss is increasing each year. Although northeastern tracking storms have been pointed out as the primary causes of the erosion, it is well known that the cumulative effects of boat wake waves dissipating energy on shorelines cause erosion.

In that regard, there have been numerous studies documenting that boat wakes cause shoreline erosion. *See e.g.* Dorava, Joeseph M. and Gayle W. Moore. 1997. Effects of Boat Wakes on Riverbank Erosion Kenai River, Alaska. USGS Water res. Inv. Rpt 97-4105. Ankorage, AK; Nanson, Gerald C. and Axel Von Krusenstierna and Edward A. Bryant. 1994. Experimental Measurements of River-Bank Erosion Caused by Boat Generated Waves on the Gordon River, Tasmania. The Maryland Dept of Natural Resources sponsored Zabawa, Chris and Chris Ostrem, 1980. Final Report on the Role of Boat Wakes in Shore Erosion in Anne Arundel County MD, Coastal Resources Division, Tidewater Administration, MD Dept of Natural Resources, Annapolis, MD, which shows erosive energy is caused from boat wakes, and that total energy from the series of waves in the wake of one boat does not decline significantly. And while the wave travels up to 200 feet across water, that distances over 500 feet were needed to reduce wave energy. The Report also noted that the most damaging wave energy came at boat speeds about 10 mph (9 knots) in a 26' boat, and 7 mph (6 knots) in a 16' boat, which are just above Maryland's 6 mph speed limit, so a small error in estimating speed causes maximum wake. Accordingly, to help minimize shoreline erosion caused by boats, no wakes are allowed by vessels within the boundaries of Dyke Marsh Wildlife Preserve.

II. Boating Restrictions At Designated Areas During Marsh Wren and Least Bittern Nesting Season

A vessel's internal combustion engine may not be used [while a vessel using electric trolling motor, sail, or paddling is allowed] and no more than three vessels of an organized group at any one time is allowed within designated areas of Dyke Marsh Wildlife Preserve during the Marsh

wren (*Cistothorus palustris*) and Least bittern (*Ixobrychus exilis*) nesting season from 15 May through 25 August.

This limited boating restriction at the designated areas is necessary to protect the nesting activities of the Marsh wren and the Least bittern, which are two regionally rare bird species known to nest in Dyke Marsh Wildlife Preserve. Indeed, Dyke Marsh is now the only location near Washington DC where these two species are consistently known to nest. The Marsh wren, whose reedy gurgling sounds make it a true song-bird, typically creates nests using cattail, sedge and grass which forms a cup upon which the walls are woven usually with water-soaked vegetation. The Least bittern, the smallest member of the heron family, typically nests on an elevated platform with an overhead canopy built with emergent aquatic vegetation and sticks.

Although once considered common in the Washington DC area (Coues, E. and D.W. Prentiss, 1883. Avifauna Columbiana: Being a list of birds ascertained to inhabit the District of Columbia, with the times of arrival and departure of such as are non-resident, and brief notices of habits, etc. 2nd Ed. U.S. National Museum Bulletin 26 Washington, D.C.), the Marsh wren is now rare and local here due primarily to the loss of vast marsh lands that historically occupied areas in and around the District. It also appears that Marsh wren populations are declining in Dyke Marsh itself. (Spencer, S.C. 2000. Population Abundance and Habitat requirements of the Marsh Wren (Cistothorus palustris) at Dyke Marsh National Wildlife Preserve, An Urban Conservation challenge. Masters Thesis, George Mason University) documented 31 male defended territories and seven breeding territories in 1998 and 34 male defended territories and 14 breeding territories in 1999, but a survey of the same area using the same methods by Bulmer et al. 2008. Marsh Wren and Least Bittern Breeding Survey Dyke Marsh Wildlife Preserve (NPS Unpublished Report) detected only 17 male defended territories and six breeding territories in 2008. The Least bittern is considered a "rare to uncommon" species in the Commonwealth of Virginia and is now state-listed for breeding occurrences and considered "somewhat vulnerable to extirpation" Roble, S.M. 2010. Natural Heritage Resources of Virginia: Rare Animal Species. Natural Heritage Technical Report 10-12. Virginia Department of Conservation and Recreation, Division of Natural Heritage, Richmond, Virginia.

There is an abundance of scientific literature that documents the negative effects of anthropogenic noise and movement on nesting birds. . *See e.g.* Carney, K.M., Sydeman, W.J., 1999. A review of human disturbance effects on nesting colonial waterbirds. Waterbirds 22:68-79; Erwin, R.M. 1989. Responses to Human Intruders by Birds Nesting in Colonies: Experimental Results and Management Guidelines. Colonial Waterbirds 12:104-108; Rodgers, Jr., J. A. and H. T. Smith. 1995. Set-back Distances to Protect Nesting Bird Colonies from Human Disturbance in Florida. Conservation. Biology 9:89-99; Speckman, S. G., J. F. Piatt, and A. M. Springer. 2004. Small boats disturb fish-holding Marbled Murrelets. *Northwestern Naturalist* 85:32–34 Vermeer, K., and L. Rankin. 1984. Population Trends in Nesting Double-crested Cormorants and Pelagic Cormorants in Canada. Murrelet 65:1-9.
While we are unaware of a study specific as to Marsh wrens or Least bitterns, and there are a diverse array of papers that show there are little or no effects from anthropogenic noise on some species of breeding bird, we believe that reduction in the numbers of boaters and the ban of the use of internal combustion engines near designated areas where these birds traditionally nest will help minimize disturbances and make it a quieter venue during their nesting season.

The George Washington Memorial Parkway earlier posted on its website that Dyke Marsh Wildlife Preserve was closed to groups of three or more water craft during the Marsh wren and Least bittern nesting season. Park personnel have spoken to groups who intended to organize large groups of canoeists during the Marsh wren and Least bittern nesting season. When informed of the closure, visitors readily agreed to reschedule their activity until after the breeding season and have stated that they love the marsh and would not want to unintentionally do anything to harm it or its wildlife.

Consistent with 36 C.F.R. §1.5, the George Washington Memorial Parkway's (1) creation of no wakes zones and (2) prohibition of internal combustion engines and limit of the number of organized groups of water craft users to no more than three water craft in designated area during the Marsh wren and Least bittern nesting season, will not adversely affect the park's natural, aesthetic or cultural values; nor require significant modification to the resource management objectives; nor is it of a highly controversial nature. Indeed, it will enhance the park's natural, aesthetic or cultural values. Accordingly, the National Park Service determines publication as rulemaking in the Federal Register is unwarranted under 36 C.F.R. § 1.5(c).

This Determination is consistent with the legal opinion of the Office of the Solicitor and judicial adjudications that have upheld other NPS public use limitations or closures. *Mausolf v Babbitt*, 125 F.3d 661, 669 n10 (8th Cir. 1997); *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), *plaintiffs' emergency motion for appeal for injunction pending appealed denied Mahoney v. Norton*, No. 02-5275 (D.C. Cir. September 9, 2002) (per curiam); *Picciotto v. United States*, No. 99-2113 (D. D.C. August 6, 1999); *Picciotto v. Lujan*, No. 90-1261 (D. D.C. May 30, 1990) *Picciotto v. Hodel*, No. 87-3290 (D. D.C. December 7, 1987).

Pursuant to 36 C.F.R. §1.7, notice of this Record of Determination will be made through publication in the George Washington Memorial Parkway's Compendium, media advisories, or notice. Finally, pursuant to 36 C.F.R. §1.5(c), this Determination is available to the public upon request.

Signed:

D P Marshall

Superintendent, George Washington Memorial Parkway

06-15-11

Date

Attachment: Map of Dyke Marsh Wildlife Preserve, with supplemental GPS points to help identify its boundaries, with designated areas during the Marsh wren and Least bittern nesting season that is closed to the use of internal combustion engines and for groups of three or more water craft.

Least Bittern/Marsh Wren Nesting Season Restricted Area

Least Bittern/Marsh Wren Nesting Season Restricted Area is from 15 May through 25 August, during which time both the use of internal combustion engines and groups of three or more watercraft is prohibited. The Restricted Area includes the waters that generally extends from the shoreline out 75 meters, located south of Belle Haven Marina to the mouth of Hog Island Gut.

Legend

- Nesting Season Restricted Area
- GWMP Boundary

0 250 500 750 1,000 Meters

0 530 1,060 1,590 2,120 Feet

Any determination of topography or contours, or any depitction of physicalimrpovements, property lines, or boundaries is for general information only and shall not be used for the design, modificiation, or construction of improvements to real property of flood plain determination. Image couresty of the Commonwealth of Virginia.

Appendix C

Record of Determination for Closure of Designated Portions of the Potomac River Virginia Shoreline Adjacent to the Great Falls of the Potomac

IN REPLY REFER TO:
A36 (GWMP)

Record of Determination for Closure of Designated Portions of the Potomac River Virginia shoreline adjacent to the Great Falls of the Potomac

Pursuant to 36 CFR 1.5(a), designated portions of the Potomac River's Virginia shoreline adjacent to Great Falls of the Potomac is closed to the public and may only be accessible through a Special Use Permit. This closed park land is depicted on the attached map and is more particularly described as being approximately 1680 feet in length and 250 feet in width along the Potomac River, beginning at the upper edge of Fisherman's Eddy, directly below Overlook Two, and extending upstream to a point in line with Mine Run Stream; and extending from the eastern edge of the park trail that leads to River Bend County Park. Violation is prohibited.

This park land is being closed to ensure public safety and to protect historic and natural resources. There are no designated trails along the river in this area, and the terrain is very difficult to traverse. The shoreline above and adjacent to Great Falls is lined with many large boulders and steep rock faces, polished smooth by river currents and when combined with algae, make the rock surfaces very slippery. The river in this location is very dangerous with deep, fast moving water and extremely strong river currents, undertows, and whirlpools. According to a 2001 study by the National Park Service Office of Risk Management, this stretch of river has had the most drowning deaths in the entire Potomac River Gorge. The study indicates that some 72% of overall river-related incidents are shoreline-based activities and 51% of all river-related injuries are fatal. Indeed, if someone falls in the Potomac River from this now-closed area, they would probably drown or be seriously injured by slipping and falling on the rocks.

In the past unsafe visitor activities had been frequently observed in this now closed area by Great Falls Park staff. Most visitors who venture into this area do so to enter or be close to the river. Usually, they wear inappropriate clothing and foot gear for the thick vegetation and rugged terrain. A very small number of visitors attempt to fish the river in this location; however, the currents in the area are too fast for good fishing. Another small percentage of visitors enter the area for photography. It is common for visitors to wander off trails and onto unauthorized "social paths" that can cause damage to cultural and natural resources. It is not feasible to construct and maintain designated trails because this area is frequently flooded. However, visitors can still experience the river and its views by using the overlooks and on designated trails located both downstream and upstream. In addition, with park staff having to make numerous safety contacts with visitors who enter this area, park staff has a higher risk for injury due to the difficult terrain.

This closed area also includes several unauthorized social paths that were created by park visitors who wander off the Patowmack Canal Trail to visit associated features like Briggs Grist Mill or to access the river.

Visitors using these unauthorized social paths enter the historic remains of the canal by climbing over dry laid stone, which has caused some sections of the canal stone walls to become dislodged, causing serious damage to historic resources. The unauthorized social paths also cut through native vegetation, spurring the growth of invasive exotic plants that crowd out native plants and trees. These unauthorized social paths, if allowed to be worn over time, are difficult for maintenance staff to eliminate because of compaction of soils.

This closure is not of a nature or magnitude that will result in a "significant alteration in the public use patterns." Although this closure may eliminate some scenic views for the public along the shoreline, many similar scenic views of the falls are available via three constructed and safe overlooks and the River Trail north and south of the closed area. As detailed herein, less restrictive measures will not suffice to ensure public safety and to protect historic and natural resources. The closure will not adversely affect the natural, aesthetic, or cultural values of the park; nor require significant modification to the resource management objectives; nor is it of a highly controversial nature.

Accordingly, pursuant to 36 CFR 1.5(b), publication as rulemaking in the Federal Register is unwarranted. This decision is consistent with the legal opinion of the Office of the Solicitor and past judicial adjudications that have upheld National Park Service closures or public use limitations. *Mausolf v Babbitt*, 125 F.3d 661 n10 (8th Cir. 1997); *Spiegal v Babbitt*, 855 F. Supp. 402 (D.D.C. 1994); *Mahoney v. Norton*, No. 02-1715 (D.D.C August 29, 2002), plaintiffs' emergency motion for injunction pending appeal denied *Mahoney v. Norton*, No. 02-5275 (D.C. Cir. September 9, 2002) (per curiam); *Picciotto v. United States*, No. 99-2113 (D.D.C. August 6, 1999); *Picciotto v. United States*, No. 94-1935 (D.D.C. September 9, 1994); *Picciotto v. Lujan*, No. 90-1261 (D.D.C. May 30, 1990); *Picciotto v. Hodel*, No. 87-3290 (D.D.C. January 26, 1987.

Pursuant to 36 CFR 1.5(c), 1.7, notice of this closure will be made through fencing and posting of signs at conspicuous locations in the affected area of the park and available in electronic formats. Pursuant to 36 CFR 1.5(c), this determination is available to the public on request.

10-5-12

Jon G. James
Acting Superintendent, George Washington Memorial Parkway

Date

Attachment: GWMP Map of Closed Area

Closed Shoreline Great Falls

0 200 400 800 Feet

N

Appendix D

Record of Determiniation Closing the Rocky Environments South of Overlook 3 at Great Falls Park, Virginia - Riverside Outcrop Prairie/Riverside Outcrop Barrens.

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:
A36 (GWMP)

Record of Determination Closing the Rocky Environments South of Overlook 3 at Great Falls Park, Virginia - Riverside Outcrop Prairie/Riverside Outcrop Barrens.

Pursuant to 36 C.F.R§ 1.5, and the 2008 Record of Decision for the Great Falls Park General Management Plan and Environmental Impact Statement, designated portions of the Virginia shoreline along the Potomac River south (downstream) of Overlook 3 is closed. This closed parkland is depicted on the attached map and is more particularly described as the rocky environment south of Overlook 3 to the downstream side of the Flat Iron climbing area between the Potomac River and the fence line along the picnic area and River Trail. Access to this closed area is prohibited except by a special pass or permit that will be issued to individuals or groups who wish to access the restricted area for climbing, fishing, research, educational programs, or photography. Access to the climbing routes or fishing spots on Potomac River shoreline in the closed area will also only be by use of a designated marked yellow blaze trail. Permits to access the closed area for the purposes mentioned above will be issued at the Great Falls Park Visitor Center or through the Special Use Permits Ranger of the George Washington Memorial Parkway. Violation is prohibited.

This closure is intended to help preserve globally rare plant communities endemic to Great Falls and the Potomac River Gorge, where the trail used to access the restricted area passes through two globally rare plant community types. The "Piedmont / Central Appalachian Riverside Outcrop Prairie" is known only from scattered sites along the Potomac and Shenandoah Rivers. The "Potomac Gorge Riverside Outcrop Barren" is not known from any place else on earth (Fleming, 2007; Steury et al., 2008).

The 2008 General Management Plan called for designating an access trail and the closed area due to National Park Service concerns about possible negative impacts from foot traffic on the globally rare plant communities and state listed rare plant species. In the past, repeated entry into the area by casual visitors on non-designated trails have trampled vegetation, including state listed rare species, and increased the spread of invasive exotic plants that further crowd out native plant species. The purpose of issuing special passes for the designated trail is to ensure visitors who access the area have received educational information about the significance and sensitivity of the unique natural environment, be aware of and adhere to appropriate plant protection and recreational practices, and to discourage casual visitors from entering the area.

This closure is not of a nature or magnitude that will result in a "significant alteration in the public use patterns," especially since entry will be allowed through the use of the permit system. Although this closure may eliminate for others some scenic views along the shoreline, many similar scenic views of the Great Falls and the Gorge are available elsewhere in the park. As detailed herein, less restrictive measures will not suffice to ensure resource protection.

The closure will not adversely affect the natural, aesthetic, or cultural values of the park; nor require significant modification to the resource management objectives; nor is it of a highly controversial nature.

Accordingly, pursuant to 36 C.F.R. § 1.5(b), publication as rulemaking in the Federal Register is unwarranted. This decision is consistent with the legal opinion of the Office of the Solicitor and past judicial adjudications that have upheld NPS closures or public use limitations. *Mausolf v Babbitt*, 125 F.3d 661 n10 (8th Cir. 1997); *Spiegal v Babbitt*, 855 F. Supp. 402 (D.D.C. 1994); *Mahoney v. Norton*, No. 02-1715 (D.D.C August 29, 2002), plaintiffs' emergency motion for injunction pending appeal denied *Mahoney v. Norton*, No. 02-5275 (D.C. Cir. September 9, 2002) (per curiam); *Picciotto v. United States*, No. 99-2113 (D.D.C. August 6, 1999); *Picciotto v. United States*, No. 94-1935 (D.D.C. September 9, 1994); *Picciotto v. Lujan*, No. 90-1261 (D.D.C. May 30, 1990); *Picciotto v. Hodel*, No. 87-3290 (D.D.C. January 26, 1987.

Pursuant to 36 C.F.R. § 1.7, notice of this closure will be made through fencing and posting of signs at conspicuous locations such as, the designated access point and along the boundary of the affected park area, through a permit system, and available in electronic formats. Pursuant to 36 C.F.R. § 1.5(c), this determination is available to the public on request.

Jon G. James
Acting Superintendent, George Washington Memorial Parkway

1-23-13
Date

Attachment: GWMP Map of Restricted Area

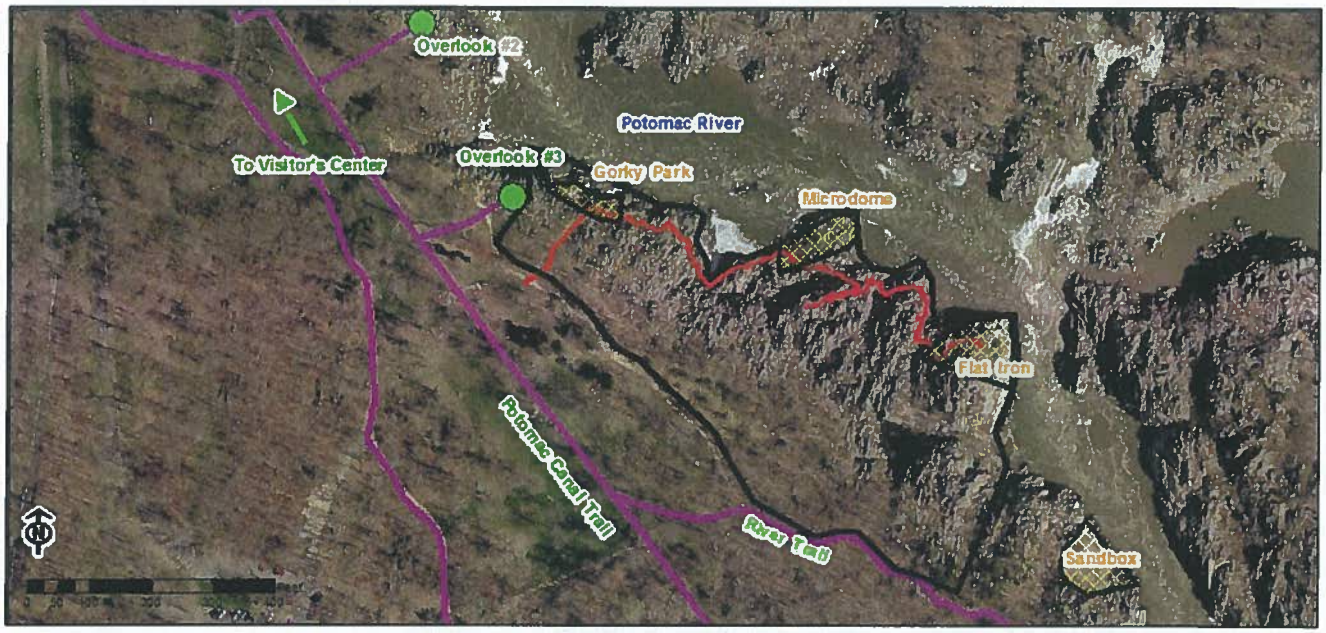
Literature Cited

Fleming, G.P. 2007. Ecological communities of the Potomac River Gorge in Virginia: composition, floristics, and environmental dynamics. Natural Heritage Technical Report 07-12. Virginia Department of Conservation and Recreation, Division of Natural Heritage, Richmond, Virginia.

Steury, B.W., G.P. Fleming, and M.T. Strong. 2008. An emendation of the vascular flora of Great Falls Park, Fairfax County, Virginia. Castanea 73(2): 123-149.

Riverside Outcrop Prairie/Riverside Outcrop Barrens

(Area of Closure)



Map shows the area of closure identified in the Record of Determination Closing the Rocky Environments South of Overlook 3 at Great Falls Park, Virginia - Riverside Outcrop Prairie/Riverside Outcrop Barrens.

Legend

- Climbing Zones
- Area of Closure
- Riverside Prairie Trail
- Great Falls Trails

Appendix E

Record of Determiniation for Public Use Guidelines for Footraces and Organized Runs at Great Falls Park

United States Department of the Interior

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

Record of Determination regarding Public Use Guidelines for Foot Races and Organized Runs at Great Falls Park (Virginia)

Pursuant to 36 C.F.R. §§ 1.5, 7.96 (g) (1) The George Washington Memorial Parkway issues this public use guideline for foot races and organized runs at Great Falls Park in Virginia. This record of determination is intended to more fully define what is "reasonably suited" for this particular site of the George Washington Memorial Parkway known as Great Falls Park. Violation is prohibited.

Great Falls Park is an 800 acre park located on the Potomac River fourteen miles upriver from Washington D.C. at the head of the Potomac Gorge. The park has three scenic overlooks at the Great Falls of the Potomac, a visitor center, the historic remains of the Patowmack Canal, 15 miles of trails, a picnic area, and three large parking areas accommodating approximately 750 spaces. On average, the park receives about 500,000 visitors annually. The park largely serves the local community who comes year round to see the vistas, hike on trails, picnic, mountain bike, rock climb, or do whitewater kayaking. It also serves as a popular destination for international travelers. Although the busiest seasons are typically in spring, summer and fall, park visitation is highly dependent on the weather and can be as busy on fair weather days in winter as one might see in summer. The majority of park visitation occurs in the core area of the park that includes the visitor center, overlooks, parking areas, and trails near the visitor center. These areas can be highly congested on busy days while other park trails receive much lower visitation. Foot races and organized runs need to be managed to avoid escalating the congestion of the park and be balanced with other public uses and demands on the recreational resources throughout the year.

Foot races and organized runs must be applied for through a special use permit and will be considered on a case-by-case basis according to 36 CFR § 7.96(g) (5) (v). Permits for foot races and organized runs will not be allowed on federal holidays, when the park typically experiences greater visitation. Any permitted foot races and organized runs must remain on designated trails that are appropriate for their use. Race events will be evaluated on their potential to impact park resources, capacity of the infrastructure (i.e. trail conditions and parking), and the safety and visitor experience of other park users.

This record of determination for Great Falls Park is not of a nature or magnitude that will result in a "significant alteration in the public use patterns," of the park; and attempts to create a balance with special event pedestrian and cycling races with other park uses. The policy will not adversely affect the natural, aesthetic, or cultural values of the park; nor require significant modification to the resource management objectives; nor is it of a highly controversial nature. Permit applications for pedestrian and cycling race special events within Great Falls Park will be administered in accordance with this Record of Determination, 36 CFR 7.96 and all applicable National Park Service special events policies and requirements.

Accordingly, pursuant to 36 C.F.R. § 1.5(b), publication as rulemaking in the Federal Register is unwarranted. This decision is consistent with the legal opinion of the Office of the Solicitor and past judicial adjudications that have upheld NPS special uses or public use limitations. *Mausolf v Babbitt*, 125 F.3d 6¢1 n10 (8th Cir. 1997); *Spiegal v Babbitt*, 855 F. Supp. 402 (D.D.C. 1994); *Mahoney v. Norton*, No. 02-1715 (D.D.C August 29, 2002), plaintiffs' emergency motion for injunction pending appeal denied *Mahoney v. Norton*, No. 02-5275 (D.C. Cir. September 9, 2002) (per curiam); *Picciotto v. United States*, No. 99-2113 (D.D.C. August 6, 1999); *Picciotto v. United States*, No. 94-1935 (D.D.C. September 9, 1994); *Picciotto v. Lujan*, No. 90-1261 (D.D.C. May 30, 1990); *Picciotto v. Hodel*, No. 87-3290 (D.D.C. January 26, 1987.

Pursuant to 36 C.F.R. §§1.5(c), 1.7, notice of this policy will be made by posting as electronic media and outlined in the permit. Pursuant to 36 C.F.R. § 1.5(c), this determination is available to the public on request.

Jon G. James
Acting Superintendent, George Washington Memorial Parkway

12-10-12
Date