

Record of Determination for a Temporary Closure  
of the Jefferson Memorial Plaza

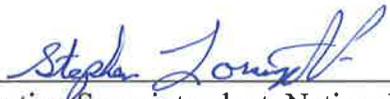
Pursuant to 36 CFR 1.5 a(1), National Mall and Memorial Parks will temporarily close the entirety of the Jefferson Memorial Plaza, East Ring Road and adjacent environs beginning June 1, 2011 and lasting September 30, 2011. It will extend from the East Access and East Ring Road entry at East Basin Drive SW on the southeast side of the memorial through to the entirety of the North Jefferson Plaza to the Tidal Basin Seawall and from all sides, east and west of the North Plaza through to the northwest terminus of the West Ring Road. These dates may be subject to change due to weather or exigencies of the construction process. Access to the memorial will be maintained throughout the entirety of the construction period.

The closure is necessary for reconstruction of the north Tidal Basin seawall, sidewalks, plaza and sections of the Ring Roads. The work will be phased so that access to the chamber of the memorial via steps, elevator and at least one of the two ramps is maintained at all times. Due to construction vehicle egress, the East Access Road and surrounding sidewalks will be closed to be utilized for construction traffic and activity throughout the duration of the construction period.

This temporary and partial closure is not of a nature, magnitude and duration that will result in a "significant alteration in the public use pattern". Indeed, the memorial and all other nearby park areas will remain open to the public. The closure will not adversely affect the park's natural, aesthetic or cultural values; nor require significant modification to the resource management objections; nor is it of a highly controversial nature.

Accordingly, the National Park Service determines publication as rulemaking in the Federal Register is unwarranted Under 36 C.F.R. § 1.5(c). This is consistent with hundreds of earlier partial and temporary park closures, the legal opinion of the Office of the Solicitor, and judicial adjudications. Picciotto v. United States, No. 99-2113 (D.D.C.); Picciotto v. United States, No. 94-1935 (D.D.C.); Picciotto v. Lulan, No. 90-1261 (D.D.C.); Picciotto v. Hodel, No. 87-3290 (D.D.C.); Spiegel v. Babbitt, 855 F.Supp. 402 (D.D.C. 1994), affld in part w/o op. 56 F.3d 1531 (D.C. Cir. 1995).

Pursuant to 36 C.F.R. § 1.7, notice of this temporary and partial closure will be made through fencing and posting of signs at conspicuous locations in the affected park area. Finally, pursuant to 36 C.F.R. § 1.5(c), this determination is available to the public upon request.

*Steph*  
  
\_\_\_\_\_  
Acting Superintendent, National Mall and Memorial Parks

*6/1/11*  
\_\_\_\_\_  
Date