Record of Determination to Close National Capital Parks-East to the Launching, Landing, or Operation of Unmanned Aircraft

Authority: 36 CFR§ 1.5 (A) (1) – General Closures – Launching, landing or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of National Capital Parks-East is prohibited except as approved in writing by the Superintendent.

Definition: The term "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 operation 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, drones,) that are used for any purpose, including for recreation or commerce.)

Justification: This restriction covers all areas within the National Capital Parks-East, including Anacostia Park, Fort Washington, Greenbelt, the Baltimore-Washington Parkway, Oxon Cove, and Frederick Douglass Home as well as all other parklands, such as the Capital Hill parks, circles, squares and reservations.

The airspace above Stanton Park on Capitol Hill is classified as prohibited for the operation of all aircraft without specific permission. The remainder of the park falls within the closely regulated airspace associated with the major airports in the area, the heliport for the United States Park Police, and the Washington, D.C. Air Defense Identification zone. A portion of our parkland is in residential areas, close to multi-story buildings, and in a busy urban environment. Other sites are held sacred for their connection to honor our military. Wildlife and migratory birds, including threatened species, feed and roost within the park. Disturbances are kept to a minimum for the domesticated animals at Oxon Hill Farm. The driver distractions and safety hazards at the well-traveled thoroughfares, including the Baltimore-Washington Parkway, the Suitland Parkway, Anacostia Drive, for Davis and Fort Dupont Roads within Fort Dupont are to be minimized.

The National Park Service has not had sufficient time to adequately determine the effect and impact of the use of unmanned aircraft within National Capital Parks-East upon the atmosphere of solemnity and reverence, as well as scenic values of the memorials and monuments; the safety of visitors walking, bicycling and driving in and through the park; the expression of the First Amendment views; the impact of wildlife and the safety and security of official aircraft that operate above and within the park.

The launching and retrieval of unmanned aircraft, as distinguished from that of the operation of model aircraft (prohibited under 36 CFR§ 7.96 without a permit), is a new use and therefore subject to the requirements of the National Park Service *Management Policies 2006*, Sections 1.5 and 8.1, "Appropriate Use." Before a new use may be allowed, it must be assessed to determine if it is "(1) appropriate to the purpose for which the park was established, and (2) may be sustained without causing unacceptable impacts." (*Management Policies 2006,* Section 8.1.1).

Since that requirement assessment and evaluation has not yet been done, less restrictive methods involving the launching and retrieval of unmanned aircraft are not appropriate.

Notice of this temporary and partial closure and public use limitation will be made through media advisories, maps and posting at conspicuous location in the affected park areas as required by 36 CFR§ 1.7. This determination is available to the public upon request.

11/17/14

Gopaul Noojibail
Superintendent

Date