



United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
Rock Creek Park
3545 Williamsburg Lane, N.W.
Washington, D.C. 20008-1207

IN REPLY REFER TO:

10.C. (NCR-ROCR)

SEP 22 2016

Record of Determination for a Partial and Temporary Closure of Certain Federal Parkland at the southern end of Glover Archbold Park

Pursuant to 36 C.F.R. § 1.5, the National Park Service has implemented a temporary emergency closure of certain sections of parkland at the southern end of Glover Archbold Park, in the Georgetown area of Washington, DC. The duration of the closure, which began on Monday, August 8, 2016, is dependent on the completion of construction of certain safety measures by the Washington Metropolitan Area Transit Authority (WMATA). This closure is necessary for the protection of human health and safety, and for the setup, operation and demobilization of construction crews and equipment.

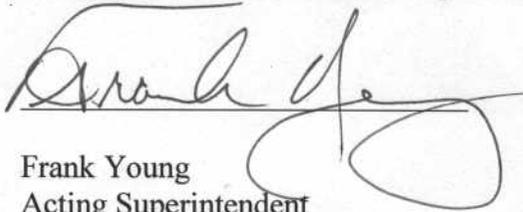
The closure results from a determination by the National Park Service that a historic trolley trestle, owned by WMATA, poses a safety hazard to park visitors. The trestle, which is located several hundred feet north of Canal Road NW, spans Glover Archbold Park. The piers for the trestle are located on property administered by Rock Creek Park, and the Glover Archbold Park pedestrian trail passes directly underneath the eastern portion of the span.

A 2014 assessment of the structure, commissioned by WMATA and made available to the National Park Service in the summer of 2016, determined that the trestle requires stabilization as well as the installation of safety measures to prevent debris from the unused structure from falling. After on-going monitoring of the area by National Park Service staff and a visual inspection of the trestle by a National Park Service engineer, the Rock Creek Park Superintendent ordered the emergency closure of the trail underneath the trestle on August 8, 2016. Park staff subsequently installed barriers at the north and south ends of the trail closure, and detour maps and signs were put in place for trail users. Park staff continues to work with WMATA to help protect park visitors, while WMATA determines how to proceed with stabilization or disposition of the structure and on WMATA's plans for installation of a covered walkway and/or similar safety measures over the trail. Less restrictive measures will not suffice because of the need to ensure sufficient visitor and workmen safety until the trestle is adequately stabilized.

This partial and temporary closure does not constitute an impairment to park resources and values and is not of a nature, magnitude or duration that will result in a significant alteration of the public use pattern. Detours have been signed and implemented for trail users that allow full access to Glover Archbold Park north of the trail closure. Further, the closure will not adversely affect the park's natural, aesthetic or cultural values. In addition, the closure is not of a highly controversial nature. Similar restrictions are common within areas administered by Rock Creek Park and at other parks in the National Park System when health and safety concerns are present over or adjacent to trails.

Accordingly, the National Park Service has determined publication as rulemaking in the Federal Register is unwarranted under 36 C.F.R §1.5(c). The partial and temporary park closure and public use limitation is consistent with hundreds of other temporary park closures, the legal opinion of the Office of the Solicitor, and judicial adjudications. *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); *Spiegel v. Babbitt*, 855 F. Supp. 402 (D.D.C. 1994), *affd in parr 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).

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



Frank Young
Acting Superintendent

9/22/16

Date